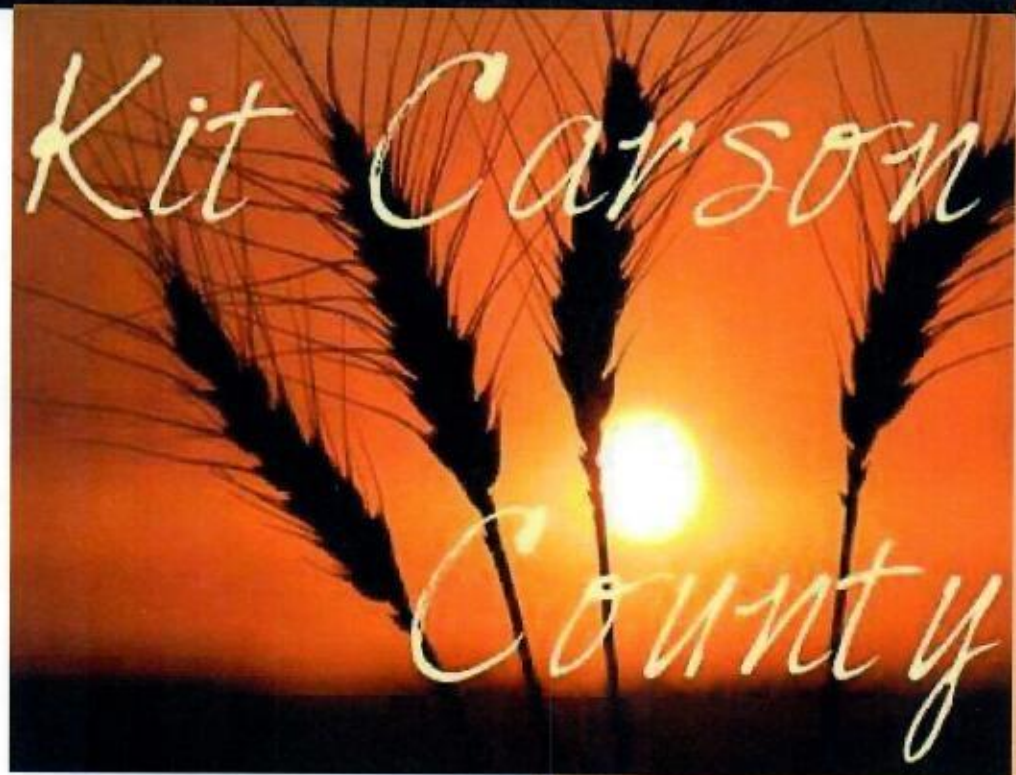


2021

KIT CARSON COUNTY POLICIES



ADOPTED 1/20/2021

1650 Donelan Ave, Burlington, CO 80807

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PERSONNEL & EMPLOYMENT POLICY

INTRODUCTION

IMPORTANT INFORMATION

THIS HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE COUNTY'S GUIDELINES. THIS EDITION REPLACES ALL PREVIOUSLY ISSUED EDITIONS, LETTERS, MEMORANDA, OR INDIVIDUAL UNDERSTANDINGS.

EMPLOYMENT WITH KIT CARSON COUNTY IS "AT-WILL." EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE COUNTY, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE COUNTY HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF KIT CARSON COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, EMPLOYEES WHO HAVE QUESTIONS SHOULD TALK WITH THEIR IMMEDIATE SUPERVISOR OR THE HUMAN RESOURCES OFFICE. IN ADDITION, THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK. EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT, THE COUNTY THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR CHANGE THEM WITHOUT PRIOR NOTICE.

Welcome to Kit Carson County!

A challenging and rewarding experience awaits you as an employee of Kit Carson County. These Personnel Guidelines have been written to answer some of the questions you may have concerning the County, as well as to provide a consistent framework for personnel management within the County. All employees should familiarize themselves with the contents of this handbook as soon as possible, for it may answer many questions about your employment with the County.

We believe that each employee contributes directly to the success of the organization, and we hope you will take pride in being a member of Kit Carson County's team.

We hope that your experience here will be challenging and enjoyable.

Board of Kit Carson County
Commissioners

MISSION STATEMENT

The mission of Kit Carson County is to model excellence in local government through accountability to the community, and to strive daily to provide services as a responsive body to meet citizen needs and a quality of life.

We are dedicated to facilitating services that provide public health, well-being, safety and infrastructure to the citizens of Kit Carson County, while continually improving and increasing our efficiency, therefore maximizing our tax-payers dollars.

CHAPTER I: PURPOSE AND INTENT

101 PURPOSE/INTENT/COVERAGE

This handbook applies to all County employees including all Department Heads. All departments within the County shall be subject to the provisions as contained herein. Although this handbook is not applicable to Elected Officials, it is the expectation of Kit Carson County that all Elected Officials will maintain the standard of conduct established by Kit Carson County.

This handbook is not intended to override or supersede any state or federal regulations or statutes that may apply to various aspects of County governmental functions.

Individual departments may have additional policies due to unique statutory or operating requirements but these policies apply in addition to and do not replace or supersede the Kit Carson County Employee Handbook unless set forth herein or exempted by the Board of County Commissioners by vote in a public meeting. Additional policies must be submitted to the Human Resources Department for review to ensure that a conflict with the County Handbook does not exist. In event of a conflict, the information set forth in this handbook shall control and take precedent.

102 MANAGEMENT RIGHTS

The County Commissioners and other Elected Officials have the authority to direct County operations of their respective offices as provided for by the statutes of the State of Colorado. Included in this authority is the power for the Board of County Commissioners to appoint and remove department heads and other individuals directly responsible to the Board of County Commissioners.

Each department or office of County Government is responsible for handling specific personnel matters in its area in accordance with this handbook. Further included is the authority for other Elected Officials to appoint and remove personnel in their departments in accordance with this handbook or state statutes.

103 GENDER NEUTRALITY

Any statements of gender are intended as gender-neutral, male and/or female references are all-inclusive covering either gender.

104 COMMITMENT TO DIVERSITY

Kit Carson County is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the County and are valued for their skills, experience, and unique perspectives.

CHAPTER II: CORE POLICIES

201 EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY

The County is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race, sex, color, religion, national origin, disability, genetic information, or any other applicable status protected by state or local law.

201.1 RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of

employment.

201.2 INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

201.3 DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

201.4 RETALIATION

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an Office of Federal Contract Compliance Programs (OFCCP) proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

202 EEO HARASSMENT

The County strives to maintain a work environment free of unlawful harassment. In doing so, the County prohibits unlawful harassment because of age 40 and over, race, sex, color, religion, national origin, disability, genetic information, or any other applicable status protected by state or local law.

Unlawful harassment includes verbal or physical conduct that has the purpose of or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's age 40 and over, race, sex, color, religion, national origin, disability, genetic information, or any other applicable status protected by state or local law will not be tolerated. Prohibited behavior may include but is not limited to the following:

- Written form such as cartoons, e-mail, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault, or blocking an individual's movements.

This policy applies to all employees including Elected Officials, department heads, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, salespersons, etc.

203 SEXUAL HARASSMENT

Because sexual harassment raises issues that are to some extent unique in comparison to other types of harassment, the County believes it warrants separate emphasis.

The County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as "unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature," when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to:

- Written form such as cartoons, e-mail, posters, calendars, notes, letters, etc.
- Verbal form such as comments, jokes, foul or obscene language of a sexual nature, gossiping, or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcoming touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

204 GRIEVANCE PROCEDURE

The purposes and objectives of the Grievance Procedure are to implement a process for all county employees and to encourage the settlement of disagreements informally at the employee-supervisor level. This policy will provide an orderly procedure to address grievances of county employees.

A grievance is defined as an allegation by a county employee, or a group of such employees, that the County has failed to provide a condition of employment which is established by an officially adopted written rule or regulation which comes under the control of the department head, supervisor or Elected Official. This grievance procedure shall not apply to the following:

- matters which are reviewable under some other administrative procedure;
- letters of warning;
- matters concerning transfers or assignments;
- matters concerning Performance Reports;
- matters which would require the modification of a policy established by the Board of County Commissioners or by law;
- matters which are subject to the discretion of the department head or the County;
- matters which relate to the County's health insurance program;
- matters concerning any alleged rights or privileges of an unclassified employee.

204.1 Reviewable Grievance

To be reviewable under this procedure, a grievance must:

- a. concern matters, or incidents, that have occurred;
- b. arise out of a specific situation, act or acts complained of which fall within the definition cited above, and which allegedly result in inequity or damage to the employee;
- c. specify the relief sought; such relief must be within the power of the department head to grant in whole or in part.
- d. Although there have been time limits placed at each level, it is most beneficial for all parties if there is a resolution reached as soon as possible.
- e. **Confidentiality** shall be maintained by all parties. Breach of confidentiality shall either dismiss the grievance or escalate the grievance to the next level.
 - Sharing information about your specific grievance with another employee other than your direct supervisor is a breach of confidentiality unless that employee is included in the grievance and is being filed as a group grievance.

204.2 STALE GRIEVANCE

A grievance shall be void unless filed in writing within thirty (30) calendar days from the date upon which the County is alleged to have failed to provide a condition of employment which is established by an officially adopted written rule or regulation which comes under the control of a department head.

In no event shall a grievance include a claim for money relief retroactive for more than thirty (30) day period prior to the date the grievance was filed.

204.3 INFORMAL GRIEVANCE

Before proceeding to the formal grievance procedure, an employee shall discuss the grievance with their immediate supervisor in private and attempt to find a solution. If the employee and their immediate supervisor cannot find a satisfactory solution, the employee may then choose to proceed with a formal written grievance.

204.4 FORMAL WRITTEN GRIEVANCE

If the employee chooses to formally pursue their grievance, they shall present the written grievance to their immediate supervisor. The grievance must follow these steps:

- The written grievance must be filed within seven (7) working days after the date upon which the grieving employee informally discussed the grievance with the immediate supervisor.
- The written grievance shall contain a specific statement which specifies the dates, times, places and persons, and any other facts necessary to present a clear understanding of the specific situation, act or omission which allegedly has resulted in an inequity or damage to the grieving employee.
- The grievance shall specify the relief sought.

The immediate supervisor shall return a copy of the written grievance to the employee with their response in writing within seven (7) working days after receipt of the written grievance.

If the grievance is not resolved at this level, the employee shall have seven (7) working days from receipt of the supervisor's answer within which to file an appeal to the Department Head.

204.5 WAIVER OF APPEAL STEPS

If the grievance is not resolved after the immediate supervisor has answered it in writing, the grievant and the supervisor may by mutual agreement waive review of the grievance at the Supervisor level and proceed to present the grievance to the Department Head.

204.6 GRIEVANCE TO DEPARTMENT HEAD

If presented to this level, the Department Head shall have seven (7) working days in which to review and answer the grievance in writing after receipt. A meeting is not required at this level. If the grievance is not resolved at this level, the employee shall have seven (7) working days from receipt of the written answer within which to file an appeal to Human Resources

204.6(a) GRIEVANCE OF ADMINISTRATOR

If the grievance is concerning the Administrator, the employees will follow these processes with the county attorney, waiving the human resource department due to the Administrator directing both positions.

204.7 GRIEVANCE TO HUMAN RESOURCES

Human Resources shall have ten (10) working days in which to review and answer the grievance in writing. Unless waived by mutual agreement of the employee and Human Resources, a meeting is required at this level and the employee shall have the right to be present and participate in such a meeting. This mediation can include the grievant, their supervisor and Human Resources. The time limit at this level may be extended by mutual agreement between Human Resources and the employee.

204.8 APPELLATE OPTION-BOCC

If the grievance is not resolved after Human Resources has answered it in writing, the grievant shall have fourteen (14) calendar days from receipt of the written answer within which to request a hearing with the Board of County Commissioners (BOCC). If a hearing is requested the employees must indicate if this will be an open meeting or occur in executive session. All BOCC meetings require a twenty-four (24) hour notice for publication. All parties may be required to attend this meeting, supervisor, Department head and grieving employee(s).

204.9 GENERAL PROVISIONS

1. The written grievance shall be submitted on the form prescribed for this purpose.
2. Whenever possible, grievances will be handled during the regularly scheduled working hours of the parties involved.
3. If the grievance involves a group of employees or if a number of employees file separate grievances on the same or related matter, the grievances shall be consolidated as a single grievance.
4. Any grievance shall be considered settled at the completion of any step if all parties are satisfied and if neither party presents the matter to a higher authority within the prescribed time period.
5. The grievance procedure is intended to assure a grieving employee the right to present their grievance without fear of disciplinary action or reprisal by their supervisor or department head.

6. Failure of the employee to file an appeal within the required time period at any level shall constitute an abandonment of the grievance. Failure of the County to respond within the time limit at any step shall result in advancement of the grievance to the next step.

205 CONSTRUCTIVE DISCIPLINE PROCESS

The four steps of constructive discipline are usually completed in order, until the problem is resolved or employment is terminated. Any step before termination may be repeated several times. It is also possible to skip steps in a serious situation.

205.1 VERBAL WARNING

A verbal warning becomes necessary when a problem continues, usually when a pattern is forming. In addition to clarifying the problem and the performance expected, a verbal warning formally cautions the employee that a problem exists.

The supervisor should identify the pattern and explain its impact on the employee's job responsibilities and the business operations of the office.

The supervisor should explain how the employee must improve and indicate when a follow-up meeting will be held. It is important for the employee to understand that the supervisor considers the matter serious enough to respond with further discipline, if necessary. After giving a verbal warning, the supervisor should document the verbal warning in the supervisor's file for the employee describing what the employee was told and agreements reached. The employee does not sign a verbal warning. The supervisor should follow up with meetings until the problem is resolved or becomes serious enough for the next step.

205.2 WRITTEN WARNING

Written warnings are appropriate when a verbal warning has failed to bring about the desired change in behavior or when the problem requires a more serious response. A written warning can be given to the employee without a discussion or can be accompanied by a discussion with the employee to reinforce the seriousness of the action. The written warning should contain the following:

- A summary of, or reference to, the prior discipline
- A factual description of the incident, performance problem or pattern
- An explanation of why the behavior, job performance or pattern is unacceptable
- An action statement describing what the employee must do, e.g., submit a doctor's note, improve productivity, reduce errors
- A warning that if the employee continues the unacceptable behavior or job performance pattern, the supervisor will take further disciplinary action
- A timeline is also considered appropriate specifically setting a time for a follow up review to see if the behavior has improved

By outlining the written warning as described, the burden shifts responsibility for improvement to the employee. The employee should sign the memo acknowledging its receipt. The supervisor should keep a copy, make a copy for the employee, and send the original (signed) copy to the employee's file in Human Resources.

205.3 SUSPENSION

Suspension is a very serious step in the constructive discipline process and is an appropriate disciplinary action for non-exempt employees. During the suspension, the employee does not report to work and is not paid. Suspension is the step closest to termination of employment. It is invoked for offenses after prior corrective efforts have failed, or when the offense itself is serious enough to warrant suspension

without prior discipline. It tells the employee that he or she is one step away from termination.

Human Resources is consulted prior to the supervisor taking this step in the discipline process. Human Resources can advise on whether suspension is appropriate as well as recommend a duration for the suspension.

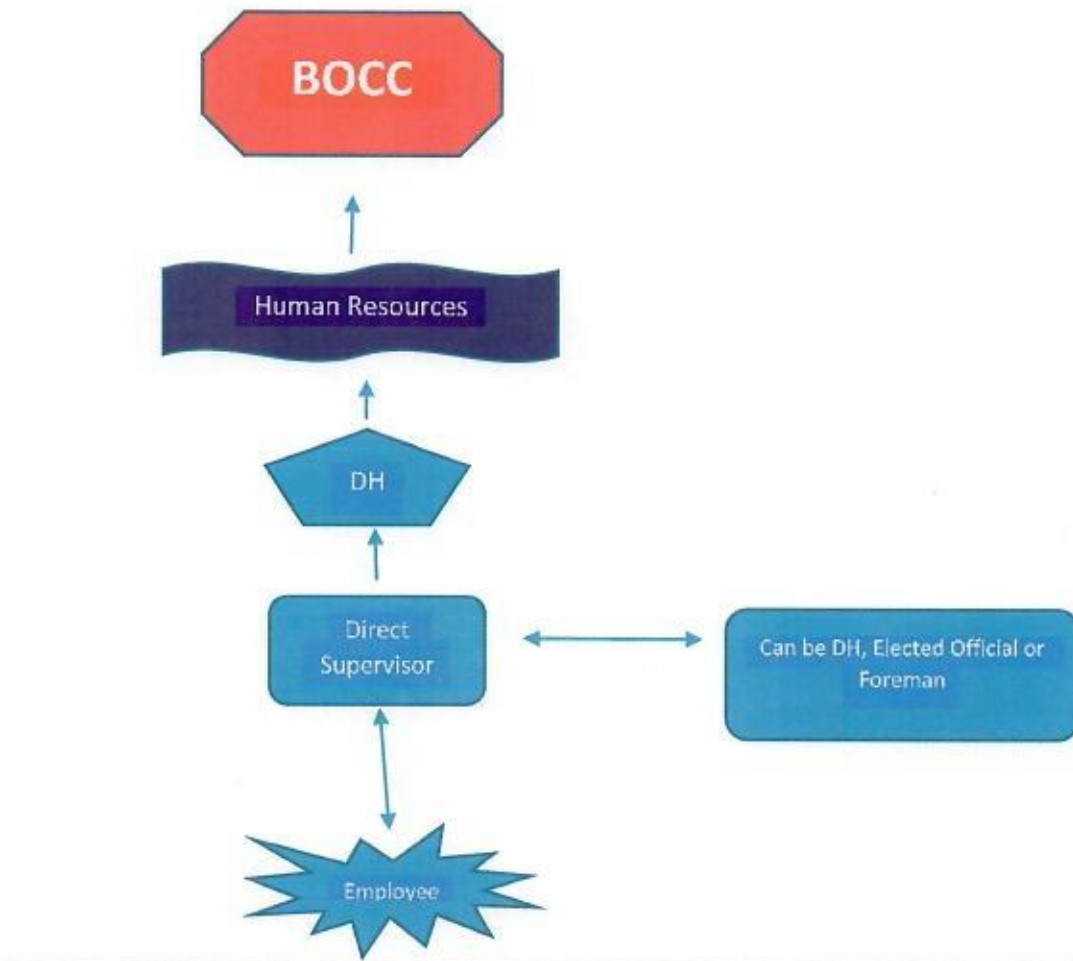
Suspension is not an appropriate action for administrative/professional positions due to wage and hour considerations. Consult with Human Resources in cases involving Department Heads and Professional employees.

205.4 TERMINATION OF EMPLOYMENT

Termination is the final step in the disciplinary process and is taken when the previous steps of constructive discipline have failed to resolve the problem or when a very serious infraction (i.e., "gross misconduct") mandates immediate termination of employment. When job performance or conduct has reached this point, the documentation should show that the employee has, in effect, terminated his or her own employment through failure to take the recommended corrective action.

Supervisors are to consult with Human Resources before taking action to terminate.

205.5 GRIEVANCE ORG CHART



206 WORKPLACE SAFETY

We believe employees should work in a safe environment without intimidation, threats or violence. Any action which, in management's opinion, is inappropriate in the workplace may result in disciplinary action. Such behaviors may include, but are not limited to, physical and/or verbal intimidation, threatening or violent conduct, bullying, vandalism, sabotage, stalking or arson. Employees should immediately report any such occurrences to a Supervisor or Human Resources.

Kit Carson County will not tolerate acts of violence committed by or against employees, clients, contractors, suppliers, or the general public.

The County will promptly investigate complaints regarding workplace safety. If it is determined that an employee's conduct is in violation of this policy, including but not limited to failure by the employee to provide prior notice of a concealed handgun, appropriate disciplinary action may be taken against the offending employee. Employees should directly contact law enforcement or emergency services if the employee believes there is an imminent threat to the safety and health of themselves, co-workers, customers, clients, vendors, consultants, etc.

For purposes of this policy, "weapons" refers to an instrument manufactured or commonly used for attack or defense with the intent to harm persons or property, including but not limited to, guns, explosives, and knives with a blade longer than three (3) inches.

Kit Carson County prohibits the possession of weapons on/in any County Property (including vehicles) except for those lawfully possessed by law enforcement or by those who have a valid concealed weapon permit. Concealed Carry permit does not allow concealed weapons in the county courthouse.

An employee who intends to possess a concealed handgun on/in county property must provide prior notice to the Department Head that the employee intends to do so. The Department Head must notify Human Resources. Human Resources must notify the Sheriff's Department for the safety of both the employee and law enforcement personnel that may be called on-sight. The concealed handgun must remain concealed and be kept on the employee's person or locked in a secure space at all times. The employee must not exhibit or display the handgun in the workplace unless requested to do so by law enforcement. Any violations of the concealed carry policy may result in losing your privilege to carry a concealed weapon at work in any Kit Carson County department, following a proper investigation.

Kit Carson County reserves the right to verify that the employee possesses a valid concealed handgun permit and to conduct an inspection and/or search to help maintain a safe, healthy, and efficient working environment, and to protect Kit Carson County property, equipment, operations as well as employees, customers, and citizens.

207 DRUG FREE WORKPLACE

The goal of the County is to provide our employees with a workplace which promotes health and safety. To meet this goal, the County strictly prohibits the illegal use, possession or sale of controlled substances by its employees. To support the County's safety and health program and to comply with minimum federal safety standards for drivers of commercial vehicles, the County has established an anti-drug program. Employees should refer to the separate policy statement for details of the County's anti-drug program.

208 SEARCHES & INSPECTIONS

The County reserves the right to conduct inspections. Cooperation in the conduct of inspections is required as a condition of employment.

Employees on the County's premises are subject to questions and search at the County's discretion. County property such as, County vehicles, lockers, desks, filing cabinets, computer files, E-mail, voice-mail, etc., are designated as having limited personal use, and may be searched at any time.

A County-initiated search does not necessarily imply an accusation of theft or that an employee has broken a rule. Employees refusing to cooperate with or submit to search will be subject to termination.

209 CONFLICT OF INTEREST

Employees and Elected Officials have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This guideline establishes only the framework within which the County wishes the organization to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the County Administrator for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative or a client of the employee.

If an employee has any situation, which may be an actual or potential conflict of interest, the employee must disclose this to their immediate supervisor as soon as possible and then exclude themselves from the bidding process and sign a formal document stating that they are recused from review in the bidding process due to their conflict of interest. The Board of County Commissioners will make the final determination of whether or not the situation is a conflict of interest.

Note: While the statutes are specific about conflict of interest, it is often the perception of conflict that needs to be reviewed and evaluated.

210 CONFIDENTIAL INFORMATION

Employees handling confidential information are responsible for its security. Extreme care must be exercised to ensure that it is safeguarded to protect the County and its clients or customers. Confidential information includes, but is not limited to, information concerning case management files, personal financial information on application forms, legal issues, and similar subjects.

Misuse or disclosure of confidential information obtained in the course of County employment could result in personal legal liability and disciplinary action, up to and including termination from employment. Documents and copies of documents, generated in the course of County employment are the exclusive property of the County and are not to be used for personal use or retained in the possession of an employee.

The County will also comply with the provisions of the "Health Insurance Portability and Accountability Act of 1996 (HIPAA)." This federal policy establishes rules and regulations governing personal medical information privacy issues. Further information on HIPAA is available in the Human Resources Office.

211 ETHICAL BEHAVIOR

As stewards of the public trust, all employees must be responsible for the property and resources of Kit Carson County (KCC). All employees must act in the best interest of KCC, the citizens and taxpayers of the County and the communities we serve. All KCC employees will strive to follow Colorado Revised Statutes Code of Ethics (C.R.S. 24-18-101 et seq.).

