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TO: Honorable Goodhue County Commissioners

FROM: Tom Day
Human Resource Manager

DATE: December 17, 2024

RE: Personnel Policy

Please find attached the proposed Goodhue County Personnel Policy for 2025 along with a document outlining the changes that have been made.

The Personnel Policy Committee met several times this year to review this document and make the recommended changes. The policy has also been reviewed by the Management Team and HR staff.

This year's changes are relatively minor but are related to new legislation and other issues that have been identified over the year.

We ask the Board to approve the 2025 Goodhue County Personnel Policy.

Find your Good here.

2024 Changes to the Personnel Policy:

Remove all references to the MN Merit System

Consistency throughout with regard to capitalization & use of:

- County Administration/ County Administration Department
- Department Head
- Human Resources Managers/ Human Resources Department

1.7 Definitions – Made minor changes and updated definitions-

- Culture competence – removed; no other reference to this term elsewhere
- Diversity – removed 2nd reference to gender identity
- Employee – added clarifying language for purposes of ESST
- MN Merit System - removed
- Personnel file - removed the word "permanent" as files are subject to retention periods which are not permanent
- Probationary period – removed "unless approved by their supervisor"; does not fit
- Promotion – removed reference to probationary period from the definition section.
- Transfer – updated to include lateral transfers and review of qualifications

2.3 Hiring / Recruitment

- **Positions with statutory appointment** – fixed misworded language
- **Conditional Job Offer**
 - HR to review all Conditional Job Offers
 - Final offer letter must contain MN Wage Theft Law info and any other items mandated by federal or state law
- **Pre-Employment Physical** - change Physical Activity Determination to physical

3.2: Attendance

- Edited last sentence to comply with ESST law & sick leave policy.

-

3.3 Time Sheets

- Changed signed to approved

3.5 Breaks

- Nursing mothers – updated language to be compliant with MN statute including addition of lactating employees to the header and policy language
- Removed "Nursing Mothers, Lactating Employees, and Pregnancy Accommodations Employee Notice" as this is provided separately to all employees

4.1 Position Classification

Change review period for new job description from 6 months to one year

4.3 Reclassification

- 2nd ¶ - revised 2nd sentence for positions not required to go to PC
- Reclassification due to an employee request - updated per the new process
- Reclassification due to request from the DH – updated per the new process

5.5 Compensation

- Cleaned up inconsistent language between the Hiring Policy & section 5.5 (Compensation) as well as 5.9 (Transfer)

5.8 Promotion

- Added one-year probationary period language to this section (rather than the definitions section)

6.6 Employee Recognition

- Revised the award amounts & added paid leave
- Clarified the definition of eligible employees

7.1 Holidays

- Eligibility ¶ - clarified eligibility – affected employee must use paid leave the day before & after a holiday to receive holiday pay.

7.4 Sick Leave

- **Sick Leave Use** - Workplace closure due to weather or public emergency or closure of a family member's school or care facility due to weather or public emergency. Clarified that:
 - Public emergency responders, such as licensed peace officers, public safety telecommunicators and detention staff as well as employees with commercial driver's licenses, cannot use sick leave for absences related to the closure of the employee's workplace or their family member's school or care facility due to weather or public emergencies, except under certain circumstances.

7.9 MN Pregnancy & Parenting Leave

- Removed hours/ months of service qualifier to comply with MN statute

7.10 Leave of Absence Without Pay

- Changed to Personal Leave of Absence and added **(Unpaid)** to the header

7.11 Funeral leave

- Updated to comply with 2024 legislative changes to ESST
- Added language allowing use of sick leave for death of persons outside of immediate family (e.g. extended family, friends) with supervisor approval

7.15 Leave Share

- Conversation about terms "prolonged absence" and "substantial loss of income" – consensus is to utilize same threshold as Federal government which is 24 hours of cumulative work time for both.
- Sunset the program on 12/31/2025

16.1 FORMS

Removed all forms, but will link the documents in the personnel policy and add them to the employee portal

2025:

- **Review definitions of Diversity Equity and inclusion**
- **Review Military Leave language**
- **Review Offensive conduct, Harassment and violence**
- **Review Respectful Workplace language**
- **Add Reasonable accommodation for pregnancy and disability**



GOODHUE COUNTY, MINNESOTA

PERSONNEL POLICIES

Be it resolved that this Goodhue County Personnel Policy supersedes the Goodhue County Employment Policy adopted by the Goodhue County Board effective January 1, 1999, and any other county personnel plans or regulations for Goodhue County employees presently in effect, that are, or may be, in conflict with the provisions of this policy.

EFFECTIVE: January 1, 2025

“To effectively promote the safety, health and well-being of our residents.”
– Goodhue County Mission Statement

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Chapter 1 – Organization and Administration

1.1 WELCOME

Welcome to employment with Goodhue County. These personnel policies have been developed in order to aid all new and existing employees to become knowledgeable about policies in effect and to serve as a reminder and reference tool. Employees should become familiar with its contents. The current version of the policy will be located on the intranet at <https://www.co.goodhue.mn.us/employeesonly>.

When there is a change in a policy, the County will update this document. Changes may be made retroactive, prospective or both. Comments, questions or concerns about anything contained in the personnel policies are encouraged and should be directed to your Department Head.

The material in these policies is not exhaustive. Although the policies have attempted to cover matters of general applicability to employees, they do not cover every situation which may arise from day to day. The County reserves the right to interpret these policies and procedures at the sole discretion of the County Board and to make changes at any time, with or without notice. These personnel policies shall be administered by the Goodhue County Board or its designees.

NO PROVISION IN THESE POLICIES IS INTENDED TO CREATE A CONTRACT BETWEEN GOODHUE COUNTY AND ANY EMPLOYEE, OR TO LIMIT THE RIGHTS OF THE COUNTY AND ITS EMPLOYEES TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, WITH OR WITHOUT CAUSE. THESE POLICIES ARE GENERAL STATEMENTS OF POLICY, TO BE MODIFIED AND APPLIED BY THE COUNTY AT ITS DISCRETION.

If any one of these policies is held invalid by judicial or legislative action, the remainder of these policies shall continue in full force and effect.

1.2 PURPOSE, ADOPTION AND ADMINISTRATION

Purpose

The purpose of these rules and policies is to provide a uniform, comprehensive, and efficient system of personnel administration for Goodhue County employees based upon principles including:

- Serving the citizens of Goodhue County and their best interests by the employment of the highest possible caliber of personnel.
- Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills;
- Compensating equitably and adequately;

- Training employees as needed to assure high quality performance;
- Retaining employees on the basis of adequate performance, correcting inadequate performance, separating or otherwise disciplining employees in those instances where the County has determined that the employee's poor performance cannot be or has not been corrected;
- Assuring fair treatment of applicants/employees in all aspects of personnel administration without regard to political affiliation, race, color, disability, age, national origin, gender, sexual orientation or religious creed, marital status, status with regard to public assistance, with regard to residence and with proper regard for their privacy and constitutional rights as citizens;
- Assuring that employees are protected against coercion for partisan and political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the results of an election or nomination for office;

Adoption

The following policies have been approved by the Goodhue County Board of Commissioners and shall govern the personnel system of the County of Goodhue, except where superseded by state or federal law, or a collective bargaining agreement.

Administration

These policies shall be administered by the Human Resources Managers. The Human Resources Managers shall develop and provide the necessary forms, procedures and instruction for the implementation of these personnel policies.

Electronic copies of these policies will be made available to all employees, appointing authorities and interested union representatives on the County intranet website and shall be available for public review upon request. Printed copies of these policies shall be on file in the County Human Resources Department.

The Human Resources Managers shall be responsible for maintaining all necessary personnel records and information for all County employees.

Severability

In adopting the policies contained in the Goodhue County Personnel Policy, it is the intent of the Goodhue County Board of Commissioners to comply with all applicable federal, state and local laws and regulations. If any provision within this Personnel Policy or related administrative procedure conflicts with any federal, state, or local law or regulation, that provision will be invalidated. All other provisions of this Personnel Policy and related administrative procedures will remain in effect.

1.3 SCOPE

It is the intent of the Goodhue County Board of Commissioners, to the extent permitted by the laws of the State of Minnesota, to establish a uniform County personnel policy manual. These rules, regulations and policies shall apply to all employees of the County under the direct and indirect jurisdiction of the County Board. Said rules are also applicable to the employees of separate boards and commissions which have been established by the County Board, or whose members or policies do not conflict with authorized rules, regulations and policies established by such controlling boards and commissions. Said policy is also applicable to all county employees who are members of unions with which the County has signed labor agreements, except that where said rules, regulations and policies are in conflict with said agreements, the agreements shall take precedence over this policy.

To insure uniformity and fairness to all employees, the County Board urges all separate boards and commissions with authority to adopt rules and regulations affecting personnel administration to make their policies conform as much as possible with the policies established by this resolution and the Goodhue County Affirmative Action Policy.

The County Board reserves the right to delegate certain functions of personnel administration to its representatives in accordance with the authority granted in MS Chapter 169A et. seq., when the County Board deems such delegation to be appropriate and in the best interest of the County.

These personnel policies do not apply to the following except as noted herein:

- Elected Officials;
- Individuals appointed to an elected office;
- Members of boards, commissions and committees;
- Volunteer personnel (unless otherwise noted in specific sections or policies)
- Consultants, independent contractors and others rendering professional services on a fee basis
- Any other person specifically exempted by the County Board of Commissioners.

Nothing in these policies is intended to modify or supersede any applicable provision of State or Federal Law. Elected Officials & Individuals appointed to an elected office would be included as employees under Minn. Stat 13.43.

1.4 MANAGEMENT RIGHTS

General

The County Board, principally through the budget process, retains the full and unrestricted right to operate and manage all employees, facilities and equipment; to establish functions and programs; to set and amend budgets; to determine the utilization of technology; to establish and modify the organizational structure; to select, direct and determine the number of personnel; to establish work schedules and to perform any inherent managerial function not specifically limited by state and federal

law, current collective bargaining agreements, these policies and procedures and County Board resolutions.

Employees covered by these policies and procedures shall perform services and duties prescribed by the County Board and shall be governed by the rules, policies and procedures, directives and orders issued by the County Board or Department Head, provided that such rules, policies and procedures, directives and orders are not inconsistent with the provisions of applicable state and federal statutes, laws, rules and policies and procedures having the force and effect of law.

Departmental Rules

Each Department Head may establish departmental rules of procedure which further the efficient operation of such department in providing services for the County. Such rules of procedure shall not conflict with these policies and procedures. All departmental policies and rules of procedure for the administration of personnel matters unique to that department shall be filed with the Human Resources Department.

Amendments

The County Board may amend this policy by motion.

1.5 DEPARTMENTAL HUMAN RESOURCE POLICIES & PROCEDURES

In accordance with this policy, each Department Head may establish departmental human resource policies and procedures which do not conflict with this policy, to cover unique circumstances. All departmental human resource policies related to areas defined in this policy shall be on file in the Human Resource Department.

1.6 AUTHORITY

The provisions of this Personnel Policy may be revised or amended at any time at the sole discretion of the County Board. Interpretation of these policies or decisions on items not covered within them will be made by the County Board's designee.

1.7 DEFINITIONS

Administrative Leave

A non-disciplinary, temporary removal from official duties as ordered by the employer.

Allocation

The assignment of a position to an appropriate grade on the basis of the kind, difficulty, and responsibility of the work performed in the position.

Anniversary Date

The employee's anniversary date shall be the first day of the month in which the employee begins work in a position.

Appointing Authority

Appointing Authority means the County Board, Health and Human Service Board, or officials authorized by statute or lawfully delegated authority to make appointments to positions.

County Board or Board

Goodhue County Board of Commissioners.

Benefits

The share paid by Goodhue County for insurance, PERA, FICA, vacation time and sick leave.

Call Back

Return of any employee to a specified work site to perform assigned duties at the express authorization of the employer at a time other than an assigned shift. An extension of, or early report to, an assigned shift is not a call back.

Change in Allocation

The reclassification of a position resulting from significant, sudden changes imposed by the appointing authority affecting the duties and responsibilities of a position.

Compensatory Time

Time credited to a non-exempt employee in lieu of overtime payment and credited at one and one-half hour for every one hour of overtime worked.

County

Goodhue County.

Department Head

Those elected or appointed officials who are responsible for the management of a department.

Demotion

Demotion is the voluntary or involuntary movement of an employee from one classification to another with a lower level of responsibility, authority, and/or compensation.

Disciplinary Actions

- **Oral Reprimand** - Oral reprimands are normally given for first disciplinary infractions to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be.

- **Written Reprimand** - Written reprimands generally follow oral reprimands in progressive discipline when the problem is not corrected or the behavior has not consistently improved.
- **Suspension** – An employee is temporarily removed from their official duties and is deprived of official authority for a specified period of time without pay.
- **Demotion** – Demotion means an involuntary change by an employee from a position in one classification to a position in another classification with fewer responsible duties and a lower salary range.
- **Dismissal/Discharge** - The termination of employment for cause.

Discrimination

Unfair treatment that is based person’s race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, older age (beginning at age 40), disability, or genetic information (including family medical history).

Diversity

The range of human differences, including but not limited to race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical ability or attributes, religion or spirituality, ethical values, and national origin.

Employee

A person holding an appointed paid position within the County service.

- **Full Time** - Personnel employed by Goodhue County and normally scheduled to work a minimum of 2080 hours per year.
- **Part Time** - An employee who is not temporary or seasonal and normally scheduled to work less than 2080 hours per year.
- **Provisional** - An employee whose employment is contingent in whole or in part upon non-county tax levy dollars such as grant or contractual agreements.
- **Seasonal –Temporary** - Employees whose positions are temporary in nature or seasonal in character and who work 67 days or less in a calendar year and as further defined by the Minnesota Public Employment Labor Relations Act, MS179A.01, et. seq.
- **Seasonal – Student** - Employees who are full-time students, under the age of 22 and whose positions are temporary in nature or seasonal in character and who work 100 days or less in any calendar year. Students must indicate if they are enrolled at an educational institution for the next academic year or term or intend to continue as a student during or after their temporary employment.
- **Intern** - An individual who is working in a temporary status as part of an educational program or experience that may be paid or unpaid.

- **Exempt Employee** - Employees exempt from the overtime compensation provisions of the Fair Labor Standards Act. These employees are generally employed in management, administration, or professional positions.
- **Non-Exempt Employee** - Employees who are subject to the wage and hour provisions of the Fair Labor Standards Act and the State of Minnesota and who are eligible for overtime pay or compensatory time off.
- **Elected Official** – An employee that was elected by Goodhue County residents to hold a position for the county.

Employer

Goodhue County.

Employment Date

The original date the employee begins employment with Goodhue County.

Equity

The principle of fairness by seeking to remove barriers and increase access to services. This includes understanding and acknowledging historical and ongoing inequities between groups of people and a commitment to actions that challenge those inequities.

Finance Department

This department consists of the Auditor/Treasurer functions per Minnesota Statute.

Flexible Time

A schedule approved, at the sole discretion of the Department Head, which may provide for work hours different than those established as normal for the employee's work period.

Grievance

A grievance is defined as a dispute or disagreement as to the interpretation or application of the specific terms and conditions as outlined in this policy.

Harassment

Unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, older age (beginning at age 40), disability, or genetic information (including family medical history).

Hire Date

The first day of employment with Goodhue County.

Human Resources Managers

The individuals responsible for personnel administration appointed by the County Board to administer its adopted policies.

Human Resources Department

The Human Resource Managers and those employees engaged in Human Resources administration.

Immediate Family

Immediate family is defined as parents, spouse or children of the employee, the employee's siblings, parents-in-law, grandparents, grandchildren, or any relative or ward of the employee who has resided in the employee's household. This definition for immediate family does not apply to Policy 7.8 Family Medical Leave Act.

Inclusion

The recognition of the inherent worth and dignity of all people. Inclusion engages and empowers all to create a workplace which both promotes and sustains a sense of belonging.

Insubordination

The act of an employee to knowingly disobey a directive from their employer.

Job Classification

One or more positions sufficiently similar in the duties performed; degree of supervision exercised or required minimum qualifications of training, experience, or skill; and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

Job Description

Written document that identifies the purpose(s), duties, responsibilities, accountabilities and working conditions of a job; the knowledge, skills and abilities needed to perform the job satisfactorily and other special consideration, if any.

Job Grade

The grade assigned to a position description according to the job evaluation system.

Job Sharing

Two employees filling one position as scheduled by the Department Head.

Just Cause

Just cause includes, but is not limited to, failure to perform assigned duties, substandard performance, misconduct, insubordination and violation of written policies and procedures.

On Call

On call time is time spent by employees on their own pursuits, usually off the working premises. On call employees must remain available to be called back in to work on short notice as defined by department policy.

Outside employment

Any employment or contractual relationship for which pay or other direct or indirect compensation is received from a source other than the county.

Overtime

Work performed at the authorization of the employer in excess of eight (8) hours in a twenty-four-hour period, forty (40) hours within a seven-day period, or beyond the hours of their regularly scheduled non-standard shifts, said period beginning on Saturday of each pay period. For non-exempt employees who are subject to a partial exemption (Sheriff's Office) under the Fair Labor Standards Act, overtime shall be work performed in excess of the hours in the relevant work period.

Performance Evaluation

A process whereby the Department Head or supervisor reviews the employee's performance as it relates to the responsibilities and duties set forth in the position description.

Personnel File

An employee's record of employment history with the County located in the Human Resource Department.

Probationary Period

The working trial period during which an employee is required to demonstrate fitness for the position to which the employee is appointed by actual performance of the duties of the position. Probationary periods will be one year for new, rehired, promoted, or transferred employees unless specifically designated by contract or Minnesota Statutes. All seasonal or temporary employees are considered to be on probation for the length of employment and not eligible for County benefits. New employees may be dismissed at any time during the probationary period with or without cause.

Promotion

A promotion is a change of an employee's status from a position in one classification to a position in another classification with more responsible duties and a higher pay grade.

Reallocation

The change of a position resulting from significant changes in the duties and responsibilities of the position that occur gradually over a period of time that may lead to a new pay grade.

Reclassification

A change of a position to a higher, lower or equivalent grade.

Retaliation

Prohibited actions or behaviors to get revenge on an individual(s) or to restore equilibrium after perceived unfair treatment. Retaliation may be manager-to-employee or peer-to-peer and may be overt or subtle in nature.

Separation

An event whereby the employee is no longer employed by the County.

- **Resignation** - An action taken by an employee to voluntarily separate themselves from County employment.
- **Retirement** - An action of an employee to separate from County employment when they qualify for benefits under County and State sponsored retirement programs.
- **Lay Off** - The separation of an employee or group of employees from the County payroll due to such situations as a lack of work, lack of funds, loss of revenue from non-county tax levy sources, the abolition of a position or an organizational change.
- **Termination** - An action taken by the County to separate an individual from County employment for just cause.

Transfer

A transfer is the voluntary or involuntary movement of an employee from one position to another within the County. This may include a lateral transfer, where the employee moves to a different position at the same level or pay grade, or a demotion, where the employee moves to a different position with a lower level of responsibility, authority, or compensation. Transfers will be compliant with organizational hiring procedures and may involve a review of qualifications and experience.

Veteran

Any individual who meets the definition of “veteran” set forth in Minn. Stat. § 197.447 of the Veteran's Preference Act.

Veteran's Preference

Preference granted to veterans as required by Minn. Stat. § 43A.11 and 197.455 through 197.481

Volunteer Personnel

Individuals who work for Goodhue County with no promise, expectation, or receipt of compensation. These individuals are not covered by the terms and conditions of the collective bargaining agreement. Such individuals shall in no way replace or supplant a bargaining unit position or employee.

Work Schedule

A work schedule is the employee's hours of work as established by the employer.

Work Week

The work week is a fixed and regularly recurring period of 168 hours in 7 consecutive 24-hour periods. County business hours are usually 8:00 a.m. to 4:30 p.m. from Monday through Friday.

Chapter 2 – Employment

2.1 AFFIRMATIVE ACTION – EQUAL EMPLOYMENT OPPORTUNITY

It is the policy and intent of the Goodhue County Board to provide equal employment opportunity to all persons, paid or volunteer, in compliance with all applicable Equal Employment Opportunity/Affirmative Action federal, state and local laws, directives and regulations, including the Minnesota Human Rights Act.

This policy prohibits discrimination against or harassment of any employee or applicant for employment because of race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, or gender expression, disability, age, marital status, genetic information, veteran status, familial status, religious creed, political affiliation, or status with regard to public assistance.

This policy applies to all aspects of Goodhue County personnel policies, programs, and practices for full-time, part-time, temporary and seasonal employment. Goodhue County will take affirmative action to ensure that all employment practices are nondiscriminatory. Such employment practices include but are not limited to: recruitment, hiring, placement, promotion, demotion, transfer, lay-off, recall, discipline and discharge, rates of pay or other forms of compensation, and selection for training. This policy also applies to the use of all facilities and participation in all County sponsored employee activities.

For further information, please refer to the complete Goodhue County Equal Employment Opportunity/Affirmative Action Program policy located in the Human Resource Department.

2.2 APPLICATIONS FOR COUNTY EMPLOYMENT

Applications for County employment will be accepted only when there is a specific position opening or a roster is being compiled. Applications for employment and/or resumes will only be accepted through the online application process. If an applicant does not have online access, they may apply at any library facility or at a public county terminal.

Submission of false data or information during the hiring process will result in the immediate disqualification of the applicant and may result in termination of employment if the applicant is hired.

2.3 HIRING

Purpose

To fill newly created or vacant County positions.

Designation of Data

Except for applicants to undercover law enforcement positions, the following personnel data on current and former applicants for employment by the County is public data:

- Names of applicants who are considered by the employer to be finalists for a position.
- Veteran's status.
- Relevant test scores.
- Rank on eligibility list.
- Job history.
- Education and training.
- Work availability.

Personnel examinations and answer keys are nonpublic data, except pursuant to valid court order. (These are nonpublic when the responsible authority determines that disclosure would compromise the objectivity or fairness of the testing or examination process.) An individual's results of their examinations may be shared with them upon request.

Applications for and the Filling of Vacancies

The following procedure will be followed:

- Goodhue County will afford employment to the applicant possessing the best qualifications that fit the requirements of the job regardless of race, creed, color, national origin, sexual orientation, age or other protected class status.
- Job requirements are included in the job description.
- Education and experience requirements are included in the job description and position posting.

- Any testing requirements will be conducted by the Human Resource Department or applicable department and will only be used for testing skills specifically required for the job.
- All applications will be required to be completed through the online application process. If an applicant does not have online access, they may apply at a library or any county public terminal.
- When an opening exists or is contemplated for a bargaining unit position, applicable provisions from a collective bargaining agreement shall be followed.
- Job applications are to be submitted for a designated position and must be received before the published deadline. Applications will be accepted only when a vacancy is posted or a roster is being developed.

See definitions for types of [employees](#).

Hiring of intermittent, seasonal or temporary employees must be coordinated through the Human Resource Department.

Recruitment

Authorization by County Board or Health and Human Service Board.

- ***New Unbudgeted Positions.*** All new unbudgeted position openings shall be subject to review and approval by the Personnel Committee and/or the Board with appointing authority. Review and approval shall extend throughout the year. Department Heads shall complete the [Request for Approval to Hire Form](#) and any supplemental information needed to determine the approval or denial of the request for the position opening and submit to the Human Resource department. Health and Human Service position openings should be submitted to the Health and Human Service Director.
- ***Positions with Statutory Appointments.*** All Department Head positions with Statutory Appointments shall be subject to review by the Personnel Committee and approval by the Board with appointing authority. Those positions are: County Administrator, County Attorney, Court Services Director, Finance Director, Health & Human Service Director, Land Use Management Director, Public Works Director, Sheriff, and Veterans Service Director. A *Request for Approval to Hire Form* and any supplemental information needed to determine the approval or denial of the request for the position opening shall be submitted to the Human Resource department.

- Request to hire above step 8 on the county pay scale must be approved by the County Administrator or HHS Director. If the request is to hire above step 8 on the county pay scale, it must be approved by County Board or HHS Board.
- In order to attract qualified employees, at the hiring, the Administrator has the authority to approve starting vacation rates at a higher tier commensurate with candidate's experience.

Authorization by County Administrator

- ***Budgeted Replacement Positions.*** All budgeted position openings that are a replacement position, or a budget neutral position that is bridging the gap between replacement and/or overlapping a replacement for training purposes, and not required to go the Personnel Committee and County Board, shall be subject to review and approval by the County Administrator if the position is under the authority of the County Board. If the position is under the authority of the Health and Human Service Board, the Health and Human Service Director will review the Request for Approve to Hire Form. All Request for Approval to Hire Forms will be forwarded to the Human Resource Department. Department Heads shall complete the *Request for Approval to Hire Form* and any supplemental information needed in determining the approval or denial of the request for the position opening.
- If a request is denied, the Department Head may re-review the request and make any necessary changes, and bring it forward for the Personnel Committee's review and County Board.

