

MIAMI COUNTY EMPLOYEE HANDBOOK

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MISSION STATEMENT

Our goal is to bring to the citizens and taxpayers of Miami County the most responsive governmental services possible. We strive to accomplish that goal by employing top quality people and retaining their services for extended periods while furnishing our workforce with experience and insight into the needs of our county and its residents. We train technologically and procedurally, those employees so that they may serve the public competently within the requirements of state and federal law.

From time to time, we will establish, maintain, and promulgate policies governing the hiring, paying, and termination of those employees that best serve the interest of those employees and the county. This handbook is also intended to follow all applicable laws as to the treatment of protected classes of employees.

The success of our County, like that of any other, calls for teamwork on the part of everyone in the group. When a group of people works closely together, there ARE guidelines and procedures established for everyone to adhere to and respect. Miami County believes that it offers excellent employment opportunities, as well as a progressive, personnel philosophy. We strive to summarize many of the more important elements of your employment with Miami County in the Miami County Personnel Handbook

CHAPTER ONE (1)-DECLARATIONS AND USE OF HANDBOOK

1.1 USE AND REVISIONS OF PERSONNEL POLICIES HANDBOOK

This Handbook is designed to provide you with information about working conditions, employee benefits, and some of the policies affecting employment shall read and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Miami County to benefit our employees. Our objective is to provide a work environment that is conducive to both personal and professional growth.

This Handbook is not a contract of employment. Miami County may hire, fire, promote, demote, layoff, suspend, set their own work hours and policies at their discretion. Nothing in this Handbook is intended to in any sense constitute a contract of employment or an expectation of continued employment. Miami County is an “At-Will” employer, which means the Employee may resign at any time and the Employer may discharge an Employee at any time with or without cause.

These policies and procedures apply to all Miami County employees, except when in conflict with special employment conditions set forth for elected officials or when in conflict with statutes governing employment relationships.

No employee handbook can anticipate every circumstance or question about policy or work conditions. The matters discussed in this Handbook are of importance, but are not intended to be a complete list of all Miami County Government’s policies and procedures. The Miami County Board of Commissioners reserves the right to modify the procedures and policies from time to time. Every employee is expected to comply with each of rules and policies set forth in this Handbook as well as any other work rules adopted by the Commissioners and elected officials exercising their executive power to manage County Government. A violation of these policies or procedures may result in discipline up to and including discharge. As the county continues to grow, the need may arise to change policies described in the Handbook. The Board of Commissioners reserves the right to revise, supplement, or rescind any policies or portion of the Handbook from time to time, as it deems appropriate, in its sole and absolute discretion. Employees will be notified of such changes as they occur.

Although we believe the descriptive materials contained in this Handbook are accurate, some sections, such as insurance, are only summaries. Any discrepancies between these summaries and the terms of the actual plans will be governed by the terms of the underlying contracts. We have included an appendix located after the adoption of these rules, policies and procedures. The appendix includes policies and forms, which are intended to aid in the implementation and supplement of this handbook.

1.2 EXCEPTIONS AND SPECIAL CONDITIONS

All Elected Officials, Independent Contractors and Contract Professionals are excluded from the provisions of these County Personnel Policies.

The County recognizes that, so long as the requirements of state and federal laws are met, the Sheriff has the authority to set policy for the operation of his department, and the Sheriff's Merit Board has the authority to set department rules and policies as provided in I.C. 36-8-10-3, et seq. Consequently, unless a provision of the Handbook specifically includes merit officers (e.g., Section 4.16 providing limited health care coverage for certain merit officers), the provisions of this Employee Handbook do not apply to the operation of the Miami County Sheriff's Department or to the Miami County merit officers, except with respect to state or deferral employment laws (e.g., FMLA, FLSA, ADA, OSHA, Workers' Comp., etc.) which are covered by the Handbook and administered by the Miami County Auditor to insure compliance. Further, this Handbook shall not apply to merit officers in those instances where it grants rights or benefits to County employees not required by state or federal employment law (i.e., the right to use sick days in conjunction with FMLA leave; reference Section 4.4 of Handbook

1.3 EQUAL EMPLOYMENT OPPORTUNITY DECLARATION

Miami County does not discriminate on the basis of race, color, gender, national origin, religion, age or disability in employment or in the provision of service.

Employment position vacancy notices, postings, advertisements, and recruiting literature shall contain the phrase "An Equal Opportunity Employer."

Miami County, as required by law, makes equal employment opportunities available to all persons without regard to race, sex, age, color, religion, national origin, disability, citizenship status, veteran status, or any other category protected under federal, state, or local law. This policy applies to applicants and employees and to all aspects of employment, including hiring, promotion, demotion, and treatment during employment, rates of pay or other forms of compensation, and termination of employment.

Reasonable Accommodation

Miami County Government will take appropriate steps to provide reasonable accommodation upon request to qualified individuals with disabilities so long as doing so does not cause an undue hardship. Miami County Government also will take appropriate steps to provide reasonable accommodation upon request to employees whose religious beliefs or restrictions create a conflict with our policies, practices, or procedures so long as doing so will not cause an undue hardship.

IMMIGRATION LAW COMPLIANCE

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the **Employment Eligibility Verification Form 1-9** and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed one within the last three (3) years, or if their previous verification is no longer retained or valid.

1.4 MANAGEMENT RIGHTS

Miami County, as a public employer, retains the sole and exclusive responsibility and authority to manage and direct its workforce on behalf of the public, and to conduct the operations and activities of the County to the full extent authorized by law.

The “County” is defined as Miami County Board of County Commissioners, the Miami County Council, the Elected Officials of Miami County, Agency and Department heads acting individually or in conjunction with each other within the areas of responsibility assigned to said individuals and/or as defined by applicable statute, case law, constitutional provision, ordinance, or resolution.

The County shall exclusively determine all matters concerning wage, fringe benefits, compensation time, hours of employment and work rules.

1.5 DRUG TESTING

The County is committed to providing a safe, efficient and productive work environment for all employees. In keeping with this commitment, employees and job applicants may be asked to provide body substance samples (e.g., blood, urine, saliva, hair or other body substance) to determine the prohibited use of alcohol or controlled substances including, without limitation, marijuana, cocaine, opiates, amphetamines, barbiturates, and phencyclidine (PCP). The County will use its best efforts to protect the confidentiality of all drug test results.

Drug and alcohol testing is a condition of employment and will be conducted in accordance with this Policy on any current and prospective employee.

A) Pre-Employment Testing

Miami County reserves the right to require each individual who is offered employment pass a drug and alcohol test as a condition of employment.

Reasonable Cause Testing

When there is reasonable cause to believe that an employee has used a controlled substance, the employee will be required to submit to a drug or alcohol test.

“Reasonable cause” testing may be based upon facts such as:

- (1) Specific observations concerning the appearance, behavior, speech, or body odors of the employee, including observation of drug use, drug possession, or possession of drug paraphernalia, physical signs or symptoms of being under the influence of a drug or alcohol, and signs and/or symptoms of withdrawal effect of drugs or hangover.
- (2) A pattern of abnormal or erratic behavior as evidenced by the employee’s work time, actions, appearance, or conduct, which interferes with effective job performance.

If practical, a Department Head Supervisor or Office Holder will observe the employee’s conduct. If that is not practical, one written employee’s observation is sufficient. Reasonable cause can be based on a third party observer’s report if the report is corroborated or if the employee frequently works in an unsupervised environment.

An employee who is required to submit to a “reasonable cause” drug or alcohol screen will be suspended until Miami County receives the results of the test. If the test result is negative, the employee will be paid for regularly scheduled hours missed because of the temporary suspension.

In any “reasonable cause” situation, Miami County will ensure that the employee is transported to an appropriate testing facility where an individual selected by the employer will be contacted to transport the employee home.

If the employee refuses to agree to any of these procedures and attempts to operate his own vehicle, Miami County Representatives will make appropriate efforts to discourage the employee from doing so, up to and including contacting law enforcement officials. Any employee failing to cooperate with any of the procedures described above will be subject to discipline and discharge.

B) Post Accident Testing

Drug and alcohol testing shall be required in the event of an accident during work time, defined as an event that results in (a) death; (b) bodily injury that requires medical treatment away from the scene of the accident; or (c) property damage as soon as possible, but no later than 2 hours after the accident.

- C) Miami County reserves the right to test under other Circumstances at the management’s discretion, including unannounced random testing.

1.6 **PROHIBITED DRUG AND ALCOHOL USE AND ACTIVITIES**

The following conduct is strictly prohibited: (I) Employees are prohibited from using, being under the influence of, or possessing illegal drugs; employees are prohibited from using or being under the influence of legal drugs whose use can adversely affect the ability of the employee to perform his job safely; (II) Employees are prohibited from selling, buying, soliciting to buy or sell,

transporting, or possessing illegal drugs while on County time or property; (III) Employees are prohibited from using or being under the influence of alcohol at any time while at work. If alcohol is detected on their breath, then employees will not be allowed to work; (IV) Employees are prohibited from possessing any amount of alcohol (including possessing medications which contain alcohol) while on duty;

Testing positive for drugs or alcohol/refusing to be tested for drugs or alcohol/failing to submit to a drug or alcohol test as directed by the supervisor or Department Head/Office Holder, failing to stay in contact with the County and the department head/office holder while awaiting the results of a drug test; violating any applicable law governing the use of drugs or alcohol or doing anything to obstruct the County's policy and goals with respect to drugs and alcohol use or testing shall constitute a violation of the County's policy and will result in disciplinary action, including possible discharge.

1.7 FEDERAL MOTOR CARRIER SAFETY REGULATIONS/SAFETY-SENSITIVE POSITIONS DRUG AND ALCOHOL POLICY

It is the policy of the County to comply with and abide by all laws and regulations that have been established by part 382-CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING of the Federal Motor Carrier Safety Regulations, U.S. Department of Transportation (DOT), and Federal Highway Administration (FHWA). In complying with these regulations, the County hereby institutes a comprehensive controlled substance and alcohol testing, training and record-keeping program for employees in positions that have been classified as safety sensitive. In accordance with DOT/FHWA regulations, which require and employee to operate a commercial motor vehicle and/or hold a commercial driver's license are on file. The provisions set forth above in 1.7 and 1.8 apply.

Information and training concerning the specific provisions of this policy will be provided to all employees and supervisors of employees holding safety provisions contained within, are on file in the highway department and may be reviewed upon request.

1.8 VOLUNTARY IDENTIFICATION & REHABILITATION/TREATMENT

Any employee who voluntarily identifies him or herself as having a drug or alcohol-related problem will not be subject to discipline for volunteering that fact. Rather, the employee will be permitted to take an unpaid leave of absence to undergo rehabilitation or treatment to overcome dependence on drugs or alcohol or to participate in other treatment programs recommended by a substance abuse professional. This leave will be in accordance with the terms and conditions of Miami County leave policies as follows.

- A) The key to Miami County's rehabilitative policy is an employee's willingness to admit and seek to remedy the problem. This provision is not available to an employee who requests protection (1) after being asked to submit to testing or (2) after the employee's use of drugs

or alcohol becomes a personnel issue based on observation or evidence obtained from an arrest or criminal conviction for a controlled substance or alcohol-related offense.

- B) Employees who volunteer drug and alcohol dependency information and participate in a rehabilitation/treatment program are not relieved of their obligation to comply with applicable rules concerning alcohol and drugs and will be subject to disciplinary action, including termination, for their violation.
- C) An employee who successfully completes a rehabilitation/treatment program must verify the information in writing by the program's administrator, with an original certificate filed with the auditor. The employee will be allowed to return to work when work is available for which the individual possesses the skills, qualifications, and experience or in accordance with the employee's rights under the Family and Medical Leave Act and other applicable law. Return to work from rehabilitation may also be conditioned upon the employee's strict compliance with individual responsibilities, which may include follow-up counseling and/or treatment. In all such cases, the employee shall provide an appropriate release of information form (HIPAA) and consent to the County receiving information concerning rehabilitation treatment.
- D) Any costs associated with the voluntary rehabilitation/treatment program will be at the employee's expense unless the cost is wholly or partially covered under Miami County's health insurance program, and the employee is eligible for that coverage.

1.9 AMERICANS WITH DISABILITIES ACT (ADA) DECLARATION

It is the policy of the County that qualified individuals with disabilities not be excluded from participation in or benefit from the services, programs or activities of the County. It is the policy of the County not to discriminate against a qualified individual with a disability in: job application; the hiring, advancement or discharge of employees, employee compensation; job training, and other terms, conditions and privileges of employment. It is the intent of the county to comply with all applicable requirements of the **Americans with Disabilities Act (ADA)**. Those who need accommodation shall provide a written description of the disability and the reasonable accommodation to your Department Head/Office Holder.

- E) A "qualified individual with a disability" is defined as an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that each individual holds or desires. (42 USC Section 12.11 (8).
- F) If a person is not able to perform the essential functions of a job, even with reasonable accommodation, the person is not qualified for the position.
- G) The County will reasonably accommodate persons with a disability on a case-by-case basis, which may include making facilities readily accessible to individuals with a disability,

restructuring jobs, modifying work schedules, modifying equipment, or similar accommodations.

- H) Accommodations may not create an undue hardship for the County or other employees. An individual who cannot be reasonably accommodated for a job, without undue hardship, will not be selected for that position.
- I) All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, and which threat cannot be eliminated by reasonable accommodations, will not be hired or retained.
- J) Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave. Further, disabled individuals shall not pose a direct threat to the safety of themselves or others. Generally, a “direct threat” means a significant risk to the health or safety of themselves or others that cannot be eliminated by reasonable accommodation.
- K) Benefits provided to disabled individuals who are qualified to perform the work shall not differ from the benefits provided to other employees.
- L) Members of the public, including individuals with disabilities and groups representing individuals with disabilities, are encouraged to submit suggestions to the officeholder or department head, so the County might better meet the needs of individuals with disabilities pursuant to this policy.
- M) Any individual who believes he or she has received treatment inconsistent with the policies set forth above or any other requirement of ADA, may file a complaint within ninety (90) days of the date of the alleged discriminatory act or practice with the Board of County Commissioners who shall investigate the complaint and take appropriate action.

CHAPTER TWO (2)-EMPLOYMENT POLICIES

2.1 RECRUITMENT

Except as provided in this Handbook, authorization to recruit and hire to fill a vacancy in an existing or newly created position rests solely with the elected official and designated department heads subject to the requirements of this handbook **and submission to the Board of Commissioners for approval.** The approval shall not be unreasonably withheld.

Basic qualification of formal education, background and experience shall be determined by the Office Holder or Department Head before recruiting begins and shall be based upon job requirements as well as compliance with federal, state, and local laws. Written job descriptions and duties are encouraged.

As practicable vacant and new positions shall be afforded to current employees first, subject to ability and job qualifications as determined by the office holder/department head.

Information regarding vacancies or new positions shall be publicly posted on bulletin boards located in the County Government buildings where the position is located, and in any other County facilities deemed appropriate for notifying potential applicants for at least five (5) working days. The County encourages internal promotion and transfer whenever possible.

