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TO: Honorable Goodhue County Commissioners
FROM: Mary Priebe, Human Resources Manager
DATE: 02/08/2023
RE: Referencing Volunteer Personnel in Personnel Policy

HR is seeking Board approval of minor modifications to the personnel policy. Our policy manual applies to all paid employees but there is a need to specifically include volunteers in the following individual sections:

- 1.3 Scope
- 1.7 Definitions
- 2.1 Affirmative Action – Equal Employment Opportunity
- 7.16 Continuation of Operations
- Ch. 8 Diversity, Equity, inclusion
- 8.4 Firearms at work
- 8.5 Offensive Conduct, Harassment, and Violence
- 11.1 Rules of Conduct/Code of Ethics
- 11.2 Dress Code
- 11.4 Solicitation
- 11.6 Data Practices
- 11.8 Indemnification
- 15.1 Technology Users
 - Responsibilities of Goodhue County Employees
 - E-Mail Security
 - Rules of Use for Various Forms of Communication
- 15.2 Procedures for County Departments/Employee Responsibility
- 15.3 Social Media
- 16.7 Confidentiality Statement
- 16.9 Tennessen Warning Notice

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 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.

1.7 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.

Cultural Competence:

The ability to interact effectively across difference. We acknowledge that a 'one size fits all' approach is not effective and actively seek ways to make our services accessible and culturally relevant.

Department Head

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

Demotion

Demotion means a voluntary or 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.

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 because of a protected class status.

Diversity:

Recognizes the unique differences of all individuals. This includes the many apparent and non-apparent ways which people differ in their identity such as: age, gender and gender identity, race, ethnicity, national origin, language, religious beliefs, sexual orientation, veteran status, gender identity, mental or physical ability, marital status, family status, or educational background.

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 a protected class status that is intimidating, hostile or abusive. This includes sexual harassment. Inclusion: an environment that is built on respect and which creates a sense of belonging for all who live and work here. By being inclusive we acknowledge and value individual contribution as well as the background and identity of those with whom we work, partner, or serve.

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. Employees working under the Minnesota Merit System will work together with the Human Resource Department.

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.

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.

Minnesota Merit System

The Minnesota Merit System (MMS) is a division of the State Department of Human Services and is established according to federal and state law. MMS requires that all employees, that are funded in whole or in part by federal monies and who are engaged in the administration of health and human services, must participate in a merit system of personnel administration that meets the federal requirements for a merit system as contained in federal regulations, Title II of the Intergovernmental Personnel Act.

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 permanent 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. unless approved by their supervisor. All intermittent, 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/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. Probationary periods will be six months for a promoted employee.

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.

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

The movement of an employee from one position to another position.

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.

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.

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.

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, **including 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.

8.4 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 or 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 conduct 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.

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.

11.4 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.

11.6 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.

11.8 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.

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 noncounty 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, including 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 nonwork-related blogs, message boards, chat rooms, and other similar social media forms and means of communication, during both work time and nonwork 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 checkout 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 volunteer personnel**, 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.

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.

Controversial Issues Issues that form the basis of charged debate that often provoke strong emotional response. Examples include political or religious views, healthcare reform, gun control, etc.

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 inform visitors of the intended purpose of the site and provide a clear statement of the discussion topic introduced for public comment. It is important that the public is aware of the limited nature of the discussion and that inappropriate posts are subject to removal, including but not limited to the following types of postings regardless of format (text, video, images, links, documents, etc.):

- Comments not topically related to the particular Social Media article being commented upon;
- Comments in support of or opposition to political campaigns or ballot measures;
- Profane language or content;
- Rude, disparaging or discourteous comments directed at specific individuals, groups, or organizations
- Content that promotes, fosters, or perpetuates discrimination;
- Sexual content or links to sexual content;
- Solicitations of commerce and posting ads
- Illegal conduct or encouragement of illegal activity
- Information that may tend to compromise the safety or security of the public or public systems
- Content that violates a legal ownership interest of any other party;
- Comments or content that harass or advocate harassment of another person;
- Comments or content that poses or creates a privacy or security risk to another person
- Comments or content soliciting or designed to solicit passwords or personal identifying information
- Comments or content that includes a photograph or video of another person posted without the person's permission and consent.

These guidelines must be displayed to users or made available by hyperlink. Any content removed based on these guidelines must be retained, including the time, date and identity of the person who posted when available.

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 discriminatory behavior and any other form of prohibited workplace behavior 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 Human Resources Department 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:

- 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. 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. 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 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.”

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, 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. 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 daily 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: 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. Any content removed based on these guidelines must be retained, including the time, date and identity of the person who posted when available.
 - Block: If a public user repeatedly violates the public policy listed in Section 1 of this policy, they may be blocked by the authorized staff.
- All interactions with public involving controversial issues must be logged by the Social Media Administrator.

Sharing Content:

- An administrator must get appropriate permission before referring to or posting images of current or former employees, members, vendors or suppliers.

Additionally, administrators 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. 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. 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.

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.

16.7 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.

16.9 NOTICE OF INTENT TO COLLECT PRIVATE DATA FROM EMPLOYEES

Tennessee 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: _____