Job Description

The job description for the position being advertised will be reviewed and updated by the Human Resource Department in consultation with the Department Head. The Goodhue County Health and Human Services job descriptions are reviewed and updated in consultation with the Human Resource Department and the Goodhue County Health and Human Services Director.

A written position classification or job description shall be on file with Goodhue County Health and Human Services Department for all full time and part time positions at the Health and Human Service Department. In addition, files of appropriate job descriptions can be obtained by contacting the Health and Human Service Department.

The required evaluation procedure and point system shall be in place prior to any evaluation of the applications. See Position [Reclassification](#).

Screening Process

The Human Resource Department and/or Department Head or Supervisor will screen the applicants and select candidates for the final interview.

Interview

Once the applications are screened and a determination has been made that applicants are eligible for an interview, the following will take place:

- Set up a time for the interview. Interviews will be set up in an office, or virtual meeting room where there will be privacy and freedom from interruptions.
- An interview will begin with introductions, review of job description and duties.
- The candidate will be asked prepared interview questions. The same questions will be asked of all candidates being interviewed. Follow-up questions may be asked based on the individual's response.

The interview teams for all positions should include a representative from the Human Resource Department, the Supervisor or designated representative, and the Department Head or designated representative. Members of the Board will be consulted on the hiring process and may choose to participate in the interview portion of the hiring process if the opening is for a Department Head position.

Any candidate not receiving an interview will be notified. If a candidate is interviewed, but not selected for the position, the Human Resource Department or a department representative shall notify the candidate.

Conditional Job Offer

Once a candidate is selected for the position, a verbal conditional job offer will be made. At that time, the candidate will be informed of the beginning wage for the position and told to expect a written conditional job offer. The Department Head or Supervisor will write a conditional job offer letter in consultation with Human Resources. The offer will include:

- The date the conditional job offer was made.
- The date when the candidate accepted the conditional job offer.
- The statement that a conditional job offer is pending the results of a pre-employment background checks, proof of eligibility for employment and final County Administrator/HHS Director and/or County Board/HHS Board approval. A conditional offer of employment for Health and Human Service

applicants will come from the Health and Human Service Director and/or the Health and Human Services Board.

- The starting wage.
- When the individual may expect a wage increase.
- Information regarding the County's payroll process.
- The probationary period.
- A reference to the union collective bargaining agreement, when applicable.
- A statement that a start date will be mutually agreed upon at a later date.

The final job offer letter will comply with the Minnesota Wage Theft law as well as any other items mandated by federal or state law.

Background Checks

All offers of employment are contingent upon successful completion of pre-employment background checks to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Pre-employment background checks may include a physical, drug test, verification of employment and/or education, criminal background checks, fingerprint check, driver's license verification, professional certification or licensure verification, etc. Except where already defined by state law, County Administration will determine the level of background check to be conducted based on the position being filled. No offer of employment shall become final until pre-employment screenings have been successfully completed as determined by County Administration.

Pre-Employment Physical

Candidates who have received a conditional offer of employment may be required to pass a drug test and/or a physical at no cost to the applicant. The Human Resources Managers or County Administrator may approve an alternate pre-employment physical site when deemed necessary.

Veteran's Preference

Preference in the establishment of eligible registers shall be given to veterans in accordance with the provisions of the Minnesota Veteran's Preference Act.

2.5 PROFESSIONAL LICENSURE

All employees shall be qualified by licensure, certification and/or training to perform the responsibilities of the position for which they are employed.

2.6 EMPLOYMENT OF RELATIVES

Goodhue County does not restrict employment of more than one member of a family or persons related by blood or marriage.

However, to avoid conflict of interest, no County employee may directly take part in decisions to hire, retain, promote or determine the salary of their spouse or immediate family member.

In addition, no County employee is to be assigned direct responsibility for supervising and directing the work of their spouse or immediate family member.

2.7 IMMIGRATION LAW COMPLIANCE

The County complies with the Immigration Reform and Control Act of 1986 and is committed to employing only United States citizens and individuals who are authorized to work in the United States.

2.8 PROBATIONARY PERIOD

Objective

The probationary period shall be regarded as an integral part of the qualifying process and shall be utilized for closely observing the employee's work for securing the most effective adjustment of a new employee to their position.

All employees hired, rehired, promoted or transferred after the adoption of this policy will serve a one-year probationary period. Employees hired into work units covered by collective bargaining agreements may have different requirements.

At any time during the probationary period a hired or rehired employee may be terminated at the sole discretion of the employer.

Any promoted employee may be placed back in the employee's previous position at the discretion of the employer during the first six months following the promotion. Persons hired to fill the position of a promoted employee shall be informed that the possibility exists that should the promoted employee return to their previous position, the newly hired employee may be subject to lay-off or termination.

Any transferred employee may be placed back in the employee's previous position at the discretion of the employer during the twelve months following the transfer.

Probationary periods may be extended for up to six months should a situation warrant continued evaluation of an employee. The employee will be notified in writing by their Department Head of the extended probationary period. In addition, if an employee is

out on medical leave, FMLA, disability, or any other extended leave, the probationary period can be extended to equal that amount of time.

Completion of Probationary Period

A performance evaluation will be completed and reviewed with the employee before the end of the probationary period. The Department Head will then notify the Administrator whether or not the employee's performance has been satisfactory, and whether or not the employment relationship should be continued.

In the case of non-statutory appointed Department Heads, the Administrator will evaluate the employee and determine whether or not to upgrade the employee's status to that of a non-probationary employee.

If the notification indicates the employee has successfully completed the probationary period, the probationary employee will become an employee within the meaning of this policy. The employee's length of service will be computed from their date of hire.

2.9 SUPPLEMENTAL EMPLOYMENT

Goodhue County does not restrict employees from engaging in outside employment. However, the County expects regular, full-time employees to consider County work their primary employment. The County will not permit outside employment that interferes with the performance of the employee's duties with the County or which represents a conflict of interest (See [Code of Ethics Policy](#)) or violates departmental policy. The County will not change the employee's work hours to facilitate the scheduling of any outside employment.

2.10 PERSONNEL FILE

The Human Resources Department shall maintain the official personnel file for each employee. Personnel files will contain a minimum of name, gross salary, salary range, job title and description, application for employment, residence, employee evaluation sheets and any County Board resolutions pertaining to the employee. Personnel files will only be made available to Human Resources staff, Supervisor, Department Head, Departmental legal representatives or the individual employee concerned.

The employee may authorize anyone to review the information in their file. The authorization shall be in the form of a written release provided by the Human Resource Department and shall be signed by the employee. Under no circumstances will the file be taken from the Human Resource Department without prior authorization.

An employee shall submit a request in writing if the employee wishes to review their personnel record. The employee shall contact Human Resources to schedule an appointment.

It is important that personnel records are accurate and up-to-date. The employee shall notify the Human Resource Department when there is a change in any of the following:

- Name (through marriage or otherwise)
- Address
- Marital Status
- Beneficiaries for life insurance and retirement
- Telephone number
- Emergency contact

2.11 EMPLOYEE RECORDS RETENTION SCHEDULE

Goodhue County has officially adopted the Minnesota County general records retention schedule as obtained from the Minnesota Department of Administration, Data and Records Management Division. Records retention and destruction is governed by the provisions of said schedule. A copy is on file in the Human Resource Department.

Chapter 3 – Hours of Work

3.1 WORK WEEK

Normal

The normal work week for county employees will be 40 hours per week with the first work day being Monday and the last work day being Friday, except in those departments where the County Board has adopted different hours for the normal work week. The normal work day shall be from 8:00 am to 4:30 pm unless notified by the employer. The normal work period for employee's subject to a partial exemption under the Fair Labor Standards Act shall be other than 40 hours per week.

Alternative Time / Flex Time

Employees, may be allowed to work a schedule different from the normal work week and regular daily hours. Specific schedules and conditions of the requested alternative time / flex time must have the approval of the Department Head.

Job Sharing

The County Board has approved the concept of job sharing with the provision that the costs of the position not exceed the equivalent of one full-time employee. Requests for job sharing must be approved by the County Board on an individual basis. The following criteria shall be used concerning job sharing:

- The two employees filling one position shall be scheduled by the Department Head.
- Sick leave, vacation time and holidays shall be pro-rated in the manner provided in this policy, or as may be set by the County Board.
- Employee and dependent insurance shall be consistent with the county insurance policy.
- When a job-sharing position is in the County pay schedule, the employee will advance through the appropriate steps within the pay grade on the employee's anniversary, upon a satisfactory performance evaluation.
- Job sharing employees will only be eligible for overtime credit when required to work in excess of 40 hours in any work week or in excess of the normal hours in the work period for their job classification.

3.2 ATTENDANCE

Every County employee has an important role to play in maintaining a productive work place. Therefore, it is essential that non-exempt employees report to work during all

required hours. Unsatisfactory attendance, including reporting late and leaving early, may be grounds for disciplinary action. Department Heads may approve flexible employee hours to accommodate service needs within the limits of all federal and state regulations.

If an employee must be absent from work for any reason, other than approved time off, the employee must notify their immediate supervisor at least 30 minutes prior to the start of their normal working hours. If the employee is unable to notify the employer at least 30 minutes prior to the start of their normal working hours, the employee is expected to call as soon as possible during the work day.

When an employee uses sick leave for more than three consecutive days, documentation of the need for leave may be required.

3.3 TIME SHEETS

Department Head shall be responsible for submitting employee time sheets in the formats prescribed to the Human Resource Department. Time sheets must be received in the Human Resource Department no later than noon on the Monday following the Thursday payday. Time sheets will cover the two weeks ending Friday before the Monday on which the time sheet is to be submitted.

Time sheets must be approved by the employee and the Department Head or a designated supervisor. Failure to receive the time sheets as scheduled may result in the employee's paycheck being delayed. Once the time sheet is received, the employee will be compensated in the following pay period. Department Head time sheets will be approved by the County Administrator.

- Time sheets also indicate the number of sick leave and vacation hours used.
- The approval of the department or their designee on a time sheet certifies that all overtime, sick leave, vacation time, and hours worked are correct as utilized, and approved by the Department Head.
- Department Heads may delegate authority to a designee to approve time sheets, but they may not delegate responsibility.

3.4 ON CALL TIME

On call time is time spent by employees on their own pursuits, usually off the working premises. On call employees must remain available to be called back in to work on short notice as defined by department policy.

3.5 BREAKS

Lunch Period

Non-exempt employee lunch periods are unpaid and 30 minutes long. They shall generally be taken at the same time each day. With the approval of an employee's supervisor, lunch periods may be taken earlier or delayed.

Rest Periods/Breaks

The purpose of rest periods is to provide short breaks from the regular work period to mentally and physically refresh.

Non-exempt employees may take a 15-minute rest period for each approximate four hours of work as scheduled by Department Head or Supervisor. Rest periods should not be taken at the beginning or end of the scheduled work day.

- Rest periods are paid time; therefore, they should not interfere with the proper performance of work responsibilities or work schedules of each department. Any employee whose rest break is interrupted for necessary job duties should receive additional time to provide for a combined fifteen-minute rest period. The rest period commences when work ceases and stops when work starts. Travel time is part of the rest period time.

Nursing Mothers and Lactating Employees

Nursing mothers/lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. The County will provide a clean, private and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

Employees will not be retaliated against for exercising their rights under this policy.

Chapter 4 – Position Classification Plan

4.1 POSITION CLASSIFICATION

Since organizations and jobs change, and in order to provide equitable compensation, to ensure proper relationships between positions, and to provide a sound basis for recruitment, selection and progression, managers and employees must understand that job classifications must be maintained and updated at periodic intervals.

The following steps will be taken in the classification of all new positions within the County:

- The applicable Department Head and the Human Resources Department will develop a position description. The County Administrator must approve the position description prior to moving on in this process.
- The County Administrator along with the County's compensation consultant, will make a final recommendation on classification and salary range to the County Board.
- The Human Resource Department will maintain the official records of positions, position descriptions and compensation ranges.
- The Department Head and Human Resource Managers will review the job description after one year to review accuracy on all new positions.

4.2 WORKING OUT OF CLASSIFICATION

Employees assigned in writing by the employer to the responsibilities and authority of a higher job classification for ten consecutive work days or more shall be paid seventy-five percent (75%) of the differential between the employee's job classification pay range and the higher job classification pay range to which assigned by the employer. The County Administrator will approve each reassignment.

If an employee is working out of classification in a Department Head status, the County Board will be notified.

4.3 POSITION RECLASSIFICATION

An employee may make a request for reclassification to their Department Head. The Department Head will make the determination if the position should be submitted to the Human Resource Department for reclassification. If a position is to be reclassified at the request of the Department Head, the request must be made according to this policy.

A position may also be reclassified when an existing position becomes vacant. The Department Head shall, upon receipt of the official notice of resignation, retirement or upon discharge of an employee, request from the County Administrator authorization to fill the vacancy.

All Department Head positions with Statutory Appointments and/or unbudgeted positions shall be subject to review by the Personnel Committee and approval by the Board with appointing authority.

The cost of the reclassification request will come from the Department budget.

An employee may appeal their position classification no more than once every 36 months from the date the last appeal was settled. Any appeal must include specific justification for reclassification that the employee thought was not considered or not available at the time of the last reclassification request. Documentation must be provided to establish that the duties of the position have changed by at least 20% since the last evaluation.

Should an employee wish to have their job description re-evaluated, the following procedures will be followed:

Reclassification Due to an Employee Request

- In order to reclassify the position, the employee must complete a [Position Review Request](#) form and give the form to their Department Head. At this point, the Department Head will review the form and determine if a reclassification is merited. If the Department Head determines the process should move forward, the job description for this position will be re-written.
- The Department Head will forward to the Human Resource Department the Position Review request form, the new job description and the old job description marked with corrections so it is clear to the evaluator which changes have been made.
- Once the Human Resource Department agrees the position should be submitted for reclassification, the documents are then forwarded to the County Administrator for disposition.
- If the documents are approved by the County Administrator, or HHS Director for HHS employees, the job description and Request for Job Evaluation form are forwarded to the County Board, or HHS Board for disposition.
- If the documents are approved, the description and the Request for Job Evaluation form will be forwarded to the Classification Consultant for evaluation and recommendation of pay grade.

- Once the recommendation from the Classification Consultant is received, the Human Resource Director will present the recommendation from the Consultant to the Department Head and then forward to the County Administrator. Once approved, the reclassification will become effective the date the final determination was received from the classification consultant.
- At this time, the County Board will be notified by memo of the final ranking from the Classification Consultant.
- If the duties of the position changes and the recommended classification grade are lower than previously held, the employee will be placed on the lower grade at the closest step to the wage they currently receive.
- If during a County wide compensation study, the recommended classification grade is lower than previously held, the employee's wages will be frozen.

Reclassification due to a Request from the Department Head

- The Department Head will submit the Position Review Request form, along with the updated job description and submit the documents to the Human Resource Department and to the employee currently occupying the position.
- The Human Resource department will review the Position Review Request form and the updated job description and recommend to the Administrator or HHS Director if reclassification is merited.
- The documents are then forwarded to the County Administrator or HHS Director for disposition.
- If the documents are approved by the County Administrator or HHS Director, the job description and Request for Job Evaluation form are forwarded to the County Board or HHS Board for disposition.
- If the documents are approved, the description and the Request for Job Evaluation form will be forwarded to the Classification Consultant for evaluation and recommendation of pay grade.
- Once the recommendation from the Classification Consultant is received, the Human Resource Director will present the recommendation from the Consultant to the Department Head and then forward to the County Administrator.
- At this time, the County Board or HHS Board will be notified by memo of the final ranking from the Classification Consultant.

Chapter 5 – Compensation

5.1 PAY EQUITY

Goodhue County supports and promotes pay equity through the administration of a job evaluation process that assigns a point value to the description of duties included in all county positions.

Goodhue County utilizes the services of a professional consultant for a formal evaluation of county positions. All new jobs or revised jobs shall be reviewed prior to formal evaluation. Requests for job evaluation forms should be obtained from the Human Resource Department.

Goodhue County supports and conforms its compensation system to the requirements of the Minnesota Pay Equity Act of 1984 as amended. MS 43A.02 as determined by the Minnesota Department of Employee Relations and coordinated by the Human Resource department, with reports and recommendations brought to the County Board for formal action.

5.2 PAYROLL SYSTEM

All persons employed by Goodhue County, or those paid through the County payroll system, shall be paid on a bi-weekly basis for 14 days beginning Saturday through Friday with payday to be every other Thursday.

All salaries, whether based on an annual, monthly, or other method, shall be based on 2080 hours per annum for calculation purposes, with hourly rates rounded off and no adjustments to be made at year's end. County employees shall be paid on regular payroll dates only.

No payroll checks shall be issued early except when the regularly scheduled payday falls on a holiday, payroll checks may be issued the day prior to the holiday.

Under no other circumstances will an employee be paid in advance.

5.3 DIRECT DEPOSIT

A direct deposit is the electronic transfer of funds to an employee's specified financial institution. Direct deposit for payroll compensation is required of all employees.

5.4 PERFORMANCE REVIEWS

Employee performance is reviewed annually on the basis of established annual work goals. These goals are established to ensure that the highest quality services are provided to the public. These reviews provide an opportunity for employees, supervisors, and the County to assess individual employee job performance, provide feedback and develop work goals for the next year. Annual reviews help the County to:

- Motivate and develop employees to their fullest potential;
- Clarify roles and mutual expectations of supervisors and employees;
- Ensure open and ongoing communication between employees at all levels; and
- Establish future departmental and individual goals.

A written evaluation of the employee's job performance will be completed by the employee's immediate supervisor in consultation with the Department Head after six months of employment, at the end of the one-year probationary period and annually thereafter according to their anniversary date. The written evaluation shall be discussed with the employee and Department Heads are encouraged to use this opportunity to meet with the employee and discuss mutual concerns, ideas, etc.

Documentation of the annual review will be maintained in the employee's personnel file. Step increases for the employee and supervisor/Department Head will not be granted until a completed written evaluation is received by Human Resources. The written review must be signed by the employee and the supervisor. The signature by the employee indicates they have received the evaluation. If the employee disagrees with the supervisor's assessment they are encouraged to complete a written explanation in the document. In the event the employee refuses to sign the evaluation, the Department Head shall note the date and time on the evaluation. The fact that the employee refused to sign the evaluation shall be communicated to the County Administrator.

The Department Head may choose to conduct evaluations more frequently should poor performance require.

5.5 COMPENSATION

Employees will be compensated according to the Compensation Plan established by the County Administrator and approved by the County Board of Commissioners. The County Administrator must develop and maintain a classification plan based on equitable compensation relationships for all positions in accordance with federal and state laws. This plan is reviewed periodically to ensure that responsibility levels and salaries are commensurate with the work performed.

The Compensation Plan is designed to establish and maintain a salary structure which attracts and retains qualified employees, is competitive with the local labor market, and recognizes and rewards employees with satisfactory or better work performance.

Starting compensation is typically set at the minimum rate (step 1-2) of the applicable salary range for the position. Any request to hire a new employee above the minimum rate, but at or below step 8 on the pay scale must be approved by the County Administrator or HHS Director. For hires above step 8, approval from the County Board or HHS Board is required.

Exceptions may be made to the starting rate at the discretion of the Board of Commissioners based on recruitment difficulties, additional education, training, qualifications and/or experience above that normally required of the position.

Compensation levels for transferred or promoted employees will be determined by the employer.

Wages are paid according to the wage schedules and procedures established by the County Board of Commissioners.

Employees requesting a review of their specific compensation should contact the Human Resources Department.

Employees covered by collective bargaining agreement should consult their contracts for pay plan specifics.

Minnesota Pay Equity Act

Goodhue County supports and conforms its compensation system to the requirements of the Minnesota Pay Equity Act of 1984 as amended. MS 43A.02

5.6 SALARIES - ELECTED POSITIONS

Salaries for the following positions shall be set by the Board and reviewed annually thereafter.

**Elected Department
Heads**

| |
|-----------------|
| County Attorney |
|-----------------|

| |
|----------------|
| County Sheriff |
|----------------|

The above individuals will be paid on an annual basis and no overtime will be earned, accrued or paid. The salaries of elected officials, including County Commissioners, and excluding the District Court Judges, shall be set at the January board meeting prior to the first date on which applicants may file for office. The Board shall set, by resolution, the minimum salary to be paid the elected official for the term following and will review same annually thereafter. Salaries of elected officials shall not be reduced during the term for which that official was elected. If there is a vacancy, the County Board will

consider the individual's experience, qualifications and performance, and duties of the office to establish a salary.

SALARIES

Set by Health and Human Service Board

| |
|--------------------------------------|
| Health and Human Service Director |
|--------------------------------------|

Set by County Board

| | |
|-----------------------|---|
| Boards and Committees | All county personnel not covered above |
|-----------------------|---|

5.7 MARKET RATE ADJUSTMENTS

Although the County considers internal compensation relationships of primary importance in maintaining pay equity, it may be necessary to recognize the external compensation relationships through market rates and market rate adjustments.

Market rate adjustments or extensions may be considered and external market relationships examined when:

- A salary range is insufficient to attract qualified candidates for employment; or
- A continuing pattern of turnover in a given position can be directly linked to established compensation levels; or
- A given position deviates from the market rate by a substantial percentage.

Market rate adjustments or extensions also may be considered and external market relationships examined when the Human Resources Managers deem that a specific external market relationship must be examined.

All market rate adjustments must be recommended by the Human Resources Managers and the County Administrator or HHS Director and approved by the respective Board.

5.8 PROMOTION

It shall be the practice of Goodhue County to encourage promotion of employees from within the County organization. Seniority may be considered, along with all other job qualifications.

Notices of promotional opportunities shall be posted on bulletin boards in all five major county buildings for at least ten calendar days prior to the promotion being made. The notice shall indicate the title of the position, the minimum qualifications, where applications may be obtained, the salary range, closure date, job location and any other relevant information.

Promoted employees shall retain all accrued benefits and serve a one-year probationary period.

Compensation levels for promoted employees will be determined by the employer.

5.9 TRANSFER

Eligibility

Transferred employees shall retain all accrued benefits and serve a one-year probationary period.

Employees transferred, may be transferred to the same step and pay grade, or at a lower pay grade if the position to which the employee is transferred is at a lower pay grade.

The anniversary date of transferred employees will change unless the original date is retained by the County Board.

A letter from the Department Head confirming the transfer indicating the starting date, pay information and other details of the transfer will be submitted to the Human Resource Department for inclusion in the employee's personnel file. Compensation levels for transferred employees will be determined by the employer.

5.10 FAIR LABOR STANDARDS ACT (FLSA)

Goodhue County has established this policy to comply with applicable state and federal laws governing the accrual and use of overtime. Based on FLSA, the County Administrator will determine whether an employee is designated as "exempt" or "non-exempt" from earning overtime. In general, employees in executive, administrative, and professional job classes are exempt; all others are non-exempt.

Non-exempt employees are eligible for overtime compensation pursuant to the rules and regulations governing overtime elsewhere in this policy.

Exempt employees are expected to work whatever hours are necessary in order to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations exempt employees:

- Will need to work 80 or more hours per pay period.
- Exempt employees are not allowed to flex their time into other pay periods.
- Do not receive extra pay for the hours worked more than 40 hours per week.
- Will be expected to record actual hours worked on their time card and, upon approval from their supervisor, will not be charged with vacation or sick leave for partial day absences in recognition of the additional hours exempt employees often put in.

Should the provisions of this section be in conflict with the Fair Labor Standards Act (FLSA), rules established by the FLSA will apply.

5.11 PERFORMANCE STEP INCREASES

Authority is granted to Goodhue County Department Heads to approve performance step increases for employees in their department when the employee is eligible for such increase under appropriate county personnel regulations. This authority, which includes the right to deny a performance increase, is contingent upon the Department Head submitting a performance evaluation, as provided for in this policy, to the Human Resource Managers at least 14 calendar days before the pay increase is to become effective.

For pay purposes the anniversary date for all new employees shall be the first day of the month in which the employee begins work or the first day of the month on which an employee is promoted/transferred.

5.12 OVERTIME / COMPENSATORY TIME

Employees defined as non-exempt by Fair Labor Standards Act definitions are eligible for overtime payments or compensatory time. (See definition of [overtime](#) and [compensatory time](#) above.)

All employees, in all departments, may be required to work overtime as requested by their employer. Refusal to work overtime may result in disciplinary action. The employer will make reasonable efforts to balance the personal needs of their employees when assigning overtime work. All overtime must be authorized in advance according to procedures established by the employee's immediate supervisor. . An employee who works overtime without prior approval may be subject to disciplinary action.

Calculation

Except for employees covered by a partial exemption under the Fair Labor Standards Act, hours worked beyond 8 hours in a twenty-four (24) hour period or in excess of 40 hours in a work week will be compensated for at one- and one-half times the employee's regularly rate of pay or in compensatory time calculated at one and one-half hours for each hour worked. Certain employees in the Sheriff's department who are covered by exemptions in the Fair Labor Standards Act hours are governed by the union contract.