212 WHISTLEBLOWER

The Whistleblower Protection Act of 1989, 5 U.S.C. 2302(b)(8)-(9), Pub.L. 101-12 as amended, is a United States federal law that protects federal whistleblowers who work for the government and report the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority or a substantial and specific danger to public health and safety. A federal agency violates the Whistleblower Protection Act if agency authorities take (or threaten to take) retaliatory personnel action against any employee or applicant because of disclosure of information by that employee or applicant.

As an employee of Kit Carson County, if you need to report anything through the Whistleblower Protection Act, you will do so through the Kit Carson County Attorney's office. This information is available on the county website.

213 PERSONALLY IDENTIFIABLE INFORMATION or PII

Kit Carson County regularly stores sensitive information on paper, computer hard drives and other forms of electronic media. This policy is designed to address proper disposal for Personally Identifiable Information (PII), and is pursuant to C.R.S.6-1-713 *et seq.*

This information can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

Protected PII means an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to:

- Social Security Numbers
- Taxpayer Identification Numbers
- Employer Identification Numbers
- State or foreign driver's license Numbers Dates of Birth
- Corporate or individually held credit or debit card numbers, including PINS or access numbers
- Passwords
- Pass Codes
- Passports
- Mother's maiden name
- Date of birth
- Place of birth
- Educational transcripts
- Criminal Records
- Medical Records
- Financial Records
- Bio-Metric Data that has the purpose of authenticating an individual when they access an online account
- Student or Military Identification numbers

213.1 PROCEDURES

All Kit Carson County employees shall take extra precautions to assure that their office area is secured daily by considering potential PII that is in their area in the following manner when you leave your area for an extended time (lunch, breaks, end of day)

- All documents with PII should be locked away in a secure location
- Shut down computers or lock the screens
- Lock offices when not in use

213.2 REMOTE ACCESS USERS

Access to the Kit Carson County networks via remote access is to be controlled by using either a Virtual Private Network (in which a password and user id are required) or a form of advanced authentication (i.e., Biometrics, Tokens, Public Key Infrastructure (PKI), Certificates, etc.).

Remote users should take extra precaution when working outside of the office environment. These policies remain in place regardless of where you are working with county owned equipment.

- All documents with PII should be locked away in a secure location
- Shut down computers or lock the screens

213.3 DISPOSAL OF PII

Kit Carson County shall dispose of paper and hard copy records of PII in its possession that no longer has a business need by one of the following methods:

- Shredding
- Shredding Bins
 - Bins will be placed in a secure location to ensure security of the PII contained in the bins
- Incineration
 - Where available
- Overwriting Magnetic Media
- Erasing
- Physical Destruction
- Recycle bins
 - Do not place any PII into the recycle bin! Use bins only for non-PII paper products. Place PII information into shred bins only!

213.4 ELECTRONICS

KCC IT has added a triple-layer of protection with Meraki Firewalls, Email Security device and Anti-Virus Software on all machines. Reports from these devices are reviewed weekly as well as a daily spam and phishing review.

- Sharing of passwords is strictly prohibited.
- County phones and computers should be password protected and not left unattended without locking the screen, whether at work (during lunch), home or in the field.
- All employees must immediately report lost or stolen files and computer technology to your direct supervisor.
- Use of monitor screen protectors is encouraged if your computer screen could be viewed by public
- This policy applies to Kit Carson County owned electronics only. The State of Colorado machines are covered by the State of Colorado.

213.5 MEDIA

Any email or fax that is sent out with PII should be encrypted or sent through an email program such as Zix-Mail to protect the information from potentially being compromised. All documents being sent over email or fax, require supervisory approval before submission if it has potentially sensitive information. Kit Carson County also has an encrypted email package through the Dell SonicWALL 3300 by typing [secured] in the subject line.

213.6 PASSWORDS

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in a compromise of Kit Carson County's entire network. As such, all Kit Carson County employees (including contractors and vendors with access to Kit Carson County systems are responsible for taking the appropriate steps, as outlined below, to select and secure their password.

This policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any Kit Carson County facility, has access to the Kit Carson County network.

- All systems-level passwords (e.g., root, enable, network administrator, application administration accounts, etc.) must be changed at least every 90 days.
- All production system-level passwords must be part of the Information Security administrated global password management database.

- All user-level passwords (e.g., email, web, desktop computer, etc.) must be changed at least every 90 days and cannot be reused the past 10 passwords.
- Passwords must not be inserted into email messages or other forms of electronic communication.

213.7 PASSWORD CONSTRUCTION REQUIREMENTS

- Be a minimum length of eight (8) characters on all systems.
- Not be a dictionary word or proper name.
- Not be the same as the User ID.
- Expire within a maximum of 90 calendar days.
- Not be identical to the previous ten (10) passwords.
- Not be transmitted in the clear or plaintext outside the secure location.
- Not be displayed when entered.
- Ensure passwords are only reset for authorized user.

213.8 PASSWORD PROTECTION STANDARDS

Do not use your User ID as your password. Do not share Kit Carson County, State of Colorado passwords with anyone, including administrative assistants or secretaries. All passwords are to be treated as sensitive, Confidential Kit Carson County information.

If someone demands a password, refer them to this document or have them call County Administrator, or IT Administrator.

If an account or password is suspected to have been compromised, report the incident to IT Administrator and change all passwords.

All staff have the ability to change their password at any time if they believe it has been compromised in any way. By pressing Ctrl+Alt+Delete on their PC keyboard and selecting the change my password option.

213.9 INCIDENT RESPONSE REPORTING

All computer security incidents, including suspicious events, shall be reported immediately (verbally or via e-mail) to the agency/department IT manager and County Administrator by the employee who witnessed/identified the breach. The agency/department IT manager will then follow the incident response policy.

CHAPTER III: EMPLOYMENT

301 EMPLOYEE CLASSIFICATION STATUS

Employees are classified when hired by designation of full time, part time, seasonal, or contract. No change of classification can occur without a completed Personnel Action Form signed by the employee, Department Head or Elected Official and County Administrator.

301.1 REGULAR FULL-TIME EMPLOYEE

An employee who is normally scheduled to work at least 32.0 or 40.0 hours per week (depends on department). Full-time employees are currently eligible for County benefits.

301.1A REGULAR FULL TIME BENEFITS

- A. Regular Full time employee

- An employee who is normally scheduled to work at least 32.0 or 40.0 hours per week (depends on department).
- Regular Full time employees are eligible for County Benefits.
- County Benefits for employees that are considered Regular Full time employees but are not working 40 hours per week will have all benefits pro-rated in accordance with their percentage of work.
- Regular Full time employees (not working 40 hours) may be required to reimburse the county for a portion of benefits offered by the county; such as insurance, dental, vision or life insurance in accordance with hours worked and the amount pro-rated for sick and vacation, at the discretion of the County Commissioners.

301.2 PART-TIME EMPLOYEE

- a. An employee who is normally scheduled to work less than 30.0 hours per week with no more than 1,040 hours per year. Part-time employees currently are not eligible for County benefits other than those required by law or regulation.

301.3 TEMPORARY/SEASONAL EMPLOYEE

An employee who is hired in a job established for a temporary period or for a specific assignment. Temporary employees receive no County benefits other than those required by law or regulation.

301.4 REGULAR CONTRACT EMPLOYEE

An employee who is hired under the terms and conditions of a contract. This does not include "independent contractors." Such employees may be part-time or full-time, and receive no compensation or benefits other than those outlined in the terms and conditions of their specific contract. Such contracts shall be reviewed and authorized by the Board of County Commissioners.

301.5 EXEMPT EMPLOYEE

An employee who is not eligible for overtime pay. Exempt employees are paid on a salary basis, and must meet certain criteria under the Fair Labor Standards Act (FLSA).

301.6 NON-EXEMPT EMPLOYEE

Non-exempt employees are eligible to earn compensatory time at one and one-half times their regular rate of pay for all hours worked in excess of 40.0 hours per workweek, or other specified work period per the Fair Labor Standards Act. Overtime is given as compensatory time and will not be paid out unless approved by the board of commissioners. Any compensatory time will be paid out when the employee becomes separated from employment with the company.

Certain law enforcement personnel (as defined under the FLSA) would receive overtime for hours worked in excess of a work period consisting of one-hundred seventy-three (173 hours) in a month. The County reserves the right to decide on procedures for overtime that best suit the County's needs and budget.

302 AGE OF EMPLOYMENT

The minimum age of employment with Kit Carson County shall be sixteen (16).

303 VETERAN'S PREFERENCE

In accordance with Article XII, Section 15 of the Constitution of the State of Colorado, applicants of the County who are military veterans shall be given consideration over non-veterans, provided they are otherwise equally qualified for the position vacancy.

304 BACKGROUND CHECKS

Kit Carson County does perform background checks and/or investigations on any or all-potential employees after a conditional offer of employment has been offered. A background check revealing any prior conviction may result in the offer of employment being withdrawn.

305 POSITIONS REQUIRING A COMMERCIAL DRIVER'S LICENSE

Kit Carson County complies with all regulations of the Department of Transportation for all drivers required to hold a commercial driver's license (CDL) in order to perform their job. Employees with a CDL will abide by the Kit Carson County DOT Drug and Alcohol Policy.

306 JOB POSTING

Recognizing the need to fill available positions with the best-qualified people, the County may recruit from outside as well as consider qualified candidates in the County.

Normally, job openings are posted in the county appointed newspaper and on the county website. Employees may submit applications to Human Resources office.

Internal job announcements may be sent via email to all employees or posted on bulletin boards in employee break areas.

307 ORIENTATION

New employees are oriented by Human Resources Department and by the Supervisor of the department the new employee is entering. The orientation will be on subjects necessary to enable them to understand general County organization, the compensation plan, employee benefits, overtime and leave policies, retirement benefits, continuation of health benefits, authority, safety, and other areas of general interest.

308 EMPLOYMENT OF RELATIVES

The County may hire relatives of current employees except in the following situations:

- Relative would be in a position to directly supervise another relative.
- Relatives have access to confidential information including personnel records.
- Relatives would audit, verify, receive, or are entrusted with money handled by another relative.

A relative is defined as parent, spouse, child, grandchild, grandparent, brother, sister, nephew, niece, aunt, and uncle and current in-laws of the same relationship.

In the event two employees marry and one of the above situations applies, the County will try to arrange a transfer. If no such transfer is available, one of the employees must terminate within ninety (90) days from the date of marriage. The decision as to which one resigns will be left to the two employees.

These guidelines apply to all categories of employment, including full-time, part-time, and temporary classifications. They also apply to all relatives and to individuals who are not legally related, but who reside with another employee. It is the employee's responsibility to disclose such a relationship. Failure to do so may result in disciplinary action.

CHAPTER IV: EMPLOYMENT PRACTICES

401 PERSONNEL / EMPLOYEE RECORDS

The County maintains personnel files on each employee. These files contain certain documentation regarding aspects of the employee's employment with the county, such as performance appraisals, beneficiary designation forms, certifications, letters of commendation, etc. If you want to look at your file or discuss it with someone, contact the Human Resources Office to schedule an appointment.

To ensure that your personnel file is up-to-date at all times, notify the Human Resources Office of any changes in the following: Your name, telephone number, home address, marital status, number of dependents, beneficiary designations, education and training, emergency contact names & telephone numbers, and any other relevant information.

Generally, the employees' official personnel files are kept in the Human Resources Office (unless statute or regulations require different location). In those situations, a comprehensive supplemental file will be submitted to the Human Resources Office. Access to all personnel files, regardless of where they are kept, is governed by C.R.S. 24-72-204, regarding allowances or denial of public records.

Copies of any personnel actions taken for or against an employee must be submitted to the Human Resources Office in order to maintain an accurate and current reporting of the employee's status.

402 COUNTY PROPERTY

Employees who are issued County property, e.g., identification card, handbooks, vehicles, keys, and other similar items, are responsible for this property. Damaged or lost property due to carelessness, negligence, or other such action, may result in disciplinary action or restitution of damages based on your employment status.

Office equipment such as copiers, fax machines, etc. are intended for conducting County business. These may not be used for any activity that could be construed as invasive, illegal or contrary to the best interests of the County.

403 PARKING

The County currently provides free parking facilities for employees and visitors. When you enter the lot, please follow directions and do not park in reserved areas. Employees with special needs should obtain a handicapped permit through the County Clerk's Office.

The County is not liable for fire, theft, damage, or personal injury involving employees or automobiles. Protect your property by locking your vehicle.

You are expected to drive safely and comply with traffic control signs.

404 VISITORS

Visitors are welcome, but their presence may be a distraction to other employees. The presence of personal visitors may present safety and liability problems for the visitor, employees and the County. In consideration of fellow employees and their work, please limit the duration of personal visits. Children are not to be present during work hours, even when sick.

405 WORK-RELATED INJURY & ILLNESS

The County's goal is to provide a safe and healthy work environment. The biggest factor in ensuring your safety on the job is YOU. It is YOUR responsibility, to both yourself and those working in your area, to practice safe work habits. Report any unsafe practices and conditions to your supervisor so corrective action

can be taken.

Report all accidents in writing, no matter how minor, to your supervisor and the Human Resources Office immediately; or no less than 72 hours. We want to provide you with prompt medical treatment from one of our designated physicians. Treatment for on-the-job injuries must be obtained from one of these physicians or else you may be responsible for medical treatment. If the injury requires emergent care, the employee and supervisor should seek the nearest emergency care facility. Prompt reporting of the accident will help us to take steps necessary to reduce the possibility of future accidents.

406 REMOVAL OF CANDLES FROM COUNTY BUILDINGS

The County's liability insurance company, CTSI's Loss Prevention Department has requested that all candles be removed from all county buildings with no exceptions. Open flames (i.e. candles) pose an unacceptable risk of fire damage to property, and nationally, an increased number of fires have been attributed to burning candles. Kit Carson County will uphold CTSI's request and will not allow burning candles in any building.

407 FRAGRANCE SENSITIVITY

A fragrance-free environment helps create a safe and healthy workplace. Fragrances from personal care products, air fresheners, wax burning pots (like Scentsy), essential oil diffusers and cleaning products have been associated with adversely affecting a person's health including headaches, upper respiratory symptoms, shortness of breath, and difficulty with concentration. People with allergies and asthma report that certain odors, even in small amounts, can cause asthma symptoms. Common symptoms include nausea, headaches, skin rashes, watery/burning eyes, sneezing, runny nose, and congestion. Severity and frequency will vary depending on the affected individual and their level of exposure. Kit Carson County understands that a fragrance-free environment will be hard to achieve, but will work to create awareness towards fragrances and sensitivities employees and/or visitors may have. Fragrance sensitivity can be considered a disability under the Americans with Disabilities Act (ADA). As such, reasonable accommodations need to be made for people suffering from these conditions who meet the ADA general definition of disability (42 U.S. Code § 12102). If an employee complains about the overuse of fragrances in the offices, you must discontinue use of these products in your office to accommodate their needs through ADA.

408 MATERNAL NURTURING

The County recognizes the importance of nutrition and nurturing during an infant's early development. The maternal nurturing program is implemented pursuant to C.R.S. 8-13.5-104 and 25-6-301. Employers are required to provide "reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk". This does not imply that a child may come to work and stay with the parent. For more information, please contact the Human Resources Office.

409 PERFORMANCE APPRAISALS

Evaluating employee job performance and providing feedback is an important factor in making employment-related decisions. Please contact and advise your supervisor or Human Resources if more than a year has passed since receiving formal feedback.

410 DRUG TESTING

Applicants agree to be tested as a condition of employment and are not hired if they produce a positive test. A positive test result or refusal to take the test shall result in the individual no longer being considered for employment with the County. There are separate policies for Federal or Non-Federal drug and alcohol testing dependent on job requirements.

411 PETS IN THE WORKPLACE

Because of the risks involved with bringing pets into the workplace, Kit Carson County does not allow this practice. Bringing a pet to work has the potential to be a distraction and, in the case of a poorly behaved pet, endanger employees. Please note that a service dog or service miniature horse is not a pet. These types of service animals are allowed under the ADA and cannot be banned from the workplace even if all other animals are banned.

CHAPTER V: PAY PRACTICES AND WORK HOURS

501 HOURS OF WORK/WORKWEEK

Normally, our workday begins at 8:00 a.m. in the morning and ends at 5:00 p.m. in the afternoon. It may be necessary for employees in certain departments to work at times other than the regularly scheduled hours, depending on the needs of the County, i.e., Road & Bridge and Public Safety. Some departments may have an option of a four (4) day work week.

From time to time, you may be required to work overtime. For the purposes of calculating overtime, the workweek begins Sunday at 12:00 a.m. and ends Saturday at 11:59 p.m. Different workweeks may be designated to facilitate the operation of a specific department.

502 TIME REPORTING

All employees (including those classified as exempt) are required to complete a daily time card. At the conclusion of each month, employees must sign the time card and submit it to their immediate supervisor for signature and approval. It is necessary for employees to indicate whether the recorded hours are for time worked, or time off.

Proper recording of time is important for both the employee and the County.

503 ABSENCE & PUNCTUALITY

Absenteeism and tardiness can be a very serious problem for Kit Carson County. It is costly, causes unnecessary overtime, imposes additional work on co-workers and supervisors, disrupts schedules, and creates morale problems.

Employees are expected to be at work and on time as scheduled. It is recognized that occasional amounts of absence for bona fide sickness are often beyond the control of the employee.

If it is necessary for employees to be absent from work due to illness, injury, or emergency situation, they must notify the County as soon as possible. Employees should contact their immediate supervisor, or if unavailable, the department head or Human Resources office. Employees should notify the County of the specific reason for their absence and expected return date. Voice mail and text messages are not acceptable.

Tardiness is defined as being late in your arrival at your work site, i.e., after your scheduled reporting time. Tardiness is not an employee trait that Elected Officials/department heads are expected to tolerate. Absenteeism or tardiness that is excessive in the judgment of the County will not be tolerated. Continual absenteeism or tardiness will result in disciplinary action.

Employees who are absent for three (3) consecutive workdays without notifying their supervisor will be terminated.

504 MEAL TIME/BREAKS

Meal and break times are currently provided to relax and refresh you for the day's work. Since each department's needs are different, ask your supervisor for the meal and break schedules in your

department.

Generally, meal periods are 30-60 minutes in duration and breaks are fifteen (15) minutes long. While meal periods are counted as unpaid time, break periods are included in your paid work time.

We recognize the importance of taking "breaks" during the workday. It gives us an opportunity to enjoy a short rest period or to take a coffee break. Two rest periods, not to exceed fifteen (15) minutes each, are provided during the workday. Rest periods are to be scheduled with your supervisor so as to provide continuous coverage of the telephone and other services. Rest periods should not be used to shorten the workday or to extend the lunch period. When breaks must be skipped because of workload, it does not mean that you can leave early.

505 INCLEMENT WEATHER

The County rarely closes due to adverse weather conditions. In the event of an extreme weather situation, it may be necessary to close County facilities. The Board of County Commissioners is the only authority that may authorize such a closure. Each employee should decide whether it is safe to travel. We expect all employees to make a determined effort to report for work, even if they are late.

Employees who have not reported to work should check for closure announcements on local radio station KNAB 104.1FM. Calls to supervisors and Elected Officials will be made through the storm tree. The county website and social media sites will be updated to notify the public of such closures. Code Red may also be used at the discretion of the Sheriff.

If the County does officially close as a result of weather conditions, the following criteria shall apply:

- If the closure is authorized before normal working hours, employees will be paid for a regular work day.
- If the closure is authorized during a regular business day, employees at work will be excused at that time, and paid for their regular work hours. Exempt employees who are not at work may also be considered for regular day pay.
- Employees not at work when the closure is authorized because they are on leave will have the time charged against their leave accruals as though the office/department had remained open.
- Employees who, for personal reasons, wish to leave work early during severe weather conditions may do so with permission from their supervisor, and shall be charged leave time for the hours they are absent from work. If leave is not available, it will be charged as leave without pay.
- Employees who do not come to work due to weather conditions when a closure has not been authorized shall be charged leave time for their regular workday, or if leave is not available, it will be charged as leave without pay.

Some County services are required regardless of the weather. Elected Officials /department heads responsible for providing these necessary services will specify which employees are to report to work, and make the proper notifications (if required).

506 COMPENSATION ADMINISTRATION

The County considers a number of factors including organizational effectiveness, our need for attracting/retaining qualified and talented employees, as well as our financial position. Four main tools are utilized to determine compensation.

- *Job Description* – All of our jobs have been defined in a written job description. These typically identify the purpose, responsibilities, qualifications, and accountabilities of the job.

- *Job Evaluation* – This is a process used to rate a position within the organizational structure of the County. The purpose is to establish the relationship of each job in comparison to other jobs within the organization.
- *Salary Ranges* – Currently we have a formal salary structure in an attempt to keep our salaries aligned with comparable markets. These ranges are developed by blending our compensation philosophy, salary survey data, and current economic and financial conditions.
- *Performance Appraisal* – This process measures an employee’s demonstrated job performance and results achieved. How well a job is performed is one of the major factors that determine eligibility for a merit increase.

In using the above tools the Board of County Commissioners may adopt a classification and compensation plan for all county employees paid in whole or in part by the county. Changes in benefits, pay grades, and job classifications of employees shall thereafter be made in accordance with the plan as established by law.

506.1 STEP & GRADE PLAN

The Commissioners reserve the right to freeze the plan due to budgetary constraints.

All full-time employees that work at least a 32 hours per week will be on the step & grade plan. Each step is in \$250.00 increments.

When an employee is hired, the employee will be placed on a step & grade by recommendation from the Department Head and final decision by the Board of County Commissioners.

All new hires begin with a trial period of six months. At the end of six months the employee will receive a performance appraisal. If the appraisal is unsatisfactory, the employee will either be let go or given an extended introductory period as defined by the Department Head. An employee will not move to the next step until the employee receives a better than satisfactory performance appraisal.

Step increases are requested by the department head with the final approval of the Board of County Commissioners.

If a cost of living increase is granted to all employees, the pay and compensation plan will be adjusted accordingly. The Commissioners reserve the right to freeze the plan due to budgetary constraints.

Job descriptions and any revisions will be created, maintained and issued to the employee by the Elected Official or Department Head. At no time will a job description be distributed without the description’s final approval of the Elected Official, Department Head and the Board of County Commissioners.

507 PAY FOR EXEMPT EMPLOYEES

It is our guideline to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a pre-determined amount of compensation for each pay period. Exempt employees are expected to work forty (40) hours per work and any hours over the forty (40) hours per week as necessary to fulfill the job requirements. A time sheet must be presented monthly showing such hours worked or used for vacation/sick time. The County is committed to complying with salary basis requirements which allows properly authorized deductions.

Deductions from salaries that are permissible:

- *Personal absences.* Employers may deduct for full day absences for personal reasons other than sickness or disability.
- *Absences for illness or injury.* Employers may deduct for full day absences due to illness or injury if bona fide sick pay/disability plans are in place.

- *Absences for FMLA Leave.* Employers may deduct for full day absences taken as FMLA leave and partial day absences for hours taken as intermittent or reduced FMLA leave.
- *Offsets.* Employers may offset employees' pay for amounts received by the employee for jury fees, witness fees, or military pay.
- *Infractions of Safety Rules.* Employers may deduct for penalties imposed when salaried employees violate safety rules of major significance.
- *Infractions of workplace conduct rules.* Employers may suspend exempt employees without pay for full day for infractions of written workplace conduct rules, i.e., serious workplace misconduct such as sexual harassment, alcohol & drug violations, etc. Such action would be taken upon completion of an investigation of the situation by the County Administrator and/or designee. If the County determines that an employee's behavior is in violation of this its personnel guidelines, then such disciplinary action will be taken.
- *First or last weeks of employment.* Employers may make partial week payments during an employee's first or last weeks of employment.

