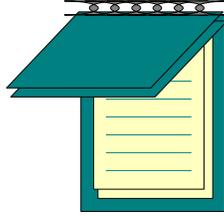


Swift County



County Policy Manual

Prepared by:

**Swift County Policy Committee
Courthouse
Benson, Minnesota 56215**

Approved by:

**Swift County Board of Commissioners
Courthouse
PO Box 288
Benson, Minnesota 56215**

Swift County Policy Manual

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County Policy Development and Classification System Revised 7-1-02

Introduction

Over the years, the County Board has adopted a variety of policies. These policies have been adopted with the goal of ensuring consistent and fair administration. Policies have been developed in many different areas of County government. In order to integrate, consolidate and organize a coherent organizational document which encompasses this broad range of policies, the following systematic method for policy development, classification, distribution and review will be used.

A. Policy Development

"Policy" is defined as a definite course or method of action selected from among alternatives in light of given conditions to guide and determine present and future decisions - a policy is an overall plan embracing the general goals and acceptable procedures.

"Procedure" is defined as a particular way of accomplishing the policy - it is a series of steps followed in a regular and definite way - it is an established way of doing things.

Proposed policies may be developed by a number of parties: by the County Board, by the County Management Group, by individual Department Heads or by individual county employees or other elected County officials.

The County Board of Commissioners is the only group that has the authority to actually adopt policies unless such adoption has been officially delegated to a subordinate entity.

Sequentially, policy development will customarily take the following course:

1. Identification of a problem, issue or concern. Such identification may result from discussions at County Board meetings, within Management Group meetings, or within individual Department operations.
2. Recognition that a "policy" matter exists and the need for a formalized statement is made. This is done by the entity because the decision being faced cannot be made with confidence or decisions are conflicting or are of a nature which would compromise the County in some way.

3. Discussions ensue, alternatives are discussed, fiscal impacts are discussed and a decision is made that a policy statement needs to be prepared.
4. A draft policy statement is developed by some entity. This may be a County Board member, the County Administrator, a Management Group member, a Department Head, an individual County employee, or any one of the County Board's designated Committees.
5. The proposed policy should be presented to the County Policy Committee before its presentation to the County Board. The Policy Committee will be responsible for properly classifying the proposed policy and will attempt to insure that the policy is compatible with other existing County policies.
6. The County Board is presented with the proposed policy statement with recommendations by the entity developing the policy.

B. Policy Classification and Format

The following classification system will be used in organizing County policies:

100 - County Board Operations - This section will contain policies related to how the Swift County Board of Commissioners will operate as a governing board.

200 - Personnel - This section will contain policies related to all Swift County employees and in some cases, policies that relate only County employees not governed by union labor agreements.

300 - Safety - This section will contain policies related to safety operations within Swift County and will pertain to all County employees.

400 - Financial-Budgeting-Taxation - This section will contain policies related to Swift County financial operations and finance management issues.

500 - Governmental Operations This section will contain policies related to general governmental operations within Swift County.

600 - Data Practices - This section will contain policies related to the Minnesota Government Data Practices Act and its application within Swift County.

700 - Technology and Equipment- This section will contain policies related to technology development and use in Swift County.

800 and 900 - Departmental - This section will contain policies related to specific Departmental operations as either adopted by that Department or those that are

unique to a given Department.

Preliminary assignment of a policy classification may be made by the entity instrumental in the development of the policy statement. Existing policies and any policy adopted by the County Board during the year, however, should be critiqued by the County Policy Committee to review final classification assignment.

A uniform policy statement format should be used in the development of policies. For purposes of consistency, the County will use a standard format which contains at the least the following elements:

- Title
- Code
- Reference (legal citations, etc.)
- Personnel Responsible (for implementation)
- Effective Date (of policy)
- Policy
- Authored By and Date
- Approved By and Date (of Board action)

D. Distribution

Distribution of manual material should take place on a timely basis. Manual holders (15) will include the following:

- 1 - Assessor
- 1 - Auditor
- 1 - County Administrator
- 1 - County Attorney
- 1 - County Board Room
- 1 - Environmental Services
- 1 - Extension Service Office
- 1 - Highway, Parks and Drainage
- 1 - Human Services
- 1 - Recorder
- 1 - Sheriff's Department
- 1 - Technical Support
- 1 - Treasurer
- 1 - Veteran's Service and HRA
- 1 - Youth Programs Office

Manual material will be issued to all manual holders by a representative of the County Policy Committee subsequent to final approval by the County Board. Maintenance of individual manuals will be the responsibility of each Department Head which possesses a manual.

E. Review

On-going review of policies will be a function of each Committee, Department or entity which is responsible for the implementation of the policy. An at least an annual basis, the County Policy Committee will make a review of all existing policies for relevance or need for updating.

Operating Guidelines

(Updated 11-26-03)

A. Name

The name of this group shall be the Swift County Policy Committee.

B. Authority

The County Policy Committee is established by the authority of the Swift County Board of Commissioners. The Committee is advisory to the County Board. The Committee has no authority to independently adopt policies.

C. Purposes

The Committee serves at the pleasure of the County Board of Commissioners. It exists to make recommendations to the County Board on specific policies related to governmental operations that are within the purview of responsibility of the County Board. The specific purposes of the Committee are:

- To develop a comprehensive manual of policies on behalf of the County Board.
- To identify areas, issues or concerns that dictate the need for written policies and effect development of draft policy statements for County Board consideration.
- To insure that there is a coordinated approach to policy development within the various entities which are responsible for the preparation of policy statements.
- To ensure that County policy material is provided to all appropriate County departments on a timely basis.
- To provide for a review process to ensure that County policies are up to date.

D. Membership

The membership of the Committee is comprised of at least five persons: two representatives from the County Board, the County Administrator, and at least two members of the Management Group. A member may designate a proxy but such proxy should be at the same level of authority as the regular member. Other membership shall be at the discretion of the County Board. From time to time, there may be ad hoc members needed to assist in the development of specific policy statements.

E. Length of Term

Membership terms for County Board representatives should be for one year.

Management Group representatives shall be for two years. Re-appointment for any of these members may not exceed nine consecutive years. The County Administrator shall be a permanent member.

F. Officers

There are two officers of the Committee: Chairman and Secretary. Officers serve in their capacity for a two year period of time. Consecutive terms of office are at the discretion of the Committee.

G. Duties of Officers

Chairman - The duties of the Chairman are:

- To prepare agendas and related material for Committee meetings and insure they are mailed to all Committee members.
- To chair Committee meetings.
- To make verbal reports to the County Board as needed

Secretary - The duties of the Secretary are:

- To record and prepare official minutes of all Committee meetings.
- To insure distribution of official policy statements to manual holders.
- To insure minutes of Committee meetings are sent to the Chairman of the County Board and the Facilitator of the County Management Group.

H. Elections

Election of officers may be held at such time that the Committee determines. At a minimum, review of the need for elections shall occur in March of each year.

I. Meetings

Meetings of the Committee will normally be held the 4th Friday of January, March, May, July, September and November from 10:30AM to 12:00PM. Meetings will be held in a location determined by the Committee. Agenda material should be sent to all Committee members at least three days before regular meetings. All meetings will be open to the public. Three consecutive absences by a Committee member may subject that person to be removed from the Committee.

J. Voting

Each member shall have one vote. Unless otherwise indicated, a simple majority of those Committee representatives present will decide a vote.

K. Quorum

Three members shall constitute a quorum.

L. Work Plan

The Committee will develop an Annual Work Plan for the coming year by it's December meeting.

M. Conflict of Interest

Committee members should declare that a conflict of interest exists with any particular issue before the Committee at such that a member believes that an actual or apparent conflict exists. Members are expected to maintain the highest ethical standards which includes the avoidance of even the appearance of impropriety.

N. Alternative Dispute Resolution

In the event of an unresolved dispute within the Committee, the dispute will be referred to the County Board for resolution.

M. Amendments and Guidelines Review

These Guidelines will be reviewed by the Committee for revisions at least on an annual basis. Any changes in the Guidelines must be approved by the Committee at a regularly scheduled meeting, and in turn by the County Board. Amendments can be recommended at any regularly scheduled meeting of the Committee.

11-26-03
Date of Approval

Chairman

Secretary

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Swift County Mission Statement	101

REFERENCE

NA

PERSONNEL RESPONSIBLE

All County Personnel

EFFECTIVE DATE

02-04-03

POLICY

The mission statement for Swift County is:

“Providing services that enhance our quality of life.”

AUTHORED BY: County Board
DATE: 01-28-03

APPROVED BY: County Board
DATE: 02-04-03

Policy Statement

TITLE

CODE

Swift County Board Operating Guidelines

102

REFERENCE

M.S. 370 Counties; County Officers; Regional Authorities
M.S. 373 County; Powers; Duties; Privileges
M.S. 375 County Boards

PERSONNEL RESPONSIBLE

County Board of Commissioners and Clerk of the Board

EFFECTIVE DATE

01-01-97 (Updated 01-04-05)

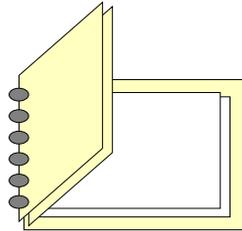
POLICY

The attached document contains the Swift County Board Operating Guidelines.

AUTHORED BY: Policy Committee
DATE: Revised July 26, 2002

APPROVED BY: County Board
DATE: January 7, 2003

**Courthouse
Box 288
Benson, Minnesota 56215**



**Swift
County Board
Operating
Guidelines**

**102.100 to 102.975
08-06-02**

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102.100 - Overview

102.101 - Purpose - The Swift County Board of Commissioners is the body charged by law with the governance of the affairs of Swift County. The Board operates as a deliberative and legislative assembly, meeting to discuss and determine the direction and policies of the County within the framework of State and Federal law. General duties, powers, and responsibilities are found in Minnesota Statutes, especially but not exclusively Chapters 370, 373, and 375. Minnesota Statutes supersede all by-laws, rules, and policies established by the Board.

The Operating Guidelines are intended to facilitate the transaction of business by the Board and its various committees.

102.102 - Statement of Principles - The Operating Guidelines intend to strike a procedural balance that considers certain principles and enunciates a specific process by which those principles interact and work. They are representative of the County's values and mission.

The following principles shall guide the Board in its interpretation and application of the Operating Guidelines:

“Our mission is to keep and enhance the quality of life for our family of citizens by conscientiously providing services, open and accessible government, stewardship of resources, and a cooperative spirit.”

102.103 - Effective Date - These Operating Guidelines become effective upon passage by the Board.

102.200 - Amending the Operating Guidelines

Any member of the Board may initiate action to amend the Operating Guidelines by submitting the request in writing at a regular Board meeting. During the statutory meeting, the Board shall review, amend if necessary, and adopt the Operating Guidelines for the year. At any time throughout the year, the County Board may amend, or suspend, the Operating Guidelines by an affirmative vote of at least 3 of the members. Changes shall be effective immediately upon passage. The statute references included in the text are current as of the adoption of the Operating Guidelines. Any changes in statute or law affecting the Operating Guidelines are effective immediately and will be reflected in the next version.

102.300 - Board Organization

102.301 - Membership - The Board consists of five members elected from single-member districts apportioned on the basis of population as provided by Minnesota law.

102.301 - Commissioner Districts - The boundaries of Commissioner districts, including the procedures to follow in the event that a redistricting is needed, are established in M.S. 375.025.

102.302 - Terms of Office - The term of each Board member is four years, except as otherwise established in M.S. 375.03.

102.303 - Vacancy - A vacancy in the office of the Board is filled at a special election not less than 30 nor more than 60 days after the vacancy occurs. A special primary or special election may be held on the same day as a regular primary or regular election but the special election shall be held not less than 14 days after the special primary. The person elected at the special election shall take office immediately after receipt of the certificate of election and taking the oath of office. The person shall serve the remainder of the unexpired term.

If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at the general election for the ensuing term. That person shall take office immediately after receiving the certificate of election, and taking the oath of office, in keeping with M.S. 375.01.

102.304 - Officers - The Board, at its first statutory meeting, the first Tuesday after the first Monday of each calendar year, elects from its members a Chairman and a Vice-Chairman. The Chairman presides at the Board meetings, decides on questions of order subject to vote of the Board, and signs all documents requiring signature on the Board's behalf. The Chairman's signature, attested to by the Clerk of the Board, is binding as the signature of the Board.

The Board elects from its membership a Vice-Chairman at the same time and place and in the same manner as provided for the election of the Chairman. The Vice-Chairman performs the duties of the Chairman when the Chairman is unable to perform those duties. Rotation of officer positions is at the option of the Board.

If the Chair and Vice-Chair are absent from any meeting, the members present shall choose one of their members as temporary Chairman, and all documents requiring the signature of the Board shall be signed by a majority of it and attested to by the Clerk of the Board in keeping with M.S. 375.13.

At the statutory meeting (104.402), and if applicable during the year, the Chairman of the Board shall have the authority to recommend committee chairs, appointment of members of the Board to standing committees and other Board-member appointed committees, organizations and groups, subject to approval by the Board.

102.305 - Compensation - Board members receive as compensation for services an annual salary as set by resolution of the Board. The salary must be established prior to the end of the preceding year and is effective January 1st of the new year. The resolution should contain a statement of the new salary as defined on an annual basis and must be published in the official Swift County newspaper and one other newspaper of the County in keeping with M.S. 375.055.

Prior to the effective date of a new salary, each Board member shall have the option to accept or reject any salary increase in writing in a form prescribed by the Board.

102.306 - Expense Allowance - Board members shall be reimbursed for all reasonable out-of-pocket expenses when representing the Board. Receipts for such expenses must be provided – no receipts, no reimbursement. No mileage, meals, lodging, phone expense, or other reimbursement will be made when a Board member is performing constituency services within his or her district.

102.307 - Board Budget - The County Board is allocated an annual budget which includes salary and benefits and other miscellaneous expenses.

102.400 - Board Meetings

102.401 - Regular Meetings - Prior to the beginning of a new year, the Board shall adopt a schedule of regular Board and committee meetings for the upcoming year. The schedule will include the location, date and time of the meetings. During the year, the schedule may be amended by vote of the Board. Unless otherwise stated, all regular meetings of the Board will be convened in the Board Room of the Courthouse in Benson, Minnesota.

In the interests of enhancing public exposure and public input into Swift County government, the Board may periodically schedule evening meetings and/or meetings outside of the Courthouse.

102.402 - Statutory Meeting - The Board meets at the Board Room in the Courthouse for the transaction of business on the first Tuesday after the first Monday in January. The Board transacts organizational business during this meeting, including:

- (1) Administration of Oath of Office (if required)
- (2) Election of Officers
- (3) Appointment of Board Committee positions
- (4) Appointment to Serve on Inter-County groups
- (5) Appointment to Serve on Intra-County groups
- (6) Appointments to Serve as Liaisons
- (7) Setting of Mileage and Related Expenses
- (8) Adopt Board Operating Guidelines

102.403 - Open Meetings - All meetings of the Board and Board Committees are subject to the Minnesota Open Meeting Law, M.S. 471.705.

The Board may, by resolution, convene in closed session for the purposes of transacting business. Before closing a meeting, the Board will state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed. Board meetings may be closed under the following circumstances:

- (1) To consider strategy for labor negotiations.
- (2) To evaluate the performance of an individual under the authority of the Board.
- (3) To give preliminary consideration to allegations or charges against an individual

- subject to the Board's authority.
- (4) To discuss subjects which involve non-public data listed in M.S. 471.705, subd. 1d(b).
 - (5) If otherwise expressly authorized by Minnesota statute or permitted by the attorney-client privilege.

102.404 - Special Meetings - Special meetings may be called by any two members of the County Board or be called by resolution of the Board. Special meetings shall be preceded by three day's notice, including a posting of the meeting notice and either:

- (1) Mailed, e-mailed, or delivered notice to persons who have requested such notice; or
- (2) Publication of the notice in the official newspaper.

Adjourned or reconvened meetings may be held at any specific time, date and place the Board may adopt without additional notice. However, the time, date and place must be publicly specified by the Board prior to adjourning the meeting in which the time, date, and place are established.

Members of the Board are entitled to at least three days notice of Board meetings. A meeting cannot be held without such notice in keeping with M.S. 13D.04 Subd. 2. The Board may schedule work sessions, retreats, forums, or additional meetings at such times and concerning such subjects as may be established by resolution of the Board. A schedule of such meetings shall be maintained in the County Administrator's office. Work sessions and other informal meetings of the Board, not regularly held, shall be subject to the same notice requirements of the Minnesota Open Meeting Law. A joint meeting with the Board and any other political subdivision may be held within the boundaries of either subdivision as will be specified in the meeting notice.

102.405 – Emergency Meetings –

- (1) For an emergency meeting, the public body shall make good faith efforts to provide notice of the meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number.
- (2) Notice of the emergency meeting shall be given by telephone or by any other method used to notify the members of the public body.
- (3) Notice shall be provided to each news medium which has filed a written request for notice as soon as reasonably practicable after notice has been given to the members.
- (4) Notice shall include the subject of the meeting. Posted or published notice of an emergency meeting is not required.
- (5) An "emergency" meeting is a special meeting called because of circumstances that, in the judgment of the public body, require immediate consideration by the public body.
- (6) If matters not directly related to the emergency are discussed or acted upon at an emergency meeting, the minutes of the meeting shall include a specific description of the matters.
- (7) The notice requirement of this subdivision supersedes any other statutory notice requirement for a special meeting that is an emergency meeting.

102.406 - Public Hearings - From time to time, the Board may conduct formal public hearings. In addition to those required by law, the Board may hold public hearings on matters of business when it decides that such hearings are in the best interest of the general public. The order of business for public hearings should generally follow this agenda:

- (1) Presiding officer opens the hearing and states the purpose
- (2) Brief description of issue by County staff or other appropriate persons
- (3) Presentation, if applicable, by affected or interested persons
- (4) Open discussions by members of the general public
- (5) End of public discussion
- (6) Discussion by Board
- (7) Decision of the Board
- (8) Public hearing closed by resolution

At any time during the process, the Board may address any questions as deemed appropriate. The Board may alter the public hearing procedure as needed to assure that the hearings are conducted in an orderly, fair, and expeditious manner, including establishing reasonable time limits for speakers individually or on each side of the issue before the Board.

Rules adopted for public hearing procedures are intended to promote an orderly discussion, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising the right to free speech.

All comments by proponents, opponents, or members of the public shall be made in such a manner that individuals making comments shall first give their name and address. This is required for an official record of the public hearing. All members of the public interested in addressing the Board are requested to sign an attendance form made available in the hearing room.

102.407 - Citizen Requests - The Board prefers all business matters initiated by citizens coming before them to first be reviewed by County staff and scheduled for discussion by an appropriate Committee of the Board, if one exists.

If an individual seeks to appear before the Board, that person should notify the Clerk of the Board of this intention and the issue to be presented. Appropriate County staff should be made available to confer with the individual, address the issue and, if necessary, schedule the issue accordingly on the appropriate Committee or County Board agenda.

For an individual who appears at a Committee or Board meeting unaware of Board operating procedures, an audience section may be included on the meeting agenda. Maximum length of time for an item to be presented in this section of the meeting will be limited at the discretion of the Chairman of the Board. Normally, five minutes will be the maximum amount of time. In general, before taking action, the Board will direct the item to the appropriate Committee or County staff for further review and recommendation.

102.408 - Broadcasting and Recording - Videotaping, live television, radio broadcasting, and voice recording of all open Board meetings is permitted.

102.409 - Board Committees - For the purpose of assisting the Board in carrying on its business, committees may be formed and be composed of members as determined by resolution of the Board. Minutes of the committee meetings should be kept and should become official upon approval of the committee. All actions of the committees are to be considered as recommendations to the Board.

102.410 - Quorum - A quorum is necessary for the transaction of Board business. A majority of the members of the Board constitutes a quorum and no business shall be transacted unless approved by a majority (three votes) of the whole Board in keeping with M.S. 375.07. Less than a majority of members may convene a meeting, but no business may be transacted.

Any Board member who, for any reason, anticipates or plans an absence at any regular or special meeting is encouraged to contact the Board Chairman or Clerk of the Board to indicate this planned absence.

102.411 - Role of Presiding Officer - The presiding officer of the meeting is the Chairman. In the absence of the Chair, the presiding officer will be the Vice-Chairman. The duties and powers of the presiding officer include:

- (1) Preside at all meetings of the Board.
- (2) Preserve order and decide parliamentary questions raised by members subject to appeal to the Board.
- (3) To vote all questions regularly moved and to announce the result.
- (4) Review and comment on the draft agenda for each regular and special meeting of the Board.
- (5) Serve as representative of the Board in execution of contracts, orders, resolutions, determinations, minutes of the Board, and certification of tax rolls.

The Chairman of the Board may make a motion and has the same voting rights and responsibilities as other members.

102.412 - Role of Clerk of the Board - The County Administrator or designee shall attend all meetings of the Board and serve as the Clerk of the Board. The Clerk of the Board may participate in the discussion. A member of the Board may call on the Clerk of the Board to participate in the discussion or provide a verbal recommendation on any subject pending before the Board. The Clerk of the Board shall prepare a written agenda for all regular and special meetings of the Board. The Clerk of the Board also has these duties:

- (1) To make regular entries of all Board resolutions and decisions upon all questions.
- (2) To record the vote of each member on any question submitted to the Board.
- (3) To preserve and file all business acted upon by the Board;
- (4) To certify copies of any and all resolutions or decisions of the Board.
- (5) To perform such further duties as designated by the Board.

102.500 - Conduct of Debate

102.501 - Principles - The rules of parliamentary practice embodied in Roberts' Rules of Order shall govern the Board in all cases applicable, except as modified by the Operating Guidelines and applicable Minnesota statutes.

102.502 - Parliamentarian - The rules of order governing Board meetings shall be referred to the Board Chairman for interpretation and enforcement. The Board Chairman may consult with Board members and/or the County Attorney in interpreting and deciding upon rules and questions of order.

102.503 - Role of the Chair - The Chairman shall preside over the debate, ensuring equality and fairness in discussion. If necessary, the Chairman may restate or ask the Clerk of the Board to restate motions, who made motions, who seconded motions, or to announce the results of votes.

102.504 - Suspension of the Guidelines - Any member of the Board may move for a suspension of the Operating Guidelines at any time during the debate and, if in order and duly seconded, the Board will vote on the request. If there is general consensus, the Board may suspend the rules without the formality of a motion. Such action may occur at any time.

102.505 - Main Motion - The main motion in the form of a resolution shall be considered by the Board. A member may make only one main motion at a time. The Board member(s) may present an initial motion on the resolution and subsequently debate the question; or the Board member(s) may call upon staff for additional information prior to introduction of the motion.

The introduction of a main, or substantive motion, is out of order while another main motion is pending. While the question is under debate, no other motion shall be received or entertained except for procedural motions as permitted in the Operating Guidelines.

102.506 - Second Required - All motions before the Board shall be seconded prior to consideration by the Board. The second may occur after brief informal discussion. Subsequent to the second of the motion, formal debate may ensue between the members of the Board prior to the formal vote being called.

102.507 - Amended Motion - Any motion may be amended at any time before it is adopted. The amended motion should have precedence over an existing motion and may be discussed prior to being voted upon. If the amended motion fails, the main motion may proceed for consideration. If the amended motion passes, the amended motion becomes the main motion and may proceed for consideration. Once an amended motion is voted upon, a second amended motion may be entertained.

102.508 - Division of the Question - Upon the request of any Board member, a resolution in debate may be divided and separated into more than one action, provided the

Chairman rules that the resolution will allow such a division. Each of the resulting resolutions must be complete to allow independent consideration and action.

102.509 - Withdrawal of the Question - After a motion has been stated by the Chairman, it is deemed to be in the possession of the Board, but may be withdrawn by the member introducing the motion at any time before a vote. The Chairman must accept or reject the withdrawal request. This motion cannot be debated or amended. If the motion is withdrawn, the effect is the same as if it had never been made.

102.510 - Discussion Procedure - The following shall guide debate:

- (1) Any Board member desiring to speak should address the Chairman, and not proceed until being recognized. When two or more members address the Chairman at the same time, the Chairman shall designate the order of speaking.
- (2) Upon recognition by the Chairman, the Board member making the motion has precedence to address the Board first, with the option of explaining the reasons why the motion is made. Subsequently, the floor is open to any member of the Board. There is no time limit for comments from individual Board members.
- (3) A member, once recognized, should not be interrupted when speaking, unless it is to call that member to order. No member should interrupt another in debate without that person's consent. To obtain such consent that person should first address the Chairman.

102.511 - Adoption - A motion or resolution shall be adopted if approved by a majority of the whole Board in keeping with M.S. 375.07.

102.512 - Procedural Motion - In addition to the substantive motions, the following procedural motions shall be in order. This is a partial list of those motions from Robert's Rules of Order that are most often used. It is not intended to be a complete list. These motions shall be considered in the following order of precedence:

- (1) Motion to Adjourn
- (2) Motion to Recess
- (3) Motion to Suspend the Rules
- (4) Motion for Division of the Question
- (5) Motion to Defer Consideration (To Lay on the Table)
- (6) Call of the Previous Question
- (7) Motion to Postpone to Certain Time or Day
- (8) Motion to Refer to Committee
- (9) Motion to Amend
- (10) Motion to Reconsider

102.513 - Voting - It is the duty of every Board member to vote. Voting shall be done by voice vote with either a "yes" or "no" or "abstain" response. If requested by any member, voting may be done by roll call vote by the Clerk of the Board and duly noted in the minutes. The roll call shall be called by the Clerk, in a predetermined order based on the seating of the members and rotating with each resolution voted upon.

102.600 - Types of Board Action

102.601 - Resolution - The Board takes formal action by resolution (M.S. 373.02) or ordinance (M.S. 375.51) only, both of which are initiated through a motion. A motion may be introduced by any member of the Board. The main motion in the form of a resolution is the means by which a member may present a substantive proposal to the Board for the transaction of business. Only one subject may be considered at a time. The main motion may be proposed only when no other motion is before the Board.

102.602 - Ordinance - The Board may take formal action by ordinance (M.S. 375.51). An ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the County. Board action shall be taken by ordinance when required by law, to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

102.603 - General Consensus - The Board provides informal direction by consensus. Informal direction is most often used to provide County staff with preliminary Board perspective on a matter which may require future formal action by resolution or ordinance. Informal direction is also used to provide additional insight into formal actions previously taken. Informal direction standing alone does not establish Board policy nor authorize action.

102.604 – Policy Development - Authority for development of policies in Swift County is granted to the Board through M.S. 373 and M.S. 375 and in other statutes. With the powers granted within these statutes, the Board may delegate certain authority, as appropriate, through Board resolutions, to County staff to develop internal policies. These delegations of authority may be rescinded at any time by the Board. The Board reserves to itself responsibility and authority for all policies not expressly permitted to be developed by County staff as may be required by Federal law, Minnesota statute, rule, or regulation.

102.605 - Notice of Resolution - Any member of the Board may introduce a resolution for consideration and action. A copy of the proposed resolution should be provided to other Board members and the Clerk of the Board with as much advance notice as reasonable and practical. The introduction of resolutions and ordinances during the Board meeting may occur by motion and second as more fully set forth in Section 102.500. Resolutions not included on the printed Board agenda may be referred to an appropriate Board Committee, unless they are included within one of the following categories, whereupon they may be considered by the Board without referral:

- (1) Resolutions of commendation.
- (2) Resolutions recommended for immediate approval by the Clerk of the Board.
- (3) Resolutions which no member objects to being considered.
- (4) Resolutions on a matter of an urgent nature or if some consequence or crisis will result due to inaction at the meeting.

The Board may at any time refer an item or resolution to an appropriate Committee for further review and deliberation.

102.700 - Board Agenda

102.701 - Agenda Preparation - The Clerk of the Board shall prepare an agenda and supporting material for each regular and special meeting. Members of the Board may request an item to be placed on the agenda by informing the Clerk. Prior to finalizing the agenda, the Clerk may seek review from the Chairman of the proposed agenda and schedule of business.

The Board agenda packet, including the meeting agenda and supporting material, should be received by each member of the Board no later than the Saturday preceding the regular Tuesday meeting.

Copies of the agenda and supporting material should be made available to County staff, the public, and media as requested. A regular distribution list should be maintained by the Clerk of the Board. Members of the public who are interested in following issues considered by the Board may provide their names and addresses to the Clerk of the Board to be placed on the agenda distribution list. A copy of the agenda should also be posted on the official bulletin board within the Courthouse at least three calendar days prior to the meeting.

If possible and if time permits, Board members are encouraged to identify and request future agenda topics prior to the end of any regular meeting. Early identification of future agenda items informs other members of the Board that a particular subject will be discussed and provides County staff an opportunity to prepare background information sufficient to support the Board discussion.

Persons who request time on the agenda need to provide supporting data to the Board. If not, their name may be taken off the agenda at the discretion of the Board.

102.702 - Order of Business -The order of business for each regular meeting of the Board should be as follows:

- (1) Call to Order
- (2) Roll Call
- (3) Approval of Agenda
- (4) Approval of Consent Agenda
- (5) Board and Committee Reports
- (6) Approval of Bills
- (7) Citizen Comments
- (8) Public Hearing (if necessary)
- (9) Regular Agenda (presentations, Department reports, etc.)
- (10) Other Business
- (11) Informational (future meetings, future agenda items, etc.)
- (12) Adjournment

The order of business may be changed as needed to accomplish the objectives and priorities of the meeting. The order of business may be changed at the recommendation of the Chairman, any member of the Board, or the Clerk of the Board subject to full Board

consensus.

102.703 - Consent Agenda -The consent agenda consists of routine agenda items which are not likely to require additional debate and discussion. Examples of consent agenda items include, but are not limited to: approval of minutes, regular administrative bills, routine personnel actions, miscellaneous contract renewals, and other matters of a routine nature.

The consent agenda is considered as one item of business. The Board may approve all items on the consent agenda by adopting one motion. In the minutes of the meeting, the items passed in the consent agenda shall be recorded individually.

Prior to approval of the consent agenda, any member can remove an item for further discussion or for the purposes of separate consideration. The Chairman shall determine the location on the agenda for the item of business which will subsequently be considered.

102.704 - Regular Agenda - The regular agenda consists of items which are likely to require additional discussion and review. Items of business within the regular agenda are considered individually and in the order of business as approved by the Board at the meeting.

102.705 - Official Record Keeping - The Clerk of the Board or designee shall prepare the official minutes of each meeting. Board meeting minutes shall be kept in accordance with the provisions of statute in order to provide an accurate record of Board actions. The record is not intended to be a verbatim transcript of all discussion and debate. The record is primarily a compilation of official actions.

The minutes of the Board meeting shall be prepared and submitted for approval at the next Board meeting. Official proceedings of Board meetings shall be published in the official Swift County newspaper. The official Board proceedings should also be distributed to staff and posted on the County's Web site.

102.800 - Board Committees

102.801 - Committees - Committees of the Board are established to promote the efficient and effective conduct of business by the Board. The general purpose and function of each Committee is to facilitate the review, analysis, and discussion of major issues of County business as requested or directed by the Board. The standing committees of the Board are Building, Finance, Personnel, Policy, Safety, and Technology.

102.802 - Rules of Committee Operation - Rules of procedure for Committees of the Board should be governed by Roberts' Rules of Order. The chairman of each of the Committees, or their designee, should prepare an agenda and supporting material for each meeting. Any member of the committee may request an item to be placed on the agenda by informing the Committee chairman. The chairman or his designee finalizes the agenda and insures its distribution to all Committee members. Each Committee should keep minutes of its meetings. All Committee meetings must be open to the public. Copies of all

Committee agendas and minutes should be retained by a designated member of the Committee. A copy of all minutes should be provided to the Clerk of the Board on a timely basis.

The order of business for each regular meeting of a Committee is subject to Committee business and priorities. In general the agenda may include the following:

- (1) Call to Order
- (2) Approval of the Agenda
- (3) Regular Agenda Items
- (4) Other Business
- (5) Adjournment

Standing Committees meet on a regular schedule. Other committees meet on a varying schedule, depending upon the function and purposes of the Committee. A meeting may be postponed or canceled at the direction of the Committee chair with consensus of the Committee.

Items of business that do not pass out of Committee do not proceed to the County Board. The only exception to this is when a Committee member specifically requests that an item be forwarded to the Board.

In certain cases when the supporting materials from a Committee are lengthy and the Committee unanimously recommends approval of the item to the Board, the option to not replicate the supporting materials for the Board may be made by the person making the presentation to the Board. This determination is made on a case-by-case basis.

102.900 - Advisory Committees

The Board appoints its own members or other individuals to various committees, boards or commissions (referred to as "committees") which have been established by the Board, as required by Minnesota statute, or by past practice of the Board.

Each committee serves a statutory, policy, or operational purpose within Swift County. Each committee has either County staff and/or a Board member assigned and designated to the group. The function and reporting relationship to the Board varies from committee to committee. The fundamental purposes for utilizing committees in support of County government are:

- (1) To involve members of the public in the decision making process
- (2) To meet requirements of State law
- (3) To ask residents to help define community standards and norms
- (4) To provide technical expertise in certain areas
- (5) To serve as advocates for the County
- (6) To provide an independent sounding board for issues, ideas and policy matters

Actual appointments to these committees are made by the County Board. Per diem reimbursement is not made unless otherwise stated by the Board. An appointee who is absent for three consecutive meetings or 50% of the meetings automatically forfeits

membership on the committee and the position becomes vacant until the Board takes action to fill the vacancy. The automatic removal requirement applies during the term of appointment and covers any consecutive 12-month period of time. Resignations from the committee should be brought to the Board's attention by the Committee chairman in order for timely replacement to occur. Terms of the appointees to the various committees vary from committee to committee.

Some committees are required by statute to select their committee chairs. In some cases, the Board may appoint the chairman of the committee. The committees should report their various activities to the Board as needed or on a periodic basis.

102.950 - Citizens

102.951 - Public Communication - The Board believes members of the public have the right to be informed of the Board's process and decisions and should have the opportunity to present their views to the Board. Meetings are open to the public. Board and Committee agendas should be mailed to interested parties at their request. The Board encourages the residents of Swift County to participate in all aspects of the Board's business, including citizen committees, commissions, and advisory groups.

102.952 - Citizen Participation - It is the intention of these Operating Guidelines to support the interest of the general public in following Board business during their meetings.

Included within every Board meeting agenda is an audience section where the Board has designated an opportunity for citizens to appear and speak on any issue or topic related to Board business. To the extent possible, interested citizens should notify the Clerk of the Board of their intent to speak at the meeting and the issue to be discussed. The Clerk should notify the Chairman. In an effort to encourage efficiency and early resolution of issues, the Board recommends that citizens first contact appropriate County staff to try to resolve matters before coming formally to the Board meeting. In addition, the Board recommends that new items of business or concerns be first considered by an appropriate Committee of the Board, if the concern logically falls within the scope of a given Committee.

Members of the public who are interested in following issues considered by the Board may register their name and address with the Clerk of the Board to be placed on the agenda distribution list.

102.953 - Responding to Correspondence/Complaints - Board and County staff are committed to customer service and will endeavor to provide timely and efficient response and communication to the citizens of Swift County.

Upon receipt of a written or oral inquiry, request for information, or complaint about County business which has been sent to a Board member, that Board member will direct the information to an appropriate County staff member and/or the Board Chair to determine the proper course of action. The inquiry will be handled in an appropriate manner with the County staff person ensuring that the Board member is apprised of action taken. Such action should be in a timely manner with notification to the Board member also completed in a timely manner.

102.975 - Code of Ethics

Effective governance in Swift County is premised upon public respect and confidence in the integrity and principles of the elected County Board members. It is the belief of the Board that the trust bestowed upon them as elected officials is of utmost importance in the relationship between themselves and the public. With this belief, the following statements emphasize the priority and commitment the Board has placed on ethical standards. In the execution of their official duties, all Board members shall strive:

- (1) To observe the highest moral and ethical standards.
- (2) To maintain and respect the privacy of confidential and private information.
- (3) To avoid discrimination against any person on the basis of race, color, sex, religion, creed, national origin, age, disability, sexual orientation, marital status, place of residence, or status with regard to public assistance.
- (4) To comply with the ethical obligations imposed by law including M.S. 10A.07, 10A.71, 382.18, 471.87-895 including where appropriate, disclosing conflicts of interest, abstaining from decision making, eliminating conflicts of interest, and declining gifts.
- (5) To work to create a positive environment in public meetings where all individuals may feel comfortable in their roles as observers or participants.
- (6) To allow citizens, County staff, or colleagues sufficient opportunity to present their views; to be tolerant, respectful, and attentive; and to avoid comments, body language, or distracting activity that conveys a message of disrespect for the presentations from citizens, County staff, or colleagues.

Policy Statement

TITLE	CODE
Job Description - Chairman of the County Board	103

REFERENCE

M.S. 370 Counties; County Officers; Regional Authorities
M.S. 373 County: Powers, Duties, Privileges
M.S. 375 County Boards

PERSONNEL RESPONSIBLE

Chairman of Swift County Board

EFFECTIVE DATE

01-07-97 (Updated 04-05-05)

POLICY

103.100 Position Purpose -The primary purpose of the Chairman of the Swift County Board is to perform those functions of governance which require special local governmental leadership. The Chairman is elected by the members of the County Board to perform these functions as expressly stated by the full Board.

103.200 Principal Responsibilities

103.201 - Presiding Functions

- (1) to preside at all meetings of the County Board.
- (2) to preside at all public hearings conducted by the County Board.
- (3) to serve as parliamentarian at all meetings of the County Board.

103.202 - Executive Functions

- (1) to sign all contracts, memorandums of understanding, joint powers agreements and other legally binding documents on behalf of the Board.
- (2) to coordinate necessary Board appointments to Committees and other groups.
- (3) to assist in the development of regular and special meeting agendas in conjunction with the County Administrator.
- (4) to assist in the preparation of the Board's annual calendar in conjunction with the County Administrator.

103.203 - Coordination Functions

- (1) to represent the County Board at State, Federal and other official functions at which the County Board needs representation.
- (2) to represent the County Board on inter-governmental collaboratives.

103.204 - Financial Functions

- (1) to assist in coordinating the preparation of the annual County budget in conjunction with the County Administrator and other Department Heads.

103.300 Supervisory Responsibilities - The Board Chairman has no direct supervisory responsibility.

103.400 Relationships - The Board Chairman needs to maintain working relationships with a variety of people. The Chairman should relate with the County Administrator, all Department Heads, the Clerk of the Board, other County elected officials, the general public, representatives of various State and Federal governmental entities, other local governmental counterparts such as City Mayors, Chairman of School Boards, Chairman of the Regional Development Commission and the like. Frequent contact with Association of Minnesota Counties personnel also occurs.

103.500 Skills, Knowledge and Abilities - The Board Chairman should have a basic understanding of how to conduct meetings, Roberts' Rules of Order and a good understanding of the County Board's Operating Guidelines. It is essential that the Board Chairman have an ability to permit the expression of a diversity of opinions and manage debate. Knowledge of Minnesota laws affecting County government (M.S. 370, 373, 375 and the like) is essential.

103.600 Freedom to Act - The Chairman of the County Board serves at the pleasure of the members of the full Board. Actions taken by the Chairman reflect on the full Board and consequently, consideration as to the preferences of the full Board need to be made. Only those actions which have been approved by the full Board should be taken by the Chairman of the Board. Under extenuating circumstances, the Chairman may make good faith decisions in the absence of full Board approval. If this occurs, the Chairman should give a full accounting of actions taken at the next regular meeting of the County Board.

AUTHORED BY: D. Hanson & O. Rudningen **APPROVED BY:** County Board
DATE: 7-29-96 **DATE:** 09-05-00

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Job Description - County Board Member	104

REFERENCE

M.S. 370 Counties; County Officers; Regional Authorities
M.S. 373 County; Powers; Duties; Privileges
M.S. 375 County Boards

PERSONNEL RESPONSIBLE

County Commissioners

EFFECTIVE DATE

1-1-98 (Updated 04-05-05)

POLICY

104.100 Position Purpose - The primary purpose of the County Commissioner position is to fulfill those responsibilities which require County governance and leadership. The position requires that the County Commissioner actively participates in:

1. Giving leadership by setting a vision for the County;
2. Giving leadership by setting policies to achieve the vision;
3. Holding management accountable through executive limitations and reporting; and
4. Focusing on ends and letting County staff focus on means.

The County Commissioner is elected by his or her District constituents and serves at the pleasure of those constituents during the term of office as prescribed by law. The Commissioner, although elected by district, represents the County as a whole.

104.200 Principal Responsibilities

104.201 – Under Law

1. To perform duties and responsibilities that may be enacted by the State Legislature, Federal government and Governor.

104.202 - Administrative and Management

1. To establish policies and procedures for County Departments to meet County goals.
2. To represent the County on administrative/advisory boards and commissions which provide direct and indirect County or County-related services.
3. To authorize the number of employees, establish salaries and conditions of employment, approve a County benefit schedule, appoint County Department Heads, and approve positions and the recruitment and employment of all County employees
4. To adopt the County's annual budget.
5. To appoint County representatives to other governmental entities such as Library Boards and Watershed Districts.
6. To review the effectiveness of County services and programs.