At the discretion of the County Commissioners, based on the urgency and specialization of the job requirements, newspaper and trade journal advertising may be used in recruiting employees. Job description shall state the position, basic qualifications and that the County is “An Equal Opportunity Employer.”

2.2 EMPLOYMENT APPLICATIONS

All applicants are required to complete and sign a County employment application (“Application”) as well as any other forms required for statistical purposes or deemed necessary to process the Application. The Application shall be maintained by the respective elected officials and department heads. All employment applications shall be the property of the county and subject to all privacy laws. They shall be kept by the respective office holders with a copy to the auditor for a period of three (3) years.

All applicants must complete the Application in its entirety and provide any requested information in its entirety and stating periods of employment and unemployment history. The elected official/department head may screen applicants and conduct testing relevant to the skills needed to effectively complete the duties of the position. In this connection, the applicant may be asked to describe or demonstrate how the applicant would perform the job duties with or without accommodation.

Applicant must pass drug test and background check to complete hiring process.

The County relies on the accuracy of information on the Application, as well as other data presented throughout the hiring process and employment. The County reserves the right to request the Miami County Sheriff or other investigative agency (private or public) conduct a background check of any applicant who files an application. Any misrepresentation, falsifications, or material omissions in any relevant information or data may result in the exclusion of the individual from further consideration for employment. If the applicant has been hired, a false application shall be grounds for termination of employment.

Placement of an Application with the County does not mean that all applicants will be granted an interview by the elected official/department head. However, equal consideration will be given to all applicants based on the qualifications listed for the job. Hiring decisions are the sole responsibility of the hiring authority (i.e., elected officials and designated department heads).

2.3 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals employed by the County are well qualified and have a strong potential to be productive and successful, it is the policy of the County to check the employment references of all applicants. This information is contained in the “Employment History and Work Experience” section of the County’s Employment Application.

2.4 EMPLOYEE MEDICAL EXAMINATIONS

To help ensure that employees are able to perform their duties safely, medical examinations may be required.

After a conditional offer of employment has been extended, certain designated positions may require an applicant to undergo a medical examination by a health professional of the County’s choice, at the County’s expense. Information concerning an employee’s medical condition or history shall be sent to the elected official or department head and kept in a confidential file that is separate from other employee information. Access to this information will be limited to the elected official/department head of the employee, County Commissioners and attorney.

The Sheriff’s Department will maintain their own files. Access to this information will be limited to those who have a legitimate need to know.

Current employees may be required to take medical examinations to determine fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at County’s expense. The employee shall report to the medical examiner as directed.

2.5 EMPLOYMENT STATUS

It is the intent of the County to clarify the definitions of employment status, so employees understand their employment status and benefit eligibility.

Each employee is designated as NON-EXEMPT OR EXEMPT from federal and state wage and hour laws.

- A) NON-EXEMPT employees, whether hourly or salaried, are entitled to overtime pay under the applicable provisions of federal and state laws.
- B) EXEMPT employees are excluded from overtime provisions of federal and state wage and hour laws. In addition, each employee will belong to one of the following employment categories: any full-time employee of the Sheriff’s Department may be subject to additional rules of the Sheriff’s Department and the Merit Board.
- C) FULL-TIME employees are those who are not in part-time, temporary or probationary status and who are regularly scheduled to work the County’s full-time schedule of thirty-

five (35) hours per week or more for twenty-six (26) weeks consecutively, or a seasonal worker working one thousand five hundred hours (1500) or more per year. Generally, they are eligible for the County's benefit package, subject to the terms, conditions, and limitations of each benefit program and approval of the County Commissioners.

- D) PART-TIME employees those who are not assigned to a full-time, temporary or probationary status. **Part Time employees will be limited to 28 hours maximum per week.** Part-time employees retain that status until expressly notified of a change. While part-time employees do receive all legally mandated benefits (such as worker's compensation and social security benefits), they are ineligible for the County's benefit programs.
- E) PROBATIONARY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the County is appropriate. All employees shall be probationary employees for their initial sixty days of employment. At the end of their initial sixty days of employment, they shall cease to be probationary employees, unless their probationary status is extended by their supervisor/elected official/department head. During this time, the employee will be paid at a rate of 90% of their "annual" pay during the probationary period. The employee will receive compensation for a paid holiday if they work their normally scheduled day proceeding and following that holiday.
- F) TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration and may be up to or exceed forty (40) hours during a workweek. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until notified of a change in writing. While temporary employees receive all legally mandated benefits (such as worker's compensation and social security), they are ineligible for the entire County benefit programs.

2.6 PERSONAL INFORMATION CHANGES

Personal mailing addresses, telephone numbers, number and names of dependents, changes in marital status, individuals whom need to be contacted in the event of emergency, educational accomplishments and other such personal information should be accurate and current. Any unreported changes in personal status may impact eligibility under the County's benefit plan. It is the employee's responsibility to convey personal information in written form to the Auditor's office and elected official/department head.

2.7 ORIENTATION/EXIT INTERVIEWS

A representative of the Board of Commissioners (in Auditor's office) shall conduct an informal orientation to familiarize a new employee with the County, and shall provide the new employee with a copy of this Miami County Personnel Policies Handbook.

Upon voluntary termination of employment an exit interview may be conducted with the employee by a representative of the Board of Commissioners.

2.8 PROBATIONARY PERIOD

All employees, regardless of status, will serve a probationary or provisional period within their job. This period will not be less than sixty (60) days. Part-time employees will normally serve a probationary period twice as long as full-time employees.

During the probationary period, the employee's progress will be monitored and he/she will be advised regarding work proficiencies and deficiencies. Termination and/or transfer action may be taken at any point during this period without recourse to any appeal or hearing process. An employee performance evaluation will be completed prior to the termination of the probationary period. Benefits will be withheld during this period and employee will be paid at 90% of "annual" rate of pay for that period.

2.9 NEPOTISM *ALSO SEE ATTACHED RESOLUTION 6/18/2012

A. Change in Relationship; Procedure to Comply

If, as a result of marriage, birth, adoption, the creation of other family relationships, election results, or hiring decisions, two or more relatives who are current employees of any office or department in the County are inadvertently placed into one of the two categories described in the paragraph above, then such relatives shall determine which of such relatives will seek to transfer to another job or otherwise take action to comply with this policy. The County shall have no obligation to either: (1) create a new position or job opening for any current employee; or (2) transfer any current employee to a new or existing position or job opening if the individual does not meet all selection standards or fulfill all qualifications deemed to be required for the position by the County. If the relatives are unable to determine which individual(s) will seek to transfer into another position or otherwise take action to comply with this policy, then the Board of Commissioners of Miami County, Indiana the "Board of Commissioners" will make a determination to ensure the County's compliance with this policy. A determination of the Board of Commissioners may include a decision to transfer, reassign, terminate or otherwise take action regarding one of the employees to ensure compliance with this policy. A decision of the Board of Commissioners may be based upon a variety of factors and criteria, including, but not limited to: (i) staffing and other needs; (ii) the jobs being performed by the employees and the necessity of each such job relative to the continued operation of the County government, and (iii) each employee's skills, job knowledge, prior work history, job performance and abilities.

B. County Employees Related to Elected Officers; Promotions

Notwithstanding the provisions of this policy and Indiana Code 36-1-20.2-10 to the contrary, in the event that an individual is an existing employee of the County to whom the provisions of this policy apply on the date such individual's relative begins serving a term of an elected office of the County, the individual may remain employed by the County and maintain the individual's position or rank even if such circumstances result in the elected officer being in the direct line of supervision of such existing employee. However, an existing employee described in the preceding sentence may not be: (1) promoted to a position if such promotion would result in the elected officer being in the direct line of supervision of such existing employee; or (2) promoted to a position that is not within the merit ranks, in the case of an individual who is a member of a merit police department if such promotion would result in the elected officer being in the direct line of supervision of such existing employee. However, in the event that the provisions of this paragraph should apply, either the elected official or the existing employee shall file with the Board of Commissioners, no later than the date such individual's relative begins serving a term of an elected office of the County, a full disclosure statement, which must: (a) be in writing; and (b) describe the relationship between the elected official and the existing employee.

C. Employees Covered by the Policy

Notwithstanding these provisions of Indiana Code 36-1-20.2-2, the County has determined that this policy shall apply to all individuals employed by the County regardless of their date of hire or time of employment with the County.

D. Jail Matron of the County under I.C. 36-8-10-5

Notwithstanding the provisions of Indiana Code 36-1-20.2-13 to the contrary, the County Sheriff's spouse may not be employed as jail matron for the County under Indiana Code 36-8-10-5, and the spouse may not otherwise be in the County Sheriff's direct line of supervision.

E. Deputy Coroners of the County

Notwithstanding the provisions of Indiana Code 36-1-20.2-14 to the contrary, an individual: (1) who served as coroner; (2) who is currently ineligible to serve as coroner under Article 6, Section 2(b) of the Constitution of the State of Indiana; (3) who, as coroner, received certification under IC 36-2-14-22.3; and (4) whose successor in the office of coroner is a relative of the individual; may not be hired in the position of deputy coroner of the County if that results in such individual being in the County Coroner's direct line of supervision.

F. Annual Certification by Elected Officers

Each elected officer of the County shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this policy or Indiana Code 36-1- 20.2. Each officer shall submit the certification to the Board of Commissioners not later than December 31 of each year.

G Right to Review Application of Policy and Make Amendments

The County reserves the right to review the specific facts of any case where this policy is implicated and make exceptions on a case-by-case basis consistent with the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-21. Furthermore, the County reserves the right to modify or amend the provisions of this policy from time to time consistent

with the provisions of the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-21.

H. Interpretation of Policy

This policy is intended to implement the minimum requirements necessary to comply with Indiana Code 36-1-20.2, as the same may be amended from time to time. If and to the extent this policy is not in compliance with Indiana Code 36-1-20.2, this policy shall be deemed to include such terms not otherwise included herein, and to exclude such terms not otherwise excluded here from, as are necessary to cause this policy to implement the minimum requirements set forth in Indiana Code 36-1-20.2. To the extent, this policy is inconsistent with any provision of Indiana law, including, without limitation, Indiana Code 36-1-20.2... Such other provisions of Indiana law shall control. If any portion of this policy is held or deemed to be, or is, invalid, illegal, inoperable or unenforceable, the validity, legality, operability and enforceability of the remaining portions of this policy shall not be affected, and this policy shall be construed as if it did not contain such invalid, illegal, inoperable or unenforceable portion.

I. Right to Review Application of Policy and Make Amendments

The County reserves the right to review the specific facts of any case where this policy is implicated and make exceptions on a case-by-case basis consistent with the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-20.2. Furthermore, the County reserves the right to modify or amend the provisions of this policy from time to time consistent with the provisions of the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-20.

2.10 RESIDENCY

Recruitment of personnel shall not be limited to applicants who reside within Miami County. However, upon hiring, the out-of-county employee may be required to establish residence within the county or within a quick response time in case of emergency.

2.11 REQUESTS FOR INFORMATION

For employment reference checks requested by other employers of past or current County employees, the County will respond in writing only to those reference inquiries that are submitted in writing. Responses to such inquiries will confirm dates of employment, wage rates, and position(s) held. Employees and former employees only shall be provided copies of attendance and past performance records upon request; and must acknowledge receipt of the records in writing. Written consent signed by the employee will be required for all other employment history.

CHAPTER THREE (3)-EMPLOYEE WORK HOURS AND COMPENSATION

3.1 WORK HOURS

The normal work hours are from 8:00 a.m. to 4:00 p.m. Any deviations from these hours must be approved by the Board of Commissioners. All county offices, departments, and employees shall observe these hours unless specifically approved by the Board of Commissioners.

The normal workweek typically begins on Tuesday at 12:00 A.M. and ends on Monday at 11:59 P.M. The Board of County Commissioners may change it. Several County departments, (i.e., Highway, 911, Sheriff, Emergency Management, Probation and Community Corrections) may alter their workweek to better facilitate the needs of their departments with regard to overtime reporting. Employees affected will be notified of the change in workweek schedule.

The Courthouse and Annex will be open from 8:00 a.m. until 4:00 p.m. Monday through Friday. Certain offices may need to observe earlier opening hours and later closing hours in order to better serve the public. In such instances, employees will be informed as to departmental policy upon employment, or as such needs evolve.

Lunch breaks will be up to one (1) hour in length and scheduled at the discretion of the elected official/department head. Employees shall be relieved of all duties and be free to leave their posts during their lunch.

An employee shall not work eight (8) continuous hours during the 8:00 a. m. to 4:00 p.m. work day. Lunch breaks should be staggered. No County office with two or more employees (including the office holder or department head) is authorized to close its doors or office during the lunch break.

Two fifteen (15) minute break periods are permitted, provided that only one is used per half day, before and after lunch periods. Break periods are not to be substituted for late arrivals, extended lunch or for early dismissals unless specifically approved by the Board of Commissioners on a case-by-case basis, and are to be taken in a manner that is not disruptive to department work operations.

Elected officials/department heads shall determine the employees work times and schedules. Staffing needs and operational demands may necessitate schedule variations from time to time each day and week.

The normal work pattern for full-time employees, except in designated departments, shall be seven (7) hours for a normal day's work, and thirty-five (35) hours for a normal week's work, to be completed in five (5) days, Monday through Friday. Each elected official/department head will have an opportunity to establish a flexible beginning and ending time for his or her department's workday. See Flexitime below.

3.1.1 FLEXTIME

Scheduling is available in some cases to allow employees to vary their starting and ending times each day between 6:00 a.m. and 9:00 p.m. If flextime is allowed, employees should consult their elected official/department head for implementation of the program, **subject to the approval of the Board of Commissioners.**

3.1.2 TARDINESS

All employees shall arrive on time for work and are not to depart prior to their regularly scheduled quitting time. Any departure from this policy requires prior permission by the employee's elected official/department head.

Supervisors shall keep records of all employee tardiness and absences including whether the absence/tardiness was reported prior to occurrence.

Employees late or absent must notify their supervisors of the circumstances as soon as known. Any employee tardy three (3) days in any month or six (6) days in any six (6) month period, shall receive a letter of warning which will remain in his/her personnel file. Additional tardiness within the same period may result in the employee's suspension from work, without pay, for up to five (5) days or termination.

Any employee absent without notification shall receive a letter of warning the first time and may be suspended the second and each subsequent time within a one (1) month period. Each suspension will be for a period not to exceed five (5) days each and shall be without pay. Any further unauthorized absence may result in termination.

3.2 COMPENSATION

All wages are determined by the County Council pursuant to the Salary Ordinance each year as amended from time to time.

No employee shall receive more than the highest hourly/common labor wage prior to the end of their probationary period.

3.3 OVERTIME ADMINISTRATION

All County employees and all County offices and departments shall observe the hours of work designated by the Board of Commissioners. The normal work hours of all departments shall be from 8 AM until 4:00 PM unless otherwise approved by the Board of Commissioners. All overtime will be worked only upon supervisory request and approval. Overtime must occur outside the 8:00 a.m. to 4:00 p.m., five (5) days per week, normal work schedule in excess of forty (40) hours. Overtime will be compensated pursuant to the Federal Fair Labor Standard Act for non-exempt employees.