Vacation, sick leave, and other approved leaves are not considered hours worked.

Payment

Overtime pay or compensatory time will be processed through payroll.

Compensatory Time Accumulation

County policy allows for compensatory time to be accumulated up to 80 working hours unless otherwise denoted in collective bargaining agreements. When an employee has accrued 80 hours of compensatory credit every effort will be made to allow the employee to take the time off, and any additional days accrued shall be compensated for at the next regular pay period.

The employer may schedule when the compensatory time may be taken by the employee. Employees are encouraged to request compensatory time off throughout the year to avoid large accrued balances.

When an employee is separated from the County for any reason, they will be paid at the employee's regular rate of pay for accumulated compensatory time.

Chapter 6 – Benefits

6.1 HEALTH AND LIFE INSURANCE

It is the policy of Goodhue County to provide health and life insurance benefits for eligible employees. The County Board, from time to time, may adopt new provisions or revise existing programs and benefit levels. Employees are encouraged to contact the Human Resource Department for specific provisions affecting them.

For individuals hired after the adoption of the personnel policy: Individuals employed for less than 2080 hours per calendar year but more than 1040 hours per calendar year may receive health and life insurance benefits at an hourly pro-rated premium basis. Individuals employed for less than 1040 hours per calendar year will not be covered under the County's insurance program.

Employees who are eligible to retire under a public annuity who are covered under the County's health insurance plan may continue health insurance coverage provided that the entire cost of the insurance premium shall be the responsibility of the retiree. The retiree will be allowed to continue coverage for dependents that are covered on the date of retirement, with the entire cost being the responsibility of the employee.

Upon termination of employment, eligible employees will have the option to continue applicable benefits at their own expense in accordance with COBRA regulations.

From time to time the County may offer voluntary programs which participating employees may have the opportunity to continue after the termination of their employment. Employees should consult with Human Resources and the participating programs to determine the status of potential benefits.

6.2 RETIREMENT BENEFITS

All employees must participate in the Public Employees Retirement Association (PERA). PERA was established by the Minnesota Legislature in 1931 and covers all County employees.

PERA provides retirement benefits as well as disability benefits to members and benefits to survivors by State Statute.

PERA is funded by mandatory employee deductions from gross wages and matched by an employer contribution level set periodically by the State Legislature.

Employees are encouraged to contact the Human Resource Department for specific information about the program.

Deferred Compensation Plans

The County provides several optional deferred compensations plans that employees may use to supplement their retirement planning. Enrollment materials, vendor contacts and program specifics are available in the Human Resource Department.

6.3 DOCTOR / DENTIST VISITS AND BLOOD DONATIONS

An employee may be allowed up to six one hour increments on an annual basis for doctor or dentist without time being charged as sick leave, vacation or other. Such time shall be noted on the employee's time sheet in the appropriate place. This time does not carry over year to year.

An employee may be allowed one and one-half hours to donate blood during a regularly scheduled drive in Goodhue County or at any other place near the employee's work-site without being charged sick leave, vacation or other.

6.4 EMPLOYEE ASSISTANCE PROGRAM (EAP)

Goodhue County recognizes that job performance can be affected by many factors. Occasionally these factors can be issues and problems that occur outside the workplace.

Employees have available to them a confidential counseling service to assist with questions or concerns about anything from family issues and relationships to budgeting. Goodhue County's employee assistance is coordinated through the Minnesota Counties Insurance Trust and can be reached by calling 1.800.550.mcit (1.800.550.6248). Contact information may also be located on the County's internal website at <http://internal.co.goodhue.mn.us>. Materials describing this service in detail are also available through the Human Resource Department.

6.5 DEATH BENEFITS

Any employee of the County who dies shall receive pay and benefits as explained in this policy and Minnesota Statutes. Termination pay of the deceased employee shall be paid pursuant to current payroll practices on file with the employer.

6.6 EMPLOYEE RECOGNITION

In an effort to maintain and recognize quality staff, the County is implementing a recognition program. The County Employees Committee coordinates the employee recognition program and sponsors semi-annual award ceremonies.

Pursuant to the schedule adopted by the County Board, benefit eligible employees shall be presented service awards for five years and at 5-year intervals thereafter. Employees will receive an award based on the following schedule:

| | |
|----------|----------|
| 5 years | \$100.00 |
| 10 years | \$150.00 |
| 15 years | \$200.00 |
| 20 years | \$250.00 |
| 25 years | \$300.00 |
| 30 years | \$350.00 |
| 35 years | \$400.00 |
| 40 years | \$500.00 |

As part of the service awards mentioned above, employees celebrating a service milestone will receive 8 hours of paid leave. This leave will be granted on the employee's anniversary date and must be used within the year. If the leave isn't used by the end of the year or if the employee leaves employment before using it, the hours will be forfeited, and there is no payout.

Employees may be awarded letters or certificates for outstanding service. Department Heads are encouraged to write letters of commendation to employees whose performance is clearly outstanding, and to have a copy placed in the employee's personnel file.

From time to time, employees give recognition to their co-workers at their own expense through Sunshine Committees. For further information regarding the respective Sunshine Committees, contact the respective Department Head.

The Sheriff's department has an employee recognition program. For further details, refer to the Goodhue County Sheriff's Office Policy and Procedure Manual.

Gift certificates and cash equivalents will be awarded subject to applicable tax withholding.

6.7 PROFESSIONAL MEMBERSHIP

The purpose of employee membership and dues to various professional organizations must be directly related to the betterment of the functions of Goodhue County and may be paid for by the County if approved within the departmental budget.

6.8 TUITION REIMBURSEMENT

Goodhue County is giving employees the opportunity to participate in a tuition reimbursement program. In this case tuition is interpreted to be the fee for the class and corresponding books. Employees may elect to participate in this program so long as 1) the education is required by Goodhue County to keep your present position (salary, status or job) and serves a bona fide business purpose of Goodhue County, or 2) the education maintains or improves skills needed in or related to your present work.

Goodhue County's tuition reimbursement program is an accountable plan. An accountable program provides the employer will not include the reimbursement on the employee's W-2 if the employee follows all IRS rules and regulations regarding the receipt of tuition reimbursement benefits. Goodhue County will provide the employee with a description of the documentation the employee must keep to meet the IRS rules and regulations.

Employees who work twenty (20) hours or more per week on an ongoing basis and have completed their probationary period may be eligible for tuition reimbursement. Resignation or termination of the employee automatically terminates their eligibility for education assistance benefits.

Education assistance will be given for courses offered by technical institutes, trade schools or accredited colleges or universities. The classes chosen must be related to the employee's development in their current position. Under this plan, an employee will be reimbursed according to the attached Schedule A providing monies are available within the current year's County training budget.

Approval of reimbursement must be granted in advance of enrollment in the course. An employee should complete an application for tuition reimbursement and submit it to their Department Head. The Department Head must acknowledge 1) the education is required by Goodhue County to keep your present position (salary, status or job) and serves a bona fide business purpose of Goodhue County, or 2) the education maintains

or improves skills needed in your present work. The Department Head will submit the application to the County Board agenda for final authorization.

Upon satisfactory completion of the course, the employee will submit a voucher, along with reimbursement documentation to the Finance department. The employee is required to submit a receipt of payment and a certificate of participation or credit earned before reimbursement will be paid. Reimbursement will not be given when an employee has not satisfactorily completed a course or received lower than a "C" grade. If the course is only offered during work hours, an employee may be allowed to flex their schedules. This will be allowed only through prior Department Head approval.

Reimbursement Amount:

Under this plan, an employee will be reimbursed for 50% of the course tuition; however, the employee will be limited to a maximum reimbursement for all approved courses under this plan to the following annual amounts:

| | |
|------------------------|---------------------------|
| Undergraduate Courses: | \$2,000 per calendar year |
| Graduate Courses: | \$4,000 per calendar year |
| Doctorate Courses: | \$5,250 per calendar year |

Retention Period:

The Retention Period is considered a twelve-month time period after the completion of the reimbursed course. If the employee's employment with Goodhue County ends prior to the completion of the Retention Period, with the exception of a layoff or a job elimination, the employee shall reimburse the County for the full amount received for the respective course(s) prior to their departure. This reimbursement shall be paid to the County either by direct payment, or, the employee may sign a release agreement to withhold the amount from their wages.

6.9 AIRLINE FREQUENT FLYER CLUBS

In accordance with Minnesota Law, any county employee whose airline transportation is paid for or reimbursed by Goodhue County must comply with one of the following:

- Sign a statement that the miles or points attributable to the travel are not credited to any frequent flyer club's account; or
- Report to the county the miles/points earned and the number of miles/points then needed to win an award or benefit.

At the time that enough county paid miles/points are earned to receive an award or benefit, the employee must immediately turn over and/or transfer to the county the right to use the award or benefit.

In the event that the award or benefit is non-transferable or is likely to expire before the county could use the award or benefit, the employee may use the award by first reimbursing the county for the county paid miles/points used in obtaining the award or benefit in an amount based upon the reasonable cash value of the award or benefit considering any restrictions. Goodhue County shall determine the reasonable reimbursement amount.

Chapter 7 – Leave

7.1 HOLIDAYS

The following holidays are official holidays within the meaning of Minnesota Statute §645.44:

| | |
|----------------------------|--------------------------------------|
| New Year’s Day | January 1 |
| Martin Luther King Jr. Day | 3 rd Monday in January |
| President’s Day | 3 rd Monday in February |
| Memorial Day | Last Monday in May |
| Juneteenth | June 19 |
| Independence Day | July 4 |
| Labor Day | 1 st Monday in September |
| Indigenous People’s Day | 2 nd Monday in October |
| Veteran’s Day | November 11 |
| Thanksgiving Day | 4 th Thursday in November |
| Day after Thanksgiving | Day after Thanksgiving |
| Christmas Eve | December 24 |
| Christmas Day | December 25 |

When New Year’s Day, Independence Day, Veteran’s Day or Christmas Day falls on Sunday, the following Monday shall be a holiday, or when any of said days fall on Saturday, the preceding Friday shall be a holiday. The following illustrates how the holiday will be observed for Christmas Eve when Christmas Day falls on:

Holiday Falls On:

| | Friday | Saturday | Sunday | Monday |
|-----------|----------------|--------------------|--------------------|--------------------|
| Monday | Holiday | <i>Non-Workday</i> | <i>Non-Workday</i> | Holiday |
| Tuesday | Holiday | Holiday | | |
| Wednesday | Holiday | Holiday | | |
| Thursday | Holiday | Holiday | | |
| Friday | Holiday | Holiday | | |
| Saturday | Holiday | Holiday | <i>Non-Workday</i> | <i>Non-Workday</i> |
| Sunday | Holiday | <i>Non-Workday</i> | <i>Non-Workday</i> | Holiday |

The Goodhue County buildings will be closed on the above listed holidays and no public business shall be transacted on those days.

Eligibility

Employees are eligible for paid holidays in accordance with the schedule published at the beginning of each calendar year. To be eligible for holiday pay, the employee must be in active employment status or on a paid leave the work day prior to and the work day following the observed holiday. New employees are eligible for recognized holidays on or after the first day of employment. Part-time employees working more than 20 hours per week will receive holiday pay on a pro-rated basis.

An employee cannot claim a holiday as their last day of employment. Employees must actually work the next business day after a holiday to be eligible for the holiday pay.

Exempt employees that end up working on a paid holiday may defer the time off to another day as long as it is within the same or next pay period.

7.2 MILITARY LEAVE

Employees shall be entitled to military leave as authorized by MS 192.26 to participate in National Guard or other required military training. There shall be no loss of seniority, sick leave or vacation time during such leave and these will continue to accumulate. An employee shall receive regular pay during the leave for a period not to exceed fifteen working days per year. Additional leave without pay may be granted by the County Board. In time of war or nationally declared emergencies, leaves of absence without pay will be granted to employees ordered to active duty, with reinstatement to be made at the expiration of such leaves.

A letter granting the military leave indicating the starting date and duration of the leave period will be submitted to the Human Resources Department.

Employees anticipating the need for a military leave of absence are asked to notify their immediate supervisor at the earliest possible time.

All public employers in Minnesota are required to provide unpaid leave to attend the send-off or homecoming ceremony of an immediate family member who has been ordered into active military service in support of a war or other national emergency. For purposes of this paragraph, "immediate family" means an employee's grandparent, parent, legal guardian, sibling, child, grandchild, spouse, or fiancé.

The employer is allowed to limit the amount of leave to the actual time necessary to attend a sendoff or homecoming ceremony, not to exceed one day's duration in any calendar year.

Employees shall notify their Department Head within 90 days of separation from active duty that they intend to return to work.

7.3 VACATION LEAVE

County employees are encouraged to take advantage of the County's vacation leave benefits. Paid time away from work each year contributes to the employee's health and effectiveness and is a positive benefit to the individual and the customers we serve.

Eligibility

All full time County employees will be eligible for vacation accrual as shown:

| YEARS OF SERVICE | HOURS PER MONTH |
|-------------------|--------------------|
| 0 – 2 Years | 6 hours per month |
| 3 – 5 Years | 8 hours per month |
| 6 – 9 Years | 10 hours per month |
| 10 – 14 Years | 12 hours per month |
| 15 Years and over | 14 hours per month |

In order to attract qualified employees, at the hiring, the Administrator or HHS Director has the authority to approve starting vacation rates at a higher tier – up to 12 hours per month - commensurate with candidate's experience.

Employees are allowed to carry over 240 hours of unused vacation leave from one calendar year to another. Any unused amount in excess of the maximum allowed will be forfeited. Upon resignation or retirement, employees will only be paid out a maximum of 240 hours of vacation. Any vacation hours over 240 will be lost.

On a case by case basis, vacation carryover requests can be submitted to Department Heads and Human Resources. The request must include a plan for utilizing the overage by a specific date. If not utilized by that date the excess time will be forfeited.

If an employee has a temporary change in status from full time to part time or part time to full time, the employee's leave accruals will not be adjusted until the status change has been in place for one year.

Employees can utilize an appropriate amount of vacation time as needed per day to accommodate their normal working schedule, which will also be approved by Department Head or immediate supervisor.

Vacation Leave Deferral to Retirement Savings Account Policy

Once per year, Department Heads, who are participating in an employer sponsored 457b retirement savings plan may defer up to 80 hours of accumulated vacation leave to their 457b retirement savings account.

Eligibility

This policy applies to employees classified as a Department Head.

Deferral Limit

Eligible employees may defer up to 80 hours of accrued vacation time in a calendar year, subject to approval by the designated authority. The employee's balance after deferral must be greater than or equal to 80 hours.

Approval Process

Employees wishing to participate in this program must submit a deferral request form to the designated authority no later than August 31st each year.

- The designated authority for Department Heads is the County Administrator.
- The designated authority for the Health & Human Services Director & County Administrator is Human Resources.

The designated authority will review and approve or deny requests, in part or in full, considering budgetary constraints. The designated authority may deny requests or limit the number of hours that may be deferred due to budgetary restrictions.

All approved requests must be submitted to Human Resources no later than September 15th.

Approved requests will be processed, and contributions occur with the first payroll in October each year.

Employee Responsibility

Employees are responsible to ensure deferral of vacation will not exceed the Internal Revenue Service (IRS) annual maximums for the calendar year.

Exclusions

During the 60-day notice period prior to retirement or resignation, participation in this program is prohibited.

Deferral of vacation hours to retirement account is subject to all rules and regulations of the respective plan.

7.4 SICK LEAVE

Accrual

Full-time employees accrue eight (8) hours of sick leave each calendar month of employment, up to a total of 960 hours (or 120 days).

Part-time employees working 20 or more hours per week accrue sick leave on a pro-rated basis.

Part-time employees working less than 20 hours per week will accrue one hour of sick leave for every 30 hours worked up to a maximum of 48 hours accrued per calendar year.

Seasonal or temporary employees working 80 or more hours per year accrue one hour of sick leave for every 30 hours worked up to a maximum of 48 hours accrued per calendar year.

Seasonal or temporary employees who work less than 80 hours per year; elected officials; commissioners; and, lay board members are not eligible for sick leave.

Compensation

Sick leave will be paid at the employee's regular hourly rate of pay. If applicable, shift differential will also be included.

Sick Leave Use

Sick leave may be used as it is accrued for the following circumstances:

- An employee's mental or physical illness, treatment or preventive care.
- A family member's mental or physical illness, treatment or preventive care.
- Absence due to a domestic abuse, sexual assault or stalking of the employee or a family member.
- Workplace closure due to weather or public emergency or closure of a family member's school or care facility due to weather or public emergency.
 - Public emergency responders, such as licensed peace officers, public safety telecommunicators and detention staff as well as employees with commercial driver's licenses, cannot use sick leave for absences related to the closure of the employee's workplace or their family member's school or care facility due to weather or public emergencies, except under certain circumstances.
- When determined by a health authority or health care professional that the employee or family member is at risk of infecting others with a communicable disease.

For Sick Leave purposes, family member includes an employee's:

1. Spouse or registered domestic partner
2. Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis
3. Sibling, step sibling or foster sibling
4. Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child
5. Grandchild, foster grandchild or step grandchild
6. Grandparent or step grandparent
7. A child of a sibling of the employee
8. A sibling of the parent of the employee or
9. A child-in-law or sibling-in-law
10. Any of the above family members of a spouse or registered domestic partner
11. Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
12. Up to one individual annually designated by the employee

Advance notice & documentation for use of sick leave

If the need for sick leave is foreseeable, employees must provide seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for sick leave as soon as practicable. Employees will not be required to find a replacement worker to cover their regularly scheduled hours.

When an employee uses sick leave for more than three consecutive days, documentation of the need for leave may be required. Examples of documentation include: a signed statement by the treating health care professional indicating the need for use of sick leave; court records; victims services organization documentation; or related documentation to support safety leave. If the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, sick leave for a qualifying purpose listed above. Employees will not be required to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition.

Benefits and return to work protections

During an employee's use of sick leave, an employee will continue to receive employer insurance contributions as if they were working, and the employee will be responsible for their share of insurance premiums.

An employee returning from sick leave is entitled to return to their employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's absence. Seniority during sick leave will continue to accrue as if the employee has been continually employed.

Separation and payout of sick leave

Full-time employees who leave employment in good standing and after proper notice shall be paid for 60% of their accrued sick leave at the hourly rate at the time of separation.

Part-time employees working 20 or more hours per week who leave employment in good standing and after proper notice shall be paid for 60% of their accrued sick leave at the hourly rate at the time of separation.

Part-time employees working less than 20 hours per week are not eligible for a payout of sick leave at the time of separation. If rehired within 180 days of separation, previously accrued, unused sick leave will be reinstated. An employee is entitled to use and accrue sick leave at the commencement of reemployment.

Seasonal or temporary employees working 80 or more hours per year are not eligible for a payout of sick leave at the time of separation. If rehired within 180 days of

separation, previously accrued, unused sick leave will be reinstated. An employee is entitled to use and accrue sick leave at the commencement of reemployment.

Coordination with other leave types

The Goodhue County Sick Leave policy is written to comply with the Minnesota earned sick and safe time (ESST) law effective January 1, 2024. Nothing in this section is intended to modify or supersede State law. When applicable, Goodhue County sick leave and/or Minnesota earned sick and safe time (ESST) will run concurrently with other leave types such as Family and Medical Leave Act (FMLA), personal leaves of absence, workers compensation, short- or long-term disability, leave share, funeral leave, etc.

Retaliation prohibited

In accordance with the Minnesota ESST law, employees will not be discharged, disciplined, penalized, interfered with, or otherwise retaliated or discriminated against for asserting their rights under the Minnesota ESST law, requesting an ESST absence, or pursuing remedies.

7.5 SICK LEAVE CONVERSION PROGRAM

Sick leave may be converted into vacation time for employees with the following criteria established for the program:

- Employees must have a balance of 400 hours of sick leave before they can convert any sick leave hours into vacation.
- The requests for conversion need to be turned into the Human Resources Department and appropriate Department Head by January 15 and July 15 of each year.
- A maximum of 40 hours of vacation can be earned each year as a result of this conversion plan.
- The limits of 240 hours of vacation and 80 hours of compensatory time will not change.
- The ration of sick leave to vacations hours will be set a 3:1, so a maximum of 120 hours of sick leave can be converted to 40 hours of vacation each year.
- This is an optional program for employees.

7.6 SERIOUS ILLNESS

An employee may be allowed up to three working days or 24 hours whichever is less per year, with pay, for absence due to serious illness in the employee's immediate family requiring the employee's attendance. Said time may not be deducted from sick leave unless required time extends beyond three days or 24 hours. This leave is only for extreme illness and final determination of whether or not the employee's attendance is required shall be made by the Department Head and reviewed by County Administrator.

Any amount of time used during a work day will count as one of the three working days per year that is allowed under this policy.

These leave days may not be carried over into the next calendar year.

7.7 SEVERE WEATHER – EMERGENCY CLOSING

It is the policy of Goodhue County to continue to provide service to its citizenry whenever and wherever possible. In attempting to provide such service the County also acknowledges the need for the safety and welfare of its employees. The balancing of these considerations should be taken into account in each hazardous weather or emergency situation.

Generally, County services will remain open in hazardous weather or emergency situations. Employees who are unable to report to work must contact their supervisor or Department Head who may approve the use of vacation, compensatory time or unpaid time off for the hours which they are unable to work. The County may require employees to report to a place other than their normal work site if conditions permit. The decision to close County facilities will be made by the County Administrator.

7.8 FAMILY MEDICAL LEAVE ACT

Goodhue County strives to balance the demands of the workplace and our call to public service with the needs of our employees and their families. Consistent with this statement, Goodhue County provides eligible employees with leave rights in accordance with the Family and Medical Leave Act (FMLA). The County posts the mandatory [FMLA Notice](#) as required by the United States Department of Labor (DOL) and also provides all new hires with general notice information regarding FMLA.

This policy serves to provide employees with a general description of their FMLA rights. However, in the event of any conflict between this policy and applicable law, employees shall be afforded all rights required by law.

The FMLA entitles eligible employees with up to 12 weeks (26 weeks for military service member caregiver leave) of unpaid, job protected leave for specified family and medical reasons, along with continuation of group health insurance coverage.

Eligibility:

To qualify for FMLA leave, an employee must meet all the following conditions:

- Employed by the covered employer at least 12 months (or 52 weeks) in the preceding seven-year period. These do not need to be consecutive months of employment in order to meet the requirement. If the break in service was due to National Guard or Reserve military service obligations, the County will count separate periods of employment, exceeding the seven-year period, extended by the length of the military service referenced above.
- Worked at least 1250 hours during the preceding 12-month period. For purposes of this policy, this includes hours actually worked and does not refer to all hours in compensated status. Paid leave, unpaid leave, and FMLA do not count toward the 1250 hours worked.
- Works at a location where the employer has 50 or more employees within a 75-mile radius.

Types of Leave Covered:

Eligible employees will be granted FMLA leave for the following reasons:

- Any period of incapacity due to pregnancy or prenatal care, the birth of a child, and to care for the newborn child within one year of birth;
- Placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- To care for the employee's spouse, child, or parent who has a serious health condition;
- A serious health condition that makes the employee unable to perform the essential functions of their job;
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;"
- To care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Terms and Definitions:

A **child**, for purposes of this policy in situations other than military family leave, includes a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis* who is either under 18 years of age, or 18 or older and incapable of self-care because of a mental or physical disability. Leave may be taken for an adult child when they: have a disability as defined by the Americans with Disabilities Act (ADA) at the time the leave is to commence; are incapable of self-care because of the disability; have a serious health condition as defined by the FMLA; and, need care because of the serious health condition.

An eligible **parent** includes a biological, adoptive, step or foster father or mother or any other individual who stands or stood in the place of a parent (*in loco parentis*). The term parent does not cover parents "in law."

Spouse means the employee's husband or wife as defined or recognized under state law for purposes of marriage. Care for unmarried domestic partners is not included.

The **need to care for** a covered family member encompasses both physical and psychological care. It may also include acquiring or making arrangements for appropriate care, or substituting or sharing care duties.

A **serious health condition** is an illness, injury, impairment, or physical or mental condition that involves **inpatient care** or **continuing treatment** by a health care provider.

The chart below describes different types of conditions that are **serious health conditions** under the FMLA. This is not an exhaustive list of serious health conditions.

| Inpatient Care |
|--|
| <ul style="list-style-type: none"> • An overnight stay in a hospital, hospice or residential medical care facility. • Includes any period of incapacity or any subsequent treatment in connection with the overnight stay. |
| Continuing Treatment by a Health Care Provider <i>(any one or more of the following)</i> |
| <p>A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:</p> <ul style="list-style-type: none"> • Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or, • At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment. |
| Pregnancy |
| Any period of incapacity due to pregnancy or for prenatal care. |
| Chronic Conditions |
| Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity. |
| Permanent or Long-term Conditions |
| A period of incapacity which requires or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision or a health care provider, such as Alzheimer’s disease or the terminal stages of cancer. |
| Conditions Requiring Multiple Treatments |
| <ul style="list-style-type: none"> • Restorative surgery after an accident or other injury; or, • A condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the employee or employee’s family member did not receive the treatment. |

For all condition’s **incapacity** means inability to work, including being able to perform any one of the essential functions of the employee’s position, or inability to attend school, or perform other daily activities due to the serious health condition.