If you believe an improper deduction has been made to your salary, you should immediately report this information to your supervisor.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be reimbursed.

508 PAY DAY

Paydays are on the last banking day of each month and cover the immediately preceding payroll period. If the regular payday occurs on a weekend or holiday, the payday is on the last banking day prior to the weekend or holiday.

No advance wages will be paid. If an employee's first day of work falls on a County holiday, the employee will not be paid for the holiday. The County has established procedures and rules for the submittal of time sheets and other information, and these are available in the Human Resources Office.

The County requires that all employees use direct deposit.

509 COMPENSATORY TIME

509.1 OVERTIME PAY VS. COMPENSATORY TIME

In accordance with the Fair Labor Standards Act (FLSA), Kit Carson County has a policy of granting FLSA non-exempt employees compensatory time off in lieu of compensation for hours worked in excess of forty (40) hours per week, or other permissible work schedules for law enforcement, seasonal and other employees. It is important to remember that all overtime must be authorized and approved in advance by your supervisor.

Compensatory time must be used prior to vacation hours.

509.2 COMPENSATORY TIME CALCULATION

Non-exempt employees earn compensatory time at the rate of one and one-half (1 1/2) times their regularly hourly rate for hours worked in excess of forty (40) during their established workweek.

Law enforcement & Ambulance personnel (FLSA defines them as employees who are empowered by State or local ordinance to enforce laws designed to maintain peace and order, protect life and property, and to prevent and detect crimes; who have the power to arrest; and who have undergone training in law enforcement) would receive overtime for hours worked in excess of a work period consisting of (173.33

hours) in a twenty-eight day (28) period.

For the purposes of calculating compensatory time, the workweek begins Sunday at 12:01 a.m. and ends Saturday at midnight. Different workweeks may be designated to facilitate the operation of a specific department. For purposes of calculating compensatory time, only hours actually worked are counted.

Consequently, hours paid but not worked, e.g., vacation, sick leave, holidays, etc. are not counted.

509.3 COMPENSATORY TIME

An employee may, under Federal Labor Standards Act, accrue a maximum of two hundred forty (240) hours of compensatory time; or four hundred eighty (480) if in applicable law enforcement position. Any accrual of Compensatory Time or Overtime Pay must be approved by their appropriate Elected Official/department head, and/or their designee. It is intended that employees who have earned compensatory time off will be granted use of that time as soon as practical after the time's accumulation. Compensatory time must be used prior to vacation time. Compensatory time will also be paid out upon termination. Such payment will be made from the appropriate departmental budget.

510 GARNISHMENTS & SUPPORT ORDERS

By court action, a creditor can require the County to withhold a certain percentage of your pay. If garnishments or similar proceedings are instituted against an employee, the County will deduct the required amount from the employee's paycheck. Garnishment actions are conducted in compliance with appropriate Federal and State laws.

511 COLORADO OVERTIME AND MINIMUM PAY STANDARDS POSTER

By Colorado law, the poster below must be in any existing employee handbook or manual. Please note that Local Government is within rights to allow overtime to be converted to compensatory time.



COLORADO
Department of
Labor and Employment

COLORADO OVERTIME & MINIMUM PAY STANDARDS ORDER (“COMPS Order”) #37 POSTER
Division of Labor Standards & Statistics

Effective January 1, 2021
Must be updated annually; new poster available 1st week of each December

Colorado Minimum Wage: \$12.32 per hour, or \$9.30 for Tipped Employees, effective 1/1/2021.

- The minimum wage adjusts annually by inflation; next year’s COMPS Order and Poster will provide the 2022 minimum wage.
- The minimum wage applies to all adults and emancipated minors, whether paid hourly or any other basis (salary, commission, piecework, etc.), unless exempted by COMPS Order Rule 2. Unemancipated minors may be paid 15% below the minimum.
- The federal minimum wage (\$7.25) and any local minimum wages (including \$14.77 in Denver as of 1/1/21) may also apply. If work is covered by multiple minimum or overtime wage rules, the rule with the higher wage or standard applies.

Overtime: 1½ times the regular pay rate for hours over 40 weekly, 12 daily, or 12 consecutive.

- Hours in two or more weeks cannot be averaged in computing overtime.
- Employers may not provide time off (often called “comp time”), instead of time-and-a-half premium pay for overtime hours.

Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours.

- Employees must be completely relieved of all duties, and allowed to pursue personal activities, for meal periods to be unpaid.
- If work makes uninterrupted meal periods impractical, eating an on-duty meal must be permitted, and the time must be paid.
- To the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts.

Rest Periods: 10 minutes, paid, every 4 hours.

#Work Hours:	Up to 2	>2, up to 6	>6, up to 10	>10, up to 14	>14, up to 18	>18, up to 22	>22
#Rest Periods:	0	1	2	3	4	5	6

- Rest periods need not be off-site but must not include work and should be in the middle of the 4 hours to the extent practical.
- Two 5-minute rest periods, instead of one 10-minute, are permitted if employees and employers agree voluntarily and without coercion, and if 5 minutes is enough to go back and forth to a bathroom or other place where a genuine break would be taken. Additional flexibility with 5-minute periods applies to agriculture, Medicaid home care, and collectively bargained work.
- Employers that do not authorize and permit rest periods must pay extra for the work time that would have been rest periods.

Time Worked: Time employers allow performance of labor/services for their benefit must be paid.

- All time on-premises, on duty, or at prescribed workplaces (but not just letting off-duty employees be on-premises), including:
 - putting on or removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-the-clock duty;
 - awaiting assignments at work, or receiving or sharing work-related information; or
 - security/safety screening, clocking/checking in or out; or
 - waiting for any of the above tasks.
- Travel for employer benefit is time worked; normal home/work travel is not. For more on travel and sleep time, see Rule 1.9.2.

This poster must be displayed where easily accessible to workers, included in any existing employee handbook or manual, shared with remote workers, provided in languages other than English as needed, and replaced annually.

This Poster summarizes key wage rules in the COMPS Order, but not all, and should not be relied upon as complete information. For the full Order, more detailed fact sheets, or for questions, information, or complaints as to wage or other labor laws, contact:

Division of Labor Standards and Statistics, coloradolaborlaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.

Deductions, Credits, & Charges from Wages: Subject to limits in C.R.S. 8-4-105 and below.

- Tip credits of up to \$3.02 per hour (lowering minimum wages to \$9.30) are allowed for those regularly, customarily receiving over \$30 per month in tips. If hourly pay plus tips is below the full minimum wage, the employer must pay the difference.
- Meal credits are allowed for the cost or value (without employer profit) of a voluntarily accepted meal.
- Lodging deductions are allowed only if housing is voluntarily accepted by the employee, primarily for the employee’s (not employer’s) benefit, recorded in writing, and limited to \$25 or \$100 per week (depending on the housing type).
- Uniforms that are ordinary clothes, without special material or design, need not be provided; other uniforms must be provided at no cost. Employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear.

Exemptions from the COMPS Order: All listed in Rule 2; key exemptions listed below.

- Executives/supervisors, decision-making administrative employees, and professionals (Rule 2.2.1-3) paid the exempt salary:

2021	2022	2023	2024	Each Year After 2024
\$40,500	\$45,000	\$50,000	\$55,000	Prior year’s salary, inflation-adjusted

- 20% owners, or at a nonprofit the highest-paid highest-ranked employee, if actively engaged in management (2.2.5).
- Highly technical computer-related employees (defined in 2.2.10), if paid at least \$28.38 per hour.
- Various in-residence workers, including property managers, range workers, and camp/outdoor education field staff (2.2.7).
- Various, but not all, types of salespersons (2.2.4, 2.4.1, 2.4.2) and taxi drivers (2.2.6).
- Certain medical transportation and hospital/nursing home employees have modified overtime rules (2.4.4, 2.4.5).
- Downhill ski/snowboard employees, including on-mountain food but not lodging, are exempt from 40-hour overtime (2.4.3).
- Agriculture (2.3) and some transportation (2.4.6) jobs are exempt from overtime and meal periods, and have more flexible rest periods (agriculture) or no (transportation) rest periods.

Complaint & Anti-Retaliation Rights.

- The Division of Labor Standards and Statistics (contact info at the bottom of this Poster) accepts complaints and tips as to violations of COMPS or other wage rights under federal, state, or local law. Alternatively, employees may file lawsuits in court.
- Parties liable for unpaid wages include the employer as an entity, and individuals with operational control over the entity.
- Employers cannot retaliate by threatening, coercing, or discriminating for purposes of reprisal, interference, or obstruction, as to actual or anticipated wage investigations, hearings, complaints, or proceedings.
- Violations of wage or anti-retaliation provisions may be reported to the Division as complaints or anonymous tips.
- Immigration status is irrelevant to wage rights. The Division will investigate and rule on complaints without asking, reporting, or considering status. Using status to interfere with rights is illegal under Wage Protection Rule 4.8 and other applicable law.



**Colorado Workplace Public Health Rights Poster:
PAID LEAVE, WHISTLEBLOWING, & PROTECTIVE EQUIPMENT**
Division of Labor Standards & Statistics

Effective January 1, 2021
Must be updated annually; new poster
available 1st week of each December

THE HEALTHY FAMILIES & WORKPLACES ACT ("HFWA"): Paid Leave Rights

Coverage: Employees with at least 16 employees are required to provide paid leave under the HFWA

Employees earn 1 hour of paid leave per 30 hours worked ("accrued leave"), up to 48 hours a year.

Up to 80 hours of supplemental leave applies in a public health emergency (PHE), until 4 weeks after the PHE ends.

Regular hours and pay set the rate of accrual and compensation for leave, during which benefits continue.

Up to 48 hours of unused accrued leave carries over for use the next year.

For details on specific situations (irregular hours, non-hourly pay, etc.), see Wage Protection Rule 3.5, 7 CCR 1103-7.

Employees can use accrued leave for the following safety or health needs:

- 1) a mental or physical illness, injury, or health condition that prevents work, including diagnosis or preventive care;
- 2) domestic abuse, sexual assault, or criminal harassment leading to health, relocation, legal, or other services needs;
- 3) has a family member experiencing a condition described in category (1) or (2); or
- 4) in a PHE, a public official closed the workplace, or the school or place of care of the employee's child.

In a public health emergency (PHE), employees can use supplemental PHE leave for the following needs:

- 1) self-isolating or work exclusion due to exposure, symptoms, or diagnosis of the communicable illness in the PHE;
- 2) seeking a diagnosis, treatment, or care (including preventive care) of such an illness;
- 3) being unable to work due to a health condition that may increase susceptibility to or risk of such an illness; or
- 4) caring for a child or other family in category (1)-(3), or whose school or child care is unavailable due to the PHE.

During a PHE, employees still earn up to 48 hours of accrued leave and may use supplemental leave before accrued leave.

Employer Policies (Notice; Documentation; Incremental Use; Privacy; and Paid Leave Records)

Written notice and posters. Employers must (1) provide notice to new employees no later than other onboarding documents/policies; and (2) display updated posters, and provide updated notices to current employees, by end of year.

Notice for "foreseeable" leave. Employers may adopt "reasonable procedures" in writing as to how employees should provide notice if they require "foreseeable" leave, but cannot deny paid leave for noncompliance with such a policy.

An employer can require documentation to show that leave was for a qualifying reason only if leave was taken for four or more consecutive work days (i.e. days on which an employee would have worked, not calendar days).

Documentation is not required to take paid leave, but can be required as soon as an employee can provide it after returning to work or separating from work (whichever is sooner). **No documentation can be required for PHE leave.**

To document leave for an employee's (or an employee's family member's) health-related need, an employee may provide: (1) a document from a health or social services provider if services were received and document can be obtained in reasonable time and without added expense; *otherwise* (2) the employee's own writing.

To document that an employee (or an employee's family member) required leave for a need related to domestic abuse, sexual assault, or criminal harassment, an employee may provide: a document or writing under (1) above (e.g. from a provider of legal or shelter services) or (2) above, or a legal document (e.g., a restraining order or police report).

If an employer reasonably deems an employee's documentation deficient, the employer must: (A) notify the employee within seven days of either receiving the documentation or the employee's return to work or separation (whichever is sooner), and (B) give the employee at least seven days to cure the deficiency.

- Incremental use. Depending on employer policy, employees can use leave in either hourly or six-minute increments.
- Employee Privacy. Employers cannot require employees to disclose "details" about an employee's (or their family's) HFWA-related health or safety information; such information must be treated as a confidential medical record.
- Records must be provided upon request. Employers must provide documentation of the current amount of paid leave employees have (1) available for use, and (2) already used during the current benefit year, including any supplemental PHE leave. Information may be requested once per month or when the need for HFWA leave arises.

Retaliation or Interference with HFWA Rights

- Paid leave cannot be counted as an "absence" that may result in firing or another kind of adverse action.
- An employee can't be required to find a "replacement worker" or job coverage when taking paid leave.
- An employer cannot fire, threaten, or otherwise retaliate against, or interfere with use of leave by, an employee who: (1) requests or takes HFWA leave; (2) informs or assists another person in exercising HFWA rights; (3) files a HFWA complaint; or (4) cooperates/assists in investigation of a HFWA violation.

- If an employee's reasonable, good-faith HFWA complaint, request, or other activity is *incorrect*, an employer need not agree or grant it, but cannot act *against* the employee for it. Employees can face consequences for misusing leave.

**THE PUBLIC HEALTH EMERGENCY WHISTLEBLOWER LAW ("PHEW"):
Worker Rights to Express Workplace Health Concerns & Use Protective Equipment**

Coverage: All Employers and Employees. Plus Certain Independent Contractors

- PHEW covers not just "employees" and "employees," but all "principals" (an employer or a business with at least 5 independent contractors) and "workers" (employees or independent contractors at a "principal").

Worker Rights to Oppose Workplace Health/Safety Violations During Public Health Emergencies:

- It is unlawful to retaliate against, or interfere with, the following acts during, and related to, a public health emergency: (1) raising reasonable concerns, including informally, to the principal, other workers, the government, or the public about workplace violations of government health or safety rules, or a significant workplace health or safety threat; (2) opposing or testifying, assisting, or participating in an investigation or proceeding about retaliation for, or interference with, the above-listed conduct.

- A principal need not address a worker's PHEW-related concern, but it still cannot fire or take other action against the worker for that reason, as long as the concern was reasonable and in good-faith.

Workers' Rights to Use Their Own Personal Protective Equipment ("PPE"):

- A worker must be allowed to voluntarily wear their own PPE (mask, face-guard, gloves, etc.) if the PPE (1) provides more protection than equipment provided at the workplace, (2) is recommended by a government health agency (federal, state, or local), and (3) does not make the worker unable to do the job.

COMPLAINT RIGHTS (under both HFWA & PHEW)

- Violations may be reported to the Division as complaints or anonymous tips, or may be filed as in court after exhausting pre-lawsuit remedies.

This Poster summarizes two Colorado workplace public health laws, SB 20-205 (paid leave) and HB 20-1415 (whistleblowing and personal protective equipment). It does not cover other health or safety laws, rules, and orders, including under the federal Occupational Safety and Health Act (OSHA), from the Colorado Department of Public Health and Environment (CDPHE), or from local public health agencies. Contact those agencies for such health and safety information.

This poster must be displayed where it is easily accessible to workers, shared with remote workers, provided in languages other than English as needed, and replaced annually.

For full versions of these laws, more detailed fact sheets, or questions, information, or complaints as to these or other labor laws, contact:
Division of Labor Standards and Statistics, coloradolaborlaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.

CHAPTER VI: EMPLOYEE BENEFITS

The Board of County Commissioners shall, by resolution, pass and adopt at the annual re-organizational meeting a complete list of the employee benefits. For more information about the following benefit plans, eligibility requirements, etc., please contact the Human Resources Office or refer to the various Summary Plan Descriptions. In the event the above information conflicts with the actual terms and conditions of coverage, the latter governs.

601 ELIGIBILITY

The County currently offers a full range of benefits to regular full-time employees after the first 60 (sixty) days of employment.

602 INSURANCE BENEFIT PLANS

The County's comprehensive benefits package includes a number of different plans for employees. The County currently offers these plans:

- *Medical Insurance Plan* – helps pay covered medical expenses for you and your dependents.
- *Dental Insurance Plan* – helps pay covered dental expenses for you and your dependents.
- *Vision Insurance Plan* – helps pay covered visions expenses for you and your dependents.
- *Life Insurance Plan* – provides term insurance coverage for you and your dependents. Supplemental life insurance coverage is also available.
- *Other Insurance Plans* - various types of other insurance coverage is also available. These include cancer, personal accident, ICU, disability, and similar types of plans.

602.1 INSURANCE ELIGIBILITY

There is a waiting period for all new hires for health insurance benefits. Any new employee will receive health insurance benefits beginning on the 1st day of the month, not more than 90 days following date of hire.

602.2 INSURANCE OPTIONS

- 1) Insurance Options of Regular Full-Time Employees and Dependents of Regular Full-Time Employees:

Upon the death, retirement, resignation, other job termination or another qualified event under COBRA, such as an employee's legal separation or divorce from a spouse of a regular full-time employee or elected official, the employee does have the right and option, at their sole expense, to continue their Medical Insurance coverage, together with the Dental and Life Insurance coverage, subject to the limitations and provisions of such continued insurance coverage and applicable law.

- 2) The premiums for the Medical Insurance coverage and the Dental and Life Insurance coverage for each County employee and/or elected official described above are paid on a month-to-month basis by the County, the amount of the premiums are determined on a month-to-month basis and are subject to the provisions contained in resolutions passed and adopted by the Board of County Commissioners at the annual re-organizational meeting.

602.3 DEDUCTIBLE REIMBURSEMENT & HEALTH SAVINGS ACCOUNT (HSA)

In 2014, the KCC added a Health Savings Account (HSA) option along with a new high deductible health plan (HDHP).

A health savings account (HSA) is a tax-exempt account that is set up with a qualified HSA trustee to pay for certain medical expenses as defined by the IRS Publication 969. KCC has named McCook National Bank and Eastern Colorado Bank as trustees of these HSA accounts.

Because of the added impact to the employees of KCC paying a high deductible, the county will reimburse the employees for any deductible expense up to the maximum amount per policy. County employees may submit a voucher with a copy of the Explanation of Benefits (EOB) from the insurance company for full reimbursement of the deductible.

To aid in this initial output of the deductible expense, KCC will put the first \$200.00 of the expected deductible reimbursement into an HSA for the employee if the employee chooses to have an HSA. The employee may continue to make deposits into their HSA through payroll. The HSA belongs to the employee, even if the employee leaves their job with KCC.

Any employee choosing to open an HSA will need to submit EOB's for reimbursement to show they have expended the first \$200.00. If the employee's job with KCC ends before they have expended the initial \$200.00 that was placed into the HSA, then any funds not expended up to that \$200.00 will be charged back to the employee in the final pay check.

603 CHANGING FROM FULL TIME EMPLOYMENT TO PART TIME EMPLOYMENT

When an employee changes from a full time employee to a part time employee, they must maintain a set amount of hours weekly as agreed upon with their supervisor at the time of the change.

- The employee will not lose their existing vacation or sick time that they have accrued.
- The accrued time may not be paid out when the employee leaves employment, unless they were hired prior to April 1, 2011.
- Accrued time may not be used to add to the set hours the employee has agreed to work weekly.
- To maintain retirement benefits, they must work more than twenty (20) hours per week, consistently.
- To maintain Health insurance benefits, they must work thirty (30) hours per week and may be required to pay a portion of the premium.
- An employee wage change (orange sheet) form must be presented to the County Commissioners to approve the employment change.

604 RETIREMENT

The County currently provides a retirement program with Colorado Retirement Association (CRA) for eligible employees. This is in addition to your Social Security coverage.

604.1 REQUIREMENTS

When the employee is hired for employment with the County it is mandatory that the employee enrolls in the retirement plan. The employee must work for the County at least twenty (20) hours per week or an average of twenty (20) hours per week throughout the year, but no less than 1,040 hours in a twelve (12) month period during the year to remain eligible for retirement benefits.

604.2 CONTRIBUTIONS AND MATCH

The minimum monthly contribution by the employee is three percent (3%) of the employee's monthly

salary with the County making a matching contribution of three percent (3%), and no more, of the employee's monthly salary.

An employee, in addition to the minimum three percent (3%) employee contribution, can contribute up to an additional twenty-two percent (22%) of the employee's monthly salary. In no event can an employee make a contribution to the employee's retirement plan of more than twenty-five percent (25%) of the employee's monthly salary.

Employee contributions to the employee's retirement plan can only change once in any calendar year. Any change in the percentage of contribution for any year in which the employee is employed needs to be made in writing to the County Finance Office on or before January 15th of the calendar year. Forms authorizing these changes are available from Human Resources.

604.3 VESTMENT

Employees hired after January 1, 2013 will be on a prorated vestment schedule as follows:

- Year 1: 0% Vestment
- Year 2: 20% Vestment
- Year 3: 40% Vestment
- Year 4: 60% Vestment
- Year 5: 80% Vestment
- Year 6: 100% Vestment

If the employee leaves Kit Carson County before the employee is fully vested, the employee will only be able to take the earned percentage of vestment with them. If the employee is age fifty five (55) or above on the date of hire, or before the six (6) year vestment period is complete, the employee will be immediately vested.

604.4 VOLUNTARY RETIREMENT

A County employee must work for the County for a period of six (6) months from the date the employee is first employed by the County before the employee is eligible to enroll in a 457B or a 457 Roth deferred compensation (volunteer) retirement plan. This amount is not matched by the employer.

605 OTHER BENEFITS

The employee has the option to participate in any of the following benefit programs:

- *Flexible Spending Account (Section 125)* - these plans allow employees to deduct childcare expense, medical expense and medical insurance premiums from their "pre-tax" salary.
- *457B Deferred Compensation* - program allows an employee to defer compensation on a "pre-tax" basis. The employee is able to defer the tax consequence until a future date.
- *Other programs authorized by the Board of Commissioners.*

606 STATUTORY BENEFITS

Certain employee benefits are required by state or federal law for all employees regardless of classification. These include the following:

- *Social Security (FICA)* - program is intended to provide you and your family with security for retirement benefits, disability payments, financial assistance for dependents or disabled persons, lump sum death payments, Medicare and survivor's benefits. Specific information is available through your local office of the Social Security Administration.
- *Worker's Compensation Insurance* - County carries insurance to cover the cost of a work-related injury or illness. Benefits help pay your medical treatment and may include some disability income

while recovering. Detailed information is given to you if you are injured on the job, or suffer an occupational illness.

For more information about these benefits, please contact the Human Resources Office.

607 EMPLOYEE ASSISTANCE PROGRAM (EAP)

A confidential benefit program that provides counseling to employees with such problems as marital conflict, indebtedness, alcoholism and drug abuse has been arranged with Ryon Medical with whom a therapist makes appointments in Burlington at Schaal Physical Therapy. Our insurance with Anthem is accepted by Ryon Medical and visits will be reimbursable through the deductible process.

CHAPTER VII: LEAVES/TIME-OFF

701 HOLIDAYS

The County currently observes the following holidays as days off with pay:

- New Years' Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- * County Events Day (not a holiday) (closed all day Thurs- 1/2 day Friday)

The list of authorized holidays is approved on an annual basis, and may be changed at the discretion of the Board of County Commissioners. Refer to the Commissioners Calendar in Reorg for approved Holiday's annually.