Overtime is defined as any time worked in excess of forty (40) hours. It is to be scheduled, approved, and used with supervisory approval. Employees will be granted one and one-half (1 ½) hours pay for every one (1) hour of overtime after they have worked forty (40) hours during their regular work week.

Employees will be given the opportunity for overtime work assignment when operating requirements or other needs cannot be met during regular working hours. All overtime work must receive the elected official/department head's prior authorization. They shall be paid at a rate of one and one-half times the hourly wage for all approved hours worked in excess of forty (40) in a normal workweek.

Overtime compensation is paid to all non-exempt employees in the form of monetary reimbursement or compensatory time, in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on paid days such as sick leave, vacation leave, personal leave, compensatory time, or any other paid leave of absence will be considered as hours worked for purposes of calculating overtime hours.

Employees who work overtime without receiving prior authorization from the elected official/department head may be subject to disciplinary action, up to and including termination of employment.

3.4 COMPENSATORY TIME POLICY

When compensatory time is used in place of monetary reimbursement, compensatory hours shall be awarded at a rate of one and one-half time the amount of approved hours worked in excess of forty (40) in a normal workweek. Use of compensatory time must be determined in advance of submission of the payroll.

Except for the Sheriff's and Highway Departments, the scheduling, approval, and use to compensatory time off, with supervisory approval, shall be completed within the month following the month in which the compensatory time was earned. Exceptions to this must be approved by the Board of Commissioners. Compensatory time not used within this time frame, or the time frame exception as approved by the Board of Commissioners, will be forfeited.

Non-exempt employees who are not in public safety positions **may accrue a maximum of twenty (20) compensatory time hours** before monetary compensation is required. Public safety and Highway Department employees may accrue 80 (eighty) compensatory time hours before monetary compensation is required. Elected officials /department heads may set lower accrual limits, and are encouraged to schedule use of compensatory time as soon as possible to void accrual beyond the stated limit that would require monetary payment. The Office Holder/Department Head will monitor all compensatory time.

Department heads/Elected Officials shall monitor employee accrual of overtime-compensatory hours to ensure they are not excessive and to ensure employees schedule the use of compensatory time with the Elected Official/Department Head's prior approval.

Elected Officials and Department Heads shall provide the Auditor's Office with a detailed report each month on the compensatory time earned and used by their employees.

This policy applies to all non-exempt employees of the County as determined by the County Council's designation of jobs for compliance with the Fair Labor Standards Act. Elected officials/department heads shall provide the Auditor's office with an accurate and current record of all accrued compensatory time simultaneously with the weekly payroll. All elected officials/department heads shall provide a record of their current responsibility for employee compensatory time as of the date of the adoption of this policy. Thereafter, all elected officials/department heads shall provide current documentation showing comp hours are computed in accordance with this policy. Holiday, Vacation, Personal and paid Sick hours will be considered as hours worked for purposes of calculating overtime hours.

Compensatory time will be granted as long as it does not adversely affect the operation of the department. ***No exempt employee will receive compensatory time or over-time payment in monetary form.*** Non-exempt employees will receive compensatory time off in lieu of monetary overtime compensation in accordance with Section 7(0) of the Fair Standard Act, and the terms of this agreement.

Compensatory time off will be earned at a rate of one and one-half (1 ½) hours for each hour actually worked over thirty five (35) in the employee's established workweek. An employee may accumulate up to **twenty (20) hours** of compensatory time off, and an employee will receive monetary overtime compensation for overtime hours actually worked which would cause the accumulation to exceed their classification of hours.

An employee may use earned compensatory time off with the approval of the supervisor and within the time frame noted under paragraph 3.4. An employee's time is based on the regularly pay rate in effect when the compensatory time off is actually taken.

FAIR STANDARD

Miami County may elect to substitute monetary overtime pay for earned compensatory time off, either at the time overtime is actual worked or in any later period. Monetary overtime compensation will be based on the regular pay rate at the time of payment.

Miami County may also elect to apply earned compensatory time off to hours employees missed due to personal absence, short workweeks, layoffs, or leaves of absence, including medical leaves if not covered by (paid sick days/disability pay/etc.) In periods of reduced work, it may be necessary to schedule time off, to which earned compensatory time off may be applied.

In the event an employee leaves employment for any reason, they will be paid for earned compensatory time at the final regular rate of pay.

Either the employee or Miami County may terminate their employment relationship at any time and for any reason. In such a case, final compensation will be provided for all work actually performed on or before the next regular pay date following termination.

3.5 WAGE POLICY

Violations of the policy of the County shall be penalized as follows:

- a. Unauthorized time away from work shall be subtracted from existing leave time in the following order: accrued compensatory time, sick days, vacation days, and personal days.
- b. If an employee has no existing leave time as described above, unauthorized time from work shall be deducted from his/her wages on an hourly basis.
- c. If you are sick the day before/after a holiday, you must have a letter from your supervisor stating you were sick in order to receive the holiday pay.

3.6 TIMEKEEPING

Federal and state laws require the County to keep an accurate record of time worked in order to calculate employees pay and benefits. “Time worked” is all time actually spent on the job performing assigned duties. **Travel time to conferences, meetings, etc. is not considered “time worked” and does not qualify for compensatory time or overtime.**

Every employee is responsible for accurately recording their time worked in the electronic time equipment where available at their work location. Employees shall accurately record the time they begin and end their work, and the time they begin and end any split shift or departure from work. Overtime work must always be approved before it is performed.

Employees shall record the use of sick leave, personal leave, vacation leave, Family and Medical leave or any other type of approved leave on their time records. Failure to record the leave in any status may result in the employee not being paid for the leave.

Tampering, altering, and/or falsifying time records and recording time on another employee’s time record shall result in disciplinary action up to and including discharge. Time clock use and recording shall be applicable to employees working in court house and annex building.

3.7 PAYDAYS

Paydays shall be bi-weekly. Paychecks shall be paid by the Auditor’s office through direct deposit into the respective employee’s bank account.

In the event that a regularly scheduled payday falls on a day off (e.g. a holiday), employees will be paid on the last day of work before the regularly scheduled payday. Upon termination of employment, the employee's final pay shall be picked up at the auditor's office upon return of all county issued property including this handbook.

3.8 PAY CORRECTIONS

The County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the event there is an error in the amount of pay, the elected official/department head should promptly submit the discrepancy to the Payroll Deputy in the Auditor's office for corrections.

3.9 PAY DEDUCTIONS

The County is required to make certain deductions from each employee's paycheck, including federal, state and local income taxes, social security, Medicare and FICA taxes on each employee's earnings, up to a specified limit called the social security "wage base".

The County offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover costs to participate in these programs such as the employee share of medical insurance.

Pay deductions shall be made for court ordered garnishments and support wage withholding orders. IC 22-2-6-2 provides for assignment of wages, in writing, by the employer for limited purposes.

Questions concerning paycheck deductions and/or methods of calculation should be directed to the Payroll Deputy in the Auditor's Office.

CHAPTER FOUR (4)-EMPLOYEE BENEFITS

The County provides a wide range of benefits to eligible employees. Programs such as social security, worker's compensation, and unemployment insurance cover all employees in the manner prescribed by law. Eligibility for additional benefits depends on a variety of factors, many of which are described elsewhere in this handbook.

4.1 VACATION BENEFITS

To be eligible for Vacation Leave, an employee must be employed full-time as described in Section 2.4 Employment Status. The employee will be entitled to vacation with pay based on length of service, from date of hire forward. Full-time employees shall take Vacation Leave as indicated in the schedule below.

Length of service

Vacation leave

After 6 months to 1 year

5 days

1 year through 10 years	10 days
11 years through 15 years	15 days
16 years through 20 years	20 days
21 years through 25 years	25 days

Employees who currently receive more than 25 vacation days will continue to receive the number of days earned under the previous handbook.

Vacation time shall not accumulate from year to year unless approved by the Department Head/Elected official **and the Board of Commissioners**. Vacation time must be used in the year following after accrual. Effective as of the date of this handbook, all accumulated vacation must be used up by December 31, 2014. All vacations shall be scheduled and approved by each employee’s respective department head.

1. No employee will be granted Vacation Leave in advance of Vacation Leave being earned. This time is measured by hiring date.
2. Vacation Leave is granted on a 365-day basis.
3. A full-time employee may take any portion of or all of their earned Vacation Leave any time during the year, provided they comply with other provisions of these policies. Vacation Leave may be taken in half or whole day increments.
4. A full-time employee will receive their regular rate of pay for approved use of Vacation Leave.
5. Part-time, temporary and job-share employees are not eligible for Vacation Leave.
6. A full-time employee who has not completed six (6) months of service shall not be eligible for Vacation Leave pay if employment is terminated.
7. To take vacation leave, employees should request advance approval (as soon as possible after the first of the year) from their supervisors. Requests will be reviewed based upon a number of factors, including business needs and staffing requirements.
8. In the event that a holiday falls while an employee is on vacation, the employee will not be charged a vacation day for that holiday.
9. An employee’s termination date may not be extended to include unused vacation time. The employee’s termination date shall always be the last day worked.
10. Employees may not carry unused time forward to the next calendar year.

11. It should be noted that vacation time is earned in accordance with length of service described above. You must be employed with Miami County actively on each anniversary date to be eligible for your earned vacation time from the previous period. Upon termination or resignation, employees will only be compensated for any unused vacation time they earned prior to termination date of that current year.
12. Employees are encouraged to use their earned paid vacation time. All unused vacation time not taken within the time proscribed above shall be forfeited.

4.2 PERSONAL DAYS

After **one (1) year** of service each employee shall be entitled to two (2) days per year, with pay. Personal days shall **NOT** be accumulated from year to year.

4.3 HOLIDAYS

The schedule of holidays will be determined by the Miami County Board of Commissioners. Although Commissioners may designate other holidays, the County typically recognizes the following holidays:

New Years Day	Labor Day
Martin Luther King	Veterans Day
Friday before Easter	Presidents' Day
Memorial Day	Friday after Thanksgiving
Thanksgiving Day	Independence Day
	Christmas Eve
	Christmas Day

Except for the employees under jurisdiction of the Election Board, primary and general election days **may** also be observed as holidays in an election year if approved by the Board of Commissioners.

If an employee elects to take their vacation during a time that would include a county paid holiday, the employee is NOT required to deduct the day(s) the paid holiday(s) occurs from their remaining balance of eligible vacation time. For example, if the county is closed for a holiday on a Monday and an employee has scheduled their vacation time for the entire week, the employee will only use 4 of their vacation days.

Personnel who are required to work on assigned "holidays" (Sheriff Department, 911, Highway) shall be allowed to substitute a day off, to be used within ninety (90) days of the holiday and with approval of the department head.

The Board of Commissioners reserves the right to declare days off to substitute holidays that fall on Saturday or Sunday. An employee absent without authorization on the day preceding and/ or following a holiday will not receive compensation for the holiday. Any employee whose vacation period includes a holiday shall have an additional day to observe of his/her choosing. Miami County Courthouse office and the County Highway garage and offices will be closed to observe the major holidays of the year. Full-time employees will be paid their regular pay for those days that are designated b the Board of County Commissioners as “Holidays”. To receive holiday pay for the designated time off on the designated holidays, the employee must work his or her regular schedule on the day before and the day after the holiday.

4.4 SICK LEAVE POLICY

Sick leave is a privilege granted to an employee as a protection in case of injury or illness to that employee.

I. ELIGIBILITY

- A. Must be full-time employee
- B. No sick leave time is earned nor given during the first six (6) months of employment.
- C. No sick leave shall be granted for less than one (1) hour increments.

II. SICK PAY SCHEDULE

- A. After six (6) months employment sick leave will accumulate at the rate of one (1) day per month worked, up to a maximum of **SIX (6) days per year.**
- B. Unused sick leave may accumulate from year to year not to exceed a total of thirty (30) days.

For the above stated period of time, any employee will receive full pay for time lost during regular working days. Sick leave is not transferable to other employees.

Sick leave may be granted for the following reasons:

1. Injury or illness of the employee.
2. To avoid jeopardizing the health of other employees
3. Injury or illness of an emergency nature within the immediate family that requires the employee to be away from work.
4. Pregnancy

5. Sick leave may be used for doctor visits for employee or their immediate family members.

No compensation will be paid for unused sick leave days, and they may not be added to vacation time.

Employees shall notify their supervisor of their absence, due to sickness or injury, during the first hour of the day of absence. On any continued absence, the supervisor shall be advised as to the status of the employee and the probable date of return to work. The employee shall provide the supervisor with a physician's statement before returning to work for any absence from work of three (3) or more consecutive days.

4.5 FAMILY AND MEDICAL LEAVE

Effective January 16, 2009, The Family and Medical Leave Act of 1993 (FMLA) was amended. The amendments to the FMLA regulations implements new military family leave entitlements enacted under the National Defense Authorization Act for FY 2008 and update the regulations under the 15 year-old FMLA. This change hopefully will also improve communication between employees, the County, and health care providers to make the law operate more smoothly, while under the FMLA leave.

The Family and Medical Leave Act requires the County to provide eligible employees with up to 12 weeks of unpaid leave for their own serious illness, the birth or adoption of a child, or the care of a seriously ill child, spouse or parent. These leave entitlements are: Military caregiver Leave (also known as Covered Service Member Leave) and the Qualifying Exigency Leave. For an employee to be eligible for medical leave, he/she must have been employed by the County for at least one year and must have worked 1,250 hours within the previous 12-month period. Any employee who completes a period of leave must be returned either to the same position the employee was in prior to the leave, or to a position equivalent in pay, benefits, and other terms and conditions of employment.

Miami County will allow up to twelve (12) weeks unpaid leave in a twelve (12) month calendar year (January through December) for the following, except the Military Family Leave which will be allowed up to twenty-six (26) weeks of unpaid leave in a twelve (12) month calendar year (January through December).

- (A) To care for a newborn child or a child who is newly placed for adoption or foster care (the leave must be taken within 12 months from the date of birth or the date of placement)
- (B) To care for a spouse, child, or parent who has a "serious health condition"; or unable to perform the functions or his/her job.

- (C) Because the employee has a serious health condition that makes the employee unable to perform the functions of his/her job
- (D) To care for a covered service member with a serious illness or injury incurred in the line of duty on active duty.
- (E) Requesting Qualifying Exigency Leave for families of members of the National Guard and Reserves to manage their affairs while the member is on active duty in support of a contingency operation.

The provisions of the policy shall not apply to any employee of Miami County who has been employed for less than 12 months or who has worked less than 1,250 hours during the preceding twelve (12) month period preceding the beginning of the requested FMLA leave.

Definitions: For the purposes of this policy, the following definition shall apply: Family and Medical Leave: Any leave taken pursuant to this policy or for any of the reasons listed above, commonly referred to as FMLA.

ALL unused, accrued vacation pay, personal days, and compensatory time shall be used prior to the approval and use of FMLA time.