An eligible employee may take up to 12 weeks of **qualifying exigency leave** when their spouse, son, daughter, or parent has been notified of an impending call or order to covered active military duty, or who is on covered active duty status.

In accordance with the provisions for **military caregiver leave**, an employee eligible for FMLA leave who is the spouse, son, daughter, parent, or next of kin of a covered service member or a covered veteran may take up to 26 weeks in a single 12-month period to care for the covered service member who is receiving medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list for a serious injury or illness; or to care for the covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Length and Amount of Leave:

The length of FMLA leave (for reasons other than to care for a covered service member with a serious injury or illness) shall not exceed twelve weeks in a twelve-month period. The leave year is calculated on the following basis:

- A rolling 12-month period measured backward from the date an employee uses any FMLA leave

When both spouses work for the County, the combined total Family and Medical Leave to which they will be entitled together will be 12 weeks in any 12-month period if the leave is taken as: serious health condition leave for the employee's parent; or, birth or adoption of child.

For situations involving care for a covered service member with a serious injury or illness, the 12-month period begins on the first day the eligible employee takes FMLA leave to care for the covered service member and ends 12 months after that date. During this single 12-month period, an eligible employee's FMLA leave entitlement is limited to a combined total of 26 workweeks for any qualifying reason.

Intermittent Leave and Reduced Work Schedule:

Intermittent or reduced work schedule leave may be taken when medically necessary. Intermittent leave, whether due to the employee's or qualified family member's condition, must be documented in the medical certification form as medically necessary.

When leave is required for planned medical treatment, the employee must make a reasonable effort to schedule such leave so as to minimize disruption of the County's operations.

Intermittent or reduced schedule leave may be taken for the care of a newborn or newly placed adopted or foster child only when the schedule is mutually agreed upon by the County for this situation. In all cases, leave related to the birth, adoption or foster care placement of a child must be taken within one year of the birth or placement of the child.

Coordination of Leave:

The FMLA provides job protected, *unpaid* leave of absence. However, FMLA leave taken at Goodhue County may be paid or unpaid, or a combination of both, due to additional leave running concurrently with FMLA leave.

Whenever applicable to the situation, additional forms of available leave shall run concurrently with FMLA leave including Minnesota pregnancy and parental leave, and all forms of available paid time off including but not limited to sick leave, vacation leave, workers' compensation leave when applicable, short-term disability or long-term disability pay when applicable, and compensatory time off. Accrued leave time may not be utilized to extend FMLA.

An eligible employee must use vacation, compensatory time or sick leave, with the exception of 7 days, concurrent with FMLA leave. An employee who is receiving temporary disability benefits such as workers' compensation weekly wage loss benefits, long- or short-term disability, is not required to use vacation, compensatory time or sick leave, but may choose to do so. In no case shall the total weekly compensation including paid leave and workers' compensation benefits and/or long- or short-term disability insurance benefits exceed the weekly base pay rate of the employee. The County will not provide paid leave in any situation that it does not normally provide such leave for the purpose requested.

Leave taken pursuant to a disability leave plan may be considered FMLA leave for a serious health condition and counted in the leave entitlement permitted under FMLA if it meets the criteria set forth above in 29 CFR § 825.112–825.115. In such cases, Goodhue County shall designate the leave as FMLA leave and count the leave against the employee's FMLA leave entitlement.

If an employee takes paid sick, vacation, compensatory time or other leave for a condition that is later determined to qualify under the FMLA, the County may designate all or some portion of related leave taken under this policy, to the extent that the earlier leave meets the necessary qualifications and requirements for designation under the FMLA.

Under certain circumstances, a qualified employee may be eligible for additional leave of absence beyond FMLA. All requests for additional leave of absence should be submitted to Human Resources.

Procedure for Requesting Leave, Notice, and Certification Requirements:

An employee requesting leave which may qualify under the FMLA must provide written or verbal notice of the need for leave to Human Resources as soon as reasonably practicable. Whenever the need for leave is foreseeable, the employee is required to provide notice at least 30 days prior to the date on which the leave is to commence. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for leave within two business days. When the need for FMLA leave is not foreseeable, the employee must comply with the County's usual and customary notice and procedural requirements for

requesting leave, absent unusual circumstances that would prevent the employee from doing so. Employees taking intermittent leave will be required to follow their department's regular call-in or notification procedures for approval of time off, to the extent reasonably practicable based on the nature of the condition requiring leave.

The County requires certification, using the DOL form WH-380-E or WH-380-F, by the treating healthcare provider regarding the need for qualified FMLA leave, when the need for leave is due to the employee's serious health condition or that of an employee's family member. The County requires certification of the qualifying exigency for military family leave (DOL form WH-384) and for the serious injury or illness of a covered service member (DOL form WH-385). The employee must respond to requests for certification within 15 days of the request or provide a reasonable explanation for the delay. Completed certification documentation must be provided to Human Resources. Failure to provide proper and complete certification, or required recertification, may result in a denial or delay of FMLA leave.

The County has the right to ask for a second opinion if it has reason to question whether the leave is appropriate, its duration or frequency. The County will pay for the employee (or family member) to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee (or family member) who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. If the employee unreasonably, in the opinion of the County, refuses to agree on a third health care provider, the County may designate the provider. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Recertification may be required when the employee requests an extension of the original length approved for the leave, when the circumstances regarding the leave have changed, or if the employer receives information casting doubt on the reason given for the absence. Recertification may also be required if there is a question regarding the validity of the certification or if the employee is unable to return to work as planned. In addition, when the need for leave extends beyond a single leave year, the employee shall be required to provide a new medical certification for each subsequent year.

Employer Notice, Certifications, and Designation Procedure:

Within five business days of the employee providing notice of their need for FMLA leave, the County shall provide the employee with the *Notice of Eligibility and Rights and Responsibilities* (DOL form WH-381). The employer may request additional information sufficient to certify the need and eligibility for FMLA leave. Within five business days after the employee has submitted appropriate and sufficient certification documentation, the County will provide the employee with a written response to the employee's request for FMLA leave, using the DOL *Designation Notice* (form WH-382).

Employee Status and Benefits During Leave:

An employee granted leave under this policy will continue to be covered under the County's group health plans, which shall include medical and dental plans, under the same conditions and at the same level of County contribution as would have been provided had the employee not taken FMLA leave. The employee is required to continue payment for any employee portion due for insurance coverage while on leave. Rights to additional, continued benefits will depend on the County's established policy for providing such benefits when the employee is on other forms of leave, whether the leave is paid or unpaid. While on paid leave, Goodhue County will continue to make payroll deductions to collect the employee's share of premium. While on unpaid leave, the employee must make payment through the County's third-party administrator. If the employee does not continue payments for benefits during the leave, the County will discontinue coverage during the leave in accordance with plan administration rules. If an employee elects not to return to work upon completion of an approved unpaid leave of absence, the County may recover from the employee the cost of any premiums paid to maintain the employee's coverage.

Sick leave, vacation and paid time off leave accruals will not accumulate during any unpaid leave of absence; accrued amounts of leave shall remain on the record at the inception of the leave of absence and shall continue upon the return of the employee. Employees on FMLA leave are eligible for holiday pay only if they are on paid leave at the time the holiday is observed.

When leave is taken in consecutive weeks, the fact that a holiday may occur within a week taken as FMLA leave has no effect; the week is counted as a week of leave.

The County may require an employee on FMLA leave to report periodically regarding the employee's status and intent to return to work.

Return to Work and Reinstatement Following Leave:

An employee taking leave under this policy shall be required to provide a fitness for duty (FFD) / return to work clearance from the treating health care provider whenever the leave is for the employee's own health condition. Failure to provide the FFD/ return to work certification in a timely manner may eliminate or delay the employee's right to reinstatement under the FMLA. If an employee is utilizing intermittent leave and reasonable safety concerns exist related to return to regular job duties, an FFD certification may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

Employees returning from FMLA will generally be reinstated to the same position held prior to their FMLA protected leave, or to a position equivalent in pay, benefits, and other terms and conditions of employment. However, no greater right to reinstatement or to other benefits, terms or conditions of employment exist than if the employee had been continuously employed during the FMLA leave period.

An exception to the employment restoration provisions of this policy may be made if the employee on leave is a salaried employee and is among the highest paid ten percent of the County's employees, and restoring employment would result in substantial and grievous economic injury to the operations of the County. In this situation, the employee will be given notice of the County's intent to deny restoration and the employee will be given the opportunity to return to work. Other exceptions provided by law may apply.

In the event of a layoff during the employee's leave, the employee shall be treated as a regular employee of record during the leave and shall be afforded all of the rights as governed by the appropriate bargaining agreement or County personnel policy governing matters involved with a layoff.

7.9 MINNESOTA PREGNANCY & PARENTING LEAVE

Employees of Goodhue County are eligible to receive 12 weeks of unpaid pregnancy and parental leave under Minnesota Parental Leave laws.

Parental leave due to birth or adoption of a child must begin within 12 months of the birth or adoption. However, if a child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. The 12 weeks of pregnancy or parental leave may be taken consecutively or intermittently.

Minnesota pregnancy and parental leave runs concurrently with FMLA leave whenever the employee is eligible for leave under both laws. However, if an employee has taken FMLA leave for unrelated reasons, the employee will still be entitled to 12 weeks of leave for pregnancy-related illness and parental leave.

An eligible employee must use vacation, compensatory time or sick leave, with the exception of 7 days, concurrent with Minnesota pregnancy and parental leave and/or FMLA leave. An employee who is receiving temporary disability benefits such as long- or short-term disability, is not required to use vacation, compensatory time or sick leave, but may choose to do so. In no case shall the total weekly compensation including paid leave and/or long- or short-term disability insurance benefits exceed the weekly base pay rate of the employee. The County will not provide paid leave in any situation that it does not normally provide such leave for the purpose requested.

Employees who take pregnancy and parental leave under Minnesota law are entitled to their same job after returning from leave, or return to a position of comparable duties, hours, and pay. In addition, an employee taking pregnancy or parental leave will be provided with continuation of their employer-provided health insurance during the leave.

| | FMLA | FMLA + MN Pregnancy & Parental Leave | MN Pregnancy & Parental Leave |
|---|--|--|--|
| Job Protection | X | X | X |
| Health Insurance Continuation | X | X | X |
| Who Pays the Health Insurance Premiums? | Employer continues to pay regular monthly contribution. Employee continues to pay regular monthly contribution via payroll deduction while on paid leave. | Employer continues to pay regular monthly contribution. Employee continues to pay regular monthly contribution via payroll deduction while on paid leave. | Employee pays entire premium via payroll deduction while on paid leave. |
| Other Insurance Premium Payments | Employee pays entire premium via payroll deduction while on paid leave. | Employee pays entire premium via payroll deduction while on paid leave. | Employee pays entire premium via payroll deduction while on paid leave. |

While on unpaid leave, the employee must make payment through the County's third-party administrator. If the employee does not continue payments for benefits during the leave, the County will discontinue coverage during the leave in accordance with plan administration rules. If an employee elects not to return to work upon completion of an approved unpaid leave of absence, the County may recover from the employee the cost of any premiums paid to maintain the employee's coverage.

Sick leave, vacation and paid time off leave accruals will not accumulate during any unpaid leave of absence; accrued amounts of leave shall remain on the record at the inception of the leave of absence and shall continue upon the return of the employee. Employees on Minnesota Parenting Leave are eligible for holiday pay only if they are on paid leave at the time the holiday is observed.

For purposes of determining the amount of leave used by an employee, the fact that a holiday may occur within a week taken as Minnesota pregnancy and parental leave has no effect; the week is counted as a week of leave.

In the event of a layoff during the employee's leave, the employee shall be treated as a regular employee of record during the leave and shall be afforded all of the rights as governed by the appropriate bargaining agreement or County personnel policy governing matters involved with a layoff.

7.10 PERSONAL LEAVE OF ABSENCE (UNPAID)

Upon written request, an employee may be granted a personal leave without pay for a period not to exceed ninety calendar days upon approval of the Department Head. A leave in excess of ninety calendar days may be granted only in exceptional cases. Such a leave requires not only the approval of the Department Head, but also of the County Administrator/HHS Director and County/HHS Board. All leaves of absence shall

be subject to the condition that the appointing authority may cancel the leave at any time upon prior notice to the employee. Decisions on the granting of the leaves of absence without pay will be at the sole discretion of the County and not grievable under the provisions of this handbook. Employees are required to use Family Medical Leave Benefits prior to requesting leaves without pay. Unemployment insurance benefits cannot be collected while on leave of absence without pay.

Employees granted in excess of ninety calendar days leave of absence must agree in writing that the employee's position may not be available upon completion of the leave and that upon return the employee may be placed in a lower paying position or may be placed on lay-off status.

Employees granted personal leave must utilize accumulated vacation time prior to taking leave without pay. Department Heads may, at their discretion, allow an employee to bank up to seven days leave to be used at a later date except that the banked leave may not be used to extend the leave of absence in excess of the calendar days approved.

Paid time off does not accumulate during any unpaid leave of absence, but previously accrued balances remain. Accrual resumes upon the return of the employee. Unless otherwise provided by statute, the County's contribution towards an employee's benefits ends at the end of the month that an unpaid leave of absence begins.

7.11 FUNERAL & BEREAVEMENT LEAVE

- **Funeral Leave:** Employees are eligible for up to three working days, or 24 hours (whichever is less), of paid funeral leave per year for the death of an immediate family member, as defined. This leave will not be deducted from sick leave or vacation time.
- **Minnesota Earned Sick & Safe Time (ESST):** In accordance with the Minnesota ESST law, employees may use earned sick leave for:
 - Making funeral arrangements.
 - Addressing financial or legal matters following the death of a covered family member.ESST covered family members are defined in the Sick Leave policy (7.4)
- **Leave for Serving as a Pallbearer, Lector or Server:** Employees may be granted up to eight hours of sick leave per year for the purpose of service as a pallbearer, lector, or server for persons other than immediate family, with approval from the Department Head or County Administrator.
- **Additional Leave Requests:**
 - Employees may request up to two additional days of sick leave for time off related to bereavement, beyond funeral arrangements or legal/ financial matters.

- If more time is needed, employees may use vacation, sick leave, or compensatory time with approval from the Department Head or County Administrator.
- **Leave for Non-Family Members:** If an employee needs time off for a death outside of the immediate family (e.g. extended family, friends) or if they need time beyond the provided bereavement leave, they may use sick leave with supervisor approval.

7.12 BONE MARROW DONATION

In accordance with Minnesota State law, employees of Goodhue County who perform services for an average of 20 or more hours per week will be allowed to take a paid leave of absence of up to forty work hours to undergo a medical procedure to donate bone marrow.

All employees, regardless of length of service with Goodhue County are eligible to take bone marrow donation leave.

Employees must submit a written request for bone marrow donation leave including a doctor's statement verifying the purpose and length of the leave to the Human Resource Department.

In the event that there is a medical determination that the employee does not qualify as a bone marrow donor, paid leave granted prior to the medical determination is not forfeited.

7.13 VOTING

Every employee who is eligible to vote in an election has the right to be absent from work for a reasonable amount of time for the purpose of voting without penalty or deduction from salary or wages. An employer or other person may not directly or indirectly refuse, abridge, or interfere with this right or any other election right of an employee. Election means a regularly scheduled state primary or general election, an election to fill a vacancy in the office of United States Senator or United States Representative, or an election to fill a vacancy in the office of State Senator or State Representative.

Effective July 1, 2023, employees may be absent from work for the time necessary to vote to include voting during the period allowed for voting in person before election day.

Employees are required to coordinate with their immediate supervisor prior to leaving work to vote. Employee may coordinate other time to be absent for voting with their Department Head or supervisor.

7.14 JURY OR WITNESS DUTY

After notice to the employer, an employee shall be granted leave with pay for service upon a jury or appearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in an action arising from the performance of their official duties, or in a criminal action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority. The employee shall submit a copy of the summons or subpoena to their Department Head.

The employee shall turn in any per diem payment, received as a result of serving on a jury or as a witness as described above, to their Department Head. Monies received for expenses shall be kept by the employee.

Any absence, whether voluntary or in response to a legal order to appear and testify in private litigation, not as an employee of the County but as an individual, shall be taken as vacation time, compensatory time or a leave of absence without pay.

7.15 LEAVE SHARE PROGRAM

The leave share program can help employees who face economic hardship due to a qualifying event that requires an employee's absence from the workplace. Employees may voluntarily donate accumulated leave to a recipient whose leave bank has been exhausted.

Employee Eligibility

The employee seeking to participate in the leave share program must be a benefit-eligible employee at the County. Seasonal and temporary employees are not eligible. The recipient employee must have exhausted their vacation, sick and compensatory time balances. The employee must not be covered by or eligible for short-term disability (STD), long-term disability (LTD), workers' compensation or other paid leave benefits when receiving leave share donations.

Eligible Situations

Leave share may be requested for a medical emergency. Medical emergency is defined by the IRS as "a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will result in substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from the leave-sharing plan." Prolonged absence and substantial loss would be 24 hours of cumulative time lost.

Medical certification will be required prior to participation subject to Human Resources approval.

Leave share may also be requested if the employee needs additional time off for bereavement in the event of the death of a parent, spouse or child.

Ineligible Situations

Employees must exhaust all available paid leave benefits prior to requesting leave share donations. Leave share may not be used for:

- a normal pregnancy or common illness (cold, minor surgery, sprain, etc.);
- baby bonding or parental leave;
- an illness or injury covered by short-term disability; long-term disability; PERA disability; Social Security; or workers' compensation, etc.

Concurrent Leaves

When applicable, Family Medical Leave Act (FMLA) and other protected leaves will run concurrent with the leave share program.

Limitations

Eligible employees may receive leave share donations on two separate occasions within a ten-year period.

Employees on disciplinary leaves are not eligible to participate in the leave share program.

Procedure

Employees wishing to participate in the leave share program will submit a request form to Human Resources for review. The request form will specify if their request should include their name or be anonymous. Human Resources will provide the employee with a medical certification form. The medical certification form must be submitted to and approved by Human Resources in order to participate in the leave share program.

Upon verification of eligibility, the Human Resources Department will forward the request for donated leave to all county employees. Donated leave must be used concurrent with FMLA or other protected leaves. The only solicitation of leave time shall be made through the Human Resource Department. Employees actively soliciting during work hours will be disqualified from participating in the Leave Share Program for one year.

Once a request has been made, employees may donate compensatory, sick or vacation leave to the recipient employee. Participation in the leave share is completely voluntary. Leave must be donated in full hour increments and will be limited to 80 hours per employee. Employees wishing to donate must maintain a cumulative balance of ## hours of compensatory, sick and/or vacation leave after their donation. Hourly leave donations will be converted to a dollar figure based on the salary of the donor at the time of donation. At the appropriate time, those dollars will be given to the recipient employee at their current salary rate.

Donated leave will be allocated to the recipient employee in the order it was received in the Human Resource Department. Leave will be allocated in converted dollars to the participating employee as needed for each two-week payroll. When an employee is

participating in the leave share program, their probationary period will be extended for the length of time they are on a leave of absence. If a participating employee resigns or is terminated while in the Leave Share program, they are no longer defined as a county employee and therefore no longer eligible to receive leave share donations. Remaining donated leave will not be subtracted from the donor's leave balances.

To Donate Leave

If you wish to donate leave, complete a leave share donation form indicating the type of leave, either vacation, compensatory or sick, and the number of hours you wish to donate to the affected employee. Employees must sign and date the form and submit the form to the Human Resources Department for transfer. Once the recipient employee uses a leave transfer it is irrevocable.

This policy may be revised at the discretion of the County Board or in order to comply with applicable law.

The Goodhue County leave share program will sunset on December 31, 2025, with the implementation of state-paid family and medical leave. After this date, the policy will no longer be in effect, as employees will be covered under the state program.

7.16 CONTINUATION OF OPERATIONS

Goodhue County expects employees and volunteer personnel to participate in Goodhue County emergency operations regarding, but not limited to, environmental, natural, manmade and nuclear disasters, when so declared by the President, the Governor and/or the Goodhue County Board.

Management reserves the right to deploy county employees to alternative worksites in varied county operations in order to carry out functions.

Employees deployed to perform functions, whether or not the assignment is within their home department are expected to report to work.

If an employee refuses to come to work as assigned, the employer may deny the use of accrued leave and the employee will be subject to discipline.

7.17 SCHOOL CONFERENCE AND ACTIVITY LEAVE

An employer may use up to 16 hours, during the school year, to attend school conferences or classroom activities related to the employee's child. If the activity cannot be scheduled during non-work hours the employee may use vacation or compensatory time. The employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the County.

Chapter 8 – Work Environment

DIVERSITY, EQUITY AND INCLUSION

The county of Goodhue is committed to fostering, cultivating, and preserving a culture of diversity, equity and inclusion. Our policy is to be welcoming, safe, and equitable to all employees, volunteer personnel, and members of the community. By embracing the diversity of our workforce and community, the county seeks to not only meet, but also exceed, our obligations under federal and state law. The goal of our policy is for the work environment to be free of harassment, discrimination, and retaliation.

Furthermore, it is our belief that:

- We are more efficient when all are valued and included.
- We are more effective when we leverage our different ideas, backgrounds and identities.
- We are more responsive when we acknowledge and reflect the identity and experience of our residents and colleagues.

8.1 ID BADGES

Identification (ID) badges are issued to every employee on the first day of their employment and reissued every two years after. Employees must retake their ID photos on their reissue date to assure badges are up to date. IDs are intended to be worn prominently to provide a means of identification to other employees and the public. These badges are to be worn at all times while working at the county. ID badges can be obtained by submitting a Facilities Maintenance Request on the GC Employee Intranet page. For security reasons, some ID badges may list only the employee's first name. Under certain circumstances, employees may wear uniforms or safety vests bearing the County logo in lieu of an ID badge with Department Head approval.

8.2 FOB ACCESS

- **Administration.** The administration of the Fob Access Security Door System will be the responsibility of the IT and Maintenance Departments.
- **Fob Issuance.** Goodhue County Fobs will be issued to all full and part-time employees.
- **Fob Misuse.** It will be considered a violation of this policy/procedure to borrow or give a fob that has been assigned to a specific individual to another person for the purposes of accessing the Goodhue County Buildings. It will also be considered a violation if you use it to enter a building that you do not have a work reason for being there.
- **Door Breaches.** It will be considered a violation of this policy/procedure to block open or hold open any security door, and then leave it unattended so anyone including unauthorized personnel could access County Buildings through it. If a security door

needs to be locked open, this can be accomplished through the Maintenance or IT Departments.

- **Lost or Stolen Fobs.** It will be the responsibility of the person to whom the fob was issued to notify Maintenance or IT that their fob has been lost or stolen as quickly as possible. The fob can be simply deactivated, and a new fob issued. In the event the lost or stolen fob is recovered, it can be reactivated at that time.

8.3 SMOKE-FREE ENVIROMENT

Smoking is prohibited in or on all county property except in designated areas. Smoking is prohibited in all county vehicles.

8.4 FIREARMS AT WORK

Licensed peace officers may carry firearms at work when it is permitted by the Sheriff and related to their official duties. All other employees, including volunteer personnel, are prohibited from carrying firearms on county property or on county business.

8.5 OFFENSIVE CONDUCT, HARASSMENT AND VIOLENCE

General Statement of Policy

It is the policy of Goodhue County, hereinafter County, to maintain an environment that is free from offensive conduct, harassment and violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation. The County prohibits any form of religious, racial, sexual, gender, marital status, age, national origin, status with regard to public assistance, sexual orientation or disability discrimination, harassment and violence.

It shall be a violation of this policy for any employee, volunteer, personnel, agent, officer, commissioner or other elected official of the County to engage in offensive or harassing verbal or physical conduct of a sexual nature or regarding race, national origin, gender, religion, disability, age, status with regard to public assistance, marital status or sexual orientation towards any County employee, officer, agent, or member of the public seeking services or public accommodations.

It shall be a violation of this policy for any County employee, agent, officer, commissioner or other elected official to inflict, threaten to inflict, or attempt to inflict sexual violence or violence based on religion, race, gender, marital status, status with regard to public assistance, sexual orientation, age, national origin or disability, upon any employee, agent, officer or member of the public seeking services or accommodation from the County

The County will act to investigate all complaints, either formal or informal, verbal or written, of offensive, harassing or violent conduct of a sexual nature or based upon religion, national origin, race, gender, sexual orientation, marital status, status with

regard to public assistance, age or disability, and to discipline or take appropriate action against any employee, agent, officer, commissioner or other elected official who is found to have violated this policy.