*All county employees who do not have other fair assignments including DHS will please help with the County Events Day - BBQ and take tickets at the rodeos as necessary.

* Courthouse, DHS & PH will close all day County Events Day.

* Courthouse, DHS & PH will close at noon on the Friday after County Events Day.

Should any of the observed holidays occur during an employee's vacation period, an additional day of vacation may be granted. This is considered Extra Holiday time.

Employees must either have worked or been on County paid leave the full working day before and the first full working day after the holiday in order to be granted holiday leave with pay. If a new employee's first day of work falls on a County holiday, the employee will not be paid for the holiday. Employees on a general leave of absence without pay or on work-related injury leave, or temporary/part-time employees are not eligible for holiday leave with pay.

Holidays are not counted as hours worked in the computation of overtime.

701.1 EXTRA HOLIDAY

Time earned during a holiday week is not overtime unless the employee physically works over 40 hours that week in addition to the hours credited for the holiday. The time earned in addition to the holiday will be called "Extra Holiday" on the pay stub. This time will be used by the employee as Compensatory time. Time earned in this fashion is calculated as straight time and must be used within the calendar year that it was earned. Extra Holiday time must be used before annual leave.

702 SICK LEAVE

If you become ill or injured and cannot come to work, the best medicine is to get appropriate medical care and rest until you are better.

It is your responsibility to notify your supervisor each day at the beginning of your shift when you cannot come to work because of an illness or injury. Also, let your supervisor know when you expect to return to work. Your supervisor may request medical certification for sick leave pay at any time. In the event an employee is absent for more than three (3) days, medical certification from a healthcare provider is required. If you are expected to be out longer than three (3) days, you are asked to fill out FMLA paperwork. Refer to Section 707 FAMILY & MEDICAL LEAVE ACT (FMLA). Refer to Section 711 for policy on Returning to work after sick leave.

Employees who are working 10.0 hour days will have 10.0 hours of sick leave taken against their accumulations for each day of leave taken. Employees who are working 8 hour days will have 8 hours of sick leave taken against their accumulations for each day of leave taken.

If you are a full-time employee, you are granted sick leave time of 8 hours per month.

Employees will be permitted to accrue sick leave until they reach the accrual cap of 1000 hours. Once an employee reaches the annual cap, no additional leave will be accrued. Accruals will again start when the employee's accrued falls below the maximum accrual cap. Upon separation from the county, employees hired before April 1, 2011 are eligible for a 25% payout of sick leave. The sick leave will be paid out at the pay rate in effect at the time of separation. *Employees hired after April 1, 2011 are not eligible for sick leave pay out at the time of separation.*

Part-time employees, refer to section 703 for sick leave benefits.

Sick leave is not used in the computation of overtime.

702.1 LEAVE DONATIONS

Full time employees are not eligible to request donated hours unless they are members of the Sick Bank and have exhausted their allotment of sick bank, accrued annual leave, and sick leave hours. These donations are not to create an additional sick bank nor will they be added to the existing sick bank.

702.2 DONATION PROCEDURE

An application for donated sick leave benefits must be made in writing on an authorization form. *(To request a donation from the sick bank, an application must be made in writing on an authorization form.)*

1. Such forms are available to all supervisors through the Human Resources office.
2. A maximum of 240 hours per illness has been set.
3. The application must be accompanied by a doctor's statement specifying the nature of the illness, the dates and extensiveness of medical service to the member/family member and the date of the employee's release of release for return to duties.
4. Supervisors/department heads/directors will then present the request to the Board of County Commissioners' for their approval.
5. Upon approval, a notice will be sent out to all full time county employees that are in the sick bank asking for donations of sick leave. A maximum donation at any time will be forty (40) hours per each donor.

6. Donors will receive a copy of their donation with their pay stub when their donation is used. Donations that are not used immediately will be kept on file for future needs of the person initially donated to.

703 HEALTHY FAMILIES & WORKPLACES ACT

Effective January 1, 2021, part-time, seasonal and temporary employees will earn one (1) hour of paid sick leave per 30 hours worked, up to 48 hours of sick leave per year. An employee is not entitled under this Act to earn or use more than 48 hours of paid sick leave each year. Unused sick leave does not carry forward each year unless preapproved by the Board of Commissioners.

Full time employees continue to be covered as noted in section 702 above. An employer that has a paid sick leave policy for its employees is not required to provide additional sick leave to its employees if the employee has unused accrued paid sick leave available.

Employees can use accrued leave for the following safety or health needs:

- (1) a mental or physical illness, injury, or health condition that prevents work, including diagnosis or preventive care;
- (2) domestic abuse, sexual assault, or criminal harassment leading to health, relocation, legal, or other service needs;
- (3) has a family member experiencing a condition described in category (1) or (2); or
- (4) in a Public Health Emergency (PHE), a public official closed the workplace, or the school or place of care of the employee’s child.

In a public health emergency (PHE), employees can use supplemental PHE leave for the following needs:

- (1) self-isolating or work exclusion due to exposure, symptoms, or diagnosis of the communicable illness in the PHE;
- (2) seeking a diagnosis, treatment, or care (including preventive care) of such an illness;
- (3) being unable to work due to a health condition that may increase susceptibility to or risk of such an illness; or
- (4) caring for a child or other family in category (1)-(3), or whose school or child care is unavailable due to the PHE.

Employees hired after April 1, 2011 are not eligible for sick leave pay out at the time of separation.

Sick leave is not used in the computation of overtime.

704 VACATION LEAVE

Vacation leave is granted to eligible employees on a monthly basis. Part-time employees are not eligible for vacation leave.

Full time employees hired before January 1, 2015 are granted vacation as follows:

Years of Service	Monthly Accrual	Total Annual Accrual	Maximum Annual Carryover
1 month through 5 years	8 hrs.	96 hrs.	80 hrs.
6 through 10 years	9 hrs.	108 hrs.	80 hrs.
11 years through 20	12 hrs.	144 hrs.	80 hrs.
21 years and up	17 hrs.	204 hrs.	80 hrs.

Full time employees hired after January 1, 2015 are granted vacation as follows:

Years of Service	Monthly Accrual	Total Annual Accrual	Maximum Annual Carryover
1 month through 5 years	8 hrs.	96 hrs.	80 hrs.
6 through 10 years	9 hrs.	108 hrs.	80 hrs.
11 years through 20	10 hrs.	120 hrs.	80 hrs.
21 years and up	11 hrs.	132 hrs.	80 hrs.

Employees are responsible for scheduling their vacation, in advance, with their supervisor and must receive the supervisor's approval. Vacations are scheduled in a manner that minimizes interruptions to County operations.

When a paid holiday falls within the employee's vacation period, an additional day of vacation may be granted. Vacation time will not be counted in the computation of overtime.

The County encourages its employees to take some time away from the job. You need time off to pursue your own interests and to rejuvenate your energies.

Employees who are working 10.0 hour days will have 10.0 hours of vacation leave taken against their accumulations for each day of leave taken. Employees who are on an 8 hour work day will be credited with 8 hours of leave taken.

Vacation is not used in the computation of overtime.

Upon separation of employment, employees hired prior to April 1, 2011 will be compensated for up to 40 (forty) hours of unused vacation leave. The vacation leave will be paid out at the pay rate in effect at the time of separation. *Employees hired after April 1, 2011 are not eligible for Vacation pay out at the time of separation.*

705 BEREAVEMENT/FUNERAL LEAVE

A full-time employee may be granted a leave of absence with pay for a death in the employee's immediate family. Funeral leave will be granted by the employee's supervisor for a period not to exceed three (3) days. (1 week for spouse or child.) Entitlement to leave of absence under this section is in addition to any other entitlement for sick leave, emergency leave, or any other leave. For purposes of this section, "immediate family" means mother, stepmother, father, stepfather, husband, wife, son, stepson, daughter, stepdaughter, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, grandchild, foster parent, foster child, or any other person in the legal position as a parent. One (1) day (if needed) is allowed for being a Pall-Bearer and all other funeral time off is to be used as vacation time.

706 JURY/WITNESS DUTY

706.1 JURY DUTY

The County recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror. The employee must make sure that their supervisor is notified of this selection for jury duty. If the employee is excused from jury duty during regular work hours, they are expected to report to work promptly.

Employees receive regular pay for the first three (3) days of jury duty if they were scheduled to work and a juror service certificate is submitted. No allowance shall be given for "overtime" in situations where the jury is required to stay past normal working hours. Beginning the fourth day and thereafter, employees

servicing as a juror are paid a set fee per day by the State of Colorado for state district or county courts.

706.2 WITNESS DUTY

Employees who are required to appear as witnesses in cases that relate directly to their employment with the County will be granted court leave with pay on the condition that any compensation received for such services during working days shall be given to the County.

Employees who are required to appear in court on matters that do not relate directly to their duties (except for jury duty), will not be granted court leave. Vacation, compensatory leave or general leave without pay may be authorized.

707 VOTING

Voting is an important responsibility we all assume as citizens. The County encourages employees to exercise their voting rights in all local, state, and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their supervisor no later than the day prior to election. If properly requested as noted, an employee may be eligible to receive up to two (2) hours of "voting time" pursuant to the conditions outlined in C.R.S. 1-7-102.

708 FAMILY & MEDICAL LEAVE ACT (FMLA)

When a full time employee must be off work for more than three (3) days as per section 702, and expects to be out longer than two (2) weeks, for any of the reasons listed below, they must submit completed FMLA paperwork to the HR office. FMLA paperwork is a simple form that your physician will fill out for you. Under Colorado law, family members include a person to whom the employee is related to by blood, adoption, legal custody, marriage, civil union or in a committed, "live-in" relationship.

The County provides up to twelve (12) weeks of unpaid (see section 707.7), job-protected leave to eligible employees for the following reasons:

- Serious health condition that makes the employee unable to perform the employee's job.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- Incapacity due to pregnancy, prenatal medical or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care.

708.1 BENEFITS & PROTECTIONS

During FMLA leave, the County maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave.

If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leave, paid leave will not accrue during the period of unpaid leave. Holidays, funeral leave, and other types of leave are not granted on unpaid leave. The County cannot guarantee reinstatement except as provided for by law concerning Military Leave and Family Medical Leave

708.2 EMPLOYEE RESPONSIBILITIES

Employees must provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable. When thirty (30) days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the County's normal-call in procedures.

Employees must provide sufficient information for the County to determine if the leave may qualify for the FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The County may require second and third medical opinions at the County's expense. Documentation confirming family relationship, adoption or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the County's attendance guideline. Employees on leave must contact the Human Resources Office at least two (2) days before their first day of return.

708.3 COUNTY'S RESPONSIBILITIES

The County will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the County will provide a reason for the ineligibility. The County will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against an employee's leave entitlement. If the County determines that the leave is not FMLA-protected, the County will notify the employee.

708.4 ELIGIBILITY REQUIREMENTS

Employees are eligible if they have worked for the County for at least twelve (12) months, for 1,250 hours over the previous twelve (12) months, and if they work at a work site with at least fifty (50) employees within seventy-five (75) miles.

708.5 DEFINITION OF SERIOUS HEALTH CONDITION

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive full calendar days combined with at least two (2) visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

708.6 USE OF LEAVE

The maximum time allowed for FMLA leave is either twelve (12) weeks in the twelve (12) month period as

defined by the county, or twenty-six (26) weeks as explained above. The County currently uses a "rolling" twelve (12) month period measured backward from the date an employee uses any FMLA leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the County's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the County's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

708.7 SUBSTITUTION OF PAID LEAVE FOR UNPAID LEAVE

The County requires employees to use accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the County's normal paid leave policies. If an employee fails to follow the County's policies, the employee cannot use accrued paid leave, but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted.

708.8 MILITARY FAMILY LEAVE ENTITLEMENTS

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their twelve (12) week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Eligible employees may also take up to twenty-six (26) weeks of leave to care for a covered service member during a single twelve (12) month period. A covered service member is a current member of the Armed Forces, including a member of the National guard or Reserves, who has a serious injury or illness incurred in the line of duty or on active duty. The injury or illness must make the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

708.9 UNLAWFUL ACTS

FMLA makes it unlawful for the County to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relation to FMLA.

708.10 ENFORCEMENT

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the County.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

708.11 PAID FMLA

Per Proposition 118, that was passed in 2020, and goes into effect in January, 2023, local government employers' have the ability to decline participation in the program. Kit Carson County has exercised its right to decline participation.

(1) A local government may decline participation in the family and medical leave insurance program in the form and manner determined by the director by rule. 8-13.3-522.

(2) An employee of a local government that has declined participation in the program in accordance with this section may elect coverage as specified in section 8-13.3-514.

(3) The director shall promulgate reasonable rules for the implementation of this section. At a minimum, the rules must include:

- (a) The process by which a local government may decline participation in the program;
- (b) The process by which a local government that has previously declined participation in the program may subsequently elect coverage in the program; and
- (c) The notice that a local government is required to provide its employees regarding whether the local government is participating in the program, the ability of the employees of a local government that has declined participation to elect coverage pursuant to section 8-13.3-514, and any other necessary requirements.

708.12 LEAVE FOR SPOUSES WORKING FOR THE SAME EMPLOYER

Eligible spouses who work for the same employer are limited to a combined total of 12 workweeks of leave in a 12-month period for the following FMLA-qualifying reasons:

- a) the birth of a son or daughter and bonding with the newborn child,
- b) the placement of a son or daughter with the employee for adoption or foster care and bonding with the newly-placed child, and
- c) the care of a parent with a serious health condition.

Eligible spouses who work for the same employer are also limited to a combined total of 26 workweeks of leave in a single 12-month period to care for a covered service member with a serious injury or illness (commonly referred to as "military caregiver leave") if each spouse is a parent, spouse, son or daughter, or next of kin of the service member. When spouses take military caregiver leave as well as other FMLA leave in the same leave year, each spouse is subject to the combined limitations for the reasons for leave listed above.

709 LEAVE WITHOUT PAY

Leave without pay may be available for employees facing a situation that requires time off in excess of their accruals. Requests for general leave without pay must be authorized by the employee's Elected Official/department head. Employees need to state the reason for the leave request and time of duration. Failure to obtain authorization or other such types of abuse may result in disciplinary action. Employee requests for leave without pay in excess of ten (10) work days must be submitted to the Board of County Commissioners for review and authorization. A maximum of thirty (30) days may be authorized.

The County may continue to provide health insurance benefits until the end of the month in which the approved leave begins. At that time, the employee will be responsible for the full costs of their health insurance benefits if the employee wishes coverage to continue. The County will resume payment of its share of the costs of these benefits when the employee returns to active employment.

Benefit accruals (e.g., vacation & sick leave, etc.) are suspended during the leave and may resume upon

return to active employment.

When leave ends, the employee may return to the same position, if available, or to a similar one for which qualified, where practical. If the previous position or a comparable one is not available, the employee may apply for another position that is available and suitable. The County cannot guarantee reinstatement.

If an employee fails to report to work promptly at the end of the approved leave period, the employee is terminated.

710 MILITARY LEAVE

Employees granted a military leave of absence are reinstated and paid in accordance with the laws governing veteran's re-employment rights. Currently, these requirements are defined in the Uniform Services employment and Re-employment Rights Act of 1994 (USERRA) and C.R.S. 28-3-601. The County cannot guarantee reinstatement except as provided for by law concerning Military Leave and Family Medical Leave.

711 MATERNAL/PATERNAL LEAVE

Maternal/Paternal leave of up to six (6) weeks' time off is given to an employee, charged against an employee's accrued sick leave, annual leave, and/or compensation time, or approved leave without pay if accrued leave is not available. When possible, the request for parental leave must be submitted in writing to your supervisor at least thirty (30) days prior to the expected date you will need to take parental leave. In the event that an employee finds that it is medically necessary to take more than six (6) weeks parental leave, you must submit a doctor's note that the additional leave is medically necessary. In addition, the doctor's note must state when you can reasonably be expected to return to work.

712 RETURN TO WORK

The Board of County Commissioners does not desire an employee to return to work when the employee is unable to perform their job duties, for reasons directly related to the employee's health. Therefore, the employee will, before returning to work after taking sick leave where a doctor's services were used, comply with the following provisions:

- a. Present to the employer a doctor's statement certifying that the employee is able to return to the employee's job and assigned duties;
- b. If the employee is able to return to work on a limited or restricted basis, the doctor's note needs to specifically set forth the job limitations and/or restrictions, all of which are directly related to protecting the employee's health. In addition, the employee's doctor must include in their statement when the employee believes the employee can reasonably be expected to return to their job and assigned duties without limitations and/or restrictions.
- c. Copies of any doctors statement's must also be turned into the Human Resources office when the employee is out for more than three (3) consecutive work days and when the employee returns to work with or without any restrictions.

713 TIME FOR RELIGIOUS OBSERVANCE

Employees shall be allowed time off to attend religious observances where such accommodation to the employee does not constitute an undue hardship on the operation of County business. Such religious leave shall be charged as vacation leave or compensatory time.

714 DOMESTIC ABUSE LEAVE LAW

Colorado Revised Statutes 24-34-402.7 permits an employee to request or take up to three (3) working days of leave from work in any twelve (12) month period, with or without pay upon the determination of

the Board of County Commissioners, if the employee is the victim of domestic abuse, stalking, sexual assault, or any other crime related to domestic abuse. A copy of a police report may be required.

CHAPTER VIII: STANDARDS OF CONDUCT

801 STANDARD OF CONDUCT

The County recognizes that certain guidelines of conduct are necessary for orderly operation of the business and the benefit and protection of the rights and safety of all employees.

Every employee, including department heads and elected officials, are expected to have general knowledge of, and to adhere to, personnel rules, regulations and basic laws governing their employment.

When on duty and in the performance of their job duties, each employee is a representative of Kit Carson County and is required at all times to use their best efforts to perform their assigned duties in a prompt, skilled, efficient, courteous, respectful and impartial manner.

Each employee, department head and elected official will be required to comply with any other departmental and job specific rules of performance in addition to these general standards:

1. Initiative. Every employee is required to engage in continuous learning about their employment duties, the future needs of departmental and county operations, and how to improve the County's service to the public. This results in enhanced value for the employee's own career prospects. Employees are expected to ask questions about situations that require unpracticed or unfamiliar skills.
2. Promptness and Reliability. Every employee is required to report for work promptly on each work day; attend to and perform their job duties in a prompt and reliable manner with a minimum of supervision, and report to their Supervisor regarding their whereabouts and activities on a reliable basis.
3. Efficiency. Every employee is required to perform their work in an efficient manner, to the best of their abilities, to use prudent judgment, and follow safe workmanlike practices in their use of County property.
4. Responsibility. Every County employee is required to act in a responsible manner, use prudent business judgment in the utilization of resources and time, and to understand how to apply a practical knowledge of task performance and legal constraints to the employee's job duties.
5. Honesty. Every employee is required to perform their job duties in an honest and ethical manner, and to volunteer information to supervision that is relevant and necessary for the County to operate legally and effectively.
6. Courteousness and Dignity. Every employee is required to interact with their fellow employees and the general public in a courteous manner, taking care to act respectfully toward the rights and opinions of others. Every employee has the right to be treated with dignity and respect by their fellow employees, Supervisors, and the general public.
7. Impartiality. Every employee is required to act equitably and with neutrality in the performance of their work and in all interactions with their fellow employees and the general public.

802 UNACCEPTABLE CONDUCT

To promote understanding of that which is considered unacceptable conduct, the County offers the

examples listed below for the identification of improper conduct that may be the subject of immediate discharge. This list is a sample and should not be considered all inclusive. Kit Carson County retains the right to identify conduct, which may not be listed below, as improper and to treat the same as the subject of immediate discharge.

Each employee, department head and elected official will restrain from exhibiting any of the following examples of unacceptable conduct:

1. Theft, unauthorized removal from the premises, or conversion to personal uses of property and/or merchandise belonging to the County, another employee, or a member of the public.
2. Embezzlement, misappropriation of public funds, or the unauthorized use or misuse of County issued credit cards.
3. Altering or falsifying County records including, but not limited to, reports, documents or other financial records.
4. Failure to properly record County business transactions and/or handling of cash in a manner inconsistent with department policies and procedures.
5. Any violation of Kit Carson County's Drug and Alcohol Policies (both Standard and DOT). Providing false information on employment application or other personnel records or failing to answer all questions fully and truthfully.
6. Willful actions resulting in injury to individuals or willful destruction/damage to County property, employee property or citizen.
7. Unauthorized intentional divulgence of any confidential County records.
8. Flagrant insubordination – refusal to follow reasonable supervisory instruction.
9. Failure to report a criminal charge (except a traffic violation), either on or off the job, which may result in negative consequences for the County, or which may have a negative impact on the working relationship of other employees, or would otherwise disqualify you for your position.
10. The use of profane or vulgar language in the workplace, or language involving terms descriptors, or epithets focused negatively on any one person or group based on race, sex (pregnancy, sexual orientation and gender identity), color, religion, national origin, disability, genetic information, or any other applicable status protected by federal, state or local laws.
11. Employees should strive to maintain a civil work atmosphere at all times and refrain from shouting or yelling.
12. Willful actions in violation of the guidelines set forth in Kit Carson County's Employee Handbook.

803 APPEARANCE, ATTIRE & HYGIENE

The way you look, dress and act is vitally important to the County. Due to our employee's frequent interaction with the public, standards of personal appearance, hygiene, and attire have been determined. A clean, neat appearance is expected of you.

For Kit Carson County purposes, Business Casual dress may include jeans, polo shirts, etc. Shorts, midriffs,

jump suits, halter tops, and similar items of casual attire may not be appropriate. Casual never means sloppy. All clothes must be clean, wrinkle-free, and in good repair. The workday is not the weekend.

To create a favorable impression, one must be well groomed at all times. Body odor, bad breath, cigarette smoke and excessive use of perfume or cologne are offensive to co-workers and to the public.

If employees report for work improperly dressed or groomed in the County's opinion, their supervisor or department head may instruct them to return home to change clothes or clean up. Department heads may utilize a higher standard of appearance, attire or hygiene due to the nature of their unit's interaction with the public.

804 SEPARATION FROM EMPLOYMENT

An employee who resigns or retires must notify his or her immediate Supervisor of their anticipated departure date and go over the required paperwork for separation (conversion of insurance, return of property, delivery of final paycheck, etc.) with the Human Resources Department. At least a two week notice is appreciated, however, if the employee resigns after the 15th of the month, their last day of work will be the last day of the month.

805 EXIT INTERVIEW

An exit interview with the Human Resources Department is normally scheduled for outgoing employees. The purpose of this interview is to review eligibility for benefit continuation and conversion, to ensure that necessary forms are completed, to collect all County property that may be in the employee's possession (e.g., County credit cards, keys, identification cards, etc.), and to provide employees with an opportunity to discuss their job-related experience.

806 REHIRE

Employees considered for rehire with the County will need to meet satisfactory performance and attendance standards. Employees separated from employment through no fault of their own in the judgment of the County may also be considered for rehire. Any person seeking rehire may do so by applying to the Human Resources Office.

If the employee has returned to Kit Carson County within thirty (30) days of the initial separation, there will be no loss in benefit coverage with health insurance and retirement. Vacation and sick leave will continue to accrue at the prior rate.

Typically, persons discharged for cause from employment are not considered for rehire.