4.6 MILITARY LEAVE

Military leaves of absence are granted if an employee enlists, is inducted or is recalled to active duty in the Armed Forces of the United States for a period not more than four (4) years (plus any involuntary extension for not more than one (1) year). Upon satisfactory completion of military service and re-application with the County within ninety (90) days after being released from active duty, an employee will be reinstated to the same or comparable job to the one the employee left, assuming the employee is still qualified and circumstances have not changed to the extent it would be impossible or unreasonable to provide re-employment.

- I. Any employee, who has military obligations through service in the National Guard or the active reserves of the Armed Forces of the United States, shall be compensated by the County for the difference of their military base pay to equal their normal County pay.
- II. To receive such leave, the employee must present his/her notification papers to the supervisor or office holder as soon as they are received by the employee.
- III. After fulfilling reserve or National Guard duties, the employee must report for work at the beginning of the next regularly scheduled work day after any necessary travel time to return from service. If delayed by factors beyond the employee's control, the employee must report to work within a reasonable time after fulfilling reserve or National Guard duties.

4.7 BEREAVEMENT LEAVE

- I. Bereavement leave may be granted to an employee for a death in the employee's immediate family.
- II. Bereavement leave with pay shall be allowed for up to five (5) work days for the death of an employee's spouse, parent, brother, sister, son, son-in-law, daughter, daughter-in-law, or grandchild of the employee, and parent, brother, sister, or children of the spouse. This shall also include all step-relatives.
- III. Bereavement leave of one (1) day may be granted for attending the funeral of another relative within the second degree of kindred.
- IV. Employees will be paid only for days lost from their regular schedule and bereavement days must be used consecutively and limited to the time of funeral.
- V. Time off with pay may be granted to attend funerals of family or co-worker at the discretion of the department head or supervisor. (2 hours will be paid)

4.8 PERSONAL LEAVE

The personal leave period shall not accrue or be used during period of disability or workers compensation benefits and vacation and sick pay. Personal leave is included within the category of Family Medical Leave Act and shall not be construed as additional benefit.

4.9 VOLUNTEER FIRE FIGHTERS LEAVE

Volunteer fire fighters may be paid when called to duty during their normal workday. Department Heads/Elected Officials should notify the Board of Commissioners for approval to pay the volunteers after this situation arises.

4.10 JURY DUTY

Office holder may approve any absence from work, without loss of pay, for employee called to serve on a jury in any local, state or federal court. A copy of the subpoena and/or a certificate of service must be presented to the office holder or supervisor. Court or "legal leave" does not apply to the employee who might be the defendant or Plaintiff in any court litigation.

Pay received by the employee for service on a jury will be deducted from regular County pay. That is, the sum of the two (2) pays shall be no greater than the regular County pay afforded the employee. Mileage or expense allowances for the above service will not be considered as part of the pay received.

4.11 BUSINESS TRAVEL & TRAINING

Employees may be provided leave with pay for approved job-related training. Leave requests must be approved by the elected official/department head prior to the intended departure.

The elected official/department head is responsible for authorizing all employee business travel and reimbursement of travel expenses, including overnight lodging, per day meal allowances, mileage (as determined by MapQuest fastest route) reimbursement, and related expenses.

All instructional and informational meetings recognized by the Board of Commissioners as valuable to the performance of an employee's duties, reimbursement for expenses of that training will be made as follows:

1. Mileage (**as determined by MapQuest fastest route**) from the Courthouse and to the training site and back to the Courthouse/Annex at the established rate.
2. Parking fees and tolls.
3. Registration fees and material fees.
4. Meal allowance of \$10.00 per day if an overnight stay is not required and lunch is not provided during "function".
5. Meal allowance of \$25.00 per day if overnight stay is required.
6. Actual lodging expense in an amount equal to the single room rate.

Normally, non-professional out-of-state travel will not be approved for County employees.

4.12 PUBLIC EMPLOYEE'S RETIREMENT FUND (PERF)

All full-time County employees, except Deputy Sheriffs who are covered under the Sheriff Retirement Program, are covered by PERF, a retirement program established and maintained by the State of Indiana. PERF pays benefits to covered workers or their dependents upon retirement, death and, in certain cases, serious illness or injury. The employee contributes 3% of his/her gross wage for deposit into an annuity savings account. The County contributes a percentage to the pension account. The amount the County contributes varies and is determined actuarially annually. The employee's contributions and accumulated interest credits are refundable when an employee terminates employment prior to being eligible for benefits. PERF's Employer Financed Pension requires ten (10) years of service to become vested, and is paid by the County based on an employee's length of employment, average salary, retirement option selected and age at retirement. Questions concerning the program should be directed to: Public Employees' Retirement Fund of Indiana, Harrison Building, Suite SOO, 143 West Market Street, Indianapolis, IN 46204-2899; phone (888)526-1687.

4.13 LONGEVITY PAY

Salaried and hourly employees scheduled to work thirty-five hours per week or more will be eligible for longevity pay upon completion of two years of employment as of November 30th which shall be computed by the Auditor beginning with the first day the employee worked and was compensated. The payment date for all eligible shall be the second Friday of December of each year. You must be employed and work through November 30th to receive your longevity pay.

4.14 DEFERRED COMPENSATION

The County offers a deferred compensation program to eligible employees. Employees interested in participating should contact the Payroll Deputy in the Auditor's office.

CHAPTER FIVE (5)-EMPLOYEE INSURANCE AND DISABILITY BENEFITS

All qualifying employees are eligible for County Health Insurance. Qualifying employees are generally considered to be full-time employees. Exceptions must be approved by the Board of Commissioners. Family members may also be part of the group program subject to the following:

5.1 COUNTY HEALTH INSURANCE

Any spouse of a county employee whose employer offers insurance shall be required to obtain coverage through their respective employers. The spouse can still be covered under the county health insurance plan, but the county insurance will serve as their secondary insurance. The spouse is not required to be covered by both their employers plan and the county plan. Each employee will be required to provide the spouse's place of employment and a copy of their insurance card showing proof of enrollment. The spouse shall be required to obtain insurance, if offered by their employer no later than January 31. If no proof of insurance is provided, spousal and family coverage will be terminated by the county. If the spouses' employer does not provide insurance or if the spouse is not eligible for insurance benefits, a letter shall need to be provided by the spousal employer stating that the spouse is ineligible.

Any child of an employee whose employer offers insurance shall be required to obtain coverage through their respective employer or through their spouses' employer where available. Children are eligible for coverage under the county health insurance plan up to the age of 26, regardless of their dependent status. The child is not required to be covered by both their employers plan and the county plan unless the employee chooses such coverage. In that event, the child's employers insurance shall be primary. Each employee will be required to provide the child's place of employment and a copy of his or her insurance card showing proof of enrollment. The child will be required to obtain insurance, if offered by their employer. If the child's employer does not provide insurance or if the child is not eligible for insurance benefits, through their spouses' insurance program, a letter will need to be provided by the employee from the employer stating that the child is ineligible.

The County offers a tiered insurance plan as follows...

- a.) Employee Only
- b.) Employee and Children
- c.) Employee and Spouse
- d.) Employee and Spouse/Family

Each tier of insurance has a different cost; a portion of which the employee must pay by payroll deduction.

5.2 MEDICAL, VISION, AND RX INSURANCE

The County will pay a qualifying employee's share of all medical, vision, and RX insurance for the period the employee is away from work and receiving worker's compensation. The employee is responsible for submitting their share of the insurance premium to the auditor's office for continuing coverage.

5.3 BENEFITS CONTINUATION (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the employer's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the employer's *group* rates plus, an administration fee.

The County provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the employer's health insurance plan. The notice contains important information about the employee's rights and obligations.

5.4 COVERAGE OF RETIREES

After September 1, 1997, the Employer shall provide to retired participants the opportunity to continue coverage under the Plan. This provision applies to each retired participant whose retirement date is after September 1, 1997.

The retired participant must meet each of the following requirements:

- a) He must have reached age 55 on or before his retirement date but will not be eligible for Medicare; and
- b) Be must have completed 20 years of active service with a public employer, 10 years of which must have been completed immediately prior to his retirement date; and
- c) He must have completed at least 15 years of participation in the retirement plan of which he is a member on or before his retirement date.

The retired participant must make a written request for the continuation of coverage to the Employer within 90 days after his retirement date. The retiree premium contribution shall be 50% of the premium cost of an individual employee's share of COBRA insurance coverage. The retired

participant's coverage shall terminate herein upon the earlier of:

- a) The date the retired participant becomes eligible for Medicare, or;
- b) The date the Employer ceases to maintain the Plan.

The spouse and/or dependent children of the retiree are not eligible for continuation of Coverage offered by the plan. COBRA shall be made available to these eligible dependents however, they must pay the full COBRA rate.

5.5 SHORT-TERM DISABILITY

If an employee is on SHORT-TERM disability, the employee is still responsible to remit their portion of insurance premiums monthly to the Insurance Deputy in the Auditor's Office.

The County provides a Weekly Accident and Illness Income Benefit to all full-time employees. When an employee is unable to work due to a short-term disability or illness that is not subject to a workman's compensation claim, and is able to return to work, but only for performance of limited duties, the employee may return to work upon providing the following:

1. A doctor's verification of the limited disability.
2. A detailed explanation of what limited duties the employee is capable of performing.
3. A doctor's statement estimating when the limited disability or illness is likely to terminate.

The employee may only return to work and perform limited duties after the employee has used all accrued sick time, vacation time, and personal time and provided that there are currently limited duties available to be performed which would comply with all doctor's recommendations. The elected official/department head shall have discretion to determine whether or not there is a limited duty position available within their department for any given employee to perform. The employee performing limited duties due to short-term disability shall be paid at the same rate they were paid prior to the onset of the short-term disability or illness.

5.6 WORKER'S COMPENSATION

If an employee is on WORKER'S COMPENSATION the employee is still responsible to remit their portion of insurance premiums monthly to the Insurance Deputy in the Auditor's Office.

Employees may NOT use their normal family/personal physician when there is a work-related injury claim. The employee is required to use an Urgent Care Facility, or ER if necessary. Failure to adhere to this policy could result in a denial of medical claims and the employee could be held financially responsible.

The County provides a comprehensive worker's compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical or hospital treatment. The County's worker's compensation program is subject to compensability requirements as follows:

1. The injury or illness must arise out of employment.
2. The injury or illness must occur during the course of employment.
3. The injury or illness must have occurred by accident or unforeseen event.

Any employee who sustains a work-related injury or illness regardless of how minor shall inform his or her elected official/department head immediately. If this injury or illness is emergent in nature the employee shall seek treatment at the emergency room.

If the applicable injury or illness is non-emergency, each employee shall seek treatment as necessary. All elected officials/department heads must notify the Auditor's Office immediately upon the injury or illness of any given employee under their direct supervision. Any employee wishing to seek coverage under the County's Worker's compensation program must obtain and complete all applicable forms and return them to the Insurance deputy in the Miami County Auditor's office.

- a. First seven (7) days off work.

If an employee is unable to work, and has completed all requested forms for worker's compensation, the County will pay the qualifying employee his or her regular salary for the first (1) day through the seventh (7th) day the employee is off of work due to a qualifying injury. The employee shall receive compensation at the same rate and amount as their position previously received for a normally scheduled workweek. After an employee has been off of work for a qualifying worker's compensation injury for more than twenty-one and one-half (21 1/2) days and has received confirmation of Worker's Compensation coverage from the worker's compensation insurance carrier the Worker's Compensation insurance carrier will pay the employee for the first (1st) day through their seventh (7th) day off of work. The employee receiving payment from the Worker's Compensation insurance carrier for the first (1st) day through their seventh (7th) day off of work, must upon receipt, pay all amounts received to the County in reimbursement for the first (1st) day through the seventh (7th) day of work. All employees applying for and receiving worker's compensation shall execute an agreement with Miami County agreeing to reimburse the county for payment of compensation for days one (1) through seven (7) upon receipt from worker's compensation insurance. Execution of the above mentioned agreement is a condition precedent to receipt of compensation for days one (1) through seven (7) off of work.

- b. Eight (8) days and forward off work.

Worker's Compensation Insurance will pay benefits to the injured worker pursuant to Indiana Law.

5.7 EMPLOYEE'S SERVICE RECORDS

All Employees' Service Records shall be recorded with a W-C indicating the employee is off of work due to a qualifying worker's compensation injury. Any employee desiring a physician's second opinion may obtain said opinion solely at the employee's expense.

CHAPTER SIX (6)-WORKING CONDITIONS

6.1 IDENTIFICATION

All Miami County Employees working in the Miami County Courthouse, The Courthouse Annex Building and all other office personnel on county payroll shall be required to wear and/or display identification cards, for purposes of identification as provided by Miami County. The identification cards provided shall be worn and/or displayed at all times in which employees are working. Each employee is responsible for the identification card provided to them and it shall be at the discretion of the Miami County Commissioners for the replacement cost for any and all lost identification cards. Noncompliance shall be subject to discipline.

6.2 SMOKING AND TOBACCO PRODUCTS

In keeping with the County's intent to provide a safe and healthful work environment, the use of any tobacco products in County buildings is prohibited. The use of tobacco products are permitted outside county buildings. This policy applies equally to all Elected Officials/Department Heads, employees and visitors. No smoking signs are posted in County facilities.

6.3 SAFETY

Establishment and maintenance of a safe work environment is the shared responsibility of the County and all employees. The County will take all reasonable steps to ensure a safe environment for employees, customers, and visitors and to ensure compliance with federal, state, and local safety regulations.

Employees shall obey safety rules and exercise caution in all work activities, and shall immediately report any unsafe conditions to the elected official/department head. Reports and concerns about workplace safety issues may be made without fear of reprisal. All employees are expected to correct unsafe conditions as promptly as possible. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report, or where appropriate, remedy such situations, may be subject to disciplinary action, up to and including, termination of employment.

All accidents that result in injury must be reported to the elected official/department head, regardless of how insignificant the injury may appear. The elected official/department head must report such accidents to the Auditor's office. Such reports are necessary to comply with laws and to initiate insurance and worker's compensation procedures.

6.4 BLOOD BORNE PATHOGENS

The Occupational Safety and Health Administration (OSHA) have determined that certain employees in the workplace face a significant risk to blood borne pathogens. To ensure that County employees are aware of occupational exposure to blood borne pathogens, the County has developed an exposure control plan to minimize or eliminate employee contact with human blood or other bodily fluid, which may contain blood borne pathogens, such as hepatitis B virus and HIV. This control plan is available for use by all County employees and is located in the County Health Office.

Employees working in high-risk jobs will be offered blood borne pathogen training and a series of hepatitis B vaccinations for their protection at no cost to the employees.

6.5 EMERGENCIES

When an emergency occurs in the workplace of any County employee, the Board of Commissioners may close the workplace and employees may be reimbursed (with approval from the Board of Commissioners) at their regular rate of pay; not to exceed (2) two days per incident.

This emergency is intended to include snow storms, tornadoes, and extreme heat or cold, electrical or mechanical failures, or other conditions that could be of substantial threat to the health and well being of the employees.

