

MIAMI COUNTY, KANSAS

PERSONNEL RULES AND REGULATIONS



Approved by the Board of County Commissioners
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- ADMIN POLICY Petty Cash
- ADMIN POLICY Purchasing Policy & Procedures
- ADMIN POLICY Purchasing Card Policy & Procedures
- ADMIN POLICY Retiree Gift

ADMIN POLICY Flex-Time
ADMIN POLICY Telecommuting
ADMIN POLICY Vehicle Usage
ADMIN POLICY Social Media Policy

EMPLOYEE RESOURCES

COUNTY CONTACTS

Human Resources Department	913-294-9530
County Administrator	913-294-9500
County Counselor	913-294-9500

WEB RESOURCES

Miami County Website	www.miamicountyks.org
Employee Access Portal	www.miamicountks.org/employeeportal
Americans with Disabilities	www.ada.gov
Department of Labor	www.dol.gov
DOL Fair Labor Standards Act	www.dol.gov/agencies/whd/flsa
Equal Employment Opportunity Commission	www.eeoc.gov
Family Medical Leave Act	www.dol.gov/agencies/whd/fmla
KS Workers Compensation	www.dol.ks.gov/workers-compensation
Pregnant Workers Fairness Act	www.eeoc.gov/statutes/pregnant-workers-fairness-act
Pump Act	www.dol.gov/agencies/whd/pump-at-work

BENEFIT RESOURCES

Blue Cross & Blue Shield of KS	800-432-3990
Delta Dental of KS	800-234-3375
HSA Bank	800-357-6246
EAP – KEPRO (KCLEAP5)	877-239-8783
KC Life Insurance	800-821-6164
KPERs / KP&F Retirement	888-275-5737
VSP Vision Insurance	800-877-7195
WEX Flexible Spending	866-451-3399

SECTION 1: EMPLOYMENT POLICIES AND EMPLOYEE RECORDS

MISSION STATEMENT

To provide the community with quality professional services and effective use of resources through responsive, interactive, and progressive government; to safeguard community trust and funding; and, to promote and enhance the highest possible quality of life, while respecting individual rights and human dignity.

INTRODUCTION AND DISCLAIMER

The purpose of this handbook is to (1) provide understanding and direction for our human resources programs; (2) clarify action to be taken to minimize the possibility of unauthorized personnel actions; and (3) provide a record to guide future policy and serve as a framework for the revisions that appear to be desirable on the basis of experience. This handbook is an overview of policy information and may not contain comprehensive details about employment regulations. For that reason, specific questions concerning eligibility of benefits, or the applicability of a policy or practice should be directed towards the Human Resources Director.

The contents of this handbook are presented for information. The county reserves the right to change, revoke, interpret and make exceptions to any provisions of this handbook, permanently or temporarily, with or without notice. No policy, benefit, or procedure implies or may be construed to imply this handbook (or any provision or policy in this handbook) to be an employment contract, express or implied, for any period of time, or for any specific terms and conditions of employment, under any circumstances.

All management and administrative functions, responsibilities and prerogatives entrusted to and conferred upon employers inherently and by law are retained and vested exclusively with the county, including but not limited to the right to exercise our judgment to establish and administer policies, practices and procedures (including the right to interpret, change, revoke and make exceptions to them), to direct and discipline our work force and to take whatever action is appropriate in our judgment to operate efficiently. This handbook does not override federal, state, and local laws, acts, and rules. It is not considered all-inclusive, but rather a set of policies for Miami County employees.

1.1 AT WILL EMPLOYMENT

This handbook or any provision contained in it does not constitute an implied or expressed employment contract that guarantees employees a right to continued employment. Employees are at-will employees.

Employment is with the mutual consent of the employee and Miami County. Consequently, both employees and Miami County have the right to terminate the employment relationship at any time. "Employment at will relationship" may not be modified by an oral or implied agreement.