Offensive Conduct, Harassment and Violence Defined

Sexual/Gender Based Offensive Conduct or Harassment Defined

Sexual/Gender based offensive conduct/harassment includes unwelcome physical or verbal conduct relating to an individual's gender or directed at an individual because of gender; unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual or gender biased nature when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, public services or public accommodation;
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, public services or public accommodations: or
- That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or use of public services or public accommodations or creating an intimidating, hostile or offensive employment, public service or public accommodation environment.

Examples of sexual/gender harassment may include, but are not limited to:

- Unwelcome verbal remarks, jokes or innuendoes of a sexual nature or based upon gender;
- Unwelcome pressure for sexual activity;
- Unwelcome sexually motivated or inappropriate patting, pinching or other physical contact;
- Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or access to public services or public accommodations;
- Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises or preferential treatment with regard to an individual's employment or access to public services or public accommodations;

- Any sexually motivated, unwelcome touching;
- Distribution or display of written materials, pictures or other graphics of a sexual or gender biased nature;
- Other unwelcome behavior or words directed at an individual because of gender.

Sexual Violence Definition

Sexual violence is a physical act of aggression or force or the threat of which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts including the genital area, groin, inner thigh, buttocks or breasts, as well as clothing covering these areas.

Sexual violence may include, but is not limited to:

- Touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- Coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts.
- Threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

Race/National Origin Based Offensive Conduct/Harassment and Bias

Racial/National Origin harassment and/or bias occurs when:

- Submission to conduct or communications of a derogatory, harassing or biased nature based on race/national origin is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining access to public services or public accommodations;
- Submission to or rejection of conduct or communication of a derogatory, harassing or biased nature, based on race/national origin, by an individual is used as a factor in decisions affecting that individual's employment or access to public services or public accommodations; or
- The conduct or communication of a derogatory, harassing or biased nature based on race/national origin has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or creating an intimidating, hostile or offensive employment or public service/accommodation environment.

Racial/National Origin Violence Definition

Racial/national origin violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or national origin.

Religion Based Offensive Conduct/Harassment and Religious Bias

Religious harassment/bias occurs when:

- Submission to conduct or communications of a religiously derogatory, harassing or biased nature is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations.
- Submission to or rejection of conduct or communications of a religiously derogatory, harassing or biased nature by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
- The conduct or communications of a religiously derogatory, harassing or biased nature has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating or offensive employment or public service/accommodation environment.

Religious Violence Definition

Religious violence is a physical act of aggression or assault upon another because of, or in a manner reasonable related to, religion.

Disability Based Offensive Conduct/Harassment and Disability Bias

Disability based harassment and/or bias occurs when:

- Submission to conduct or communications of derogatory, harassing or biased nature which is based on an individual's disability is made a term of condition, either explicitly or implicitly, of obtaining or retaining employment or of obtaining or retaining public services/accommodations;
- Submission to or rejection of conduct or communications of a derogatory, harassing or biased nature, based on an individual's disability, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
- The conduct or communication of a derogatory, harassing or biased nature based on an individual's disability has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public services/accommodations environment.

Age Based Offensive Conduct/Harassment and Age Bias

Age based harassment and/or bias occurs when:

- Submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's age is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
- Submission to or rejection of conduct or communications of a derogatory, harassing or biased nature, based on an individual's age, by an individual is used as a factor in decisions affecting the individual's employment or access to public services/accommodations; or
- The conduct or communication of a derogatory, harassing or biased nature based on an individual's age has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public services/accommodations environment.

Marital Status Based Offensive Conduct/Harassment and Marital Status Bias

Marital status means whether a person is single, married, remarried, divorced, separated or a surviving spouse and in employment cases includes protection against discrimination on the basis of identity, situation, actions or beliefs of a spouse or former spouse.

Marital status-based harassment and/or bias occurs when:

- Submission to conduct of communications of a derogatory, harassing or biased nature which is based on an individual's marital status is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations.
- Submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's marital status, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
- The conduct or communication of a derogatory, harassing or biased nature based on an individual's marital status has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public services/accommodations environment.

Status with Regard to Public Assistance Based on Offensive Conduct/Harassment and Bias

Status with Regard to Public Assistance means the condition of being a recipient of federal, state or local assistance, including medical assistance, housing subsidies, AFDC or general assistance.

Public assistance status-based harassment and/or bias occurs when:

- Submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's status with regard to public assistance as defined above, which, is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations.
- Submission to or rejection of conduct or communications of a derogatory, harassing or biased nature, based on an individual's status with regard to public assistance, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
- That conduct or communication of derogatory, harassing or biased nature, based on an individual's status with regard to public assistance, has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.

Sexual Orientation Based Offensive Conduct/Harassment and Bias Definition

Sexual Orientation means having or being perceived as having an emotional, physical or sexual attachment to another person without regard to the sex of that person or being perceived as having an orientation for such an attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. Sexual orientation does not include physical or sexual attachment to children by an adult.

Sexual orientation based offensive conduct/harassment and/or bias occurs when:

- Submission to conduct or communications of a derogatory, harassing or biased nature which is based on individual's sexual orientation, as defined above, is made a term or condition, whether explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
- Submission to or rejection of conduct or communications of a derogatory, harassing or biased nature, based on an individual's sexual orientation, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or

- The conduct or communication of a derogatory, harassing or biased nature based on an individual's sexual orientation has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public services/accommodations environment.

Sexual Orientation Violence Defined

Sexual orientation violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, that individual's actual or perceived sexual orientation.

Assault Definition

- An act done with intent to cause fear in another of immediate bodily harm or death;
- The intentional infliction of or attempt to inflict bodily harm upon another; or
- The threat to do bodily harm to another with present ability to carry out the threat.

Applicability

Offensive conduct, harassment or bias may occur:

- Between a supervisor and an employee;
 - Between co-employees;
 - Between an employee or supervisor and a member of the public seeking to obtain or use public services/accommodations.
 - Between a commissioner or other elected official and an employee or member of the public receiving or seeking public services/accommodations; and
 - Between an agent of the County and an employee, supervisor, elected official or member of the public.

Reporting Procedures

Any person who believes he or she has been the victim of offensive or harassing conduct of a sexual nature, or offensive conduct, harassment, bias or violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation by an employee, agent, official, commissioner or other elected official of the County, the public, a client or a vendor or other persons county staff may encounter while performing work related activities, or any person with

knowledge or belief of conduct which may constitute such harassment or bias toward an employee, official or member of the public seeking or receiving public services or accommodations, shall report the alleged conduct immediately to an appropriate County official designated by this policy.

The County encourages the reporting party of complainant to use the report available from the County Administrator's office or available from the Department Head of any County department, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to the County Human Rights Officer.

In Each County Department

The Department Head of each department is the person responsible for receiving oral or written reports of all types of offensive conduct, harassment, bias or violence described in this policy at the department level.

Any supervisory employee, whether or not the person is a Department Head, who receives a formal or informal, oral or written report of harassment, bias or violence as defined in this policy shall inform the Department Head immediately without screening or investigating the report, unless the Department Head is involved in the alleged harassment, bias or violence. In the event that the Department Head is involved, the report shall be made directly to the County Human Rights Officer or Alternative Human Rights Officers as described below. Failure of a supervisory employee to forward such a report to the appropriate party shall be grounds for discipline, including immediate discharge of employment.

Upon receipt of a report, the Department Head must notify the County Human Rights Officer immediately, without screening or investigating the report. The Department Head may request, but may not insist upon, a written complaint by the complainant. A written statement of the alleged facts will be forwarded as soon as practicable by the Department Head to the Human Rights Officer. If the report was given verbally, the Department Head shall personally reduce it to written form within 24 hours and forward it to the Human Rights Officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the Department Head.

If the complaint involves the Department Head, the complaint shall be made or filed directly with the County Human Rights Officer by the reporting party or complainant.

County-Wide

- The County Board hereby designates the County Administrator as the County Human Rights Officer to receive reports of sexual harassment and of offensive conduct, harassment, bias and violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation.

- If the complaint involves the Human Rights Officer, the complaint shall be filed directly with one of the Alternative Human Rights Officers: The Special Projects Coordinator, Personnel Technician or the County Board Chair.
- The County shall list post the name of the Human Rights Officer and Alternative Human Rights Officers, including mailing address and telephone numbers.
- Submission of a good faith complaint or report of offensive or harassing conduct or a sexual nature or offensive conduct, harassment, bias or violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation shall not affect the reporter's future employment or access to public services or public accommodations.
- Use of formal reporting forms is not mandatory.
- The County will process complaints made under this policy as discreetly as possible, consistent with the County's legal obligations and the necessity to investigate allegations of discriminatory harassment and violence and take disciplinary action when the misconduct has occurred.

Investigation

- By the authority of the County Board, the Human Rights Officer or Alternative Human Rights Officer (AHRO), upon receipt of a report in complaint of offensive or harassing conduct of a sexual nature or offensive conduct, harassment, bias or violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation, shall authorize an investigation. The investigation may be conducted by County officials or by a third party designated by the County.
- The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- In determining whether alleged conduct constitutes a violation of this policy, the County should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and the surrounding circumstances.

- In addition, the County may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.
- The County Human Rights Officer, AHRO, or outside investigator shall make a written report. If the complaint involves the County Administrator, the report will be filed with the County Board by one of the Alternative Human Rights Officers. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. Written reports must be maintained in compliance with the Minnesota Government Data Practices Act.

County Action

- The County will take such action as appropriate based on the results of the investigation. In the event the investigation establishes that a violation of this policy has occurred, disciplinary action may be taken.
- Consistent with the requirement of the Minnesota Government Data Practices Act, Minnesota Statutes 13.01 et. seq., the results of the County's investigation will be made available to the complainant.

Reprisal

The County will discipline or take other appropriate action against any employee, officer, commissioner, agent or other elected official, who retaliates against any person who reports alleged harassment, bias or violence under this policy or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment, bias or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Discipline

Any County action taken against an individual pursuant to this policy shall be consistent with the requirements of:

- Applicable collective bargaining agreements;
- County policies; and
- State and Federal law.

The County will take such disciplinary action it deems necessary and appropriate, including warning, suspension, immediate discharge or the appropriate action to end discriminatory harassment and violence and prevent its recurrence.

Dissemination of Policy

This policy shall be posted on the internal and external County websites. This policy shall be distributed to all employees upon its adoption and to all new employees upon hire.

8.6 EMPLOYEE DRUG AND ALCOHOL

See separate policy for DOT employees and all other employees.

8.7 TELECOMMUTING

Purpose of policy. In an effort to achieve the following benefits, Goodhue County sets forth a policy to define telecommuting, to guide decisions about appropriate telecommuting arrangements, and to clarify employee and County responsibilities and obligations when a telecommuting agreement is in place.

Definitions.

Telecommuting definition and scope. For the purposes of this policy, telecommuting is a voluntary arrangement, supported by a telecommuting agreement, between Goodhue County and the employee to conduct their work in a designated offsite workspace, most often the employee's home, on a regular basis.

Other arrangements whereby an employee works at a location other than their primary worksite – working with vendors, contractors, or clients, attending off site meetings or training, etc. – or an employee is authorized by a supervisor to work at home for the purposes of completing a brief project or other brief and time-limited arrangements, are not governed by this policy.

Telecommuting does not change the basic terms and conditions of employment.

Primary worksite definition. The Goodhue County office that the employee would primarily work at if not telecommuting.

Telecommuting worksite definition. The designated offsite workspace in which the employee will regularly conduct their work.

Goodhue County property definition. Supplies, equipment, data or documents provided by Goodhue County or produced by a Goodhue County employee, client, or other party related to Goodhue County business.

Minimum criteria for consideration of telecommuting arrangement. The success of a telecommuting arrangement is dependent upon the characteristics of the job, the employee, the employee's home technology, and the supervisor all being well-suited for such an arrangement.

Job minimum requirements. To be considered for a telecommuting arrangement, the employee's job must consist of duties that can be fulfilled while telecommuting, including the following:

- Does not require face-to-face contact with customers, clients, or co-workers at a primary worksite.
- Does not result in decreased internal or external customer service if conducted through telecommuting.
- Consists of duties that can be fulfilled while telecommuting.

Employee minimum requirements. To be considered for a telecommuting arrangement, the employee must meet the following minimum requirements:

- Have completed orientation and been approved by their manager and Department Head.
- Be in compliance with Goodhue County policies.
- Meet or exceed expectations of their job, informed in part by the employee's most recent performance review.
- Have the ability to solve basic computer hardware and software problems; be able to connect all required hardware; understand how all hardware provided will be arranged within the intended telecommuting workspace; and have the necessary passwords and knowledge to connect provided hardware to employee's wired or wireless network.
 - Repeated requests for service to the IT Help Desk related to solving "basic computer hardware and software problems" may result in termination of an employee's telecommuting arrangement.

Technology minimum requirements. To be considered for a telecommuting arrangement, the employee's proposed telecommuting worksite must have Internet connectivity sufficient to meet the needs of the employee's job requirements. Internet speed requirements can vary depending on an employee's department, workload, schedule, etc., but telecommuting generally requires a minimum download/upload speed of at least 15 Mbps. Factors such as other users of the proposed Internet connection, Internet connected devices (cameras, cell phones, doorbells, etc.), audio/video streaming services, etc. need to be considered when evaluating Internet connectivity speed. It is the applicant's responsibility to ensure adequate Internet connectivity exists at the proposed telecommuting worksite prior to being approved for a telecommuting arrangement.

Other telecommuting worksite minimum requirements. In addition, the telecommuter's worksite must be established in a manner that enables the employee to:

- Work uninterrupted.
- Secure Goodhue County property for use only for Goodhue County business.
- Secure non-public, protected, and sensitive data from sight and sound by other parties in compliance with federal and state requirements.

Additional factors considered. When ascertaining whether a telecommuting arrangement is likely to be successful, the following additional factors will be considered:

- The needs of the employee's work team and division
- Team responsibilities
- Employee's work skills, including organizational, time management, self-motivation, reliability, and ability to work independently.
- Impact of telecommuting on the work of other employees
 - Goodhue County acknowledges that telecommuters may require different in-office support (such as printing and mailing documents, checking and responding to physical mail). Such support may be made available but only as agreed to by the affected employee's supervisor and only to the degree that it is not less efficient for Goodhue County in the aggregate as a result of the telecommuting arrangement. It is important that explicit communication about such arrangements be made as part of establishing the telecommuting arrangement.
- Telecommuting worksite location, including the distance from the primary worksite, distance from the employee's primary work duties, impact on ability to respond timely to work team needs, and impact on productivity
- Any other prevailing conditions identified by the supervisor after discussion with management.
- Seniority is not a factor in determining eligibility to telecommute.
- Telecommuters will have a workspace at a Goodhue County building but not necessarily their own and may have to share workspace with other telecommuters.

Telecommuting agreement requirements. In addition to continuing to meet the minimum requirements for consideration of a telecommuting arrangement that are identified above, the following requirements apply as well:

- Policy compliance. The telecommuter must comply with all Goodhue County policies. Failure to comply may result in revocation of the telecommuting agreement and/or other appropriate disciplinary action.
- Dependent care. The telecommuter must manage dependent care and personal responsibilities in a manner that would be appropriate if they were working at their primary worksite and in a manner that allows them to successfully meet job requirements. (i.e., Telecommuting is not an appropriate alternative to having dependent care in place.)
- Performance expectations. The telecommuter is expected to be at least as productive, if not more so, than an employee who regularly works at the primary worksite.

- Handling mail. The telecommuter is responsible for making arrangements to handle printing and mailing of their documents and checking and responding to their mail that arrives at their primary worksite in a manner that is timely, appropriate, and consistent with the preceding *additional factors considered* section on the *impact of telecommuting on the work of other employees'* section.
- Telecommuter work schedule. Telecommuting itself does not alter an employee's work schedule. Any changes to a work scheduled are handled in accordance with the work schedule policy.
- Telecommuter availability. The telecommuter is expected to be available at their telecommuting worksite by phone, video-conference, and email during scheduled work hours unless conducting business elsewhere on behalf of Goodhue County as appropriate or unless on approved paid or unpaid leave.

The telecommuter is also expected to be at a primary worksite or other designated location as necessary to attend meetings, training sessions, and as designated by the supervisor, including being called in to work at a primary worksite in special circumstances as deemed necessary by the supervisor, manager, or Department Head.

A limited number of telecommuting temporary work stations will be available at Goodhue County buildings for telecommuters to work at when they need to be in the office.

- Equipment malfunction. In the event of an equipment malfunction or internet connectivity weakness, the telecommuter will notify their supervisor and the IT department immediately. If the malfunction or connectivity situation precludes the telecommuter from working on assigned work at their telecommuting worksite, the telecommuter will be assigned other work, and/or report to their primary worksite, or be assigned by their supervisor to another worksite pending the repair of equipment or resolution of the connectivity weakness. Repeated circumstances of equipment failure or connectivity weakness may be cause for review of continued suitability of the telecommuting arrangement.
- Weather emergencies or other extenuating circumstances. If loss of electrical power, heat, or other circumstances preclude the telecommuter from safely and effectively working at their telecommuting worksite, the employee shall consult with their supervisor immediately and report to their primary worksite; unless other appropriate arrangements are made with their supervisor (including reporting to an alternative primary worksite or other approved location or taking vacation, or sick leave in accord with those policies) until the situation is remedied.
- Telecommuting worksite location, environment and safety. The telecommuter and the supervisor shall agree upon the location of the designated

telecommuting worksite before the telecommuting agreement is executed. Subsequent changes to the location must be approved by the supervisor.

In determining the location of the telecommuting worksite, the telecommuter must consider data privacy and security requirements including both sight and sound aspects. The telecommuter's computer should be hardwired to the employee's home network to improve network reliability and speed and to help assure maximum productivity. Wireless connectivity is allowed, assuming all other speed and performance requirements are met.

The telecommuter is responsible for establishing and maintaining a safe work environment.

Goodhue County will not be responsible for the provision of or costs associated with the telecommuting worksite, including utilities, internet connection, remodeling, furniture, lighting, repairs or modifications to workspace, etc.

To facilitate contact with Goodhue County in the event the telecommuter is incapacitated, the employee will post the name and telephone numbers of the following in a visible location in their telecommuting worksite: their supervisor, manager, or Department Head and one co-worker.

The telecommuter (or their designee in the event of incapacitation) will provide access to their telecommuting worksite and Goodhue County property upon request.

The telecommuter may not conduct any client or customer meetings in their homes and doing so will be cause for discontinuing the telecommuting.

- Goodhue County supplies, equipment, and property. Goodhue County will provide appropriate office supplies and equipment for the telecommuting employee as deemed necessary based on job-specific requirements, subject to change at any time.

The telecommuter will use Goodhue County equipment and supplies for Goodhue County business only. Unauthorized use by other parties is strictly prohibited.

All inventory supplied will be documented on the *Telecommuting Inventory Receipt*, (**Attachment B** of the Telecommuting Application and Agreement) and signed by the telecommuter and supervisor upon receiving inventory.

The telecommuter will protect Goodhue County property from damage or theft. No smoking will be allowed in the vicinity of Goodhue County property. Food and beverages will be handled with care around Goodhue County property.

Goodhue County will maintain equipment provided by Goodhue County.

Goodhue County accepts no responsibility for maintenance, repairs, or damage to employee-owned supplies or equipment.

Upon termination of the telecommuting agreement or employment, the telecommuter will return all Goodhue County property in acceptable working condition to the organization via arrangements made with the supervisor not to exceed two calendar weeks. Failure to return Goodhue County property or returning property in damaged condition may result in the telecommuter being required to reimburse Goodhue County for the cost of repair or replacement of such.

- Other business-related expenses. With prior approval, Goodhue County may reimburse the employee for Goodhue County business-related expenses that are reasonably incurred in accordance with job responsibilities.
- Liability and taxes. Goodhue County accepts no liability for third party injuries or property damage occurring at the telecommuter worksite. Goodhue County encourages telecommuters to consult with their homeowner's or renter's insurance agent to protect themselves as they deem fit.

Goodhue County holds no responsibility to address tax implications or zoning constraints or other related legal concerns for the telecommuter's use of personal real estate for telecommuting. Goodhue County encourages telecommuters to consult with their own tax and legal experts accordingly to understand and address any such implications or constraints.

- No cash or checks at the telecommuter worksite. A telecommuter may not take cash or checks to their telecommuting worksite.
- Theft or criminal activity. Telecommuters are responsible for contacting their supervisor and for filing a police report with their local law enforcement in a timely manner in the event of any theft or criminal activity related to Goodhue County property.
- Injury. The employee is obligated to provide prompt notice of an injury while telecommuting in accordance with Goodhue County's Worker's Compensation procedures.
- Data privacy and security.

Meeting data practices requirements. The telecommuter is responsible for meeting all federal and state data practices requirements while transporting non-public, protected, or sensitive data and while working with such data at the

telecommuting worksite. The telecommuter must take all necessary precautions to secure and prevent unauthorized access to Goodhue County data, supplies and equipment. Steps include, but are not limited to, locking file cabinets and desks, and regular password maintenance.

Transporting data. Transportation of non-public, protected, or sensitive data must be done in a locked bag. Such data is permanently stored at the primary worksite, with the only data that is transported limited to that which is necessary to conduct work assignments before returning to the primary worksite.

Destroying data. Destruction of any physical data must be done in accordance with data retention and destruction requirements and done at the primary worksite.

Compensation for telecommuter travel time.

1. *Commuting.* An employee shall not be compensated for time commuting between their primary worksite (Goodhue County office) and their telecommuting worksite.
2. *Other.* When an employee does not report to their primary worksite during the day or makes business calls before or after reporting to their primary worksite, the allowable compensated time shall be:
 - The lesser of the time from the employee's telecommuting worksite to the first stop or from their primary worksite to the first stop;
 - All time spent traveling between points visited on Goodhue County business during the day;
 - The lesser of time spent traveling from the last stop to the employee's telecommuting worksite or from the last stop to their primary worksite.

Compensation for mileage. Compensation for mileage shall be made in accordance with the Goodhue **County Personnel Policy**.

Telecommuting trial period. Each new telecommuting agreement is subject to a trial period not to exceed 90 days.

Review during trial period. Evaluation of telecommuter performance during the trial period will minimally include interaction by phone and/or e-mail between the supervisor and the employee, and monthly in-person meetings to discuss work progress and challenges. During the trial period, the employee and supervisor will each evaluate the arrangement and its effectiveness, making recommendations for continuing, continuing with modifications, or terminating the telecommuting agreement. The employee's supervisor will document the evaluation using **Attachment A** of [Telecommuter Application and Agreement](#). Once the review has been completed, provide the

employee a copy, and send the original to the Human Resources Department for inclusion in the employee's personnel file.

Annual review of telecommuting agreement. Each telecommuting agreement will subsequently be evaluated annually at the time of the employee's regular performance review with continued suitability to be documented as part of the review. At this time, the employee's supervisor shall also consult with the Goodhue County IT Department concerning the employee's ability to meet the minimum technology requirements including consideration of the employee's volume and type of IT help desk tickets.

This does not preclude more frequent review if the situation merits.

Termination of agreement during trial period. At any time during the trial period, the telecommuting agreement may be terminated by Goodhue County or the employee with a 24-hour notice.

Employee termination of telecommuting agreement. An employee may terminate their telecommuting agreement and return to a traditional work arrangement upon 30-days written notice to the supervisor and upon the availability of office space at the primary worksite, unless a shorter period is mutually agreed to. The notice should include the date the employee intends to terminate the agreement and their reason for doing so.

Employer termination of telecommuting agreement. Telecommuting may be discontinued by Goodhue County. When practical, Goodhue County may provide a two-calendar-week advance notice of intent to terminate the agreement. Reasons for termination of the telecommuting agreement may include, but are not limited to:

- Non-compliance with the telecommuting agreement. This may result in immediate termination of the agreement.
- Declining performance or changes in organizational needs.

Chapter 9 – Worker Safety

9.1 SAFETY POLICY, FLEET POLICY AND EMERGENCY ACTION PLAN

Please refer to the respective Goodhue County Safety Policy, Fleet Policy and Emergency Action Plan for further information.

9.2 AWAIR (A Workplace Accident and Injury Reduction Act)

The purpose of an AWAIR policy is to provide a safe work environment for Goodhue County employees and its citizens according to Occupational Safety and Health Act of 1970 (OSHA) and A Work place Accident and Injury Reduction Act (AWAIR), Minn. Stat § 182.653, subd. 8.

Goodhue County realizes that it has the responsibility to provide a safe workplace for its employees and a safe environment for its citizens. Each employee must pursue the highest standards in their assigned activities and recognize that the well-being of persons and the protection of our physical resources are as important as the activity and the work being performed. The County expects its management and employees to respond to all planned safety efforts and to perform their assigned jobs in the safest manner possible.