Employees who fail to report for work or leave their place of work because of the above described emergencies, without the authorization of the Board of Commissioners or their designated representative, will not receive pay for the time lost.

This policy does not apply to those positions in the Sheriff's Department, 911 Department, Jail and Highway Department who are expected to work during an emergency.

CHAPTER SEVEN (7) USE OF COUNTY EQUIPMENT & SERVICES

7.1 USE OF COUNTY TELEPHONES FAX MACHINES AND COUNTY SOFTWARE

Except in the case of emergency, personal telephone calls should be made only during breaks or lunch times. Employees should use discretion in using County telephones when making personal calls. Personal use of telephones for long-distance/toll calls is not permitted, except for emergencies. Employees shall reimburse the County for all long-distance/toll calls.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner.

The mail system is reserved for business purposes only. Employees are not to send or receive personal mail at the workplace.

A fax machine is reserved for business purposes only. Employees are not to send or receive personal facsimile at the workplace.

7.2 USE OF COUNTY COMPUTER, INTERNET AND E-MAIL

Computers, computer files, the E-mail system, and software are County property intended for business use. Employees should not use a password, access a file or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and E-mail use may be monitored.

The County strives to maintain a workplace that is free of harassment and sensitive to the diversity of its employees. Therefore, the County prohibits the use of computers and the E-mail system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages and cartoons is prohibited. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, jokes, or anything that may be construed as harassment or showing disrespect for others.

E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations or other non-County business matters.

The County purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation.

Unless authorized by the software developer, the County does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to software license agreements. The County prohibits the illegal duplication of software and its related documentation.

Employees should immediately report violations to their elected official/department head, the Information Systems Service Department or any member of management. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

7.3 V.P.N.POLICY *ALSO SEE APPENDIX

USE OF V.P.N.

The purpose of this policy is to provide guidelines for Remote Access **Virtual Private Network (VPN)*** connections to the Miami County Government **network.*** (* see Definitions section)

2. Scope

This policy applies to all MIAMI COUNTY employees, contractors, consultants, temporaries, and other workers including all personnel affiliated with third parties utilizing VPNs to access the

Miami County Government network. This policy applies to implementations of VPN that allow direct access to the Miami County Government network from outside the Miami County Government network.

3. VPN approval

- a. Approved MIAMI COUNTY employees and authorized third parties (vendor support, etc.) may utilize the benefits of a VPN, which is a **"user managed" service**. *part time employees are NOT eligible to use VPN services. (Hourly employees requesting VPN should discuss documentation of "work-at-home" hours with their supervisor and consult the Personnel Policy Manual as appropriate.)
- b. VPN profiles will be created only at the request of Miami County Commissioners and employees manager (MIAMI COUNTY employee's and temporaries), or departmental representative (contractors, consultants, and vendors) by submitting the appropriate [VPN Access Request form](#). Additionally, the user must have read, understood, and acknowledged this policy before using the VPN service.
- c. VPN profiles for non-MIAMI COUNTY personnel (customers, vendors, etc.) must be approved by the Miami County Commissioners and the Information Technology Director. Additionally, a copy of the VPN Request Form (including VPN Policy, and the confidentiality agreement) must be signed by the designated company Approving Authority and filed with the Miami County Auditor's office. Accounts will not be issued until this process has been completed.
- d. VPN profiles are typically created in 2-4 days. Multiple requests may take longer to process. Urgent requests will be reviewed on a case-by-case basis.

4. VPN user responsibilities

- a. By using VPN technology with personal equipment, users must understand that their machines are a de facto extension of the MIAMI COUNTY network, and as such are subject to the same rules and regulations that apply to MIAMI COUNTY owned equipment, i.e., their machines must be configured to comply with all MIAMI COUNTY security policies.
- b. All computers connected to Miami County Government networks via VPN must use up-to-date virus-scanning software and virus definitions. Use of anti-virus software other than Kaspersky must be approved for use by the MIAMI COUNTY Information Technology Director. Additionally, all relevant security patches must be installed; this includes personal computers.
- c. Users of this service are responsible for the procurement and cost associated with acquiring basic Internet connectivity, and any associated service issues. VPN services work best over broadband connections (cable modem or DSL). Use of dial-up Internet service is not recommended for regular VPN activity.
- d. It is the responsibility of the employee or company with VPN privileges to ensure that unauthorized users are not allowed access to Miami County Government networks.
- e. VPN access is controlled using ID and password authentication. For MIAMI COUNTY employees the ID must be in the form of their MIAMI COUNTY email/network ID. For non-MIAMI COUNTY employees the ID will be assigned by the Information Technology

office. The password must comply with the MIAMI COUNTY Password Policy. Each VPN user must have a unique profile. Shared profiles are not permitted.

5. VPN restrictions

- a. MIAMI COUNTY VPN services are to be used solely for MIAMI COUNTY business and/or support purposes. All users are subject to auditing of VPN usage.
- b. When actively connected to the Miami County Government network, the VPN will force all traffic to and from the remote node through the VPN tunnel. To prevent potential ‘back-doors’ to the network dual (split) tunneling is NOT permitted. Only one network connection is allowed per VPN session.
- c. Miami County Government network access for non-MIAMI COUNTY personnel will be limited to the resources to which they need access. Open access for these accounts will not be permitted. Additionally, VPN tunnels made to MIAMI COUNTY must contain access restrictions at the remote termination point of the tunnel that prevent unauthorized access to the Miami County network. Tunnels should not be accessible by unauthorized users or the Internet.
- d. All VPN gateways on the Miami County network will be set up and managed by MIAMI COUNTY information technology department. IT will provide approved users with appropriate client software.
- e. User created VPN gateways will not be permitted on the Miami County network.
- f. VPN users may be automatically disconnected from the MIAMI COUNTY network after thirty minutes of inactivity. The user must then logon again to reconnect to the network. Artificial network processes are not to be used to keep the connection open. User connections to the VPN may be limited to an absolute connection time of eight (8) hours per day.
- g. The first Tuesday of every month between the hours of 5:00am and 7:00am is reserved for regularly scheduled maintenance. VPN service interruption during that time span may not be announced in advance. However, other emergency downtime will be scheduled and announced as needed.

6. Definitions

- a. A **Virtual Private Network (VPN)**, uses encryption and tunneling to connect users or branch offices securely over a public network, usually the Internet. Typically, a VPN will be configured to allow an authorized user to obtain remote desktop control of his/her office system. In the absence of a user controlled system on the Miami County network permissions will be configured only for remote access to the systems for which the user has prior authorized access.
- b. **“User managed” service** means that the user is responsible for selecting an Internet Service Provider (ISP), coordinating installation, and installing any required software on their personally owned remote access device (computer, laptop, palm device, etc.).

- c. **Miami County network** refers to the interconnected local and wide area networks maintained and managed by the MIAMI COUNTY Information Technology group.

7. Enforcement

This policy regulates the use of all VPN services to the Miami County Government network. To maintain security, VPN services will be terminated immediately if any suspicious activity is found. Service may also be disabled until the issue has been identified and resolved. Any MIAMI COUNTY employee found to have intentionally violated this policy might be subject to disciplinary action, up to and including termination of employment. Non-MIAMI COUNTY employees and vendors are directly responsible for damage as a direct result of policy violation. Intentional and non-intentional violation will result in termination of service and may result in revocation of contract.

8. Revision history and source

Ver. 1.0, January 31, 2011, Miami County Information Technology office

7.4 USE OF COMPUTER SOFTWARE LICENSING POLICY

It is the County's policy that software licensed by the County should not be duplicated or used in any manner inconsistent with the County's rights and the vendor's rights as specified in licensing agreement.

No licensed software may be installed on a Miami County computer that has not been validated by the County, and/or is not properly licensed to the County or end-user, the County purchases or licenses computer software from a variety of outside computer companies. The County does not own the copyright to this software, and unless authorized by the software developer or software license, does not have the right to reproduce it or install it on more than one (1) computer.

With regard to the use of software on local area networks (LANs) where the license allows use on multiple computers, the County shall deploy the software, and the County's employees will use the software only in accordance with the license agreement.

County employees who make, acquire or use unauthorized copies of computer software are violating federal copyright law and are subject to disciplinary action, up to and including termination.

CHAPTER EIGHT (8)-USE OF COUNTY VEHICLES AND PROPERTY

8.1 USE OF COUNTY VEHICLES

Any employee of Miami County office or department who is required to operate a County vehicle in the course of their employment shall be subject to the following conditions and restrictions:

- (a) Periodic record checks at the Bureau of Motor Vehicles at least annually;
- (b) Use of seat belts by all drivers and passengers;

- (c) Reassignment or other appropriate personnel action in the event of license revocation, suspension or traffic offense conviction such as Driving Under the Influence or Driving While Intoxicated;
- (d) Immediately report any condition that adversely affects his or her ability to operate such vehicle(s) and /or equipment; and
- (e) Able to meet insurability standards/requirements of Miami County liability insurance provider.

County employees must use assigned County vehicles for the purpose(s) authorized and must not permit unauthorized passengers in County vehicles.

Reimbursement for necessary emergency road service and repairs, parking, and highway-related tolls requires appropriate receipts for reimbursement.

In the event of an accident, employees must do the following:

- (a) Provide any assistance possible to any injured party, call Miami County sheriff or an appropriate police department, and call for an ambulance, if necessary;
- (b) Do not move any vehicles unless instructed to do so by proper police authority;
- (c) Write down all pertinent facts such as the other driver's name, address, telephone number, license plate number, driver's license number, and name of insurance company and policy number, name, address, and telephone number of any injured party or witness;
- (d) Do not admit any fault or make any oral or written statements but give your name, address, telephone number, etc., as required; and
- (e) Notify your supervisor and submit a written report as soon as possible.
- (f) Have drug or alcohol test done if required/requested as set forth in the drug and alcohol policy above.

Employees of Miami County who are assigned a County vehicle for duty have the travel subject to Internal Revenue Service's rulings regarding such usage. The use of such a vehicle for commuting is considered by the IRS to be taxable benefit. A value must be established and the total annual amount reported to the IRS on each employee's W-2 Form with an additional W-3 Form from the County Auditor, unless such vehicle use is exempt under appropriate federal or state law, rule, or regulation.

8.2 COUNTY PROPERTY

Employees are prohibited from using and loaning County vehicles, materials, tools, equipment, and labor for personal or private use regardless of whether it is during work or non-work time.

Employees may not expend labor during scheduled work hours for work not related to County business. This prohibits any employee from performing private work for him or herself, another employee, or a non-employee.

When an employee terminates as a Miami County employee for any reason, any Miami County personal property in possession of that employee shall be promptly returned to that employee's Department Head, including, but not limited to, any keys, computer disks, digital information owned by Miami County in any form, cellular telephones, radios, this Handbook and office supplies of any kind purchased with Miami County funds.

Miami County, by and through its Department Heads (including Elected Officials) and the Miami County Commissioners, reserve the right to search or monitor desks, telephone, computers, and videos owned by Miami County and used by all County employees. Computers, their software, hard-drives and all information contained therein are County property.

CHAPTER NINE (9)-PERSONAL CONDUCT

9.1 EMPLOYEE CONDUCT AND WORK RULES

Employees are expected to maintain high standards of personal appearance, conduct, cooperation, efficiency and economy in their work. All employees should attempt to correct any faults in their performance, which are called to their attention and should avoid any behavior, which conflicts with County policies. Food is not to be at public workstations. There shall not be any personal parties.

9.2 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the County. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he/she should notify the elected official/department head as soon as possible in advance of the anticipated tardiness or absence. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, including termination of employment.

9.3 PERSONAL APPEARANCE

The primary purpose of County agencies and departments is to serve the public. In this regard, employees will be expected to be prompt, efficient, and courteous in

dealing with the public whether directly or indirectly. Miami County believes that appropriate dress and personal grooming create a favorable image for Miami County. All employees should use good judgment and maintain high standards in cleanliness and dress. Department Heads/Elected Officials have the right to have a stricter policy than the handbook.

Not all dress code requirements can be specified in this handbook, however the following restrictions are imposed:

- a. No shoes shall be worn unless they have a strap or enclosed back (no flip-flops, mules, etc.
- b. No shorts, tee shirts or tank tops shall be worn.
- c. All reasonable attempts shall be made to cover tattoos
- d. No ripped, torn, tattered or jeans with holes in them

9.4 CONFIDENTIALITY

Employees shall consult with their elected official/department head before releasing information, which is confidential or privileged by law. It is a violation of state law for a public servant to knowingly or intentionally disclose information classified as confidential.

Therefore employees who maintain or have access to this information as part of their job responsibilities are expected to treat the information as confidential and not discuss or disclose it except as may be necessary in connection with the performance of their work duties. All information regarding employees' medical records or health status will be kept in separate files and shall be treated confidentially by those with access to this information. Unauthorized disclosure of confidential information will be subject an employee to immediate discipline or discharge and possible criminal and civil penalties. This policy, however, does not prohibit disclosures protected by the National Labor Relations Act.

9.5 DRUG-FREE WORKPLACE DECLARATIONS AND PROCEDURES

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the work place. No employee may be under the influence of any illegal drug or alcohol while in the work place, while on duty, or while operating a vehicle or equipment owner or leased by the county.

The use and abuse of drugs and alcohol can seriously impair an employee's ability to perform his or her duties safely and efficiently, and can undermine public confidence in the quality of our services. Because a drug or alcohol impaired employee can pose a significant threat to the safety of the public, co-workers, and he or she, Miami County Government has adopted this policy as part of its ongoing efforts to maintain a drug and alcohol-free workplace.

The County shall maintain a drug-free work place in accordance with the Drug-Free Work Place Act of 1988, and the State of Indiana Drug-Free Workplace Executive Order No. 90-5 of 1990. Failure to comply with this law could jeopardize government funds received by the county. The

unlawful manufacture, possession, distribution, transfer, purchase, sale, use or being under the influence of alcoholic beverages or illegal drugs while on the employer's property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by the County is strictly prohibited. When appropriate, the county may refer the employee to approved counseling or rehabilitation programs.

Any employee while on official County business, or when serving as a representative of the County, who is arrested, charged and/or convicted of a drug-related crime while in that capacity, must notify the Commissioners in writing within one (1) day of the event of arrest, charged offense or conviction or immediately upon returning to work thereafter, whichever event occurs first.

The County is required to notify the appropriate government-funding agency within (10) days of the conviction. Appropriate personnel action, including possible discipline, up to and including termination, and/or participation in a drug abuse assistance or rehabilitation program, may result after notice of the conviction is received.

The County will determine on a case-by-case basis whether assistance will be provided to employees whose health or performance is at risk of deterioration. Employees may use physician-prescribed medication, provided the use of such drugs does not adversely affect job performance or the safety of the employee or other individuals in the work place.

9.6 PRESCRIPTION DRUG USE POLICY

Employees may keep prescription drugs on County premises when prescribed by a medical physician. Employees may keep over-the-counter medications on county premises as needed. Employees holding safety-sensitive positions shall notify their elected official/department head of such over-the-counter medications and prescriptions drugs, which may impair judgment in the performance of job duties and responsibilities.