806.1 REHIRE BENEFITS

If an employee separates from employment and is rehired by Kit Carson County within six months after the separation, the employer shall reinstate any paid sick leave that the employee had accrued but not used during the employee's previous employment with the employer and that had not been converted to monetary compensation to the employee at the time of separation from employment. §20-205

807 GRATUITIES & GIFTS

Article 29 of the Colorado Constitution was approved by Colorado voters in 2006, and is applicable to all County employees. It essentially established new standards of ethical behavior that must be recognized by all levels of Colorado government. It "forbids the acceptance of any money, forbearance or forgiveness of debt, by any regulated person, unless that person provides equal consideration in return." This applies to the employee, their spouse and dependents. It also provides an exception for a "gift or gifts" that have a

cumulative value of \$65.00 or less.

808 OUTSIDE EMPLOYMENT

Employees involved in or contemplating outside work should discuss the issue with their supervisor. Despite any outside employment or business venture, employees are still required to perform the duties with Kit Carson County.

Any outside employment must not affect an employee's ability to meet job requirements, perform competently, or accept overtime hours. Any outside employment must not create or appear to create a conflict with the County's interests. Employees are not permitted to use any of the County's equipment or supplies for purposes related to an outside job.

809 POLITICAL ACTIVITY

The County encourages employees to participate in the political and governmental affairs of the community. Employees are encouraged to be informed about, work for, contribute to, and communicate with candidates and officeholders. The County encourages its employees to exercise responsible citizenship and does not intend to interfere with their conduct and involvement with political activity, as long as those activities are pursued during hours when the employee is not on duty, and that the activities do not reduce the employee's efficiency or disrupt fellow employees at their job.

If engaging in any political activity, the employee must do so as an individual and not as a representative of the County. Campaigning, fund raising, and other partisan political activities must be conducted on the employee's own time. The County may deny time off for political activity where the activities, in the opinion of the County, would unduly interfere with the employee's fulfillment of any obligations to the County.

Displaying political posters in all county offices is prohibited.

810 REFERENCES

Employees who are approached either formally or informally and asked to provide information about former employees of the County should refer such inquiries to the Human Resources Office.

811 SMOKE AND VAPE FREE WORKPLACE

In order to maintain a safe and healthy working environment and to ensure compliance with applicable law, i.e., "Colorado Clean Indoor Air Act," smoking and vaping are prohibited throughout the workplace. This includes all County offices, facilities, and vehicles. This restriction applies to all employees and visitors at all times, including non-business hours.

Employees can smoke and vape outdoors only during regularly scheduled breaks and lunch periods. The duration or number of breaks cannot be extended in order to smoke or vape. Smoking and vaping are prohibited within twenty-five (25) feet of any building entrance, including open windows.

812 WEBSITE

The County provides an employee page on the website to notify employees of management decisions and other business-related matters. Employees are able to review the website for announcements, access forms and other notices.

CHAPTER IX: TRAVEL GUIDELINES

901 MEAL REIMBURSEMENT

Outline for meal reimbursement for employees whom are asked to perform training or duties related to on-the-job work that is outside or within the County.

1) Outside of County

- Employee's that are required to perform work outside of Kit Carson County will be allotted \$45.00 (Forty-five dollars) for a full day.
 - No alcohol will be reimbursed by the county for any reason.
 - Receipts must be provided for reimbursement.
 - If employee places a tip on their receipt. No more than 18% will be reimbursed but not to exceed the allotted amount for meal.

2) Within the County

Employees that have a scheduled meeting, class, or business function in which the employee is representing the County of Kit Carson; may only submit reimbursements with the following criteria:

- Is this funded by a Grant Contract that specifically states meals will be reimbursed and allowed on the monthly billing voucher within the program,
- A meeting agenda is prepared prior to the meeting showing all participants,
- A Sign-In Sheet is obtained for the meeting showing all participants,
- Meeting notes are kept that describe the purpose of the meeting and actions that were taken or for follow up,
- Detailed receipts from the food establishment that has the grant information written on it,
- No alcohol will be reimbursed by the county for any reason,
- If an employee places a tip on their receipt; they must comply with Grant Contract tipped amount as outline. If there are no previously outlined rules within the Grant Contract then employees are asked to place no more than 18% will be reimbursed by the County of Kit Carson.
- When submitting reimbursement for meal(s) to Accounts Payable, all items listed above must be provided upon the request with the standard county reimbursement voucher and the Department Head signed approval

902 MILEAGE REIMBURSEMENT

Employees, Elected Officials and board members that have a scheduled meeting, class, or a business function in which the employee is representing Kit Carson County are encouraged to use county vehicles when available. If the county vehicles are not available, mileage will be reimbursed at a set rate of \$.32/mile. When submitting reimbursement for mileage, please provide the details of the meeting, a map of the mileage and a meeting agenda to Accounts Payable on a standard county reimbursement voucher with your signature and the Department Head signed approval.

903 AIR TRAVEL

If the employee travels by air, the County will only pay the most economical fare. If for some reason this type of fare is not feasible, a more expensive fare may be authorized by the appropriate Elected Official/Department Head or the Board of County Commissioners. In no instance will first class airfare be paid by the County.

904 CAR RENTAL

Car rental requires approval by the appropriate Elected Official/Department Head. Should circumstances necessitate a car rental while on County business, the following provisions apply:

- The car shall be rented in the County's name.
- Economy or mid-size type of car will be selected.
- Only the driver whose name appears on the rental car contract shall drive the vehicle. Under no circumstances shall another person, especially a non-employee of Kit Carson County, drive the rental car.
- The employee is not authorized to accept the rental car company's insurance.
- The County insurance will provide adequate coverage.

905 TAXI/BUS FARES

Reasonable expenses are permitted for this category, if applicable.

906 PARKING/TOLLS

Reasonable expenses are permitted for this category, if applicable.

907 COUNTY VEHICLES

The use of County vehicles is a privilege not a right.

County vehicles are provided to certain departments in order to facilitate the workload. Those individuals utilizing these vehicles will be required to maintain them in proper working condition. Check with your Department Head/Elected Officials on maintenance protocols. County vehicles are to be utilized for County business only. **County insurance will not cover County vehicles used for personal use.**

Passengers in County vehicles are limited to those authorized by Supervisor and/or Department Head/Elected Official.

Employees operating a County vehicle must have a valid Colorado Driver's license. The type of license (Commercial Driver's License or other category) must be appropriate for the type of vehicle you operate. It is the employee's responsibility to report to the Human Resources Department any changes in the status of your driver's license. Citations received as a result of operating a County Vehicle shall be reviewed. Financial penalties assessed for any moving violation shall be the responsibility of the employee. Other fines and/or penalties (such as parking tickets) shall be reviewed by the Department Head/Elected Official.

Seat belt use is mandatory in all County vehicles.

Cell phone usage, including, but not limited, to text messages while driving a County vehicle is prohibited.

908 NON-COUNTY VEHICLES

Employees utilizing personal vehicles in the course of their job duties shall maintain a valid Colorado Driver's license, shall maintain insurance on the vehicle, and shall meet any other requirements as outlined in the Colorado Revised Statutes. The type of license (Commercial Driver's License or regular operator) must be appropriate for the type of vehicle you operate. Any violations that an employee receives as a result of the operation of the vehicle are the responsibility of the employee.

909 LODGING

Employees must obtain a receipt for lodging expenses, and charges must be justifiable, i.e. movie charges are not an allowable expense. When possible, accommodations shall be the government rate or

comparable.

Reimbursement of lodging expenses will not be made for any non-County personnel traveling with the County employee if it is in excess of the single rate.

The County reserves the right to refuse the payment of any bill not properly receipted or not submitted in a timely manner.

All requests shall be submitted within sixty (60) days of the date of travel to be eligible for reimbursement.

910 OTHER TRAVEL EXPENSES

Fees for approved seminars, conferences, etc., are permitted. Registration fees do not include pre- or post-conference activities or side events not considered a part of the main business conference.

CHAPTER X: ELECTRONIC COMMUNICATIONS

1001 COMPUTER SYSTEMS

The County's computer network, access to Internet, email and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the County. All information regarding access to the County's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential County information and may not be disclosed to non-County personnel.

All computer files, documents, and software created or stored on the County's computer systems are subject to review and inspection at any time. In this regard, employees should not assume that any such information is confidential, including email either sent or received. Upon separation from employment, all communications tools should be returned to the County.

Employees who use their personal electronic device to access County (work) email accounts may be court ordered to produce all of the contents of their personal electronic device in legal proceedings or court ordered records request.

1002 PERSONAL USE OF THE INTERNET

Some employees need to access information through the Internet in order to do their job. Use of the Internet is for business purposes during the time employees are working. Personal use of the Internet should not be on business time, but rather before or after work or during breaks or the lunch period. It must not interfere with employees' productivity. Regardless, the County prohibits the display, transmittal, or downloading of material in violation of County guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful at any time. As noted in Section 208, computer files, emails and voice mails have limited personal use, and may be searched at any time.

1003 SOFTWARE AND COPYRIGHT

The County licenses, and does not own the software it utilizes. Therefore, use of the software must be in accordance with the applicable software Agreements or as directed by management.

Employees may not copy or use any software, images, music or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees may not use unauthorized copies of software on personal computers housed in County facilities.

1004 UNAUTHORIZED USE

Employees are not permitted to visit websites or send electronic mail that is deemed by management as inappropriate or in violation of other County guidelines. We reserve the right to determine when an employee is using the County communication systems inappropriately.

1005 EMAIL

Because the County provides the email system to employees to help them with the performance of their job, it should be used for official County business. Incidental and occasional personal use of email is permitted. However, employees should be aware that these messages will be treated the same as business messages, and subject to review at any time without notice. The County may monitor email from time to time. As noted in Section 615, computer files, emails and voice mails have limited personal use, and may be searched at any time.

Also, employees cannot control where their messages will ultimately end up. For example, a message meant for one person can be mistakenly sent to the wrong individual(s), or the message can be forwarded to unintended recipients. In addition, emails that were deleted are stored elsewhere on the system. Employees should use discretion when sending emails. Do not write anything in an email message that is inappropriate to say to another face-to-face. Regardless, the County prohibits the display, transmittal, or downloading of material that in violation of County guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful at any time.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's email messages.

Any information containing personally identifiable information (name, address, date of birth, social security numbers) should always be encrypted before sending over email.

1006 VOICE MAIL

The County voice mail system is intended for transmitting business-related information. Although the County does not monitor voice messages as a routine matter, the County reserves the right to access and disclose all messages sent over the voice mail systems for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum. As noted in Section 209 computer files, emails and voice mails have limited personal use, and may be searched at any time.

1007 TELEPHONES/CELL PHONES

In the interest of good business practice, telephone calls, including those made with cell phones, must be minimal and not interfere with employees' performance of their jobs. Personal use of the county telephones for long distance is not permitted.

The County provides cell phones to those employees who need them to perform their jobs. Such phones are intended for business use. Therefore, personal calls should be limited to those absolutely necessary and brief.

Employees are expected to follow the provisions of C.R.S. 42-4-239 that prohibits an individual eighteen (18) years of age or older using a wireless phone to perform text messaging or other similar forms of manual data entry or transmission while operating a motor vehicle, unless in an emergency as defined in the statute. Persons under eighteen (18) years of age may not use a wireless telephone for any purpose while operating a motor vehicle.

1008 SOCIAL MEDIA-GENERAL

Whenever an employee uses social media, the employee should use good judgment. The County requests

that the employee be respectful of the County, our employees, our customers, our partners and affiliates, and others. Social media involves social network sites that use internet services to allow individuals to construct a public or semi-public profile within that system, define a list of other users with whom they share some connection, and view and access their list of connections and those made by others within that system. The type of network and its design may vary from site to site. Examples of the types of internet based social media sites include: blogs, networking sites, photo sharing, video sharing, micro-blogging, podcasts, accessing chat rooms of any type, and any electronic communications posted on any such sites including Facebook, YouTube, Twitter, etc. **The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy.**

Personal use of social media on County equipment is prohibited except as set forth in Section 802. Use of personal mobile devices during work time should be limited to break time and lunch periods. Employees may identify themselves as representatives of the County when communicating electronically. However, when they do so, either on their own site, or in any other manner as set out in this policy, their actions may reflect on the County and are to conform to the County's electronic communication policy. Self-identification can include the acknowledgement in the user profile for work experience, job title, etc., by identifying oneself as an employee of the County. If the employee identifies themselves as an employee of the County, they take on the responsibility of representing the County in a professional manner. If the employee does self- identify themselves as a member of the County, the employee will at minimum post on their social networking sites a disclaimer that makes it clear that the opinions expressed are solely those of the employee and do not represent the views of the County. The disclaimer shall read as follows:

"Posts, comments, links do not represent my employer".

Nothing in this guideline is meant to interfere with the employee's right under federal law or state law to engage in protected and concerted activity, including the employee's ability to discuss terms and conditions of their employment.

1009 SOCIAL MEDIA – COUNTY ACCOUNTS

All official Kit Carson County social media sites or services are considered extensions of the County's information network and shall adhere to all Kit Carson County policies.

1009.1 GENERAL

- 1) All requests to create a County department social media site must be submitted to the County Administrator prior to its creation and are subject to approval by the Board of County Commissioners.
- 2) The official County website shall remain the primary tool for disseminating emergency information. All social media sites shall contain a hyperlink to <https://www.colorado.gov/pacific/kitcarsoncounty>
- 3) If authorized by the Kit Carson County Commissioners, each department shall have only one (1) official account for each utilized social media (i.e. one Facebook, one Twitter, etc....).
- 4) Departments using social media sites are responsible for establishing, publishing, and updating their pages. Although it will be the Department Head or their designee who is primarily responsible to maintain the content of the site, the PIO or Department Head designee may monitor each site to ensure: (1) a consistent countywide message is being conveyed; and (2) all sites are adhering to the County's policies and procedures.

1009.2 CONFIDENTIAL AND LAW ENFORCEMENT SENSITIVE INFORMATION

Employees are to take proper care and shall not purposefully or inadvertently disclose any information that is confidential or law enforcement sensitive, or displaying activities that might be considered a breach of privacy.

1009.3 TERMS OF SERVICE

Social networking sites require that users, when signing up, agree to abide by a terms of service (TOS) document. County employees are responsible for reading, knowing, and complying with the TOS of the sites they use or for County sites they monitor. For example, most TOS agreements prohibit users from giving false names or other false information.

1009.4 COPYRIGHT

Employees are to comply with the law in regard to copyright/ plagiarism at all times. Posting of someone else's work without permission is prohibited.

1009.5 CONTENT

Employees are not to utilize any County-provided computer or electronic device to access sites or images which would be potentially embarrassing to the County or fellow employees. Examples include, but are not limited to, nudity, pornography, gambling or gaming sites, etc. In addition, Employees may be personally liable for defamation of character

Exceptions are made for investigative purposes with the approval of a supervisor.

CHAPTER XI: ADDITIONAL INFORMATION OF IMPORTANCE

1101 DISCIPLINE/DISCHARGE

Good working relationships make demands on everyone, and employees have responsibilities to the County, themselves, and the people they work with.

Employees must at all times comply with County expectations for work, performance, and conduct. Failure to do so may result in any or all of the following actions: termination, suspension, demotion, written warning, reprimand, and counseling.

Management will decide in its judgment which of these actions would most effectively take care of the problem. The fact that the County has or has not utilized any of these actions does not set any precedent and should not be relied upon in future disciplinary situations by any employee.

1102 LEGAL DEFENSE OF CLAIM

Under C.R.S. 24-10-110, the County would be responsible for legal costs, judgments, settlements, etc., for claims or suits brought against its employees in the performance of their job duties, provided those actions were not willful, wanton, or criminal. Employees need to immediately notify the County Administrator and Board of County Commissioners when any such legal action is brought against the employee. No private legal counsel arranged solely by the employee will be paid or reimbursed by the County. Any compromise or settlement of a claim by an employee without approval of the County shall result in the County's refusal to pay such costs, judgment, or settlement.

1103 EXCEPTIONS

Any exceptions to the guidelines stated in this handbook must be submitted in writing to the Board of County Commissioners for their approval.

1104 AMENDMENTS

The need may arise to change the guidelines described in the handbook. Except for the at-will nature of employment, the County therefore reserves the right to interpret them or change them without prior notice.

COLORADO OPEN RECORDS REQUEST (CORA)

Procedures for Making and Responding to Requests for Information to Kit Carson County under the Colorado Open Records Act (CORA)

- 1) These procedures apply to all requests, submitted pursuant to C.R.S. 24-72-201 *et seq.*, to inspect public records in the custody or control of Kit Carson County. Requests must be submitted in accordance with the policy of Kit Carson County.
- 2) All requests to inspect public records must be submitted in writing to the official custodian. Request made to any person other than the proper custodian will not be accepted.
- 3) Requests may be mailed or sent via facsimile. **Requests made via electronic mail will not automatically be accepted.** The custodian, *at the custodian's sole prerogative*, may accept requests sent via e-mail upon request. If a request is sent via e-mail to anyone other than the custodian, it will not be considered as received by the County and the statutory time for response to the requests will not begin until a confirmation has been sent by the custodian.
Note: The reason for this rule is, due to spam filters and inactive or incorrect e-mail accounts, the County cannot guarantee that the custodian has received an electronic mail request.
- 4) All requests for records **must** be specific as to the records sought and the relevant dates. Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated the custodian may require the requestor to provide a more specific request.
- 5) If a requestor is unable to identify the specific documents sought, the requestor is encouraged to contact the County at 719-346-8133 ext. 304 in advance of submitting a request for assistance in providing the requisite specificity.
- 6) The custodian is not required by the Open Records Act to construct or create a record that does not exist.
- 7) Time for response to records requests shall be as follows:
 - a. The normal time for production shall be three working days, beginning on the first business day after the request is received.
 - b. Such period may be extended upon determination by the custodian that extenuating circumstances exist. Such period of extension shall not normally exceed **seven** working days. The requestor shall be notified of the extension with the three-day period.
 - c. Time periods will be calculated without including the date on which the custodian receives any request.
- 8) Requests to inspect records documents will not take priority over the regular work activities of County employees.
- 9) Charges for copies of requested records shall be as follows:
 - a. The normal cost for requested documents shall be \$.25 per standard page or, for documents in non-standard formats, the actual duplication costs.
 - b. At the custodian's prerogative, in lieu of the fee set forth in paragraph 9.a, the requestor may be charged a reasonable retrieval fee based on the *actual* cost of responding,

including employee time, or gathering, preparing, and copying requested documents. This research and retrieval fee shall not exceed thirty dollars per hour as posted on the County's website or otherwise published in the County's written policy. There shall not be a charge for the first hour of time expended in connection with the research and retrieval of the public records.

- c. If records are readily available, the Board of County Commissioners, or their designee, may waive the charge or may charge a lesser amount per page for copies.
- 10)** If charges are expected to exceed \$.25, or if a retrieval fee based on the actual cost of responding is to be charged, the custodian will provide the requestor with an estimated cost of responding prior to responding and may require a deposit. If the requestor wishes to proceed once receiving an estimate, he or she must respond in writing. By responding in writing, the requestor agrees to pay all fees associated with responding to the request. The time between the date of the custodian's estimate and the receipt by the custodian of a written request to proceed will not be counted against the time period set forth above.
- 11)** If the requestor wishes to inspect available records in advance of receiving copies, such inspection shall be by appointment only during ordinary working hours. Such inspection must be supervised by a County representative and the requestor may be charged for employee time associated with such inspection.

DRUG AND ALCOHOL POLICY

I. Purpose

Kit Carson County (hereinafter referred to as the "County") is committed to a safe, healthy, and productive work environment for all employees free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision-making.

II. Scope

This policy applies to all safety-sensitive employees and/or all employees that are required to have a Commercial Driver's License (CDL) to comply with their job description.

III. Statement of Policy

To ensure a safe and productive work environment the County prohibits the use, sale, dispensation, manufacture, distribution or possession of alcohol, drugs or controlled substances on any County premises or worksites. This prohibition includes County owned vehicles, or personal vehicles being used for County business or parked on County property.

No employee shall report to work or be at work with alcohol or with any detectable amount of prohibited drugs in the employee's system. (A detectable amount refers to the standards generally used in workplace drug & alcohol testing).

Employee shall, when drugs are prescribed by a medical professional, inquire of the prescribing professional whether the drug prescribed has any side effects which may impair the employee's ability to safely perform the employee's job duties. If the answer from the medical professional is yes, the employee shall obtain a statement from the medical professional indicating any work restrictions and their duration. The employee shall present that statement to his or her supervisor prior to going on duty.

Illegal use of drugs off duty and off County premises or work sites is not acceptable. It can affect on-the-job performance and the confidence of the public, and our customers in the company's ability to meet its responsibilities.

Any violation of this policy will result in disciplinary action and may include termination as determined upon review by board of all Kit Carson County Elected Officials.

IV. Categories of Employee Substance Testing

All employees will be subjected to the following testing:

A. Pre-employment Testing:

1. All persons seeking employment with the County, Applicants shall undergo post-offer, pre-employment drug testing. Applicants will be informed that, as a condition of employment, they must pass a drug-screening test.
2. Applicants who test positive will be notified that they have not met the standards for employment and of their right to request a re-test of the urine sample that can be reviewed by a Medical Review Officer (MRO).

B. Random Testing:

1. Safety-Sensitive employees will be subject to random drug and alcohol testing.

- A pool of safety-sensitive employees, part-time and full time will be created.
- 25% of safety-sensitive employees will be pulled for random testing annually.
- Employees must be on shift to be called for testing.
- Employees must go immediately for testing when called.

C. Reasonable Suspicion Testing:

Any employee may be asked to submit to tests for alcohol and/or illegal drugs when the employee is reasonably suspected of being impaired in the performance of his or her job.

1. Reasonable suspicion testing may result from one of the following examples, but is not limited to the following:
 - a. Specific, personal and articulable observations concerning the appearance, behavior, speech or performance of the employee; or
 - b. Violation of a safety rule, or other unsafe work incident which, after further investigation of the employee's behavior, leads the supervisor(s) /manager(s) to believe that the employee's functioning is impaired; or
 - c. Other physical, circumstantial, or contemporaneous indicators of impairment.
2. When a supervisor/manager has reasonable suspicion to request testing, the supervisor/manager will arrange to transport the employee to the collection site, and will arrange for the employee's transport home.
3. The employee will continue in a paid status pending the receipt of drug testing results by the authorized testing laboratory.

D. Post-Accident Testing

Any driver (in any county vehicle or in personal vehicle on county time, hereinafter referred to as "Any driver") involved in an accident in which a fatality occurs must immediately submit to a controlled substance and an alcohol test. Any driver who receives a citation for a moving traffic violation must immediately submit to a controlled substance test and an alcohol test if, (a) the accident results in a fatality, or bodily injury to a person who must immediately receive medical treatment away from the scene, or (b) one or more of the vehicles involved is towed from the scene.

The County can require testing even if a citation is not issued to the driver, upon its independent authority, in the situations as outlined above.

VI. The kinds of substances tested for will include the following substances or their metabolites:

- A. Cannabinoids – Marijuana, Hashish, Hashish Oil
- B. Cocaine
- C. Opiates – Morphine, Heroin, Codeine, Hydromorphone, Oxycodone
- D. Phencyclidine – PCP, Angel Dust
- E. Amphetamines – Desoxyn, Dexedrine
- F. Barbiturates – Phenobarbital, Secobarbital, Pentobarbital, Am barbital, Butalbital

- G. Benzodiazepines – Chlordiazepoxide, Diazepam, Oxazepam, Lorazepam, Fluazepam, Clorazepate
- H. Methadone
- I. MDMA –Ecstasy
- J. Propoxyphene - Darvon
- K. Alcohol

VII. Inspection and Searches

The County may conduct unannounced inspection for violations of this policy in the workplace, worksites, or County premises. Employees are expected to cooperate in any inspection.