104.203 - Taxation/Finance

1. To review, adjust and adopt the annual County Budget and program as presented by the County Administrator and County Departments.
2. To authorize the levy and collection of County-wide property taxes.
3. To serve as a Board of Equalization in disputes regarding appraised property values for taxing purposes.
4. To authorize the application for and/or receipt of funds from Federal and State governments and their use within the County budget.
5. To adopt policies for the County in areas such as investments, reserve policy, short-term borrowing, use of bonds, and risk management/insurance.
6. To monitor the overall fiscal health of the County through regular reports of the Auditor, Treasurer and Finance Committee.
7. To approve the payment of bills for expenses incurred by the County.
8. To adopt a capital improvement program/budget covering major County expenditures over a series of years.

104.204 - Legislative

1. To adopt ordinances as needed for the enforcement of County-wide actions.
2. To ratify, modify or deny the actions of commissions and board which are advisory to the County Board.
3. To pass resolutions relating to County concerns.
4. To approve County participation in joint powers agreements with other governmental units.
5. To communicate County actions and concerns to the general public school groups, business groups, civic organizations, the press and other public forums.
6. To participate in both District and State meetings of the Association of Minnesota Counties (AMC) including the annual meeting and the Legislative Conference.
7. To participate in activities of the National Association of Counties Organization (NACO).
8. To attend conferences, meetings, training and other educational programs, as approved by the County Board, which relate to County activities.

104.205 - Constituency Services

1. To discuss concerns raised by County constituents
2. To present constituent concerns to the full County Board.

104.300 Supervisory Responsibilities - County Commissioners individually have no supervisory responsibilities. County Commissioners cannot discipline or remove elected County Department Heads from office.

104.400 Relationships - The County Commissioner needs to maintain working relationships with a variety of people. The County Commissioner may need to relate to other County Commissioners, the County Administrator, the Clerk of the Board, other County elected officials, the general public, District constituents, representatives of various State and Federal governmental entities, other local governmental counterparts such as City Council members, School Board members and the like. Contact with Association of Minnesota Counties personnel also occurs.

104.500 Skills, Knowledge and Abilities - The County Commissioner should have a basic understanding of group process and Robert's Rules of Order. A good understanding of the County Board's Operating Guidelines is also essential. The ability to tolerate differences, to argue in an amicable manner and to seek the best interests of the County is essential. Knowledge of Minnesota laws affecting County government (M.S. 370, 373, 375 and the like) is also essential. Maintaining effective communication and negotiation skills are vital to the success of a County Commissioner.

104.600 Freedom to Act - The County Commissioner has considerable freedom to discuss issues with a wide variety of individuals and groups. However, actions of the Board are reserved, with some limitations, to that body. Actions which might obligate the County Board need prior approval of the Board itself.

AUTHORED BY: Policy Committee
DATE: 12-23-97

APPROVED BY: County Board
DATE: 09-05-00

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

New Board Member Orientation

CODE

105

REFERENCE

None

PERSONNEL RESPONSIBLE

County Administrator and County Commissioners

EFFECTIVE DATE

08-05-03

POLICY

The role of a County Commissioner is important and complex. It is essential that persons newly-elected as County Commissioners be provided at least a formal orientation to this position. A standardized orientation guide should be used which delineates essential components of a County Commissioner orientation. Newly-elected Swift County Commissioners will be offered an orientation in conformity with this guideline at their earliest opportunity after election to office.

AUTHORED BY: Policy Committee
DATE: 07-25-03

APPROVED BY: County Board
DATE: 08-05-03

Swift County Board of Commissioners
301 14th Street North
Benson MN 56215

New Commissioner Orientation Outline

100 Session #1: w/County Administrator _____ Notes/Comments

- 101 Questions?
- 102 County Mission Statement
- 103 County Organization - Chart
- 104 Board Operating Guidelines - Meetings
- 105 County Policy Manual
- 106 Board Member Job Description
- 107 Accessing the Web Site
- 108 Business Cards

200 Session #2: with County Auditor: _____

- 201 Conflict of Interest Policy
- 202 Anti-Harassment Policy
- 203 PERA Application, Information, etc
- 204 Insurance Information
- 205 Cell Phone

300 Session #3: w/County Attorney: _____

- 301 Data Practices Protocols
- 302 Open Meeting Protocols

400 Session #4: w/County Administrator: _____

- 401 Meeting With Department Heads
- 402 AMC New Commissioner School
- 403 Tour of County Facilities
- 404 Employee Assistance Program
- 405 Explain travel-meal expense reimbursement
- 406 Handling of Mail to Commissioners
- 407 Use of Email/Electronic Communications

This orientation was completed in its entirety on _____.

County Administrator

Date

Policy Statement

TITLE

CODE

County Organizational Chart

106

REFERENCE

None.

PERSONNEL RESPONSIBLE

County Board

EFFECTIVE DATE

3-18-97 (update 06-03-03)

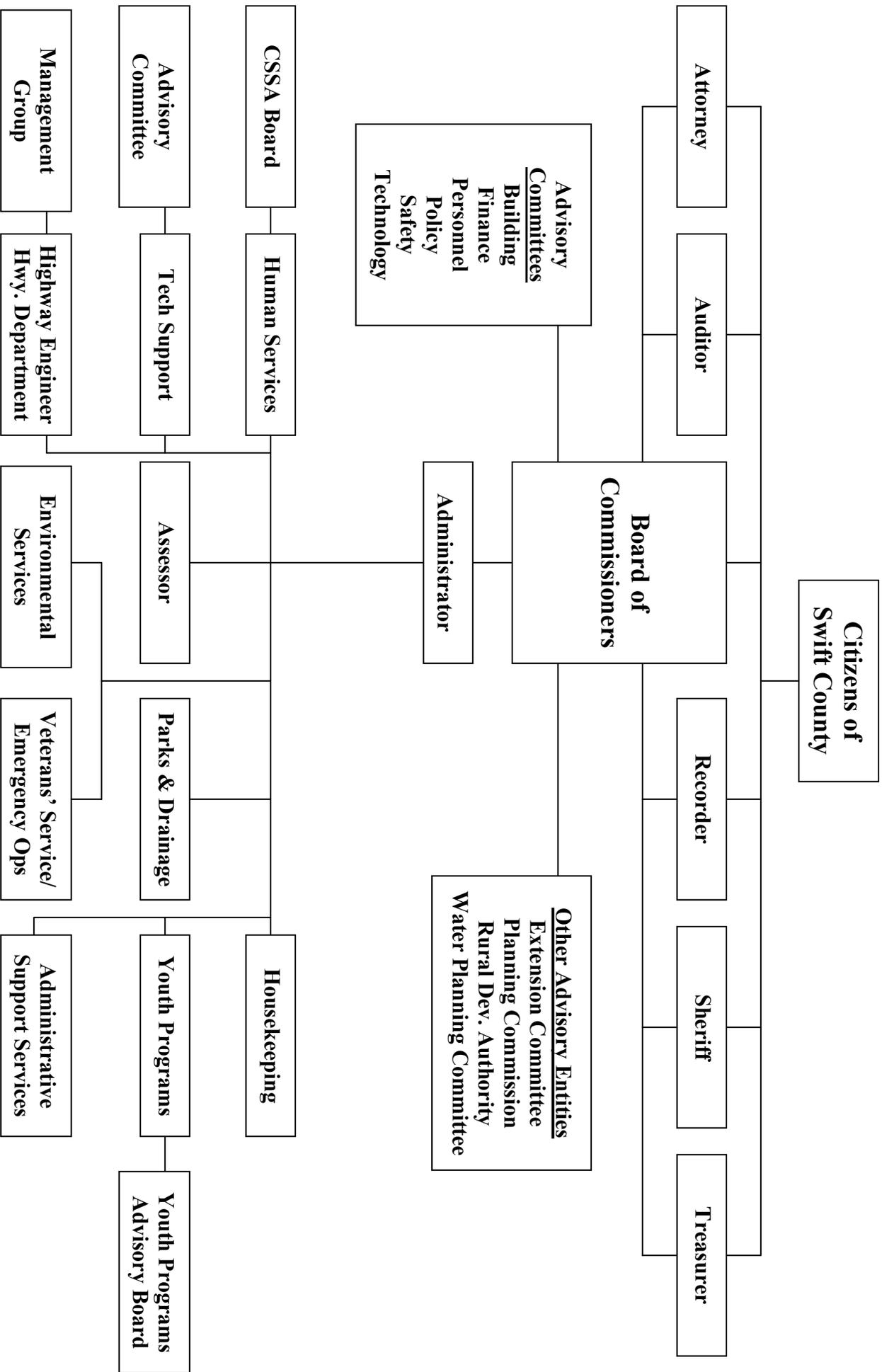
POLICY

The attached County Organizational Chart has been adopted by the Board to simply reflect the various relationships between the County Board and:

1. the electorate;
2. other elected County offices;
3. Committees of the Board;
4. County Departmental units; and
5. Commissions and Board either established by the County Board or of which it is a member.

AUTHORED BY: Policy Committee
DATE: 06-03-03

APPROVED BY: County Board
DATE: 3-18-97



**Swift County Board of Commissioners
Policy Manual**

POLICY

TITLE: Swift County Emergency Management Organization (SCEMO)

CODE: 107

REFERENCES:

United States Homeland Security Presidential Directives 5 and 8
National Incident Management System (NIMS)
MS Ch. 12 (Minnesota Emergency Management Act of 1996)
State of Minnesota Governor=s Executive Order 05-02

PERSONNEL RESPONSIBLE: County Board of Commissioners

EFFECTIVE DATE: 10-1-06

107.100 PURPOSE

This emergency management policy is necessary to comply with and implement the provisions of Minnesota Statutes, Chapter 12, United States Homeland Security Presidential Directives 5 and 8 relating to the National Incident Management System (NIMS) and State of Minnesota Governor=s Executive Order 05-02 relating to the Minnesota National Incident Management System (MnIMS).

107.200 SCOPE

This emergency management policy stipulates the responsibilities and duties of Swift County government agencies and officials, the commensurate authorities and powers necessary to perform such responsibilities and duties, and the basic organizational structures necessary for the continuity of government functions:

- (A) To establish a County emergency management organization responsible for County planning and preparation for emergency government operations in time of disasters.
- (B) To provide for the common defense, to provide and maintain critical governmental functions, to preserve lives and property, and to protect the public peace, health, and safety.
- (C) In preparation for, in response to, during recovery from, when mitigating, or when preventing large scale, multi-agency, multi-jurisdictional and long term incidents, emergencies and disasters resulting from natural, technological and man-made causes.
- (D) To provide for the rendering of mutual aid between Swift County and other political subdivisions of the State and other States with respect to the administration of emergency management functions.

107.300 SWIFT COUNTY EMERGENCY MANAGEMENT ORGANIZATION

107.301 Creation of the Organization

This policy creates within the government of Swift County a temporary, flexible, scalable, multi-hazard, multi-disciplinary emergency management organization consistent with the requirements of the National Incident Management System (NIMS) and the Minnesota National Incident Management System (MnIMS) to be known as the @Swift County Emergency Management Organization@ which shall

be administered through the Swift County Office of Emergency Management, headed by the Swift County Emergency Manager.

The Emergency Manager shall be appointed by the County Board of Commissioners, hereinafter referred to as the County Board. The Emergency Manager shall serve at a salary determined by the Board and shall be paid for all necessary expenses.

Under supervision of the County Administrator, the Emergency Manager is responsible for the organization, administration, and operation of the emergency management organization, subject to the direction of the County Administrator and the Swift County Board of Commissioners.

107.302 Emergency Management Jurisdiction

The Swift County Emergency Management Organization (SCEMO) shall provide incident management via MnIMS for large scale, multi-agency, multi-jurisdictional and long term incidents, emergencies and disasters throughout Swift County, notwithstanding a city or township that has its own local emergency management organization established pursuant to the requirements of Minnesota Statutes, Chapter 12.

The Swift County Emergency Management Organization is not intended to be activated for emergencies or incidents the nature, size and duration of which are customarily and expediently managed by functional departments, agencies and offices of Swift County government.

107.303 Additional Functions

Additional functions of Swift County Emergency Management include, but are not limited to:

- (A) Supporting the activities of and assisting in the training of emergency management organizations of political subdivisions throughout the county;
- (B) Planning for multi-agency efforts and developing mutual aid agreements, memoranda of understanding and other contracts necessary for the emergency operation of Swift County government in consultation with and subject to review by the Swift County Attorney, subject to approval by the County Board, with other governmental entities and private sector organizations;
- (C) Acquisition of equipment and supplies necessary to conduct mandated activities; and,
- (D) Expenditure of funds provided by the County Board out of general revenue funds or from grants for such purposes.

107.400 DUTIES and POWERS of the BOARD of COMMISSIONERS

107.401 The Chairperson of the Swift County Board shall serve as Incident Commander and the Commissioners of the Swift County Board shall serve as incident command staff officers, providing incident management direction and support via MnIMS for large scale, multi-agency, multi-jurisdictional and long term incidents, emergencies and disasters throughout Swift County, pursuant to the powers and duties provided by Minnesota Statutes Chapter 12.

107.402 The County Board shall appoint or designate an Incident Commander for any Swift County incident, emergency or disaster when incident command has not been established, when existing incident command is ineffective, or when change-in-command or transfer-of-command best addresses the needs of the incident or when otherwise necessary.

107.403 Pursuant to Homeland Security Presidential Directives 5 and 8, and Governor=s Executive Order 05-02, the County Board shall ensure that all Swift County Department heads and staff are trained in the MnIMS at respective levels of competence as prescribed by the United States Department of Homeland Security NIMS Integration Center.

107.404 When the Swift County Board has officially approved the Swift County Emergency Operations Plan, it shall be the duty of all Swift County departments, agencies and offices to perform the duties and functions as assigned by the Plan. It is the duty of the County Board of Commissioners to ensure that all County department heads are performing their respective responsibilities and exercising their authorities as assigned by the Plan.

107.405 The Chairperson of the Swift County Board or the Swift County Board shall order or approve the partial activation or full activation and staffing of the Swift County Emergency Operations Center whenever such activation and staffing is necessary. During exigent circumstances, the Director or the Sheriff may order such activations and staffing.

107.500 DUTIES and POWERS of the COUNTY EMERGENCY MANAGER

107.501 The Emergency Manager shall coordinate the assessment of staffing, industries, resources, and facilities of the County as necessary for emergency management. The Emergency Manager shall recommend the establishment of economic stabilization systems and measures, service staffs, boards and sub-boards required pursuant to State and federal plans, subject to approval of the County Board.

107.502 The Emergency Manager shall prepare a comprehensive Emergency Operations Plan for the County and shall present such plan to the Board for its approval. The Emergency Operations Plan shall direct the emergency management activities of the County pursuant to MnIMS. When the County Board has officially approved the plan, it shall be the duty of all Swift County agencies to perform the duties and functions assigned by the plan. The plan shall be reviewed annually by the Emergency Manager and by all agencies of Swift County government.

107.503 Consistent with State and federal emergency management laws, the Emergency Manager shall coordinate and support the activities of other emergency management organizations within Swift County and assist in conducting emergency management training programs.

107.504 The Emergency Manager shall plan for emergency operations of Swift County government in coordination with State Emergency Plans by coordinating training programs, public information programs, warning system tests and other exercises as may be necessary to assure the effective execution of the County Emergency Operations Plan.

107.505 The Emergency Manager shall acquire equipment necessary to perform the duties and activities outlined in this ordinance and shall expend funds approved by the County Board of Commissioners for such purposes. Prior to expending funds for services from other jurisdictions, the Emergency Manager shall first utilize the personnel, services, equipment, supplies, and facilities of existing departments, agencies and offices of Swift County.

107.506 The Emergency Manager, with the consent of the County Board, shall represent Swift County on any regional or state conferences for emergency management.

107.507 The Emergency Manager shall facilitate the development of mutual aid agreements, memoranda of understanding and contracts with other governmental entities and with private organizations as may be necessary for emergency management and shall present such agreements to the Board for action.

107.508 The Emergency Manager shall assist in recruiting and training voluntary, temporary, part-time, or full-time emergency management personnel that may be required to implement emergency plans of the County and State. Any such staff shall be assigned to such County departments, agencies or offices and shall be under the administration and control of said County departments, agencies or

offices.

107.509 The Emergency Manager shall carry out all orders, rules, and regulations issued by the President of the United States and by the Governor of the State of Minnesota regarding emergency management.

107.510 The Emergency Manager shall act as principal or to the Chairperson of the County Board or any such other person(s) designated as Incident Commander, assuring coordination between County departments, non-governmental organizations, and with State, Federal, and local governmental entities.

107.511 The Emergency Manager shall prepare and submit reports on emergency management activities as may be requested periodically by the County Board.

107.600 DUTIES and POWERS of COUNTY DEPARTMENT HEADS

107.601 The officers and personnel of all such departments and agencies shall cooperate with and make every reasonable effort to extend services, resources and facilities to the Swift County Emergency Management Organization.

107.602 Department heads and personnel shall perform duties within and for the SCEMO as needed pursuant to the NIMS and direction by the Incident Commander.

107.603 The head of each Swift County department, agency or office, in cooperation with the Emergency Manager, shall be responsible for the planning and implementation of any and all such emergency management activities for their respective departments, agencies or offices.

107.604 County Department Heads are responsible for managing incidents, emergencies and disasters limited to their respective departments, agencies and offices. Such department heads shall exercise incident command pursuant to NIMS until such time as incident command is assumed by or transferred to the SCEMO.

107.605 When the County Board has officially approved the Swift County Emergency Operations Plan and any Incident Action Plan, it shall be the duty of all Swift County department heads to perform the duties and functions assigned by the Plans for their respective departments, agencies, and offices.

107.700 DECLARATION of LOCAL EMERGENCIES

107.701 A local state of emergency may be declared only by the Chair of the County Board of Commissioners or, in succession, the Vice Chairperson, and thereafter the next senior members of the Board as determined by length of tenure in office. A local state of emergency shall not continue in excess of three days duration except by or with the consent of the County board. Any order or proclamation declaring, continuing, or terminating a local state of emergency shall be given prompt and general publicity and shall be filed promptly by the County Auditor and County Recorder.

107.702 A declaration of a local state of emergency shall invoke necessary portions of the preparation, response and recovery aspects of applicable local or inter-jurisdictional incident management plans, and may authorize aid and assistance under these plans.

107.800 EMERGENCY REGULATIONS

107.801 Whenever necessary to meet the needs of a declared state of emergency or to prepare for such an imminent emergency for which adequate regulations have not been adopted by the Governor or the County Board, the County Board may by resolution promulgate regulations, consistent with applicable State or Federal laws or regulations, respecting the conduct of persons and the use of property during emergencies; evacuation; quarantine; the repair, maintenance, and safeguarding of essential public services; emergency health, fire, and safety regulations; drills or practice periods required for preliminary training; and, all other matters which are required to protect public safety,

health, and welfare in declared emergencies.

107.802 Every resolution of emergency regulations shall be in writing, dated, and shall refer to the particular emergency to which it pertains, if so limited, and shall be filed with the County Auditor, which copy shall be kept posted and available for public inspection during business hours. Notice of the existence of such regulation and its availability for inspection at the County Auditor's Office shall be conspicuously posted at the front of the Swift County court house, at other headquarters of the County, or at such other place(s) in the affected area(s) as the County Board shall designate in the resolution.

107.803 The County Board may rescind any such emergency regulation by resolution at any time. If not sooner rescinded, every such regulation shall automatically expire at the end of thirty (30) days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Governor or by the County Board shall be suspended during the period of time and to the extent that such conflict exists. In all instances, the health and safety of the public and preservation of life and property shall take precedence.

107.804 During a declared emergency and notwithstanding any statutory prohibition, the County Board is empowered to enter into contracts and incur obligations within or outside Swift County as are necessary for emergency management to protect the health and safety of persons and property and providing emergency assistance to victims. The County may exercise such emergency powers in the light of the urgency of the disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into rental equipment agreements, the procurement of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds including, but not limited to, publication of resolutions, advertisement for and awarding of bids, provisions of personnel laws and rules, and requirement for budgets.

107.805 Local assistance between political subdivisions provides that a political subdivision may request the assistance of another subdivision during an emergency when the public interest requires it.

- (A) Unless there is a written agreement between the political subdivisions establishing rules for conducting activities, the existing laws shall apply.
- (B) Workers' Compensation coverage shall remain with the sending political subdivision.
- (C) Total liability shall remain with the receiving political subdivision.
- (D) The sending political subdivision shall be responsible for any damages to its equipment.
- (E) The receiving political subdivision shall reimburse the sending political subdivision for the supplies used and the compensation paid to officers and members of forces furnished.
- (F) A claim is not allowed unless filed within 90 days after the date such costs were incurred.

107.900 EMERGENCY MANAGEMENT an ESSENTIAL GOVERNMENTAL FUNCTION

All functions hereunder and all other activities relating to emergency management are declared essential and legitimate governmental functions. The provisions of this ordinance shall not affect the rights of any persons to receive benefits to which they would otherwise be entitled under this ordinance or under workers' compensation laws, or under any pension law, nor the right of any such persons to receive any benefits or compensation under any Act of the Congress of the United States.

107.1000 PARTICIPATION in LABOR DISPUTES or POLITICS

The Swift County Emergency Management Organization shall not be a political entity or participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

AUTHORED BY: Policy Committee
DATE: 10-6-06

APPROVED BY: County Board
DATE: 10-17-06

Policy Statement

TITLE	CODE
County Board Tablet Computer Reimbursement	108

REFERENCE

None.

PERSONNEL RESPONSIBLE

County Board

EFFECTIVE DATE

9/3/2013

POLICY

Commissioners shall acquire and maintain a tablet computer device for the purpose of receiving and reviewing materials such as agenda packets, memorandums, general correspondence, emails and calendaring. Commissioners will be provided a reimbursement by the County for a tablet computer and related equipment and software purchased for use in their official capacity as Swift County Commissioners in an amount up to \$800 per term of office with receipt for proof of purchase of said computer and accessories. If the commissioner should vacate their seat for any reason before the end of their four year term, a prorated amount will need to be returned to the County based on the number of completed term years (i.e. a Commissioner who resigns before the end of their third year would be required to pay back 50% of their reimbursement).

The tablet computers purchased under this policy are the personal property of the individual Commissioner. Individual Commissioners may elect to not be reimbursed for technology. Computer maintenance and availability is the responsibility of each individual Commissioner. If the tablet device is damaged or lost, it is the responsibility of the individual Commissioner to repair or replace the tablet at his or her own expense. Commissioners seeking technology reimbursements shall provide receipts to the Auditor, who will complete the reimbursement request which will include a copy of the receipt.

AUTHORED BY: County Administrator
DATE: 8/29/2013

APPROVED BY: County Board
DATE: 9/3/2013

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

Personnel Policies

CODE

201

REFERENCE

PERSONNEL RESPONSIBLE

All County Employees

EFFECTIVE

01-01-05 (Updated 12-31-2013)

AUTHORED BY: Personnel Committee
DATE: 11-08-04
UPDATED: 04-09-07 and 10-15-13

APPROVED BY: County Board
DATE: 04-17-07
UPDATED: 12-31-13

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General Provisions

201.051 - Purpose and Scope

- (A) It is the purpose of this policy to establish a uniform and equitable system of personnel administration for employees of the county.
- (B) The Personnel Policies established and adopted for the county are set out in the following articles. Upon adoption of these policies by resolution of the County Board (the "Board"), the policies shall constitute, and be referred to as, the official "Personnel Policies" of Swift County (the "County"). The provisions hereof shall apply to all employees of the County, except that, in case of conflict between applicable statute or ordinance, the statute or ordinance, shall prevail. Responsibility and authority for implementation and administration of these policies is vested in the County Administrator through the Board, except as otherwise specifically provided herein.
- (C) Any employee included in a collective bargaining agreement entered into in accordance with Public Employment Labor Relations Act shall be exempt from any provision in this policy which is inconsistent with such collective bargaining agreement. Any employee within the jurisdiction of a personnel board or civil service commission established under Minnesota Statutes Chapter 44, 419, or 420 is exempt from any provision of this part which is inconsistent with such a statute or rules and regulations adopted thereunder.
- (D) Nothing in this policy is intended to modify or supersede any provision of the Veterans' Preference Act.
- (E) Statutory elected officials shall be considered employees, but exempt from the provisions of this policy when inconsistent with said statutes. Should said statute not address any regulation or rule of procedure prescribed for these policies, then said employee shall be subject to that regulation or rule of procedure under the County system.

201.052 - Equal Employment Opportunities

- (A) Except as otherwise provided by law, these personnel policies shall be applied without regard to race, color, age, creed, sex, national origin, physical handicap, political affiliation, or religious convictions.

201.053 - Applications and Amendments

- (A) These personnel policies and any amendment thereto, unless otherwise specified in the resolution adopting the amendment, shall be applicable to all present and future employees of the County.

- (B) Nothing in these policies is, or is intended to be, a contract of employment between the County and any employee or person offered employment, or grant a right to any such employee or person to be continued in the employment of the County, or to limit the right of the County to discharge any of its employees.
- (C) The Board reserves the right to alter or eliminate any benefit and to revise these policies. Any such alteration, elimination, or revision shall be applicable to current, as well as future, employees.
- (D) Amendments to these policies may be proposed by the Policy Committee, Personnel Committee, County Administrator, or any member of the Board. No part of this policy may be changed or deleted without said amendment being placed on the agenda of a regularly scheduled Board meeting for discussion, discussion held, and motion made to place final disposition of said amendment, as an agenda item, for the next regularly scheduled meeting of the Board.

201.054 - Administrative Policies

- (A) The County Administrator may issue administrative policies for the purpose of enforcement, implementation, or clarification of these personnel policies. Such policies shall be effective on the date specified and shall be placed on record. These policies are open to public inspection during normal working hours. In case of any conflict between the personnel policies and any administrative policies, the personnel policies shall prevail. The Board may, by resolution, repeal any administrative policy.

201.055 - Violation

- (A) Violation of these policies may result in disciplinary action in accordance with these policies and/or applicable collective bargaining agreement.

201.100

Conditions of Employment

201.101 - Acknowledgment of Policies

- (A) Each employee shall be given a copy of these personnel policies, shall acknowledge receipt in writing on a form provided, and shall state on this form that they have read the personnel policies and agree to abide by them.

201.102 - Workweek

- (A) The standard workweek shall be forty (40) hours, with the exception of exempt employees. The County's workweek is declared to be a seven consecutive day period commencing at midnight Saturday and ending at midnight the following Saturday.

201.103 - Working Hours

- (A) Normal working hours are 8:00 a.m. to 4:30 p.m. Supervisors may require/approve employees working on other schedules as dictated by departmental needs and based upon the nature of the assignment.
- (B) Employees who work a standard eight (8) hour day are entitled to one fifteen (15) minute break before noon and one fifteen (15) minute break in the afternoon. Employees should not normally be scheduled to work longer than 3 hours without a break. Employees who work other than normal schedules may take breaks depending upon the constraints of the working conditions within each department as determined by their supervisor.
- (C) Meal breaks are to be taken at times approved by the applicable department head. Supervisors will insure that employees have the opportunity to take scheduled meal breaks. The meal break shall consist of 30 minutes without pay. Law enforcement personnel will take meal breaks while on duty. Longer meal breaks may be arranged, with the approval of the applicable supervisor, by working additional time before or after the normal work day.
- (D) All breaks should be scheduled so that a department is not left unattended during normal business hours.

201.104 - Overtime

- (A) The County provides overtime compensation to employees to whom the Federal Fair Labor Standards Act. Overtime must be approved by the applicable supervisor and will be taken in the form of compensatory time off unless paid overtime is approved by the same supervisor.

201.105 - Compensatory Time

- (A) The County shall keep records of all accrued compensatory time.
- (B) Overtime to be credited as compensatory time shall be awarded only if the work was approved in advance by the appropriate supervisor or in a situation determined to be an emergency by the supervisor or County Administrator.
- (C) Compensatory time off must be approved in advance by the applicable supervisor.
- (D) The maximum accumulation of compensatory time, eligibility for compensatory time, and other overtime payment requirements will be governed by the Fair Labors Standards Act, as amended, and applicable regulations.

201.106 - On-Call Time

- (A) Hourly employees will be compensated for on-call time in accordance with the applicable collective bargaining agreement.

201.107 – Emergency Closings

- (A) Weather Related - County offices will not be officially closed due to weather conditions. Employees who are not able to come to work, due to poor weather conditions, must use vacation, time without pay, sick leave, or compensatory time for the time absent. It is a condition of employment with the County that all employees are available to report to work under extreme weather conditions or in the event of an emergency response.
- (B) Emergency-Related (Toxic Spill, Hostage Situation, etc.) - When a short-term (less than 8 hours) emergency exists, the County Board or its designee may choose to close one or all County offices. Unless determined otherwise by the County Board, employees will not have to use vacation, time without pay, sick leave, or compensatory time for the time the offices are closed.
- (C) Closing Protocol During Regular Office Hours - When an emergency has been declared during normal business hours (Monday through Friday, 8:00AM to 4:30PM), the County Board or its designees should notify all the building sites affected by the emergency (Courthouse, Environmental Services, Highway and/or Human Services) in a timely manner. It will be the responsibility of the designated person in each building site to notify its employees.
- (D) Closing Protocol During Non-Office Hours - When an emergency has been declared during other than normal business hours (after 4:30PM on

normal business days or between 4:31PM Friday through 7:59AM Monday), the County Board or its designee should provide notification to the Benson-based radio stations of such determination. This notice should be in as timely a manner as possible.

201.108 - Time Records

- (A) Employees will keep an accurate record of hours worked on the standard County timesheet and submit such record to their supervisor. Supervisors are responsible for verifying the accuracy of the time records submitted.

201.109 – Personal Use of County Vehicles

- (A) Personal Use Defined – Personal use is any use of a County vehicle other than that required to perform an employee’s assigned duties. Examples of personal use would include:
 - (1) Use of a County vehicle for commuting to and from your normal place of work;
 - (2) Taking a County vehicle home for the evening or for breaks;
 - (3) Shopping for and/or transporting items that are not job related;
 - (4) Transportation of family members or others not directly related to County business. However, family members attending a conference or seminar with a County employee may be passengers in a County vehicle; and
 - (5) Any other non-work use of a County vehicle.The first two items on this list, i.e. commuting and breaks, are not applicable to emergency vehicles assigned by the Sheriff’s Department. However, all other items are applicable to that department.
- (B) Except in the case of an emergency, any ongoing personal use of a County vehicle must have prior Board approval. The Board, or a department head on an occasional or incidental basis, may also direct an employee to take a vehicle home if it is to the County’s advantage to do so. Board approval does not remove the tax consequences of personal use.
- (C) Internal Revenue Services (IRS) rules and regulations will be followed when employees are allowed the personal use of a County vehicle. Those rules and regulations require the employer to report vehicle benefits as income to the employee on their annual W-2 form. The amount of that income will be determined by either a mileage rate (the current IRS mileage rate) or an imputed annual lease rate (the current IRS lease rate) less any business use.
- (D) Employees must track and report to the Auditor’s office any personal mileage accrued on a County vehicle by the first work day following the end of the calendar year.

201.110 - Travel, Meals, and Other Expenses

- (A) Expenses incurred in the course of an employees official duties (i.e. meals, parking, lodging, registration fees, etc.) will be reimbursed by the County. Reimbursement will not be allowed for meals within Swift County unless approved by the applicable department head. When an employee chooses not to take advantage of meals, or other benefits, already paid for or included in registration fees, and therefore creates additional expenses, those expenses shall not be eligible for reimbursement.
- (B) Expense reimbursements apply to employees only. Costs associated with spouses, children, or other individuals not officially representing the County are not eligible for reimbursement.
- (C) Employees are encouraged to use County pool vehicles whenever possible. When employees use their personal vehicles for County business, mileage will be reimbursed at the current IRS mileage rate.
- (D) Public transportation used will be reimbursed for the actual cost of the most economical means of travel.
- (E) Meals reimbursements, for expenses incurred outside of Swift County, are allowed at the following maximums: Breakfast - \$7.50; Noon - \$10.00; and Evening meal - \$16.00.
- (F) All requests for reimbursement must be on the proper form, include receipts, and be approved by the applicable supervisor or department head.

201.111 - Outside Employment

- (A) An employee may engage in employment outside of County employment as long as employment does not constitute a conflict of interest with their County employment, the employee's efficiency while working for the County is maintained, and the hours of the employee's other employment do not interfere with the hours required of the employee by the County. No work relating to the employee's other employment may be performed during their County work hours.

201.112 - Gifts

- (A) No employee of the County, or County official, shall solicit, receive, or accept, directly or indirectly, any gift, gratuity, reward, favor, entertainment, remuneration, loan, or any other thing of monetary value, from any person who has, or is seeking to obtain, a contractual, business, financial, or other relationship with the County.
- (B) Employees may be permitted to accept food and refreshments in the ordinary course of a business meeting or during an inspection tour where an employee is properly in attendance. Employees may be permitted to

accept promotional material such as pens, pencils, note pads, calendars, and other items of nominal value that have not been solicited by the employee.

201.113 - Conduct, Appearance, and Uniforms

- (A) Employee Conduct - All employees and elected officials are expected to conduct themselves in a manner which reflects favorably on the County and which demonstrates tact, courtesy, and good judgment.
- (B) Employee Appearance - Dress should be appropriate for the position held. It is important that an employees' attire reflects favorably on the County and their department. Although it is not possible to detail every article of attire that may be appropriate, it is expected that employees use good judgment and common sense when selecting their attire and addressing their personal appearance and hygiene. For those working in an office setting, business casual should be the minimum standard applied. Those working in the elements or dirty environments have need for more rugged, durable clothing. Clothing should be in good repair and serviceable.
- (C) Advertisements on Clothing/Hats - Employee clothing and hats will not reflect any business advertisement, other than the manufacturer's or designer's name.
- (D) Employee Uniforms - When uniforms are either paid for, or provided by, the County they will be worn. Uniformed employees who choose to wear hats will wear uniform hats only when on duty. Uniforms, including hats, are not to be worn when off duty.

201.114 - Use of Drugs and Alcohol Prohibited

- (A) Employees are prohibited from the illegal manufacture, distribution, possession of, selling of, dispensing, consuming, using or being under the influence of any type of illegal, illicit or unauthorized drug or controlled substance or alcohol in buildings or grounds owned or leased by Swift County, or while operating any vehicle owned or leased by Swift County.
- (B) In the event that an employee is using any type of drug, narcotic, or controlled substance, which is prescribed by a physician or is an over-the-counter medication, which impairs or may impair the individual's ability to perform their duties, the individual has the affirmative duty to inform their supervisor.
- (C) Failure to comply with this policy will result in disciplinary action under these personnel policies.

201.115 - Prohibited Political Activities

- (A) County employees are neither appointed to nor retained in County

employment on the basis of their political activity, but rather on the basis of their merit, fitness, performance, and ability.

- (B) No employee of the County shall directly or indirectly, during his or her hours of employment, solicit or receive funds.
- (C) An employee or official of the County may not use official authority or influence to:
 - (1) Compel a person to apply for membership in or become a member of a political organization;
 - (2) Pay, or promise to pay, a political contribution; or
 - (3) Take part in political activity.The County may not impose or enforce additional limitations on the political activities of its employees.

201.150

Employee Benefits

201.151 - Fringe Benefits

- (A) Subject to annual policy and budgetary action by the County Board, such benefits as the Board may deem appropriate may be offered to employees and Commissioners. Fringe benefits may be increased, decreased, or eliminated at any time by action of the Board, and such action may apply to all current and future employees. All benefits commence, or begin to accrue, on the first day of employment.

201.152 – Insurance Benefits

- (A) The Plan - It is the policy of the County to maintain an insurance benefit plan (the “Plan”) for employees which may include, but is not limited to, the following group coverages: health/medical; life; disability insurance; and other group insurances that may become available through action of the Board. The Plan shall be available to employees scheduled to work a minimum of 24 hours per week and shall not be available to employees appointed to temporary, emergency, seasonal, or intermittent positions. The Board shall determine annually the County paid portion of the Plan.
- (B) Qualified Employees – Employees scheduled to work 24 hours per week, or more, are qualified employees. The County will pay on a pro-rated basis for employees scheduled to work a minimum of 24 hours per week (60% of employer’s portion) but less than 30 hours per week (75% of employer’s portion). Employees who work 30 hours per week, or more, are consider full-time for health insurance benefits (100% of employer’s portion).
- (C) Waiver of Coverage - An employee may request a waiver to be excluded from certain types of coverage if the employee is covered through a similar employment benefit of a spouse or significant other.
- (D) Start Date - New Employees are required to obtain and return application forms related to insurance benefits within five working days from the first day of employment. Enrollment in the selected insurance plan shall begin on the first day of the month following their first day of employment. If a new employee starts on the first day of the month, their insurance benefits will start on the same day.
- (E) Termination of Coverage –
 - (1) Coverage under the Plan terminates with the termination of employment or the last day of the month for which the premium is paid by the County. Said termination of coverage depends on the various contracts with insurance providers. Certain types of coverage may be continued at the employee's expense for the period allowed under federal law known

as COBRA. Terminating employees are required to notify the County Auditor's office of their intent to continue coverage under COBRA.

- (2) Employees who have a minimum of 8 years of continuous service or elected officials who have served 2 full terms with the County may extend health insurance coverage until Medicare coverage is available, only if the employee pays the full premium.

201.153 – Health/Medical Insurance

- (A) Single coverage is provided for qualified employees working a minimum of 30 hours per week at no cost to the employee.
- (B) Depending on the nature and components of the health/medical insurance plan, and the contracts with various insurance underwriters and providers, optional coverages for dependents may be included. The County Board shall determine the annual County paid portion of the dependent insurance benefit plan.

201.154 – Health Care Savings Arrangement

- (A) Introduction –
 - (1) The County has adopted the Health Reimbursement Arrangement for Active Employees. Each year, the County will contribute a fixed amount to an account established in the employee's name. The County will also make available a major medical health plan with relatively higher deductibles, co-pays, and/or co-insurance than may have been offered in the past. These benefits are intended to complement one another. Used appropriately, they will provide the opportunity to maximize the value of long-term health coverage.
 - (2) The Health Reimbursement Arrangement for Active Employees is made available through the Minnesota Service Cooperatives VEBA Plan and Trust (the "VEBA"). It is intended that this arrangement constitute a voluntary employees' beneficiary association under Section 501(c)(9) of the Internal Revenue Code. A detailed description of this arrangement is provided in the VEBA Plan Summary.
- (B) Eligibility – All non-union employees, and others as provided for in their collective bargaining agreements, are eligible to receive employer contributions to their individual accounts.
- (C) Source of Funding – The Health Reimbursement Arrangement for Active Employees is funded entirely with County contributions.
- (D) Employer Contributions
 - (1) If you are eligible to participate, the County will make an annual contribution to individual accounts under the Health Reimbursement Arrangement for Active Employees in accordance with the following schedule:

- \$1,125 for each eligible employee who elects single coverage under the group health plan described in Subdivision (E); and
- \$2,250 for each eligible employee who elects family coverage under the group health plan described in Subdivision (E).

Contributions are dependent and subject to participation in the County's participatory wellness program as outlined in Section 201.154.B. Half of the contribution will be withheld from employees that fail to meet the minimum participation level in the County participatory wellness program.

- (2) Contributions for employees starting on or after January 16th will be prorated for the number of months participating during the year, i.e. six months would qualify for 6/12s of the normal annual contribution.
 - (3) The County also agrees to pay all fees for administration of the VEBA for active employees.
 - (4) Any employee leaving County service will have a prorated portion funded withheld from their severance and last pay check.
- (E) Group Health Plan – Employer shall also make available the group health plan described as the “VEBA Plan”.
- (F) Administrative Fee – Administrative fees allocable to individual accounts of active employees shall be paid by the County. Administrative fees allocable to the individual accounts of former employees, including retirees, shall be paid from individual accounts. Administrative fees shall be paid from individual accounts of all participants in the event the VEBA Plan is terminated.
- (G) Impact on Other Arrangements –
- (1) This policy supersedes and revokes all previous policies on this matter, including, to the extent applicable, other written or oral statements of policy and procedure that address other welfare benefits. The policies and procedures outlined herein are not intended to create any contractual rights or duties, and will be applied at the County's discretion. Although contributions made to employee accounts in the Health Reimbursement Arrangement for Active Employees are irrevocable, the County may amend or terminate its contributions policy at any time.
 - (2) Employment with the County is “at-will,” which means that either the employee or the County are free to terminate the employment relationship at any time, with or without notice. Your at-will status is not altered by any statement in this policy.