For the safety of all employees, an employee using a prescription drug that may impair mental or motor functions as to affect the employee's ability to safely perform his or her duties must report the use of that prescription drug to his or her supervisor or department head/elected official prior to reporting to work after its use.

Miami County may place the persons using such prescription medications in a less hazardous job assignment, provided such assignment is available, or placed on temporary medical leave until released as fit for duty by the prescribing physician. Miami County reserves the right to have a physician it selects to determine if a medication produces hazardous effects or to restrict the quantity the employee may bring to the workplace.

Miami County expects its employees to support this policy for the sake of the safety, health, productivity, and welfare of all. Employees shall discourage co-workers from violating this policy

and shall cooperate in County efforts to enforce this policy and to investigate any suspected violation.

9.7 COMMISSION OF A FELONY OR UNLAWFUL ACT

A prospective employee's conviction of a felony is a factor that will be considered adversely in the employment decision, although it will not be an automatic disqualification. The failure of an employee to list any conviction upon his or her employee application will subject that employee to immediate dismissal.

Any employee found guilty of a felony on or after the date of the employment application may be subject to immediate dismissal. An employee charged with a felony or found participating in felonious activity, either during work hours or while off duty will be subject to leave of absence from work without pay until a court of law establishes innocence or guilt. Any employee found guilty of a misdemeanor on or after the date of the employment application may be subject to suspension or discharge, including not being legally qualified to operate assigned vehicles or equipment. Misdemeanors that involve County vehicles/property, or in which the related behavior reflects poorly on the employee and/or the County, will be treated similarly.

9.8 GIFTS OR GRATUITIES

Employees are encouraged to maintain good relations with suppliers and others with whom the County conducts business. However, the practice of accepting gifts and or gratuities may be contrary to the public interest. Employees shall not accept unreasonable gifts or gratuities from firms, organizations, agents, or other individuals who furnish or propose to furnish materials, goods, or services to the County.

9.9 BUSINESS ETHICS/CONFLICT OF INTEREST

The County recognizes and respects the rights of individual employees to engage in activities outside the organization that do not in any way conflict with, or reflect poorly, on the County. A County employee who knowingly or intentionally obtains a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the County commits a Class D felony, unless a financial disclosure form is approved in advance and filed as required by Indiana Code 35-44-1-3.

The County also recognizes its right and obligation to determine when an employee's activities present a conflict of interest with the County and to take whatever action is necessary to resolve the situation, including, but not limited to, terminating employment. This policy applies to all employees, as well as to former employees, where applicable.

Employees having a substantial financial interest in a company/corporation that might benefit from conducting business with the County must file a conflict of interest statement with the County Clerk and County Auditor. If deemed by an authoritative official to be in the best interest of the County, those employees shall either divest themselves of such interest or be discharged from County employment.

9.10 ON THE JOB POLITICAL ACTIVITY

County employees are prohibited from using their County position and/or time during working hours to assist in political campaigns or otherwise engage in political activity. No employees paid partially or wholly from Federal Funds are eligible to run for office in a partisan election.

CHAPTER TEN (10)-ANTI-HARRASSMENT

Miami County is further committed to providing a workplace free of inappropriate treatment of any employee because of that employee's race, sex, religion, age, national origin, disability, or any other category protected under federal, state or local law. To be unlawful, conduct must be so severe and pervasive that it unreasonably interferes with an employee's ability to work. Miami County does not, however, condone or tolerate any inappropriate conduct based on an employee's race, sex, religion, national origin, disability, or any other category protected under federal, state or local law. Any employee with questions or concerns about any type of discrimination in the workplace shall bring these issues to the attention of his/her elected official/department head. Employees may raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action which could result in termination of employment.

10.1 SEXUAL HARASSMENT

Everyone who works for the County is entitled to a workplace free from sexual harassment and intimidation. The County is committed to providing a work environment that is free of any type of discrimination or unlawful harassment. The County prohibits any form of sexual harassment and will take corrective action against offenders, including discipline and/or discharge.

Any request for sexual favors and/or any other verbal or physical conduct of a sexual nature between employees in the workplace, or during job-related contacts with citizens or persons outside County employment, constitute sexual harassment and are prohibited, such as:

- A. Unwelcome sexual advances
- B. Physical or verbal conduct of a sexual nature or joking that is sex-oriented and considered unacceptable by another individual. This includes commenting about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" that are clearly unwanted and considered offensive to others, or any other tasteless sexually-oriented comments or actions that offend others.
- C. Any verbal or non-verbal communication expressing or implying that participation in sexual contact is a condition of employment, promotion or preferential treatment.

- D. Conduct with sexual implication that has the purpose or the effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment is considered sexual harassment.

Any employee who experiences sexual harassment should contact his/her elected official/department head immediately. If unresolved, or in the event the harassment is alleged against the elected official/department head, the employee should go to the Health Officer who will report the incident to the County Commissioners.

An employee may raise the issue at any time; however, the best time to register a complaint is immediately after the act occurs. An employee's job will not, in any way, be threatened by truthfully reporting any acts of sexual harassment.

The County also recognizes that careful consideration must be given to questions regarding whether a particular action or incident is purely personal or social without any discriminatory employment effects. False accusations of sexual harassment can have devastating effects on the lives and reputations of innocent women and men. Therefore, the County may discipline, up to and including termination of employment, those employees who have intentionally, recklessly, negligently, maliciously or wrongly accused others of sexual harassment.

CHAPTER ELEVEN (11)-WORKPLACE ISSUES

11.1 WORKPLACE VIOLENCE

The safety and security of our employees and visitors is of utmost importance. We will not tolerate threatening, intimidating, malicious, or violent behavior directed toward employees or other individuals by anyone on Miami County property or during work time is prohibited.

The purpose of this policy is to minimize the potential risk of personal injuries to employees or to others and to reduce the possibility of damage to Miami County property in the event someone, for whatever reason, is unhappy with a Miami County decision or with any business or personal action by an employee or Department Head or other elected Official.

Miami County will take decisive and appropriate action in response to inappropriate behavior. This may include, but is not limited to, heightened security, suspension and/or termination of a business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person(s) involved.

All employees are responsible for immediately notifying the Department Head/Elected Official or one of the Miami County Commissioners of any possible violations of this policy or other threats to workplace security that they have experienced, witnessed, or otherwise became aware of. Possible violations include threatening, intimidating, malicious, or violent behavior that is or

was job-related or has been or might be carried out on Miami County property. Employees are responsible for reporting this behavior regardless of the relationship between the individual who initiated the inappropriate behavior and the person who was the target of the behavior.

If you receive or overhear any threatening communications from an employee or outside third party, report it to your Department Head/Elected Official at once. Do not engage in either physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to an employee or anyone else on the premises, contact an emergency agency (such as 911) immediately (The Panic Buttons are to be used in these situations). Then immediately report the concern to the Department Head/Elected Official.

All reports of work-related threats will be kept confidential to the extent possible, investigated, responded to, and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence.

Violations of this policy, including failure to report or fully cooperate in Miami County investigation (unless applicable law provides such reporting is not required), may result in disciplinary action up to and including immediate discharge.

11.2 DEADLY WEAPONS ARE FORBIDDEN

"Deadly weapon" has the definition provided by Section 35-31.5.2-86 of the Indiana Code. No person shall possess a deadly weapon in any Miami County building and/or upon the property immediately surrounding such building without having received written permission from the Miami County Sheriff and Commissioners.

Any person who enters any Miami County building or the parcels of property contiguous thereto, consents to a search of their person, possessions or files, by metal detector or other reasonable means. A person waives any and all claims that they may have to be free from search and/or seizure for a deadly weapon by entering or attempting to enter upon the real estate of Miami County.

Any person, in lieu of subjecting themselves to a search by the Miami County Sheriff or representative of the Sheriff, or any detection device, should immediately leave the Miami County premises.

The Miami County Sheriff, or any deputies, shall establish reasonable procedures to carry out the terms and conditions of this policy.

The Miami County Sheriff and/or any law enforcement officers, may detain any person they have reason to believe possess a deadly weapon in violation of this policy, for a sufficient amount of time to obtain the proper name, address, date of birth, social security number and/or to seize such deadly weapon.

In addition to the penalties provided Federal, State and our ordinance, any employee who violates this policy may be subject to disciplinary action, up to and including termination.

11.3 RIGHT TO CONDUCT SEARCHES

Miami County reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of the County and individual property or for suspected possession of drugs and alcohol, and possession of other prohibited items. "Prohibited items" includes illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. "Control" means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement.

In addition to Miami County owned buildings and vehicles, Miami County may search employees, their work areas, lockers, personal vehicles if driven to work or parked on County property, and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. By requesting a search, Miami County is not accusing anyone of theft or any other variety of improper conduct.

There is no general or specific expectation of privacy in the workplace, either on the County's premises or while on duty. In general, employees should assume that employees and all of the areas listed above are subject to search at any time. If an employee uses a locker or other storage area at work, including a locking desk drawer or locking cabinet, combination, or is allowed to use a personal lock, then the employee must give the County a copy of the key or combination. Any area may be searched at any time, with or without the employee's presence. As a general rule, with the exception of items relating to personal hygiene or health, no employee should bring anything to work or store anything at work that he or she would not be prepared to disclose and/or possibly turn over to Miami County and/or law enforcement.

All employees are subject to this policy. However, any given search may be restricted to one or more specific individuals, depending upon the situation. Searches may be done on a random basis or based upon reasonable suspicion. "Reasonable suspicion" means circumstances suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as defined above. Any search under this policy will be done in a manner protecting employees' privacy, confidentiality, and personal dignity to the greatest extent possible. Any unauthorized release of information concerning individual employees will subject an employee to discipline including discharge.

No employee will be physically forced to submit to a search without a warrant or probable cause. However, any employee who refuses to submit to a search request will face disciplinary action up to and including immediate termination of employment.

Desks, lockers, and other storage devices may be provided for the convenience of employees, but remain the sole property of the County. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the County at any time, either with or without prior notice.

11.4 SECURITY OF PREMISES/INSPECTIONS

The County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the County prohibits the control, possession, transfer, sale or use of such materials on its premises. The County requires the cooperation of all employees in administering this policy.

CHAPTER TWELVE (12)-COUNTY DISCIPLINE PROCEDURES

12.1 DISCIPLINE, GRIEVANCE, AND SEPARATION

The policy set forth describes the County's general guidelines concerning discipline. This section is not intended to form a contract between the County and its employees, because each disciplinary situation involves unique circumstances. While the County's goal is to administer discipline uniformly and indiscriminately, the County reserves the right to consider each individual's circumstances, work record, and any other appropriate factor in determining appropriate discipline.

12.2 PROGRESSIVE DISCIPLINE

Disciplinary action should generally be applied progressively except when, in the opinion of the Department Head/Office Holder, the violation is serious enough to require more immediate action. The Steps of progression may be:

- a. Oral Reprimand - Documented for employee's file
- b. Written Reprimand - Documented for employee's file
- c. Up to Five Day Suspension Without Pay - Documented for employee's file
- d. Discharge = Documented for employee's file.

The Department Head shall notify the Board of Commissioners when above steps C & D are used. Applied in this manner, employees will be advised about their performance, how and where it needs improvement, and what the consequences will be if no remedial action is taken.

12.3 OTHER CONDUCT VIOLATIONS

Disciplinary action may result from conduct other than outlined herein. Common sense dictates what represents unacceptable or deficient job performance and/or behavior. Disciplinary measures and/or dismissal will also be applied to conduct, including but not limited to:

- a. Excessive absenteeism;
- b. Insubordination;

- c. Failure to otherwise perform prescribed duties;
- d. Gross misconduct;
- e. Misuse or theft of County materials/property;
- f. Willfully falsifying reports/records;
- g. Commission of or alleged commission of felonious acts;
- h. Certain misdemeanor violations, especially those that occur during work hours on County property or that involve County vehicles.

Any Employee/Elected Official accused of an illegal act shall be referred to the proper police/authorities for investigation.

CHAPTER THIRTEEN (13)-DEMOTION AND SEPARATION

13.1 DEMOTION DUE TO INAPPROPRIATE PLACEMENT

Employee demotion, that is reassignment to a lower classified and paying position, may or may not reflect disciplinary proceeding. There are occasions when an employee is inappropriately placed upon employment and, through no fault of his/her own, is unable to performing the duties as assigned. This employee will be reassigned or demoted if a suitable opening is available and if it can be expected that he/she will be able to perform the duties incumbent to the new position.

13.2 DEMOTION/DISCIPLINARY CONDUCT

Demotion can also result from persistent noncompliance with personnel policy and standards of accepted conduct. This would represent disciplinary action of a severe nature, and thus would only be taken after adequate notice had been provided the employee regarding deficiencies, there has been continued noncompliance, and there seems no alternative left short of discharge.

Even then, demotion should only be the selected course of action if it can be determined and demonstrated that performance will improve in the new position.

13.3 REMOVAL/SUSPENSION

Removal from the job may come in the form of suspension. Suspension is almost always without pay although there are occasions that warrant suspension with pay (typically the pay is retroactive to the date of suspension in cases where a hearing clears the affected employee of any wrongdoing).

Suspension is a temporary proceeding that should only be initiated as the final disciplinary step before dismissal until resolution of a pending legal or administrative procedure. A suspension can come without previous warning. This suspension is usually associated with infractions or alleged infractions of a serious nature to require discontinued presence on the job until resolution.

CHAPTER FOURTEEN (14)-PROBLEM RESOLUTIONS

Any County employee, who believes an action was unfairly taken against him/her, or who feels otherwise aggrieved, shall have the right to submit this matter to the County Commissioners for hearing and resolution. The County has the right, as an employer, to make decisions surrounding employment practices; and these decisions affect those who are employed by the County. Thus, a grievance procedure is hereby established. This procedure provides the employee a vehicle to insure that job actions are not arbitrarily and selectively applied. The procedure creates no implied contract between the County and its employees, which requires the County to follow the policy in every case. Like all policies contained in this document, it is set forth as a guideline and not as a binding procedure. The County reserves the right to modify the policy and procedures to address employee's individual circumstances.

14.1 PROBLEM RESOLUTIONS FOR EMPLOYEES

The following procedures provide for open discussion and speedy resolution of issues of serious concern to any employee who thinks the County's policies have been violated, or who believes that he/she has been treated unfairly. A "complaint" is an employee's expressed dissatisfaction with what the employee believes to be unfair treatment or a mistake in the administration of a rule, plan, or County policy.

A complaint should be heard and resolved at the lowest organizational level. An employee has the following steps available to resolve complaints:

STEP 1: Elected Official/Department Head (Oral Complaint)

An employee should first discuss a complaint with the elected official/department head. The employee should schedule a time to discuss the situation with the elected official/department head and every effort should be expended to resolve the issue satisfactorily at the meeting.

STEP 2: Elected Official Department Head (Written Complaint)

If a complaint cannot be solved satisfactorily by the employee and elected official/department head through discussion, or if the decision is not satisfactory to the employee, the employee may submit the complaint in writing. The employee may present the written complaint to the elected official/department head. Elected officials/department heads are encouraged to give a written response to the complaint within five (5) days.