VIII. Voluntary Treatment

The County supports sound treatment efforts. Whenever practical, the County will assist employees in overcoming drug, alcohol, and other problems which may affect employee job performance, as long as this policy has not already been violated.

If an employee seeks treatment for drug or alcohol use, the employee may be eligible to go into a drug and/or alcohol treatment program either through the County's medical insurance program or at his or her own expense.

If the employee elects to enter an appropriate treatment program, the employee may be placed on unpaid status, but will be required to use any accrued vacation time and sick leave while participating in the evaluation and treatment program, so long as the employee is complying with the conditions of treatment. The County will have the right to require verification from the health care provider for a release to work and/or verification of treatment as covered in the County's medical leave policies. More information regarding availability of treatment resources and possible insurance coverage for treatment services is available from the Human Resources Office.

IX. Safeguards/Confidentiality

The drug screen analysis is accomplished through split sample urinalysis testing. Alcohol testing will be done through breath testing. Samples will be collected in a sanitary environment designed to maximize employee's privacy while minimizing the possibility of sample tampering. If there is a positive drug and/or alcohol result on the initial screening test, the laboratory or breath alcohol technician will automatically do a second test to confirm the results. The second drug test will be performed using gas chromatography/mass spectrometry or other scientifically accepted method. A positive alcohol test will be confirmed by a second test.

All drug tests are performed by a government-certified outside laboratory. All government-certified outside laboratories strictly follow chain of custody guidelines to ensure the integrity of the testing process. The County shall use a Medical Review Officer (MRO) who will receive the laboratory results of the testing procedure. The MRO shall be a licensed physician and have knowledge of substance abuse disorders and the appropriate medical training to evaluate positive results, medical histories, and any other relevant biomedical information. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication.

If the results of the initial test are negative, the testing laboratory will report the results to the MRO retained by the County. The MRO or the testing laboratory reports the negative results to the 3rd party testing unit. In this instance, no additional tests on the specimen will be done.

If the results of the initial test are positive, that is, if the results exceed the permitted levels for any of the five drugs tested or if the breath alcohol test comes back positive, a second confirmatory test shall be performed. The MRO will contact the employee personally, in the case of a positive test result. The MRO has the responsibility of reporting to the 3rd Party testing unit whether the test results are positive or negative.

An applicant or employee who does not pass a drug test may request that the original sample be analyzed again at the individual's expense by a government certified laboratory. All requests for an independent analysis must be made in writing within 72 hours of notification of a confirmed positive test result. In the event the drug and/or alcohol test results are not achieved due to a diluted sample, the applicant will be required to re-test.

Each applicant or employee will have an opportunity to discuss the drug and/or alcohol test with a Medical Review Officer in a confidential setting. Each applicant or employee upon his or her request may be provided with a written copy of the positive test result, upon written request. Upon written request within seven days of taking the test an employee may access records relating to his drug and/or alcohol test.

X. Disciplinary Action

- A. Testing Positive: Employees who test positive for drugs or alcohol are in violation of this policy.
- B. Refusal to Comply: Employees who refuse required testing are in violation of this policy.
- C. Interference with Testing: Employees who adulterate, tamper with or otherwise interfere with accurate testing are in violation of this policy.
- D. Any employee, who has been observed using or possessing illegal drugs or alcohol during work time, including lunch breaks, or on the County's premises is in violation of this policy.

XI. At-Will Employment

Nothing in this policy is to be construed to prohibit the County from maintaining a safe and secure work environment or to limit its right to impose disciplinary actions as it may deem appropriate for reasons of misconduct or poor performance, regardless of whether the misconduct or poor performance arises out of the use of alcohol or drugs. Such disciplinary actions may include termination of employment. **Employment with Kit Carson County is "at-will." Employees have the right to end their work relationship with the County, with or without advance notice for any reason. The County has the same right.**

FINANCIAL POLICY

GFOA Best Practices – Basic Policies

Unlike private entities, there are no “Commissioners line” profit figures that assess the financial performance of the County, nor are there any authoritative standards by which County officials can judge themselves. Instead, the Board of Commissioners and management work together to set goals and objectives that measure the performance and effectiveness of county programs and services.

The Financial Policies are intended as a guide for employees and the Commissioners to make consistent decisions so the County’s resources are used in an effective and efficient manner. This prudent oversight of County assets will ensure the long-term sustainability of the County’s services and infrastructure. The policies also set forth guidelines to measure current financial performance as well as project future budgetary needs.

Financial policies can be used to establish goals and targets for the County’s financial operations, so that the Board of Commissioners can monitor how well the County is performing.

These policies should be reviewed and updated as necessary.

General Financial Goals
Operating Management
Revenues
Operating Budget and Expenditures
Strategic Planning for Long Term
Financial Reporting

General Financial Goals

1. To ensure delivery of an adequate level of county services by assuring reliance on ongoing resources and by maintaining an adequate financial base.
2. To ensure that the County is in a position to respond to changes in the economy or new service requirements without an undue amount of financial stress.
3. To maintain a good credit rating in the financial community and assure taxpayers that the County is well managed financially and maintained in sound fiscal condition.
4. To adhere to the highest accounting and management policies as set by the Government Finance Officers’ Association, The Governmental Accounting Standards Board, and other professional standards for financial reporting and budgeting.

Operating Management

Long Term Financial Health – All departments will participate in the responsibility of meeting policy goals and ensuring long-term financial health. Future strategic planning and program initiatives will be developed to reflect current policy directives, projected resources, and future service requirements.

Careful long-range planning will identify projected surpluses or deficits and will be the main tool to take the necessary actions to bring sources and uses of funds in balance.

Forecasts – Balanced revenue and expenditure forecasts will be prepared to examine the County’s ability to absorb operating costs due to changes in the economy, service demands and capital improvements. The forecast for the current year will be updated quarterly. Before the County adds new programs, personnel, expands operations, or purchases or constructs capital projects, the long-range financial impact will be examined.

Alternatives to Current Service Delivery - Alternative means of service delivery will be evaluated to ensure that quality of services are provided to our citizens at the most competitive and economical cost. The County will continually evaluate the programs and services it provides and will evaluate alternative delivery mechanisms if available. Existing programs and services will be constantly evaluated to ensure they address current priorities

established by the Commissioners and staff. All proposed programs and services will be evaluated to ensure their total cost is known prior to implementing them, and that there is a process in place to measure if the program or service's goals are being met. Any efforts to outsource services to another governmental agency or privately-owned enterprise must not only meet financial goals but also County standards for quality and sustainability. The review of service delivery alternatives and the need for the underlying service will be performed annually or on an "opportunity" basis.

Cash and Fund Investments – County funds shall be managed in a prudent and diligent manner with an emphasis on safety of principal, liquidity, and financial return on principal in that order.

Revenues

The County will try to maintain a diversified and stable revenue system to shelter it from unforeseeable short-run fluctuations in any single revenue source. The County will estimate its annual revenues by an objective, analytical process wherever practical. The County will project revenues for the next year and will update this projection annually. Each existing and potential revenue source will be examined annually. Each year, the County will recalculate the full costs of activities supported by user fees to identify the impact of inflation and other cost increases. The County will automatically revise user fees, subject to review by the Commissioners, to adjust for the effects of inflation.

- 1. Dedication of Revenues** – Revenues will not be dedicated for specific purposes unless required by law, third party agreement or generally accepted accounting practices (GAAP). All non-restricted revenues will be deposited in the appropriate operating fund and will be appropriated through the budget process.
- 2. Financial Stability** – Current revenues are expected to fund current expenditures. As noted above, and a diversified and stable revenue system will be developed to protect programs from short-term fluctuations in any single revenue source.
- 3. Solid Waste Fees** – Solid waste user fees and charges will be examined on an annual basis to ensure they appropriately recover all direct and indirect costs of service and be approved by the Board of Commissioners. Any ineffective fees, evidenced by limited or insufficient cost recovery will be highlighted in budget documents. Rate adjustments for enterprise operations will be based on existing conditions as well as projections of future operating and capital costs. Annually, the County will internally review user charges for appropriateness with formal rate studies conducted as needed.
- 4. Charges for Services** – All user fees and charges will be examined on an annual basis to determine the direct and indirect cost of service recovery rate. These user fees and charges are designed to recoversome or all of the cost of providing the underlying service. To the extent the costs are not fully recovered, this information is presented to the Commissioners at the time the fee is adopted.
- 5. Grants** – Grant funding will be considered to leverage County funds. Inconsistent and/or fluctuating grants should not be used to fund ongoing programs, unless discussed as part of the acceptance process. Programs financed with grant monies will be suitably tracked to allow for appropriate accounting of grant revenues and expenditures. In the event of reductions in operating grant funding, County resources will be substituted only after considering alternative funding mechanisms and reviewing other County program priorities.
- 6. Credit and Collections** – The County will follow an aggressive and consistent policy of collecting user fees such as Solid Waste-fees to the fullest extent of the law. The collection policy goals will be for all adjusted uncollectible accounts to be no more than .5 to 1% of the total County revenue being adjusted for baddebts annually.
- 7. Finance Charges** - It is the county's goal not to have any finance charges or late fees assessed on invoices due to late payment.

Operating Budget and Expenditures

The County will strive to adopt budgets that provide for revenue meeting or exceeding expenditures. Balancing the budget utilizing reserves or transfers will only be done on short-term (one to two year) basis. Transfers or the

use of reserves for a longer period is indicative of unsustainable operations. The expectation is that the County consistently pay for all current operating expenditures with current revenues. The County shall avoid budgetary procedures that balance current expenditures at the expense of meeting future year's expenses, such as postponing expenditures or accruing future year's revenue.

The Commissioners recognize that unforeseen events may cause short term breaches of these expectations. However, if such a breach occurs, or is expected to occur within the five-year planning cycle, the County will adopt budget balancing strategies to return to the balanced budget expectation. When necessary, the following budget-balancing strategies will be used in order of priority:

- Reduce expenditures through improved productivity
- Review current service delivery models to potentially deliver the same service at a reduced cost
- Create new service fees or increase existing fees to the extent legally allowed;
- Seek tax rate increases via election;
- Reduce or eliminate services.

When setting the amount to be maintained in the Unassigned/Unrestricted Fund Balance/ Net Position, the following shall be taken into consideration:

- Predictability of future revenues including impacts of outside influences on key revenue streams
- Volatility of expenditures
- Availability of other resources
- Future operating and capital commitments

1. **Budget Supplements** – the budget process is intended to weigh all competing requests for County resources, within expected fiscal constraints. Requests for new, ongoing programs made outside the budget process will be discouraged.

Significant appropriations requested after the original budget is adopted will be approved only after consideration of the elasticity of revenues. Such appropriations may be approved by the Board of Commissioners.

- A budget is to serve as a guideline for revenues and expenditures. Staying within these guidelines is encouraged. It is the county's policy that unused funds are added to reserves for future stability of the county. The budget is not a "**use or lose it budget.**"
2. **Budget Development** – Budget development will use strategic multi-year fiscal planning, conservative revenue forecasts, and modified zero-based expenditure analysis that requires every program to be justified annually in terms of meeting intended objectives. The process will include a diligent review of programs by staff, management and the Board of Commissioners.
 3. **Personnel** – Addition of personnel will only be requested to meet program initiatives and policy directives. Only after service needs have been thoroughly examined and it is determined that additional staffing will result in increased revenue or enhanced operating efficiencies or service levels, will increase in staffing be considered. To the extent feasible, personnel cost reductions will be achieved through attrition.
 4. **Current Funding Basis** – Current operating expenditures will be paid from current revenues. Reserve requirements are to be funded through the accumulation of current and prior resources. The County will avoid budgetary accounting practices that balance the current budget at the expense of future budgets.
 5. **General Fund Balance**
The General Fund shall work toward maintaining an unassigned fund balance equivalent to six months or 50% of the prior year operating expenditures not including capital outlay or debt service. When the unassigned fund balance is in excess of 50% of operating expenses, the amount in excess of that shall be assigned for long-term capital acquisition or replacement.

The County Administrator shall annually prepare a report documenting the status of the fund balance and present

it to the Commissioners in conjunction with the development of the annual budget. Should the report disclose there are unassigned funds available in excess of the 50% limit discussed above; a recommendation for use of said funds shall be presented to the Commissioners in the report.

Should the Unassigned Fund Balance amount fall below the targeted level, the Commissioners must adopt a plan to restore this balance to the target level within 24 months. If the restoration of the reserve cannot be accomplished within such period without severe hardship to the County, then the Commissioners may establish a time period that is appropriate to conditions. Factors influencing the replenishment time horizon should include:

- The budgetary reasons behind the fund balance targets.
- Recovering from an extreme event.
- Financial planning time horizons.
- Long-term forecasts and economic conditions.
- Milestones for gradual replenishment.
- External financing expectations.

Restricted, Committed and Assigned Fund Balance - All fund restrictions, commitment and assignments will be evaluated annually for legal compliance, long-term adequacy, and use requirements in conjunction with development of the County's five year forecast.

Solid Waste Reserves – Solid Waste reserves will be maintained to ensure adequate funding for cell closures and replacements. A minimum requirement as required by Financial Assurance from the State of Colorado of all tangible assets of the system will be maintained per bond ordinance requirements.

Strategic Planning

Strategic Planning – A five-year Strategic Plan has been developed and is updated annually, including principal funding sources. Capital improvement projects are defined as purchase, construction or replacement of infrastructure, facilities, or equipment that results in a capitalized asset with a value of more than \$5,000 and having a useful (depreciable life) of two years or more. The forecast will include estimated operating revenues and costs related to future capital expenditures, such as Road and Bridge Projects.

Proposed capital projects will be reviewed and prioritized by the Board of Commissioners regarding accurate cost (design, capital, and future operating) and overall consistency with the County's goals and objectives. Financing sources will then be identified for the highest-ranking projects.

Future operating, maintenance and replacement costs associated with new capital improvements will be forecasted. Funding for operations and maintenance cost will be matched to available revenue sources, and included in the Operating Budget. Capital project contract awards will include a fiscal impact statement disclosing the expected operating impact of the project and when such cost is expected to occur.

The County's goal is that at least 25% of the five-year projected costs of the Strategic Plan will be funded on a pay-as-you-go basis from accumulated reserves. Accordingly, annual budgets should allow for the accumulation of resources to meet Commissioners expectations as well as other reserve requirements discussed elsewhere. Pay-as-you-go financing is defined as all sources of revenue other than County debt issuance, i.e., fund balance contributions, grants, endowments, etc.

CASH MANAGEMENT

Purpose

- A. Kit Carson County Colorado (the "County") receives awards of federal funds, either directly or as a sub recipient, from various sources. The Federal Office of Management and Budget provides uniform guidance which governs the policies and procedures to be followed by nonfederal entities in the management of federal awards. This uniform guidance is codified under Title 2, Subtitle A, Chapter 2, Part 200 of the Code of Federal Regulations (2 CFR 200) — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. This Policy summarizes the County's responsibility for management of awarded funds.

B. Authority and responsibility. Kit Carson County is responsible for compliance with federal statutes, regulations, and the terms and conditions of federal awards applicable to its federal programs. To assist in the proper administration of federal funds and implementation of this Policy, the Finance Director may approve additional procedures as administrative regulations.

C. Compliance violations. Employees and contractors involved in federally funded programs and sub recipients shall be made aware that failure to comply with federal law, regulations or terms and conditions of a federal award may result in the federal awarding agency or pass-through entity imposing additional conditions or terminating the award in whole or in part. (2 CFR 200.338 and 2 CFR 200.339)

D. County policies and procedures. The County maintains documented policies and procedures which reflect State and local laws and regulations; i.e. Colorado Department of Health Care Policy & Financing "Deferred Revenue FAQ for Single Entry Point Agencies". Those practices may be followed for Federal Awards wherever they are not in conflict with the Federal Award's guidance and applicable Federal law.

E. General policy. County financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. County financial management systems must provide for the following:

(1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any. (2 CFR 200.302)

(2) Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements set forth in § 200.327, Financial reporting, and § 200.328, Monitoring and reporting program performance. If a Federal awarding agency requires reporting on an accrual basis from a recipient that maintains its records on other than an accrual basis, the recipient must not be required to establish an accrual accounting system. This recipient may develop accrual data for its reports on the basis of an analysis of the documentation on hand. Similarly, a pass-through entity must not require a sub recipient to establish an accrual accounting system and must allow the sub recipient to develop accrual data for its reports on the basis of an analysis of the documentation on hand. (2 CFR 200.302)

(3) Records that identify adequately the source and application of funds for federally funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation. (2 CFR 200.302)

(4) Effective control over, and accountability for, all funds, property, and other assets. The County must adequately safeguard all assets and assure that they are used solely for authorized purposes. See § 200.303, Internal controls. (2 CFR 200.302)

(5) Comparison of expenditures with budget amounts for each Federal award. (2 CFR 200.302)

(6) Written procedures to implement the requirements of § 200.305, Payment. (2 CFR 200.302).

(7) Written procedures for determining the allowed ability of costs in accordance with Subpart E, Cost Principles, of 2 CFR Part 200 and the terms and conditions of the Federal award. (2 CFR 200.302).

INTERNAL CONTROLS

A. The County will establish and maintain effective internal control over its Federal awards that provides reasonable assurance that the County is managing Federal awards in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award.

B. The County will comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

C. The County will evaluate and monitor its compliance with statutes, regulations and the terms and conditions of Federal

awards.

D. The County will take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.

E. The County will take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or the County designates as sensitive or the County considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

PAYMENTS

Generally, the County receives payments of federal award funds on a reimbursement basis. In some cases, the County may receive an advance of federal grant funds.

A. Reimbursements

(1) The County will request reimbursement for actual expenditures incurred under federal grants at least quarterly, or more often as deemed appropriate.

(2) Reimbursement requests will be submitted with appropriate documentation and signed by the County's designated representative. All reimbursements are based on actual disbursements, not on obligations.

(3) The County will maintain supporting documentation of federal expenditures (invoices, payroll records, etc.) and will make such documentation available to awarding agencies upon request.

B. Advances

(1) When the County receives advance payments of federal grant funds, it must minimize the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement of those funds on allowable costs of the applicable federal program. (2 CFR 200.305)

(2) To the extent available, the County will disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments. (2 CFR 200.305)

(3) The County will maintain advance payments of federal awards in insured, interest-bearing accounts whenever not precluded by the Federal award grant guidance or whenever the exceptions per 2 CFR 200.305(8) do not apply. Interest amounts up to \$500 per year may be retained by the County for administrative expense. Any additional interest earned on Federal advance payments deposited in interest-bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment. [2 CFR 200.305(9)]

Financial Reporting

Accounting and Reporting Methods – The County's accounting and financial reporting systems will be maintained in conformance with all state and federal laws, generally accepted accounting Practices (GAAP) and standards of the Governmental Accounting Standards Board (GASB) and best practices identified by the Government Finance Officers Association (GFOA). The County shall use the modified accrual accounting method and establish and maintain a standard of accounting practices.

Audited Basic Financial Statements – The County will prepare annual Basic Financial statements in accordance with Generally Accepted Accounting Practices (GAAP). These financial statements will be audited by an independent Certified Public Accountant and will be submitted to the Office of the State Auditor. The financial report should be in conformity with GAAP, demonstrate compliance with finance related legal and contractual provisions, provide thorough and detailed disclosures, and minimize ambiguities and potentials for misleading inference. The audit opinion will be included with the County's Basic Financial Statements.

Budgets – The County's Budget will be presented to the Commissioners for approval annually. The budget should serve as a financial and programmatic policy document, a comprehensive financial plan, an operation guide for all organizational units and a communications device for all significant budgetary issues, trends, and

resource choices.

Internal Controls – Financial systems will maintain internal controls to monitor revenues, expenditures and program performance on an ongoing basis to the extent possible taking into consideration the limitations of staffing levels.

Fiscal Monitoring – Monthly financial reports will present actual expenditures vs. budget on a current and cumulative basis. Major revenue sources will be monitored on a monthly basis, noting the status of each revenue source as compared to budget.

Governmental Immunity

Kit Carson County is covered by the Colorado Governmental Immunity Act Section 24-10-100 et.seq. as now or hereafter amended. All claims against the County should be made in writing within 180 days of the event.

HIRING POLICY

1) Purpose

The purpose of this policy is to establish guidelines for the employment process and to assure that the recruitment and selection processes are consistent and identify the best qualified employees for Kit Carson County.

2) Policy

It is the express policy of Kit Carson County to follow fair employment practice laws. All persons having the authority to hire, discharge, transfer, or promote personnel will follow a non-discriminatory policy of implementing personnel actions without regard to political affiliation, race, color, national origin, religious affiliation, age, gender or handicap. The County offers equal opportunity in the employment and advancement of qualified applicants and employees.

Kit Carson County seeks to employ individuals based upon their qualifications, experience, and ability to perform the position responsibilities. All applicants can expect a fair and completed evaluation of their application. Successful applicants will be required to pass a pre-employment drug and alcohol screening and will be subject to subsequent random testing.

Full time employees will be placed on the approved Salary Step and Grade scale which is set by the Board of County Commissioners.

3) Personnel Hiring Procedures

Department Heads shall notify the Kit Carson County Human Resources Office of all vacancies and may, within the provisions of this policy, recommend promoting a qualified employee within the department or posting the position on the job vacancy list.

(1) FILLING POSITIONS INTERNALLY

- 1) To fill a vacant position by promotion within a department or division, the hiring official should review the personnel files of all qualified applicants and select the best qualified person in that department.
- 2) To post a position on the job vacancy list, a Request to Advertise form must be forwarded to the Human Resources Office for review and approval. The request form must be received in the Human Resources Office by Friday at noon of each week to be posted on the next week's vacancy list, web site and to be advertised in the newspaper. Each department is responsible for the cost of their advertisement.
 - a. The Request to Advertise form is in the Forms Section of Policies.
- 3) The Human Resources Office will review the job description and employee qualifications and ensure the salary is in accordance with the pay plan. The Human Resources Office will notify the Department Head of the outcome of the review.
- 4) For employees transferring from another department, the hiring official in the receiving department will notify the employee's current supervisor as a will of good gesture prior of the selection and acceptance decision, so that a starting/transfer date can be established and replacement arrangements made. The hiring official and the releasing department will negotiate and agree on a mutually satisfactory release date. Normally, the transfer should occur after 10 days (2 weeks) notice to the current supervisor. In the event that a mutually agreed release date is not possible, the final decision will be made by the Board of County Commissioners.

- 5) The Department Head shall complete a Wage/Department Change Form (orange sheet) and turn in to the Human Resources office to present to the Kit Carson County Board of Commissioners for approval to promote or transfer the employee.

(2) TRANSFERS

The County requires continuity within the departments and budgeting. By outlining departments responsibilities the county hopes to avoid misinterpretation when bringing a new hire on that is currently already an employee of the county.

1) Employee

- a. Employees that apply for a position outside of their current department and are offered the position are asked to use up as much compensatory time that they may have acquired throughout their service to the department they are leaving.
- b. Employee must make arrangement with current department head when scheduling leave not to disrupt current workplace.
- c. Sick and Vacation time will transfer to new Department.

2) Responsibility of Department(s)

- a. Department in which the employee incurred benefits will be responsible for paying out all or any compensatory time prior to leaving that department if employee is unable to utilize through scheduling time off.
- b. Department that is obtaining the employee is monetarily responsible for any sick or vacation hours previously acquired that will transfer with new employee.

(3) POSTING A VACANT POSITION EXTERNALLY

To post a position on the job vacancy list, a Request to Advertise form must be forwarded to the Human Resources Office for review and approval.