201.154.A – Health Savings Account

- (A) Introduction –

- (1) The County may adopt a High Deductible Health Plan for group health plan in which a Health Savings Account may be used. Contributions to the HSA may be made pre-tax under a Section 125 Cafeteria Plan. Individual contributions are deducted pre-tax via payroll deduction. The employee, the employer, or both may make contributions to the HSA account.
- (B) Eligibility – All non-union employees, and others as provided for in their collective bargaining agreements, are eligible to receive employer contributions to their individual accounts and may make additional individual contributions pre-tax via payroll deduction.
- (C) Employer Contributions
 - (1) If you are eligible to participate, the County will make an annual contribution to individual accounts under the Health Savings Account for Active Employees in accordance with the following schedule:
 - \$1,125 for each eligible employee who elects single coverage under the group health plan described in Subdivision (D); and
 - \$2,250 for each eligible employee who elects family coverage under the group health plan described in Subdivision (D).Contributions are dependent and subject to participation in the County's participatory wellness program as outlined in Section 201.154.B. Half of the contribution will be withheld from employees that fail to meet the minimum participation level in the County participatory wellness program.
 - (2) Contributions for employees starting on or after January 16th will be prorated for the number of months participating during the year, i.e. six months would qualify for 6/12s of the normal annual contribution.
 - (3) The County also agrees to pay all fees for administration of the HSA for active employees.
 - (4) Any employee leaving County service will have a prorated portion of the employer funded portion withheld from their severance and last pay check.
- (D) Group Health Plan – Employer shall make available at least one group health plan that is a High Deductible Health Plan and HSA compliant.
- (E) Administrative Fee – Administrative fees allocable to individual accounts of active employees shall be paid by the County. Administrative fees allocable to the individual accounts of former employees, including retirees, shall be paid from individual accounts. Administrative fees shall be paid from individual accounts of all participants in the event the HSA Plan is terminated.

- (F) Impact on Other Arrangements –
- (1) This policy supersedes and revokes all previous policies on this matter, including, to the extent applicable, other written or oral statements of policy and procedure that address other welfare benefits. The policies and procedures outlined herein are not intended to create any contractual rights or duties, and will be applied at the County's discretion. Although contributions made to employee accounts in the Health Reimbursement Arrangement for Active Employees are irrevocable, the County may amend or terminate its contributions policy at any time.
 - (2) Employment with the County is "at-will," which means that either the employee or the County are free to terminate the employment relationship at any time, with or without notice. Your at-will status is not altered by any statement in this policy.

201.154.B – County participatory wellness program

- (A) At the discussion of the Employer, a County participatory wellness program maybe started. Half of the VEBA or HSA contribution will be withheld from employees that fail to meet the minimum participation level in the County participatory wellness program. Examples of participatory wellness programs include:
- A diagnostic testing program providing a reward for participation without basing any part of the reward on outcomes. The employer will treat time spent completing diagnostic testing as a call out for any employee that completes it during nonscheduled time. The employer may schedule additional training in conjunction with call outs.
 - A program providing a reward to employees for attending a monthly, no-cost health education seminar.
- (B) Employees who fail to meet the minimum participation levels in the annual wellness program will one half of their VEBA or HSA funds withheld the next year. Employees who have funds withheld will have until June 30th of the next year to complete the require elements in order to receive their withheld contributions. Once the elements are completed, the employer will fully fund that year's contributions.
- (C) For 2014 all VEBA and HSA employer contributions will be fully funded.
- (D) Required participation levels
- (1) For 2014 employees will only need to complete a health questionnaire.
 - (2) For 2015 and beyond, employees will need to complete a health questionnaire, possibly diagnostic (biometric) testing, and 3 health

wellness programs. The county agrees to offer a minimum of 12 health wellness programs throughout the year.

- (E) At least one employee of each union group and the non-union group will be offered the opportunity to serve on the County Wellness Committee. Employee representatives will be subject to approval of the respective employee group and the County Board.

201.155 - Life Insurance

- (A) Unless otherwise specified in a collective bargaining agreement, the County will provide a \$30,000 term life insurance policy to all employees working 30 hours a week or more. Life insurance for the employee's spouse and dependents, as well as increased coverage amounts is optional at the employee's expense.

201.156 - Disability Insurance

- (A) All full-time (30 hours/week) employees of the County are covered by disability insurance. If loss of work occurs due to disability, the employee is paid according to the schedule of benefits described in the policy. A short-term disability policy provides for \$800 per month in benefits and a long-term policy provides for \$1,000 (per month. Additional coverage is available at employee expense.

201.157 – Other Benefits

- (A) Flexible Spending Account - The County has a Flexible Spending Account (FSA) integrated into the Plan. The FSA plan is for employees who choose to pay for certain medical and day care expenses on a pre-tax basis. The employees must declare the amount he/she wishes to pay on a pre-tax basis each year. The total amount declared by the employee will be withheld equally from each paycheck. The minimum amount allowable per year for FSA expenses is \$100.00. The maximum advance amount for health care expenses is \$5,000. When expenses are incurred, the employee shall complete a reimbursement voucher in order to receive reimbursement for the expenses from the plan administrator. If at the end of the year the employee's actual expenses are less than the estimated expenses, the employee shall forfeit those funds. Claims may be made up to 60 days after yearend. Reimbursement forms can be obtained in the Auditor's Office.
- (B) Deferred Compensation Plan - Each employee has the option of participating in one of the Qualified Deferred Compensation Plans offered.
- (C) Annual Event - The County shall hold an annual Employee Recognition Dinner and Awards Presentation to recognize the longevity and significant achievements of its employees and elected officials. All County employees and elected officials, with the exception of seasonal employees, are entitled to

attend this annual event with another person of their choosing without cost.

- (D) Government Cellular Telephone Program - All County employees, i.e. all those who are housed in County-owned buildings, and those who are retired from the County, are eligible for a government Cellular Telephone Program.

201.200

Employee Safety and Welfare

201.201 - Employee Suggestions

- (A) Employees are encouraged to submit suggestions to their supervisor, department head, County Administrator, or Commissioner for improving the efficiency and effectiveness of County government. If so requested by the employee making the suggestion, the suggestion will be handled in a confidential manner.

201.202 - Safety

- (A) The County shall at all times provide the safest working conditions possible. It is the duty of each department head to establish safety regulations, to instruct workers in accident prevention, and to provide safety meetings for employees on a regular basis.
- (B) The County shall provide the proper tools and equipment necessary for a safe work environment. It shall be the duty and responsibility of each employee to operate and use all tools and equipment in a safe and careful manner. Each employee shall be responsible to insure that all safety equipment and rules are used and followed at all times and it shall be the employee's responsibility for insuring that he or she is familiar with the safe and proper use of any tool or piece of equipment before its use. Any employee who has a question concerning a safety practice should inquire of their supervisor.
- (C) The County will comply with all provisions of "Employee Right to Know" legislation and will provide the required technical and health related information regarding hazardous substances in the workplace according to the specified procedures in the act.
- (D) Every County building will conduct at least one fire drill and one tornado drill annually. The tornado drill will coincide with tornado education week.
- (E) All employees are responsible for complying with all the provisions of the County's safety manual and for reporting any unsafe conditions.

201.203 - Accidents or Loss of License

- (A) If an employee sustains an on-the-job injury or causes damage to County owned equipment or to public or private property while on duty, the employee shall immediately report the facts of the incident to their supervisor. The supervisor shall first secure medical aid for the injured employee and then promptly file all required injury reports with the Auditor's office.

- (B) If, while operating a County vehicle or a privately owned vehicle in the performance of official County business, an employee is involved in an accident resulting in personal injury or property damage, the employee shall:
- Immediately notify their supervisor;
 - File all reports required by state law; and
 - Provide information and copies of all reports filed to their immediate supervisor.
- (C) Employees who drive or operate County vehicles and/or equipment must notify their supervisor immediately if their driver's license is revoked, lost, stolen, cancelled, or suspended.

201.250

Vacation and Leaves

201.251 – Qualified Employees

- (A) Permanent, full-time employees are qualified for all leave benefits. Sick and vacation leaves are for employees who were hired on or prior to December 31, 2013 and who did not convert to paid-time-off leave. Paid-time-off leave is for those employees hired on or after January 1, 2014 and those employees that were hired prior to January 1, 2014 and chose to convert to paid-time-off leave.
- (B) Temporary/seasonal employees are not entitled to any type of leave (sick leave, vacation leave, paid-time-off leave, jury or court leave, education leave, bereavement leave) or holidays with pay.
- (C) Permanent, part-time employees earn prorated vacation and sick leave or PTO leave depending on their normally scheduled hours, i.e. half-time employees earn half the listed amount of vacation or sick leave, etc.

201.252 - Vacation

- (A) All permanent, full-time employees accrue vacation at the rate listed below based upon their year of service:

<u>Years</u>	<u>Hours/Year</u>	<u>Days/Year</u>
0 thru 5	96 Hours	12 Days
6 thru 10	120 Hours	15 Days
11 thru 15	144 Hours	18 Days
16 thru 20	168 Hours	21 Days
21 and over	192 Hours	24 Days

- (B) Vacation time is accrued from the first day of official duty.
- (C) Department head or supervisor approval must be granted prior to taking vacation. Preference in approving vacation will be given to employees on the basis of seniority. The department head may prepare a vacation schedule. Change of vacation scheduling may be approved by the department head if in the best interests of the County.
- (D) Vacation leave shall not be taken in excess of hours accrued.
- (E) The maximum carryover of vacation leave allowed at calendar year end is 192 hours. Lost hours will not be compensated.
- (F) Any employee leaving County employment in good standing, after giving proper notice of such termination, shall be compensated for vacation leave accrued and unused to the date of separation at their regular rate of pay.

For employees who are not part of a collective bargaining group, one hundred percent (100%) of such compensation shall be paid into the employee's VEBA account if they participate in a VEBA health insurance plan.

- (G) All vacation leave balances for every employee in every Department shall be reported to the County Auditor monthly and to employees at least quarterly.

201.252A – Paid-Time-Off

- (A) Employees hired on or after January 1, 2014 and after will automatically be placed on the PTO Plan. Employees hired on or before December 31, 2013 may remain on the current vacation and sick leave plans or opt to convert to the PTO plan. Once an employee chooses to convert to the PTO plan they cannot convert back.
- (B) Conversion Options. Optional for employees hired before January 1, 2014. Employee must make election by February 1, 2014 with the conversion and transition occurring on March 1, 2014.

Unused accrued vacation balances shall be converted hour-for-hour to the PTO account of each employee.

Unused accrued regular sick leave may be converted in one of two ways. Each employee will determine how to convert his or her own individual sick leave balances. A combination of both methods may be utilized. In that case, the employee will indicate how many hours of accrued sick leave will be converted via method one and how many hours will be converted via method two. The sick leave conversion decision is a one-time decision and is irrevocable.

- (1) Sick Leave Conversion Method One – earned, accrued sick leave will be converted hour-for-hour to the Extended Sick Leave Bank (ESLB).
- (2) Sick Leave Conversion Method Two – earned, accrued sick leave will be converted to PTO according to the following schedule:

0 to 5 years	10% of unused sick leave
6 to 10 years	25% of unused sick leave
11 to 15 years	50% of unused sick leave
16+ years	60% of unused sick leave

- (C) Extended Sick Leave Bank

The ESLB shall be available only to employees hired prior to January 1, 2014 and shall be funded by sick leave converted from the sick leave

banks of those employees that were in existence prior to the creation of PTO.

For employees hired prior to January 1, 2014, absence due to illness, disability or injury may be taken from the ESLB or from the PTO Plan, at the employee's choice. However, the supervisor may require acceptable medical verification before approving use of ESLB time.

ESLB shall be paid 50% of their ESLB not to exceed 400 hours upon termination of employment.

- (D) All regular full-time employees shall accrue paid PTO in accordance with the following schedule, which shall be prorated based on full time equivalency:

<u>Length of Service</u>	<u>Annual F.T.E</u>
0 through 2 years	136 hours (17 days)
After 2 through 6 years	160 hours (20 days)
After 6 through 10 years	192 hours (24 days)
After 10 through 15 years	224 hours (28 days)
After 15 through 20 years	248 hours (31 days)
After 20 years	280 hours (35 days)

An employee may utilize PTO to the extent that it is earned.

- (E) Accumulation of PTO days is permitted but shall not exceed six hundred (600) hours for employees hired prior to January 1, 2014 and four hundred (400) hours for employees hired on or after January 1, 2014. Any excess hours are forfeited. PTO will be accrued only when the employee is on compensated payroll status. If the employee is not on fully compensated status, PTO will accrue on a pro-rata basis. "Compensated payroll status" means PTO time, working time or compensatory time.
- (F) Any employee with more than one (1) year of service who leaves the employment of the Employer by reason of death, disability, retirement, or resignation in good standing will be paid for his or her unused accrued PTO time. Resignation in good standing means providing a written resignation a minimum of 14 days before its effective date and the resignation is accepted by the County Board when no charges or allegations of misconduct are pending against the employee.
- (G) PTO can be used for any purpose, subject only to necessary request and approval procedures consistent with departmental policy and this labor agreement.
- (H) Non-emergency use of PTO must be requested in advance according to departmental policies. Emergency use may require documentation of the emergency. Non-scheduled PTO request may be denied. Failure to

follow departmental policies regarding advance approval or appropriate emergency use of PTO may subject the employee to disciplinary action.

- (l) Medical Certification: A doctor's certificate stating the nature and duration of an illness or injury and verifying that the employee is unable to perform the duties and responsibilities of the employee's position may be required at the discretion of the supervisor before the use of emergency PTO is approved. A statement attesting to the employee's ability to return to work and perform the essential functions of that employee's position may also be required before the employee returns to work.

201.253 - Holiday Leave

- (A) The following are the official County holidays for all County employees, except as otherwise provided herein:

New Year's Day	January 1 st
Martin Luther King's Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25 th
Floating Holiday	At Employee's Discretion

- (B) Additionally, County offices will close at noon on Good Friday and Christmas Eve (when Christmas Eve falls on a weekday). This will be considered holiday time. When Christmas falls on a Saturday, employees shall work only until noon on the preceding Thursday. When Christmas falls on a Sunday or Monday, employees shall work only until noon on the preceding Friday. This will be considered holiday time. The Floating Holiday may be used for personal leave, birthday, etc, with prior approval.
- (C) Whenever a holiday falls on Saturday, the preceding Friday shall be observed as the holiday. When it falls on a Sunday, the following Monday shall be observed. When a holiday falls within a period of paid leave (i.e. vacation, sick leave, etc.) the employee shall be paid at their normal rate of pay for the holiday and the holiday shall not be subtracted from the accrued leave.
- (D) If a permanent, full-time employee is required to work on a holiday, the employee shall be granted an alternate day off in lieu of the holiday worked or, in the case of shifts other than eight (8) hours, eight (8) hours compensatory time shall be granted.
- (E) Permanent, full-time employees will receive eight (8) hours pay for a

holiday. The floating holiday must be taken as an 8 hour block. Permanent, part-time employees will receive prorated holiday pay based upon their normally scheduled hours.

201.254 - Sick Leave

- (A) Full-time employees shall accrue eight (8) hours of sick leave for each month of employment, cumulative to eight hundred (800) hours. Unused sick leave shall carry over and be credited to the employee month-to-month.
- (B) Hours of sick leave earned after the 800 hour accumulation is reached shall be paid at the end of each month. Any hours used from the 800 hour accrual must be replaced before further payments are made.
- (C) Sick leave with pay shall be granted for the following reasons: Personal illness or physical incapacity resulting from causes beyond the employee's control; illness of a member of the employee's immediate family that requires the employee's personal attention; enforced quarantine of the employee in accordance with community health regulations; childbirth or pregnancy disability; or an appointment with a doctor, dentist, chiropractor, optometrist, or other medical professional. Immediate family shall include sons, daughters, spouse, parents of an employee, or parents of the employee's spouse. Immediate family may include a person in a similar role and shall be identified by the employee in their personnel file.
- (D) In order to be eligible for sick leave with pay, an employee must report promptly to the department head or supervisor the reason for their absence.
- (E) Sick leave of up to three days, for minor illnesses, may be allowed by the department head without a doctor's certificate. The department head shall be kept informed of the employee's condition if the absence is of more than three days duration. The employee shall submit a doctor's certificate if required by the department head.
- (F) Claiming sick leave when physically fit, except as permitted in this section, will be cause for disciplinary action.
- (G) While an employee is using earned sick leave, vacation time, or drawing Workman's Compensation payments, the employee shall be considered to be working, for the purpose of accumulating additional sick leave or vacation time.
- (H) All sick leave balances for every employee in every Department shall be reported to the County Auditor monthly and employees at least quarterly.

- (I) An employee who is drawing Workman's Compensation shall be allowed to use as much of their accumulated sick leave as necessary to insure a full monthly check.
- (J) Sick leave taken shall not be taken in excess of the hours accrued or in less than ½ hour increments.
- (K) If the supervisor determines that an illness is impairing an employee's performance, the supervisor may require the employee to use paid or unpaid leave.
- (L) If requested by the employee, and approved by their supervisor, compensatory time or vacation leave may be used in lieu of sick leave.
- (M) An employee who has exhausted sick leave, and has not accrued compensatory or vacation time, may be granted leave without pay if their supervisor approves. The supervisor may require the employee to obtain a certificate of illness from a licensed physician prior to granting such approval.
- (N) Employees terminating employment with Swift County shall receive, as severance pay, fifty percent (50%) of all accumulated unused sick leave to their credit. Current hourly rates of pay will be used in determining amount received. For employees who are not part of a collective bargaining group, one hundred percent (100%) of sick leave severance pay will be paid to the Employee's VEBA account if they participate in a VEBA health insurance plan.

201.255 - Coordination of Leave with Workers' Compensation

- (A) An employee receiving sick leave with pay or paid-time-off leave and simultaneously receiving compensation under the Workers' Compensation Act shall, for the duration of compensation under the Workers' Act, receive only that portion of regular salary which will, together with said compensation, equal their regular net salary. Sick leave or paid-time-off leave shall be charged accordingly. With appropriate leaves taken, the employee may sign over their Workers' Compensation check to the County and in return receive their regular salary.

201.256 - Bereavement Leave

- (A) Every full-time, permanent employee is eligible to receive a bereavement leave with pay of three (3) days to be taken within seven calendar days following a death of the employee's spouse, brother, sister, children, children's spouse, mother, father, grandparent, and grandchild, or the child, grandchild, mother, father, sister, or brother of the employee's spouse. A person identified in an employee's personnel file as "in a similar role" shall also be included. The Board may grant additional days when extenuating circumstances arise.

- (B) Permanent, part-time employees will receive prorated bereavement leave based upon their normally scheduled hours.
- (C) Bereavement leave shall not be chargeable to any accrued leave account. Bereavement leave will be treated as an approved holiday for pay purposes.

201.257 - Unauthorized Absence

- (A) Any unauthorized absence of an employee may result in disciplinary action. An employee who is absent for three (3) consecutive days, without notice to their supervisor, may be considered to have voluntarily resigned. If the supervisor determines that extenuating circumstances existed, the absence may be charged to leave, with or without pay, at the discretion of the department head.

201.258 - Jury or Court Leave

- (A) Permanent, full-time and part-time employees shall be granted time off with pay when performing jury duty, when subpoenaed as a witness before any court of law in a case involving the County, or when appearing before any court of law as a defendant in a civil action arising from the employee's job with the County. Any money, except for travel expense, granted to an employee serving on jury duty shall be remitted to the County. An employee released from jury duty before the end of their normal workday shall return to work. Temporary employees will be given time off for jury or court duty without pay.

201.259 – Unpaid Leaves of Absence

- (A) Leaves without pay of five (5) days or less may be granted by the department head.
- (B) Leave without pay of greater than five (5) days may be granted to an employee with the written approval of their department head and action by the Board. A written request shall be made by the employee to their supervisor for leave without pay. The Board may extend such leaves up to a maximum of one (1) year, if circumstances warrant such action.
- (C) No vacation, holiday, or sick leave shall apply or be accrued during a leave without pay, nor shall any sick leave be granted to employees on unpaid leave.
- (D) Education/sabbatical leaves are considered unpaid leaves.
- (E) The County may temporarily fill a position during an employee's period of leave without pay.

- (F) Fringe benefits shall not accrue during a period of leave without pay, nor will the County make any contributions during such a period to retirement or group insurance programs. However, qualified employees may participate in the group insurance programs during such periods, provided the employee deposits, in advance with the County, the amounts necessary to cover the total cost of the premiums for each month of the leave period.

201.260 - Military and Emergency Leaves

- (A) Subject to the provisions of Minnesota Statutes Section 192.26, a full-time, permanent employee who is a member of the National Guard or Reserve Forces under State or Federal law shall be given up to fifteen (15) days annual military leave.
- (B) If the employee is required to continue with military service beyond the time for which leave with pay is allowed, they shall be entitled to leave without pay.

201.261 - Emergency Services Volunteer

- (A) For the purpose of this policy, emergency services include fire departments, ambulance services, first responder services, Red Cross, and the Salvation Army.
- (B) County employees who respond, as volunteers, to provide emergency services during regular working hours will not be penalized for their response provided they have previous permission from their department head or supervisor. The employee is allowed to respond to an emergency call and is expected to return to work when the emergency is over. The employee will be paid by the County for their normal work hours. No overtime will be authorized. Any additional volunteer work must be done after regular working hours or approved as vacation time. Department heads and/or supervisors may impose additional restrictions.
- (C) Department heads may limit participation if County needs dictate an employee's presence, responses have been too frequent or time consuming, or employees have abused their response privilege. Abuse may result in disciplinary action.

201.262 - Suspension of Paid Leave

- (A) The County reserves the right to postpone all leaves for an employee, or recall an employee from paid leave, in the event of an emergency, except during a period of authorized sick leave.

201.263 – Family Medical Leave Act of 1993

- (A) Swift County employees are allowed to exercise an option before a family

medical leave starts. Employees will be allowed to decide whether or not to use sick leave and vacation leave while on family medical leave. Use of such leave is to start from the commencement of the leave period. Once an employee has affirmatively decided to use sick leave and/or vacation leave, it cannot be stopped and restarted during the period of the family medical leave.

- (B) Employees who have worked for the County for over twelve months (not necessarily consecutive) are eligible to have their insurance benefits continued, at County expense, during a FMLA leave. Employees who are not eligible for FMLA have no continuation of benefits outside of COBRA. This policy establishes a uniform policy for non-FMLA medical leaves of absence granted by the CSSA Board or County Board.
- (C) County Subsidy – For employees who are granted non-FMLA leaves by their applicable Board, the County will pay half of the insurance premiums that were previously paid by the County. The employee portion shall be paid monthly, in advance. This subsidy shall continue for the duration of the leave granted.

201.264 – Donation of Leave

- (A) Purpose – Swift County believes that reasonable measures should be taken to provide an opportunity for employees who wish to do so, to be able to donate accrued leave to other employees who have exhausted, or are expected to exhaust, their leave.
- (B) Effect on Accrued Balances – Swift County will subtract the hours (not the dollar value) of donated leave from the accrued balances of the employee making the donation and credit those hours to the requesting employee. Once a donation is made, it is irrevocable. Any donations made which are in excess of those used by the employee to whom they were donated, will be retained by the County and given to the next employee who requests donated leave.
- (C) Employees may donate accrued leave to any other employee by submitting a written request to the County Auditor.

201.300

Employee Orientation and Evaluation

201.301 - Employee Orientation

- (A) Supervisors shall be responsible for providing orientation to new employees during their first day on the job. Orientation shall include pay plans, personnel rules, fringe benefits, safety procedures, necessary employment forms, and any other policies or programs which may effect the person's employment. Orientation will be provided on an ongoing basis as policies and procedures are created or revised.

201.302 - Performance Evaluations

- (A) Performance evaluations are an integral part of the overall performance management process and, as such, are part of a process to align the activities, goals, and objectives of the employee with the goals and objectives of the County.
- (B) Only authorized evaluation forms shall be used. These forms are available from the County Administrator or through Administrative Services.
- (C) All appointed County employees will receive a formal evaluation annually during the month of their employment anniversary. If for any reason an employee or their supervisor is unable to schedule a time during the anniversary month for the evaluation, it shall be completed as soon as possible after the anniversary.
- (D) Employees will be evaluated by their immediate supervisor. The County Administrator will be evaluated by the Board.
- (E) Employees who are dissatisfied with their evaluation may appeal in writing to their immediate supervisor's evaluator within 10 business days of their evaluation. If they are still not satisfied, they may appeal to the next highest level of supervision. Once a level is reached where the County Board would be the next highest level, the Appeals Board will hear the appeal.
- (F) The Appeals Board will be comprised of the County Administrator and two County Commissioners (appointed on an annual basis. Appeals must be in writing stating the specific ratings and/or statements being appealed and filed with the County Administrator within 10 business days of their evaluation or last appeal decision. The Appeals Board will schedule a time and date within 30 days of the filing to meet with the employee and consider their appeal. Employees may present whatever documentation, testimony, and/or witnesses that are relevant to their appeal. The Appeals Board will respond to the appellant with their decision within 5 business

days of their meeting. Decisions of the Appeals Board are final. There is no appeal procedure for the Administrator.

- (G) On at least an annual basis, the County Auditor, Treasurer, Recorder, Attorney, and Sheriff will, working jointly with the Board, establish departmental goals. The County Administrator will make a record of those goals and, working with the elected department heads, keep them appraised on a quarterly basis of their progress towards meeting those goals
- (H) Completed evaluations will be submitted to Administrative Services for inclusion in the employee's permanent personnel record.

201.350

Employee Development

201.351 - Training Opportunities

- (A) Employees will be given the opportunity to develop their work skills through continuous training so they can improve their contribution to the County.

201.352 - County Initiated Training

- (A) When the employee attends a seminar, training program, or school at the request of their supervisor, authorized expenses incident to the training shall be borne by the County. Training expenses are also reimbursable to the employee for all training mandated by the County or by law for the employee to maintain or improve skills required for the position held.

201.353 - Training or Schooling Requested by the Employee

- (A) At the request of the employee, the actual cost of training or schooling authorized by the supervisor may be reimbursed after satisfactory completion of training. The actual cost of the training shall be determined by the supervisor, taking into account: the individual's salary for the duration of the training; travel and living expenses; tuition; registration costs; text books, supplies and authorized incidentals; and such other costs as the supervisor deems appropriate.
- (B) At the request of the supervisor an advance may be issued in an amount estimated to cover the projected costs associated with said training.

201.400

Employment Practices

201.401 - Policy Statement

- (A) It is the policy of Swift County to recruit and select the best qualified persons for positions within the County. The recruitment and selection process shall provide fair and equal opportunity for all qualified applicants. If the position falls under a collective bargaining agreement, and all relevant job qualifications are equal, first consideration will be given to a current employee within the applicable bargaining unit. This policy applies to all positions: seasonal; temporary; permanent; part-time; and full-time, unless specifically waived by the County Board.
- (B) Swift County shall not use an application or any testing process to exclude persons from applying for employment based on sex, race, religion, creed, marital status, sexual orientation, political affiliation, age, status with regard to public assistance, or physical or mental disability.
- (C) Swift County is an equal opportunity, affirmative action employer and shall follow all applicable state and federal employment law.

201.402 – Determination of Open Position

- (A) Departments Heads shall notify the County Administrator when a vacancy exists. Such notification will include a recommendation for replacement and any changes in the applicable position description. If the position is an existing and funded position, then the County Administrator may authorize the recruitment for that position. If the position is not an existing and funded position or if changes to the position description is needed then such request shall go to the appropriate Board..

201.403 – Recruitment Protocol –The recruitment process shall include, at a minimum, the following:

- (A) To ensure uniformity in the recruitment process position postings, all advertisement, collection of applications, and processing of the applications shall be handled by the Administration Department. Once application are received, they will be forwarded to the appropriate Department Head for interview selection and final candidate selection. Once the Department Head selects their final candidate, the offer of employment shall be written by the Administration Department.
- (B) County Application – Applicants for any County position shall complete the County job application and related forms as found on the County's web site.

- (C) Internal Recruitment – Position vacancies shall be posted on the official County Courthouse bulletin board and applicable departmental employee bulletin board(s) for a period of not less than 5 working days or other period of time as stated in a relevant bargaining unit contract. The posting shall include, but is not limited to: 1) title of position, 2) salary scale, 3) a description of the essential responsibilities and duties, 4) immediate supervisor, 5) the application deadline, 6) any test to be given and, 7) minimum qualifications. Interested internal applicants shall submit the same paperwork that is required of outside applicants.
- (D) External Recruitment – An external recruitment may be conducted at the same time as the internal recruitment process. Announcements for positions shall be placed in newspapers and other job related publications for a period of time necessary to attract qualified candidates, but not less than 10 days. If a Merit System eligibility list exists, with a minimum of three qualified candidates, advertising the position is optional.
- (E) Minnesota Merit System - For any department regulated by the Minnesota Merit System, that County shall adhere to all pertinent regulations during the recruitment process.

201.404 – Selection Process –The selection of applicants shall include, but not be limited to, the following:

- (A) Education, Training, and Experience – The Department Head shall review all applications and apply standardized points to each application based on qualifications for the job. Ratings shall be based on a 100-point scale with point values assigned to education, training, and experience prior to advertising the position. Those applicants who do not meet the minimum qualifications shall not be considered. Rating information shall be retained for 1 year.
- (B) Eligibility List - The Department Head shall be responsible for the creation of an eligibility list of qualified persons. The eligibility list shall be valid for a minimum of 90 days from date of establishment but not more than 1 year.
- (C) Testing – Applicants meeting minimum qualifications may be asked to participate in further testing conducted under the direction of the Department Head. This testing may vary depending upon the position but may include one or more of the following tests: ability; achievement; performance; physical agility; and/or dexterity. The Department Head shall make test scores available to the individual who completes a test. Completed exams and/or answer keys to the exam shall not be provided to any applicant.
- (D) Veteran's Preference - Swift County shall provide additional points in rating qualified veterans as determined by M.S. 197.455 ; 10 points for honorably discharged veterans and 15 points for disabled veterans. The surviving spouse of a deceased veteran or the spouse of a disabled

veteran who because of the disability is unable to qualify may request Veteran's Preference points.

- (E) Interview - Upon completion of the rating, and any other testing, the Department Head should offer at least the top 3 candidates an interview. The interview shall be based on the use of structured questions relating to the responsibilities and duties to be performed in the position. The interview team will include the Department Head, any other direct supervisor of the position, and additional staff as desired.
- (F) Applications for those not selected along with the rating information shall be returned to the Administration Department once the final candidate is selected.

201.405 – Appointment and Notification

- (A) For non-Department Head level positions, the Department Head shall recommend the candidate most qualified for the position to the County Administrator for appointment. Appointment of Department Heads and the County Administrator shall be made by the Board.
- (B) A written offer of employment shall be presented to the candidate. All offers of employment shall come from the Board or County Administrator. The offer of employment shall be presented prior to the first day of work and shall include the following items: 1) position offered; 2) anticipated starting date and time; 3) position classification (i.e. exempt/non-exempt, salaried/hourly, part-time/full-time, department head, etc.); 4) compensation and any anticipated probationary increases; 5) their immediate supervisor's name; and 6) any deviation from the personnel policies or collective bargaining agreement. The offer letter shall be signed by the Board Chair or the County Administrator, depending on the position.
- (C) All offers of employment are contingent upon successful completion of any required criminal background investigation. Appointments may also be contingent upon the successful completion of a psychological and/or preemployment physical examination and other background investigation appropriate for the position and consistent with State and Federal laws.
- (D) All applicants must be notified in writing, and by telephone if desired, as soon as practicable after they have been eliminated from consideration for the position.

201.406 – Recruitment and Selection of Department Heads and the County Administrator

- (A) The Chairman of the Board or his designee shall be responsible for following this protocol in the recruitment of the County Administrator

position. The County Administrator is responsible for following the protocol when the vacancy is that of an appointed Department Head or equivalent.

201.407 – Types of Appointments

- (A) Full-Time Appointments - This is an appointment to a position which is computed at a full-time rate and for which all fringe benefits offered by the County are available, as specified in these policies, providing it is also a permanent position.
- (B) Emergency Appointments - In order to prevent stoppage of public business or loss or serious inconvenience to the public, appointment of a temporary employee may be authorized by the County Administrator, within the departmental budget. A vacancy of which a department head has had reasonable notice, or an employment condition of which they had, or might with due diligence have had previous knowledge, shall not be filled by an emergency appointment.
- (C) Part-Time Appointments - This is an appointment to a position which is paid at an hourly rate and for which the fringe benefits are not available, except as required by Federal or State law or provided for under section 201.150.
- (D) Permanent Appointment - Appointment to a position that is expected to be on-going.
- (E) Temporary Appointment - Appointment to a position for a specific term of 185 consecutive calendar days or less in each year.

201.408 – Promotions, Transfers, and Demotions

- (A) Promotion Policy - Vacancies in positions are encouraged to be filled by promotion of qualified County employees. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of affecting an increase in compensation.
- (B) Promotion Without Examination - The County Board or County Administrator may authorize the promotion, without competition, of a qualified employee upon the presentation by their supervisor of a written statement showing that the duties performed by the employee are a natural preparation for the higher position, and that such employee is the most qualified employee for the position.
- (C) Transfers - An employee may be transferred to a similar position in a different department. An employee desiring to be transferred should make a written request to their supervisor for consideration when a vacancy occurs. The request must be approved by the current supervisor, the County Administrator, and the supervisor receiving the employee. Transfer of an employee may be permitted when the supervisor determines that the

employee meets the qualifications of the position, that the transfer is in the best interest of the County, and that further training and development of the employee in the new position would be beneficial to the County.

- (D) Demotions - An employee may be demoted to a position of lower grade at the discretion of their supervisor, subject to the approval of the County Board. Reasons for the demotion shall be detailed in a written statement.

201.409 – Probationary Period

- (A) All employees will be subject to a standard probationary period of one year from their first duty day following appointment. The probationary period is an integral part of the selection process and shall be utilized for observing the employee's work, for securing the most effective adjustment of the employee for the position, and for rejecting any employee whose performance does not meet the required work standards.
- (B) The Board may terminate an employee at any time during the probationary period if, in the Board's opinion, the working test indicates that the employee is unable or unwilling to perform the duties of the position satisfactorily or that their habits and dependability do not merit continuance in the position. The employee so terminated shall be notified in writing by their supervisor of the reasons for the termination and shall not have the right to appeal unless they are a veteran, in which case the procedure prescribed in Minnesota Statute 197.46 shall be followed.
- (C) An employee terminated during the probationary period from a position to which they were promoted or transferred shall be placed on a leave of absence without pay. When a vacancy arises in the class from which the employee was promoted or transferred, such employee shall be reinstated to that position.
- (D) At least ten (10) days prior to the expiration of the probationary period, the employee's supervisor shall complete and submit an evaluation of the employee, per section 201.302, and place the status change request on the agenda of the next regularly scheduled County Board meeting.
- (E) Based upon the performance evaluation, supervisors shall recommend to the County Board that:
 - 1) The employee be appointed to permanent status;
 - 2) The employee be terminated; or
 - 3) The probationary period be extended for another ninety (90) days to allow for further training and/or observation.
- (F) The County Board shall act upon the recommendation of the employee's supervisor at their next regularly scheduled meeting after the conclusion of the employee's probationary period. The Board reserves the right to affirm the supervisor's recommendation, overturn the recommendation, or modify it in any manner which they deem appropriate.

- (G) In the absence of a supervisor's recommendation, an employee is deemed to have satisfactorily completed their probationary period.

201.410 – Nepotism Policy

- (A) No person serving as a member of the County Board shall be eligible for employment with the County.
- (B) No supervisor or elected official shall participate in or vote on decisions related to hiring, retention, promotion, or determination of the salary level of a member of their immediate family. No elected official or employee shall have supervisory responsibility for matters pertaining to audits, financial records, payroll, or inventory of goods and supplies for an immediate subordinate who is a member of their immediate family.
- (C) The foregoing restrictions do not preclude consideration of a relative of an elected official or supervisor for County employment except as specifically restricted herein. Evidence should be available demonstrating that procedures of the personnel policies were followed during the selection process and that the most qualified person was selected.

201.411 – Compensation

- (A) The County Board may grant salary increases to employees based upon their achievement of an acceptable level of competence, as it pertains to the duties and responsibilities of their position. Any wage or salary so established is the total remuneration for employment, but shall not be considered as reimbursement for official travel or other expenses which may be allowed for the conduct of official business. Unless approved by the Board, no employee shall receive pay from the County in addition to the salary authorized for the position to which they have been appointed.
- (B) All non-union employees shall be considered for salary increases on an annual basis prior to January 1st of each year. The constraints of the County budget will be a consideration in the awarding of salary increases.
- (C) Denial of a salary increase due to work performance requires a special performance evaluation to be completed within sixty (60) days of the denial action.
- (D) Salary increases are made at the sole discretion of the County Board.
- (E) When an extended vacancy exists in a supervisory or Department Head position and an employee is requested to fill that position, the County Board, at its discretion, may provide additional compensation. Such consideration should be made by the Board prior to the person assuming these increased responsibilities. The length of the term should include the starting date and proposed ending date.

201.412 – Comparable Work Value

- (A) Subject to Minnesota Statute 179A.25, but not withstanding any other law to the contrary, the County shall establish equitable compensation relationships as prescribed by Minnesota Statutes 471.991 to 479.999. Compensation of each class of County positions shall be fixed in compliance with the provisions of those statutes.

201.413 – Pay Period

- (A) The pay period shall be semi-monthly (twice-a-month). Employees shall be paid on the 15th for the period of the previous 16th through the end of the month and at the end of the month for the period of the 1st through the 15th (positive pay).

201.414 – Paydays

- (A) Employees shall be paid semi-monthly on the 15th and last day of the month. If a payday falls on a weekend or holiday, employees shall be paid the first preceding work day.

201.450

Resignation and Retirement

201.451 – General

- (A) An employee who wishes to resign from employment with the County shall provide a written resignation to their supervisor at least ten (10) working days prior to their anticipated resignation date stating the effective date of resignation. Failure to comply with this procedure may be considered cause for denying the employee future employment by the County and denying terminal leave benefits.
- (B) The letter of resignation shall remain part of the employee's personnel file.

201.452 – Unauthorized Absence

- (A) An unauthorized absence for a period of three (3) consecutive duty days may be considered a resignation without notice by the employee's supervisor.

201.453 – Retirement

- (A) There is no mandatory retirement age.

201.454 – Exit Interviews

- (A) Exit interviews will be given to all employees by their supervisor.

201.500

Disciplinary Action

201.501 – General

- (A) Disciplinary actions may take the form of a verbal reprimand, a written reprimand, suspension, or dismissal. The employee's supervisor will assume the responsibility for administering reprimands or suspensions as appropriate. Disciplinary actions need not be imposed in any particular order; however, dismissals must be approved by the County Board.

201.502 – Types of Discipline

- (A) Verbal Reprimand – A supervisor may verbally reprimand an employee relative to the improper performance of their job tasks or actions which may be in opposition to a generally accepted set of policies. Actions required to correct the deficiencies or misconduct noted must be conveyed to the employee. Verbal reprimands shall be noted in the employee's personnel file.
- (B) Written Reprimand – A written reprimand shall be prepared by the employee's supervisor and submitted to the employee with a copy to the employee's personnel file. The written reprimand shall be signed and acknowledged by both the supervisor and the employee indicating a conference was held addressing the reprimand. It shall state that the employee is being warned for misconduct, describe past actions taken by the supervisor to correct the problem, urge prompt correction or improvement by the employee, include timetables and goals for improvement when appropriate, and outline future penalties should the problem continue.
- (C) Suspension – Supervisors, with the approval of the County Administrator, may suspend an employee, with or without pay, for a period of up to three (3) weeks, depending on the seriousness of the problem. The circumstances resulting in suspension shall be explained in a written communication to the employee and the County Administrator and a copy of the written communication placed in the employee's personnel file. Neither compensatory time nor vacation leave shall be used in lieu of an unpaid suspension.
- (D) Dismissal – An employee may be dismissed by written notice from their supervisor with the approval of the County Board.

201.550

Grievance/Appeal Procedures

201.551 – General

- (A) It is the desire of the County to adjust grievances informally. Both supervisors and employees are expected to make every effort to resolve problems as they arise. It is also recognized that there may be grievances which will be resolved only after a formal grievance and review process.

201.552 – Procedures

- (A) If an informal resolution to a grievance is not reached, the following steps shall be taken, in the order listed, until resolution is achieved:
- (1) An employee shall have seven (7) days after they should have been reasonably aware of an incident or occurrence, upon which a grievance is based, to present a grievance to their supervisor. Their supervisor shall make inquiry into the facts and circumstances of the grievance as soon as possible. The supervisor shall attempt to resolve the grievance promptly and fairly and notify the employee of his/her grievance decision, in writing, within seven (7) days.
 - (2) If the employee is dissatisfied with the supervisor's decision, the employee shall submit a written request for review to the County Administrator within seven (7) days of their supervisor's decision. The County Administrator shall make such investigation as deemed necessary and shall, within fourteen (14) days after the receipt of the employee's request for review, inform the employee in writing of his/her decision.
 - (3) Within seven (7) days after the receipt of the County Administrator's decision, the employee may grieve the matter to the County Board. The County Board shall hold a hearing as soon as practicable to consider the grievance. At the hearing, the employee filing the grievance, their supervisor, and the County Administrator may provide testimony and evidence concerning the grievance. The hearing shall be in accordance with the mandates of the current open meeting law. The Board shall issue a written decision within thirty (30) days after the hearing. The written decision of the County Board shall be final.
- (B) Any of the foregoing time limits may be extended by mutual written consent of the employee, the supervisor, and the County Administrator.