These procedures are applicable to all operating Departments within the County. The administration of this policy shall be the responsibility of the respective Department Heads. The duties herein may be delegated to other levels of management or operation, but responsibility shall not be delegated.

Goodhue County maintains a separate policies and procedures manual (AWAIR) that is available in all departments which is reviewed and updated annually by the Safety Committee. All employees are required to be familiar with the policies and procedures contained in the AWAIR Manual. For further information, please refer to the complete Safety policy located in the Human Resource Department.

9.3 AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

Goodhue County has Automated External Defibrillators (AED) located throughout the county buildings. Training will be offered to interested employees.

9.4 WORKERS' COMPENSATION

OSHA standards of safety and common-sense safety rules will be followed by all employees. When an employee is injured on the job, they shall report the injury to their supervisor immediately, if not injured too seriously to do so. The supervisor will then

secure medical help or send the employee to a medical facility for treatment as necessary.

Within 72 hours, the employee shall file an accident report (*Workers' Compensation First Report of Injury*) with their Department Head or Supervisor and submit it to the Human Resource Department. Employees are urged to make every effort to expedite this reporting process, as the late receipt of a report could result in a delay of benefits to the injured employee. In the case of vehicle accidents, employees should also refer to the drug and alcohol policy for testing requirements.

Compensation Coverage

Workers' compensation is governed by the State of Minnesota Department of Labor and Industry. Information can be obtained from the Human Resource Department or from the Minnesota Department of Labor and Industry website.

For eligible employees, worker's compensation benefits will run concurrent with leave for Family and Medical Leave Act (FMLA).

An employee who is receiving weekly workers compensation wage loss benefits may, at the employee's option, take sufficient accrued sick leave, vacation time or compensatory time to make up the difference between workers' compensation and the employees regular pay. When the employee sick leave and vacation time are exhausted, the employee will receive workers' compensation only.

Chapter 10 – Employee Training

10.1 EMPLOYEE TRAINING

It shall be the policy of Goodhue County to foster and aid in programs of on-the-job and off-the-job training. It is imperative that Goodhue County employees are equipped with up-to-date skills and abilities to deal with current issues, problems and technology; therefore, training is ongoing and necessary. A training program will be considered directly related to the employee's job if the training is designed to help the employee perform a desired activity or behavior with some measurable level of competence.

Department Heads are responsible for approving conferences and training requests for their respective employees.

Chapter 11 – Conduct

11.1 RULES OF CONDUCT/CODE OF ETHICS

These guidelines establish ethical standards of conduct which shall govern all Goodhue County employees, including volunteer personnel, in the performance of county business and the duties of their respective jobs.

Definitions

Anything of value Money, real or personal property, a permit or license, a favor, a service, forgiveness of a loan or promise of future employment. Reasonable compensation or expenses paid to an employee by the County for work performed are excluded.

Business Any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, or any other legal entity that engages in either non-profit or profit-making activities.

Confidential Information Any information obtained under government authority which has not become part of the body of public information and which, if released prematurely or in non-summary form, may provide unfair economic advantage or adversely affects the competitive position of an individual or a business.

Conflict of Interest Incongruity between one's obligation to the public good and one's private self-interest; financial or material interests incompatible with independence of judgment or action in the performance of official duties.

Gifts of Nominal Value Having value "in name only" with minimal or no retail or market value.

Local Official An elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city.

Own Time An employee's time outside of county work hours including the time before or after formal county work hours each day, approved compensatory time off, annual leave, holidays not otherwise assigned as work days and leave without pay.

Perception of a Conflict of Interest A situation which reasonably appears to others to be a conflict of interest although the situation in and of itself may not necessarily be a conflict of interest.

Private Interest Any interest, including but not limited to a financial interest, which pertains to a person or business whereby the person or business would gain a benefit,

privilege, exemption or advantage from the action of the county employee that is not available to the general public.

Rules of Conduct

Compliance with Minnesota Statutes and the Rules of Conduct All management and employees of the County shall conform to and aid in all proper ways in carrying into effect the provisions of Minnesota Statutes 471.87-471.89, 471.895 and these Rules. The rules of conduct set forth in this section shall be deemed conditions of employment in the County service.

Respectful Workplace

It is the policy of Goodhue County to maintain a respectful workplace free from violence, discrimination, and offensive or degrading conduct or remarks. It is the responsibility of all Goodhue County employees and management to create, promote and maintain work environments in which all are respected, valued and welcomed. Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action, which may include discharge from employment.

Conflict of Interest

The credibility of County government rests heavily upon the confidence which citizens have in public officials and employees to render fair and impartial services to all citizens without regard to personal interest and/or political influence. Thus, County officials and employees must avoid any activity which suggests a conflict of interest between their private interests and County responsibilities. No employee shall engage in any act which is in conflict, or creates an appearance of impropriety or conflict with the performance of official duties. When an employee believes the potential for a conflict of interest exists, it is the employee's responsibility to avoid the situation. Employees must notify their supervisor if a conflict of interest or perception of a conflict of interest situation exists or may exist. Employees who knowingly fail to avoid or disclose a potential, perceived or actual conflict of interest situation are subject to disciplinary action in addition to any criminal penalty that may be involved. For outside employment information refer to [Outside Employment Policy](#).

Examples of activities which are not in accordance with Minnesota Statutes and these Rules of Conduct include, but are not limited to, the following:

- Entering into any sale, lease or contract in violation of Minnesota Statutes, Section 471.87 – 471.89.
- Acceptance by a local official of any gift from an interested person in violation of Minnesota Statutes, Section 471.895. An employee shall not directly or indirectly receive or agree to receive any compensation, gift, reward, gratuity, payment of expense, or promise of future employment or other future benefit from any source except the County, for any matter or proceeding connected with or related to the duties of the employee. However, reasonable exceptions are permitted

including gifts of nominal value; plaques or similar mementos; reimbursement of actual expenses incurred for lodging, mileage, meals and other travel related expenses that are not reimbursed by the County but which have been approved in advance by the employee's supervisor as part of the work assignment; or honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time for which they are not compensated by the County.

- Activities which require the official or employee to interpret County codes, ordinances, or regulations when such activity involves matters with which the official or employee has business and/or family ties;
- Compensated consulting activities must not create a conflict of interest with the employee's county responsibilities or impair job performance;
- The use of County time, facilities, equipment, county owned or leased property or supplies for the purpose of private or personal financial gain;
- An employee may not use the employee's official position to secure personal benefits, privileges, exemptions or advantages which are different from those available to the general public. The employee shall not secure benefits, privileges, exemptions or advantages for members of the employee's immediate family or an organization with which the employee is associated.
- Improperly disclosing confidential information gained by reason of their official position or otherwise using such information for personal gain or the benefit of others.

No employee shall conduct himself/herself in any manner which shall reflect negatively on the County.

Political Activity

County employees may participate in political or partisan activities of their choosing provided that such activities occur separately and apart from their employment with the County.

Prohibited Activities

- Use of County resources and/or property, including buildings for political or partisan activities;
- Participate in political or partisan activities on County time;
- Conduct political or partisan activities when in a County uniform or display on their clothing any button, badge or sticker relevant to any candidate or ballot issue while performing their regular County duties;
- Compel a person to apply for membership in or become a member of a political organization or solicit contributions for a political or partisan cause in their official capacity while working for the County.

Permissible Activities

County employees have the right to express their views as members of the public, to pursue involvement in the political system, become candidates in nonpartisan elections and become candidates in partisan elections if the Federal Hatch Act does not prohibit it. If the County determines that there is a conflict of interest between a County employee's job duties and candidacy for elected office, the County may require that the employee take an unpaid leave of absence during the period of the candidacy. County employees may support candidates for federal, state, county or other local office by working on behalf of such candidates outside of work hours.

Political Efforts on Behalf of the County

Any employee who is asked to provide expert testimony must inform their immediate supervisory and/or Department Head. Employees must not represent their views as those of the County's when lobbying for interests of personal views or gains. Additionally, any lobbying efforts which represent a conflict of interest with that of the County will be conducted on the employee's own time and expenses will not be reimbursed by Goodhue County. Employees representing the interests of the County, when asked to provide expert testimony or information supportive of the County's view will be reimbursed upon proper authorization from the County Administrator.

Procedure

- It is the employee's responsibility to avoid situations in which a conflict of interest or a perception of conflict of interest exists. The employee should seek the advice of their supervisor in determining whether a conflict or perception of a conflict of interest exists.
- If an actual or possible conflict of interest situation exists or if the perception of a conflict of interest exists, the employee must immediately inform their supervisor or Department Head.
- It is the responsibility of the employee's supervisor or Department Head to review or investigate the situation. The employee's supervisor and Department Head shall be responsible for resolution of the conflict of interest. Unresolved issues will be brought to the attention of the County Administrator.

Responsibility

Annually, each Department Head will review the Conflict of Interest policy with their employees. Annually, all Department Heads, elected officials and any employee with a conflict will complete the [Conflict of Interest](#) form.

11.2 DRESS CODE

Goodhue County requires all employees, including volunteer personnel, to maintain appropriate and professional dress and appearance. An employee's position and the requirements of contact with the public should guide the employee on appropriate appearance. Not all types of clothing are suitable for work settings. Clothing that works

well for the beach, yard work, exercise or sporting sessions may not be appropriate for a professional appearance at work. Clothing that has the County logo is encouraged.

As departments vary in the work performed, so too does appropriate dress vary by type of work to be performed. Therefore, Department Heads are responsible to communicate instructions on appropriate dress to employees and to enforce these expectations uniformly.

Employees who are either provided a uniform by the County and/or given a uniform allowance must at all times wear, maintain and comply with the additional department requirements for that specific uniform.

Employees should consult with their supervisors on individual department expectations. If an employee dresses in a manner inconsistent with this policy, as determined by the Supervisor, Department Head, or Human Resources the employee may be asked not to wear the inappropriate item to work again or may be sent home to change clothes (on the employee's own time). Failure to comply with department expectations may be subject to disciplinary actions.

11.3 CREDIT CARD PURCHASING POLICY

Purpose

The purpose of this policy is to provide information regarding the use of credit cards assigned to selected Goodhue County employees to purchase goods and services for the County.

Scope

This policy applies to all County departments and agencies that have selected employees to use credit cards.

General

The purchasing policy recognizes the establishment of a purchasing card system thru the Finance Office and further recognizes that the County Administrator may delegate to other specific individuals the responsibility for the performance of some credit duties at a departmental level.

Background

The County has used various methods to purchase goods and services. To improve acquisition cycle time, to establish a more efficient, cost-effective method of requisitioning, purchasing, and payment for small dollar transactions, the Finance Department is initiating a credit card program to replace the existing methods of reimbursements for merchandise purchases. A number of unique controls have been developed for a program that does not exist in a traditional credit card environment. These controls ensure that the card can be used only for specific purposes and within

specific dollar limits. In addition, purchase information will be provided in sufficient detail to allow for verification by the approving official before payment is made to the vendor.

Credit Card Purchasing Policy

This policy is intended to accomplish the following:

- To ensure that credit cards are used in accordance with Goodhue County policies.
- To ensure internal controls for authorized credit.
- To ensure that the County bears no legal liability from inappropriate use.
- To provide a convenient credit method and reduction of paperwork.
- To empower employees, increase productivity, flexibility, and efficiency.

Credit Card Authorization

- The card will have the County's name, individual's name, and expiration date.
- The credit card vendor will have no individual cardholder information other than the County's mailing address; no personal credit records, social security numbers, or other personal information is maintained.
- Purchase information is transmitted electronically to the card issuer for authorization. All transactions require authorization regardless of the amount. Since the County, not the individual employee, will pay for the purchases made with the credit card, additional controls have been added to these accounts.

When the merchant seeks authorization for the purchase, the credit card system will check each individual cardholder's single daily purchase limit and 30-day limit before authorization for that transaction is granted.

Cardholder Spending Limits

The delegation of authority that has been provided to each cardholder sets the maximum dollar amount for each Single Daily Purchase Limit, and a total for all purchases made with a credit card within a given 30 Day Limit billing cycle. Each time a cardholder makes a purchase with their credit card, these limits will be checked, and the authorization request will be approved or declined.

The Goodhue County limits are as follows:

- Single Daily Purchase Limit - \$50 to \$5000
- Thirty Day Limit - \$250 - \$5000

Department Heads may establish lower limits for their cardholders.

Occasionally, a unique situation may require a purchase exceeding the cardholders' limits. These purchases will only be allowed with assistance from the Finance Department. In some cases, Board approval may be required (capital assets.)

Use of Credit Card

- The credit card shall be used for County business purchases only.
- The credit card has a broad range of acceptance by retailers, service stations, and travel services.

- Cardholder responsibility - The credit card is issued in the name of a specific cardholder with their name embossed on the card. No other person is authorized to use the card.

Conditions for use - Use of the card shall be under the following conditions:

- The total of a single daily purchase may be comprised of multiple items and cannot exceed the limit established at the time card it assigned, or \$5,000.
 - Purchase authorization will be denied if the single daily purchase limit is exceeded.
 - Purchases over the counter - all items purchased over the counter must be immediately available and cannot be backordered.
 - Telephone Orders - all items purchased by telephone must be carefully monitored to be sure of prompt delivery prior to payment.
- A telephone log should be used to document or record telephone credit card orders. The log should be held until the monthly billing statement is received and reconciled. The log should then be included with the billing statement and forwarded to accounts payable.
 - It is the cardholder's responsibility to:
 - Notify the merchant if items appear on the statement, but shipment has not been received.
 - Retain documentation or charge slips as proof of purchase whenever using the credit card.
 - Reconcile the monthly statement and submit it to Accounts Payable with the monthly statement.
 - The Department Head must review all documentation and ensure that all purchases are valid and appropriate prior to approving the claims for payment.

Requests for Credit Cards

- All requests for a credit card will be done by submitting a Request for Credit Card form.
- The Department Head, Finance Director and County Administrator must approve credit cards requests.
- The form will be processed by with the credit card provider.
- The cardholder will receive training and personally sign for their credit card.
- The Finance Department will distribute the credit card following training as noted above.

Inventory of Credit Cards

On an annual basis the Finance Department will conduct a physical inventory of credit cards and provide a report to the County Administrator.

Lost/Stolen Credit Cards

Contact information of the credit card issuer will be provided to the cardholder. Should any employee lose or have their credit card stolen, it is their responsibility to immediately notify, within 24 hours, the credit card issuer and the Finance Department.

Disputes Regarding Credit Cards

In case of a dispute with a vendor, the cardholder must complete, within five working days, a Cardholder Statement of Questioned/Disputed Item form (Attachment 8C).

11.4 SOLICITATION

An employee, including volunteer personnel, may not solicit customers or employees for their outside business while on county time or in relation to their county duties. This includes verbal solicitations, phone solicitations, advertising solicitations, business card distribution or use of e-mail or county internet connections to solicit or advertise one's business or fundraisers that result in personal gain.

Solicitation is permitted during customary break time, when confined to the employee break room.

Persons not employed by the County may not solicit, petition or distribute materials on County property without authorization from the Administrator.

11.5 BULLETIN BOARDS

Bulletin boards are located in the Government Center, Public Health Building, Citizens Building, Law Enforcement Center, Judicial Center, and the main Public Works Building in Red Wing. All official notices will be posted on the designated bulletin boards. Other information of interest to employees will be posted in break rooms. Employees are requested to date any material placed on the boards in order that the notices may be removed on a timely basis. Official notices will take precedence. All other items to be posted must be approved by the County Administrator or designee.

11.6 DATA PRACTICES

The County is bound by the requirements of the Minnesota Government Data Practices Act, Minnesota Statute Chapter 13.

It is important that employees be familiar with the data collected and stored by their department and division, and understand the classification of the data under the statute. Data on individuals may be classified as public, private or confidential. Data not on individuals may be classified as public, nonpublic or protected nonpublic. All information maintained by County is public unless there is a specific statutory designation that gives it a different classification. A person who violates the statute is guilty of a misdemeanor, and willful violation by any public employee constitutes just cause for suspension without pay or dismissal.

Employees, including volunteer personnel, who are uncertain whether or not the information should be released should contact the Human Resource Department.

11.7 POLICY FOR ENSURING THE SECURITY OF DATA AND SYSTEMS

Legal requirement

The adoption of this policy by Goodhue County satisfies the requirement in Minnesota Statutes, section 13.05, subd. 5, to establish procedures ensuring appropriate access to not public data. By incorporating employee access to not public data in the Data Inventory (required by Minnesota Statutes, section 13.025, subd. 1), in the individual employee's position description, or both, Goodhue County's policy limits access to not public data to employees whose work assignment reasonably requires access.

Please direct all questions regarding this policy to the Goodhue County Data Practices Compliance Official (DPCO):

Lance Koenig
Lance.Koenig@goodhuecountymn.gov
651-385-3029

Data inventory

Under the requirement in Minnesota Statutes, section 13.025, subd. 1, all Goodhue County departments have prepared a Data Inventory which identifies and describes all not public data on individuals maintained by Goodhue County. To comply with the requirement in section 13.05, subd. 5, all departments have also modified its Data Inventory to represent the employees who have access to not public data.

In the event of a temporary duty as assigned by a manager or supervisor, an employee may access certain not public data, for as long as the work is assigned to the employee.

In addition to the employees listed in Goodhue County Data Inventory, the County Administrator, the Data Practices Compliance Official (DPCO), and the Goodhue County Attorney may have access to *all* not public data maintained by Goodhue County if necessary for specified duties. Any access to not public data will be strictly limited to the data necessary to complete the work assignment.

Employee position descriptions

Position descriptions may contain provisions identifying any not public data accessible to the employee when a work assignment reasonably requires access.

Data sharing with authorized entities or individuals

State or federal law may authorize the sharing of not public data in specific circumstances. Not public data may be shared with another entity if a federal or state law allows or mandates it. Individuals will have notice of any sharing in applicable Tennessee warnings (see Minnesota Statutes, section 13.04) or Goodhue County will obtain the individual's informed consent. Any sharing of not public data will be strictly limited to the data necessary or required to comply with the applicable law.

Ensuring that not public data are not accessed without a work assignment

Department Heads may assign tasks by employee or by job classification. If an employee maintains not public data that all employees within its division do not have a work assignment allowing access to the data, the Department Head will ensure that the not public data are secure. This policy also applies to departments that share workspaces with other departments where not public data are maintained.

Recommended actions for ensuring appropriate access include:

- Assigning appropriate security roles, limiting access to appropriate shared network drives, and implementing password protections for not public electronic data
- Password protecting employee computers and locking computers before leaving workstations
- Securing not public data within locked work spaces and in locked file cabinets
- Shredding not public documents before disposing of them

Penalties for unlawfully accessing not public data

Admin will utilize the penalties for unlawful access to not public data as provided for in Minnesota Statutes, section 13.09, if necessary. Penalties include suspension, dismissal, or referring the matter to the appropriate prosecutorial authority who may pursue a criminal misdemeanor charge.

Security Awareness Training

All employees must complete information security awareness training as assigned by the County. Initial training must be completed within 30 days of receiving access upon hire and periodically as assigned thereafter. This training is in addition to any role-based or department specific security training that may be required.

All employees must complete role-based information security training approved by the Goodhue County Security Awareness Team and IT Director prior to receiving access upon hire or role transfer and at least annually thereafter.

Employees whose jobs require access to County data or systems must document acknowledgment at least annually that they have read, understood, and agree to follow

the County information security policies and standards relevant to their job responsibilities.

Artificial Intelligence Policy

Artificial Intelligence platforms are to be held to the same standards as other County technical resources and must comply with current Technology User Policy and various Data Practices policies. Be aware that many AI technologies utilize information from various sources. Those sources may be covered by their own intellectual property rights, which must be properly followed.

Safeguards: When selecting and using AI in their work duties, employees must use appropriate safeguards to protect data as private, confidential, non-public or protected non-public under the Minnesota Government Data Practices Act or applicable federal law. These types of data as a rule should NOT be shared with Artificial Intelligence unless the AI vendor under contract with the County has agreed to be bound by the same restrictions. These safeguards may include, but are not limited to:

1. Data encryption
2. Access controls including SSO (Single Sign On)
3. Audit trails
4. Secure networks
5. Appropriate storage of data following the appropriate regulations based on the content including HIPAA, IRS 1075, NIST 800-53, CJIS, BCA, MNDP and our own Goodhue County polices
6. Regular backups

Selection of AI: When selecting AI for use in their work duties, employees must consider the following factors:

1. The accuracy and reliability of the AI
2. The appropriateness of the AI for the intended use
3. The data privacy and retention policies of the AI vendor
4. The security and data protection measures used by the AI vendor
5. The cost and value of the AI

County users must ensure the validity of data they receive from AI. Never rely entirely on AI generated responses without additional verification and fact-checking. In addition, ensure the data meets our standards for data from other sources and that sources are properly cited.

The use of AI in Goodhue County is subject to data privacy and retention laws. All employees are expected to comply with these laws and regulations when using AI in their work duties.

Data on Individuals maintained by Goodhue County

This document identifies the name, title and address of the Responsible Authority for Goodhue County and describes private or confidential data on individuals maintained by Goodhue County (see Minn. Stat. 13.05 and Minn. Rules 1205.1200).

This document is also part of Goodhue County's procedures for ensuring that not public data are only accessible to individuals whose work assignment reasonably requires access (see Minn. Stat. 13.05, subd. 5). In addition to the employees listed, the Goodhue County Administrator, Data Practices Compliance Official, and the County Attorney will also have access to all not public data on an as needed basis as part of a specific work assignment.

Goodhue County's Responsible Authority is:

Lance Koenig
Lance.Koenig@goodhuecountymn.gov
651-385-3029

Direct all questions about this document to the individual listed above.

11.8 INDEMNIFICATION

Subject to the limitations in Section 466.04, a municipality or an instrumentality of a municipality shall defend and indemnify any of its officers and employees, including volunteer personnel, whether elective or appointive, for damages, including punitive damages, claimed or levied against the officer or employee, provided that the officer or employee:

- was acting in the performance of the duties of the position; and
- was not guilty of malfeasance in office, willful neglect of duty, or bad faith.

Chapter 12 – Travel

12.1 CONFERENCES, LODGING AND MEALS

The Board of County Commissioners supports attendance by employees, and in some cases committee members appointed by the Board, at schools, conferences, workshops and meetings which enhance their ability to perform their duties and services in a more efficient and economical manner, thus being beneficial to the operation of county government. Department Heads are responsible for approving schools, conferences, workshops and meeting requests. Refer to Out of State Travel and/or Tuition Policy where applicable. To implement the policy, the following shall be in effect:

- Individuals will not be reimbursed for meals when conducting regular duties and/or routine business within Goodhue County.
- Individuals will be reimbursed for reasonable costs of meals and lodging to approved attendance at all schools, conferences, workshops and meetings. Gratuities shall not exceed 15% of the main billing amount.
- Only those meals included in conference or meeting registration fees will not be subject to the IRS withholdings, as these meals will be paid as part of an overall registration, paid directly by the County.
- Expenses for alcoholic beverages are not reimbursable.
 - Expenses as outlined above, cost will be broken down by mileage, registration, meals and lodging.
 - Expense reimbursement forms for same day meeting per diems and meals must be submitted to the Human Resource Department for payroll processing so appropriate IRS withholdings can be administered prior to payment.
 - Expense reimbursement forms for overnight travel and mileage, must be submitted to the Finance Department.

12.2 TRAVEL TIME FOR NONEXEMPT EMPLOYEES

Nonexempt employees may be authorized time for travel the day prior to, day of and/or the day following the training or meeting date(s) when extended travel is required.

In general, normal travel to work is not compensated work time (whether or not the employee works at a fixed location or different job sites). Therefore, any time spent walking, riding or traveling to and from the actual place of performance of the principal activity is not compensable.

In certain situations, employees may be compensated for home to work travel time.

12.3 OUT OF STATE TRAVEL FOR ELECTED OFFICIALS AND EMPLOYEES

- Minnesota Statute § 471.661 mandates that a policy for out-of-state travel by elected officials be developed and approved by a recorded vote. The following policy applies to all five (5) County Commissioners, Sheriff and County Attorney. This policy also pertains to all employees.
- Employees and elected officials will be reimbursed for reasonable expenses incurred while conducting county business. No expenses shall be reimbursed unless said expenses are submitted to the Finance Department on an approved voucher, along with statements, cancelled checks, paid detailed receipts, or appropriate validating documents except that approved mileage may be reimbursed at the rate authorized by the Board without documentation.
- Any travel by employees or elected officials is appropriate when the travel is to obtain ongoing education and training, receive updated information and technical expertise, or to attend an event related to County business. The Board of County Commissioners supports attendance by employees, and in some cases committee members appointed by the Board, at schools, conferences, workshops and meetings which enhance their ability to perform their duties and services in a more efficient and economical manner, thus being beneficial to the operation of county government. To implement this policy, the following shall be in effect:
 - All requests for travel beyond 300 road miles, one way, from the City of Red Wing shall be submitted to the Budget Committee for recommendation and forwarded to the County Board. Such requests should be made in writing with an accurate estimate of all costs, details of the planned travel including benefits to the organization.
 - Whenever possible, requests for attendance at such meetings shall be submitted when departmental annual budgets are presented to the Board. If a specific trip is not approved in the department budget, the request must be presented to the Budget Committee with final approval from the Board.
 - Individuals will be reimbursed for reasonable costs of mileage, meals and lodging incident to approved attendance at all schools, conferences, workshops and meetings when the site of said meetings are located at a maximum of not more than 300 road miles from the City of Red Wing, MN.