The request form must be received in the Human Resources Office by Friday at noon of each week to be posted on the next week's vacancy list, web site and to be advertised in the newspaper. Each department is responsible for the cost of their advertisement.

- The Human Resources Office will review the job description and employee qualifications and ensure the salary is in accordance with the pay plan. The Human Resources Office will notify the Department Head of the outcome of the review
- All regular vacant positions will be posted on the job bulletin board and be held open for at least ten (10) working days. For emergency or extenuating circumstances a position may be posted for less than ten days with the approval of the Kit Carson County Board of County Commissioners.
- All postings and advertisements shall identify safety/security sensitive positions, any additional requirements for employment, and Kit Carson County as an equal opportunity employer.
- Positions requested to be announced will be routinely advertised in the local newspapers, as well as being listed on the Kit Carson County website and Facebook page.
 - All applications will be returned to the Human Resources Department after selection has been made. Department heads can review applications in the

Human Resources office that are on file for six (6) months.

- The Department Head shall complete a Wage/Department Change Form (orange sheet) and turn in to the Human Resources office to present to the Kit Carson County Board of Commissioners for approval to promote or transfer the employee.
- It is the supervisor's responsibility to monitor the 6 month trial period policy. Payroll will remind you a month prior to your new hire's end date for the 6 month trial period.
 - Department Heads should do an evaluation on each new hire at the 6 month mark. If desired, this new hire could move up on the Step and Grade pay scale.

(4) APPLICATION, INTERVIEW, AND SELECTION PROCESS

- 1) Any individual interested in employment with Kit Carson County must complete an Employment application.
- 2) Candidates may also submit a resume and other documentation as necessary for the job.
- 3) A current Kit Carson County employee interested in promotion or transfer opportunities, must submit an application to the Human Resources Office.
- 4) Once a hiring decision has been made, all applications, notes, reference reports, and other materials pertaining to the applicants and/or interviews must be returned to the Human Resources Office.
- 5) A job offer letter may be extended after the potential hire has been approved by the county commissioners. The job offer letter must state that the offer is contingent on passing the background check and drug/alcohol test. There is a template in the job forms.
- 6) The employee must complete all new hire paperwork, background checks, drug and alcohol testing and any other required testing at least five (5) days PRIOR TO THE FIRST DAY OF EMPLOYMENT, to allow for test results to be processed and returned. The new employee orientation should be scheduled with the Human Resources Office at least 24 hours in advance.
- 7) An applicant can be disqualified from employment with Kit Carson County if he or she does not meet the minimum requirements of the position, makes a false statement on the application form or during the interview process, has committed fraud during the application or selection process, or is not legally permitted to hold the position.
- 8) Some positions may also require additional documentation before hiring an employee. This must be done **before** the new employee begins working. Obtaining all of the required documentation for the new hire is the responsibility of the applicant.

For example:

- Road & Bridge positions may also require the applicant to show proof of a current Colorado Class A CDL, a medical card and pass a DMV driving record.
- Sheriff's Deputy's employees must pass a Psychological Evaluation

(5) EMPLOYMENT OF NON-REGULAR, PART-TIME, TEMPORARY, AND SEASONAL PERSONNEL

- To employ Non-Regular, Part-Time, and temporary personnel, the hours must be

limited to under 30 hours per week.

- If the Non-Regular, Part-Time, or temporary personnel works over 1,040 hours in a consecutive twelve (12) month period, the employee will be eligible for retirement benefits.
- Seasonal Employees may work up to forty (40) hours per week during, not to exceed 1,040 hours per year or six (6) months.
- Non-Regular, Seasonal Part-Time, and temporary personnel positions do not have to be advertised or posted.
- The offer of employment for Non-Regular, Part-Time, Temporary, and Seasonal personnel is extended after the Kit Carson County Board of Commissioners approve the hire and all background checks, drug and alcohol testing is complete.
- After all tests have been completed and passed, an orange sheet is presented to the county commissioners for approval.

(6) NEW HIRE APPROVAL & WAGE CHANGE SHEETS

After the potential new hire has passed all of the required tests for background, drug/alcohol testing, a Wage/Department Change Forms (orange sheet) should be presented to the Human Resources Department for the Kit Carson County Board of Commissioners approval at their next meeting.

The new employee should not begin work until all pre-required employment tests are passed and approval has been given by the Kit Carson County Board of Commissioners.

- a) Wage/Department Change Forms (orange sheet) need to be turned in to the Human Resources Department by Monday at 4:00 pm to be presented to the Kit Carson County Board of Commissioners for approval the same week. Unless it is a holiday week. If a holiday falls on a Monday, Wage/Department Change Forms need to be received by 4:00 pm the Friday before the holiday to be presented that next week.
- b) Wage/Department Change Forms (orange sheet) will only be approved for increases to start at the beginning of the next pay period; not in the middle of a pay period.
- c) Wage increase requests after the 6 month trial period must be accompanied with a current evaluation. It is the department heads responsibility to request this increase.
- d) Kit Carson County Board of Commissioners must approve and sign the Wage/Department Change Form (orange sheet) before the employee is told the employee is getting a raise.
- e) Wage/Department Change Forms should be filled out and presented to the Human Resources Department for Kit Carson County Board of Commissioners approval when employees change departments, even if there is no wage change.
 - Wage change sheets are in the forms section and are always printed on orange paper.

(7) ORIENTATION REQUIREMENTS

When an employee comes in to fill out paperwork they will need to bring these items:

- Driver's License (Road & Bridge will need CDL record, Current Medical Certification and a copy of the current driving record)
- Social Security Card

- Copy of blank check for direct deposit
Information gathered for W-4 form (how many deductions taken out of check which determines what you will pay in taxes)
- Any other items necessary to prove applicant is eligible to work, as outlined on the I-9 form.

(8) COLORADO EQUAL PAY FOR EQUAL WORK ACT

The Colorado Equal Pay for Equal Work Act went into effect on January 1, 2021. Enacted in 2019, the Equal Pay Act contains several parts and is designed to protect against wage discrimination based on sex, prohibits employers from asking job applicants about their salary history, and requires employers to disclose compensation and promotion information. The Act applies to any employer with at least one employee in Colorado, including public bodies, schools, and private individuals.

- **Wage Discrimination**

The Act states: *An employer shall not discriminate between employees on the basis of sex, or on the basis of sex in combination with another protected status as described in section 24-34-402 (1)(a), by paying an employee of one sex a wage rate less than the rate paid to an employee of a different sex for substantially similar work, regardless of job title, based on a composite of skill; effort, which may include consideration of shift work; and responsibility (§4 8-5-102).* The Act does allow for wage differentials if the employer has a system for seniority, merit, or to measure quantity or quality of production. Wage differences may also be justified by where the work is performed, if travel is a necessary and regular part of the work, and education, training, or experience reasonably related to the job.

- **Salary History**

Under the Equal Pay Act, employers may not ask applicants about their salary histories or retaliate against an applicant who chooses not to disclose their salary history. Employers cannot base compensation on prospective employees' salary history or prohibit employees from discussing or comparing their wage rates.

- **Compensation Posting**

Another component of the Equal Pay Act applies to job postings, including promotions. The Act requires employers to include the hourly rate or hourly range or the salary or salary range in the job listing. Wage and salary ranges may consist of the lowest to highest range the employer believes, in good faith, that they may pay for the position, depending on the circumstances. Employers must also include a general description of bonuses, commissions, or other forms of compensation and a general description of employment benefits, such as healthcare, retirement, paid time off, or any additional benefits that must be reported for federal tax purposes.

- **Promotion Posting**

With a few exceptions, employers must also announce all promotional opportunities to

employees on the same day and before making a decision. The announcement should include job title, application method, pay, and benefits. All employees must be notified of these opportunities in writing online or in hard copy, even if the position is open only to those who meet certain requirements.

- **Exceptions**

There are three exceptions to these posting requirements: confidentiality, automatic promotion after a trial period, and temporary, acting, or interim hires. For more information about these exceptions, review the [Equal Pay Transparency Rules \(7 CCR 1103-13\)](#) at the Colorado Department of Labor and Employment.

PURCHASING POLICY

STATEMENT OF POLICY AND PURCHASING ETHICS

Kit Carson County (KCC) presents this Purchasing Policy to assist each County employee or officer who directly buys goods and services.

The County Finance Department will assist with procedural questions and processing of paperwork, but the individual department is responsible for following County policies in purchase decisions.

The purpose of the KCC Purchasing Policies and Procedures is to provide a framework for efficient and cost effective purchasing for all county operations. The contents of these policies and procedures do not create any property or contractual rights between the county and any supplier of goods and services.

Except when specifically authorized by statute or regulation to act otherwise, this policy shall apply to all Elected Officials, Department Heads, employees, contractors, and agents for KCC. The ultimate authority to purchase items or contract for services lies with the KCC Board of Commissioners and may only be delegated or authorized pursuant to the provisions of this policy.

The purchasing policy's primary purpose is to communicate policies and give guidance to personnel with delegated purchasing authority. This policy has been designed to:

- Comply with Colorado Revised Statutes, as amended
- Encourage maximum competition on a basis of fair and equal opportunity to qualified and interested bidders
- Provide a uniform procedure for the procurement of material, equipment, supplies and services
- Ensure that the county is getting the best overall value for taxpayer dollars. Some of the factors considered when determining the "best overall value" are:
 - Price
 - Warranty
 - Service
 - Availability
 - Past Performance
 - References

Kit Carson County's goal is to procure materials, supplies, equipment, and services at the lowest possible cost and consistent with quality required. All authorized employees purchasing on behalf of the County are expected to use public monies wisely; therefore, any employee making any purchases must buy in an honest and prudent manner that results in getting the best product or service for the fewest taxpayer dollars.

It is the goal of the Kit Carson County Commissioners to use local, Kit Carson County businesses as much as possible, while continuing to use public money wisely.

The purchaser's timely completion of all the proper documents results in overall efficiency of county purchasing as a whole and ensures complete communication. It can also help the County take advantage of payment/price discounts.

Throughout this policy, responsibilities are defined. You can generally answer questions by referring to this policy. Requests for exceptions are to be reviewed by the Finance Department prior to final approval by the KCC Board of County Commissioners.

RESPONSIBILITIES

- The initiating department has the responsibility for the procurement of goods and services or give functional directions to others delegated the authority to perform such services.

- The initiating department is responsible for initiating and maintaining effective and professional relationships with suppliers, actual and potential.
- The initiating department will conduct all correspondence with suppliers involving prices or quotations. In cases where technical details are necessary, the initiating department may correspond with suppliers regarding technical issues. In such cases, copies of all such correspondence should be attached to the purchase order requisition.
- ***Some items may require additional review and approval prior to purchase due to additional expense after the item is purchased. Examples of these items, although not all inclusive, are:***
 - Computer Equipment and Software
 - Vehicle & Equipment Purchases
 - Communication Equipment (cell phones, usage plans, radios, etc.).
 - Maintenance contracts
- Personnel involved in purchasing activities will recognize and practice good public relations by giving all callers and visitors courteous treatment, and will strive to maintain and enhance the County's image by their personal conduct and methods of doing business.
- Purchasing personnel are to obtain and purchase goods at the lowest possible total end-use cost, considering the guidelines of prices, service, quality, and delivery. The initiating department is to assume full authority to question the quality and kind of material sought in order that the best interests of the County may be served.
- Initiating departments shall work with the Finance Office to ensure budgetary compliance. A purchase may not be made without a prior appropriation.
- If the vendor is doing business with the county for the first time, a completed IRS Form W-9 from the vendor must be submitted to the Finance Department prior to any payment.
- Third-Party Vendors doing physical installation/repair work on KCC property must have a proof of liability insurance document filed with the finance office annually.
- New charge accounts should not be set up by anyone other than a department head after receiving approval from the Board of Commissioners. The Finance Office must also be notified of the new account.
- Purchase order requests must be submitted to the Finance Office by Monday 4:00 pm to be prepared for that week's agenda, unless Monday is a holiday in which case, this must be turned in by Friday at 4:00 pm.

Any purchase or contract which does not follow the provisions of this policy may become the personal responsibility of the individual who authorized the purchase or signed the contract.

Failure to follow the provisions of this policy may be grounds for disciplinary action or modification of budgets.

EXCEPTIONS

The provisions of this policy are mandatory on all Kit Carson County purchases and contracts unless Colorado Statutes or regulations require a different procedure.

Purchases of books, stationery, records, printing, lithographing, and similar supplies are governed by the provisions of C.R.S. §§ 30-11-109 and 112, which require an annual formal bid solicitation process after publishing the purchasing

advertisement. All Departments should refer to any existing vendor bids previously approved and maintained by the Board of County Commissioners for the purchase of these supplies.

QUOTATIONS AND BIDS

REQUIREMENTS FOR INFORMAL BIDS

Purchases of goods or services \$500.00 up to \$4,999.99:

- It is at the discretion of the Department Head, Elected Official, or designated person to determine what is in the best financial interest of the County for individual single item purchases under \$500 and such persons are authorized to make these budgeted expenditures without further authorization.
- Purchases in amounts less than \$500 do not require a Purchase Order.
- ***Purchases in excess of \$500 shall not be purposely divided into smaller components so as to avoid the more formal requirements of requisitioning and formal bidding.***
- *Items should not be ordered until a purchase order is approved!*
- **Competitive price quotes from multiple sources is encouraged and should be noted on the voucher when submitting for payment.**
 - At the discretion of the Board of Commissioners, additional quotes may be requested. If two (2) quotes are not available, detailed justification is required. If any pertinent information is missing it will be returned to the department for completion.
- This policy applies to all purchases made including those made with grant and contract funds and for repairs resulting from insurance claims
- Quotes must be on the Vendor's Letterhead or equivalent document, complete with the Vendor's name, address, telephone number.
- ***Approval from the Board of County Commissioners is required PRIOR to any purchase of \$500.00 or greater.*** Exceptions are allowed for purchases or services necessary due to Usual and Customary Required (UCR) Expenditures, General Maintenance or Repairs necessary for the day to day operations of KCC. New utilities, cell phones, vehicles & equipment are excluded from UCR. Such as, but not limited to:
 - Utilities
 - Telephone, Cell phone
 - Electric
 - Natural Gas or propane for heating
 - Reverse 911 CODE Red
 - Building repair and Maintenance
 - Heating and cooling repairs to existing equipment
 - Equipment & Vehicles repair and Maintenance
 - Fuel
 - Oil & changes
 - Tires

- Parts for repairs
 - Inmate Needs
 - Clothing
 - Meals
 - Medical
 - Election supplies (ballots)
 - Coroner ordered autopsies
 - Dues for annual memberships
- Upon approval by the Board of County Commissioners in a board meeting, the Finance Department will issue a purchase order.
- Once the initiating department receives the purchase order, the approved purchase may be made. **The original signed purchase order must be attached to the bill presented for payment.**
- Durable equipment purchases \$5,000 and above, will be tracked on a capital asset listing and reviewed annually.
 - Significant repairs to a capital asset will be added to the existing value of the asset. Example: Overhauling an engine
- Under no circumstance will exceptions be given to vary from this policy unless ***approved by the Board of County Commissioners.***

REQUIREMENTS FOR FORMAL BIDS

Purchases of goods or services, Capital Assets, Remodeling or Construction of any County Property \$5,000 or greater:

The term "formal bid" is used to identify solicitations which represent major purchases by Kit Carson County. The difference between an informal and a formal bid is that a formal bid must be sealed and in writing.

1. The department desiring to purchase any goods or service, Capital Assets, or remodeling/construction of any County Property involving the expenditure of \$5,000 or more, shall prepare the specifications and submit the same to the Board of County Commissioners for review.
2. The initiating department shall solicit bids so as to obtain as many bids as possible in order to obtain the best price, with the additional objective that all contractors and/or retailers having a place of business in Kit Carson County, Colorado, have an opportunity to submit bids. Invitation for bids shall be solicited directly or by publication in the county newspaper or both.
3. In cases when an item is "one of a kind" or there is little likelihood of competitive bidding, the KCC Board of County Commissioners, unless prohibited by law, upon the affirmation vote of a majority of the Commissioners, may waive the requirement of soliciting bids in accordance with the provisions of this policy.
4. Bids shall be required on all motor vehicle purchases regardless of price. If a County-owned vehicle is available for trade-in on the purchase of a new motor

vehicle, the Board of County Commissioners may consider the value of any trade-in allowance offers from prospective vendors in making its purchasing decision, but shall not be bound to accept any trade-in offers, regardless of amount.

5. All invitations for bids, whether by direct solicitation or advertisement, shall be mailed or delivered to the Office of County Commissioners in a sealed envelope and clearly labeled as a sealed bid. All bids, once submitted, shall not be amended or rejected except upon affirmative approval of a majority of the KCC Board of County Commissioners and after discussion with the initiating department.
6. Each invitation for a formal bid shall specify the date and time the formal bids will be opened, which shall not be less than ten (10) days after the invitation is solicited. Each invitation shall also further reserve the right to reject any and all bids, and unless prohibited by law, each invitation shall also reserve the right to accept a bid other than the lowest bid.
7. The KCC Board of County Commissioners shall securely maintain each formal bid received, and no bid shall be opened by anyone at any time other than the time specified in the invitation. Each bid opening shall be public and the bidders shall have the opportunity to be present at such time, but no further bids or modification of bids shall be accepted at such time.
8. Annually, as the budget allows, informal bids may be sought for equipment to be purchased for the next budgetary year. Such items may be approved in the current year for the following years purchase and purchase orders will be issued at that time.
9. All bids for road construction in excess of \$5,000 shall be advertised in the County newspaper as required by **Section 43-2-209 C.R.S.** In the event of an emergency, when the majority of the Board of County Commissioners, in their judgment, determines that invitation for bids for road construction, or for any other purpose, would be detrimental to the immediate preservation of the public peace, health and safety, the requirement for sealed bids may be waived.
10. Any purchases(s) of goods, service, or proposed construction submitted by any Elected Official or Department Head not in accordance with the provisions of this Resolution shall be rejected and any voucher submitted for payment shall be disallowed.
11. The issuance and acceptance of a formal bid is best accomplished by a cooperative effort between County Departments and the KCC Board of County Commissioners.

REQUEST FOR PROPOSAL

At the discretion and authority of the Board of County Commissioners, an RFP (Request For Proposal) process may be used in lieu of the formal bid process.

1. Requests for this process may be prepared by the initiating department and reviewed by the Commissioner's Office with final approval to be made by the Board. Justification for such request may be required and be provided in written form.

2. The specifications are written using performance standards rather than the description of the good or services in a proposal. The specification also lists the factors by which the proposal will be judged, and the weight to be given to each factor.
3. Vendors submit proposals of their own design for a product to satisfy the requirements set forth in the proposal.
4. The County may consult with a prospective bidder in preparation of an RFP, however the RFP must be written in such a way that it does not prohibit other bidders from bidding and should in no way give preference to any prospective bidder's product.
5. After proposals are received, the County may enter into negotiations with as many vendors as have submitted feasible proposals to find the best possible proposal for each vendor.
6. Terms will not be disclosed until final negotiations are concluded.

BID REVIEW AND ACTION

The KCC Commissioner's Office will retain all original bids, bid summary sheet, and sign-in sheet, and will make them available for review to all interested parties upon request.

The initiating department evaluates the bids and recommends to the Board the award in the best interest of Kit Carson County. The KCC Board of Commissioners makes the final award. It is possible that all bids may be rejected and the project abandoned, postponed, or the bid process reinitiated.

After final award, the office of the KCC Board of Commissioners shall then process and send to all bidders an announcement of award.

All original bid documents will be retained by the Commissioner's Office where they will be kept on file in accordance with applicable state archive rules.

FINAL AWARD

The final award shall be made by the KCC Board of Commissioners in the best interest of Kit Carson County. The KCC Board of Commissioners has the authority to accept or reject any or all bids and waive any required procedures except those required by law.

Board of County Commissioners may consider preference to local businesses. A local business shall be a business which maintains a physical place of business in Kit Carson County.

REJECTION OF ALL BIDS

Should no award be made, letters of rejection will be mailed from the KCC Board of County Commissioners or initiating department.

CONTRACTS

Any contracts, grants, MOU's, IGA's, etc. made on behalf of Kit Carson County must be

approved by the KCC Board of Commissioners who have the authority to enter into and sign.

All contracts, grants, MOU's, IGA's, etc. must be submitted for the KCC Board to review at least one (1) week prior to being approved. Submit contracts in their entirety to the Finance Office along with any additional details such as requested number of originally signed contracts and the contract budget.

An Elected Official may have specific statutory authority to enter into contracts independently, however, any item that does require a budgetary decision must be approved by the Board of Commissioners.

EMERGENCY PURCHASES

- (1) After declaration of an emergency by KCC Board of County Commissioners or Colorado Department of Local Affairs, emergency procurements may be made without complying with the usual procurement requirements if there is an existing threat to public health, welfare or safety, or risk of a serious disruption of business operations, or risk of harm to county property. The Department Head or authorized Representative may consider this option in lieu of going through the **Quotation and Bids** process if that process would unduly disrupt department operations or endanger the public's health and safety.
- (2) Emergency procurements may NOT be used as a replacement for normal purchasing procedures except in an emergency which is a threat to public health, safety or welfare, the financial interests of Kit Carson County, or the business operations of the county.
- (3) Emergency procurements shall be made with such competition as is practicable under the circumstances. In prolonged emergency situations, Department Heads or Elected Officials authorized to make emergency purchases shall request assistance of the Board of County Commissioners. The basis for the emergency and for the selection of the particular contractor shall be maintained as a public record with vendor payment records.
- (4) A written record of emergency purchases should be kept in order for the Finance Department to process payment.
- (5) The Department Head or Elected Official should attempt to secure by informal bid, if possible, the "best value" on any emergency materials, supplies, equipment, or services. Written documentation defining the emergency and the selection of the contractor or vendor shall accompany the voucher form signed by the Department Head, Elected Official, or Authorized Person.

DEFINITIONS

Bid – The response to an Invitation for Bids.

Bidder – Any person or vendor who submits a bid.

Capital Assets over \$5,000.00 - Non consumable items, such as vehicles, operating equipment, furniture, copiers, computers, etc. valued \$5,000 or greater. Items generally last longer than six (6) months

Capital Assets under \$5,000.00 - Non consumable items, such as vehicles, operating equipment, furniture, copiers, computers, etc. valued under \$5,000. Items generally last longer than six (6) months.

Competitive Bid – A procedure inviting available vendors to compete with each other to provide goods or services to the County.

Declared Emergency – A declaration made by the Board of County Commissioners or Colorado Department of Local Affairs in which some normal functions of the County are affected. Such declarations usually come during a time of natural or manmade disasters and emergency preparedness plans may need to be used and put into action.

Department – For purposes of these rules, department includes all Elected Officials and Department Heads.

Durable Equipment – goods that yield utility over time rather than being completely consumed in one use.

Emergency Purchase – Purchases made in the event of a Declared Emergency where the County's ability to serve the public would be impaired if purchases are not made immediately.

General Maintenance or Repairs – The care and servicing of equipment and facilities due to normal wear and tear.

Invitation to Bid – A means of notifying vendors that the County has specific requirements for materials and/or supplies and the County is offering vendors an opportunity to fulfill those requirements. This is a formal means of soliciting price quotes requiring formal advertising, and sealed bids.

Local Business – A business which maintains a physical place of business in KIT CARSON County.

Price Quote – A price for goods or services obtained by telephone, email, fax, or in writing.

Purchase Order – A legally binding document provided to a vendor requesting that the vendor supply the County with goods and services as specified.

Purchasing Authority – The authority approved by the Board of County Commissioners authorizing Department Heads, Finance Director, or other authorized designees the authority to purchase goods or services for the County within specified limits.