1.2 EQUAL EMPLOYMENT OPPORTUNITY

As part of the overall Equal Employment Opportunity Program, the Miami County Board of Commissioners declares and affirms a policy to govern equal employment opportunities within the county service. Miami County will undertake efforts to recruit minority group members and women in all job categories in which they are found to have been under-utilized.

1.3 VETERANS PREFERENCE

Men and women veterans showing honorable discharges from the military service during times of war or military action shall be given priority over other candidates with matching backgrounds, qualifications, and suitability when they apply for a vacant position.

1.4 AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990 (ADA), the county does not discriminate against employees with disabilities in regard to any aspect of their employment. In an effort to provide all employees with an equal opportunity to work for the county, the county will make reasonable accommodations for the known physical and mental disabilities of its employees. Accordingly, if an employee believes that he or she has a disability that requires an accommodation, the employee should notify, in writing, his or her supervisor and the Human Resources Director of the need for accommodation.

1.5 RECRUITMENT

Miami County is an Equal Opportunity Employer. Notices of all regular job openings are normally posted. Posted job notices will include the dates of the posting period, job title, department, grade level and rate of pay, job summary, essential duties, and qualifications (required skills and abilities).

Information on job openings and hiring practices will be provided to the appropriate recruitment sources by the Human Resources Department to inform the community and create a quality and diverse pool of applicants.

1.6 SELECTION PROCESS

A. Application Process

All persons expressing interest in employment with the county shall be given the opportunity to file an application for employment for positions which are vacant. Applications shall be kept in a reserve file per federal and state retention laws.

B. Interview Process

Applications may be reviewed by the Human Resources Director for determination that required qualifications are met then forwarded to the Department Director. The selection process will be determined by the type and kind of position vacant. However, candidates shall be evaluated on their education, skills, and experience qualifications required for the position.

C. County Employee Preference

Miami County reserves the right to hire within. In an effort to encourage upward mobility, Miami County employees may be given priority over external candidates with matching backgrounds, qualifications, and suitability.

D. Position Vacancy

For the purpose of this Section, a vacancy is created when the county increases the work force and/or chooses to fill a vacancy created by a termination, resignation, transfer, promotion, or demotion. Vacancies may be filled by promotion whenever possible, provided however, that the selected employee has the suitable background and qualifications required for the position. Miami County supervisors have the responsibility of selecting the most suitably qualified candidate.

1.7 **APPOINTMENT PROCESS**

Before any employment offer is made to an applicant either internal or external, final candidates will be interviewed and participate in required investigations and examinations.

A. Physical Assessment and Drug Screen

Individuals employed by Miami County may be required to undergo a physical assessment and/or agility test. All offers of employment are conditional until verification of successful completion (with-out restriction) of this exam. Additionally, final appointments are contingent upon favorable results of a drug screening test.

B. Background and Criminal Record Investigation

1. All final candidates for Miami County positions shall undergo a background and criminal record investigation, as well as a driving record investigation if the classification requires a driver's license. Miami County will conduct or cause to be conducted any investigation it deems necessary and to make inquiries of other employers and personal references to arrive at an employment decision. Falsification, misrepresentation, or omission of any facts in the employment application (and other accompanying or required documents) will be cause for denial of employment or immediate termination of employment regardless of the timing or circumstances of discovery. Unsatisfactory results from, refusal to cooperate with, or any attempt to affect the results of these tests and checks will result in withdrawal of any employment offer or termination of employment if already employed.
2. The Human Resources Department shall evaluate the results of any such required investigations and either qualify or disqualify the candidate for employment.

C. Final Recommendation

A final recommendation including the position to be filled, the salary to be paid subject to provisions of Section 2.4E, and the reasons for selecting the candidate over other candidates shall be made to the County Administrator by the Department Director.

D. Records of Hiring Process

All applications, interview notes, and other information relating to the hiring process shall be retained by the Human Resources Department for a minimum period of three (3) years.

1.8 MINIMUM AGE EMPLOYMENT POLICY

Employees shall be at least eighteen (18) years of age. Exceptions to this policy shall first be approved by the County Administrator.