STEP 3: Elected Official/Department Head

If after step 2 a satisfactory solution is not reached, the elected official/department head having hiring/termination responsibility for the employee will make a final decision.

STEP 4: County Commissioners

The County Commissioners do not accept appeals of Elected Officials employees. They do accept appeals over department heads when they appoint. All such appeals shall be in writing and the decision of the Board of Commissioners is final.

When a complaint involves an elected official/department head, a written complaint detailing their alleged employment violation of State or Federal law may be directed to the County Commissioners for investigation. The Commissioners will take appropriate action as deemed necessary, including retaining independent professionals to assist in assessing the allegation.

Any grievances involving federal regulations under Equal Employment Opportunity, Affirmative Action, or Occupational Safety and Health Act standards shall follow the normal four-step grievance procedure with the following exception(s).

After a grievance has been filed, the supervisor of the aggrieved employee will make a written record of the grievance and file it with the Board of Commissioners.

In any event, all County employees have the right to present matters about which they feel aggrieved, for consideration and resolution. Further, no employee need fear reprisal in any form for filing any grievance. Reprisal allegations will be thoroughly investigated and, if found to be true, will result in appropriate disciplinary action for the repriser.

14.2 EMPLOYMENT TERMINATION

Employment with the County is “AT-WILL” and based on mutual consent; both the employee and County have the right to terminate employment at any time, with or without cause.

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

Resignation: Employees who decide to resign their employment status with the County are asked to provide their supervisor adequate notice. Adequate notice shall mean at least two (2) weeks. This allows for time to select and train a replacement.

Discharge: Dismissal or discharge is the ultimate form of disciplinary action. Generally all other avenues of corrective or remedial measure should be exhausted before resorting to permanent removal through dismissal. The County reserves the right, however, to consider individual circumstances in deciding appropriate disciplinary measure and may discharge an employee at any time when, in the County’s opinion, circumstances warrant.

Failure to Comply: Persistent failure to comply with standards of performance and/or conduct will result in dismissal.

Layoff: Circumstances beyond the control of either the County or its employees could arise that make a reduction in the workforce necessary. Such reductions may be necessitated by budget limitations, seasonal employment, weather conditions or other similar occurrences. Terminations of this kind will be classified as layoffs and understood that they occur through no fault of the affected employee. Layoffs may occur according to the following schedule: performance history; length of service with the department; length of service within that specific job; or another similar predetermined schedule within the discretion of the Board of Commissioners.

Retirement: Voluntary employment termination initiated by the employee pursuant to retirement procedures.

The County schedules exit interviews at the time of employment termination to afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the County, or return of County-owned property. Suggestions, complaints and questions may also be expressed. Exit interviews may be scheduled with a representative of the Board of Commissioners.

Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner.

All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee chooses. The employee will be notified in writing to the benefits that may be continued and of the terms, conditions, and limitations of such continuance. An employee's termination date may not be extended to include accrued and/or unused paid or unpaid time off (e.g., sick days) or to increase other accrual of benefits.

14.3 RETURN OF COUNTY PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees, on or before their last day of work, must return all property. Department Heads shall report to the auditor all items of property issued. The County may withhold from an employee's unpaid wages the cost of any items that are not returned as required. The County may also take any action deemed appropriate to recover or protect its property.

14.4 RE-EMPLOYMENT

Former employees who left County employment in good standing may be considered for re-employment. Former employees who resigned without adequate notice or who were dismissed for cause will not be considered for re-employment. A previously terminated employee who is re-employed will be considered a new employee from the date of reemployment.

14.5 SEVERABILITY

The policies and procedures contained in this handbook are subject to all applicable federal and state laws, County of Miami, Indiana rules and regulations, and shall be interpreted wherever possible so as to comply fully with such laws, provisions or any judicial interpretations. If an article or section of this handbook shall be held invalid by operation of law or court of competent jurisdiction, or compliance with or enforcement of any article or section of this handbook shall be restrained by such court, the remainder of this and any amendments thereto shall not be affected and shall remain in full force and effect. The County of Miami, Indiana reserves the right to delete, modify, or amend the policies contained herein or allocate new policies as needed. Revisions to this Handbook may be made at any time and from time to time by the Miami County Commissioners and revisions to the Handbook will be distributed to each employee.

APPENDIX

RESOLUTION NO. 6-18-2012

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MIAMI COUNTY, INDIANA ADOPTING NEPOTISM POLICIES REGARDING EMPLOYMENT MATTERS AND MATTERS RELATED TO COUNTY CONTRACTS

WHEREAS, pursuant to Indiana Code 36-1-20.2-9 effective July 1 2012, the legislative body of a unit is required to adopt a policy for the unit regarding the employment of relatives by the County, which policy includes certain minimum requirements set forth in Indiana Code 36-1-20.2; and

WHEREAS, pursuant to Indiana Code 36-1-21-4(a) is effective July 1, 2012, the legislative body of a unit is required to adopt a policy for the unit regarding contracts between the unit and relatives or business **entities** wholly or partially owned by relatives of elected officials of the unit, which policy includes certain minimum requirements set forth in Indiana Code 36-1-21; and

WHEREAS, the Board of Commissioners of Miami County, Indiana the "Board", as the legislative body of Miami County, Indiana the "County", now desires to adopt policies applicable to any **department**, office or elected official of the County in order to ensure compliance by the County with Indiana Code 36-1-20.2-9(a) and Indiana Code 36-1- 21-4(a) upon the effective date of such provisions.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of County, Indiana as the legislative body of Miami County, Indiana, that:

1. The Board hereby adopts the policy attached as Exhibit A hereto and made a part hereof as if fully set forth herein, as the official policy of the County regarding the employment of relatives by the County.
2. The Board hereby adopts the policy attached as Exhibit B hereto and made a part hereof as if fully set forth herein, as the official policy of the County regarding contracts between (i) any department, office or elected official of the County, and (ii) relatives or businesses wholly or partially owned by relatives of elected officials of the County.
3. The members of the Board of Commissioners, the Auditor, the legal counsel and other appropriate officers of the County are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Resolution and the implementation of the established and incorporated policies.
4. This resolution shall be in full force and effect from and after its adoption.

Exhibit A to Commissioners Resolution 6-18-2012

Nepotism Policy — Employees

A. Key Definitions

For purposes of this policy, "*direct line of supervision*" means an elected officer or employee of the County who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body or fiscal body of the County, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the County.

For purposes of this policy, "*employed*" means an individual who is employed by the County on a full-time, part-time, temporary, intermittent, or hourly basis. The term does not include an individual who holds only an elected office of the County. The term includes an individual who is a party to an employment contract with the County.

For the purposes of this policy, "*relative*" means any of the following:

1. A spouse;
2. A parent or stepparent;
3. A child or stepchild, including adopted children;
4. A brother, sister, stepbrother, or stepsister, including brothers or sisters by the half-blood;
5. A niece or nephew;
6. An aunt or uncle; and/or
7. A daughter-in-law or son-in-law.
- 8.

B. Anti-Nepotism Policy Regarding Employment Matters

In order to comply with Indiana law and in order to avoid potential conflicts of interests, misunderstandings and appearances of favoritism, impropriety or bias. The legislative body has adopted the following policy to establish certain minimum requirements regarding the employment of "relatives" by any department, office or elected official of Miami County, Indiana the "County". Except as otherwise provided herein, individuals who are relatives may not be employed by the County in a position that results in one relative being in the "direct line of supervision" of the other relative. Accordingly, this policy generally prohibits employment of more than one family member when that employment causes either: (1) two members of the same family being employed in the same department; or (2) any form of reporting or supervisory relationship between family members.

C. Change in Relationship; Procedure to Comply

If, as a result of marriage, birth, adoption, the creation of other family relationships, election results, or hiring decisions, two or more relatives who are current employees of any office or

department in the County are inadvertently placed into one of the two categories described in the paragraph above, then such relatives shall determine which of such relatives will seek to transfer to another job or otherwise take action to comply with this policy. The County shall have no obligation to either: (1) create a new position or job opening for any current employee; or (2) transfer any current employee to a new or existing position or job opening if the individual does not meet all selection standards or fulfill all qualifications deemed to be required for the position by the County. If the relatives are unable to determine which individual(s) will seek to transfer into another position or otherwise take action to comply with this policy, then the Board of Commissioners of Miami County, Indiana the "Board of Commissioners" will make a determination to ensure the County's compliance with this policy. A determination of the Board of Commissioners may include a decision to transfer, reassign, terminate or otherwise take action regarding one of the employees to ensure compliance with this policy. A decision of the Board of Commissioners may be based upon a variety of factors and criteria, including, but not limited to: (i) staffing and other needs; (ii) the jobs being performed by the employees and the necessity of each such job relative to the continued operation of the County government, and (iii) each employee's skills, job knowledge, prior work history, job performance and abilities.

D. County Employees Related to Elected Officers; Promotions

Notwithstanding the provisions of this policy and Indiana Code 36-1-20.2-10 to the contrary, in the event that an individual is an existing employee of the County to whom the provisions of this policy apply on the date such individual's relative begins serving a term of an elected office of the County, the individual may remain employed by the County and maintain the individual's position or rank even if such circumstances result in the elected officer being in the direct line of supervision of such existing employee. However, an existing employee described in the preceding sentence may not be: (1) promoted to a position if such promotion would result in the elected officer being in the direct line of supervision of such existing employee; or (2) promoted to a position that is not within the merit ranks, in the case of an individual who is a member of a merit police department if such promotion would result in the elected officer being in the direct line of supervision of such existing employee. However, in the event that the provisions of this paragraph should apply, either the elected official or the existing employee shall file with the Board of Commissioners, no later than the date such individual's relative begins serving a term of an elected office of the County, a full disclosure statement, which must: (a) be in writing; and (b) describe the relationship between the elected official and the existing employee.

E. Employees Covered by the Policy

Notwithstanding this provisions of Indiana Code 36-1-20.2-2, the County has determined that this policy shall apply to all individuals employed by the County regardless of their date of hire or time of employment with the County.

D. Prison Matron of the County under I.C. 36-8-10-5

Notwithstanding the provisions of Indiana Code 36-1-20.2-13 to the contrary, the County Sheriff's spouse may not be employed as prison matron for the County under Indiana Code 36-8-10-5, and the spouse may not otherwise be in the County Sheriff's direct line of supervision.

E. Deputy Coroners of the County

Notwithstanding the provisions of Indiana Code 36-1-20.2-14 to the contrary, an individual: (1) who served as coroner; (2) who is currently ineligible to serve as coroner under Article 6, Section 2(b) of the Constitution of the State of Indiana; (3) who, as coroner, received certification under IC 36-2-14-22.3; and (4) whose successor in the office of coroner is a relative of the individual; may not be hired in the position of deputy coroner of the County if that results in such individual being in the County Coroner's direct line of supervision.

F. Annual Certification by Elected Officers

Each elected officer of the County shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this policy or Indiana Code 36-1- 20.2. Each officer shall submit the certification to the Board of Commissioners not later than December 31 of each year.

I Right to Review Application of Policy and Make Amendments

The County reserves the right to review the specific facts of any case where this policy is implicated and make exceptions on a case-by-case basis consistent with the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-21. Furthermore, the County reserves the right to modify or amend the provisions of this policy from time to time consistent with the provisions of the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-21.

J. Interpretation of Policy

This policy is intended to implement the minimum requirements necessary to comply with Indiana Code 36-1-20.2, as the same may be amended from time to time. If and to the extent this policy is not in compliance with Indiana Code 36-1-20.2, this policy shall be deemed to include such terms not otherwise included herein, and to exclude such terms not otherwise excluded herefrom, as are necessary to cause this policy to implement the minimum requirements set forth in Indiana Code 36-1-20.2. To the extent this policy is inconsistent with any provision of Indiana law, including, without limitation, Indiana Code 36-1-20.2.. such other provisions of Indiana law shall control. If any portion of this policy is held or deemed to be, or is, invalid, illegal, inoperable or unenforceable, the validity, legality, operability and enforceability of the remaining portions of this policy shall not be affected, and this policy shall be construed as if it did not contain such invalid, illegal, inoperable or unenforceable portion.

K. Right to Review Application of Policy and Make Amendments

The County reserves the right to review the specific facts of any case where this policy is implicated and make exceptions on a case-by-case basis consistent with the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-20.2. Furthermore, the County reserves the right to modify or amend the provisions of this policy from time to time consistent with the provisions of the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-20.2.

Exhibit B to Commissioners Resolution 6-18-2012

Conflict of Interest Nepotism Policy — Contracting with the County

A. Key Definitions

For purposes of this policy, "*elected official*" means any member of: (a) the Board of Commissioners of the County, or (b) the County Council.

For the purposes of this policy, "*relative*" means any of the following:

1. A spouse;
2. A parent or stepparent;
3. A child or stepchild, including adopted children;
4. A brother, sister, stepbrother, or stepsister, including brothers or sisters by the half-blood;
5. A niece or nephew;
6. An aunt or uncle; and/or
7. A daughter-in-law or son-in-law.

B. Anti-Nepotism Policy Regarding County Contracts

In order to comply with Indiana law and in order to avoid potential conflicts of interests, misunderstandings and appearances of favoritism, impropriety or bias, the legislative body has adopted the following policy to establish certain minimum requirements regarding contracts between (i) any department, office or elected official of Miami County, Indiana the "County", and (ii) "relatives" or businesses wholly or partially owned by relatives of "elected officials" of the County. Except as otherwise provided herein, the County may enter into or renew a contract for the procurement of goods and services or a contract for public works with either: (i) an individual who is a relative of an elected official, or (ii) a business entity that is wholly or partially owned by a relative of an elected official; only if the requirements of this policy are satisfied and such contract would not result in a violation of Indiana Code 35-44-1-3 by the elected official.

C. Procedure to Comply

Notwithstanding any provisions of this policy and Indiana Code 36-1-21, the County may enter into or renew a contract with an individual or business entity described in the paragraph above only if the following conditions are met:

1. The elected official shall file with the Board of Commissioners of Miami County, Indiana the "Board of Commissioners" a full disclosure statement, which must: (a) be in writing; (b) describe the contract or purchase to be made by the County; (c) describe the relationship that the elected official has to the individual or business entity with whom the County seeks to contract or from whom the County seeks to purchase; (d) be affirmed under penalty of perjury; (e) be submitted to the legislative body of the County and be accepted by the legislative body of the County in a public meeting of the legislative body prior to final action on the contract or purchase; and to be filed, not later than fifteen (15) days after final action on the contract or purchase, with (i) the State board of accounts, and (ii) the clerk of the circuit court of the County.

2. The appropriate agency of the County shall file a certified statement with the Board of Commissioners: (a) that the contract amount or purchase price was the lowest amount or price bid or offered; or (b) setting forth the reasons why the vendor or contractor was selected.

3. The County satisfies any other contracting requirements under Indiana Code 5-22 concerning the purchase of goods or services or Indiana Code 36-1-12 concerning public works.