201.700

Anti-Harassment Policy

201.701 Policy

- (A) Harassment on the basis of race, age, disability, sexual orientation, ethnicity, religion, sex or any other legally prohibited characteristic by any Swift County employee is strictly forbidden. Substantiated violations of this policy by an employee or employer will result in disciplinary and corrective action against the perpetrator. No employee shall be subject to harassment, reduction in employment status, benefits, pay, or loss of advancement opportunity for filing a complaint or testifying in an investigation or appeal proceeding.

201.702 Definitions

- (A) The following definitions shall apply:
- (1) Sexual Harassment - Sexual harassment is further defined to include unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication when:
 - (a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodations, or public services, education or housing;
 - (b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, public accommodations or public services, education or housing; or
 - (c) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, housing, or creating an intimidating, hostile or offensive employment, public accommodations, public services, educational, or housing environment; and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.
 - (2) Employee - Employee is defined as an individual who is employed by an employer who resides or works in this State.
 - (3) Employer - Employer is defined as a person who has one or more employees.

- (4) Reporting Authority - Reporting authority is defined as one who receives a report of alleged harassment. Normally this would be a Department Head, Supervisor, County Administrator, Chairman of the County Board of Commissioners, or County Attorney.

201.703 Procedures

- (A) The following informal and formal procedures should be followed in processing allegations of harassment.
 - (1) Informal Procedure - The employee shall make a complaint of the alleged harassment with his or her Supervisor or Department Head. If the alleged perpetrator is an elected official, the Supervisor or Department Head, the employee shall make the complaint of the alleged harassment to the Chairman of the County Board of Commissioners. If the alleged perpetrator is the Chairman of the County Board of Commissioners, the employee shall make the complaint of the alleged harassment to the County Attorney. The reporting authority shall immediately initiate an investigation of the alleged harassment and shall attempt to resolve the matter to the satisfaction of all parties.
 - (2) Formal Procedure
 - (a) Reporting - Any Swift County employee who believes they have been subjected to harassment shall be requested, but is not obligated, to submit a signed, written statement to the reporting authority regarding the alleged harassment. The written complaint should contain a description of the behavior-communication that precipitated the alleged harassment, including the time, place and date of the harassment as well as any witnesses. A copy of a Harassment Report form should be made available to the employee to facilitate the reporting process.
 - (b) Investigation - The reporting authority shall investigate or arrange to have the complaint investigated. A list of suitable investigative entities will be maintained and reviewed by the County Board on annual basis. If substantiated, the reporting authority or investigative entity shall attempt to mediate a resolution on a timely basis after receipt of the complaint.
 - (c) Interim Action - After receiving the report, the reporting authority may need to take interim action to insure that any harassment is abated. The nature of the action to be taken by the reporting authority may vary from case to case, but it should ensure that any harassment is effectively stopped

and that there be no retaliation towards the reporting employee for making the report.

- (d) Disciplinary Action - If the complaint is substantiated, corrective or disciplinary action may be taken against the perpetrator. This may include:
 - (i) a verbal reprimand;
 - (ii) a written reprimand;
 - (iii) a corrective action plan involving treatment, therapy or education on sexuality;
 - (iv) withholding of salary increase;
 - (v) suspension;
 - (vi) demotion or transfer, reduction in classification and/or salary; or
 - (vii) termination
- (e) Appeal Process - If this action does not resolve the situation to the party's satisfaction, either party may appeal the decision to the Swift County Board of Commissioners by filing a written complaint with the Board within five business days. The Board should affirm or modify the decision within 30 business days after receipt of the appeal.
- (f) Further Remedy - Filing a complaint does not preclude an employee from seeking action under the Minnesota Human Rights Act or other laws.

201.704 Types of Sexual Harassment

- (A) Sexual harassment may be either verbal or physical and range from sexist jokes and comments to sexual assault. The blatant forms of sexual harassment are readily recognized. More subtle sexual harassment, however, can be equally destructive of good employee practices, demoralizing to employee relations and debilitating to employee work performance. Examples of illegal behavior given by the State Human Rights Department include:
 - (1) Unwanted sexual comments, innuendos or suggestions.
 - (2) Suggestive or sexist remarks about a person's clothing, body or sexual activity.
 - (3) Unwanted and unnecessary touching, brushing against, patting, or pinching.
 - (4) Suggestions, request or demand for sexual favors accompanied by implied or overt threats or promises.
 - (5) Display of pictures of objects depicting nude, scantily clad or suggestively posed women or men.
 - (6) Unwelcome and/or repeated suggestions regarding, or invitations to social engagements or other activities.
 - (7) Any indication, expressed or implied, that an employee's job security, job assignment, conditions of employment, or

opportunities for advancement depend or may depend on the granting of sexual favors to any other employee, supervisor or manager.

- (8) The deliberate or careless creation of an atmosphere of sexual harassment or intimidation.

201.705 Employer Liability

- (A) There are several levels of employer liability, depending on circumstances and parties to the harassment.
 - (1) The employer may have liability for action of its elected officials, Department Heads and Supervisors when these individuals engage in harassment, regardless of whether the acts were authorized or forbidden and regardless of whether the employer knew or should have know of their occurrence.
 - (2) Limited liability occurs with respect to conduct between fellow employees. The employer may be responsible for acts of harassment when the employer knows or should have known and fails to take immediate and appropriate action.
 - (3) In addition, the employer may be held liable where other persons who are not parties to the harassment are denied employment opportunities through favoritism granted elsewhere.
 - (4) The employer may also be responsible for the acts of non-employees, such as clients, sales representatives, or members of the public if the employer knows of the situation and could have alleviated the situation but failed to take immediate action.

201.706 Affirmative Action

- (A) Declaration of Policy of Affirmative Action – Swift County acknowledges that equal opportunity for all persons is a fundamental human value. Consequently, it is the policy of the County to provide equal opportunity in employment and personnel management for all persons; to provide access to, admission to, full utilization and benefit of training and promotional opportunities without discrimination because of race, color, creed, religion, national origin, sex, age, veteran's status, public assistance status, handicap or disability, sexual orientation; and to otherwise promote full realization of human rights within the County to the extent that every person making application for, currently employed by, or will be considered on the basis of individual ability and merit, without discrimination or factor. In furtherance of this policy, the County of Swift establishes an Affirmative Action Plan providing for and assuring fair and equitable treatment in all phases of public employment, including selection, compensation, benefits, training opportunities, promotions, transfers, layoffs and other terms, conditions and privileges of employment. The concept of this affirmative action policy is consistent and fundamental to the maintenance of effective equal opportunity and shall be implemented as an integral part of the County of Swift's personnel system.

- (B) In the interests of advancing the goal of open competition and equal opportunity in employment, the County undertakes the responsibility for communicating its affirmative action policy to those from whom it purchases products and services.

201.707 Equal Employment Opportunity

(A) It is the County's policy to provide equal opportunity to all employees and applicants for employment in accordance with all applicable equal employment opportunity/affirmative action laws, directives, and regulations of Federal, State, and local governing bodies or agencies thereof; specifically Minnesota Statutes 363.

- (1) Swift County, Minnesota, will not discriminate against or harass any employee or applicant for employment because of race, color, creed, religion, national origin, sex, sexual orientation, handicap, disability, age, marital status, veteran's status, or status with regard to public assistance.
- (2) Swift County, Minnesota, will take affirmative action to ensure that all employment practices are free of such discrimination. Such employment practices include, but are not limited to, the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training.
- (3) Swift County, Minnesota, will use its best efforts to afford minority and female business enterprises with the maximum practical opportunity to participate in the performance of projects that the County engages in.
- (4) Swift County, Minnesota, will commit the necessary time and resources, both financial and human, to achieve the goals of equal employment opportunity and affirmative action.
- (5) Swift County, Minnesota, fully supports incorporation of nondiscrimination and affirmative action rules and regulations into contracts.
- (6) Swift County, Minnesota, will evaluate the performance of its management and supervisory personnel on the basis of their involvement in achieving these affirmative action objectives as well as the established criteria. Any employee of the County who does not comply with the Equal Opportunity Policies and Procedures as set forth in this statement and the Affirmative Action Plan will be subject to disciplinary action.
- (7) Swift County, Minnesota, will make a good faith effort to contract all outside projects with EEO/AA employers when economically feasible.
- (8) Swift County, Minnesota, has appointed its Veterans' Service Officer to manage the Equal Employment Opportunity Program. His responsibilities will include monitoring all equal employment opportunity activities and reporting the effectiveness of this Affirmative Action Plan, as required by Federal and State agencies.

The Chairman and the Commissioners will receive and review reports on the progress of the program. If any employee or applicant for employment believes he has been discriminated against, please contact the Veterans' Service Officer, Swift County Equal Employment Opportunity/Affirmative Action Coordinator, 301 14th Street North, Benson, Minnesota, 56215, or call (320) 842-5271. A complete copy of the Affirmative Action Plan can be obtained from the Swift County EEO/AA Coordinator.

201.708 Documentation

- (A) Supervisory staff are to maintain appropriate and adequate documentation of all actions taken in regards to claims of harassment.

201.709 Confidentiality and Data Practices

- (A) Confidentiality of any compliant will be maintained to the greatest extent possible. Only those persons with a "right to know" the information should have access to it. An absolute promise of confidentiality cannot be assured, however. For example, in some circumstances, the subject of a report of harassment will have access to the name of the reporter and other relevant information made in the report. There may be circumstances, however, that release of this information will not occur, i.e. in those cases in which the reporting authority determines that the release of this information to the subject of the report would threaten the safety of the reporter or subject the reporter or witness to harassment.
- (B) Information that may become public includes:
 - (1) The existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in disciplinary action;
 - (2) The final disposition of any disciplinary action together with the specific reasons for the action and the data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; and
 - (3) The terms of any agreement settling any dispute arising out of an employment relationship, except the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money.

Swift County

201.710

Acknowledgment of Anti-Harassment Policy, Including Sexual Harassment

I acknowledge that Swift County prohibits unlawful harassment, including sexual harassment and harassment based on race, national origin, religion, disability, pregnancy or age.

I understand that policies and procedures are in place at Swift County to prevent and remedy such behavior.

I have read the County's Personnel Policies and understand that I am to make an immediate report if I am subjected to harassment (or have knowledge of any harassment) by any County employee - no matter if it is an executive, supervisor, coworker, customer, vendor, or elected official.

Employee Name (Printed): _____

Employee Signature: _____

Date: _____

Swift County

201.711 Harassment Report

A. Identifying Information

Your Name: _____ Your Position: _____

B. Report –Please describe the nature of the harassment that you experienced: what was said, done, observed; where did this take place; when did it occur; how long has this been going on; and the like. Be as specific as possible.

C. Witnesses – Please identify any witnesses who were present or have direct knowledge of what happened.

Signature

Date

201.750

Code of Ethics

201.751 Dedication to Values

- (A) The proper operation of democratic government requires:
- (1) That public officials be honest, impartial, and responsible to the people;
 - (2) That government decisions and policies be made in the proper channels of the government structure; and
 - (3) That public office not be used for personal gain, so that the public will have confidence in the integrity and ability of its government.
- (B) In recognition of these goals, this policy is established to guide all officials and employees of the County, whether elected or appointed, paid or unpaid, including members of boards, committees, commissions, and volunteers of the County.

201.752 Dedicated Service

- (A) All officials and employees of the County should be loyal to the political objectives expressed by the electorate and the programs developed to attain those objectives. Appointed officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority. Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from doing so by law or by the officially recognized confidentiality of their work.

201.753 Conflict of Interest

- (A) No employee or elected official, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties in the public interest or would tend to impair their independence of judgment or action in the performance of their official duties. Personal, as distinguished from financial, interest includes an interest arising from blood or marriage relationships or close business or political associations.

201.754 Values and Principles

- (A) This list of principles incorporates the characteristics and values that most people associate with ethical behavior. An ethical decision systematically considers which, if any, of the following principles are involved. These principles should be used as a guide by all County officials and

employees.

- (1) Honesty - Honest persons are truthful, sincere, forthright, straightforward, frank, and candid; they do not cheat, steal, lie, deceive, or act deviously.
- (2) Integrity - Persons with integrity are principled, honorable, and upright; they are courageous and act on convictions; they will fight for their beliefs and will not adopt an "ends justifies the means" philosophy that ignores principles or be expedient at the expense of principles, be two-faced, or unscrupulous.
- (3) Promise-Keeping - Persons worthy of trust keep promises, fulfill commitments, and abide by the spirit, as well as the letter, of an agreement; they do not interpret agreements in an unreasonably technical or legalistic manner in order to rationalize non-compliance or create justifications for escaping their commitments.
- (4) Fidelity - Persons worthy of trust demonstrate fidelity and loyalty to persons and institutions by friendship in adversity and support and devotion to duty; they do not use or disclose information learned in confidence for personal or political advantage. They safeguard the ability to make independent, professional judgments by scrupulously avoiding undue influences and conflicts of interest.
- (5) Fairness - Fair persons manifest a commitment to justice, the equal treatment of individuals, tolerance for and acceptance of diversity, and they are open-minded; they are willing to admit they are wrong and, where appropriate, change their positions and beliefs; they do not overreach or take undue advantage of another's mistakes or difficulties.
- (6) Caring - Concern for the well-being of others manifests itself in compassion, giving, kindness, and serving; it requires one to attempt to help those in need and to avoid harming others.
- (7) Respect - Ethical persons demonstrate respect for human dignity, privacy, and the right to self determination of all competent adults; they are courteous, and decent; they provide others with the information they need to make informed decisions about their own lives.
- (8) Citizenship - In a democracy, responsible citizenship is an ethical obligation; it involves lawfulness (abiding by laws and rules of society), participation (by voting and expressing informed views), social consciousness, and public service; public sector professionals have the additional responsibility of encouraging participation of others and a special obligation to respect and honor the democratic processes of decision making and avoiding unnecessary secrecy or concealment of information and assuring that the citizenry has all the information needed to exercise responsible citizenship.
- (9) Excellence - Ethical persons are concerned with the quality of their work; they pursue excellence, they are diligent, reliable, industrious, and committed. A public sector professional must be well informed and well prepared to exercise public authority.

- (10) Accountability - Ethical persons accept responsibility for decisions, for the foreseeable consequences of their actions and inactions, and for setting an example for others. Persons in the public sector have a special obligation to lead by example, to safeguard and advance the integrity and reputation of the legislative process, to avoid even the appearance of impropriety, and to take whatever actions are necessary to correct or prevent inappropriate conduct of others.
- (11) Avoidance of the Appearance of Impropriety - Because of the unique importance of credibility and public trust, government officials and employees must avoid even the appearance of impropriety.

201.800

Drug and Alcohol Testing

201.801 Testing

- (A) The purpose of this section is to set forth a policy on drug and alcohol testing of employees and job applicants as required by Minnesota Statutes 181.950 through 181.957.
- (B) For purposes of this article, the following definitions will apply:
- (1) Confirmatory Test or Confirmatory Retest - A drug or alcohol test that uses a method of analysis allowed under one of the programs listed in Minnesota Statute 181.953, Subd. 1.
 - (2) Disciplinary Action - Any of the actions defined in 201.500 of these policies.
 - (3) Drug - A controlled substance as defined in Minnesota Statute 152.01, Subd. 4.
 - (4) Drug and/or Alcohol Test (or Testing) - Analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statute 181.953, Subd. 1 for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
 - (5) Employee - A person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for the County.
 - (6) Initial Screening Test - A drug or alcohol test which uses a method of analysis under one of the programs listed in Minnesota Statute 191.953, Subd. 1.
 - (7) Job Applicant - A person, independent contractor, or person working for an independent contractor who applies to become an employee of the County, including a person who has received a job offer made contingent upon the person passing drug or alcohol testing.
 - (8) Positive Test Result - A finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statute 191.953, Subd. 1. An alcohol test will be considered positive if the employee tested has an alcohol concentration level of at least .05, or a lesser level if it is accompanied by an odor of an alcoholic beverage or signs of physical impairment in violation of other sections of this personnel policy. A residue amount of alcohol will be considered a positive test result only if accompanied by a separate violation of these policies.
 - (9) Reasonable Suspicion - A basis for forming a belief based upon specific facts and rational inferences drawn from those facts.
 - (10) Safety-sensitive Position - A job, including any supervisory or

management position, in which an impairment caused by drug or alcohol usage could threaten the health or safety of any person.

- (C) An employer may request or require an employee to undergo drug and alcohol testing if the employer has a reasonable suspicion that the employee:
 - (1) Is under the influence of drugs or alcohol;
 - (2) Has used, possessed, sold, or transferred drugs or alcohol while on duty, on County property, or while operating County vehicles, machinery, or equipment;
 - (3) Has sustained, or caused another person to sustain, a work related personal injury; or
 - (4) Has caused a work related accident or was operating, or helping to operate, machinery, equipment, or vehicles involved in a work related accident.
- (D) Random testing without prior notice may be given to those employees who are in "safety sensitive" positions. Testing without prior notice may also be given to employees who have been referred by the County for chemical dependency treatment or evaluation, who are participating in a chemical dependency treatment program under an employee benefit plan, or have participated in such a chemical dependency treatment program in the prior two (2) years.
- (E) If an employee refuses to submit to drug and alcohol testing carried out in conjunction with this article, the employee may be subject to disciplinary action. If a job applicant refuses to submit to drug and alcohol testing, carried out in conjunction with this article, the job applicant may not be hired.
- (F) If an employee tampers with their own urine or blood sample, the employee may be subject to disciplinary action.
- (G) An employee who for the first time has a positive test result on a confirmatory test will not be subject to disciplinary action unless:
 - (1) The County has given the employee an opportunity to participate in a drug or alcohol counseling or rehabilitation program; and
 - (2) The employee has refused to participate or has failed to successfully complete the program within a reasonable time.
- (H) An employee who receives a positive test result on a confirmatory test, or who fails or refuses a confirmatory test and does not request in writing a confirmatory retest within five (5) working days after notice of positive confirmatory test results, may be subject to disciplinary action subject to the provisions in this article. Such an employee may request a hearing under a negotiated agreement if permitted or under provisions of this policy. A job applicant who receives a positive test result, or who fails or

refuses a confirmatory retest, or does not request in writing a confirmatory retest with five (5) working days after notice of a positive test result of a confirmatory test, may be refused employment and will be notified of the reasons for such refusal.

- (I) An employee or job applicant who receives a positive test result on a confirmatory test has the right to receive a copy of the test and, within three (3) working days of notice of the original positive confirmatory test result, to request a retest of the original sample at the employee's or job applicant's own expense.
- (J) Prior to requiring a drug or alcohol test, the employee or job applicant shall be given a form on which the employee or job applicant will acknowledge that they have read this article. The form will also ask the employee or job applicant to indicate any medication that the individual is currently taking or has recently taken and other information relevant to the reliability of, or explanation for, a positive test result.

201.802 Procedures

- (A) The County shall use the services of a testing laboratory that meets one of the following criteria for drug testing:
 - (1) Is certified by the National Institute on Drug Abuse as meeting the mandatory guidelines published at 54 Federal Register 11970 to 11989, April 11, 1988; or
 - (2) Is accredited by the College of American Pathologists, 325 Waukegan Road, Northfield, Illinois 60093-2750, under the forensic urine drug testing laboratory program.
- (B) For alcohol testing, the laboratory must be accredited by the College of American Pathologists, 325 Waukegan Road, Northfield, Illinois 60093-2750, in the laboratory accreditation program.
- (C) The County declares that all sheriff, jail, and highway department positions, including but not limited to union, non-union, supervisory, and management positions, are hereby designated as "safety sensitive" positions.
- (D) This article shall be distributed to all County employees and receipt acknowledged in writing.

201.803 Administrative Responsibility

- (A) Supervisors shall be responsible for informing their employees of this article.
- (B) The applicable department head shall be responsible for implementing this article.

201.850

Urine and Blood Sample Collection

201.851 Purpose

- (A) To define procedures for collecting urine and/or blood samples from employees under 201.850 of these policies.

201.852 Policy

- (A) This article shall pertain to all present employees classified as "safety sensitive" as defined in 201.801 (B) (10).
- (B) This article shall also pertain to all other current employees where there is a reasonable suspicion, as defined under 201.801 (B) (9), that the employee:
 - (1) Is under the influence of drugs or alcohol;
 - (2) Has violated the County's written codes, ordinances, rules, or policies relating to drugs or alcohol;
 - (3) Has sustained or caused another person to sustain a work related personal injury; or
 - (4) Has caused a work related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work related accident.

201.853 Procedures

- (A) Once the circumstances warrant implementation of this procedure, the employee's supervisor and the County Administrator shall:
 - (1) Advise the employee that in accordance with the County's personnel policies they are required to submit to testing;
 - (2) Give the employee a copy of 201.800 of these policies and allow them a reasonable period of time to review the same;
 - (3) Provide a consent form to the employee and ask them to read the form and complete the required information; and
 - (4) Direct the employee to sign and date the consent form and witness their signature by completing the witness portion of the consent form.
- (B) The County has established chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the sample to be tested as follows:
 - (1) Possession of the sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;

- (2) The sample must always be in the possession of, must always be in view of, or must be placed in a secured area by a person authorized to handle the sample;
- (3) A sample must be accompanied by a written chain-of-custody record; and
- (4) The supervisor relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

(C) Urine Testing

The procedures for taking a urine sample are:

- (1) Complete the appropriate laboratory form;
- (2) Follow all directions on the kit for a urine sample collection;
- (3) Take the employee to a designated rest room and observe the employee give the urine sample into the container provided;
- (4) If the employee is of the opposite sex from the observing supervisor, a supervisor or County staff member of the same sex shall be located to observe the giving of the urine sample;
- (5) The employee observing the urine sample collection shall seal the container in accordance with the kit instructions; and
- (6) The supervisor shall retain the container and consent form until they can be personally given over to the laboratory for analysis.

(D) Refusal to Consent

If the employee refuses to give their consent, have them sign the form indicating the drug screen refusal and witness their signature.

- (1) Refusal to consent will result in immediate suspension with pay.
- (2) Documentation is to be completed and filed with the County Administrator as soon as possible.

(E) Blood Testing

If it has been determined that a blood test is to be given:

- (1) The supervisor shall take the employee to the appropriate medical facility;
- (2) The supervisor shall direct that the blood sample be drawn in accordance with 201.800 of this policy by a certified technician;
- (3) The supervisor shall make certain that the consent form and sample are completed in accordance with the County's chain-of-custody procedures; and
- (4) The laboratory technician shall be responsible for transportation of the sample.

(F) Suspension

Whether an employee signs or does not sign the consent form, they are to be placed on suspension with pay. The supervisor or a designated person

shall take the suspended employee to the employee's place of residence.

(G) Distribution

This article shall be distributed to all County employees and receipt acknowledged in writing.

201.854 Administrative Responsibility

- (A) Supervisors shall be responsible for informing their employees of this article.
- (B) Department heads shall be responsible for implementing this article.

201.900 Drug Screening Consent/Refusal Form

I, _____, authorize the collection of my blood and/or urine in the physical presence and view of a person designated by the County. In addition, I authorize the County to receive the results of the test(s) from the designated laboratory analyzing the sample(s).

I have read 201.800, Drug and Alcohol Testing, of the County's personnel policies and I understand that the results of this testing may affect my employment status with the County.

In order to insure accuracy in this screening, it is essential to know **any** and **all** of the prescription drugs or over-the-counter medications I have taken within the last **60 days**, as well as any other relevant information.

I am currently taking, or have taken within the last 60 days, the following drugs/medications:

Other relevant information:

Employee Signature

Date

Witness Signature

Date

Drug Screening Refusal

I refuse to submit to a drug or alcohol test. I have read 201.800, Drug and Alcohol Testing, of the County's personnel policies and understand that a refusal to submit to testing may subject me to discipline including, but not limited to, discharge.

Employee Signature

Date

Witness Signature

Date

Acknowledgement of Receipt

I, _____, hereby acknowledge:

- (1) I have received a copy of the Swift County Personnel Policies;
- (2) I have read and understand the policies; and
- (3) I agree to abide by the terms of the policies

Employees Signature

Date

This acknowledgement will become a permanent part of your employee file.

Please return this form as soon as you have complied with the items listed above.

Policy Statement

TITLE	CODE
Conflict of Interest	204

REFERENCE

M.S. 15.054 Public Employees Not To Purchase Merchandise From County
M.S. 282.106 Prohibited Purchases
M.S. 382.18 Officials Not To Be Interested In Contracts
M.S. 471.87 Public Officials, Interest In Contacts

PERSONNEL RESPONSIBLE

All County Employees

EFFECTIVE DATE

8-16-88 (Reviewed 06-03-03)

POLICY

204.100 - Conflict Of Interest Explained - The following actions by an employee of Swift County shall be deemed a conflict of interest and subject to disciplinary actions as appropriate:

204.101 - Use or attempted use of the employee's official position to secure benefits, privileges, exemptions or advantages for the employee or the employee's immediate family or an organization with which the employee is associated which are different from those available to the general public.

204-102 - Acceptance of other employment or contractual relationship that will affect the employee's independence of judgment in exercise of official duties.

204.103 - Actions as an agent or attorney in any action or matter pending before Swift County except in the proper discharge of official duties or on the employee's behalf.

204.200 - Determination Of Conflicts Of Interest - When an employee believes the potential for a conflict of interest exists, it is the employee's duty to avoid the situation. A conflict of interest shall be deemed to exist when a review of the situation by the employee or the employee's supervisor determines any of the following conditions to be present:

204.201 - The use for private gain or advantage of County time, facilities, equipment, or supplies or badge, uniform, prestige or influence, of County office or employment.

204.202 - Receipt or acceptance by the employee of any money or other things of value from anyone other than the County for the performance of an act which the employee would be required or expected to perform in the regular course or hours of County employment or as part of the duties as an employee.

204.203 - Employment by a business which is subject to the direct or indirect control, inspection, review, audit, or enforcement by the employee.

204.204 - The performance of an act in other than the employee's official capacity which may be subject directly or indirectly to the control, inspection, review, audit or enforcement by the employee.

204.300 - Resolution Of Conflict Of Interest - If the employee or the employee's supervisor determines that a conflict of interest exists, the matter shall be assigned to another employee who does not have a conflict of interest. If it is not possible to assign the matter to an employee who does not have a conflict of interest, interested persons shall be notified of the conflict and the employee may proceed with the assignment.

204.400 - Acceptance Of Advantage By County Employee – No employee of the County in direct contact with suppliers or potential suppliers of the County, or who may directly or indirectly influence a purchased product, evaluating contracted services, or otherwise has official involvement in the purchasing or contracting process may:

204.401 - Have any financial interest or have any personal beneficial interest directly or indirectly in contracts or purchase orders for good or services used by, or purchased for resale or furnished to the County.

204.402 - Accept directly or indirectly from a person, firm, or corporation to which a contract or purchase order has been or may be awarded, a rebate, a gift, money, or anything of value other than items of nominal value. No such employee may further accept any promise, obligation, or contract for further reward.

204.500 - Violation - Violation of the provisions of this policy shall be grounds for disciplinary action against the employee.

AUTHORED BY: County Board
DATE: 8-16-88

APPROVED BY: County Board
DATE: 06-03-03

Swift County Board of Commissioners
301 14th Street North
Benson, Minnesota 56215

Acknowledgement of Receipt of Conflict of Interest Policy

I, _____, hereby acknowledge:

- (1) I have received a copy of the Swift County Conflict of Interest Policy; and
- (2) I have read and understand the policy; and
- (3) I agree to abide by the terms of the policy.

Signature

I hereby acknowledge that I have received and read a copy of the above-named policy regarding the Swift County conflict of interest policy.

User's Signature and Printed Name

Date

This acknowledgement will become a permanent part of your employee file.

Please return this form as soon as you have complied with the items listed above.

Policy Statement

TITLE

CODE

Acceptable Use Policy for Electronic Communications and Internet Use

215

REFERENCE

Minnesota Government Data Practices Act, Federal Wiretap Law, Minnesota Wiretap Law, and Communications Decency Act

PERSONNEL RESPONSIBLE

All County Employees

EFFECTIVE DATE

1-1-97 (10-25-02 update)

POLICY

215.100 - Purpose - Swift County recognizes that phone and computer systems are becoming increasingly interconnected and sophisticated in their ability to create, disseminate, and store electronic messages, along with an increased potential for the inappropriate release of non-public data. Swift County has developed policies and guidelines regarding the use of all electronic communications systems and information transmitted through or stored in those systems. The computer and communications systems operated by Swift County for the conduct of business are the property and work environment of Swift County and all Swift County policies relating to personal conduct apply to access and use of these resources.

215.150 - Scope - The Internet and the public and private telephone systems have become a standard for communication between disparate governments, commercial organizations, and private citizens. Communications traffic may cross multiple networks prior to reaching the client destination. Yet the public has a high reliance on the integrity and accuracy of data shared from Swift County. This policy applies to all Swift County system users regardless of locations, status, or ownership. Each system user is responsible for adhering to the guidelines and policies regarding the use of these systems to protect the accuracy, integrity, and dependability of the organization's electronic systems and information. The Internet, for purposes of this policy, includes any entity having an Internet address.

The variety of computing and electronic communication access tools that Swift County provides its employees include desktop, laptop, mobile and central computers, internal and external networks, electronic mail, modems and facsimile (fax) systems, and voice mail. These tools are County-owned and publicly-funded. The computer systems, software, and information contained on or conveyed through them are the property of the County. Access and use are restricted by this Acceptable Use Policy.

By addressing the issue of uses for computer communications, the County ensures maximum benefit by recognizing a critical and defined balance between the need for operational communications and the protection of County assets. Each system may, at times, have its own set of policies and procedures. In those cases where communications are carried across other regional networks, employees of the County are advised that this Acceptable Use Policy takes precedence over acceptable use policies of those other systems.

215.200 - Privacy Issues - Users should have no expectation of privacy in using these electronic systems. No communication using these systems should be considered private or personal. Record retention policies apply to electronic communications; users should assume that even deleted messages are retrievable. The County may inspect information stored in or transmitted through its electronic systems. By using the County's computers and/or networks the employee is voluntarily waiving any claims to privacy. Department Heads, supervisors, or other authorized personnel may inspect the computers or review electronic communications of employees to determine whether there have been any breaches of security, violations of this policy, or other violations of duty on the part of any employee.

215.250 - Careful Use - Swift County provides telephone, voice mail, fax, Internet access, and e-mail to conduct the business of the County. Use of these systems will be granted by supervisors and/or Department Heads with regard to job function. Once given access, users are expected to use these systems in a responsible manner at all times. All usage should be able to withstand public scrutiny without embarrassment to Swift County.

215.300 - Content - System users are responsible for the content of all text, audio, and video sent. All messages must comply with relevant Federal and State laws regarding copyright, trademark, and intellectual property. Messages must contain the user's identity and should be written or verbalized with the same professional manner as any hard-copy correspondence. System users are not allowed to release passwords, user names, or access numbers to anyone other than designated individuals. System users cannot access or modify any proprietary information without the express prior permission of the authority responsible for generating or maintaining the information. The County's policies pertaining to harassment and other forms of workplace misconduct apply with full force and effect to the use of Swift County electronic communication systems.

215.350 - Personal Use - The use of Swift County electronic communication devices is a privilege, not a right. It may be revoked any time by the County. Use of telephone, fax, Internet access, and e-mail is permitted for personal use, provided such use:

- * does not impair the employee's workplace performance and productivity
- * is done on the employee's personal time

- * does not interfere with business usage
- * does not result in any expenses for the County
- * does not contain harassing or threatening material
- * is not performing work for profit, for personal gain, promotional use, or solicitation
- * does not contain or infer abusive, profane or offensive language

215.400 - Inappropriate Use - Inappropriate use of telephone, fax, Internet access, or e-mail systems would include but are not limited to: participating in illegal activities; gambling; commercial activities; accessing sexually explicit or violent material; using the systems to harass or disable other systems; creation or distribution of virus or destructive programs; distribution of pirated software or stolen data; distribution of unsolicited or personal advertising; propagation of computer "worms" or viruses; using the network to make unauthorized entry to other computational, information, or communications devices or resources via any network; or any other activity that injures, or could potentially injure, others or the County in any way.

215.450 - Presentation of Swift County - Requests for Swift County information can become very time-consuming and expensive. Swift County may establish public access points for information about Swift County, and for access to Swift County records and information. These systems should be operated only by persons specifically authorized and trained to place or remove data on such a system. Release of data to the public in other formats should be carried out through authorized channels.

215.500 - Virus Scanning - Diskettes from outside the County and incoming messages containing file attachments may imperil Swift County systems by importing viruses. Diskettes, files or mail attachments entering the organization's network should always be scanned for viruses before being opened or used. Files of an unknown origin should be immediately deleted and not opened. The user should immediately notify their immediate supervisor if a virus is detected.

215.550 - Monitoring - It is a supervisory responsibility to oversee use and to determine if uses of electronic systems are appropriate to assigned work. Although content is not routinely monitored, it may occur if inappropriate use is suspected, under subpoena, or request for public data.

215.600 - Violations - Swift County will treat the misuse of these resources as misconduct in accordance with its personnel policies and collective bargaining agreements. Violations of this policy will subject the user to discipline, up to and including discharge, as well as notification to law enforcement agencies when appropriate.

215.650 - Records Retention - Adopted records retention schedules, based on the context of messages, are the same regardless of the medium - paper, voice, or electronic.

AUTHORED BY: Policy Committee
DATE: 10-25-02

APPROVED BY: County Board
DATE: 6-1-99

Swift County Board of Commissioners
301-14th Street North
Benson, Minnesota 56215

Employee Agreement for Electronic Communications and Internet Use

Purpose

This document is intended to verify that the employee has received a copy of the County's Acceptable Use Policy for Electronic Communications and Internet Use. The employee further affirms that he/she has read and agrees to abide by the policy.

Signature

I hereby acknowledge that I have received and read a copy of the above-named policy regarding the use of electronic systems of Swift County.

User's Signature and Printed Name

Date

Policy Statement

TITLE	CODE
County Health Insurance Funding	217

REFERENCE

MS Chapter 471
MN Rules §2785

PERSONNEL RESPONSIBLE

County Board and County Health Insurance Committee

EFFECTIVE DATE

10-15-2013

POLICY

217.100 - Purpose – Swift County recognizes the need to provide health insurance benefits to its employees' in order to retain and attract a high quality workforce. In order to maintain a health insurance benefit that is affordable and sustainable over the long term, Swift County has moved to a self-insured model for its health insurance benefits. Swift County is making this change to focus on its goals to minimize risk and provide adequate reserves limit overall risk to the County and our employees. Reserves that are necessary to meet these goals include: 1) run out liability; 2) maximum liability reserve; and 3) rate stabilization. The conservative nature of this policy will work to meet the County's goal of limiting overall risk.

217.150 - Run out liability reserve

Purpose: As a self-funded plan, we pay the actual claims up to our stop loss liability as they are processed. There is generally a two to three month delay between when the service is received and the claim is processed. A run out liability reserve is used to pay claims if the county would change to another type of plan in the future.

Funding Requirement: On August 1 of each year, the plan shall hold 25% of the expected annual claims for the upcoming plan year in reserves. If the plan fails to hold the required reserve, the plan rates for the following year shall increase to a level sufficient to fund the run out liability.

217.200 - Maximum liability reserve

Purpose: The plan carries stop-loss reinsurance in the amount of 125% of our expected annual claims. In order to plan for catastrophic losses, the plan needs to charge a premium or carry sufficient reserves to cover the maximum liability that could occur.

Funding Requirement: Based on reserve balances as of August 1, the plan shall either charge a premium equal to 125% of expected annual claims or shall carry sufficient maximum liability reserves were the premiums and reserves equal 125% of the expected annual claims for the upcoming year.

217.250 - Rate stabilization reserve

Purpose: The goal of making a change to the county health insurance structure in 2014 is to ultimately smooth out health insurance costs from year to year. It is important to increase the rate stabilization reserve in good years and to spend down the rate stabilization reserve in bad years. This will allow rates to fluctuate in a predictable manor. When funding allows it, it is the goal of the county is to carry a rate stabilization reserve equal to 50% of the expected annual claims.

Developing and using the rate stabilization reserve: Once the run out liability and the maximum liability reserves have been full funded, any excess funds shall be placed in the rate stabilization reserve.

217.300 – Setting Premiums

Annually, the County will receive the annual expected claims for the upcoming year from our third-party administrator (tpa). The annual expected claims data from the tpa will also include rate information for the various plans provided by the County. The County will base the upcoming year's rates using the following steps:

- 1) Rates shall be increased to fund any deficit created in the run out liability and maximum liability reserves.
- 2) After any rate increases are applied based on step 1, then the tables in Appendix A shall be used as a guide in developing the upcoming year's rates. In all cases, the County Board may deviate from these guidelines, if justifiable.

AUTHORED BY: County Administrator
DATE: 10-10-2013

APPROVED BY: County Board
DATE: 10-15-2013

Appendix A

The following tables are to be used as guides in developing health insurance rates for future years. In all cases, the County Board could deviate from these guidelines when it is found justifiable.

Expected annual claims increase less than 5%:

Rate stabilization reserve funded at:	Rates:
Less than 25%	shall increase to fully fund the rate stabilization reserve but not exceeding 10% previous year's rates.
25.1 to 50%	shall increase to fully fund the rate stabilization reserve but not exceeding 5% previous year's rates.
50.1% or more	shall be set at expected claims level.

Expected annual claims increase by 5.1% to 10%:

Rate stabilization reserve funded at:	Rates:
0 to 25%	shall increase 12.5% over last year's rates.
25.1 to 35%	shall increase 10% over last year's rate.
35.1% or more	shall be set at expected claims level.

Expected annual claims increase by 10.1% to 15%:

Rate stabilization reserve funded at:	Rates:
0 to 10%	shall increase the expected claim rate plus 1%.
10.1% to 25%	shall be set at expected claims level.
25.1% or more	shall increase 10% over last year's rate.

Expected annual claims increase by 15.1% to 25%:

Rate stabilization reserve funded at:	Rates:
0 to 10%	shall be set at expected claims level.
10.1 to 15%	shall be set at 5% less than the expected claim increase.
15.1 to 20%	shall be set at 7.5% less than the expected claim increase but not less than a 10% increase.
20.1 to 25%	shall be set at 10% less than the expected claim increase but not less than a 10% increase.
25.1 to 30%	shall be set at 12.5% less than the expected claim increase but not less than a 10% increase.
30.1% or more	shall be set at 15% less than the expected claim increase but not less than a 10% increase.

Expected annual claims increase by more than 25.1%:

Rate stabilization reserve funded at:	Rates:
0 to 10%	shall be set at expected claims level.
10.1 to 15%	shall be set at 5% less than the expected claim increase.
15.1 to 20%	shall be set at 10% less than the expected claim increase.
20.1 to 25%	shall be set at 15% less than the expected claim increase but not less than a 10% increase.
25.1 to 30%	shall be set at 17.5% less than the expected claim increase but not less than a 10% increase.
30.1% or more	shall be set at 20% less than the expected claim increase but not less than a 10% increase.

**Swift County Board Of Commissioners
Policy Manual**

Policy Statement

Title **A Workplace Accident and Injury Reduction Program (AWAIR)**

Code **301**

REFERENCE

Minnesota Department of Labor & Industry OSHA, Chapter 182, 5205.5206, 5210 and the Occupational Safety and Health Standards for General Industry (29 CFR 1910 and 1926, if any construction occurs)

PERSONNEL RESPONSIBLE

All County Employees

EFFECTIVE DATE

8-27-92 (Updated 12-1-99; Reviewed 5-25-01)

POLICY

The attached is the Swift County Workplace Accident and Injury Reduction Program (AWAIR) policy document.

AUTHORED BY: Ron Vadnais
DATE: 8-27-92

Approved By: County Board
Date: 8-27-9

301.100 - Responsibilities and Authorities

301.110 - General - It is the policy of Swift County to assign safety responsibilities to individuals and the individuals having responsibilities defined herein may delegate performance of their duties to others. However, the responsibility shall not be delegated.

301.120 - Purpose - The purpose of this procedure is to identify the duties and responsibilities of Swift County employees as they pertain to the safety program. These duties and responsibilities should be viewed as minimums and in no way are employees limited to these activities.

301.130 - Application - This procedure is applicable to all Departments and/or management groups.

301.140 - Responsibilities and Authorities

301.141 - County Commissioners have overall responsibility for the direction of Swift County and for the establishment of the safety program policy.

301.142 - Department Heads, heads of management groups and/or individuals County facilities have overall responsibility and authority for the safety program development and implementation at this level.

301.143 - The County Safety Officer has the responsibility to monitor the safety program implementation at the Department level, periodically report the status and adequacy of the safety program to the County Commissioners; and maintain the policy manual. The County Auditor shall maintain safety program records, OSHA 200 LOG, insurance records and accident reports.