- When submitting a voucher for reimbursement to the Board concerning expenses as outlined above, cost will be broken down by mileage, registration, meals and lodging. Vouchers for meeting per diems and meals must be submitted to the Human Resource Office for payroll processing. Other vouchers for eligible reimbursement of expenses must be submitted to the Finance Department.
- All meals submitted by employees for reimbursement shall be delivered to the Human Resource Department on a separate voucher so appropriate IRS withholdings can be administered prior to payment.
- Only those meals included in conference or meeting registration fees will not be subject to the IRS withholdings, as these meals will be paid as part of an overall registration, paid directly by the County.

12.4 VEHICLE POLICY

The use of County vehicles shall be managed with priority given to safety, cost effectiveness and fuel conservation.

The following governs use of County vehicles.

- **County owned vehicles are for official County business use only.** Minnesota Statutes prohibits the personal use of a County vehicle for other than authorized County business or specified authorized commuting. This means that any other use of a County vehicle for personal benefit is strictly prohibited. Unauthorized personal use of a County vehicle may be grounds for disciplinary action.
- **Only authorized persons are permitted to ride in County owned or leased vehicles.** Authorized persons include County employees, paid/unpaid interns, contractors and volunteers involved in County programs or functions. County clients or persons apprehended by the Sheriff's Department are allowed to ride in County vehicles. Employee family members are not allowed in county vehicles unless the employee has Department Head approval. All Sheriff's Office employees will follow applicable department policies regarding authorized passengers.
- • All Drivers must have in their possession a current and valid driver's license.
- Drivers are required to observe and obey all traffic laws regarding the operation of a motor vehicle.

- Drivers of County vehicles are responsible for all fines and penalties imposed for parking or traffic violations with respect to the vehicle while the County vehicle is in their possession.

Utilization and reimbursement:

- Employees are encouraged to use County vehicles whenever possible.
- If you are making an unannounced visit to a parcel, homestead, etc., you should utilize a county vehicle to identify yourself as a county employee.
- When a fleet vehicle is not available or use of a personal vehicle is used to conduct authorized County business, the individual will be reimbursed at the mileage rate established by the County Board.
- Employees who use their personal vehicle for County business purposes must carry the minimum insurance required by Minnesota law for passenger hazard and public liability.

Definition of Mileage

- Mileage shall be approved based on the normal route(s) between departure and destination.
- When an employee does not report to their normal work location during the day or makes business calls before or after reporting to that location, the allowable mileage shall be:
 - The lesser of the mileage from the employee's residence or from their normal work location to the first stop;
 - All mileage between points visited on County business during the day;
 - The lesser of the mileage from the last stop to the employee's residence or from the last stop to their normal work location.

Incidental Overnight Usage

Occasional overnight usage of County-owned vehicles is permitted if the employee has been assigned the use of a County vehicle for authorized County business away from the work station to which the employee is permanently assigned, and the number of miles traveled, or the time needed to conduct the business will be minimized if the employee uses a County vehicle to travel to the employee's residence before or after traveling to the place of County business. These situations must be approved by the Department Head prior to the vehicle being taken home.

If occasional overnight usage by any employee exceeds 15 times per year, IRS regulations require that the log form for each overnight commute trip must be completed for auto fringe benefit calculations and the information report to the Human Resource Department.

Commuting with County owned vehicles

By statute, use of a County vehicle for commuting to and from an employee's residence is prohibited except under very limited circumstances.

A County vehicle may be used by a County employee to travel to and from the employee's residence under the following circumstances:

- On a day when it may become necessary for the employee to respond to a work-related emergency during hours when the employee is not normally working.
- Inclement weather conditions: When employee is on-call and has primary responsibility to respond.
- Emergency preparedness or seasonal assignment: County-owned vehicle is permitted when an employee is on-call and vehicle is taken home less than 12 times per quarter on average.
- All vehicles assigned to licensed Sheriff's officers and Investigators are exempt from these provisions.
- As a working condition benefit the vehicle used must be considered a qualified non-personal-use vehicle which by IRS terms is considered to be any vehicle the employee is not likely to use more than minimally for personal purposes because of its design. Qualified non-personal-use vehicles generally include:
 - Clearly marked police and fire vehicles
 - Unmarked vehicles used by law enforcement officers if the use is officially authorized
 - Pickup trucks or vans clearly marked with permanently affixed decals
 - Special Equipment Vehicles manufactured for special application or equipped with tools or devices for specific job applications.

Vehicle Allowance

Should a County employee, as part of their working agreement with the County, not be provided with a vehicle for regular use but rather provided a monthly stipend, the allowance will be considered part of a non-accountable plan. The County will follow IRS guidelines accordingly.

- **Monthly Auto Allowance:** The full amount of the monthly auto allowance will be treated as a taxable benefit and subject to income tax and other statutory deductions.
- **Employment Expense Deduction:** Employees who receive a taxable allowance may be able to deduct motor vehicle expenses as employment expenses from their taxable income on their personal income tax return. It is the responsibility of the employee and their tax preparer to complete all applicable IRS Forms.
- An employee who is in receipt of the monthly auto allowance is responsible for all expenses incurred in the operation of their vehicle.

Parking

Employees using private automobiles and county vehicles are reimbursed on an actual expense basis for parking. Receipts for such payments are submitted with the expense reimbursement request whenever possible.

Commercial Transportation

Employees may travel by commercial transportation when authorized. Air transportation is by coach class whenever possible.

Car Rental

Employees may use a rental vehicle at county expense when authorized or in emergency situations. When using rental vehicles, the lowest possible rate is to be selected.

Chapter 13 – Separations and Discipline

13.1 SEPARATION FROM EMPLOYMENT

Retirement

Employees desiring to retire in good standing shall give written notice of their intent to retire at least 60 days to their Supervisor, who in turn shall submit the written notice of the retirement to the Human Resource Department. Processing of retirement and severance benefits will be in accordance with regular payroll processing.

Resign in Good Standing

Employees wishing to resign in good standing shall give written notice not less than two weeks before such resignation shall be effective. Department heads, supervisors and nurses are required to provide four weeks' notice. Failure to give such notice may result in forfeiture of some fringe benefit payments authorized herein.

Unauthorized Absence

An unauthorized absence of an employee for three consecutive workdays shall be considered by the County Administrator as resignation of such employee. Employees are encouraged to complete an exit interview with the Human Resources Department.

Termination

Employees that do not resign in good standing are subject to termination and loss of accrued and unused fringe benefits.

Final Pay Check Provisions

Once it is known that an individual will no longer be an active employee, the Supervisor will notify the Facilities Maintenance, Finance, Human Resources, and Information Technology Department Heads immediately by submitting the Employee Termination Form on the County Internal Website. Unless otherwise provided in Minnesota Statute, employees leaving employment from County service will receive their final paycheck when the following actions have been taken. The Department Heads and Supervisor must notify the Human Resources Department within one week of the termination notice if the following items have not been completed.

- Finance Department:
 - Collect and cancel all P-Cards
 - Cancel all bank account access
- Information Technology Department:
 - Terminate any computer and network access
 - Terminate any cell phone access
- Maintenance Department:
 - Secure keys
 - Cancel fob
 - Destroy ID Card

- Human Resources Department:
 - Recovery of HSA Funding Advance
 - Recovery of Tuition Reimbursement within claw back period
- Supervisor/Department Head:
 - Recovery of County Prepaid Monies
 - Recovery of Other Property on Loan or Being Utilized
 - Notify the Finance Department of any possible bank account access

Employees are encouraged to complete an exit interview with the Human Resource Department.

13.2 LAST DAY OF EMPLOYMENT

Employees are not allowed to extend their employment with Goodhue County by using vacation, sick leave or compensatory time. The employee's last day of employment must be a working day for the employee and cannot be a holiday, sick or vacation day.

13.3 LAY-OFF

In the event that it becomes necessary to lay off employees for any reason, a number of factors will be considered in determining the employee to be laid off. Those are: The County's needs in fulfilling the work of the department, the employee's qualifications to perform the required tasks, the employee's performance and discipline history, and the employee's seniority. In the event of a layoff, the employee will be notified in writing. Union contracts should be consulted for further information.

Determination of the positions in the county workforce subject to lay-off is at the sole discretion of the County Board and cannot be appealed under this policy.

13.4 EXIT INTERVIEWS

Every employee separating from County employment is to be extended the courtesy of a final interview with the Human Resources Department. The Exit Interview Form will be completed by the interviewer and filed in the personnel file.

The separating employee will be advised of separation matters including but not limited to final pay, vacation pay, benefits.

In the event an interview is not possible, the Human Resources Department will mail the exit interview form to the exiting employee, with a self-addressed stamped envelope.

Exit Interview information will be compiled and reviewed by the County Administrator and Department Head to determine trends or corrective action that may be necessary.

13.5 DISCIPLINE

The County retains the right to discipline any employee who is unwilling or unable to meet expectations for performance and conduct. All discipline shall be administered on the basis of just cause and coordinated with the Human Resource Department. Probationary employees may be dismissed without cause. Discipline will be administered in one or more of the following forms:

Oral reprimand - Normally given for first disciplinary infractions to clarify expectations and put the employee on notice that the performance or behavior needs to change, and the required changes. Oral reprimands shall be summarized in writing, presented to the employee and placed in the employee's personnel file upon approval of the Department Head.

Written reprimand - Generally but not necessarily follow oral reprimands in progressive discipline. A written reprimand is a statement addressed to the employee indicating the performance infraction which puts the employee on notice that the performance or behavior needs to change, and the required changes. The written reprimand is presented to the employee and placed in the employee's personnel file upon approval of the Department Head.

Suspension - The Department Head, in consultation with the County Administrator and Human Resources, may suspend an employee without pay for disciplinary reasons. Documentation will be kept in cases of suspension and a copy of any written documentation will be placed in the employee's personnel file. There may be some situations where suspension with pay will be allowed by the employer.

Demotion - An employee may be demoted if the employer determines this to be the most appropriate disciplinary action. The employee must be qualified for the position to which they are being placed.

Dismissal/Discharge - The employer may dismiss any employee for just cause such as but not limited to substandard work performance, behavior not in keeping with County standards, or if, in its judgment, the employee is unsuited for employment with the County.

Dismissal for Unsatisfactory Performance

- An employee may also be dismissed after having been informed in writing of unsatisfactory performance and after having been given a reasonable time to make improvements and correct the unsatisfactory performance. Listed below are some of the causes for such warning and/or dismissal:
 - Incompetence/inefficiency in performance of assigned duties.
 - Failure to correct a violation of the County Drug and Alcohol Policy.

Immediate Dismissal

- Employees may be dismissed immediately for the following causes:
 - Physical or mental incompetence, medically confirmed in accordance with the Americans with Disability Act.
 - Conviction for a felony, gross misdemeanor, or misdemeanor violation involving moral turpitude.
 - Misconduct or insubordination.
 - Willful refusal to follow directions or instructions.

 - Proof of carelessness or negligence in the handling or control of County property.

 - Non-permitted uses of county property.
 - Insulting, abusive or inflammatory language or conduct toward the general public, employees, supervisors or Department Heads.
 - Unauthorized absence from work.
 - Acceptance of a gift under circumstances from which it could be inferred that the giver expected or hoped for preferred or favored treatment in an official or departmental action.
 - Proven dishonesty.

Employees will be notified in writing of the reason for dismissal and a copy of the notification will be forwarded to the Human Resource Department for inclusion in the employee's personnel file.

Department Heads have the authority to discipline employees as described above. Supervisory personnel may take disciplinary action if authorized to do so by their Department Heads. Only Department Heads, in conjunction with Human Resources, may discharge an employee.

All forms of discipline must be documented. The documentation will be included in the employee's personnel file and the employee will be given a copy of same. Except for oral reprimands, the employee will be requested to sign an acknowledgement that the documentation was read. Employees' signatures do not mean that they agree with the reprimand. Refusal of the employee to sign the acknowledgement if applicable will be noted on the letter, and the refusal will neither invalidate the disciplinary record, nor deter the placing of same in the employee's personnel file.

In the event of a disciplinary action, the employee will have the right to an appeal under Chapter 14, Grievance Procedure, the grievance policy.

Employees who meet the definition of "veteran" as set forth in Minnesota Statute § 197.447 are subject to removal from their position or employment according to the provisions of the Veterans Preference Act.

13.6 CONTINUATION OF BENEFITS UPON SEPERATION

Pursuant to state and federal law referred to as COBRA, benefit-eligible employees who have separated from County employment for reasons other than gross misconduct may continue on the County's life insurance, group health, and/or dental coverage plan as defined in federal regulations.

An employee whose hours have been reduced to the point that the employee is no longer eligible for insurance may also continue enrollment with the County's group health and/or dental plan at their own expense per Minnesota continuation laws.

Other events, such as Medicare eligibility, may qualify an employee for continuing coverage. In addition, the employee's spouse and dependents that survive an employee may extend their enrollment with the County's group health and/or dental coverage plan until the earlier of the following:

- The date the surviving spouse becomes covered under another group plan.
- The date coverage would have terminated under the group policy had the employee lived.

Chapter 14 – Grievance Procedure

14.1 GRIEVANCE PROCEDURE

In the event a non-union employee believes that there has been a misinterpretation or misapplication of the provisions of this policy which adversely affects the employee, or which, in the employee's opinion, violates the employee's rights, the following grievance procedure will be followed.

Step One

The employee shall submit the grievance in writing to their immediate supervisor on a form available from the Human Resource Department. The grievance must state the specific rule or provision of this handbook which has allegedly been violated and the remedy sought by the employee. In the event the grievance concerns any subject which involves the supervisor, and the employee does not wish to file the grievance with the supervisor, the employee may file the grievance, in the following order, with the first person not involved: 1) Department Head; 2) Human Resource Managers; and 3) County Administrator. If the grievance involves all of the above then the employee may file the grievance with the Chairman of the appropriate Board. In any event, the grievance must be filed within ten calendar days after the alleged violation has occurred.

The person receiving the grievance will report it to the Department Head and Human Resources. Within ten calendar days of receipt of the grievance, the County Representative will respond in writing with a copy placed in the employee's personnel file. A meeting may be scheduled within those ten calendar days to discuss the grievance with the aggrieved employee.

In the event the grievance concerns sexual or general harassment, the employee should refer to the Offensive Conduct, Harassment and Violence portion of this Policy.

Step Two

A grievance not resolved to the satisfaction of the aggrieved employee may be appealed in writing to the next person not involved in step one: 1) Department Head; 2) Human Resource Director; and 3) County Administrator within ten calendar days of the grievance employee's receipt of an answer from the County Representative.

The County Representative will discuss the grievance with the employee and shall answer the grievance in writing no later than ten calendar days.

Step Three

A grievance not resolved to the satisfaction of the aggrieved employee may be appealed in writing to the County Administrator, within ten calendar days of receipt of the answer from the Department Head/Human Resource Director. The County

Administrator will meet with the aggrieved employee and respond in writing within ten calendar days. Members of the governing board may be informed of the outcome of the grievance procedure. In the event the grievance is not resolved to the satisfaction of the employee, the employee may request an appeal to the governing board.

Timeliness

If a grievance is not presented within the time limits set forth above, it shall be waived. If a grievance is not appealed to the next step within the specified time limit, or any agreed extension thereto in writing, it shall be considered "settled" on the basis of the last answer from the County Representative. If the appropriate County Representative does not answer a grievance or appeal within the specified time limits, the employee may treat the grievance as denied and immediately appeal to the next phase. The time limit may be extended for each phase by mutual agreement between the County Representative and the employee.

Chapter 15 –Communications

15.1 TECHNOLOGY USER POLICY

Goodhue County Information Technology (IT) is the integrated hardware and software used by the County to create, modify, store, and share data. As such, it is an integral part of business at Goodhue County. The County has made a substantial investment in human and financial resources to support this technology.

The enclosed policies have been established in order to protect this investment, safeguard the information contained within this technology, reduce business and legal risk, and to protect the good name of the County consistent with statutory obligations for data security.

All data within Goodhue County information technology is the property of Goodhue County and is not to be used for employee personal gain or to support or advocate non-county related business or purposes.

Responsibilities of the Goodhue County Information Technology Department:

- Provide a secure, reliable computing network.
- Assist users in defining and planning for their technology needs.
- Provide the best technical solution available after consideration of user needs, department needs, County needs, costs, resources, availability, and timeliness.
- Provide consultation to users planning technology projects.
- Recommend appropriate hardware and software.
- Maintain inventory records of computer hardware and software used throughout the County.
- Support a standard set of computer hardware and software for the County to ensure compatibility, cost effective training, and volume discounts. The standard set of computer hardware and software may be supplemented to meet a department's identified technology needs, as coordinated with IT.
- Facilitate the purchasing of Department Head-approved computer hardware and software.

- Support County employees with their use of IT-approved information systems.
- Provide off-hours support for critical IT systems.
- Track licenses for all county owned software.
- IT does not support employee-owned computer hardware and software.

Responsibilities of all Goodhue County employees and volunteer personnel:

- Contact IT immediately upon discovery of problems with information technology.
- Provide detailed requests for service or support to the IT Department Help Desk.
- Understand the appropriate use of computer hardware and software.
- Adhere to IT/County-wide policies and procedures.

Computer Equipment

Hardware/Software - The County must ensure that computer technology is not misused. Hardware, software, and IT services will be purchased with compatibility for current applications and for future networking and data sharing. The County therefore requires the following:

- All hardware and software purchases must be approved by and coordinated with the IT Department.
- Any contracting with vendors for IT projects, software, or equipment will be approved by and coordinated with the IT Department.
- No software or hardware may be installed or run on County equipment that is not approved by the IT Department. This includes personally purchased software, any download from the Internet, or any other services, as well as software provided by vendors or other outside agencies.
- No computer equipment may be connected to the network without IT Department approval.
- Computer equipment shall not be taken off-site without approval from the Department Head and IT.

- Computer equipment should not be moved, reassigned, reconfigured, or otherwise changed without notifying IT.

Data Storage

Default computer settings include having all data stored on a County server. Data stored on the servers is backed up on a regular basis.

- No personal files of any kind are to be stored on the server. This includes pictures, movies, music, or other non-work-related files. Personal files stored on the server may be deleted at any time, without notice.
- No software (e.g. executable or “exe” files) is allowed to be stored on the server without the consent and approval of the IT Department.
- County employees are expected to make sensible and efficient use of server storage by deleting unused data files on a regular basis. This includes temporary copies of files, duplicate files, outdated information, etc.
- Employees are not to utilize online or cloud-based data storage/sharing services to backup, store, or transmit County related information or data.
- Data stored on personal hard drives (such as the internal “C” drive of a computer) is not backed up and is not transferred to a new computer as part of an upgrade or replacement. The County is not responsible for lost data on personal drives.

Personal Use of County Computer Equipment

The county’s computer equipment is provided to support County business and is to be used primarily for business related purposes. Except as authorized by an employee’s Department Head consistent with the safe use provisions of this policy, personal use of the County’s computer equipment is limited to occasional incidental use.

External Network Devices

Only devices approved by IT may be connected to the County network. IT support for approved devices is limited to basic installation, configuration, and troubleshooting.

Networking

Any modifications to Goodhue County’s network and/or any connectivity issues must be approved by the IT Department. The IT Department will provide all networking support including cabling consultation and contracting of services.

Wireless Networks

All wireless networks that either connect to Goodhue County's network infrastructure or operate within Goodhue County facilities must be designed, installed, and maintained by IT.

IT will conduct regular searches for installed wireless networks in Goodhue County facilities to ensure security, effectiveness, and compliance with this section.

E-Mail

Security

The Goodhue County email system is not intended to be a method of transmitting information in a secure manner outside of the County network. Data whose release to unauthorized individuals would be a violation of law or regulation or would subject the County or any employee, including volunteer personnel, to damages should not be placed on the email system. Users of the email system should always be aware that any communication may be accessed by unauthorized individuals either within or outside of the system.

All in-bound email messages are scanned for viruses, spam, and questionable content, and suspicious email is sent to a user's "quarantine" folder. Details on how to access the quarantine folder, release messages, block senders, etc. can be obtained from the IT Department.

Data Classification

All email messages are subject to the Minnesota Government Data Practices Act and are discoverable to the subject of the data and to others pursuant to the provisions of that statute. Messages that are subject to special controls, such as attorney-client communications, should be clearly marked as such and handled accordingly.

Retention

Email is only to be used for communication of information that is not the subject of retention schedules and will be disposed of immediately after action or review. Unless designated and preserved in printed form by County staff, email is not an official communication of the County and must not be used for transmitting information that is part of the official record. For business purposes, all email messages sent or received on the county email system, including attachments, will be retained for 36 months, at which time they will be permanently deleted from the system. In the event that record retention is involved, a permanent copy of the message must be made and handled in accordance with Minnesota Statutes. In the event of litigation that has or may result in a request for certain County email messages, the County Attorney or County Administrator may direct staff to refrain from the destruction of messages until further notice.

Former Employees

Access to the e-mail system terminates at the time an employee leaves employment with Goodhue County.

Internet

Access

Access to the Internet is limited to the official business of Goodhue County and must be done using the Goodhue County network only.

Management Practices

IT will provide reports when requested by Department Heads and the County Administrator of Internet usage within departments. Department Heads are responsible for ensuring that usage is appropriate to their departmental policies.

System Use

Users must limit their access to time actually spent searching for and reviewing information.

Programs and tools that continually search and update information are not permitted. These programs constantly interact with an external website on the Internet to update information on a county computer. This interaction consumes valuable network bandwidth and computer resources, and presents the possibility to download malicious code and/or viruses.

Content Filtering

Goodhue County utilizes a filtering program to limit and monitor access to websites. Department Heads are responsible for justifying exceptions to blocked websites. Even with the filtering program, Department Heads should still be diligent in monitoring staff usage of the Internet. Reports from IT are available for this purpose.

Access to email systems other than the Goodhue County email system is prohibited.

County Websites

Public Website

The public website is designed to provide citizens of Goodhue County and other interested parties access to public information retained by Goodhue County. The site content will vary over time as improvements are made and as timely information is posted and removed. The County reserves the right to determine content. The IT Department will oversee maintenance of the site and adhere to direction provided by the Board and County Administration. Departments, with the approval of the Department Head, will make timely updates directly to their web pages.

Internal Website

The internal website (intranet) is designed to provide Goodhue County employees access to information that relates to their workplace and to their County-offered benefits. The site content will vary over time as improvements are made and as timely information is posted and removed. The County reserves the right to determine content. The IT Department will oversee maintenance of the site and adhere to direction

provided by the Board and County Administration. Departments, with the approval of the Department Head, will make timely updates directly to their web pages.

Password

Goal

It is Goodhue County's goal to provide a secure environment for all County data, hardware and software programs. To provide security for our computerized environments as required by the State of Minnesota, by our customers, and by our employees, we must maintain password security. The following information outlines the steps required of each employee to maintain password security.

Password Control

Passwords must be maintained by individual employees. IT will assign an initial temporary password when an employee account is created. An IT system account request form must be completed by Human Resources in order to create a new account. The first time the employee signs on they will be required to change the temporary password assigned by IT to their own unique password.

Employees are responsible for maintaining the security and integrity of their passwords. Passwords are not to be shared with anyone at any time for any reason, including with co-workers, managers, or IT staff. Passwords should be changed immediately if there is any suspicion that it may have been compromised. For temporary or contract personnel requiring access to the County network, Department Heads will contact the IT Department to request a temporary user account providing the minimum network access permissions required for the engagement.

Human Resources must notify IT or other specified persons of the resignation, termination or reassignment of staff. This is necessary to ensure that proper and timely changes are made to system access privileges, protecting our systems against unauthorized or improper access.

Passwords that are obvious, such as nicknames, dates of birth, spouse's or children's name, hobbies, should not be used. The requirements of password length and format are available on the internal website. System software will enforce the changing of passwords and the minimum length and format.

Users must never allow the system to remember or save passwords.

Telephone

Goal

This policy is intended to cover the use of county telephones to assist employees in the performance of their tasks.

Use

County employees are expected to keep personal telephone calls and electronic communications to a minimum during normal working hours. County employees are not authorized to make personal long-distance calls without reimbursing the county.