4. The elected official also complies with the disclosure provisions required by Indiana Code 35-44-1-3, if applicable.

G. Annual Certification by Elected Officers

Each elected officer of the County shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this policy or Indiana Code 36-1-21. Each officer shall submit the certification to the Board of Commissioners not later than December 31 of each year.

H. Interpretation of Policy

This policy is intended to implement the minimum requirements necessary to comply with Indiana Code 36-1-21, as the same may be amended from time to time. If and to the extent this policy is not in compliance with Indiana Code 36-1-21, this policy shall be deemed to include such terms not otherwise included herein, and to exclude such terms not otherwise excluded herefrom, as are necessary to cause this policy to implement the minimum requirements set forth in Indiana Code 36-1-21. To the extent this policy is inconsistent with any provision of Indiana law, including, without limitation, Indiana Code 36-1-21., such other provisions of Indiana law shall control. If any portion of this policy is held or deemed to be, or is, invalid, illegal, inoperable or unenforceable, the validity, legality, operability and enforceability of the remaining portions of this policy shall not be affected, and this policy shall be construed as if it did not contain such invalid, illegal, inoperable or unenforceable portion.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the Miami County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Miami County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: Miami County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Miami County's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to

people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Miami County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Miami County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Miami County, should contact the office of Kenneth Einselen, (765) 472-3253, in52engr@miamicountyin.gov as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Miami County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Miami County is not accessible to persons with disabilities should be directed to Kenneth Einselen, the Miami County ADA Coordinator. Miami County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Miami County Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Miami County. The Miami County Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or an audio recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Kenneth Einselen ADA Coordinator (765)472-3253 Telephone Room 103, Courthouse 25 North Broadway in52engr@miamicountyin.gov Peru, IN 46970

Within 15 calendar days after receipt of the complaint, Kenneth Einselen or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Kenneth Einselen or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio recording. The response will explain the position of the Miami County and offer options for substantive resolution of the complaint.

If the response by, Kenneth Einselen or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Miami County Board of Commissioners or their designee.

Within 15 calendar days after receipt of the appeal, Miami County Board of Commissioners or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15

calendar days after the meeting, the Miami County Board of Commissioners or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Kenneth Einselen or his designee, appeals to the Miami County Board of Commissioners or their designee, and responses from these two offices will be retained by Miami County for at least three years.

Virtual Private Network (VPN) Policy

The purpose of this policy is to establish acceptable and unacceptable use of electronic devices and network resources at Miami County in conjunction with its established culture of ethical and lawful behavior, openness, trust, and integrity.

Miami County provides computer devices, networks, and other electronic information systems to meet missions, goals, and initiatives and must manage them responsibly to maintain the confidentiality, integrity, and availability of its information assets. This policy requires the users of information assets to comply with county policies and protects the county against damaging legal issues.

Provision of Internet Access

As a condition of providing Internet access to its employees, Miami County places certain restrictions on workplace use of the Internet. Miami County encourages employee use of the Internet:

- To support the mission of County government, this is, to serve the public;
- To communicate with fellow employees and clients regarding matters within an employee's assigned duties;
- To acquire information related to, or designed to facilitate the performance of regular assigned duties;
- To facilitate performance of any task or project in a manner approved by an employee's Manager.

Compliance with Applicable Laws and Licenses

Employees must comply with all software licenses, copyrights, and all other laws governing intellectual property protection, privacy, sexual harassment, data security, and online activity. Please be advised that your use of the Internet access, provided by Miami County, expressly prohibits the following:

- Game playing
- Distribution or download of destructive programs (i.e., viruses and/or self-replicating code).
- Hateful, harassing, or other anti-social behavior.
- Internet Radio, Online Videos, or other types of streaming media unless approved by the County IT Department.
- Downloading of files unless properly scheduled with the County IT Department.
- Installation of software without Miami County IT Department's expressed written consent, approval, and assistance.
- Intentional damage or interference with others (i.e., hacking and distributing viruses).

- Making publicly accessible obscene files.
- Solicitation
- Intentionally bypassing or damaging Miami County IT security systems. (i.e., Updating County databases outside of normal application processes).
- Dissemination or printing of copyrighted materials (including articles and software) in violation of copyright laws.
- Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information of Miami County in violation of Miami County policy or proprietary agreements.
- Sharing or granting access to Miami County's resources (i.e., network, equipment, services, e-mail, VPN, and/or data) with anyone regardless of intent, job position, or circumstances.
- Offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.
- Sending or soliciting sexually oriented messages or images.
- Operating a business, usurping business opportunities, personal use, soliciting money for personal gain, or searching for jobs outside Miami County.
- Sending chain letters, gambling or engaging in any other activity in violation of the law.
- Participating or accessing chat rooms and/or message groups (i.e., AOL and Instant Messengers)
- Using any Miami County e-mail address for external: subscriptions, identification purposes, or message groups (i.e., MySpace, FaceBook, or Yahoo).
- Accessing or modifying another user's e-mail or any attempts to forge e-mail messages.
- Accessing Miami County's resources in a manner that may hinder any mission and/or operation of County government.
- Any attempts to interfere and/or unlawfully intercept official County communications. (i.e., deletion of e-mail messages of other users, impersonation, or providing false information).
- Any promotion of self campaigning.
- Promotion or opposition of political campaigns or commenting on political stances on issues.
- Promotion or opposition of a political party or persons identified with a political party.
- Promotion or opposition of a view on a question of political controversy which is identifiable of the view of any political party.

Electronic Communications

See the Miami County Electronic Communications Retention Policy

Management's Right to Access Electronic Mail

The electronic mail system has been installed by Miami County to facilitate business communication. Although each employee has an individual password to access this system, it belongs to Miami County and the contents of e-mail communications are accessible at all times by Miami County management for any business purpose. These systems may be subject to periodic unannounced inspections, and should be treated like other shared filing systems.

All e-mail messages are Miami County records. The contents of e-mail, properly obtained for legitimate business purposes, may be disclosed without your permission. Therefore, you should not assume that messages are confidential. Back-up copies of e-mail may be maintained and referenced for business and legal reasons.

Due to the sensitivity of e-mail, and separation of job duties, in order for a department manager/supervisor to access another user's email, they must first seek approval from the Commissioners. The department manager must submit in writing the grounds for e-mail procurement, the requested time frame, and identifiable characteristics of the requested e-mails.

Upon receiving the submission, the Miami County IT Department will coordinate e-mail retention requirements with the Commissioners. The decision to grant or deny access to e-mail records is solely the decision of the Commissioners, and not in any part that of the Miami County IT Department. Any requests submitted solely to that of the Miami County IT Department will be rejected with a written statement outlining the required steps for proper e-mail procurement.

Upon denial, the Commissioners will notify the requesting department manager in writing, disclosing the reason for denial. Upon approval, the Commissioners will notify both the requesting department manager and the Miami County IT Department in writing and verbal confirmation. At that time, the Miami County IT Department will coordinate the required steps necessary to securely deliver, or grant access to, the requested emails.

Personal Use of E-Mail

Because Miami County provides the electronic mail system to assist you in the performance of your job, you should use it for official Miami County business. Incidental and occasional personal use of e-mail is permitted by Miami County, but these messages will be treated the same as other messages. Miami County reserves the right to access and disclose as necessary all messages sent over its e-mail system, without regard to content.

Use of Removable Media/Portable Media Storage Devices

Miami County protects data from unauthorized access as part of the process to protect systems from unauthorized use. Removable media and portable media storage devices are predominantly vulnerable to theft and could expose sensitive data to unauthorized access. Employees using removable media or portable media storage devices containing or transmitting Miami County data are required to work with the Miami County IT Department and department manager to coordinate proper methods to protect the data in the event the device should be lost, stolen, or compromised. Protection may include encryption or other methods of security.

Types of removable media and portable media storage device include, but are not limited to:

- Laptops
- PDAs
- USB Flash Drives
- USB External Hard Drives
- Digital Cameras
- Smart Phones (i.e., BlackBerry, Treo)
- Memory Cards/Sticks
- MP3 Players
- Any wireless device (Bluetooth, Infrared, Wireless Internet)

Only media supported by IT will be sanctioned for storage of offsite data. In the event that a large amount of data needs to be placed on a removable storage device, the Miami County IT Department

may be able to provide a device. Otherwise, approval of purchase will need to be obtained. Data removed from the Miami County Network is the responsibility of the party and or department requesting or removing the data themselves.

Storing and Saving Work Related Data

In order to provide end-users with a reliable and secure means of storing and saving work related data, the Miami County IT Department has implemented network shared folders. By saving work related data to the network shared folders, the Miami County IT Department can help ensure the confidentiality, integrity, and availability of the data. Any work related data stored or saved to local drives (on your work computer) is not protected by the Miami County IT Department. No assurance for reclaiming lost work related data stored to local drives can be offered by the Miami County IT Department. Any work related data stored or saved to a local drive is done so at the end-user's own risk.

Password and Encryption Key Security and Integrity

Employees are responsible for the use of their network and application accounts and the security of their passwords. Employees are prohibited from the unauthorized use of the passwords and encryption keys of other employees to gain access to other employees' network or application accounts. Employees may not place on any County-owned computer system any type of information or software that gives unauthorized access to another computer account or system.

Should access be needed to a particular network account within a department, a written request with stated purpose must be made by the department head to the Miami County IT Department. The request may need final approval from the Miami County Commissioners depending on the circumstances involved in the request.

Downloading, Installation of Software, Software Licensing and Configuration Modification

Due to risk of computer viruses, copyright and license violation, and/or degradation of the County computer networks, downloading and/or installation of any materials, program, or updates to currently installed programs is not permitted. Miami County purchases and licenses the use of various computer software for county business purposes and does not own the copyright to the software or its related documentation. The County prohibits the illegal duplication of software and its related documentation. No licensed or unlicensed software may be installed on Miami County computers that have not been authorized by the County Data Board.

No computer settings or configurations including, but not limited to, themes, backgrounds, wallpapers, and screensavers are to be modified by anyone other than a member of the Miami County IT Department. If it comes to the attention of the Miami County IT Department through auditing, maintenance, or other means that modifications have been made, any unapproved content or modifications will be removed and/or reverted back to their original state. During this time, the employee may or may not be made aware of their infraction(s).

Waiver of Privacy

For security, compliance, and maintenance purposes, authorized personnel may monitor and audit equipment, systems, and network traffic per the Audit Policy. Devices that interfere with other devices or users on the network may be disconnected. Information Security prohibits actively blocking authorized audit scans. Firewalls and other blocking technologies must permit access to the scan sources.

Employees waive any right to privacy in anything they create, store, send, or receive on the computer or the Internet.

Violation of Miami County's Internet Acceptable Use Policy

Violation of Miami County's Internet Acceptable Use Policy may include civil and/or criminal disciplinary action. The measure of discipline will correspond to the gravity of the offense as weighed by its potential effect on Miami County and fellow employees. See Discipline Policy. When you connect to the Internet by any method at any Miami County location or use any service provided by Miami County, it should be for Miami County business related activity.

County Property

You must ensure through legal or technical means that proprietary information remains within the control of Miami County at all times. Conducting Miami County business that results in the storage of proprietary information on personal or non- Miami County controlled environments, including devices maintained by a third party with whom Miami County does not have a contractual agreement, is prohibited. This specifically prohibits the use of an e-mail account that is not provided by Miami County, or its customer and partners, for Miami County business.

Each employee will be granted certain access permissions and resources required to perform their specific job duty. These permissions and resources are the property of Miami County and are for your use only. At no time shall any permissions or resources that have been granted to you through Miami County be made available to, or shared with, any individual unless under the direction of Miami County. This includes, but is not limited to: e-mail, Internet access, network access, Miami County data, electronic devices, and VPN access.

Physical Security

The computer system and the associated telecommunications equipment must be adequately protected from environmental damage including, but not limited to, fire, water, and physical damage by individuals.

In addition, the computer must be protected from unauthorized access, computers must be inoperable when not attended by an authorized employee, and Computers utilized to enter sensitive commands must not be positioned where unauthorized individuals may view the contents of the video display terminal. Procedures must exist to assure sufficient computer processing capacity will continue to be available to process accounting information.

Logical Security

Access to information stored on the computer must be protected through the use of user identification codes and confidential passwords. These passwords must meet the following criteria:

- Each user must have a unique user identification code and password.
- Passwords must be changed every 30 days.
- Passwords must be a minimum of six (6) characters in length.
- Passwords must be a combination of alphabetic and numeric characters.
- Passwords may not be the same for a user identification code as the last five (5) passwords used by this user identification code.

- Individuals must assign their own passwords.
- User identification codes and passwords may not be shared.
- Passwords must be encrypted while stored on the computer.
- Users other than System Administrators and Security Administrators must be prevented from accessing sensitive operating system commands.
- Users must not be allowed to be active on multiple Computers at the same time with the same user identification code.
- User identification codes must be deactivated after three unsuccessful attempts to sign on to the computer.
- A display of the last attempted sign on for a user identification code must be displayed when a user signs on the computer.
- For inactive terminals, the user must be automatically prevented from accessing the computer after 15 minutes of no activity until the user password is entered.
- Users are prevented from accessing operating system.
- User access rights must be eliminated or revised upon termination of employment and transfers of employee responsibility.

At no time should a user allow any one access to their computer. Only Miami County Employees are allowed access to Miami County Computers. It is a direct security violation to allow access to any computer that is not designated as a Public Use Computer. Example allowing your kids to surf internet on your computer, Friends that stop in to your office they need to have access to information there are public PCS in backroom of recorder's office as well as in the Clerk's office the Treasurer's office and Backroom of the Auditor's office. At no time should an employee allow anyone access to their computer they use for day-to-day work.

Amendments

Miami County reserves the right to amend or revise the contents of this policy as deemed suitable. Each employee will be provided with a notice of all amendments and revisions to this policy.

EMPLOYEE ACKNOWLEDGMENT FORM

I have read and understand the Miami County Acceptable Use Policy and any departmental amendments. I understand violation of the Miami County Acceptable Use Policy will result in disciplinary action. I am aware that I will be made notified of any amendments and revisions to this Miami County Acceptable Use Policy.

Employee Signature

The Miami County Employee handbook ("Handbook") describes important information about employment with Miami County, and I understand that I should consult the elected official/department head or Auditors office regarding any questions not answered in the Handbook.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the Board of County Commissioners has the ability to adopt any revisions to the policies in this Handbook. Although we believe the descriptive materials contained in this handbook are accurate, some, like insurance, are only summaries. Any discrepancies between these summaries and the terms of the actual plans will be governed by the terms of the underlying, more detailed policies and procedures. Any questions regarding summaries, their underlying policies and procedures and any discrepancies between them should be directed to the Auditor's office.

Furthermore, I acknowledge that this Handbook is not a contract of employment. I acknowledge that I have received the Handbook, and I understand that it is my responsibility to read and comply with the stated policies and any subsequent revisions.

Employee Signature

Employee's Printed Name

Date

This handbook was adopted by the Board of Commissioners of Miami County, Indiana on the 31st day of December 2012 and revised September 23, 2013.