301.144 - Department Heads have overall authority and responsibility for the safety program as implemented in their individual departments. Specific responsibilities include, but are not limited to:

1. Review the OSHA General Industry Safety Standards and become knowledgeable of Federal, State and local standards.
2. Review the County Safety Program and make recommendations for changes to the County Safety Officer or Safety Committee member.
3. Maintenance of the Safety Program documentation.
4. Ensure that employees are aware of their specific duties and responsibilities.
5. Perform investigations of all serious accidents. Completion of necessary documents such as Department Head's Appraisal and recommendation (Appendix A) and Follow-Up Documentation (Appendix B).
6. Various Department Heads shall serve on the County Safety Committee.

301.145 - Department Heads/Supervisor

1. Shall have a complete copy of the Safety Program available and be thoroughly familiar with it so that they understand their own and other employee's

- responsibilities.
2. Should review Accident/Incident Investigation Report (Appendix C) documents in order to keep informed of the job accident record and insist on appropriate action when trends are unfavorable.
 3. Should investigate serious accidents personally to ensure that causes have been identified and proper correction action taken.
 4. Should determine that tools and equipment are in first class condition. Any tools or equipment that are defective or unsafe shall be removed from the job working area and tagged. Tags should be tagged indicating "Do Not Use."
 5. When new operations or materials are introduced, Department Heads should be satisfied that the necessary precautions have been exercised.
 6. Should monitor the written Safety Program reports to see that they are being fully and correctly completed.
 7. Instruct Department employees of the Safety Program administrative procedures to be followed, the safe conditions that are to be maintained throughout the Department and instruct workers in proper and safe practices.
 8. Make available necessary personal protective equipment, job safety materials, and first aid materials.

301.146 - Supervisor/Foreman/Leadmen shall be responsible for accident prevention for their work group.

1. Make prompt and proper preventative investigation of accidents as outlined in the Accident Investigation Policy (301.400).
2. Provide complete instruction of safety to employees prior to assignment of duties. Follow-up and provide additional instruction as appropriate.
3. Make continuous inspection for unsafe practices and conditions; initiate needed corrective actions.
4. Enforce safety regulations in effect.
5. See that injuries are reported, properly treated, and documented.
6. Conduct safety meetings regularly.
7. Oversee correct maintenance of tools and equipment.
8. Instill safety awareness in employees through personal contact.
9. Take an active part in planning safety into new operations.
10. Make sure that required safety equipment is on hand and being used.

301.147 - Employees

1. The County expects each individual employee to cooperate in every respect with the Safety Program so that the operations may be carried on in such a manner as to ensure the safety of the individual and their fellow employees. The employee's responsibility is to be consistent with OSHA regulations, County Employee Handbooks, County-wide safety rules, Department safety rules and specific job training.
2. Work according to good safety practices as posted, instructed and discussed.
3. Refrain from any unsafe act that might endanger the individual or fellow employees
4. Use all safety devices provided for their protection.
5. Report any unsafe condition or act to their foremen, superintendent, or safety representative immediately using the Employee Report of Unsafe Conditions

- document (Appendix D).
6. Assume their share of responsibility for thoughtless or deliberate acts that cause injury to individuals or their fellow employees.
 7. Report all injuries to their supervisor.
 8. Maintain a clean and safe work area.

301.200 - Hazard Identification

301.210 - General - It is the policy of Swift County to ensure that individuals having responsibility and authority to supervise County employees shall be required to ensure the hazards that employees are exposed to are properly identified.

301.220 - Purpose - The purpose of this procedure is to outline the processes that County management shall use in the identification, analysis, and control of new or existing hazards, conditions, and operations.

301.230 - Application - This procedure is applicable to all operating Departments within the County and the administration shall be the responsibility of the respective Department Heads. The duties herein may be delegated to other levels of management or operation, but responsibility shall not be delegated.

301.240 - Procedure

301.241 - Departmental Workplace Survey - Planned Inspection - Surveys and inspections are an important part of an effective loss control program. Safety hazards are a risk to the operation of the County. Inspections provide an early warning system that allows a manager to make the changes needed to keep things running smoothly. There are many types of inspections:

1. Basic conditions inspection, a regular check (weekly, monthly, quarterly) of overall operations and conditions that review the effectiveness of the continued surveillance above.
2. Critical parts inspections planned as part of your preventive maintenance program. They cover specific items, using established procedures, at scheduled times, performed by designated persons.
3. Vehicles and heavy equipment should have a pre-use check form completed by the operator. This system helps assure the vehicle has required safety equipment and is in good condition.
4. Outside inspections may also be conducted by specialists including Health Departments, license inspectors, contractors and insurance providers.
5. Management audit - at the management level, an audit of your operation allows you to verify that the system of policies, procedures, and guidelines you set up are being followed. This may be done by an outside contractor.

301.242 - System for Reporting

1. Investigating and evaluating hazards reported by employees should be established. Employees are often the first to notice hazards as they evolve.

2. A questionnaire or form should be developed for employees to survey and report hazards in the work place. A suggested document is contained in Appendix D, Employee Report of Unsafe Conditions.

301.243 - As part of a hazard identification process, managers should review:

1. OSHA 200 log
2. Insurance loss reports
3. Claim status reports

301.244 - Job hazard analysis should be conducted when appropriate and this information collection should include:

1. Key job steps.
2. Tools/materials used.
3. Potential hazards, conditions or actions which could cause injury or offset health.
4. Recommendations as to safe practices, protective equipment and typical procedures.
5. Make recommendations to deal with hazards in terms of:
 - a. engineering practices
 - b. management of hazards
 - c. use of personal protective equipment

301.300 - Safety Training

301.310 - General - It is the policy of Swift County to train all employees of Swift County in their individual safety responsibilities. This applies to all levels of management, non-management and volunteers.

301.320 - Purpose - The purpose of this procedure is to ensure that all employees are trained in dealing with hazards in the work place and hazardous work activities.

301.330 - Application - This procedure is applicable to all Departments.

301.340 - Procedure

301.342 - The foreman is to provide training in the use of personal protection equipment gear and safe practices on an "as-needed-basis."

301.343 - Periodic safety training is to be provided in the safety meetings and other formal meetings or correspondence as deemed appropriate by the Department. The Department Head or foreman is to ensure that each individual employee is suitably instructed and knowledgeable in the use of equipment and personal protective equipment.

301.344 - As determined by the Department Head, special safety training seminars presented by safety professional, will be presented to selected employees.

301.345 - Copies of suitable safety information is to be available to employees.

301.346 - Employees are encouraged to submit pertinent safety recommendations.

301.347 - Safety Meetings

1. The Department Head will conduct safety meetings with the Department employees at the time and place as determined by the Department Head.
2. The purpose of these meetings are to include the following:
 - a. General promotion of accident prevention efforts on a continuing basis.
 - b. Review of past accidents and any outstanding safety recommendations.
 - c. Discussion of safety inspections performed since the previous meeting.
 - d. Evaluation of foreman's safety meeting including suggestions and requests.
3. A selected safety subject will be presented by the Department Head in an effort to broaden the group's knowledge and stimulate continued, active regard for accident prevention.
4. Upon request, the County Safety Officer will provide materials on selected topics for the meeting.
5. A brief report of each meeting is to be kept within each Department.

301.348 - Department Employee

1. The foreman will conduct safety meetings with the employees at a time and place determined by the Department Head. These meetings should be about five to ten minutes in duration and should be held at regular intervals.
2. The purpose of these meetings is to include the following:
 - a. Review current job conditions as they related to accident prevention.
 - b. Identify conditions which are adverse to safety.
 - c. Review use of safety practices and/or protective equipment.
3. The foreman is to document the meeting subject, attendees and suggestions. Identified conditions adverse to safety are to be acted upon by the lowest level of supervision practical. This file should be maintained by foreman or Department Head in an accessible location.

301.349 - County Safety Committee

The County Safety Committee consisting of various Department Heads, employees, and the County Safety Officer will periodically review the following:

1. Accident frequencies and losses.
2. Overall compliance with the Safety Program.
3. Areas in the program that may require broader development.
4. Status of any outstanding recommendations.
5. The Committee shall review and update the Safety Program policies annually.

301.350 - Additional forms of training may include:

1. Written handouts.

2. One-on-one.
3. OJT - hands on.
4. Group
5. School or outside training.
6. Area seminars.

301.400 - Accident Investigation

301.410 - General - It is the policy of Swift County to investigate all accidents or business interruptions that are the result of actions involving employees requiring no treatment, first aid only, doctor's care restricted work activity, incidents involving property or liability, lost time or near miss. This also would include injury or potential injury to persons not employed by the County but injured on County property.

301.420 - Purpose - The purpose of this procedure is to identify the actions to be taken to control losses and determine the cause(s). The accident investigation process is not to "fix blame" but to assure minimal injuries, collect recent data and determine what corrective action must be made to prevent similar accidents.

301.430 - Application - This procedure is applicable to all Departments and those accidents which result in loss of life, injury, loss of property, or claims of General Liability. The basic steps of this procedure that pertain to the investigation of the cause of the accident should also be practiced for those accidents which result in less serious injuries and/or damage to property as identified in the operating policy.

301.440 - Procedures

301.441 - General

1. An accident can suddenly create a needless, costly business disruption. A supervisor can help prevent a recurrence by conducting a thorough accident investigation.
2. Accident investigation plans must be ready to go before the accident happens and ending after the accident site is cleared and the evidence is gone.
3. The Department Head or supervisor if designated is ultimately responsible for accidents in his/her work area. Department Heads/supervisors are involved because they know the people and the equipment in their area.
4. The investigation should be as prompt as possible because the reliability of information declines after the accident. Once the process begins, you investigate to:
 - a. Determine the causes of the accident.
 - b. Identify and eliminate a hazard.
 - c. Discover a deviation from standard procedure.
 - d. Make a recommendation to management to correct hazards and causes.
 - e. Provide technical assistance where it is needed.
5. If all of the facts are determined to be good, then the corrections often suggest themselves. Accurate information yields good decisions.

301.442 - When completing the Accident/Incident Investigation Report (Appendix C), the investigator should use the following guidelines, based on severity and type of injury, as identified on the Report document. The nature and severity of the injury or accident will determine what information is to be gathered and the routing of the completed investigation report. In all cases, the Report document should be completed within 24 hours of the accident or incident. In the case of injury to employees, the Report and process should be completed by the individual that the insured employee reports to, In the case of liability and property losses, the County Auditor should complete the Report.

1. No Treatment Needed - No Treatment Needed would be an accident classification involving a County employee but not requiring any medical treatment. These accidents should be investigated by the individual supervisor and kept on file for monthly and annual review. The monthly and annual review should be conducted by the appropriate Department Head.
2. First Aid Only - First Aid Only is a category of injury which requires first aid treatment for an injured employee but does not constitute any lost time, restricted work or treatment by a physician. These reports should be completed by the supervisor the employee reports to and a summary of first aid reports should be routed to the Department Head on a regular basis.
3. Doctor's Care - Doctor's Care is a classification of injury to an employee which required medical treatment beyond first aid. This medical treatment would be administered by a physician but the employee would be able to return to work with no restrictions. This type of injury should be investigated by the individual supervising that employee and upon completion of the Report, the Department Head should be immediately notified.
4. Restricted Work Activity - Restricted Work Activity is an accident classification in which an employee has received treatment by a physician and has been allowed to return to work with some restrictions to his or her work activity. Accidents in this classification should be investigated by the first line supervisor or Department Head to whom the employee reports to and should be immediately reviewed by the Department Head.
5. Incident - Incident is a category of accidents or losses which may involve property or general liability, and could also involve individuals that were not employees of the County. These types of incidents should be investigated by the supervisory personnel in charge of the specific property or equipment involved in the incident.
6. Lost Time - Lost Time accidents is a classification of accident in which an employee is injured and is unable to work on the following full day of scheduled work activities. This scheduled work activity day may include holidays and weekends. This classification of accident should be investigated by the supervisor to which that employee reports to, and the specific Department Head of the Department that employee works in. This report should be completed within 24 hours and corrective action should be identified and implemented as soon as possible. Lost Time Accident Reports should be forwarded to the County Auditor and County Safety Officer. The Department Head should also keep a copy for their files.

301.443 - Corrective Action

Corrective action is identified in numerous places in the accident investigation process. This corrective action should be identified by the individual completing the accident investigation, if it is in the realm of this individual's responsibilities. In the cases where higher authority is needed to make corrective action, the Accident/Incident Investigation Report when completed, should be routed to that individual. Also, where Department Heads review Accident/Investigation Report documents, they should ensure that they are in agreement with the corrective action to be taken.

Corrective actions can be, but are not limited to, training or retraining of employees, supervisors, establishing new operating procedures, corrective or changing existing operating procedures, correcting or changing existing operating procedures, repair of equipment, the purchase and implementation of personal protective equipment and many other types of activities.

When developing a correction action process, it would be appropriate that this process be done in a step-by-step fashion and the Accident/Incident Investigation Report be used in this development process. Items to be considered in the corrective action process should be: What is going to be corrected; How it is going to be corrected; Who is going to correct this; and, When is this corrective action expected to be completed. Also, following the implementation of the corrective action process, at some time in the future, i.e. six or 12 months, the corrective action should be reviewed to ensure that it is accomplishing the desired result.

301.500 - Work Rule Enforcement and Discipline

301.510 - General - Safety and health rules should be administered in the same way other work rules and activities are administered.

301.520 - Purpose - The purpose of this policy is to ensure that managers, supervisors and employees understand their responsibilities and rights related to safety and health rule compliance and enforcement.

301.530 - Application - This policy is applicable to all County employees. This includes but is not limited to: Commissioners, managers/Department Heads, supervisors, foremen, hourly and part-time employees, seasonal and volunteers.

301.540 - Procedure - The following are a few general safety rules that all employees should be aware of:

301.541 - Report all accidents to your supervisor/Department Head immediately whether injured or not to help correct problems. Get first aid for all injuries. Even small cuts can become serious if neglected.

301.542 - Report any unsafe act or conditions to your supervisor. Your active support for

the Safety Program helps protect you from injury.

301.543 - Use or maintain machines or equipment only if authorized by your supervisor. Operate all equipment as instructed. Ask your supervisor if you have questions about instructions.

301.544 - Inspect tools, materials, equipment, and work areas before use. Report conditions to your supervisor. You are not expected to take risks.

301.545 - Assure that all machine guards and safety devices are in place before operating equipment.

301.546 - Use and care for personal protective equipment required for your job.

301.547 - Practice good housekeeping at all times. Help make your work place healthy, pleasant and safe. Pick up or clean up those little things that can cause slips, trips or falls.

301.548 - Avoid horseplay. Practical jokes often end up as serious injuries.

301.549 - Obey no-smoking areas. It guards areas with fire hazards and protects your health and the health of fellow employees.

301.600 - Discipline

301.610 - Purpose - Establishing a discipline policy creates a standard disciplinary process which encourages a supportive problem-solving approach to problems.

301.620 - Process - The disciplinary process described on the following pages outlines a progressive approach for responding to safety problems. However, the action to be taken depends on the nature of the offense and, in some cases, the employee's past record. The response to an offense can range from informal counseling to immediate termination from employment. No employee is guaranteed the right to progressive discipline. Management may exercise judgment in determining if the severity of the employee's action should result in immediate dismissal. For purposes of the following discipline process, "offense" will refer to any and all employee safety offenses, complaints and violations.

301.621 - First Offense - The normal response to a first offense is to give the employee an informal warning and to counsel the person on what needs to change and how it must change. The following conditions apply to the informal warning:

1. Although the warning will be made verbally to the employee, it will also be documented, with a copy of the documentation given to the employee.
2. The employee does not need to sign the documentation on the informal warning.

301.622 - Second Offense - In the event of a subsequent offense, a formal written warning will be given to the employee. The following conditions apply to the formal written warning:

1. The written warning will clearly describe the specific offense and warn the employee

of the possible future consequences if there are additional offenses. Possible future consequences include: final warning, suspension, and/or discharge.

2. The supervisor will ask the employee to acknowledge his or her receipt of the warning by signing the written warning document. If the employee refuses to sign the document, the refusal will be witnessed by a second supervisor. The second supervisor will sign the document, indicating that the employee saw the warning and refused to sign.
3. A formal written warning does not need to involve either the same offense for which prior counseling was given or an equivalent offense.

301.623 - Third Offense - A formal warning may be issued if another offense occurs. The following conditions apply to the final warning:

1. The final warning will be in writing and specifically state that the employee may be discharged for any subsequent offense or failure to meet previous counseled recommendations.
2. The supervisor/Department Head may suspend the employee for a fixed period if it is deemed appropriate.
3. The final warning does not need to involve either the same offense for which prior counseling (or a written warning) was given or an equivalent offense.
4. If the employee commits any further offense, or fails to improve performance to meet the standards specified in the formal written warning, the employee may be terminated.
5. No supervisor/Department Head may terminate any employee without first reviewing the decision with the Safety Committee and/or the County Commissioners.

301.624 - Violations will be kept on record for a period of two years from date of last violation.

301.625 - Management reserves the right to deviate from this policy when circumstances warrant.

**Swift County Board Of Commissioners
Policy Manual**

Policy Statement

TITLE

Swift County Drug and Alcohol Abuse Policy for Operators of
Commercial Vehicles

CODE

302

REFERENCE

Omnibus Transportation Employee Testing Act of 1991
US Department of Transportation Title 49 CFR, As Amended

PERSONNEL RESPONSIBLE

All County Employees

EFFECTIVE DATE

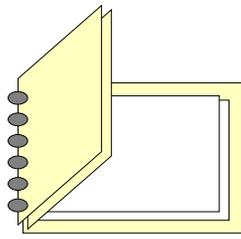
12-19-95 (updated 12-19-00; 10-6-06)

POLICY

The attached document is the **Swift County Drug and Alcohol Abuse Policy For Operators of Commercial Vehicles**.

AUTHORED BY: Luthard Hagen
DATE: 11-9-00

APPROVED BY: County Board
DATE: 10-17-06



Swift County

Drug and Alcohol Abuse

Policy

For Operators of

Commercial Vehicles

302.100 to 302.260

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302.100 General

Swift County is committed to providing the safest possible working conditions for all County employees. In this regard, the health and well-being of every employee is of vital importance. Recognizing that drug and alcohol abuse is an insidious problem that can creep up on and afflict even the most well-intentioned individual, the following is the **Swift County Policy on Drug and Alcohol Abuse** with drug and alcohol testing provisions for those individuals working in safety-sensitive positions as mandated by the Omnibus Transportation Employee Testing Act of 1991. This policy is also intended to comply with applicable Federal Regulations governing drug and alcohol testing programs as required by law. The US Department of Transportation Title 49 Code of Federal Regulations (CFR) Parts 40 and 382, as amended, mandates urine drug testing and breath alcohol testing for safety-sensitive positions and sets standards for the collection and testing of urine and breath specimens.

302.110 Purpose - The purpose of this policy is to inform everyone that all employees of Swift County are strictly prohibited from using, possessing, selling, transferring, or being under the influence of drugs or alcohol while working or performing job duties or while on any premises of Swift County, or while operating Swift County vehicles or machinery and equipment. Employees working in safety-sensitive positions will not perform safety-sensitive functions within four hours after using alcohol. Drugs are defined as any controlled substance. Any employee of Swift County found to be in violation of this policy is subject to discipline up to and including termination of employment in accordance with the provisions and procedures of the **Swift County Personnel Policy** or relevant collective bargaining agreements.

302.120 Applicability

The policies and procedures outlined herein concerning the use of alcohol and drugs apply to all employees of Swift County in all Departments and operating elements. Additionally, the Omnibus Transportation Employee Testing Act and the US Department of Transportation Title 49 CFR requires that all employees whose job duties include operating a commercial vehicle and who are required as a condition of employment to possess a Commercial Driver's License (CDL) shall be subject to drug and alcohol testing. Commercial Motor Vehicle (CMV) means a motorized vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

- (1) has a gross combination rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pound; or
- (2) has a gross vehicle weight rating of more than 26,001 pounds; or
- (3) is designed to carry 15 or more persons including the driver; or
- (4) is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded.

Everyone employed by Swift County whose job duties require them to possess a CDL and who operates, maintains, or dispatches commercial motor vehicles will be subject to drug and alcohol testing.

302.130 Responsibilities and Authorities

302.131 Authorities - For a complete listing of authorities refer to **Appendix A**.

302.132 Responsibilities

1. **Department Heads** are responsible for the implementation of this policy and shall:

- (1) Be thoroughly familiar with this policy and program, their responsibilities, and those of their employees.
- (2) Ensure Department employees are instructed in this policy and procedures.
- (3) Ensure time is made available for employees to undergo testing if selected.
- (4) Ensure supervisors and employees know and understand the probable cause criteria used to evaluate and select individuals for other than random selection testing outlined in **Appendix C** of this policy.

(5) Ensure post-accident tests are conducted as prescribed in this policy.

2. Supervisors, Group Leaders, Foremen are responsible for the drug and alcohol abuse and testing program for their work group. Accordingly, they will:

- (1) Be thoroughly familiar with this policy and program to include the definitions presented in **Appendix B**.
- (2) Be familiar with the evaluation criteria for which an individual employee should and is referred for an other than random drug and alcohol test as outlined in **Appendix C**.
- (3) Ensure employees selected for a drug and alcohol test arrive at the specified test site within the prescribed times.
- (4) Ensure post-accident tests are conducted as prescribed by this policy.
- (5) Ensure employees have a safe and healthy work environment and are kept aware of the dangers of drugs and alcohol and the need for impartial, random testing.
- (6) Take an active part in the implementation and enforcement of this policy.
- (7) Keep his/her Department Head informed about matters of drug and alcohol abuse that affects the performance and safety of the people under his/her supervision.

3. Employees are responsible to:

- (1) Be thoroughly familiar with this policy and program and with the dangers to self, co-workers and equipment that result from the use of drugs and alcohol.
- (2) Refrain from using drugs other than as prescribed by a physician.
- (3) Keep supervisors informed of any physician-prescribed medications and any work restrictions pertaining to their use.
- (4) Refrain from using alcohol during periods that interfere with work processes and procedures.
- (5) Be familiar with the definitions outlined in **Appendix B** of this policy and program.
- (6) Be familiar with the evaluation criteria for which an individual can be referred for an other than random drug and alcohol test as outlined herein and discussed in **Appendix C** to this program.
- (7) Understand that, while not a presumption of use, the system of random and other testing specified and mandated by the Omnibus Transportation Employees Act is not voluntary and compliance is a condition of continued employment.
- (8) Agree to prescribed testing and possible follow-on consultations as outlined in this policy.
- (9) Arrive at the prescribed test site in the time specified.
- (10) Report immediately all accidents to their supervisor.
- (11) Be alert to what it takes to keep a safe and healthy work environment and keep his/her supervisor or Department Head informed about matters of drug and alcohol abuse that affects the safety of self, coworkers, and citizens.

302.140 Circumstances Under Which Drug and Alcohol Test Will Be Required Or Requested

302.141 - Pre-Employment - All safety-sensitive position applicants shall undergo testing prior to transfer or hire into a safety-sensitive position. Receipt of a negative drug test result is required prior to employment. If an applicant drug test is canceled, the County reserves all rights to withdraw the offer for employment. If an offer is still granted, the applicant must take and pass the test before employment. A pre-transfer test will also be performed like a pre-employment test anytime a person's status changes from an inactive status of a safety-sensitive position to an active status.

302.142 - Reasonable Suspicion - A drug test is required if Swift County has a reasonable suspicion that an employee holding a CDL has violated the provisions of this policy regarding alcohol or controlled substances. Reasonable suspicion is determined using the indicators of use outlined in **Appendix C** to this policy. Reasonable suspicion alcohol tests will be administered as soon as practical within two hours. If an alcohol test is not taken within two hours, the reason will be documented. If an alcohol test is not

administered within eight hours, all attempts to administer the alcohol test will cease and the reason documented. Test results and documentation will be forwarded to the individual's confidential testing file.

302.143 - Post-Accident - A post-accident alcohol and drug test is required and will be administered if an employee operating a Swift County commercial motor vehicle is involved in an accident, as defined in **Appendix B** of this policy. The employee must provide an alcohol test sample as soon as possible after the accident, with any delay beyond two hours documented. After eight hours, attempts to conduct an alcohol test, if not earlier administered, will cease and reasons documented. Additionally, employees must provide a urine sample for controlled substances testing as soon as practical after an accident. An employee subject to post-accident testing must remain available for testing or the employee will be considered to have refused to submit to testing. Employees are prohibited from using alcohol for eight hours following an accident or until they have undergone a post-accident alcohol test, whichever comes first.

302.144 Random Testing - The names of all employees meeting the required testing criteria outlined above and subject to this policy will be placed in a common selection pool. Names will be randomly selected from this selection pool for unannounced alcohol and controlled substances testing using a computer-based random number generator that is matched with an employee's identifying number. The Federal Highway Administration (FHA) rules require Swift County to conduct random controlled substance testing of 50% of the average number of employees and random alcohol testing on 10% (or as required) of the average number of employees in the selection pool per year. A consequence of random selection is that any one employee has an equal chance with all other employees in the pool to be tested again or not at all in any given testing period. Tests will be spread reasonably throughout the year. Alcohol testing will be performed just before, during, or after an employee's performance of safety-sensitive duties and within the two hours of notification. Therefore, employees selected for testing must proceed immediately to the testing site when notified in accordance with the procedures for supervisor notification and work continuation policies established by the Department Head.

302.145 Return-To-Duty-Testing - An employee found to have violated this policy will not be allowed to return to work until return-to-duty tests have been taken that indicate a blood alcohol concentration of less than 0.02 and a verified negative result for controlled substances.

302.146 Follow-Up Testing - Following a determination by a substance abuse professional that an employee is in need of assistance in resolving problems with alcohol and/or controlled substances use/abuse, the employee will be subject to six or more unannounced follow-up tests as directed by the substance abuse professional. Follow-up testing will not exceed 60 months from the date of the employee's return to duty.

302.150 Procedures for Drug and Alcohol Testing

302.151 Controlled substances testing is conducted by analyzing an employee's urine specimen. Employees selected for testing will provide a urine sample at a designated collection site. Urine samples will be split in accordance with Federal Highway Administration regulations.

302.152 If the employee is unable to provide the appropriate quantity of urine, the collection site person will instruct the employee to drink not more than 24 ounces of fluids and, after a period of no more than two hours, again attempt to provide a complete sample. If the employee is still unable to provide a complete sample, the testing site person will cease attempts and notify the contracted Medical Review Officer (MRO) who will refer the employee for a medical evaluation to determine if the employee's inability to provide a specimen is genuine or constitutes a refusal to test.

302.153 Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports negative results to the Swift County Engineer. The negative report is filed in the individual's confidential file and no further action is necessary. If the test result is confirmed positive, the MRO will first contact the employee directly, on a confidential basis, to determine whether the person wishes

to discuss the positive result. The MRO will review any medical records supplied by the employee to determine if a confirmed positive test is the result of the employee having taken legally prescribed medication. When an employee challenges the laboratory test and positive result, the MRO will notify the employee that he/she has 72 hours in which to request a test of the split specimen. Tests of the split specimen are at the employee's expense unless the original test is found to be in error, at which time Swift County will assume the responsibility for the split testing. The MRO will report a positive test result to the Swift County Engineer only after determining and documenting that there is no legitimate medical reason for a positive test result as received from the testing laboratory.

302.154 If the MRO is unable to contact the individual directly after making reasonable, documented efforts, he will contact the Swift County Engineer who will direct the employee to contact the MRO. The Engineer will inform the MRO about vacationing individuals or individuals absent from work because of other special circumstances and who are therefore unable to undergo testing at the time selected or who otherwise are unable to contact the MRO in a timely manner. If the engineer is unable to contact a person who otherwise should be available for testing or contacting the MRO, the employee will be placed on suspension until the employee undergoes testing or contact the MRO, as the case may be.

302.155 The MRO may verify a positive result without having communicated directly with the employee about the test under the following circumstances:

- (1) The employee expressly declines the opportunity to discuss the test results.
- (2) The employee has not contacted the MRO within 5 days of being instructed to do so by the Engineer.

302.156 Federal Highway Administration alcohol test rules require breath testing be administered by a breath alcohol technician (BAT) using an evidentiary breath test (EBT). Two breath tests are required to determine if a person has a prohibited alcohol concentration. Any result less than 0.02 alcohol concentration or less is considered a negative test. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted. If an employee attempts and fails to provide an adequate amount of breath, the County Engineer will direct the employee to obtain written evaluation from a licensed physician to determine if the employee's inability to provide a specimen is genuine or constitutes a refusal to test. Alcohol test results are reported directly to the County Engineer.

302.160 Licensed Testing Laboratory

Swift County with the Association of Minnesota Counties through the Minnesota Counties Insurance Trust has contracted with a laboratory certified to perform controlled substances testing according to Department of Health and Human Services regulations.

302.170 Prohibited Drug and Alcohol Related Conduct

The following alcohol and controlled substance-related activities are prohibited by the FHWA rules for drivers of commercial motor vehicles.

302.171 Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

302.172 Being on duty or operating a commercial motor vehicle while the employee possesses alcohol. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is intact and the contents cannot be obtained.

302.173 Using alcohol while performing safety-sensitive functions.

302.174 Performing safety-sensitive functions within four hours after using alcohol.

302.175 When required to take a post-accident test, using alcohol within eight hours following the

accident or prior to undergoing a post-accident alcohol test, whichever comes first.

302.176 Refusing to submit to an alcohol or controlled substance test required by post-accident, reasonable suspicion, random, or follow-up testing requirements.

302.177 Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any controlled substance, except when instructed by a physician who has advised the individual that the substance does not adversely affect his/her ability to safely perform the work or drive a CMV.

302.178 Reporting for duty or remaining on duty or performing a safety-sensitive function, if the person tests positive for controlled substances.

302.180 Consequences to Employees Engaging in Prohibited Conduct

Employees of Swift County who have engaged in prohibited conduct are subject to the following consequences as determined by the FHWA.

- (1) They will not be permitted to perform safety-sensitive duties.
- (2) They will be advised by their Department Head of the resources available to them in evaluating and resolving problems associated with misuse of alcohol or use of controlled substances.
- (3) They will be evaluated by a Substance Abuse Professional who will determine what assistance, if any, the person needs to resolve problems associated with alcohol misuse and/or controlled substance misuse.
- (4) A substance abuse professional will follow-up those referred for assistance to determine that the employee has followed the prescribed rehabilitation program.
- (5) Before an employee returns to duty requiring performance of a safety-sensitive function, he/she will undergo return-to-duty testing with a result indicating a breath alcohol level less than 0.02 and/or a negative result if the conduct involved the use of a controlled substance.
- (6) Additional unannounced follow-up alcohol and controlled substance testing will also be conducted.
- (7) Rehabilitation programs and substance abuse professional services will be available through current health insurance programs. Any co-payments or uncovered services are the responsibility of the employee.

302.190 Other Alcohol Related Conduct

In the event the alcohol breath test of a CDL driver registers between 0.02 and 0.04, FHWA rules require that the individual not perform safety-sensitive functions within the next 24 hours. **Table 1** summarizes, for clarity, the policy of Swift County and applicable FHWA rules.

302.200 Consequences of Refusal to Undergo Testing

Everyone has the right to refuse to undergo drug and alcohol testing. If an individual refuses to undergo drug and alcohol testing required by this policy, no such test shall be given. There are negative consequences, however, as follows: An employee refusing to take a drug and alcohol test required by this policy will not be permitted to perform safety-sensitive functions, will be considered insubordinate, and will be subject to disciplinary action in accordance with the **Swift County Personnel Policies** or collective bargaining agreement, but not both.

302.210 Employee Rights

- (1) All employees subject to the drug testing provisions of this policy have the right to request a retest of the split urine sample within 72 hours of receiving notice of a confirmed positive test result.
- (2) If the confirming test is negative, no adverse action will be taken against the employee.
- (3) Swift County will not discharge an employee that, for the first time, receives a verified

positive drug or alcohol test result unless:

(A) The employee refuses to meet with a substance abuse professional for the purpose of an evaluation for alcohol/controlled substance use/abuse and recommendation for an educational, counseling, or treatment program.

(B) The employee fails to enter the recommended program or fails to successfully complete the program.

(C) The employee fails a return-to-duty alcohol or substance test at the successful completion of the recommended program or subsequent unannounced follow-up alcohol and controlled testing as outlined in (4).

(4) Subsequent occurrences at the 0.02 to 0.0399 level will be dealt with as follows:

(A) First occurrence - 24 hours no drive. If work conditions allow, employee may return to work to perform non-safety-sensitive duties. If work conditions do not allow, employee is sent home and may use sick leave or vacation.

(B) For second time occurrences, the employee is sent home until 24 hours No Drive period has expired. Employees may use accumulated vacation or sick leave.

(C) A third occasion at any time during the individual's employment with Swift County is grounds for immediate discharge from employment with the County.

(5) Occurrences at the 0.04 level and up and/or a positive controlled substance test will be dealt with as listed in **Section 301.180** and/or **Table 1** of this policy and summarized as follows:

(A) First occurrence - suspension. Employee may use accumulated vacation and sick leave. After exhausting accrued leave, the employee will be placed on unpaid leave.

(B) A second occurrence at any time during the individual's employment with Swift County is grounds for immediate discharge from employment with the County.

302.220 Discipline

302.221 Any person found to be in violation of this policy is subject to discipline up to and including discharge. Disciplinary actions taken pursuant to this policy are appealable pursuant to the procedures established in the applicable collective bargaining agreement.

302.222 Nothing in this policy limits or restricts the right of Swift County to discipline or discharge an employee for conduct which violates the policies and rules of Swift County provided the employee is not tested for controlled substances or alcohol at which time the conditions of this policy apply.

302.230 Confidentiality of Test Results

All alcohol and controlled substances test results and required records are considered confidential information. Any information concerning an individual's test results and records shall not be released without the prior knowledge of the individual except as provided for by law or other regulation.

302.240 Alcohol and Controlled Substances Contact Person

The Swift County Engineer is responsible to coordinate the implementation, direction and administration of this policy and program. As such, the Engineer is the principal point of contact within Swift County for the collection site, the testing lab, the MRO, the BAT and the person tested. The name of the Swift County Engineer and contact person is:

Swift County Engineer
Telephone: 320-843-5251
Fax: 320-843-3543

302.250 Modifications and Changes

Swift County retains the right to modify this policy to conform to changes in regulations, laws, or at the discretion of the Swift County Board.

302.260 Acknowledgment

Employees performing safety-sensitive functions as defined herein and subject to alcohol and substance abuse testing will sign to acknowledge they received a copy, have read, and understand this policy.

Appendix

Table 1

A. Authority

B. Definitions

C. Effects Of Drugs

D. Employee Certification

Swift County
Drug and Alcohol Abuse & Testing

Authority

OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991

A. The Omnibus Transportation Employee Testing Act of 1991 was signed by President Bush on October 28, 1991, as part of the 1992 Department of Transportation and Related Agencies Appropriations Act, (Public Law No. 102-143, 105 Statute 952). This Act requires alcohol and controlled substances testing of safety-sensitive transportation employees. Safety-sensitive positions are those that require a commercial driver=s license, i.e. commercial vehicle operators. **Reference:** As stated.

B. The Act requires the Secretary of Transportation to issue regulations requiring motor carriers A...to conduct pre-employment, reasonable suspicion, random, and post-accident testing of operators of commercial motor vehicles for use, in violation of law or Federal regulation, of alcohol or a controlled substance.@ The Federal Highway Administration (FHWA) regulates motor carriers, truck drivers, and others with commercial driver=s licenses. **Reference:** 57 Fe. Reg. 59567.

C. Section 382 of Title 49 was established to A...help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles...@ and will replace Section 391.81 Subpart H, Controlled Substances Testing. **Reference:** 49 CFR S 382.101, (1994).

D. Pre-employment drug testing is required for marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines. Pre-employment testing for alcohol is permitted. **References:** 60 Fe. Reg. 24765 (1995); MN Stat. S 181.951-7.

E. This Act preempts any state or local laws, rules, regulations, or orders that are inconsistent with this Act or that provide an obstacle to the accomplishment and execution of any requirement of this part. The United States Congress has, however, allowed state criminal sanctions for a driver=s reckless conduct that leads to loss of life, injury, or property damage. **Reference:** 49 CFR S 382.109 (1994).

Swift County
Drug and Alcohol Abuse & Testing

Definitions

Accident: An occurrence involving a commercial motor vehicle operating on a public road which results in:

1. A fatality; or
2. Bodily injury to a person who, as result of the injury, immediately receives medical treatment away from the scene of the accident; or
3. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol Concentration: The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breathe as indicated by an evidential breath test.

Alcohol Use: The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

Breath Alcohol Technician (BAT): An individual who instructs and/or assists individuals in the alcohol testing process and who operates an EBT.

Commercial Motor Vehicle: A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle;

1. Has a gross combination weight rating of 26,001 or more pounds including a towed unit with a gross vehicle weight rating of more than 10,000 pounds, or;
2. Has a gross vehicle weight rating of 26,001 pounds or more,; or
3. Is designated to transport 15 or more passengers, including the driver; or
4. Is of any size and is used in the transporting of materials found to be hazardous for the purpose of the Hazardous Materials Transportation Act which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

Confirmation (or confirmatory) Test: A second analytical procedure in drug testing to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principle from that of the screening test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry [GC/MS] is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine [PCP]). In alcohol testing, a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration.

Controlled Substances: Any substance listed in Schedule I through V of S 202 of the Controlled Substances Act (21 USCS S 812). For the purposes of this policy, the term *controlled substances* is interchangeable with the term *drugs*.

Driver: Any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers (maintenance technicians, supervisor) whose work duties require them to possess a commercial drivers license (CDL); leased drivers and independent, owner-operator contractors who are either directly employed by or under

lease to an employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer. For the purposes of pre-employment testing, the term driver includes a person applying to Swift County for a position requiring the person to possess a commercial driver=s license or perform any of the safety sensitive functions outlined herein.

Drug: *See Controlled Substances.*

Employer: Any person (including the United States, a State, District of Columbia, or a political subdivision of a State) who owns or leases a commercial motor vehicle or assigns persons to operate such a vehicle. The term employer includes an employer=s agents, officers, and representatives. Within this definition, the noun Swift County (a subdivision of the State of Minnesota) includes all individuals acting for or and on behalf of the County of Swift.

Evidential Breath Testing Device (EBT): A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath.

Medical Review Officers (MRO): A licensed physician responsible for receiving laboratory results generated by an employer=s drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual=s confirmed positive test result together with his or her medical history and any other relevant biomedical information.

Performing a Safety-sensitive Function: A driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, is ready to perform, or is immediately available to perform any safety-sensitive function.

Random Selection: A means for selection of employees for testing where each employee has an equal chance of being tested each time selections are made.

Reasonable Suspicion: A belief that the appearance, behavior, speech, or body odors of an employee are indicative of the use of a controlled substance or alcohol based on the observation of at least one (1) supervisor or official who has received training in the identification of behaviors indicative of drug and alcohol abuse.

Refuse to Submit (to an alcohol or controlled substances test): An employee is considered to have refused to submit to a test when he/she:

1. Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing; or
2. Fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing; or
3. Engages in conduct that clearly ignores or obstructs the testing process.

Safety-Sensitive Functions: Safety-sensitive functions means the following at all times from the time a driver, maintenance technician, supervisor, dispatcher begins work or is *required to be in readiness to work* until the time he or she is relieved from work and all responsibility for performing work and includes:

1. All time *waiting to be dispatched* at any location on any property, public or private, unless the driver has been relieved by a member of his/her supervisory chain.
2. All time *inspecting, servicing, conditioning* a commercial motor vehicle and related equipment.
3. All time spent *driving* an operating the controls of a commercial motor vehicle.
4. All time, other than driving time, *in or upon* a commercial motor vehicle, except time resting in a sleeper berth.
5. All time: *loading or unloading; supervising or assisting in the loading and unloading; or, attending a vehicle being loaded or unloaded; or remaining in readiness to operate the vehicle; or, giving or receiving*

receipts for shipments loaded or unloaded.

6. All time spend *performing driver requirements related to accidents* and the Federal Motor Carrier Safety Regulations.

7. All time *repairing, obtaining assistance, or remaining in attendance on* a disabled commercial motor vehicle.

Substance Abuse Professional (SAP): A licensed physician or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

Swift County
Drug and Alcohol Abuse & Testing

Employee Certification

The Employer retains the right to modify this policy to conform to changes in regulation and law.

I have received a copy of the Swift County Drug and Alcohol Abuse Policy for Operators of Commercial Vehicles and have been provided information on the following:

1. The person designated by the Employer to answer questions about these materials.
2. Who is subject to alcohol misuses and controlled substance requirements.
3. Explanation of a safety-sensitive function.
4. What driver conduct is prohibited.
5. Circumstances for drug and/or alcohol testing.
6. Procedures used to test for the presence of drugs and/or alcohol.
7. The requirement that employees submit to controlled substance and alcohol testing.
8. An explanation of what constitutes a refusal to submit to testing.
9. The consequences for drivers violating the prohibitions of this rule, including the immediate removal of the driver from safety-sensitive functions.
10. The consequences for drivers found to have an alcohol concentration level of 0.02 or greater, but less than 0.04.
11. Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life. Signs and symptoms of an alcohol or controlled substances problem and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.