Purchasing Ethics – Rules defining ethical conduct of County employees and vendors participating in the purchasing process as stated in Article 18 of Title 24 of the Colorado Revised Statutes.

Request for Proposals – A means of notifying vendors that the County has specific requirements for goods or services and the County is offering vendors an opportunity to

fulfill those requirements.

Requisition – A document requesting a purchase to be made on behalf of the County. This is the first step after the need for a good or service is recognized.

Specification – A concise description of a good or service the County is seeking to buy and the requirements the vendor must meet in order to be considered for the award.

Voucher – A document authorizing a purchase and receipt of item signed by the Elected Official or Department Head

FEDERAL GRANT GUIDELINE

I. DISPOSITION POLICY

2 CFR Subpart D 200.311(c)(2)

If the non-Federal entity is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

2 CFR Subpart D (200.313) (e)

When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions, the non-Federal entity must request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:

- 1) Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.
- 2) Except as provided in §200.312 Federally-owned and exempt property, paragraph (b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair-market value in excess of \$5,000 may be retained by the non-Federal entity or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit the non-Federal entity to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.
- 3) The non-Federal entity may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the non-Federal entity must be entitled to compensation for its attributable percentage of the current fair market value of the property.
- 4) In cases where a non-Federal entity fails to take appropriate disposition actions, the Federal awarding agency may direct the non-Federal entity to take disposition actions.

Any time an asset leaves the control of a department or program area, on a permanent basis, a disposition has taken place. When this occurs, the Capital Asset Coordinator will prepare a Property Disposition Form which is forwarded to the Finance Office to provide the basis for deleting the asset from the inventory.

For an example Property Disposition Form, please see below. Until the completed Property Disposition Form is sent to the Finance Office, accountability and responsibility for the asset remains with the Department Manager.

The Department Manager will have the authority to approve the disposal of a capital asset within the agency.

There are four common methods of disposal of an asset: transfers, sales, trades, and write-offs.

Transfer of an Asset – The transfer of an asset involves the deletion of an item from the inventory of one department or program and its addition to the inventory of another department or program. The “transferring” agency initiates the Property Disposition Form and signed acceptance from the receiving agency is required before the transfer is complete.

Sale of an Asset – When an asset is sold, essentially the balance of the capital asset account recorded by accounting will be reduced by the historic cost of the asset being sold and the related accumulated depreciation will be removed. The proceeds from the sale of the asset will be used in determining any gain or loss on the disposal of the capital asset. No department may apply the revenue obtained from the sale of an old asset towards the purchase of a new asset unless formal budgetary authorization is obtained. Items may be traded-in to reduce the cost of the new asset.

Trade of an Asset – Items which are traded against the purchase of a new asset requires the proper matching of the “trade-in allowance” to the new asset, as well as the removal of the traded item from the inventory records. To accomplish this, a photocopy of the Purchase Order for the new asset must be attached and submitted with the Property Disposition Form involved.

Write-offs of Asset – If items are junked, parted-out, stolen, lost, or otherwise disposed of, the disposition must be reported. The Property Disposition Form must include adequate information as to the reasons for requesting a “write-off” before the asset can be deleted from inventory.

PROPERTY DISPOSITION FORM

1. TAG NUMBER (if known):

2. FUND-DEPARTMENT (ex. 001-6110):

3. ITEM DESCRIPTION:

4. MANUFACTURER/SERIAL NUMBER (if applicable):

5. FUNDING SOURCE

6. INITIATOR: _____ PHONE: _____

7. EXPLANATION FOR DISPOSAL (please check one):

SOLD TRANSFER LOST STOLEN SCRAPPED OBSOLETE TRADE-IN

DATE OF DISPOSAL: _____

FUND-DEPARTMENT TRANSFERRED TO (if applicable):

(For stolen items: Police must be notified if the value is over \$50.00, a Police report must accompany this form when value equals or exceeds \$200.00)

COMMENTS:

Capital Asset Coordinator - Date

Dept. Manager/Account Signer - Date

Please retain a copy for your records.

II. PROCUREMENT AFFIRMATIVE STEPS

2 CFR Subpart D (200.321)

Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

2 CFR Subpart D (200.319) (c)

The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

III. CONFLICTS OF INTEREST TECHNICAL GUIDANCE

Background. The Federal Office of Management & Budget (OMB) promulgated the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, commonly referred to as the "Uniform Guidance" (2 CFR Part 200). The Uniform Guidance requires Non-Federal Entities to maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts. The Uniform Guidance also requires written standards of

conduct covering organizational conflicts of interest. There are also State statutes, State rules, and State guidance regarding conflict of interest. To clarify all of these requirements, The Office of the State Controller issued a Policy entitled "Procurement Conflicts of Interest" ("Policy"). The purpose of this Technical Guidance is to assist State departments, employees, and individuals in complying with the Policy.

The Policy applies to all Workers and Sub-recipients, as defined in the Policy, which receive funds from the State of Colorado. The Policy applies to Sub-recipients that receive funds from other Sub-recipients from the State of Colorado. The Policy does not apply to institutions of higher education or the Legislative and Judicial Branches, unless they choose to adopt this Policy.

Statutory Directives

Each employee shall perform his/her duties and conduct himself/herself in accordance with generally accepted standards and with specific standards prescribed by law, rule, or appointing authority. (CRS §24-50-116)

No employee shall engage in any employment or activity which creates a conflict of interest with his/her duties as a state employee. (CRS §24-50-117)

If a public servant exercises any substantial discretionary function in connection with a government contract, purchase, payment, or other pecuniary transaction, such individual shall give seventy-two hours' advance written notice to the secretary of state and to the governing body of the government which employs the public servant of the existence of a known potential conflict of interest of the public servant in the transaction with reference to which he/she is about to act in his/her official capacity. Failure to disclose a conflict of interest is a class 2 misdemeanor. (CRS §18-8-308)

Rules of conduct for all employees, actions that are conflicts of interest, and the State Code of Ethics are included in CRS §24-18-101 et seq.

General Guidance

Definitions. For the purposes of this Technical Guidance, the following terms shall have the meanings ascribed to them below.

Conflict of Interest Panel - a group of employees authorized by the department's executive director to review and approve or deny management plans created to manage conflicts of interest.

Endorsement - Verbal, written or electronic approval or support of an Entity, vendor (whether a company or individual), contractor, etc. Endorsements include, but are not limited to, testimonials, quotes, and opinions. It also includes imagery such as State or department logos for use on vendor sites or promotional materials.

Familial Interest – Employee has an Immediate Family Member or an individual related by affinity whose close association with the employee is the equivalent of an Immediate Family Member with an interest of any kind, which, in view of all circumstances, is substantial enough that it would, or reasonably could, affect an employee's judgment with respect to transactions in which the State is a party and the employee has decision-making capacity or authority.

Financial Interest – A financial interest of any kind, which, in view of all circumstances, is substantial enough that it would, or reasonably could, affect an employee's judgment with respect to transactions in which the State is a party and the employee has decision-making capacity or authority.

Immediate Family Member – Any person related to the employee by blood, marriage, civil union, or adoption. Family members include one party with any of the following relationships to another party:

Spouse, and parents thereof

Children, and spouses thereof

Parents, and spouses thereof

Siblings, and spouses thereof

Grandparents and grandchildren, and spouses thereof

Domestic partner and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition

Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Management Plan - A plan created by an employee's manager to manage all identified actual, potential, and perceived or apparent conflicts of interest.

Personal Interest – Employee has a self-interest such that this interest would, or reasonably could affect employee's judgment with respect to transactions in which the State is a party and the employee has decision-making capacity or authority.

Procurement Official – The highest procurement position in the department.

Public Servant – Any officer or employee of government, whether elected or appointed, and any person participating as an advisor, consultant, process server, or otherwise in performing a governmental function, but the term does not include witnesses. (CRS §18-1-901(3)(O))

References - Verbal, written or electronic inquiry and factual responses related to performance of an Entity, vendor (whether a company or individual), contractor, Worker, etc.

Conflict of Interest Examples:

The following conflicts of interest are prohibited for Workers:

Participating in the selection, award, or administration of a contract in which that employee has a familial, financial, or personal interest.

Having a familial, financial, or personal interest in any contract made by an employee in their official capacity or in any contract made by a body, agency, or board of which that employee is a member.

Engaging in a transaction in which the employee has a familial, financial, or personal interest in an entity that the employee inspects, regulates, or supervises in the course of the employee's official duties.

Assisting any person for a fee, contingent fee, or other compensation in obtaining any contract, claim, license, or other economic benefit from the State.

Awarding by a Sub-recipient to a parent, affiliate or subsidiary of the Sub-recipient where the Sub-recipient does not conduct procurement in accordance with OMB Uniform Guidance.

Accepting a gift of substantial value or a substantial economic benefit tantamount to a gift of substantial value

that would tend to improperly influence an employee to depart from the faithful and impartial discharge of public duties or that is primarily for the purpose of rewarding an employee for official action taken by the employee related to a contract or solicitation. A gift of substantial value includes anything with a fair market value as identified in CRS §24-18-104(5).

Performing an official act that directly and substantially benefits a non-State entity in which that employee either has a Financial Interest or is engaged as counsel, consultant, representative, or agent.

Performing an official act to the detriment of an entity in which that employee has a Financial Interest in a competing entity.

Any other situation in which the interests of the employee or interests of the employee's Immediate Family Members unduly influence the employee's business judgments, decisions, or actions. Examples include:

The department is hiring the consulting firm in which an employee's Immediate Family Member is a partner to perform consulting services.

An employee or employee's Immediate Family Member is an owner or employee of an organization that has a department contract.

An employee or employee's Immediate Family Member is a board member of an organization that has a contract or grant with the department.

(4) An employee or employee's Immediate Family Member is a volunteer with policy or decision-making influence of an organization that has a contract or grant with the department.

2. Conflicts of Interest that require further review

The following situations require further review:

Employee has a Financial Interest in an entity that contracts or receives grants from the State of Colorado but the employee does not oversee, regulate, or have any authority over the contract with that entity.

Employee is a Member in the board of directors or other governing body of an entity that contracts or receives grants from the State of Colorado but the employee does not oversee, regulate, or have any authority over the contract with that entity.

Any potential or perceived conflict of interest in which the interest of the employee or the employee's Immediate Family Members may unduly influence the employee's business judgments, decisions, or actions.

A vendor provides consulting services regarding a solicitation and then also participates in the solicitation.

A potential vendor that holds in-depth discussions with employees prior to issuance of a solicitation, unless such discussions are solely related to the performance of an existing contract to which the vendor is a party.

An employee is an owner, employee or board member of an organization that is currently or is planning to provide funding to the department.

An outside entity that is a parent entity that subcontracts/sub-grants with its own subsidiary, where the parent entity is a Sub-recipient of the State and has monitoring responsibility of the subsidiary.

h. Endorsement of vendors or contractors.

3. Situations that are not a Conflict of Interest

The following situations do not create a conflict of interest:

An outside entity that enters into a contract with a parent entity that subcontracts with a subsidiary, where the parent entity is a contractor and does not have monitoring responsibility of the subsidiary.

Providing References.

Any other situation that does not create an actual, potential, or perceived conflict of interest.

4. Suggested Practices

The following are suggested practices for departments that choose to issue further guidance regarding conflicts of interest:

Confirmation of compliance with the Policy

Identification of conflicts of interest

Review of conflicts of interest

Resolution of conflicts of interest.

Confirmation of compliance with the Policy

All employees or volunteers who have authority to direct, manage, oversee or expend funds with contractors should sign an acknowledgement form annually in which the employee or volunteer Worker affirms that they:

Have received a copy of the Policy

Have read and understands the Policy

Have agreed to comply with the Policy.

Identification of conflicts of interest

A new employee should complete a conflict of interest disclosure form in which the employee discloses actual, potential, and perceived or apparent conflicts of interest within 30 days of the start of employment with the County.

An employee shall report any new, perceived or potential conflict of interest to their manager as soon as identified and in no case later than 72 hours of becoming aware of such potential conflict of interest. (CRS §18-8-308)

Every year, all employees or volunteers who have authority to direct, manage, oversee or expend funds with contractors should update their disclosures by completing a new Conflict of Interest Disclosure Form.

A department should maintain the completed Conflict of Interest Disclosure Form and acknowledgement form for its employees.

Employees shall notify their supervisor if they become aware of any actual, potential, or perceived conflict of interest for themselves or other employees. If the conflicted individual is the employee's supervisor, the employee should report this situation to the conflict of interest panel or follow the process designated in the department's policy. Employees shall also comply with CRS §18-8-308. A department should establish policies for reporting outside employment. Employees should include outside employment on the conflict of interest Form and managers should complete a management plan or follow the process designated in the department's policy.

Review of Conflicts of Interest

Each manager should review the conflict of interest disclosure forms for the employees that report to that manager. If the manager determines that there is an employee who has a conflict of interest that involves procurement, the manager should contact the department's Procurement Official for resolution.

If the conflict of interest is not procurement related or is broader than procurement, the manager with the employee's input should contact the department's human resources official for resolution. If the manager is unsure of how to classify the potential conflict of interest identified in the conflict of interest disclosure form, the manager should submit this form to the conflict of interest panel or follow the process designated in the department's policy.

Resolution of Conflicts of Interest

Each department should have a resolution process for resolving conflicts of interest. Procurement related conflicts of interests should be sent to the department's Procurement Official for resolution. Other conflicts of interest may be addressed with a conflict of interest panel that should review management plans and conflict of interest forms, or with a process designated in the department's policy, where there is a question of how to classify the conflict of interest. If the employee who has the conflict of interest is also the executive director of the department or is a member of the senior management of the department and the executive director is unable to determine a resolution to the conflict of interest, then the department should submit this situation for review by an appropriate authority.

If the department will use a Management Plan to resolve any conflict of interest, then the Management Plan should include:

Identification of the conflict of interest or potential conflict of interest

Any necessary modification to the employee's duties, such as restrictions on work related to the conflict, or termination or reduction in projects related to the conflict

Any necessary modification of the employee's outside interests that create the conflict, such as divestiture of financial interests in an outside organization, stepping down from board membership of an outside organization, or formal termination of the conflicting outside interests

Identification of an individual to monitor any ongoing conflicts

At a minimum, annual review of the conflict to determine any impact to the employee's work activities.

Department's conflict of interest panel or designated process

Each department's conflict of interest panel or individuals involved in the department's designated process should review and approve, approve with modification, or deny all management plans submitted to the panel or to the individuals involved in the department's designated process.

Decisions made by a conflict of interest panel regarding conflicts of interest should be binding, final decisions.

Departments that develop an alternate process should have a final step for resolution of the conflict of interest.

5) Disclaimer

This is internal guidance to assist state Procurement professionals in interpretation and application of laws, rules and, or policies that govern Procurement practices. Every attempt is made to keep technical guidance

information updated. For additional information, contact your department Procurement Official.

Flow-down Provision for Federally Funded Grants

Equal Employment Opportunity

All contracts shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.

"Copeland "Anti-Kickback" Act (18 U.S.C. 874 and 40 U.S.C. 276c)

All contracts and sub-grants in excess of \$2000 for construction or repair awarded by recipients and sub-recipients shall include a provision for compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874), as supplemented by Department of Labor regulations (29 CFR part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or sub-recipient shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The recipient shall report all suspected or reported violations to the Federal awarding agency.

Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7)

When required by Federal program legislation, all construction contracts awarded by the recipients and sub-recipients of more than \$2000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, "Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction"). Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. The recipient shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The recipient shall report all suspected or reported violations to the Federal awarding agency.

Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333)

Where applicable, all contracts awarded by recipients in excess of \$2000 for construction contracts and in excess of \$2500 for other contracts that involve the employment of mechanics or laborers shall include a provision for compliance with Sections 102 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), as supplemented by Department of Labor regulations (29 CFR part 5). Under Section 102 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1 1/2 times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

Rights to Inventions Made Under a Contract or Agreement

Contracts or agreements for the performance of experimental, developmental, or research work shall provide

for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended

Contracts and sub-grants of amounts in excess of \$100,000 shall contain a provision that requires the recipient to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.). Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency

(EPA) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)

Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient.

Debarment and Suspension (E.O.s 12549 and 12689)

No contract shall be made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Non-procurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension." This list contains the names of parties debarred, suspended, or otherwise excluded by agencies, and contracts declared ineligible under statutory or regulatory authority other than E.O. 12549. Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding its exclusion status and that of its principal employees.

Access to Records (OMB Circular A-110, .48(d))

All negotiated contracts (except those for less than the small purchase threshold) awarded by recipients shall include a provision to the effect that the recipient, the Federal awarding agency, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to a specific program for the purpose of making audits, examination, excerpts and transcriptions.

COMMISSIONER'S SIGNATURE PAGE APPROVING POLICIES

RESOLUTION 21-11

NOW THEREFORE, be it resolved by the Board of County Commissioners of Kit Carson County, Colorado that the 2021 County policies as presented above are hereby adopted.

DONE THIS 20th day of January, 2021 at Burlington, Colorado.

Motion made by Cory Wall, seconded by Stan Hitchcock.

motion carried by unanimous vote of Dave Hornung.

Board of County Commissioners

By: [Signature]
David L. Hornung, Chairman

By: [Signature]
Cory Wall, Commissioner

By: [Signature]
Stan Hitchcock, Commissioner



ATTEST:
[Signature]
Susan Corliss, County Clerk

STATE OF COLORADO)
) ss.
COUNTY OF KIT CARSON)

I, Susan Corliss, Deputy County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the annexed and foregoing Resolution is truly copied from the Records of the Proceedings of the Board of County Commissioners of said Kit Carson County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County at Burlington, this 20th day of January, 2021.

[Signature]
Susan Corliss, County Clerk



SICK BANK POLICY

Addendum to Kit Carson County Personnel Policy

Adopted December 19, 2018

Sick Bank Eligibility

Adopted January of 1996, the County gave employees an option to join the sick bank. The sick bank option is offered to all full-time employees as described within Kit Carson County Personnel Policy.

Benefits of the bank shall be consistent with the County sick policy. All full-time department heads and employees in the County may participate in the sick bank. Sick bank hours may be given to a regular full-time employee of the County when any of the following occur:

- a. When an employee is unable to perform the employee's assigned job because of physical or mental illness, injury, pregnancy, or the birth of a child from such pregnancy; (this is not meant to be used for extended maternal/paternal Personnel Policy Page 22 #509); and
- b. When the employee has necessary medical, surgical, dental, or optical examinations or treatments; and
- c. When an employee is required to care for an ill member of the employee's immediate Family (Personnel Policy Page 16 #501).

Benefits available to Sick Bank Members

County employees who have opted to participate in the sick bank will be eligible to request hours from the bank after 60 days of full time employment or new enrollment with the bank.

Hired Employment Hours	Maximum Sick Bank Hours
32 hours per week	192 hours in 12 consecutive months
40 hours per week	240 hours in 12 consecutive months

Members that have been approved sick bank hours and are released by a doctor's note prior to using all of the hours, will return the unused hours to the sick bank. If the sick bank member needs additional hours and has not exhausted the capped hours in the 12 consecutive months, they must fill out a new application for any remaining hours.

Members withdrawing sick bank hours from the bank will not have to replace these hours.

Should the sick bank be dissolved, the remaining hours will be divided equally among the employees currently enrolled in the sick bank.

If a member is receiving compensation from the State Workman's Compensation Insurance Fund or any other disability fund, the employee will not be eligible to receive bank hours for the same period of time.

Application for Sick Bank

Application for benefits of the sick bank must be made in writing on an authorization form. Such forms will be made available at the sick bank depository-located in the Commissioner's office.

- All applications must be filled out completely. If any information is absent the application will automatically be denied by the sick board.
- The application must be accompanied by a doctor's statement specifying the nature of the illness; and
- The dates and extensiveness of medical service to the member/family member; and
- The date of the employee's release for return to duties; and
- The employee's Department Head must sign the application before the sick bank board approves it; and
- The Department Head must submit the completed sick bank application to the Human Resources Office.

The application will be acted upon within 14 working days of the receipt of the application form.

Upon approval/denial of the application by the sick bank board, a copy will be presented to the Commissioner Representative. The Commissioner Representative will disseminate a copy of the decision to the applicant, their Department Head, and the payroll department.

Requirements for Enrollment in the Sick Bank

Each person enrolling in the bank including new participants, current employees, and new employees must contribute the required number of **sixteen (16)** hours of sick time, during the open enrollment periods, using the appropriate authorization form.

New employees must submit the required sick bank enrollment form to the Human Resources Department within ten (10) business days for their intent to join the sick bank. After an employee accrues sixteen (16) hours of sick time, the employee will be automatically enrolled into the sick bank. At enrollment, the Human Resources Department will move the employees sixteen (16) hours of sick time to the sick bank. It is the employee's responsibility to notify Human Resources Department when they have sixteen (16) hours to donate.

New participants may join the sick bank during the County Open enrollment period each year. Once an employee joins, their membership from year to year will be automatically renewed unless the employee completes and submits written notification stating their desire to withdraw during anytime within the year.

An employee withdrawing membership in the sick bank will not be allowed to withdraw contributed days.

Only employees enrolled in the bank will be eligible to request use of days from the bank.

Balance within the Sick Bank

The minimum number of hours in the bank will be 800; the maximum number of hours in the bank will be established annually during reorganization. The following will apply:

- Whenever the hours in the sick bank drops below the minimum, each member will be assessed between 4 and 16 hours to build the bank back to at least the minimum required hours. The total number of hours in the bank will be evaluated throughout the year. (*Members who cannot replenish their sick hours due to County capped hours, will not be required to donate hours to the sick bank replenishment.*)
- If the entire number of sick time hours is exhausted at any time, no claim may be made against the bank until solicitation of hours has been completed.
- Sick bank hours may not be awarded retroactively for any period of time during which there were no hours in the bank.
- Any hours remaining in the sick bank will be carried over to the next calendar year and will be made available for use during the subsequent calendar year

Sick Bank Committee

The operation and administration of the sick bank will be vested in a sick bank committee to be composed of six (6) persons – five (5) representatives elected by the members participating in the bank and one (1) non-voting representative appointed by the Commissioners.

The committee is comprised of two (2) members who will be elected in the even year and three (3) members who will be elected in the odd year. The one (1) non-voting member is appointed by the Commissioners each year.

At all future elections, each member will serve a two (2) year term. There are no term limits for this committee.

The election of the committee will be held in January prior to the reorganization meeting. The committee will elect a chairman and a recording secretary within five (5) working days of their election to the committee. All decisions of this committee will be available to members of the sick bank.

Policies and procedures for the sick bank may be changed by the committee at any time during the year.

ACKNOWLEDGEMENT OF RECEIPT

I have received a copy of the employee handbook dated January 20, 2021. I understand that I am to become familiar with its contents. Further, I understand:

- Employment with Kit Carson County is at-will. I have the right to end my work relationship with the county, with or without advance notice for any reason.
- The language used in this handbook and any verbal statements of management are not intended to constitute a contract of employment, either express or implied, nor are they a guarantee of employment for a specific duration.
- The handbook is not all inclusive, but is intended to provide me with a summary of some of the county's guidelines.
- This edition replaces all previously issued handbooks. The need may arise to change the guidelines described in the handbook, except for the at-will nature of employment. The county therefore reserves the right to interpret them or change them without prior notice.
- No representative of Kit Carson County, other than the Board of County Commissioners, has the authority to enter into an agreement of employment for any specified period and such agreement must be in writing, signed by the Board of County Commissioners and myself. We have not entered into such an agreement.

Employee Signature

Date

Printed Employee Name

This page must be returned to the Human Resources Department.