Retention of Voice Messages

Voice messages are intended for communication of information that is not the subject of retention schedules and will be disposed of immediately after action or review unless designated and preserved in printed or recorded form by County staff. Voice messages are not an official communication of the County and must not be used for transmitting information that is part of the official record. In the event that message retention is required, a copy of the message can be made and handled in accordance with Minnesota Statutes. Voice messages more than 30 days old will be deleted whether reviewed or not. In the event of litigation that has or may result in a request for certain County voice messages, the County Attorney or County Administrator may direct that destruction of voice messages, or a certain portion of them, shall cease until further notice.

Rules of Use for Various Forms of Communication

Acceptable/unacceptable content:

- The employee's communications, including volunteer personnel, utilizing County equipment are subject to the Offensive Conduct, Harassment and Violence Policy. This applies during both work time and non-work time.
- Messages that disclose private or confidential data are prohibited, e.g., violation of Minnesota Government Data Practices Act, HIPAA, during both work time and non-work time.
- All communications utilizing County equipment must be respectful and professional, and should not be disparaging or derogatory about the County, its officials or its employees.
- Employees are prohibited from utilizing County equipment to access non-work-related blogs, message boards, chat rooms, and other similar social media forms and means of communication, during both work time and non-work time.
- There is no expectation of privacy in information stored on employer property (computers, cell phones, pagers, smart phones, etc.). The County may monitor and audit employee use of county equipment including but not limited to: Internet use, content of emails, content of text messages, photographs stored on County equipment, use of County telephones, etc.

- Consequences for violating the Technology Use policy may fall under Article 13, Separations and Discipline.

15.2 CELLULAR DEVICE POLICY

Goodhue County recognizes that cellular devices are tools needed to help manage county business efficiently.

The goals of this policy are to minimize internal and external auditing, increase accountability from the users of the listed property, and control spending. This policy recognizes that no single approach will work for all county employees. It is the county's intent to minimize the number of cellular plans as determined by good business sense.

All plans will be reviewed by the Management Team as needed.

Definitions

Cellular Device A cell phone, smart/data phone, tablets, or other cellular equipment capable of wireless communication available commercially and to the general public without licensure.

Cellular Plan Plan(s) purchased by the county to provide cellular service.

Personal Use Personal communications not related to county business.

Procedures for County Departments

Department Head/Supervisor Responsibilities

- It is the responsibility of Department Heads and supervisors to assure that cellular devices are being used to efficiently manage the county's business in conformance with this policy. These managers will determine which employees have a demonstrated need for a county-owned device, what type of a device to issue them, usage limits, and other procedures to ensure the use of cellular devices are used in compliance with the goals of this policy.
- Department Heads have the authority to waive the reimbursement in some situations, as defined in the Reimbursement Waiver subsection.
- Department Heads shall evaluate their department's plans and devices on an annual basis to ensure they meet the appropriate business needs.
- Any cellular devices/plans that could impact the county network infrastructure must meet the approval of the IT Department.

Employee Responsibility

- Employees, including volunteer personnel, using cellular devices are subject to all the laws concerning data practices and HIPAA compliance.
- Employees issued cellular devices will take every precaution to safeguard the device. Should the cell phone be lost, the Department Head and the IT Department must be notified immediately. Upon leaving county employment, the cellular device will be returned to the Department Head.
- Goodhue County IT reserves the right to remotely wipe county-issued portable devices such as smart phones or tablets that are configured to receive County email in the event that the device is lost or stolen, or if IT determines that its security has been compromised. It is the employee's responsibility to make regular backups of the device data (sync). Wiping the device means that all the data is removed, including personal files and applications.

Types of Cellular Devices

Check-Out County-owned Cellular Devices

- These devices are retained by departments and are assigned to employees by that department unless otherwise coordinated with IT. These devices are for those who need to periodically carry a cellular device, as determined by the Department Head.
- These devices should not be used for personal use at any time, except in emergencies. The Department Head is responsible for ensuring that check-out phone usage is not abused.
- The county will select the cellular service provider(s).

Assigned County-owned Cellular Devices

- These devices are assigned to employees who meet any of the following criteria:
 - Are mobile during work hours and need the cellular device to conduct county business as determined by Department Head.
 - Are required to carry the cellular device during non-working hours, such as "on-call" or "call-back to duty" status.
 - Need to carry a cellular device for another specific reason, as determined by the Department Head.
- The county will select the cellular service provider(s) and appropriate plans.

Employee Owned Device

- An employee may receive Department Head approval to use their personal cellular device for conducting county business.
- The employee may be reimbursed by the county for the minutes, texts, and data access used in a given month while conducting county business in accordance with the following:
 - Reimbursement to the employee for County work-related minutes accrued on employee's personal cellular device: \$.07 per minute
 - Reimbursement to the employee for each County work-related text message accrued on employee's personal cellular device (if there are separate charges): \$.15 per text
 - Reimbursement to the employee for costs of data access on the employee's personal cellular device will be according to their personal plan: up to a maximum of \$35/month
- The employee must submit a bill highlighting these calls, texts, and data access in a voucher to the Department Head within 30 days after the billing end date.
- If a continuing business need is demonstrated to the Department Head, an employee may be reimbursed on a recurring basis up to \$35 per month by the county for data access charges. The reimbursement process in these cases will be automated in coordination with the Finance Department.
- An employee who is utilizing a County owned cellular phone is not eligible to be reimbursed for using their personal cellular phone.
- The Department Head is responsible for ensuring that the employee is reimbursed according to the policy.

15.3 SOCIAL MEDIA

Purpose

Material circulation in Social Media has a vast base and it is paramount that our organization has a policy in place to legally protect us while guiding our interaction with the public. The purpose of this document is to establish practical, reasonable and enforceable guidelines by which our employees can conduct responsible, constructive Social Media engagement in both official and unofficial capacities.

Scope

This policy applies to all Goodhue County employees, approved volunteers, consultants, service providers and contractors performing business on behalf of Goodhue County. This policy is not applicable to the County's elected officials.

Definitions

Social Media Umbrella term to describe various forms of communication such as social networking sites, blogs, wikis, message boards, chat room, electronic newsletters, user rating services and any other online collaboration, sharing or publishing platform, whether accessed through web, mobile device, text messaging, email or any other existing or emerging communications platform.

County Officials County Administrator, Health & Human Services Director, and/or Sheriff

Social Media Administrators Person or committee in-charge of maintaining Social Media accounts on behalf of the county.

County Goodhue County Office

User Profile Account created by the county department to represent county.

Message post/comment/image or any other form of Social Media message containing information, question or response sent/received by the public/county.

Personal Interaction Use of Social Media by the employees of the Goodhue County for personal purpose that is NOT on behalf of the Goodhue County.

Policy

Sites that allow public comment shall provide a Notice that informs visitors of the intended purpose of the site and provide a clear statement of the discussion topic introduced for public comment. The Notice should contain a statement substantially as follows:

“The purpose of this page is to present matters of public interest concerning programs, activities, news, stories, and photos. Your comments are welcomed, but please note that this is a moderated online discussion page and not a public forum. Goodhue County reserves the right to remove comments in accordance with this Notice and the Goodhue County Social Media Policy.”

County social media administrators will not edit any posted comments. However, comments posted by members of the public may be removed if they fall into at least one of the following categories:

- Comments unrelated to the purpose and topical scope of the page (when indicated by the administrator of the particular site)
- Obscene or pornographic content
- Direct threats to persons or property
- Incitement to imminent lawless action
- Information which may interfere or compromise emergency management, current investigations, police tactics, and the safety of law enforcement staff, peace officers and/or emergency responders.
- Material asserted to violate the intellectual property of another person
- Private, personal information about a person published without their consent
- Information that compromises a public safety security system
- Statutorily private, confidential, or nonpublic data
- Commercial promotions or spam
- Hyperlinks to material that falls into one of the foregoing categories

Social media administrators who wish to limit comments to the purpose or topical scope of their page or site must specifically state so in the Notice to users.

County social media administrators shall not moderate content based solely on the viewpoint expressed. Comments should only be removed if they fall within one of the listed categories. Administrators shall notify members of the public anytime their comment has been removed, comment reinstated, account blocked, or account reinstated pursuant to this policy and the Notice provided to users.

A member of the public whose comment is removed may appeal the removal of the comment and seek reconsideration by contacting the County in writing and explaining how the comment does not fall into one of the categories for removal. A written response should be provided as soon as reasonably possible. All appeals will be reviewed and ruled upon by the County Official who oversees administration of the respective social media account.

Repeated posts in violation of this policy may result in the administrator blocking user from the site for period of up to one year depending on the nature and extent of the violations. Administrators shall notify members of the public anytime they are being blocked from the website and the reasons thereof. A member of the public who has been banned from an account may appeal that decision using the appeal process noted above. All appeals will be reviewed and ruled upon by the County Official who oversees administration of the respective social media account.

A member of the public who disputes the legality of any portion of this policy may dispute the particular portion in writing. The County should acknowledge the claim promptly and, upon consultation of the County Attorney, respond to the claim concerning legality of the policy portion as soon as reasonably possible under the circumstances.

This section of the policy must be displayed to members of the public utilizing County social media platforms through notice available via hyperlink. Any content removed based on these guidelines must be retained subject to applicable retention periods, including the time, date and identity of the person who posted when available.

Social Media Management Policy

This section is to aid the County in following policies designed to help in the management of Social Media profiles. Certain requirements need to be met in order to create, run and maintain a user profile.

Management Responsibilities:

- Department use of Social Media technology shall conform to this policy as well as all other applicable county policies, protocols, and procedures.
- A Department Director's decision to utilize Social Media shall consider the department's mission and goals, audience, technical capabilities, potential benefits, and potential

costs or risks. Department Directors are responsible for determining who is authorized to use Social Media on behalf of the department, and for designating appropriate access levels

- Each department may create a procedure manual for employees to follow that adheres to this Social Media policy.

Account Creation:

- For any official Social Media profile created, the County Administrator's Office and the IT Department must have access as an Administrator of the page.
- All Social Media accounts must be authorized by the County Administrator's Office and the IT Department prior to being created. Social Media network access shall be limited only to those with a clear business purpose to use the forum.
- County Social Media network accounts shall be created using an official County email account.
- A Department may request approval of additional Social Media networks as needed using the appropriate form(s).

Authorized Use:

- A Social Media Administrator must be designated, who shall assume the responsibility to oversee the department's Social Media activity and policy compliance.
- Authorized users shall be provided a copy of the County's Social Media policy and are required to acknowledge their understanding and acceptance via signature.
- Account password information shall only be shared with authorized staff that has been designated by the Department to fulfill the role of the Social Media account Administrator.

Content Management:

- Official county pages/profiles or forums may not be used by any employee or representative for personal financial gains, private or personal purposes or for expressing their personal views on any issues.
- All County Social Media page postings and updates must be approved by Social Media Administrator.
- The County and its designated officials may monitor content on each of the Social Media sites to ensure adherence to the Social Media Policy for appropriate use, message and branding consistent with the goals of Goodhue County.
- Sites shall contain visible elements that identify them as an official Goodhue County page. Among other items, this includes displaying official Goodhue County seals, department brands, contact information and a link to department websites.

- Information shared through Social Media channels shall fully comply with Department policies and procedures and shall not disclose confidential or proprietary information.
- Departments shall maintain a record of Social Media sites created that includes, but is not limited to:
 - a log file containing the name of the Social Media network, account id, password, registered email address, date established, authorized representative(s) and the name of the person who created the account.

Interaction with Public

- Department Social Media Administrators shall review site activity and content regularly for violation of public policies listed in Section 1 of this policy.
- Upon receiving any form of message from the public, which includes posting, comments, images, and any other forms of Social Media communication with the intent to interact with the county, the following possible actions could be taken:
 - Reply: If the message is compliant with the public policy and seeking information, only the authorized staff is allowed to reply with correct information. The provided answer must be thoroughly verified for accuracy, spelling and grammar.
 - Delete/Hide: If the message is NOT compliant with the public policy, the post/comment/image or any other form of Social Media message must be deleted. If the message seeks for information, the authorized staff may still reply with an answer and a response as to why their message was deleted.
 - Social media administrator must notify the member of the public their post/comment/image was deleted and the policy violation with the following text:
 - “Hello, your comment on the post regarding [INSERT POST CONTENT] has been removed for violating our social media policy where comments containing [INSERT POLICY LANGUAGE] are prohibited. If you would like to appeal or learn more about our policy, please visit [INSERT WEB LINK].”
 - Block: If a public user repeatedly violates the public policy listed in Section 1 of this policy, following three documented occurrences, they may be blocked by the authorized staff.
 - Social media administrator must notify the member of the public of their access being blocked.
 - “Hello, your access to [INSERT SOCIAL MEDIA ACCOUNT] has been blocked following the removal of three separate comments with prohibited material according to our social media policy. At this time, your account will be banned from accessing this social

media page's content for six months. However, if you would like to appeal this blocking, please visit [INSERT WEB LINK] with instructions on how to do so.”

- All interactions with public related to removal of posts or blocking access to sites must be logged and retained by the Social Media Administrator, subject to applicable retention periods.

Social Media Archiving:

- Social Media activities, such as responding to a comment, deleting a comment, or blocking an account, are not automatically logged or archived. It is the responsibility of the Social Media Administrator to ensure these types of activities are logged in the event of a complaint or legal action by a member of the public.

Policy for Personal Interaction with Social Media

This should help the employees of Goodhue County be informed on how to interact with Social Media with their personal profiles. Failure to comply with these Social Media policies may result in disciplinary action, up to and including termination. Failure to comply may also result in civil or criminal penalties as provided by law. All employees must abide by the following guidelines:

Guidelines for posting content:

- Refrain from using Social Media sites in a manner that may damage or reflect discredit to the County's good reputation by posting content created, owned, associated with or held as a custodian by the County, including but not limited to intellectual property, trademarks, logos, copyrighted material, or images depicting County uniforms, vehicles, facilities, or other items identified with the County or its business partners.
- Do not engage in prohibited Social Media conduct including posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.
- Do not engage in harassment, threats, intimidation, ethnic slurs, personal insults, obscenity, racial or religious intolerance and any other form of behavior prohibited in the workplace is also prohibited via Social Media channels.
- Do not publish, post or release any information that is considered confidential or not public. If there are questions about what is considered private or confidential, check with the Data Practices Officer and/or supervisor.
- Do not publish, post or advocate any information that promotes illegal behavior.

Usage of Social Media during work:

- Accessing Social Media for personal purposes during work hours is not permitted, except under the following circumstances:
 - When brief personal communications may be warranted by extenuating circumstances (e.g., inform family of extended hours).

- During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.
- Employee use of Social Media during work hours may be monitored and recorded.
- Employees should have no expectation of privacy while using County email, computer systems, networks, mobile devices, cell phones, or any other County owned communications device to access any type of Social Media. This includes the use of personally owned communication devices if the employee is the recipient of any cellular reimbursement.

Sharing Content Obtained Through Employment and Not in the Public Domain:

- An employee must get appropriate permission before referring to or posting images of current or former employees, members, vendors or suppliers. Additionally, employees should get appropriate permission to use third party copyrights, copyrighted material, trademarks, service marks or other intellectual property.
- An employee must get appropriate permission before posting or releasing any kind of information that specifically identifies the County without express authorization from the specific department.
- Employees are prohibited from sharing anything via Social Media channels that could violate another employee's right to personal privacy. Examples of Social Media disclosures that may compromise an employee's right to privacy include, but are not limited to: pictures, video, audio, or personally identifiable information.
- Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any Social Media profiles/webpages maintained by the employee.
- If an employee has access to information of any not public data, photograph, video, recording or any other form of data obtained or accessible as a result of their employment with Goodhue County, they are not allowed to use or disclose that information without express authorization from designated authority in charge of handling that data.

Identity disclosure:

- If an employee who is NOT authorized to speak on behalf of the County has valuable information that could benefit those affected by a crisis, disaster or emergency, they may share that information via Social Media channels, so long as they include a disclaimer and do so in accordance with the guidelines of this policy.
- If you engage in Social Media channels about Goodhue County while NOT on behalf of Goodhue County, you must disclose your identity and affiliation with Goodhue County.
 - When engaging in Social Media about Goodhue County and NOT in an official capacity as a county employee, you must add a disclaimer such as:

- “I work for Goodhue County and this is my personal opinion.”
- “I am not an official spokesperson for the County; my personal opinion is...”
 - “The postings on this site are my own and don't necessarily represent Goodhue County’s positions, strategies or opinions.”

15.4 MEDIA INQUIRIES

From time to time Goodhue County employees may be approached by reporters and other members of the media. In order to ensure that we speak with one voice and provide accurate information about the County, we should direct all media inquiries, dependent on subject matter, to the County Administrator, County Attorney, County Sheriff, Health & Human Services Director and/or designees. No one may issue a press release without first consulting, dependent on subject matter, with the County Administrator, County Attorney, County Sheriff, Health & Human Services Director and/or designees.

15.5 MEDIA RELEASE WAIVER

All employees, excluding those within the Sheriff’s Office and Health & Human Services, must grant or refuse permission for Goodhue County to take photographs, video, or audio footage of themselves in the capacity of their employment. By doing so, employees understand and give permission for this media to be utilized in any media format, now or hereafter for future programs, events, displays or other purposes as determined by Goodhue County. Employees would thus release to Goodhue County all rights to exhibit this work publicly or privately in any format without compensation or additional consideration.

15.6 BRANDING

Use of the County logo, seal, tagline, or any branding assets shall be governed by the brand guidelines established by the Board of Commissioners. Any use of branding outside of these approved guidelines are prohibited under this policy.

Chapter 16 – Forms and Acknowledgements

16.1 CONFIDENTIALITY STATEMENT

Goodhue County Employee and Volunteer Personnel Pledge to Confidentiality

I understand that Goodhue County provides services to clients and/or employees that are private and confidential and that I play a significant role in respecting the privacy rights of clients associated with Goodhue County. I understand that in order to provide related services to our clients/employees, it is necessary that I receive personal information and that the information may exist in a variety of forms such as electronic, oral, written or photographic and that this information is strictly confidential and protected by federal and state laws.

I agree to comply with all confidentiality–related policies and procedures enacted by Goodhue County, federal and/or state laws. If I, at any time, during my entire employment knowingly or inadvertently breach the client confidentiality policies and procedures, rules and/or regulations, I agree to notify my supervisor immediately. I also agree to return any and all client confidential information in my possession.

I, as the individual accessing and preparing private or confidential data for summary purposes, understand that the Minnesota Data Practices Act (MS 13.08) provides for the protection of private and confidential data. Any violation of that law, including improper disclosure of the private or confidential data which I have access to may result in civil or criminal penalties. If I fail to abide by any policies, rules or regulations, I may be subject to disciplinary action which may include verbal, written warning, suspension or termination.

Penalties due to a violation of policy may include:

1. An agency or responsible authority which violates any provisions of MS 13.08 is liable to an individual who suffers any damage as a result of the violation, including civil damages sustained, costs, and reasonable attorneys' fees. If the violation is willful, the agency is also liable for exemplary damages of not less than \$100 nor more than \$10,000 for each violation. (MN Statute 13.08 (1)).
2. Any person who willfully violates the provisions of Section 13.08 or any lawful rules and regulations promulgated thereunder is guilty of a misdemeanor. (MN Statute 13.09).

This pledge does not constitute a contract, nor does this pledge imply an employment contract, nor does it insure continued employment.

Signature: _____ **Date:** _____

Printed Name: _____

16.2 ACKNOWLEDGEMENT

By signing below, I acknowledge that I have read and understand these policies dated _____ and effective January 1, 2024 for Goodhue County, Minnesota. I understand that these policies are not a full statement of county procedure or a legal contract.

I understand this document will be maintained on the Goodhue County intranet during my employment and will be updated periodically. I am responsible for understanding and following the contents of the personnel policy and copies are available on the County intranet or by request from the Human Resources Department. I am required to sign this acknowledgement and understand failure to sign this document may be a violation of Chapter 13 Discipline.

I understand that only the current version of this personnel policy, as approved by the Goodhue County Board, together with any additional policies adopted by the Board, shall be in force and effect.

I understand this policy replaces previous County-wide personnel policies which have been in force and effect up to this time. This policy may be superseded by departmental procedures or labor contracts.

Signature: _____ **Date:** _____

Printed Name: _____

16.3 NOTICE OF INTENT TO COLLECT PRIVATE DATA FROM EMPLOYEES

Tennesen Warning Notice

All Goodhue County employees approved volunteer personnel, consultants, service providers and contractors performing business on behalf of Goodhue County and elected officials, are asked to provide the private data listed below for the purposes noted. The County is required to provide this information to local, state and federal governmental agencies and benefit providers in order to provide you with services and benefits accorded to County employees. County employees who perform personnel or payroll functions may have access to the data, provided their work reasonably requires access. Others who have legal access to the data: State Auditor, State Attorney General, entities specifically designated below, enforcement agencies with statutory authority, and any other person or entity authorized by law or court order.

Home Address and Telephone Number: Needed to contact you for work-related matters and to send you important documents. Home address is also required for completion of the Federal Employment Eligibility Verification form (I-9); as the County is legally obligated to provide home address to the Social Security Administration, Internal Revenue Service, applicable State Department of Revenue, applicable State retirement system, and Department of Human Services. Additionally, if your position is eligible for insurance coverage or represented by a labor organization, applicable insurance carriers and the labor organization representing you have a legal right to this information. You are not legally required to provide this data, however, if you do not provide a home address, you may not receive important documents, the County cannot fulfill its legal obligations and your eligibility for employment may be affected. If you do not provide a home telephone number, your agency may not be able to contact you when necessary.

Social Security Number (SSN): Needed for reporting earnings and taking deductions, as required by law. It is also required for completion of the Federal Employment Eligibility Verification form (I-9). You are legally required to provide your SSN so that we may employ you. Per Federal Internal Revenue Laws, the County is legally obligated to provide your SSN to the Social Security Administration, Internal Revenue Service, and applicable state department of revenue. The following State agencies also have a legal right to employee SSN's: applicable State retirement system (MN. Statutes, Chapters 352-356), Department of Human Services (MN Statutes, section 256.998), and Department of Economic Security (Mn Statutes, section 268.044). Also, if your position is eligible for insurance coverage, applicable insurance carriers may have access to this information, in accordance with Mn. Statutes, section 43A.23, 62J.54, and 13.05.

Birth Date: Needed to ascertain your retirement status, to determine your cost for certain optional insurance coverage, and to determine actuarial rates. It is also required for completion of the Federal Employment Eligibility Verification form (I-9). You are not legally required to provide your birth date; however, your eligibility for employment may be affected if you do not provide it. Additionally, it would not be possible to determine your eligibility for retirement, severance pay, and certain optional insurance coverage. The Minnesota Department of human services, applicable insurance carriers and applicable State retirement systems has a legal right to this information.

Ethnic Group, Disability Status, Gender: Needed to determine if the County has a diverse workforce, that is representative of all Minnesotans. You are not legally required to provide this

data. However, without this information, the County may not be able to effectively carry out state and federal equal opportunity and affirmative action mandates. Applicable insurance carriers and State retirement system have a legal right to obtain your gender.

Marital Status: Needed to determine eligibility for insurance and death benefit payments. You are not legally required to provide your marital status. However, without this information, certain insurance eligibility determinations and death benefit payments may not be possible. Applicable insurance carriers and State retirement system have a legal right to this information. This information is not needed if your position is not eligible for insurance or retirement benefits.

Emergency Contact Information: Needed so that someone may be contacted if an emergency occurs and you need assistance. You are not legally required to provide this information. However, if you do not provide it, we will not be able to contact anyone if an emergency occurs.

Questions: If you have any questions about the information asked of you on any of the Goodhue County benefits, employment or other personnel forms, please contact the Goodhue County Human Resources Department, Government Center, 509 W. 5th Street, Red Wing, MN 55066.

By signing below, you acknowledge that you have been given an opportunity to read this notice and understand the intended use of private data provided.

Signature: _____ **Date:** _____

Printed Name: _____

16.4 CONFLICT OF INTEREST FORM

Name: _____

Department: _____

As a Goodhue County Department Head/Elected Official/Elected Representative/County Employee, I have reviewed the Rules of Conduct/Code of Ethics policy.

If an employee has a potential conflict of interest, employees are instructed to complete the ***Conflict of Interest*** form and return it to the Department Head who will forward the form to the Human Resource Department for inclusion in the employee’s personnel file.

As a result, I recognize that I may have a Conflict of Interest as stated below.

Signature: _____ **Date:** _____

MY CONFLICT IS AS FOLLOWS:

16.5 NO CONFLICT OF INTEREST FORM

Name: _____

Department: _____

As a Goodhue County Department Head/Elected Official/Elected Representative, I have reviewed the Rules of Conduct/Code of Ethics policy.

As a Department Head, by January 31st of each year, I acknowledge that I have reviewed this policy with all my employees. If an employee has a potential conflict of interest, employees are instructed to complete the **Conflict of Interest** form and return it to the Department Head who will forward the form to the Human Resource Department for inclusion in the employee's personnel file.

To the best of my knowledge, I certify that I am **not** in violation of this policy.

Signature: _____ **Date:** _____