Signature: _____

Date: _____

Please print name: _____

Policy Statement

TITLE

Infection Control and HIV Policy

CODE

303

REFERENCE

29CFR Part 1910

PERSONNEL RESPONSIBLE

All Department Heads

EFFECTIVE DATE

1-1-97 (Update 6-5-01; Updated 12-6-01)

POLICY

The attached is the Infection Control and HIV Policy document for Swift County.

AUTHORED BY: Safety Committee
DATE: 3-7-01

APPROVED BY: County Board
DATE: 12-6

303.100 - Infection Control Policy - It is the policy of Swift County to assist employees in the prevention and early detection of infectious diseases. It is important that employees understand the need for reporting exposures and following necessary post-exposure protocols when the County employee has been exposed to blood or other potentially infectious materials that may contain blood borne pathogens that could result in injury or disease. If an exposure occurs it is important to provide treatment and counseling for employees as soon as possible after the incident occurs. This policy should be provided to any employee requesting and it should be reviewed at least annually or whenever necessary if tasks or procedures which affect occupational exposure change.

303.200 - Definitions - For purposes of this policy, the following definitions shall apply.

303.201 - Blood borne Pathogens means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

303.202 - Exposure Incident means a specific eye, mouth, or other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

303.203 - HIV-Related Work Incident means significant exposure to infected or potentially infected body fluids. A significant exposure occurs when infectious body fluids or potentially infectious body fluids come in contact with a person's blood or mucous membranes. All body fluids contain the HIV in infected persons. These infectious secretions must come into contact with a person's mucous membranes or directly into the person's vascular (blood) system to be defined as a significant exposure.

303.204 - Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

303.205 - Other Potentially Infectious Materials means (1) the following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids; (2) any unfixed tissue or organ (other than intact skin) from a human - living or dead; and (3) HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

303.206 - Parenteral means piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts and abrasions.

303.300 - Overall Responsibility - Each Department Head has responsibility for the development of an exposure control and post-exposure control plan that will protect County staff from health hazards associated with blood borne pathogens. Countryside Public Health Services will be the designated infection control office for consultation

purposes to Department Heads.

303.400 - Exposure Categories - The U.S. Department of Health and Human Services has categorized the levels of potential exposure related to employment into the following categories:

Category 1: Tasks that involve exposure to blood, body fluids or tissues.

Category 2: Tasks that involve no exposure to blood, body fluids or tissues, but employment may require performing unplanned Category 1 tasks.

Category 3: Tasks that involve no exposure to blood, body fluids or tissues, and Category 1 tasks are not a condition of employment. A further description is that the normal work routine involves no exposure to blood, body fluids or tissues (although situations can be imagined under which anyone, anywhere might encounter potential exposure to body fluids.) Persons who perform these duties are not called upon as part of their employment to perform or assist in emergency medical care or first aid or to be potentially exposed in some other way. Tasks that involve handling of non-contaminated implements or utensils, use of public or shared bathroom facilities or telephones and personal contacts such as hand washing speaking with the public, and the like are Category 3 tasks.

County personnel are classed by the following schema:

Category 1: County Sheriff; Community Corrections Supervisor; Part-Time Sheriff's Bailiff; County Human Services Licensing Worker; Deputy Sheriff; and Dispatcher/Jailer.

Category 2: Youth Program Director; County Child Welfare Worker; Maintenance III Worker; Highway Crew Foreman; and Sheriff's Secretary.

Category 3: Child Support Officer; Financial Worker; Case Aide; Office Support Specialist; Account Technician; Sign Man; Shop Mechanic; Shop Foreman; Engineer Tech I; Accountant; Engineer Tech II; Maintenance II Worker; Recycling Assistant; Environmental Assistant; Residential Appraiser; Deputy Auditor; Deputy Recorder; Chief Deputy Treasurer; Chief Deputy Recorder; Vet/HRA/GROW Office Manager; Assessor's Office Manager; Building Maintenance; Extension Office Manager; Assessor's Office Part-Time Clerk; County Treasurer; County Auditor; Highway Engineer; Human Services Director; County Recorder; Environmental Services Director; County Assessor; County Attorney; Park and Drainage Supervisor; Veteran's Service Officer; all other unnamed positions; and County Commissioners.

303.500 - Exposure Control - Occupational exposure is described as reasonably anticipated skin, eye, mucous membrane or parenteral contact (piercing mucous membranes, or the skin barrier through a needle stick, human bite, cut or abrasion) with blood or other potentially infectious materials that may result from an employee's duties. Universal precautions should be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids should be considered potentially infectious material.

The following three activities, at a minimum, should be followed to avoid exposure:

- Employees who might be exposed to potentially infectious material should use antiseptic hand cleaners and/or soap and water. Following any contact of body areas with blood or any other potentially infectious material, the employee should wash hands and any other exposed skin as soon as possible. Flush any exposed mucous membranes with water.
- Potentially contaminated broken glassware should be picked up using mechanical means (brush and dustpan, tongs or forceps.) Use should be made of an appropriate kit to clean up a spill of bodily fluid; i.e. a mask, paper towels, tongs, absorbent material, tubercularcide or a fresh mixture of 1:10 Clorox solution. Wear personal protective equipment (PPE) - gloves, mask and gown or apron - to protect clothing as needed.

303.600 - Post-Exposure Protocol - Following the report of an exposure incident, the County should make immediately available to the exposed employee a confidential medical evaluation and follow-up, including at least the following elements:

- After immediately flushing the site of potential exposure, the employee should then notify their immediate supervisor.
- Documentation of the route(s) of exposure and the circumstances under which the exposure incident occurred.
- Effort should be made to identify and document the source individual, unless the County can establish that identification is infeasible or prohibited by State law.
- If source person is known, attempt to obtain consent for testing. If consent is not obtained, the County should establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented. When the source individual is already known to be infected with HBV or HIV, testing of the source individual's known HBV or HIV status need not be repeated.
- The employee and immediate supervisor should complete the Infectious Disease Exposure Report document in Appendix A.
- If need be, medical follow-up may be done at health care facility or clinic of employees choice.
- If significant exposure time is crucial, the exposed employee's blood should be collected as soon as feasible and tested after the employee's consent has been obtained. If the employee consents to baseline blood collection, but does not give consent at that time for HIV serologic testing, the sample should be preserved for 90 days. If, within 90 days of the exposure incident, the employee elects to have the baseline sample tested, such testing should be done as soon as feasible. Results of the source individual's testing should be made available to the exposed employee, and the employee should be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.
- The employee should also be offered post-exposure prophylaxis in accordance with the current recommendations of the US Health Service and as recommended by appropriate health care officials..
- The employee should be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee should also be given information regarding illnesses that the employee may potentially experience.

- All occupational blood borne pathogen exposure incidents (lacerations or splashes) need to be recorded on the OSHA200 document if the incident results in: (a) medical treatment; e.g. immune serum globulin, hepatitis B vaccine or zidovudine; or (b) diagnosis is seroconversion.

303.700 - Costs of Vaccinations

307.701 - Payment - Swift County shall reimburse personnel who have received vaccinations at a county-sponsored clinic, 100% of the non-reimbursed medical expense. Personnel should first submit the bill for services to their health insurance provider. Any unpaid portion of the vaccination billing should then be submitted to Swift County on the proper claim form.

303.702 - Appeal - Any employee may dispute the category within which their position has been determined. An employee may make an appeal to the County Board by requesting in writing that their immediate supervisor present the appeal at any regularly scheduled County Board meeting. The written request from the employee needs to contain the reasons for the request, be signed and dated.

303.703 - Voluntary - Vaccinations are purely voluntary in nature. Notwithstanding the placement of any person in a given category, no employee shall be compelled to be vaccinated. All employees must, however, be given the opportunity to consent to or decline vaccination. Appropriate Hepatitis B Vaccination Consent/Declination documents contained in Appendix B should be used for this purpose.

303.800 - HIV Policy - No employee, applicant or client shall be subjected to testing, removed from normal and customary status, or deprived of any rights, privileges or freedoms because of his or her HIV status except for clearly stated specific and medical and/or public health reasons. Each individual's right to privacy shall be respected and is protected under the Minnesota Data Practices Act.

303.810 - HIV Employee Personnel Policies

303.811 - HIV Testing of Employees - Testing for HIV status should not be done as a screening device for employment, reassignment or promotion or termination.

303.812 - HIV Testing As Part of Employment - Employees will not be required to have or be offered testing for HIV as a pre-employment condition. Testing will be offered following an incident in the course of their work during which transmission might occur. In case of uncertainty or dispute, medical personnel should determine if a situation meets the definition of an incident on a case-by-case basis.

303.813 - Modification of Work Assignments of HIV Positive Employees - Employees who are HIV positive should not have their job assignments modified solely on the basis of the test results. Exceptions may be made by the County on a case-by-case basis at the request of the employee or Department Head in the case of medical and/or public health reasons.

303.814 - HIV Benefit Issues - The County will make efforts to continue to negotiate health insurance contracts which include open enrollment with no evidence of insurability. The County will continue to provide basic life insurance coverage, and the practice of supplying evidence of insurability for supplemental coverage. However, no employee will be required to supply information of a nature not required of all persons in County-negotiated insurance packages.

303.815 - Privacy of Employee HIV Health Records - The County will enforce the privacy of health records in accordance with the Minnesota Data Practice Act and will exercise the necessary and customary precautions so that unauthorized dissemination of information about the HIV status of employees should not occur. In cases where HIV status information is obtained, only authorized persons should have access to this information, and all such persons should be required to be trained in the medical facts concerning the transmission of AIDS.

303.820 - Client Relations

303.821 - Testing for, Obtaining or Recording Client's HIV Status - Clients of Swift County shall not be tested for HIV status unless there is a medical and/or public health reason to do so.

303.822 - Privacy of Client's HIV Status - The County will enforce the privacy of health records, and in the case of information concerning HIV status will exercise the necessary and customary precautions so that unauthorized dissemination of information about the HIV status of individuals who are clients of Swift County should not occur.

303.823 - Departmental Operations and Client's HIV Status - Departments are expected, if it is appropriate or necessary, to change their operations to incorporate medically sound infectious disease control practices which apply to all clients.

303.830 - Training - AIDS/HIV training should be provided to all County employees.

Infectious Disease Exposure Report

Name: _____ Job Title: _____
 Department: _____ Home#: _____ Work#: _____
 Date of Incident: _____ Time of Incident: _____

A. Exposure Method - Check method of suspected exposure

- Exposure or cut with needle or sharp object.
- Mouth to mouth resuscitation.
- Resuscitation using an airway.
- Present at scene but no resuscitation that involved breathing.
- Blood/body fluids in natural body opening (mouth, nose, etc.).
- Blood/body fluids in cut or wound less than 24 hours old.
- Human bite causing break in skin.
- Other: _____

B. Incident Occurrence - Describe how incident occurred.

C. Post-Exposure - Blood borne Pathogens Follow-up - Check all which apply.

- I wish to have my blood tested for Anti-HB, if previously vaccinated.
- I wish to have my blood tested for HIV. I realize that I am responsible for keeping track of dates for subsequent testing at 3 months and 6 months and for following up by having such testing.
- I wish to have my blood drawn, not tested, but preserved for 90 days.
- I realize that I need to report illness with possible relationship to this exposure and that possible illnesses have been explained to me.
- I acknowledge that a copy of 29CFR Part 1910.1030 has been offered to me.
- I will report results of my infection status, if positive, to the Countryside Public Health Service.
- I acknowledge that I have been offered appropriate counseling in relation to this exposure.

D. Certification

Employee Signature

Date

Yes No Will source person be tested for HBV and/or HIV? See Practitioner's Notice and Consent for Testing of Source Patient in the Event of Exposure.

CPHS Representative

Date

Consent to Hepatitis B Vaccination

Employee's Full Name: _____ SSN: _____

Please check "√" that you agree with each statement.

- I have been given information about Hepatitis B (HBV) along with information regarding the Hepatitis B vaccination.
- All of the above information has been explained to me and I have had the opportunity to ask questions.
- By signing below, I am acknowledging that I understand the Hepatitis B vaccination process, along with the benefits and any risks associated with the Hepatitis B vaccination.
- I am requesting that I be given the Hepatitis B vaccination series.

Employee Signature

Date

Authorized County Signature

Date

Declination of Hepatitis B Vaccination

Employee's Full Name: _____ SSN: _____

Because I may be occupationally exposed to blood or other potentially infectious material, I may be at risk for contracting the Hepatitis B virus (HBV) infection. The Hepatitis B vaccination has been offered to me by my employer. Currently, I am declining to receive the Hepatitis B vaccination. I understand that because I have declined the vaccination, I will continue to be at risk of contracting the Hepatitis B virus. However, if I continue to have occupational exposure in the future to blood or other potentially infectious materials, I can change my mind and decide to receive the vaccination series.

Employee Signature

Date

Authorized County Signature

Date

Policy Statement

TITLE	CODE
Seat Belts and Child Restraints	304

REFERENCE

M.S. 169.686 Seat Belt Use Required

PERSONNEL RESPONSIBLE

All County Employees

EFFECTIVE DATE

10-18-94 (Updated 9-26-97; Updated 12-6-01)

POLICY

100 - General Policy - Because safety belts and child restraints are the best protection against injury or death in a crash, a Swift County safety belt and child restraint use policy is important. The simple act of buckling up reduces the chance of injury or death and can save money for Swift County. Use of seat belts in the public sector is also required by State law. The County cares about its employees and wants to make sure that no person is injured or killed in a tragedy that could have been prevented by the use of safety belts or child restraints.

200 – Use - When operating a Swift County-owned vehicle or when actively employed by Swift County but driving a privately-owned vehicle, all employees and all occupants must use seat belts or child restraints where applicable while the vehicle is in motion. Infants, less than one year of age, must ride in a federally-approved, rear-facing child safety seat in a back seat of the vehicle. Never place a rear-facing infant seat in the front seat when there is a passenger air bag present. Children over one year of age and under 40 pounds must ride in a federally-approved, forward-facing child safety seat. Children between 40 and 80 pounds should ride in a belt-positioning booster seat using both lap and shoulder belts. All children age 12 and under (until their 13th birthday) should be transported in the back seat. If no other option exists, a child must ride in the front seat and the seat should be moved as far from the dashboard as possible.

300 – Application - The safety belt and child restraint policy applies to all employees and occupants of any vehicle driven by employees, including rentals and personal vehicles when used on official County business.

400 – Responsibility - Department Heads and Supervisors must demonstrate their

commitment to this policy by communicating it to their employees, monitoring compliance, evaluating effectiveness and taking disciplinary action against violations.

500 - Belt System Maintenance - Safety belts and child restraints in all County vehicles are to be maintained so that they are clean and in good working order.

600 - Employee Education - Information on the benefits of safety belts and child restraints, as well as the County's commitment to their use will be emphasized in new employee orientation, training, handbooks, safety rules and internal communications. Employees may be required to sign a pledge to use safety belts. Department Heads and Supervisors are encouraged to promote and provide time for employee awareness programs to explain the benefits of safety belts both on and off-the-job.

700 – Enforcement - Safety belt and child restraint use is such a common, healthy practice that the need to actively enforce this policy should be rare. However, the policy will be enforced the same as other County rules and employees who violate the policy will be subject to disciplinary actions which may include dismissal. Department Heads and Supervisors have an obligation to encourage and routinely monitor usage. The driver of the vehicle is responsible for enforcing safety belt and child restraint use by all occupants.

AUTHORED BY: Safety Committee
DATE: 11-7-01

APPROVED BY: County Board
DATE: 12-6-01

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Employee Right To Know - Hazard Communication Program	305

REFERENCE

Occupational Safety and Health Administration Act (OSHA)
Employee Right To Know Act

PERSONNEL RESPONSIBLE

Department Heads and Employees Affected By Hazardous Chemicals

EFFECTIVE DATE

5-25-01

POLICY

The attached is the Swift County Employee Right To Know - Hazardous Communication Program document.

AUTHORED BY: County Board
DATE: Unknown

APPROVED BY: County Board
DATE: Unknown

305.100 - General - The Occupational Safety Health Administration (OSHA) has ruled that the hazards of all chemical products be evaluated by chemical manufacturers and the information concerning those hazards be transmitted to the employers and employees who use these products. This is called the "Hazard Communication Standard." It says you have a "Right To Know" what hazards you may face on the job and how to protect yourself against them. In order to comply with the Hazard Communication Standard (Employee Right To Know Act), the following written Hazard Communication Program has been established in Swift County.

This program applies to all work operations where you may be exposed to hazardous substances, harmful physical agents and/or infectious agents. A list of definitions of the above substances according to the Department of Labor and Industry is found in the appendix. The following information will be contained within each Department Employee Right to Know Manual:

- Chemical Substance Inventory List
- Hazard Communication Program
- NFPA Rating Sheet
- Material Safety Data Sheets
- Material Safety Data Sheets Glossary of Terms
- Fire Information
- Hazards In The Workplace Booklet
- Training Workers To Read Labels Avoids Costly And Tragic Mistakes
- Emergency Action For Poisoning Pamphlet
- Poison Control Stickers for the telephones
- First Aid Kit availability and First Aid booklet

OSHA investigators may conduct a jobsite inspection to insure the facility is in compliance with the Employee Right To know Act. If OSHA does an inspection of the facility, they will interview employees for the purpose of determining what employees know about the Employee Right To Know requirements and do a complete inspection of the facility.

305.200 - Container Labeling - All new incoming shipments of hazardous chemical received for use will be properly labeled as to the contents, appropriate hazard warnings will be noted, and the name and address of the manufacturer will be listed. No container or chemicals will be used until the above dates is verified for each container.

Located within each Department Employee Right To Know Manual an NFPA Rating Sheet explains the extent of these hazards. For easy reference, each Material Safety Data Sheet contains an NFPA label showing the chemical hazard rating.

No chemicals shall be transferred from the original container and placed in a secondary container unless the contents are utilized within the same workday. If the chemical is not utilized within the same workday, it is the responsibility of the user to appropriately label and handle the chemical.

305.300 - List of Hazardous Chemicals - All hazardous chemicals are identified and inventoried as shipments arrive. A current list of hazardous chemicals will be located within each Department's Employee Right to Know Manual and updated as changes occur. This

Manual will be kept readily available within each Department for employee review.

When new chemicals are introduced within a Department, the employees within that Department will be given the following information:

1. A Material Safety Data Sheet for the new chemical.
2. Emergency procedures to follow if an employee is exposed to the chemical as stated on the Material Safety Data Sheet.
3. How to read labels and review the Material Safety Data Sheets in order to obtain appropriate hazard information.

305.400 - Material Safety Data Sheets - A Material Safety Data Sheet for each chemical used in a Department will be kept on file in the Departmental Employee Right To Know Manual. It is the responsibility of the receiving Department to request a Material Safety Data Sheet from the supplier or manufacturer if placing the order.

305.500 - Employee Training and Information - Each Department will be responsible for assuring proper training procedures and information will be given to current and new employees. Each Department will be responsible for the Employee Right To Know training. Attendance is mandatory for all employees.

When a new chemical is introduced into a Department, each employee within the Department will receive the proper training for the chemical. If an employee transfers from one Department to another, the employee will receive the appropriate training on the chemicals located within that Department along with a review of the Employee Right To Know law and procedures. It will be the responsibility of the Department Head to insure the new employees received the appropriate training on hazardous substances in the workplace. All new employees will be required to attend a training session on the Employee Right To Know Act. The items listed below may be discussed during the training sessions but will not be limited to the following:

1. An overview of the requirements contained in the Hazard Communication Standard.
2. Contents of the Department Employee Right To Know Manual.
3. Location and availability of the written Hazard Program.
4. Chemicals present in the workplace operation.
5. Protective gear availability and location.
6. Location of and how to read Material Safety Data Sheets.
7. Physical and health effects of the hazardous chemicals.
8. How to lessen or prevent exposure to these hazardous chemicals.
9. Hazardous chemical labeling.
10. Fire information.
11. Availability of First Aid kits.

Handouts, videotape viewing and a quiz may be given during these training sessions. After completion of the training session, the employee will be required to sign a form to verify the following:

1. Employee name.
2. The date the employee attended the training.

3. The name and title of the person who conducted the training.
4. A brief summary of the information included in the training.
5. Materials received in the training session.
6. If the employee understood the Hazard Communication Standard.

Records of training will be maintained and filed within the employee's personnel file. Upon request, the training form will be made available for review by the employee and representatives of the OSHA Division, Minnesota Department of Labor and Industry. Training updates will be held on an annual basis with a brief summary of the information included in the initial training session.

305.600 - Information Contractors - It is the responsibility of each Department to provide contractors with the following information:

1. Hazardous chemicals to which they may be exposed while on the job site.
2. Measures the contractor's employees may take to lessen the possibility of exposure.
3. Availability of Material Safety Data Sheets for all hazardous chemicals on file.
4. Procedures to follow if a contractor's employee is exposed.

Each Department will also obtain from the contractor a list of hazardous chemicals and a Material Safety Data Sheet for the chemicals brought into the facility.

305.700 - Other Expectations of Employees

1. Read all labels so chemicals are used for the purpose intended.
2. Know the chemical you are working with and consult the Material Safety Data Sheet.
3. Use common sense when handling hazardous chemicals.
4. Wash hands after working with a hazardous chemical.
5. Improper contact with chemicals should be avoided such as the following:
 - a. Smelling contents of marked or unmarked containers.
 - b. Using chemicals for cleaning hands and clothing which were never meant for that purpose.
 - c. Mixing of chemicals should be avoided if end results are unknown.
 - d. If special clothing, gloves, eye or ear protection are needed, follow directions
6. Read warnings on containers and abide by them.
7. Never transfer chemicals into an unlabeled container unless it will be used up that workday.
8. Chemical safety is important both on and off the job.
9. If an injury does occur while on the job, Injury Report documents are located in the County Auditor's office.

305.800 - OSHA Poster - The Minnesota OSHA poster entitled "Safety And Health Protection On The Job" is posted for employee information in conspicuous places for viewing by all employees. This poster describes employee protections and employer obligations under the Minnesota OSHA Act and the Employee Right to Know Act.

Remember when it comes to your health and safety you are the key!

Definition of Terms

Commissioner - Means the Commissioner of the Department of Labor and Industry.

Harmful Physical Agent - Means a physical agent determined by the Commissioner as part of the standard for that agent to present a significant risk to a worker's health or safety or imminent danger or death or serious physical harm to an employee. "Harmful physical agent" does not include an agent being developed or utilized by a technically qualified individual in a research, medical research, medical diagnostic, or medical educational laboratory, or in a health care facility or in a clinic associated with the laboratory or health care facility, or in a pharmacy registered and licensed under M.S. Chapter 151. This exemption does not include a physical agent utilized in a laboratory that primarily provides a quality control analysis for a manufacturing process. This exemption applies only to technically qualified individuals and not to persons working in the same work area who are not technically qualified individuals.

Hazardous Substance - Means a chemical or substance, or mixture of chemicals which:

1. Is regulated by the Federal Occupational Safety and Health Administration under Code of Federal Regulations, Title 29, Part 1910, subpart Z.
2. Is either toxic or highly toxic, an irritant, corrosive, a strong sensitizer, combustible, either flammable or extremely flammable, dangerously reactive, pyrophoric, pressure-generating, a compressed gas, a carcinogen, a teratogen, a mutagen, a reproductive toxic agent or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or
3. Is determined by the Commissioner as part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure or contamination.

Hazardous substance does not include a substance being developed or handled by a technically qualified individual in a research, medical research, medical diagnostic or medical educational laboratory or in a health care facility or in a clinic associated with the laboratory or health care facility, or in a pharmacy registered or licensed under M.S. Chapter 151. This exemption applies only to technically qualified individuals and not to persons working in the same work area who are not technically qualified individuals.

Infectious Agent - Means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the Commissioner by rule, with approval of the Commissioner of Health, which according to documented medical or scientific evidence causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent.

Infectious agent does not include an agent in or on the body of a patient before diagnosis.

Infectious agent does not include an agent being developed or regularly used by a technically qualified individual in a research, medical research, medical diagnostic or medical educational laboratory or in a health care facility or in a clinic associated with the laboratory or health care facility, or in a pharmacy registered and licensed under M.S. Chapter 151.

Policy Statement

TITLE

CODE

Employee Emergency Procedures

306

REFERENCE

PERSONNEL RESPONSIBLE

Courthouse and LEC Location:	County Sheriff
Environmental Services Location:	Environmental Services Director
Highway Department Location:	County Engineer
Human Services Location:	Human Services Director

All employees have essential responsibilities as well.

EFFECTIVE DATE

10-1-00

POLICY

See attached document.

AUTHORED BY: Policy Committee
DATE: 2-25-00

APPROVED BY: County Board
DATE: 9-5-00

SWIFT COUNTY

EMPLOYEE

EMERGENCY PROCEDURES

GUIDE

EMERGENCY PROCEDURES

Introduction

Swift Co. Commissioners

Swift Co. Officials

100 - Emergency Telephone Numbers

200 - Department Employee List

300 - Evacuation Procedures

400 - Employee Security Threats

401 - Bomb Threats

402 - Terrorist Threat

403 - Public Threat

500 - Fire Emergency

600 - Hazardous Material Incident

700 - Medical Emergency

800 - Tornado - Severe Weather Emergency

900 - Utility Emergency

901 - Electric Power Failure

902 - Gas Emergency

903 - Water/Sewer Problems

1000 - Public Information

1100 - Facility Maps By Site Location

1101 - Courthouse

1102 - Environmental Services

1103 - Highway

1104 - Human Services

SWIFT COUNTY

EMPLOYEES EMERGENCY PROCEDURE GUIDE

Introduction

The *Emergency Procedures Guide* is designed to provide at-a-glance instruction to employees in the event of an emergency.

In addition to the *Guide*, all employees are strongly encouraged to become familiar with the building, the corridors, exits and parking areas. Doing so may help employees better handle emergency situations.

Emergency procedures are designed to provide guidance to those having responsibility for the safety of County employees and users of our facilities. Department Heads and Supervisors have responsibility for dissemination of emergency procedures to their staff. Each Department should tailor the *Guide* for their own use. In addition, they must set up a clearly defined chain of command so the safety procedures are carried out in case of their absence from the building.

SWIFT COUNTY COMMISSIONERS

Gary Hendrickx	320-289-2649
Richard Hanson	320-842-9303
John Thompson	320-843-2573
John Baker	320-394-2489
Orville Rudningen	320-366-3713

SWIFT COUNTY OFFICIALS

Auditor	Byron Giese	320-843-4069
Assessor	Edward Pederson	320-842-6101
Attorney	Robin Finke	320-843-2134
Community Corrections	Brad Rosenbrook	320-843-3165
District Court	Carol Jensen	320-843-2744
Environmental Services	Scott Collins	320-843-6400
Extension Service	Brian McNeill	320-843-4865
Swift County GROW	Sue Pirsig	320-842-4769
Swift Co. Highway	Luke Hagen	320-842-5251
Swift Co. HRA	Vicky Syverson	320-843-4676
Human Service	Chuck Koenigs	320-843-6301
Public Health	Liz Auch	320-843-3454
Recorder	Donna Lilleberg	320-843-6103
Sheriff	Ken Hanson	320-843-3133
Treasurer	Ron Vadnais	320-843-6100
Veteran Service Officer	Gary Bjornkjeld	320-842-5271
Youth Program	Brenda Semler	320-843-2440

100 - EMERGENCY TELEPHONE NUMBERS

Ambulance	911
Fire and Rescue	911
Law Enforcement	911
Missouri River Basin	843-4775
Municipal Utilities	843-3707
Minnegasco Gas Co. (Emergency #)	800-722-9326
Public Works	843-3707
Radio Station - KSCR	843-3290

200 - EMPLOYEE LIST

Department: _____

Employee Name

1. 21.

2. 22.

3. 23.

4. 24.

5. 25.

6. 26.

7. 27.

8. 28.

9. 29.

10. 30.

11.

12.

13.

14.

15.

16.

17.

18.

19.

20.

300 - EVACUATION PROCEDURES

301 - Remain calm.

302 - Evacuation of a facility should be determined by the facility administrator or
next immediate supervisor.

303 - Evacuate the building at the closest exit. Supervisors should review exit locations and procedures with employees annually and during orientation.

304 - Employees should gather outside at this location:

Good weather: _____

Inclement weather: _____

305 - Supervisors should conduct an employee count as soon as possible after employees have reached the safe area. Supervisors should use the employee check-off list to account for all employees.

306 - Do not return to the building until instructed to do so by fire personnel or facility administrator.

400 - EMPLOYEE SECURITY THREAT EMERGENCIES

401 - BOMB THREAT EMERGENCY

1. The person receiving a bomb threat phone call should try to obtain the following information:

a. When is the bomb going to explode?

b. Where is it right now?

c. What does it look like?

d. What kind of bomb is it?

e. What will cause it to explode?

f. Did you place the bomb?

g. Why?

h. What is your address?

i. What is your name?

2. Follow bomb threat call checklist. Remain calm. Do not panic.

3. The person receiving the call should:

a. Immediately notify his/her supervisor.

b. Notify Law Enforcement at 911.

c. Notify the Facility Administrator.

4. Supervisory and/or emergency personnel should:

a. Evacuation of facility should be determined by Facility Administrator or next immediate supervisor.

b. Evacuate the building. If location is known, evacuate that area first, including floors above and below. Following evacuation procedures, use an alternate exit if bomb location is in the pathway.

c. BE ALERT! All personnel should conduct a QUICK 360 degree VISUAL search of their work area. If you are not at your work area at the time of evacuation, leave the facility through the closest safe exit.

5. VISUAL 360 SEARCH - Should be conducted in the following manner:

a. Very quickly - a few seconds

b. Visual search, do not touch or move items

c. Search work area from floor to ceiling - divide area into thirds. Visually scan lower third first, the center, then ceiling. Look for anything unusual or out of place. Report information to supervisor once in the safe area.

6. Employees should be alert for anything that looks unusual or out of place in public area while exiting the building. Report the information to your Supervisor. Supervisors should relay the information to emergency personnel.

7. If a bomb or suspicious object is located, proceed as follows:

a. Do not move, jar or touch the bomb.

b. Immediately evacuate the room or area where the bomb is located.

c. Notify your Supervisor.

d. Evacuate the building.

8. OTHER COUNTY FACILITIES -Those not directly involved in incident:

Procedure if contacted by the County Auditor's Office:

a. The above contact should be made in order to bring all County employees to an awareness level.

b. Each facility should respond by conducting a quick search of public area for unusual or suspicious objects.

c. Employees should be asked to be aware of suspicious actions or persons who enter facilities and report this to their supervisor.

4. Each facility should communicate information related to the emergency to the County Auditor's office.

402 - TERRORIST THREAT EMERGENCY

1. A terrorist threat is intended to force or intimidate someone to do something based on a threat of violence. If you receive a terroristic threat, do the following:

2. Remain calm - do not panic. Try to get as much information as possible. Be alert to back ground noises, voices, music, traffic, etc. Write down the EXACT wording of the threat.

3. Contact your Supervisor.

4. Contact Law Enforcement - dial 911.

403 - PUBLIC THREAT EMERGENCY

- 1. A public threat is an act in which an employee is in contact with a person who they feel, because of their actions, is a threat to safety of the work environment.**
- 2. Remain clam. Attempt to remove yourself or others who are affected from direct contact by leaving the area or allowing the person making the threat to leave.**
- 3. Contact a Supervisor, through a fellow employee or code if necessary.**
- 4. If necessary contact Law Enforcement - dial 911.**

500 - FIRE EMERGENCY

501 - In the event of a fire, the primary concern is the safety of the employees and the public. Remember, on discovery of fire, USE COMMON SENSE.

502 - If safety permits, the following should be done:

1. Call the Fire Department at 911.
2. Confine the fire to the smallest area possible, by closing doors tightly.
3. Notify your Supervisor to begin evacuation of the building.
4. The entire facility that could possibly be affected by the fire should be notified, through runners, paging, or the like.

503 - Evacuation:

1. Remain calm.
2. Evacuate the building at the closest exit. Supervisors should review exit locations and procedures with employees annually and during orientation.
3. Employees should gather outside at this location:

Good Weather: _____
Inclement Weather: _____

4. Supervisors should conduct an employee count as soon as possible, after employees have reached the safe area. Supervisors should use their employee check-off list to account for all employees.

600 - HAZARDOUS MATERIAL INCIDENT

601 - Warning of a hazardous material incident will be received from Fire, Law Enforcement, or Emergency Management when the incident occurs sufficiently near your facility to be a threat to safety.

602 - When such an alert is received, the person responsible for warning all employees and visitors should do the following:

- 1. Notify all employees of the emergency and instruct them not to leave the building until told to do so by emergency personnel.**
- 2. Instruct them to close all doors and windows and shut off all air conditioning of fresh air circulation systems.**
- 3. Contact the individual in charge of building maintenance and make him/her aware of the situation. Instruct him/.her to shut off all central air conditioning or fresh air circulation systems for the building.**
- 4. When evacuation is necessary, assist emergency personnel in evacuating all employees and visitors. Move cross wind, never into the affected area of downwind. Follow Evacuation Instructions of Emergency Personnel. Supervisors are responsible for employee count.**

700 - MEDICAL EMERGENCY

701 - Medical emergencies may occur from time to time which require immediate attention. All assistance possible will be provided to an injured employee, however, the Benson Ambulance Service is our primary source of medical assistance.

702 - In case of medical emergency, take the following action:

1. Call 911.
2. Keep the ill or injured person as comfortable as possible.
3. Contact your supervisor.

703 - All efforts that do not endanger you or other employees would be made in a rescue or medical emergency. However, our primary sources of help are the trained professionals - Law Enforcement, Fire, Rescue, and Ambulance.

800 - TORNADO/SEVERE WEATHER EMERGENCY

Supervisors should stay aware of adverse weather conditions by radio or TV.

801 - Tornado

1. Watch - means that conditions are right for severe weather to develop. Be Alert!

2. Warning - means that an actual tornado is occurring. Take cover immediately.

3. Tornado watch information is given by local radio and TV station. Employees should be notified of the watch.

4. Tornado warning is given by radio and TV. The local emergency management siren should sound a steady five minute tone. If a warning is issued in the area of your facility, do not wait for the siren to sound before seeking shelter.

5. SHELTER - employees should seek shelter at this location:

_____.

(Tornado shelter is also marked on the facility map.)

- a. Avoid being in rooms with windows whenever possible.
- b. Close all interior doors.
- c. Keep a transistor radio and flashlight as well as extra batteries on hand at all times and take them with you when you move to the shelter.
- d. Supervisors should conduct an employee count at the shelter area. Use the employee check-off list.
- e. Do not leave safe shelter until advised to do so by radio message or emergency personnel.

900 - UTILITY EMERGENCY

901 - ELECTRIC POWER FAILURE

1. Notify your supervisor for activation of any existing standby power.
2. Employees should keep a supply of flashlights and extra batteries on hand.
3. Contact emergency number to notify of a problem.

902 - GAS EMERGENCY - CALL THE FIRE DEPARTMENT - 911

1. Gas odor outside the building
 - a. Contact building maintenance.
 - b. Call the gas company.
 - c. Notify your Supervisor.
2. Gas odor in the area of appliances or pipelines.
 - a. Open windows.
 - b. Notify building maintenance and Supervisor.
 - c. Call the gas company.
 - d. Evacuate area is necessary.

3. Gas line break or odor throughout the building

- a. Clear area, open windows.
- b. Call maintenance.
- c. Call the gas company.
- d. Proceed with evacuation if necessary.

903 - Water or Sewer Problems

1. Contact building maintenance.
2. Contact supervisor.
3. Contact public works if necessary.
4. Sewers can product dangerous gas, avoid contact, evacuate area if necessary. Do not enter without proper equipment or training.

1000 - PUBLIC INFORMATION

1001 - All contacts and statements given to the media related to county facility emergencies should be coordinated through the County Auditors office.

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

CODE

Automated Electronic Defibrillators (AEDs)

307

PERSONNEL RESPONSIBLE

All County Employees

EFFECTIVE DATE

04-05-05

Policy

Automatic Electronic Defibrillators (AEDs) are intended for use by County employees and by the public whenever emergency cardiac defibrillation is necessary. All County employees with access to AEDs should be trained in their use.

Every AED location shall have a County employee assigned to inspect and ensure the maintenance of the AED according to the manufacturer's specifications.

County employees who are likely to operate an AED should receive at least annual AED training, together with first aid and CPR training. A supervising medical authority shall approve all training regarding AED use.

Following the emergency use of an AED, an "AED Use Report" shall be filed with the employee's department head. Copies of the report shall be forwarded to the chair of the safety committee and to the supervising medical authority.

AUTHORED BY: Policy Committee
DATE: 03-25-05

APPROVED BY: County Board
DATE: 04-05-05

Policy Statement

TITLE

Swift County Investment Policy

CODE

401

REFERENCE

M.S. 118A Public Depository and Investment Law
Board Resolutions of 1-3-89

PERSONNEL RESPONSIBLE

Swift County Treasurer

EFFECTIVE DATE

9-1-96 (Reviewed 8-25-00; 6-11-02; 6-1-04; 10-6-06; and 12-19-06)

POLICY

401.100 Policy Statement - It will be the policy of Swift County to invest non-committed cash in instruments authorized by Minnesota Statutes, Chapter 118A. The objectives, in order of priority, will be to preserve principal, earn the optimum rate of return, and maintain liquidity. Investments shall be made with the exercise of that judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their affairs, not for speculation, but for investments, considering the probable safety of their capital as well as the probable income to be derived.

401.200 Investment Responsibility - The County Treasurer is designated as Investment Officer and is responsible for investment decisions and activities. It is further the responsibility of the County Treasurer to designate which financial institutions are used as depositories of funds, as stipulated in M.S. 118A.02.

401.300 Fund Investments - Investments made from a Department Cash reserve, will have interest receipted to that fund (hereinafter referred to as a Fund Investment). Fund Investments will be made by the County Treasurer after consulting with the Department Head responsible for administering the particular fund. The County Treasurer will monitor all Swift County department funds to determine the availability of sufficient pledged collateral and deposit insurance coverage.

401.400 Reporting - The County Treasurer shall prepare an annual investment

report. Additional investment reports will be prepared for the County Board at least quarterly.

401.500 Electronic Funds Transfers - The County Treasurer/designee is authorized to use electronic funds transfers for investment purposes as allowed by County Board resolution.

401.600 Investment Tools Allowed - Swift County will invest, as the market justifies, in instruments in accordance with M.S. 118A.04. At the time of purchase of any mortgage related security, the County Treasurer will obtain a bond analysis in accordance with FFIEC guidelines and Minnesota Statute.

401.700 Diversifications and Limitations

- (1) Investments of certificates of deposit in Swift County financial institutions shall be based upon competitive bids received by the County Treasurer.
- (2) It will be the policy of Swift County to make investments which shall suggest diversification to avoid risk and enhance return.

401.800 Laddering - A portion of funds determined as unnecessary to meet long-term cash flow needs will be laddered in term investments to secure higher yields while maintaining adequate cash flows.

401.900 Collateral - It shall be the duty of the County Treasurer to monitor deposits at each institution in relation to the collateral determined as per the County Board policy relating to acceptable collateral. Acceptable collateral shall be kept with a third party safe keeper, with receipts kept on file with the County Treasurer. Said collateral shall be maintained at a level at least 10% more than the amount on deposit in excess of insured portion in keeping with M.S. 118A.03.

401.901 Credit Risk--The County will minimize **deposit** Custodial Credit Risk, which is the risk of loss in the failure of the depository bank, by obtaining collateral or bond for all uninsured amounts on **deposit** and obtaining necessary documentation to show compliance with state law and a perfected security interest under federal law.

401.902 Credit Risk—The County will minimize **investment** Custodial Credit Risk by permitting brokers that obtained **investments** for the county to hold them only to the extent there is SIPC and excess SIPC coverage available. Securities purchased that exceed available SIPC coverage shall be transferred to the county's custodian.

401.950 Compliance - The County Treasurer, in accordance with M.S. 118A, will annually obtain broker certifications with all institutions with which the County conducts business.

AUTHORED BY: County Treasurer
DATE: 12-12-06

APPROVED BY: County Board
DATE: 12-19-06

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Business Subsidy Policy	402

REFERENCE

M.S. 116J.993 through M.S. 116J.995

PERSONNEL RESPONSIBLE

County Board

EFFECTIVE DATE

6-20-00

POLICY

This policy is adopted for purposes of the Business Subsidies Act (the "Act"), which is Minnesota Statutes sections 116J.993 through 116J.995. Terms in this Policy are intended to have the same meanings as used in the Act, and this Policy shall apply only with respect to subsidies granted under the Act if and to the extent required thereby.

100 - Rationale

While it is recognized that the creation of good paying jobs is a desirable goal which benefits the community, it must also be recognized that not all projects assisted with subsidies derive their public purposes and importance solely by virtue of job creation. In addition, the imposition of high job creation requirements and high wage levels may be unrealistic and counter-productive in the face of larger economic forces and the financial and competitive circumstances of an individual business.

200 - Principles and Criteria

With respect to subsidies, the determination of the number of jobs to be created and the wage levels thereof shall be guided by the following principles and criteria:

201 - Benefits - Each project shall be evaluated on its own merits, recognizing its importance and benefit to the community from all perspectives, including created or retained employment positions.

202 - Value - If a particular project does not involve the creation of jobs, but is nonetheless found to be worthy of support and subsidy, it may be approved without any specific job or wage goals, as may be permitted by applicable law.

203 - Job Retention - In cases where the objective is the retention of existing jobs, the recipient of the subsidy shall be required to provide reasonably demonstrable evidence that the loss of those jobs is imminent.

204 - Variables To Consider - The setting of wage and job goals must be sensitive to prevailing wage rates, local economic conditions, external economic forces over which neither the grantor nor the recipient of the subsidy has control, the individual financial resources of the recipient and the competitive environment in which the recipient business exists.

300 - Discretion

Because it is not possible to anticipate every type of project which may in its context and time present desirable community building or preservation goals and objectives, the government body must retain the right in its discretion to approve projects and subsidies which may vary from the principles and criteria of this Policy.

AUTHORED BY: County Board
DATE: 6-20-00

APPROVED BY: County Board
DATE: 6-20-00

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Adherence to Annual Budget	403

REFERENCE

NA

PERSONNEL RESPONSIBLE

All Department Heads

EFFECTIVE DATE

Upon Adoption

POLICY

403.100 – Purpose

The County adopts an annual budget as its financial plan and to provide a means of accountability within departments. To ensure that the adopted financial plan is adhered to, department heads must be held accountable for staying within their budgets.

403.200 – Budget Changes

The Board realizes that no plan can anticipate every possible circumstance or unanticipated, but unavoidable, expenditures. There are two ways department heads can deal with these issues: reallocation of funds or additional appropriations. These requests must be made prior to the submission of any payment requests.

403.201 – Reallocation of Funds – When it is anticipated that expenditures within a particular budget line item, or Human Services program area, will exceed funds appropriated, and surplus funds are available elsewhere within a departmental budget, department heads may request a reallocation of funds. This request, made on the proper form, must be submitted to the County Administrator for action at the next regularly scheduled County Board meeting.

403.202 – Additional Appropriation Request – When funds are not available for reallocation, department heads may request, on the proper form, an additional budget

appropriation. This request must also be submitted to the County Administrator for action at the next regularly scheduled County Board meeting.

403.300 – Over Budget Payment Requests

Whenever a voucher is received for payment, where the budgeted balance remaining is not sufficient to cover the request, payment will be denied. Payment will not be reconsidered until the department head has had their request approved under 403.201 or 403.202 above.

403.400 – Consequences of Non-Compliance

Compliance with their annual budget is the responsibility of all County department heads. Failure to stay within an approved budget will be reflected in the department head's annual evaluation and may impact consideration of an annual pay increase. Non-elected department heads, making a practice of submitting vouchers for payment when budgeted funds are depleted, may also face disciplinary action under the County's Personnel Policies.

AUTHORED BY: County Administrator
DATE: July 12, 2002

APPROVED BY: County Board
DATE: July 16, 2002

Budget Change Request Form

Requestor Information

Department: _____ Date: _____

Dept. Head: _____

Reallocation Request

<u>Account Number</u>	<u>Account Name</u>	<u>Amount Added</u>	<u>Amount Deducted</u>
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<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>

Reason for change request: _____

Additional Appropriation Request

<u>Account Number</u>	<u>Account Name</u>	<u>Amount Requested</u>
-----------------------	---------------------	-------------------------

<hr/>	<hr/>	<hr/>

Reason for additional appropriation: _____

Board Action Taken

Approved Denied Date: _____

Attach any additional information desired to support/clarify your request.

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Capital Expenditures	404

REFERENCE

NA

PERSONNEL RESPONSIBLE

All Department Heads

EFFECTIVE DATE

Upon Adoption

POLICY

404.100 – Purpose

County departments purchase a variety of equipment. Not all purchases are easily defined as capital expenditures. This policy is intended to give direction to department heads when classifying their purchases.

404.200 – Defining a Capital Expenditure

Equipment and machinery that will have a useful life of substantially more than one year, or improvements that would extend its useful life by a like term, are good candidates for treatment as capital expenditures. However, in an effort to provide more uniform guidelines, the following questions should be asked when considering classification as a capital expenditure:

1. Is the useful life of your purchase greater than one year? If not, it should be expensed. If so, go on to question number 2.
2. Did the item purchased cost more than \$500? If so, it should be capitalized. If not, go on to question number 3.
3. Did the item cost more than \$100 and have a manufacturer's serial number? If both of these are true, it should be capitalized.

These tests should be applied to each piece of equipment purchased, even if purchased as a “system”. However, breaking up a purchase to avoid capitalization is not permitted.

404.300 – Record Keeping/Reporting Requirements

All capital expenditures should be properly documented and reported to the Auditor’s office on the attached form. This form may be required prior to payment being made.

AUTHORED BY: County Administrator
DATE: July 18, 2002

APPROVED BY: County Board
DATE: August 6, 2002

Swift County
Property Acquisition/Disposal Record

This form must be used to report the acquisition or disposal of a capital asset. When completed, the original should be submitted to the Auditor's office and a copy kept for your departmental records.

Acquisitions

Asset Description: _____

Model Number: _____

Serial Number: _____

Date Purchased: _____

Cost: _____
(Cost is the total amount paid, including sales tax, plus any applicable trade-in allowance.)

Purchased from: _____

Asset Location: _____

Comments: _____

Disposals

Asset Description: _____

Date Sold or Traded: _____

If traded, describe asset purchased: _____

Trade-in Allowance: _____

If sold, name of purchaser: _____

Sale Price: _____

Other disposition: _____

Comments: _____

Completed by: _____ Date: _____

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

GASB 34 Policies

CODE

405

REFERENCE

Governmental Accounting Standard Board

PERSONNEL RESPONSIBLE

All County staff and Elected Officials Responsible For Adhering to Governmental Accounting Standards

EFFECTIVE DATE

1-1-04

POLICY

100 General

The following policies are presented and adopted in response to the accounting and reporting requirements of the Governmental Accounting Standards Board (GASB) pronouncement 34 and later pronouncements. These policies provide the foundation for the collection and reporting of County Financial information in accordance with these pronouncements.

“Fund Statements” refers to the individual fund year-end financial statements. These are essentially the same as previously published statements.

“Government Wide Statements” refers to the new Statement of Net Assets, Statement of Activities, and the reconciliation required under GASB 34 reporting standards.

Swift County maintains the following governmental funds: Revenue, Human Services, Highway, Solid Waste, Ditches, Capital Assets, Long Term Debt. Swift County maintains the following (business-type) funds: Business Type. Swift County maintains the following fiduciary funds: Tax Collections, Upper Mn Watershed, Region 6W, State, School District, Townships and Cities.

200 Capital Assets Policy

Capital Assets of (Business-type) Funds are reported within both the Proprietary Fund Statements and the Government Wide Statements. Capital Assets of Fiduciary Funds are reported only in the Fiduciary Fund Statements.

All other capital assets are considered General Capital Assets and are reported only in the Governmental Activities’ portions of the Government Wide Statements.

Capital Assets are reported at historical cost, or if donated, fair market value at time of donation.

Depreciation expense is reported as a direct expense of the Functional Levels of the County, with the exception of the Courthouse building whose entire depreciation expense is reported within General Government. Infrastructure depreciation is reported as a direct expense of the responsible Function – primarily the Highway Department.

201 Threshold

The lower value threshold for the collection and reporting of Capital Assets for Government Wide reporting purposes will be according to the following table:

<u>Class of Assets</u>	<u>Lowest Value Threshold</u>
Land	\$ 1
All Other Classes of Assets	\$ 5,000

Items acquired of lesser value may be recorded and inventoried for control purposes, but generally will not be included in the financial statement reporting.

202 Infrastructure

The County Infrastructure includes all roads, bridges, dams, lighting systems, and other public facilities that have utility to the public through the County, but which are not Capital Assets that could be routinely sold to and used by private enterprise.

Infrastructure acquired after 1979 is valued and reported at the acquisition, construction, or project cost. Infrastructure acquired prior to 1980 is reported but may be valued and reported using an estimate of the acquisition cost at that time.

Roads and bridges are reported as a single value for each year for each road system. The five road “systems” used for summary and reporting will be CSAH Regular, CSAH Municipal, County Roads, Bridges, and Easements.

Each year’s improvements to infrastructure will be recorded as a new infrastructure asset, with its own value and life. No change will be made to the value or depreciation of the original asset unless it is completely destroyed or replaced in the improvement process.

Ditches are generally on private property and are not considered of Capital Asset value to the County.

ATV, snowmobile, and other bridges and structures that are owned by the County but rest on private property are of reportable infrastructure value to the County if the County has maintenance and insurance responsibility for the structure.

203 Easements

Easements or right-of-ways exist when the County holds some permanent property rights to land. Recorded easements or right-of-ways for GASB 34 purposes must meet the stated threshold and are not depreciated. Acquisition will be assumed to be at the same time that the resultant road or other asset was built.

204 Mineral Rights

Mineral rights value within County owned property is included in the value of the recorded land. The County owns no mineral rights on other than County owned property.

205 Works of Art and Historical Treasures

Works of Art and Historical Treasures are valued at historical cost or fair value at the time of acquisition. Items that are diminished by display or use will be depreciated over their useful lives. Items that are inexhaustible will not be depreciated.

206 Categories of Asset

Capital Assets will be reported in summary within the following list of Categories. Further classification within these categories may be used for convenience and control purposes:

- Land
- Infrastructure
- Buildings
- Improvements, other than buildings
- Machinery and Equipment
- Art and Historical Treasures
- Construction in Progress

Note: Park land will be recorded as land. Park buildings that meet the capital asset threshold will be recorded as buildings. Other park facilities may be summed together and recorded as Improvements, other than buildings. Parks are not considered infrastructure.

207 Depreciation

Depreciation will begin the first day of the month of purchase and will be calculated using the Straight Line Method.

Any depreciation expense not recognized prior to disposal of the asset will be recognized at disposal. The appropriate amount of gain is also recognized on disposal.

The County Highway Department also calculates depreciation expense for cost and reimbursement purposes. This depreciation expense for costing purposes may not be identical to the depreciation expense for GASB 34 reporting purposes.

208 Useful Lives

The useful (or depreciation) lives of Capital Assets conform to this generalized table:

- | | |
|--------------------------------------|---|
| • Land | Not depreciated. |
| • Infrastructure | 15 to 70 years, depending on the structure |
| • Buildings | 25 to 100 years, depending on the structure |
| • Improvements, other than buildings | 20 to 35 years, depending on the item |
| • Machinery and Equipment | 3 to 15 years |
| • Art and Historical Treasures | Unique. |
| • Construction in Progress | Not depreciated. |

300 Budget Policy

301 Budget Adoption Process

The County Budget is adopted annually by the County Board and provides the

authorization for departmental expenditures.

Once the Budget has been adopted by the County Board; any changes and adjustments are made to the annual Revised Budget, leaving the Adopted Budget in its original approved form.

302 Budgeted Funds

The County prepares a budget for the General Revenue Fund, Special Revenue Funds - except for the ditch fund - and all Proprietary funds. The County does not prepare a budget for Fiduciary Funds.

303 Budget Accounting Basis

The Budget for the General Fund, Special Revenue Funds and other governmental funds is prepared and reported on the modified accrual basis. The Budget for Proprietary funds is prepared and reported on the full accrual basis. All budgets are prepared in conformity with generally accepted accounting principles.

304 Budget Level for Legal Control

Budget control is designated at the Department Level. The use of budget dollars across line items within a Department are at the discretion of the Department management, with final approval of the County Board, as long as federal, state, or other funding source use and reporting requirements are met.

400 Classification of Program Revenues Policy

Program revenues are revenues that apply directly to a program from revenue sources not including tax collections. Program revenues include charges for services applicable to the program, specific grants and contributions to the program, and earnings of endowments or investments specifically restricted to that program. Those revenues not designated by rule, statute, or policy to a program - are considered General Revenues to the County.

500 Functional Reporting Level Policy

For Government Wide reporting of Activities, the County will summarize its Activities to the following Functional Levels:

- General Government
- Public Safety
- Highway Department
- Sanitation
- Human Services
- Health
- Culture & Recreation
- Conservation
- Economic Development

600 Policy to Determine the Current Portion of Compensated Absences

601 Sick Leave

Since the County policy on Sick Leave is to compensate employees for fifty (50) percent of unused sick leave up to 100 days upon retirement (or death), the Termination Payment Method will be used for calculated and reporting the full accrual liability for unused sick

leave. The percentage of unused sick leave so booked and reported is estimated based on the County's past payment experience. Sick leave (and other compensated absences with similar characteristics) are accrued as a liability based on the above at the date of the financial statement.

602 Other Than Sick Leave

Vacation leave (and other compensated absences with similar characteristics) are accrued at current full book value, as a liability, based on the date of the financial statement.

700 Use of Restricted Assets Policy

Unrestricted resources will only be used to pay restricted liabilities after appropriate Restricted resources have been depleted, or the County Board takes specific action to appropriate those unrestricted resources.

800 Policy for Elimination of Internal Activity

Resources are often transferred from the Fund/Department/Program of receipt to a different Fund/Department/Program for disbursement. The internal activity of that transfer can result in the receipt and disbursement of that resource appearing more than one time in the resulting reports. Where internal activity has taken place, reports of the one time in the resulting reports. Where internal activity has taken place, reports of the individual department will include all such internal activity; but when summary reports are prepared, up to and including the Government Wide reports, all material internal activity, except for transactions considers internal services provided and used, will be eliminated (or netted out) for the presentation.

(Example: A grant is receipted into Social Services program A. and subsequently transferred to program B. to provide services. The resources are recorded:

1. Receipt to program A.
2. Disbursement from program A.
3. Receipt to program B.
4. Disbursement from program B.

For Summary Reporting, items 2 and 3 would be eliminated.)

Examples of transactions that would be considered internal services provided and used, and thus not needing elimination are: rent expense and revenue between a department and the county general government, technology hourly rated fees to other departments, or other purchase of direct service between departments.

At times the County may charge departments for a share of "centralized" expenditures. When this occurs, the amount charged does not include an overhead charge, but contains only a fair value change for the services received. Additionally these charge backs reduce the expenditures of one County function and increase the expenditures of the other, negating the need for further elimination in the financial statements.

900 Policy for Applying Fiduciary Accounting Standards Board (FASB) Pronouncements to Business-type and Proprietary Funds

Business-type and proprietary funds are reported using the economic resources measurement focus and the accrual basis of accounting. Financial statements on these funds are based on all applicable GASB pronouncements as well as applicable FASB pronouncements dated on or before November 30, 1989. FASB pronouncements after this date are not considered.

1000 Policy for Direct and Indirect Expenses

All expenses (including depreciation) that support a specific function (activity/department) are directly charged and reported against that function (activity/department).

Any indirect expenses experienced by the County are reported within the General Government function. No attempt is made to allocate these indirect expenses to the other functions of the County.

1100 Policy for Classifying Proprietary Fund Revenues

Proprietary Fund Revenues are reported as either Operating or Non-Operating Revenues. Non-Operating Revenues are: capital and related financing activities, non-capital financing activities, investment activities, investment activities, tax revenues, and other items which are not received in exchange for goods and/or services provided by this business-type activity. Operating revenues are primarily charges for services rendered.

1200 Policy for Identifying Special or Extraordinary Items

Items reported as Extraordinary Items are transactions that are both unusual in nature and infrequent in occurrence and are the result of events that may be beyond the control of County management.

Special items are either unusual in nature or infrequent in occurrence and are under the control of County management.

1300 Revenue Recognition in Governmental Fund Statements

Governmental Fund Statements, including the General Fund, are presented using modified accrual accounting. In order for a receivable to be recognized as a revenue within these statements, it must be considered available. The County considers a revenue available if it is collectable within 60 days of the date of the financial statement.

AUTHORED BY: Finance Committee
DATE: 12-11-03

APPROVED BY: County Board
DATE: 12-16-03

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

CODE

Payment of Grants and Subsidies

406

REFERENCE

NA

PERSONNEL RESPONSIBLE

Auditor and Commissioners

EFFECTIVE DATE

01-01-04

POLICY

406.100 – Purpose - As part of its annual budget, the County Board commits considerable resources to support a variety of organizations. If all funds were to be paid out in the first part of the year, County cash flows could be adversely affected and leave no ability to react to unanticipated revenue or cash shortfalls.

406.200 – Policy - Unless specifically excluded by County or CSSA Board action, all payments of grants and subsidies of more than \$1,000 annually will be paid on a quarterly, or less frequent, basis throughout the budget year.

AUTHORED BY: Finance Committee
DATE: January 14, 2003

APPROVED BY: County Board
DATE: January 21, 2003

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

Licensing of County Employees

CODE

501

REFERENCE

M.S. 245A (Human Services Licensing Act) and M.S. 382.18 (Officials Not To Be Interested In Contracts)

PERSONNEL RESPONSIBLE

Human Services

EFFECTIVE DATE

9-1-05

POLICY

Interested Swift County employees may complete an application for child foster care licensing. All applications will be processed as required by applicable Minnesota licensing rules and law. Any employee who is not directly involved in child placement decisions will be eligible for placements from Swift County.

Employees who are licensed for foster care will be required to take time off – with or without pay – for foster care parenting similar to what would be necessary for their own biological or adopted children. Foster care activities will not be allowed on “county time.”

Any Human Services employee who is directly involved in child placement decisions will not be eligible for placements unless approved by the Human Services Director. In a situation in which an employee, who has a child placed with them, transfers or is promoted to a position where that employee is directly involved in child placement decisions, the current placement would be permitted to continue but no future placements would be permitted.

Child foster care placement into a county employee licensed foster home from outside the county or as a relative placement will need the approval of the Human Services Director.

AUTHORED BY: Elsa Olson
DATE: 6-21-05

APPROVED BY: County Board
DATE: 08-02-05

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Purchasing and Contract Protocol and Authority	502

REFERENCE

M.S. 373.01	Counties - Powers
M.S. 375.21	Contracts of County Boards
M.S. 375.73	Duties of Purchasing Departments
M.S. 471.345	Uniform Municipal Contracting Law
M.S. 471.35	Specifications of Supplies and Equipment
M.S. 471.36	Noncompetitive Supplies and Equipment
M.S. 471.87	Public Officers - Interest In Contracts

PERSONNEL RESPONSIBLE

All Purchasers

EFFECTIVE DATE

09-02-03 (Updated 08-02-05 and 08-07-2013)

POLICY

502.100 – Purchasing Philosophy

502.101 – Department heads need both flexibility and accountability in purchasing for their departments. Excessive restrictions create an atmosphere of micromanagement while too liberal a policy invites abuse and a lack of accountability. The intent of this policy is to provide a framework that allows department heads to operate as efficiently and economically as possible, within state statute, while allowing for oversight on their larger purchases. This document delineates the protocols and authority related to the purchasing of goods and services for Swift County. It shall be followed by all County employees and officials.

502.102 – It is County policy to purchase goods and services in the most professional, ethical, legal, and efficient manner possible; insuring quality, considering standardization, reasonable terms, and best value to the taxpayers of the County.

502.200 – Ethical Practices

502.201 – No elected official, employee, or immediate family member of an elected official or employee should have a financial interest, directly or indirectly, in any contract or purchase order for goods or services used by the County. Elected officials and employees should not accept or receive, directly or indirectly, from a vendor any promise, obligation, or contract for future reward or compensation. Any violation of this section may be a gross misdemeanor. (M.S. 471.87)

502.202 – If an employee purchases or contracts for goods or services contrary to County policy, the purchase shall be void. In accordance with State laws, the Department Head shall be personally liable for the cost of the order or contract. If the order or contract is already paid for out of County funds, the amount may be recovered by appropriate action.

502.300 – Responsibilities of Persons Who Purchase

502.301 – Department Heads who supervise the purchase of goods and services on behalf of the County have the following responsibilities:

- 1) Follow County policies when purchasing items within their scope of responsibility.
- 2) Properly document purchases.
- 3) Maintain vendor histories/records.
- 4) Provide information on estimated costs for budget purposes and solicit bids, estimates, or quotations.
- 5) Determine if the purchase of an item through any Cooperative Purchasing Venture (CPV) is beneficial to the County.

502.400 – Purchasing Protocol

502.401 – Budgeted funds must be available before a purchase commitment is made. If sufficient funds are not available, a reallocation or additional appropriation request must be submitted.

502.402 – Contracts - All written contracts, regardless of amount, require review of the County Attorney. Contracts for less than \$5,000 in goods and/or services that are part of an approved budget may be approved by a department head with a copy sent to the County Administrator. Contracts for less than \$25,000 in goods and/or services may be approved by the County Administrator. The County Administrator shall report to the board all contracts approved at the staff level within 30 days. Contract \$25,000 or more in value require CSS or County Board approval and will be a regular agenda item.

502.403 – Purchases of less than \$5,000 – If the amount of the purchase is \$5,000 or less, the purchase may be made either by quotation or by direct negotiation. If practicable, at least two quotations should be obtained and kept on file for a period of at least one year. The following steps should be considered for quotations:

- 1) Specifications should be drafted by the Department Head or designee.

- 2) Specifications should be provided to at least 2 vendors.
- 3) Upon receipt of the quotations, an award should be made by the Department Head or designee.

502.404 – Purchases from \$5,000 to \$10,000 – The same protocol as stated in 502.403 will be followed with the additional requirement of County Administrator approval.

502.405 – Purchases from \$10,000 to \$25,000 – If the amount of the purchase is between \$10,000 and \$25,000 the purchase may be awarded through either a sealed bid process or by quotation. If sealed bids are used, the process outlined in 502.406 must be used. Purchases that are part of an approved budget may be approved by the County Administrator. Purchases that are not part of an approved budget must be presented to the County or CSS Board for action with a recommendation from the County Administrator.

502.406 – Purchases over \$25,000 – If the amount of the purchase is estimated to exceed \$25,000, sealed bids shall be solicited by public notice, unless the purchase is through a bid obtained by the State of Minnesota and available to counties. The following steps should be considered for sealed bids:

- 1) Specifications shall be drawn by the Department Head or designee.
- 2) Authorization shall be requested from the County Board to advertise for bids by the Department Head or designee.
- 3) The bid solicitation shall be published in the official County newspaper. In addition, proposals and specifications may be sent to the names listed on any prospective vendor's list maintained by the department. A deadline date and time for submission shall be included in the publication.
- 4) Bids shall be properly dated and stamped.
- 5) Bids shall be opened, reviewed, and awarded at a specific time and date as prescribed by the County Board with a recommendation from the County Administrator.

502.407 – Use of Cooperative Purchasing Venture – The County, on an annual basis, reviews its membership in the Cooperative Purchasing Venture (CPV) administered by the Minnesota State Department of Administration. Use of CPV is discretionary.

502.500 – Bid and Quotation Specifications

502.501 – Preparation – Written specifications should be prepared with the following criteria in mind:

- 1) Conformance to acceptable industry-wide standards.
- 2) Clear, definite, and concise.
- 3) Describe the performance requirements, rather than its formulation, description, or design.
- 4) Framed to permit, to the extent possible, free and full competition.
- 5) Consider cost, length, and terms of any warranty provisions, reliability and maintenance costs, and repurchase value of the equipment after a specified number of years.
- 6) Should not exclude all but one type or kind except when permitted by law.

- 7) Should not call for features or for a level of quality not needed for the intended use, except in cases where such features or the level of quality are essential for some future consideration or result in overall economic advantage to the County.

502.502 – Restrictive Specifications – Some latitude is permissible in specifying features of certain items. While it is not necessary to prepare specifications in a manner that every conceivable manufacturer could compete, the County must be able to demonstrate a clear reason for any restrictive specifications. If a minimum standard for wages with respect to the employees of a contractor is desired by the County or is required for compliance with State or Federal laws, the specification should include such a prevailing wage rate unless otherwise provided in any applicable Federal law. (M.S. 177.42)

502.503 – New Vehicle Purchases – Whenever possible, new vehicles will be flexible fuel vehicles capable of using E-85 or biodiesel fuels.

502.504 – Professional Services – Purchasing professional services creates a different relationship than normally exists in a buyer-seller transaction. The purchasing protocol needs to take into consideration qualifications, character, and mutual trust. For these reasons, qualifications, competency, and availability of the most qualified firms must be considered initially and independent of cost. Procuring professional services consists of three major elements:

- 1) Submittal of proposals;
- 2) Review of proposals submitted and selection of preferred proposal; and
- 3) Negotiation of price.

For purposes of this policy, professional services include at least the following:

- 1) Architectural and engineering services;
- 2) Personnel consultation;
- 3) Technology consultation;
- 4) Legal services (beyond that provided by the County Attorney);
- 5) Financial consultation; and
- 6) Insurance consultation.

502.505 – Documentation of Purchasing Process – Proper documentation of the purchasing process is necessary for accountability. Persons making purchasing decisions should be able to provide proof of compliance with the purchasing policy and State law.

AUTHORED BY:	Policy Committee	APPROVED BY:	County Board
DATE:	08-22-03	DATE:	09-02-03
UPDATED:	08-07-13	UPDATED:	10-15-13

Policy Statement

TITLE	CODE
Ordinance Development Protocol	503

REFERENCE

M.S. 375.51 Ordinances; Enactment; Publication

PERSONNEL RESPONSIBLE

All Department Heads

EFFECTIVE DATE

1-1-97 (Reviewed 6-28-02)

POLICY

The County Board has the authority to adopt ordinances it deems necessary for effective governance. In order to have a systematic process for use in the adoption of ordinances, the County Board will use the following protocol steps in this process.

Step 1 - Need Identified - A need is identified by some entity that an ordinance should be developed or that an existing ordinance needs revision. This may be by an existing County Committee, County Planning Commission, County Board member, etc. If the matter involves a zoning issue, it should automatically be referred to the County Planning Commission.

Timeline: **As needed**

Step 2 - 1st Board Review - The need for adoption or revision is brought to the attention of the County Board in a timely manner. The Board discusses the need and makes a determination if work should be done to prepare a draft ordinance or revision document. The Board will designate, by resolution, a specific Department Head to have lead responsibility. If appropriate the matter will be referred to the Planning Commission, another County-designated Committee or other regulatory body.

Timeline: **Within 14 workdays from time the matter is referred to Board.**

Step 3 - Ordinance Drafted - The Department Head, Planning Commission, County-designated Committee or other regulatory body prepares or insures the preparation of a draft ordinance or revised ordinance document. The process used to develop the document will vary at the discretion of the Department Head.

Timeline: **Variable time period.**

Step 4 - Legal Opinion - The Department Head, Planning Commission, County-designated Committee or other regulatory body insures that a written opinion of the Swift

County Attorney is obtained regarding legal concerns of the proposed ordinance or revision in an existing ordinance. The request for such an opinion should be submitted in writing and should detail specific areas of concern for review by the County Attorney.

Timeline: Within 15 workdays of time referred by author.

Step 5 - 2nd Board Review - The Department Head, Planning Commission, County-designated Committee or other regulatory body presents the proposed ordinance or revised ordinance to the County Board.

Timeline: Variable time period.

Step 6 - Public Hearing and Notice - If the Board expresses interest in adoption of the proposal, it will adopt a resolution to hold at least one public hearing on the proposed ordinance or revision in the existing ordinance. The Board will insure that notice of such public hearing is published in the official County paper and other such media as the Board deems appropriate. Such notice must state the subject matter of the ordinance and its general purpose. If the ordinance is adopted, proof of publication must be attached to the ordinance and be filed with the County Auditor. Such notice must provide **at least 10 days** advance notification of the hearing.

Timeline: Within 14 workdays of 2nd Board Review.

Step 7 - Public Hearing Protocol - If a public hearing is held, the Board will follow the public hearing protocol as contained in **County Policy 102.405**:

- Presiding officer opens the hearing and states the purpose.
- Brief description of issue by County staff or other appropriate persons.
- Presentation, if applicable, by affected or interested persons.
- Open discussions by members of the general public.
- End of public discussion.
- Discussion by Board.
- Decision of the Board.
- Public hearing closed by resolution.

Timeline: At time of public hearing

Step 8 - Closure - If the Board does not adopt the ordinance or revised ordinance, it shall make a determination as to what it plans to do. Such determination will be made by formal resolution. (e.g. to table, etc.)

Timeline: Variable time period.

Step 9 - Publication of Ordinance - If the Board adopts the ordinance or revised ordinance, it shall decide on a method by which the general public will be informed. Such methods may include publication in official news media, use of radio, television, posting on official bulletin boards, etc. The Board shall adhere to M.S. 375.51 subdivision 3 in its publication process. At its discretion, the County Board shall stipulate the effective date of the ordinance.

Timeline: Variable. A determination will be made on an ordinance-by-ordinance basis.

AUTHORED BY: Policy Committee
DATE: 12-6-96

APPROVED BY: County Board
DATE: 1-7-97

Policy Statement

TITLE	CODE
Swift County License Fees, Service Charges, and Other Charges	504

REFERENCE

NA

PERSONNEL RESPONSIBLE

County Department Heads and Local Elected Officials

EFFECTIVE DATE

7-1-98 (Update 05-01-07)

POLICY

The attached document contains the Swift County License Fees, Service Charges and Other Charges statement.

AUTHORED BY:	County Policy Committee	APPROVED BY:	County Board
DATE:	8-24-01	DATE:	09-02-03

Department	Type Expense	What For	Amount
Assessor	Service Charge	Detailed Computer and Information Listing	Actual Cost
		Parcel	\$11.00
		Non-document copy	\$.25 per page
Auditor	License Fee	Auctioneer	\$20.00
		Liquor	\$1,000.00
		Off Sale	\$10.00
		On Sale	\$5.00
		Transient Merchant	\$150.00
	Service Charge	Confession of Judgment	\$150.00 per parcel
		Computer List	\$.10 per page
		Ditch Maint. Admn. Fee	30% actual cost
		Ditch Outlet Admn. Fee	\$150.00
		Plat Book	\$25.00
		Tax Searches	\$2.00
		Township N/A/D Labels	\$.05 per parcel
		Township N/A/D List	\$.02 per parcel
		Tax Delinquency Publication	\$10.00 per parcel
		Non-document copies	\$.25 per page
Environmental Services	Service Charge	Disposal Charges Use	See Appendix 1
		Scale Use	\$3.00 per weigh
		Zoning - Agricultural Bldg & Residential Garages	\$50.00
		Zoning - Amendments to Ordinance	\$200.00
		Zoning - Annual Renewal off Gravel Pit/Operator's Permit	\$150.00
		Zoning - Commercial or Industrial Permits	\$150.00

		Zoning - Conditional Use Permits	\$350.00
		Zoning - Dwellings, Additions, Mobile Homes & Cabins	\$50.00
		Zoning - Rezoning District Boundaries	\$250.00
		Zoning - Sewage Permits	\$100.00
		Zoning - Variances	\$250.00
Extension Service	Service Charge	Publications	Variable
		Photo copies	25¢ per black page 50¢ per color page
Highway	Service Charge	Approach permit	\$350.00 plus excess pipe costs or \$350.00 deposit pending construction verification
		Calcium chloride bags	At Cost
		Chloride application	\$100.00
		County Road Maps	No charge
		Culverts	At Cost
		Engineering size copy	\$3.00 each
		Flags	At Cost
		Lathe (wooden)	At Cost
		Mail box post sets	At Cost
		Salt/sand mix	\$20.00 yard
		Photo copies	No charge
HRA	Service Charge	Credit Report	\$7.50 per person
Human Services	Service Charge	Social Service Fees	See Appendix 2
		Non-Public Assistance Child Support	\$25.00
		Photo copies	\$.25 per page

Parks and Drainage	Service Charge	Tile Supplies	At cost, if available
Recorder	Service Charge	UCC Department	
		Amendment	\$20.00
		Assignment	\$20.00
		Continuation	\$20.00
		Financing Statement	\$20.00
		Partial Release	\$20.00
		Request for Financing Statement	\$20.00 per debtor name
		Request for Tax Lien Information	\$20.00 per debtor name
		Termination	\$20.00
		Abstract & Torrens Department	
		All Probate proceedings: Last Will & Testament; Ord. Of License; Ord. Conf. Sale; All Orders from the Court; Prt. Deeds, and any other type of document that is recorded	\$4.50 per document
		Assignment of Mortgage	\$4.50
		Attested Copy	\$2.00
		Certified Copy	\$5.00
		Copies of UCC	\$1.00 per document
		Copy of RE or Torrens	\$1.00 per instrument minimum; or \$.50 Per page
		Equipment Fund	\$1.00 per document
		Mortgage	\$4.50
		Partial Release of Mortgage	\$4.50
		PR Deeds	

			\$4.50
		Quit Claim Deeds	\$4.50
		Satisfaction of Mortgage	\$4.50
		Subordinations	\$4.50
		Warranty Deeds	\$4.50
		Well Certificate	\$30.00
Sheriff	Service Charge	Accident Reports	\$5.00
		Bank Levy for an Execution	\$30.00
		Boarding Fee for Out-Of-County Inmates	\$55.00 per day
		Booking Fee for Inmates Incarcerated	\$10.00
		Burning Permits	No charge
		Certificate of Sale	\$30.00
		Collection on Executions	6% on total
		Electronic Home Monitoring	\$15-25.00 per day
		Explosives Permits	No charge
		Fingerprinting Applicants	\$10.00
		First Time Levy on Wages for an Execution	\$30.00
		Handgun Permits	\$100.00
		Inmate Co-Pay for Medical Expenses	\$10.00
		Mileage for Service of Process	\$.35 per mile
		Mortgage Foreclosure Sale	\$45.00
		Posting Notices of Sale	\$30.00
		Redemption of Property	\$30.00
		Return of Execution Unsatisfied	\$30.00

		Second Time Levy on Wages for an Execution	\$30.00
		Service of All Other Civil Process	\$30.00
		Service of Process - Not Found	\$30.00
		Service of Summons and Complaint	\$30.00
		Work Release Fee	\$10.00 per day
	License Fee	Dangerous Dog	\$100.00
	Other	Cassette Tape Copies	\$3.00
		Fax Copies	\$3.50 for first page; \$1.00 each page thereafter
		Photo copies	\$.25 per page
		Work Release Sack Lunch	\$3.00
		Portable Breath Test	\$3.00
		Urinalysis Testing	\$40.00 to \$50.00
		Scanned Pictures: Regular Paper Photo Paper	\$1.00 \$2.00
		Pictures	\$2.00 per picture & developing cost
Treasurer	License Fee	Marriage License	\$100.00 (Reduced to \$30.00 if pre-marital counseling is received.)
	Service Charge	Birth Certificate	\$16.00 for first copy; \$9.00 for second copy
		Death Certificate	\$13.00 for first copy; \$6.00 for second copy
		Passport Application	\$67.00 passport fee; \$30.00 local fee
		Tax payments received without statement/stub	\$5.00
		Tax Searches	\$2.00 per parcel
		Tax Statement Copies	\$.25 per statement

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

CODE

Term Limits

505

REFERENCE

NA

PERSONNEL RESPONSIBLE

All Committee Appointments Made By County Board

EFFECTIVE DATE

1-1-99 (Revised 6-5-01)

POLICY

505.100 - Length of Term - Any appointee made by the County Board can serve no more than 9 consecutive years on any committee.

AUTHORED BY: County Board
DATE: 6-5-01

APPROVED BY: County Board
DATE: 6-5-01

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

CODE

Overage Payments

506

REFERENCE

PERSONNEL RESPONSIBLE

All Department Heads

EFFECTIVE DATE

7-1-04

POLICY

The County receives various payments of taxes, fees, and other charges that may be in excess of the actual charge itself. Returning any excess charges may prove to be more costly to the County due to the clerical, postage and paper costs than the actual refund, especially when the refund amount is less than \$5.00 (five dollars).

The County policy is that it will not refund any excess payments that are less than \$5.00 (five dollars.)

AUTHORED BY: County Recorder

DATE: 7-6-04

APPROVED BY: County Board

DATE: 7-6-04

Policy Statement

TITLE	CODE
Meeting Room Protocol - Law Enforcement Center	508

REFERENCE

None

PERSONNEL RESPONSIBLE

All Users of Law Enforcement Center Meeting Room

EFFECTIVE DATE

10-1-00 (Revised 04-05-05)

POLICY

508.050 - Who Can Use - Only County employees, non-profit, or not-for-profit groups may use the meeting room. The name and phone number of the person arranging for use of the room needs to be provided. The room is not available for public baby showers, graduations or other such social events. Access to non-public office space to any user of the room is not permitted.

508.100 - Reservations and Keys - Room reservation are coordinated by County Sheriff personnel. Reservations can be made by calling 843-3133, 289-2356, or 264-5972 during normal business hours. Keys to open the meeting room need to be obtained and returned to the Sheriff's Office.

508.150 - Rest Rooms - Use of the restrooms immediately adjacent to the meeting room are permitted.

508.200 - Supervision - If children or youth are present, they need to have adult supervision at all times.

508.250 - Pets - Except for "seeing-eye" animals and law enforcement canines, no dogs or other pets are allowed.

508.300 - Regular Use - Use of the meeting room on a fixed basis - e.g. 3rd Monday night of every month - with several exceptions such as Department of Public Service,

County employee usage, is not permitted. The Board delegates to the County Auditor the authority to disallow any group from using the room.

508.350 - Tables and Chairs - Persons using the room should avoid dragging tables or chairs across the carpet.

508.400 - Cleaning - Any group using the room needs to tidy-up the room when the meeting is concluded. This would entail leaving the room in as good, if not better, condition than when the room was occupied. Failure to do so could result in being billed for cleaning expenses. Any unusual housekeeping accidents should be reported to the County Auditor's office.

508.450 - Lights - Lights should be turned out when the meeting room is vacated.

508.500 - Food - The meeting room is not equipped to handle food preparation of any kind. Any group bringing food is responsible for proper storage and disposal of any food product brought to the room.

508.550 - Problems - If any problems with the use of the meeting room should occur, the user should notify the County Sheriff's office.

AUTHORED BY: Policy Committee
DATE: 02-25-00

APPROVED BY: County Board
DATE: 09-05-00

Policy Statement

TITLE

CODE

Purchase and Use of County Vehicles

509

REFERENCE

PERSONNEL RESPONSIBLE

All Department Heads and County Employees

EFFECTIVE DATE

10-1-00

POLICY

100 - Purchase of New Vehicles - Purchase of all new County vehicles shall be done utilizing the bidding process, unless the Department has met with the County Board and the Board has given the Department permission to negotiate with specific entities to purchase a vehicle. Advertisement of bids shall be done in the legal newspaper of the County. Under the direction of the County Board, the bids may be advertised in additional newspapers and appropriate trade magazines. The bids shall be opened at the next County Board meeting following the close of the bidding process. For vehicle purchases under the auspices of the CSSA Board, their protocol will be followed for all vehicle purchases. Bids shall be awarded to the lowest responsible bidder if the vehicle meets or exceeds the bid specifications. The County reserves the right to accept or reject any or all quotes and to waive any informalities in the interest of the County.

200 - Purchase of Use Vehicles - Purchases of used vehicles may be done under the direction of the County Board. Swift County may advertise or negotiate directly with anyone for the purchase of a used vehicle as long as it is in the best interests of the Department looking for a vehicle and Swift County.

300 - Budget - All vehicles to be purchased should be in the budget. If not or because of unforeseen circumstances, any Department may meet with the County Board to discuss the replacement or addition of a vehicle.

400 - Use of County Vehicles - County vehicles should be used for County business whenever possible. If an employee chooses not to use a County vehicle when one is available, the Board authorizes that the amount mileage reimbursement paid to that employee shall be half ($\frac{1}{2}$) of the County Board approved rate. There may be reasons for not using a County vehicle such as having a vehicle that is not handicapped accessible or it not in the best interests of the County for the individual to use the County vehicle; i.e. driving 20 miles to get to the County vehicle to conduct County business. Use of County vehicles is subject to all local, State and Federal laws. No employee shall use a County vehicle for personal business unless authorized by the responsible Department Head.

AUTHORED BY: Policy Committee

DATE: 8-25-00

APPROVED BY: County Board

DATE: 9-5-00

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE:	CODE
Credit Card Policy	510

REFERENCE

M.S. 375.171 and M.S. 471.38

PERSONNEL RESPONSIBLE

All County Employees and Elected Officials

EFFECTIVE

4-1-02 (Updated 11-5-13)

POLICY:

510.100 – General – Use of County credit cards if permitted. Each Employee will maintain control of this credit card. County credit cards issued to employees and elected officials must be used for legitimate County purchases only. Issuance of a check is the preferred payment method. A credit card should be used only when payment by check is not feasible.

510.200 – Typical Uses –County credit cards should be used for securing and paying for travel expenses, acquiring supplies/services from occasional vendors with whom the County does not maintain an open account, and for telephone/Internet purchases. It is preferred that fuel purchases be made with one of the fuel/gas credit cards, when practical.

510.300 – Controls - The County Administrator has authority to approve or deny each County issued credit card request.

- County issued credit card account limits shall be as follows:

<u>Cardholder</u>	<u>Account Limit</u>
Board of Commissioners/Department Head/Administration	\$2,000.00
Employee	\$500.00

- Any deviation from the established accounts limits shall be submitted in writing by the Department Head outlining a specific reason(s) why the established limit is insufficient. Deviations must be approved by the County Board of Commissioners.

- All receipts must be obtained by the persons using the card and presented with their reconciliation of the bill to their Department head.
- It shall be the responsibility of the Department Head to notify the County Auditor's and County Administrator's office a lost card **Immediately**. The County Auditor's office will cancel the lost credit cards.
- The County Auditor shall maintain an inventory of County issued credit cards which shall be physically audited annually.
- The original credit card user agreement shall be kept in the County Auditor's office. The credit card vendor shall not be given access to personal credit records.
- Department heads must annually submit to the County Auditor a list of authorized cardholders in their department including for what type of use each cardholder is authorized.
- A background credit check on the applicant's personal credit history may be processed, as needed.
- County issued credit card shall have the County's name, employee/elected official's name and the expiration date. Upon issuance of the County provided credit card, the approved user shall personally sign a Credit Card Use Agreement upon receipt for their County issued credit card.

510.400 – Restrictions – The use of credits cards is restricted for purchases on behalf of the County. Unauthorized purchases would include:

- Items for personal use
- Any single transaction exceeding authorized limit
- Entertainment
- Cash Advances
- Medical and daycare expenses
- Alcoholic beverages
- Meals and gratuities
- Fuel for personal vehicle

Failure to comply with the above guideline for authorized purchases under the Swift County Credit Card Policy may result in disciplinary action, cancellation of your card privileges and possible termination of employment.

510.500 – Protocol

- The request for a County issued credit card will be made by the Department Head for use within his/her department (Exhibit A). Request will be then forwarded to Administrator's office, or if necessary the County Board of Commissioner, to receive approval. Once approved, the Department head shall be notified. The original request shall be maintained on file in the County Auditor's office.
- Employee will read and sign the Credit Card Use Agreement. (Exhibit B)
- Use the card in the customary manner.
- Forward all itemized paper receipts to the proper person upon return to the office. Insure that all itemized paper receipts contain sufficient detail to indicate each purchase. (Exhibit C)

- If it is determined that the credit card is not in the best interest of Swift County, the Board of Commissioners may discontinue credit card privileges.

510.600 – Monthly Reconciliation – The County Auditor shall be sent a monthly billing statement identifying purchases listed for each card holder.

- It is the personal responsibility of each card holder to submit the proper receipts along with the billing from the credit card company to the Auditor’s office in a timely manner (within 5 working days of Auditor’s request) for the purpose of paying the bill and to avoid service charges.
- Each Department Head shall review and sign for all charges listed from their department (Exhibit C –Monthly Credit Card Reconciliation Form). All original receipts for those charges must be attached. Receipts handed in must contain: date, name of establishment, itemized detail of items purchased. Cardholders are responsible to obtain a duplicate receipt from the vendor for any lost receipt.
- Charges with lost receipts or where no duplicate receipt is available will be immediately reimbursed to the County by the cardholder.
- It is the responsibility of the cardholder to resolve any disputes with a vendor.
- No fees or interest charged by a card company because of late payments due to untimely submission of record to the Auditor’s office shall be paid from county funds. The Department Head shall be personally responsible for those fees if they appear on the billing for their department.
- Any over-limit fee shall be the responsibility of the cardholder.

510.700 – Lost or Stolen Cards - Should any cardholder lose or have their County issued credit card stolen, it is their responsibility to immediately notify, within 24 hours, the credit card issuer and the County Auditor’s Office. Contact information of the credit card issuer will be provided to the cardholder upon request.

510.800 – Cancellation - The County Administrator reserves the right to cancel any individual cardholder at any time. The County Auditor (or as delegated to Deputy Auditors) is authorized to cancel individual cardholders due to resignation or termination of employment from Swift County.

510.900 – Terminated Cardholders - A credit card held by a terminating employee must be turned into the County Auditor’s Office prior to termination. If the card is not retrievable, the responsible department must notify the Auditor’s Office immediately.

510.1000 – Violations of Policy - Violations of this policy may result in the revocation of the authority to use a county issued credit card and/or discipline, up to and including, termination.

AUTHORED BY: Policy Committee
DATE: 2-22-02
UPDATED: 11-5-2013

APPROVED BY: County Board
DATE: 3-4-02
UPDATED: 12-03-2013

SWIFT COUNTY
Policy Manual – Exhibit A

To: County Administrator

From: _____

**RE: Request for County Issued Credit Card for
(Place an X in the applicable box)**

- ___ **Commissioner**
- ___ **Department Head**
- ___ **Employee**

Department Head Portion:

I request the following employee be issued a Swift County Credit Card.

Employee Full Name (print): _____

Employee SSN: _____

Employee Sample Signature: _____

Issued Credit Card Account Limit: ___ \$2,000 (Board of Commissioners/Department Head/Administration)
 ___ \$ 500 (Other Employees)
 ___ \$ _____ Board Approval Date: _____

Signature of Department Head _____
(Signature) (Date)

County Administrator Portion:

Received request on _____
(Date)

Approved by County Administrator on _____
(or) (Date)

Declined by County Administrator on _____
(Date)

If approved, card was delivered to employee on _____
(Date)

SWIFT COUNTY
Policy Manual – Exhibit B

CREDIT CARD USE AGREEMENT

I hereby acknowledge that I have read the Swift County Credit Card Policy (Section 510). Any use I make of the County’s credit card will be in accordance with the terms of this policy.

I understand that if I violate the terms of the Policy I may be subject to discipline, up to and including discharge. Any such disciplinary action would be subject to applicable due process procedures.

I understand that the County can and will monitor use of its credit card purchases.

I also understand that credit card privileges may be revoked by the Department Head and/or Administrator at any time, and I must relinquish the credit card upon request of the Administrator.

Employee Full Name _____
(Print)

Signature of Employee _____
(Signature) (Date)

Social Security Number _____

Credit Card Number _____

Credit Card Expiration Date _____

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Data Practices - Responsible Authority	601

REFERENCE

M.S. 13.02 Subd.16	Responsible Authority
M.S. 13.05	Duties of Responsible Authority
MCAR 1205.1000	Appointment of Responsible Authority
MCAR 1205.1100	Appointment Power of Responsible Authority

PERSONNEL RESPONSIBLE

Swift County Attorney and Designees

EFFECTIVE DATE

9-1-96 (Reviewed: 5-24-02; 7-25-03; 10-6-06)

POLICY

The Swift County Attorney shall act as the responsible authority for the purposes of meeting all requirements of Minnesota Statutes, section 13.01 through 13.99, as amended, and with rules as lawfully promulgated by the Commissioner of Administration.

The responsible authority may, if that person deems it to be in the best interest of administration and enforcement of the Act, appoint designees.

AUTHORED BY: Policy Committee
DATE: 9-26-96

APPROVED BY: County Board
DATE: 10-96

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Personnel Records	602

REFERENCE

NA

PERSONNEL RESPONSIBLE

Administrative Services and Department Heads

EFFECTIVE DATE

09-02-03

POLICY

602.100 – Purpose – To establish: A uniform format for personnel files; a process for establishing and maintaining files; a central file location; and access and control procedures.

602.200 – File Content – Personnel files shall be contained in a 6-section file folder available from Administrative Services. Contents shall be arranged as follows:

602.201 – Section 1 – Personnel log access sheet.

602.202 – Section 2 – Application for Employment, resume and cover letter, signed releases for background and/or credit checks, job offer/promotion/change in employment status letters, position description, acknowledgement forms (personnel policies, internet protocols, sexual harassment, drug policies, etc.).

602.203 – Section 3 – Correspondence, letters/memos of commendation, disciplinary actions, miscellaneous correspondence.

602.204 – Section 4 – Performance evaluations including goals/objectives.

602.205 – Section 5 – Training certificates.

602-206 – Section 6 – Miscellaneous and department specific documents.

602.300 – Access to Files

602.301 – The County Administrator and his/her appointed designee(s) will control access to personnel files. Files will be kept locked whenever visual monitoring is not possible.

602.302 – Employees and their supervisors shall have unrestricted access to their files. However, employees may not remove their file from Administrative Services and must view their file in the presence of Administrative Services personnel or the County Administrator.

602.303 – Supervisors may check out an employee’s file for up to five working days. If an extended period is needed, Administrative Services must be notified.

602.304 – An “Access Log”, as attached to this policy, shall be kept with each file and a log kept of who has accessed the file and when.

602.305 – Public requests to view an employee’s personnel file will be handled through the completion of a “Data Release Form”, as attached to this policy. Upon completion, Administrative Services will confer with the applicable department head, and the County Attorney if needed, to determine the public portions of the file. The public data will then be provided to the requestor.

602.400 – Updates – File updates can be submitted directly to an appointed designee or placed in the Administrative Services mailbox in the Treasurer’s office.

602.500 – Records Retention – Administrative Services, in conjunction with the applicable department head, will ensure that employee files are kept current under the County’s Records Retention Schedule.

602.600 – Other Personnel Information

602.601 – Payroll information/files will remain in the Auditors Office.

602.602 – Negative employee drug testing results will be retained by the applicable department in a separate file. Positive results, and applicable follow-up action(s), will be noted in the employee’s personnel file.

602.603 – Applicable employee medical files will be retained by the department.

AUTHORED BY: Ad Hoc Committee
DATE: 07-10-03

APPROVED BY: County Board
DATE: 09-02-03

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

CODE

Security Guidelines for Electronic Communications and Internet Use

703

REFERENCE

Swift County Policy #215 - Acceptable Use of Electronic Communications and Internet Use

PERSONNEL RESPONSIBLE

Department Heads
Network Systems Administrators

EFFECTIVE DATE

7-1-99 (Update 06-03-03)

POLICY

703.100 – Purpose - These **Guidelines** describe how Swift County employees should handle information resources in order to help ensure the confidentiality, integrity and availability of all Swift County governmental-related and operational information. These **Guidelines** apply to **all individuals** who are authorized to use the information resources of Swift County including Swift County employees, support staff, System Administrators, volunteers, Board Members, designees, contractors, elected and appointed officials, interns, and members of the general public.

703.200 – Introduction - These **Guidelines** are based on an analysis of the information assets, requirements and risks associated with information and information systems at Swift County. These **Guidelines** provide a reference for protecting information in all Swift County information systems.

These **Guidelines** apply to all information resources that the County owns and controls. Such systems and information assets included - but are not limited to - telephone systems, computer systems and networks, voice mail systems, cellular phones, pagers, fax machines, electronic mail systems and messaging systems, and connected electronic equipment.

The overall Swift County security objective is to ensure the confidentiality, integrity availability and safety of all Swift County-related information. These **Guidelines** support that objective by including statements that are designed to minimize the effect of the threats and vulnerabilities on information systems. These **Guidelines** address four critical security objectives within Swift County.

703.201 - Confidentiality Objective - All private and confidential data should be protected from unauthorized disclosure. Non-public data should remain as private as possible. Release of this data will only be to properly authorized individuals and entities.

703.202 - Integrity Objective - All data should be protected from improper or unauthorized creation, modification or destruction. Data should be created and entered correctly, and modified by only those individuals who are authorized to do so.

703.203 - Availability Objective - All Swift County authorized users should have unhindered access to the data they require to perform their authorized tasks. Swift County is committed to minimize and mitigate the chance of a catastrophic failure through these policies. Included in this commitment is the development of a comprehensive disaster recovery plan for the County.

703.204 - Safety Objective - Swift County is committed to protecting County assets and authorized users.

703.300 - Authorized Uses - Swift County technology resources are for use by Swift County authorized users. Acceptable uses of Swift County technology resources are described in the **Swift County Acceptable Use of Electronic Communications and Internet Use** policy statement. Strictly personal use of the Swift County technology resources may occur as long as such use is of negligible impact, incidental in nature and in conformity with the **Acceptable Use Policy**. Employees are not permitted to use Swift County technology resources for personal commerce nor for any illegal purposes.

703.301 - Allocation of Resources - Appropriate personnel and financial resources should be made available to information system staff to ensure that adequate security methods and user training are provided and maintained.

703.302 - Acceptable Use Policy - Swift County will publish and distribute the **Acceptable Use Policy** to all authorized users and provide financial resources to ensure that adequate user training is provided.

703.400 - Access Control - Access to Swift County facilities, computer systems and other technology resources should be strictly controlled so that only Swift County authorized users have access to the available information. So, for example, access to Internet resources will be granted based on a need to perform authorized job functions. Public access to public data (as defined in Minnesota Statutes) must be maintained without compromise to the overall integrity of record keeping systems and maintenance procedures.

703.401 - Access Control Mechanisms - The base level of access to Swift County

networks and information systems is based on the privileges and requirements needed to perform work functions, and some form of access control mechanism will control all access to sensitive, private, copyrighted, or licensed information. Such control shall be determined on a Department-by-Department basis.

703.402 - Passwords - Passwords used within Swift County information systems should be single user, non-trivial, hard-to-guess, non-repetitive passwords that have no direct relationship to the password user and/or creator, and which periodically expire.

703.403 - Password Sharing - Passwords should not be shared across multiple users or across multiple computer systems unless expressly approved by a Security Administrator.

703.404 - Password Expiration - Passwords should be changed periodically as determined by the password policy for each system. In general this should be every 6 months. On automated systems with the capability, users should receive prior notice that their password is about to expire so that they are provided ample opportunity to change their password. Since some passwords may be set to expire over the summer months, most users will need to make arrangements before leaving for summer vacations that will be remembered until they return.

703.405 - Password Complexity - Passwords should be of sufficient complexity - alphanumeric or words that do not appear in a dictionary are preferred. This includes such characteristics as:

- * should use at use least 8 alphanumeric characters, **articul8ing** a semi-pronounceable string when possible;
- * should not be obviously related to the user; this includes such items as spouse, children, or pet names or nicknames, license numbers or phone numbers;
- * good passwords can be found in the “second member” of a pair (aunt’s name of your favorite uncle) or in pass phrases (fasterthanaspeedingbullet or FTASB).

703.406 - Password Protection - Swift County users should protect their passwords from any and all other individuals and users should also respect this requirement of co-workers. This guidelines is intended to include such items as:

- * disclosure of a Swift County user’s password to any person other than the password’s owner is prohibited.
- * a Swift County user should not enter his or her password if someone else is watching.
- * Swift County users should not watch any other Swift County user enter their password.
- * passwords should not be written down in any readable form, or programmed into any computer system or key for automatic login, recall, display or other use, except for a controlled password registry.

703.407 - System Administrator Password - System Administrator passwords should not be shared, and should be changed with greater frequency than that required by these **Guidelines**. This is to ensure the confidentiality of system administration accounts. System administration level accounts clearly marked should only be used when performing duties

requiring System Administrator access. System Administrators should return to a “normal user” level when not performing system administrative duties.

703.408 - Suspected Disclosure - In the event of a suspected disclosure of a password, that password should be immediately changed.

703.409 - Password Registry - Persons with responsibility for system administration should record access passwords in a confidential **Password Registry** to be maintained by the Department Head or Security Administrator. The **Registry** should also contain information about support contracts, vendor contracts, and location of on-site and off-site backups. Access to this **Registry** should be controlled with extreme vigilance. Failure to document updates to critical systems could cause major denial of services and result in unacceptable downtime for information systems. A sample document is in the Appendix. Systems to be included in the **Registry** include telephone systems, security systems, workstations with significant amounts of data stored locally, networking systems, and file servers.

703.410 - Login Banner - Every login screen on every computer system should ideally contain explicit statements that include the following ideas:

- * access to the system is for authorized users only;
- * by accessing the system, the user is representing that they are an appropriately authorized user
- * by accessing the system, the user is agreeing unconditionally to be covered by the rules and regulations of Swift County
- * that violation of the rule and regulations of Swift County and these **Guidelines** is subject to disciplinary action and/or criminal prosecution.

A sample statement could be:

“Access to this system is for Swift County authorized individuals only. By accessing this system you acknowledge that you are such an individual, and that you will abide by all Swift County rules, regulations and policies. Violators will be subject to disciplinary action and/or criminal prosecution. For assistance or questions contact your immediate supervisor.”

703.500 - Security Awareness and User Responsibilities

703.501 - Disclosure of Information - Swift County authorized users are NOT authorized to disclose any Swift County proprietary, private or sensitive information in any form, to members of the media, to former Swift County employees, or to other non-Swift County individuals, unless provided with prior written authorization from an appropriate County official.

703.502 - User Training - Swift County authorized users should receive periodic training to ensure that relevant issues in these **Guidelines** are addressed.

703.503 - Logout Unattended Terminal or System - Swift County authorized users should logout of computer terminals or systems if they are going to leave the computer terminal or system unattended. Automatic logouts or password-protected screen savers should be enabled wherever practical.

703.504 - Alert Computer Use - Swift County users should be alert about their computer or terminal status and take care that unauthorized individuals cannot read or modify data through a valid system login or session. Low-tech solutions can include anti-glare screen guards that prevent “shoulder surfing” and proper monitor placement. The intent of this guideline is for a user to be aware that potentially sensitive data may be displayed on a computer screen they are using. Users should take appropriate steps to ensure that unauthorized people are not reading over their shoulders.

703.505 - Alert Printer Use - When a user prints sensitive, propriety or otherwise controlled information, that user should retrieve the printed material in a timely manner to ensure that it is not available for unauthorized use.

703.506 - Responsible Information Use - Swift County users should not make extra copies of any Swift County or client information beyond what is required to perform official duties.

703.507 - Personal Privacy Zone - Swift County users should make an effort to teach appropriate privacy behaviors concerning password entry as part of general “netiquette.”

703.600 - System Management

703.601 - System Administration - Swift County should designate staff to perform system administration and user account functions for each system. Such individuals have a great deal of access to sensitive information resources. Their work habits may be monitored more closely than other employees.

703.602 - System Administrator Account - System Administrators will use system administrator accounts to perform system administration and user account maintenance functions only. These individuals will use regular accounts for non-administrator functions.

703.603 - System Administrator Rights and Responsibilities - System Administrators have the right and the obligation to take necessary actions to ensure the availability of the computer system that they are supporting.

703.604 - Information System To Be Notified Of User Status Changes - Supervisors and human resource staff must communicate with Information Systems to manage access to all electronic systems. Any change in a Swift County user’s status that could involve restriction or termination of information system permission should be immediately communicated by the appropriate supervisor or Department Head to the Security Administrator. This includes changes in status of temporary staff, leave of absence, resignation, and extended sick leave or vacation. The Security Administrator should notify the System Administrator to deactivate or transfer the user accounts. Information about staff replacements are very helpful in making a smooth transfer of privileges. **Note:** Inactive accounts are often a primary target for attempted unauthorized access. When a Swift County user is dismissed or terminated involuntarily, all computer and information system permissions, user ID’s and passwords should be disabled prior to notification of the employee.

703.605 - Terminated Employees - Persons not actively employed by the County will not have access to computer networks, e-mail, dial-up services, voice mail, or other electronic communication systems. When a Swift County user is dismissed or terminated involuntarily, all computer and information system permissions, user ID's and passwords should be disabled prior to notification of the employee. Further, other staff members should be fully informed that they are in no way to provide the individual with any access to any Swift County information processing system.

The overall goal of the following sections is to eliminate and pass around the duties and responsibilities within 30 days:

(1) **Voice Mail** - Voice mail stored on the system should be saved and access given to the supervisor for disposition and routing of existing messages.

- Voice mail access given to the supervisor. Access password _____.
- Disposition of existing messages completed. _____(date)

(2) **Internal E-Mail** - Internal e-mail should be disabled immediately. As soon as practical, the former employee's name should be removed from the e-mail lists it was in. If there is a gateway between the employee's internal and Internet mail, it should be disabled immediately as well, to prevent internal mail from "leaking" into the Internet mailbox where it could be accessed.

- Internal e-mail disabled. _____(date)
- Name removed from the e-mail directory and lists. _____(date)
- Gateway between internal and Internet mail disabled. _____(date)

(3) **Internet E-Mail** - Internet e-mail directed to a former employee should be forwarded to the employee's supervisor for disposition. In addition, Swift County may, but is not obliged to, send an auto-reply to the sender informing them of the employee's absence. One option the supervisor has is to forward messages of an obvious personal nature to the former employee, but this is not a requirement of these **Guidelines**.

- Internet e-mail forwarded to the employee's supervisor. _____(date)
- Auto-reply informing senders of the employee's absence. _____(date)

(4) **Remote Network Access** - Network access, including direct access from the Local Area Network and remote network access, either through dial-up or through the Internet into the Swift County administrative networks, shall be stopped - at the latest - at the time of the employee's termination of employment. Network administration requirements may be such that certain accesses need to be curtailed earlier.

- Network access stopped. _____(date)
- Remote network access stopped. _____(date)

Note: Network administration requirements may be such that certain accesses need to be curtailed earlier than the employee's last day of employment.

(5) **Administrative Passwords** - Override and common administrative passwords must all be cycled whenever an individual who had knowledge of these passwords

terminates employment.

- Override passwords changed. _____(date)
- Common administrative passwords changed. _____(date)

703.606 - Configuration Management Policies - Swift County will perform regular configuration audits of all systems.

- (1) **Critical Systems' Configuration** - Critical systems contain information that is essential for the on-going conduct of business. Critical systems should remain in tested configurations - hardware and software - which can be reproduced. Plans to modify any such configuration should contain appropriate back out plans should unforeseen difficulties occur. Any modifications should be disseminated to all affected individuals prior to the installation. Additional resources to create model or test environments may be required.
- (2) **Software Licenses** - Swift County purchases software licenses for installation on all Swift County authorized systems. Installation on systems at non-Swift County facilities - including Swift County user home systems - is permitted if the software license allows it. Additional uses of Swift County licenses is not allowed. Software licenses and pertinent information should be stored and maintained in a central location for all software owned by the County. **Note:** In many cases a "license" is conveyed only by a sales receipt or paid invoice.
- (3) **Introduction of External Software** - Swift County employees are expressly prohibited from installing any external software on any Swift County information system. This is specified in the **Acceptable Use Policy** as well. Installation of new software should be done only under the authority of the designated System Administrator. External software includes commercial software, shareware, freeware, or Internet-loaded plug-ins and patches. **Note:** It is the intent of this **Guideline** to eliminate unlicensed or improperly licensed software on Swift County systems. If such software is discovered on Swift County systems, Swift County, and its staff and user of that system could be subject to legal action by the software vendor.

703.607 - Physical Access Control - Critical information system components including phone systems, servers, routers, and wiring closets should be secured and with proper HVAC and AC power conditions. An audit of these elements should be completed and maintained annually. **Note:** The security mechanisms of these devices can be easily circumvented if physical access is allowed. Networking components should be secured at all times in a restricted area.

- (1) **Introduction of New Equipment** - Swift County employees should not modify, or allow to be modified, the hardware or software configuration or any computer or communication equipment except under the authority of the building Security Administrator. This **Guideline** is intended to include such action as:
 - * addition or removal of a modem to a computer or terminal
 - * addition or removal of any computer hardware or peripheral (laptop, printer, scanner, disk drive, tape drive, memory.)

* addition or removal of any software or software configuration.

- (2) **Automatic Logout** - Where technically possible, computer systems should detect when a period of inactivity and either log the user out or activate a password protected screen saver. The length of the inactivity, which is acceptable, should be determined for each computer environment.
- (3) **Environmental Control** - The environment in which a computer system operates can have a dramatic effect on the stability of the computer system, and therefore the data, which resides upon it. Critical networking systems like routers and servers must be protected by some power filtering system such as an uninterruptible power supply (UPS). UPS devices with integrated surge protection are strongly recommended.

703.608 - Virus Control - All Swift County computers should have installed an up-to-date virus scanning software package. This package should be configured to scan floppy disks upon insertion, scan the hard drive and boot sector on boot up, and be able to scan a file/directory/drive on disk insertion. **Note:** Subscription updates are a vital part of maintaining useful virus protection and must be considered non-optional.

- (1) **New Software Virus Scanning** - All personal computer software should be scanned for viruses with an up-to-date virus scanning software package before being installed on any computer.
- (2) **Virus Containment** - Swift County employees should notify the System Administrator immediately if they suspect or confirm that their computer system has been infected with a virus. Only properly trained individuals should attempt to destroy or remove a virus.
- (3) **Anti-Virus Software on Servers** - Swift County servers should be protected by including server-based anti-virus software on every server installation. This software provides for continuous scanning of files it receives from work stations, and has an updatable virus signature file.

703.609 - Backup - Periodic backups should be performed on all Swift County servers. The ideal backup standard is a daily-run full-image backup for every server in daily use. Backup storage should contain enough space for weekly and monthly images. All system backups should be protected with the same types of measures as used on the on-line system that has been backed-up. Backups should be stored in off-site locations to help minimize the changes that the backup media would be damaged with the computer system.

- (1) **Testing of Backups** - This **Guideline** recommends that authorized System Administrators perform data restorations once per month as spot checks and that System Administrators perform a whole-system restore once per year.
- (2) **Restoration of Backups** - Only authorized System Administrators or operators should perform data restorations.

- (3) **Individual Backups** - Swift County employees who are storing information on their own hard drive should make their own regular backups. Swift County will provide accessible systems and media for this purpose. A daily or weekly routine is ideal for this activity. Files no longer used should be removed from County servers and systems.

703.610 - Disaster Recovery - All critical and sensitive systems should have a tested Information Security Disaster Recovery Plan. County Computer Coops coordinates this activity on a Statewide basis.

703.611 - County Approved Information Server for Staff, Public Notices and Governmental Information

- (1) **Official Publication** - Swift County may maintain one or more WWW servers for staff and public access. This server is an official publication of the County, to be used for communications and notices among employees, officials and staff. It is similar in scope and requirements to a newsletter or press release published by the County. It should be reviewed and regarded in this light.

703.612 - E-Mail - Swift County authorizes and maintains e-mail and servers for staff use. These servers are all official publications of the County. The contents of e-mail is stored on Swift County servers and should be considered to be non-private in nature. System Administrators may need to access materials contained in these e-mail accounts. Personal and non-governmental related account material should not be stored on the Swift County servers.

- (1) **Staff E-Mail Accounts** - Use of official e-mail constitutes the creation of a public document and is to be used for communications in fulfillment of the governmental mission of the County.
- (2) **Retention of E-Mail Records** - E-mail server backups will be retained in the same schedule as established record retention schedules dictate for paper documents and correspondence.

703.700 – Training - Swift County will establish and maintain a security awareness-training curriculum that all Swift County staff should review. **Note:** Security awareness, password selection and appropriate use should be major focuses of this training.

703.800 – Enforcement - Enforcement of this security policy will be taken seriously. This **Guideline** is put in place for the protection of Swift County information resources as they support the mission of Swift County. Compromise of data could result in embarrassments, negative public relations, and liability issues.

703.801 - Disciplinary Action - Disciplinary action for intentional or unintentional violation of these guidelines is covered by the Swift County Personnel Policies and various labor agreements in effect.

703.802 - Reporting Problems and Maintenance of Confidentiality - If a Swift County

employee has knowledge of or suspicion of a compromise or attempted compromise of Swift County information systems, or access controls, that staff member is expected to report that knowledge or suspicion immediately upon becoming aware of the potential security problem to their supervisor or to a System Administrator. Such reports will be considered confidential communications akin to “whistle blower” reports and will not result in retaliation against the reporter. **Note:** The purpose of this **Guideline** is to increase system integrity in Swift County because even seemingly minor or trivial actions or changes to systems can snowball into major breakdowns.

703.803 - Automatic Logging and Commitment or Monitor Logs - “Security relevant” activities should be logged and staff resources allocated for periodic spot-checks of security-relevant data. Security logs should be reviewed and analyzed on a periodic and timely basis to help ensure that Swift County information systems remain in as secure an operating condition as possible.

703.900 - Records Retention - Swift County will establish and maintain a records retention policy consistent with Minnesota Statutes that all Swift County employee should receive training in and review periodically.

AUTHORED BY: Policy Committee
DATE: 06-03-03

APPROVED BY: County Board
DATE: 06-03-03

PASSWORD REGISTRY

Persons with responsibility for system administration should record access passwords in a confidential password registry to be maintained by the System Administrator. Inability to access critical systems could cause major denial of service and result in unacceptable downtime for information systems.

Name of Computer System:		
Make, Model of CPU:		
1. Location		
Building	Room#	Location in Room
Supervisor/Root/Administrator User Name		Other Relevant Info.
2. Support Contracts		
Vendor furnishing support		Date Support Begins:
Phone, contact		Date Support ends:
Next escalation step (if known) after local support:		
3. Vendor Contacts		
Purchased From:		Date Purchased:
Special terms and conditions of purchase:		
4. Back-Ups		
Normal back-up method: _Lan _Tape _Floppy _Incremental _Full		
Location of on-site and off-site back-ups:		
5. Name of Person Completing this form:		
Work Phone:	Home Phone:	Pager Phone:

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE: Commissioners' Computer/E-Mail Policy **CODE:** 704

PURPOSE: To provide for e-mail communications with Commissioners and enhance their Internet awareness/skills.

REFERENCE: NA

PERSONNEL RESPONSIBLE: County Commissioners

EFFECTIVE: 04-01-02

POLICY

704.100 – General - Communications with Commissioners, and their Internet awareness/skills, are vital to County operations. Department heads, other elected officials, employees, and citizens all have a legitimate right to have access to their Commissioners. Without e-mail, Commissioners are often informed at different times about issues that impact the County. By ensuring that all Commissioners have access to e-mail, communications are enhanced for all County citizens and staff. By ensuring that they have a basic understanding of what the Internet has to offer, a knowledge base can be created that is vital to establishing a County WEB site and entry into an E-Commerce environment.

704.200 - Computer Equipment/Support Provided - In the event that a Commissioner does not have equipment available to access the Internet and e-mail, such equipment will be provided by the County. Computer hardware and software, monitors, printers, modems, and all associated cabling and peripherals will be provided from used, phased-out County equipment. In the absence of critical needs in other departments, Commissioners' equipment needs will be given primary consideration. The equipment and software remain the property of Swift County and will be returned when a Commissioner leaves office. Technical support will also be provided.

704.300 - Connectivity Provided - To ensure Internet and e-mail connectivity, the County will pay for the least expensive Internet/e-mail connection available at the Commissioner's residence. This cost will be established based on those services available as of January of the current year. Additional charges for an enhanced or higher speed connection will not be paid by the County. Commissioners may request reimbursement for their expenses as they see fit, i.e. monthly, quarterly, or annually.

AUTHORED BY: Policy Committee
DATE: 02-22-02

APPROVED BY: County Board
DATE: 03-05-02

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Computer Viruses	705

REFERENCE

NA

PERSONNEL RESPONSIBLE

All Swift County computer users

EFFECTIVE DATE

9-1-02

POLICY

Computer viruses are a threat to any organization. E-mail attachments as well as floppy disks and CD's are the most common ways for destructive computer viruses to infect and damage your computer. If floppy disks or CD's need to be used, make sure they are free from viruses before use. Exercise extreme care when opening e-mail and e-mail attachments. Never open an attachment when you are unsure of the source or the business-related reason the file is being sent. Always use the virus-scanning software provided on your computer. If you receive an e-mail from an unknown recipient, especially if it has a file attachment, immediately delete the e-mail from your in-box and empty your deleted items folder. If you have any concerns about an e-mail, seek assistance from Technical Support or a co-worker before opening it. Due to viral concerns, downloading of "screen savers" or other such frivolous documents is highly discouraged.

AUTHORED BY: Rob Lee
DATE: July 12, 2002

APPROVED BY: County Board
DATE: August 6, 2002

Policy Statement

TITLE

Domestic Abuse Prosecution

CODE

831

REFERENCE

State Statutes

PERSONNEL RESPONSIBLE

County Attorney, Sheriff, & their Staff

EFFECTIVE

07-11-03

POLICY

831.100 – Definition – The Swift County Attorney’s Office’s definition of “domestic abuse” is a broad one. The focus is on whether the crime arises because of a domestic relationship and is intended to intimidate, terrorize or control the victim. Frequent domestic abuse charges include: Terroristic Threats, First Degree Assault (great bodily harm), Second Degree Assault (dangerous weapon), Third Degree Assault (substantial bodily harm), Fifth Degree Assault, Domestic Assault, Violation of an Order For Protection or Harassment Restraining Order, Harassment, First Degree Burglary, Second Degree Burglary, Criminal Damage to Property, Kidnapping, False Imprisonment, Criminal Sexual Conduct in the First through Fifth Degrees, Tampering with a Witness, Robbery, Harassing Phone Calls, Interference with a 911 Call, or Trespassing. Any other crime against a person may also be, depending upon the circumstances, a domestic related charge.

831.200 – Training – The Swift County Attorney’s Office is actively involved in ongoing peace officer training to heighten officers’ awareness of the potential chargeable crimes in domestic situations. Additional time and attention to detail at the scene of a crime can result in articulating probable cause for a felony offense, such as terroristic threats, instead of misdemeanor assault or disorderly conduct.

831.300 – Goals – The County Attorney’s Office believes that aggressive prosecution of domestic assaults sends a message to the community at large and to abusers and victims that domestic abuse is a crime and will not be tolerated. The goals of prosecution are to protect victims of domestic abuse from future violence, to deter abusers from committing violent acts against both the victim and other persons and improving the accessibility of the criminal justice system and victim services to the victim.

831.400 – Principles – In prosecuting a domestic abuse case, the following general principles should be observed:

831.401 - Charging –

- (A)** Charging decisions should be made promptly, whether or not the offender is in custody. In determining whether to charge a domestic case, the County Attorney's Office considers and reviews documentation of the current offense (including physical corroboration, medical reports, excited utterances, and evidence from the victim and other witnesses) as well as past records of abuse (both charged and uncharged) and of the existence of present or past OFP's. The decision of whether to charge is based on an objective assessment of all of the evidence. A victim's expressed desire not to prosecute a case is not determinative if sufficient other evidence exists to prove the defendant committed a crime.
- (B)** In deciding whether to decline to prosecute the case, prosecutors should assess all the evidence including the victim's willingness to testify. Where the victim is unwilling to testify, the prosecutor should not decline the prosecution if there is sufficient other evidence to prove the case.
- (C)** If a case is declined, the "decline" letter required by M.S. 611A.0315, Subd. 1 must be sent to the victim.
- (D)** If a case was originally declined because the victim was unavailable or unwilling to cooperate, but the victim subsequently reappears and wants prosecution, the case will be reevaluated for prosecution.

831.402 – Contact with the Victim – The prosecutor should facilitate early and consistent contact with the victim. The victim should be advised not to initiate contact with the defendant. Prosecutors should advise the victim that any harassment of the victim or other witnesses by the defendant should be reported. The prosecutor should provide the victim with information on local victim advocacy programs. The prosecutor should coordinate with any advocate involved with the victim to maintain close contact with the victim for the purpose of trial preparations and in order to be informed of the victim's wishes regarding disposition of the case. Whenever possible, the disposition should attempt to balance the victim's wishes, long-term protection of the victim, and the public safety needs of the community. While the prosecutor should solicit and consider the expressed views of the victim, the ultimate decisions on charging, plea negotiation offers, and case dismissals is the prosecutor's responsibility. Unless authorized by the victim, the victim's views shall not be disclosed to the defendant or defendant's counsel prior to the settlement of the case.

831.403 – Corroborative Evidence – Prosecutor's should obtain all necessary and available evidence to corroborate the victim's initial statements, including medical records, evidence of prior conduct (see M.S. 634.20), prompt complaint evidence, excited utterances, statements of non-victim witnesses and Spreigel evidence. A copy of any 911 calls should be ordered promptly.

831.404 – Bail – In most cases, some bail is appropriate in addition to a No Contact Order. Bail gives an economic incentive to the defendant to comply with other release conditions, including the No Contact Order. In addition to the usual bail arguments, a defendant's prior record of domestic assault arrests may be relevant even if prior cases were dismissed. See M.S. 629.72 regarding bail specifically in cases of domestic assault. This statute was

amended in 1987 to require that the safety of the victim be considered in addition to the usual release criteria of public safety and the likelihood of reappearance. A pretrial bail evaluation pursuant to M.S. 629.74 should also be requested where appropriate.

831.405 – No Contact Orders – In all domestic assault cases, a No Contact Order shall be sought at the first appearance, even if the victim appears and says s/he does not want it. In the latter event, the victim should be informed that it is the policy of the Swift County Attorney's Office to request no contact as a temporary measure at least until the victim has had an opportunity to discuss the issue with an advocate and the attorney. Absent unusual circumstances, No Contact orders should not be lifted. It is the policy of the Swift County Attorney's Office that when a victim requests a No Contact Order be lifted that our office will not recommend that the court lift the order until the victim discusses the issue with a domestic abuse advocate. Note that No Contact Orders can prohibit the defendant's appearance at or near the victim's residence and place of employment as well as contact by phone, in writing, or through third parties.

831.406 – Right to a Speedy Trial – Although the defendant has an absolute right to demand a speedy trial, the victim also has a right to request that the prosecutor make a demand under Rule 11.10 of the Minnesota Rules of Criminal Procedure for a trial within 60 days. (M.S. 611A.033, Subd. 1)

831.407 – Subpoenas – Victims should be subpoenaed for trial and other times when their appearance is necessary in all domestic assault cases.

831.408 – Trial Preparation – Whenever possible, the prosecutor should meet in person with the victim before the pre-trial hearing. The victim's advocate should participate in these meetings whenever possible. This allows not only for a more accurate assessment of the case, but also for the development of additional information which may substantiate more serious or different charges as well as Spreigel evidence. See M.S. 634.20, which specifically addresses Spreigel evidence in domestic assault cases. Early consultation with the victim also gives the prosecutor and the advocate a chance to explore all possible disposition options, including the victim's wishes.

831.409 – Plea Negotiations – In accordance with M.S. 609.2244, a pre-sentence investigation should be requested. Whatever settlement is reached, the victim must be notified of all terms and conditions, including any limitation on jail time, including good time, furlough, credit for time served, work release, and any other factors which affect the length of time served. It is the policy of the Swift County Attorney's Office that once a defendant is charged with a domestic assault or greater offense relating to a domestic situation, the defendant will not be allowed to plead to a disorderly conduct unless the victim recants and there is no corroborating evidence separate from the victim's testimony at trial. When a defendant is allowed to plead guilty to a disorderly conduct, the defendant must agree to undergo a presentence domestic abuse investigation pursuant to M.S. 609.2244, and the defendant must also agree to enter and successfully complete any domestic abuse programming and after-care recommended by the pre-sentence investigation. In all domestic assault cases, the prosecutor shall follow the minimum sentencing guidelines set forth in M.S. 609.2242 and make a recommendation that the defendant successfully complete a domestic abuse education class.

831.410 – Sentencing – The prosecutor should advise the victim of all rights under M.S. 611A regarding sentencing, restitution, the victim impact statement, the right to be present and to speak at sentencing, and the right to be notified of final disposition. Whenever the victim is working with an advocate, the advocate should be encouraged to attend, especially if the victim is not present.

831.411 – Notice of Release from Prison – The prosecutor should advise the victim regarding the process of notifying the Department of Corrections Commissioner (or head of the prison) to obtain release or escape from prison information concerning the defendant, and to provide information concerning a change of the victim’s address. (M.S. 611.06)

831.412 – Probation Violation – Generally, the prosecutor should request additional jail time (or prison time, where appropriate) anytime a domestic abuse probationary violation related to the victim’s safety occurs. Whenever a domestic assault defendant placed on probation violates conditions related to the victim’s actual safety, potential safety, or restitution issues, an attempt should be made to notify and consult with the victim regarding potential dispositions. When the prosecutor has not received sufficient notice of the kind of problem to make contact with the victim, a continuance should be requested.

AUTHORED BY: County Attorney
DATE: 07-11-03

APPROVED BY: County Attorney
DATE: 07-11-03

Policy Statement

TITLE

CODE

Dust Control

861

REFERENCE

NA

PERSONNEL RESPONSIBLE

Swift County Engineer

EFFECTIVE DATE

1-1-97 (update 2-20-01)

POLICY

Dust Control - Once each year Swift County, under the direction of the County Engineer, will let a contract for the liquid application of calcium chloride for dust control purposes on County gravel roads. Calcium chloride will be applied on the roadway in front of an individual's residence at the request of the property owner or resident. Each application will be approximately 18 feet wide and 400 feet long. The fee for this application will be \$50.00 - in advance - per site for residents on County roads. Any calcium chloride or dust inhibitor requested in excess of the 400 feet length will be entirely at the resident's expense. If actual costs for calcium chloride are known in advance of taking requests for the chloride, the resident will pay the extra costs in addition to the first \$50.00.

Residents who live on township or city roads must contact their local officials, who in turn should contact the County Highway Department, to have chloride placed in front of a property. The township or city will be billed the actual cost of the chloride that is used. The billing to the individual resident will be up to the respective city or township.

AUTHORED BY: Luke Hagen
DATE: 2-20-01

APPROVED BY: County Board
DATE: 2-20-01