1.9 NEPOTISM

Miami County prohibits the hiring of relatives in any department or location if one of the individuals would report directly or indirectly to the other. Exceptions to this policy must be approved in advance by the County Administrator. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the individual is similar to that of persons who are related by blood or marriage.

Employment of relatives in the same department or location may cause serious conflicts and problems with favoritism and morale. Department Directors are, therefore, encouraged not to hire employees who are related. The County will monitor situations in which relatives work in the same location. In case of actual or potential problems, Miami County reserves the right to take prompt action, which may include reassignment or, if necessary, termination of employment for one or both of the individuals involved. The same policy will apply to any individuals who become relatives while they are already employed with Miami County.

1.10 ORGANIZATIONAL CHART

Miami County has developed an organizational chart to manage budgeted and approved positions within county departments and funds. The organizational chart will represent the official position roster of the county. Amendments to the organizational chart will be approved by resolution of the County Commission and maintained by the Human Resources Department.

1.11 CLASSIFICATION SYSTEM

All positions in the service of Miami County shall be either elected, regular, introductory, part-time, or seasonal. Each regular, introductory, and part-time position shall have a concise, descriptive title, a description of the duties and responsibilities of positions in the class, and a statement of the minimum qualifications required for such positions. Such descriptions shall be approved by the County Administrator and kept on file in the Human Resources Department. Each job classification shall be assigned a pay range by the County Administrator.

1.12 POSITION OR EMPLOYEE STATUS

Elected Officials: Hold positions that are filled by election. These positions are exempt from all personnel policies but shall receive insurance and retirement benefits (including Assistant County Attorneys).

Regular Employees: Includes regular full-time and regular part-time positions, such employees may be “exempt” or “non-exempt” as described in section 1.12. Regular employees are defined as:

Regular full-time: An employee scheduled 40 hours per week or a minimum of 2,080 per year. Regular full-time employees are entitled to all rights and benefits of Miami County as defined in the Personnel Rules and Regulations.

Regular part-time: An employee scheduled a minimum of 30 hours per week, but less than 2,080 per year. Regular part-time employees are entitled to most rights and benefits of Miami County on a pro-rata basis, or as otherwise defined throughout the Personnel Rules and Regulations.

Introductory Employees: The introductory period shall be at least six (6) months and must be successfully completed for an employee to obtain regular status. Both Miami County and the employee use this time to determine whether employment is satisfactory, and services are to be retained. At the end of six months, an evaluation of the employee’s performance shall be conducted, and the Department Director shall extend the introductory period up to six-months, dismiss the employee, or request regular employment status. An introductory employee may be dismissed at any time without rights to the formal complaint resolution process.

Part-Time Employees: Includes employees which are scheduled to work less than half of the time of a regular employee, on a consistent and continuous basis. Hours of part-time employment will be based upon budgeted full-time equivalent (FTE) status for the position. Part-time employees are not eligible for benefits except for those required by federal, state, local law, or KPERs retirement guidelines (see section 8).

Seasonal Employees: Includes positions normally scheduled to work less than six months or are paid on a services, event, or engagement basis. Employees hired on a seasonal / temporary basis are not eligible for benefits except for those required by federal, state, or local law.

1.13 FLSA EMPLOYEE STATUS

Position and employee status will be determined by the US Department of Labor Wage and Hour laws and requirements as defined in the Wage and Fair Labor Standards Act.

Non-exempt FLSA: Includes positions that are paid one and one-half times base pay rate for overtime worked in accordance with the provisions of the federal Fair Labor Standards Act (FLSA).

Exempt FLSA: Includes positions exempt from the provisions of the federal Fair Labor Standards Act (FLSA) and are paid on a salary basis.

1.14 CITIZENSHIP VERIFICATION

All employees hired after November 7, 1986, for any position with the county shall complete an employment eligibility verification statement in compliance with the Federal Immigration Reform and Control Act of 1986.

1.15 EMPLOYEE RECORDS

A. Employee Records

The Official Personnel file for each employee shall also include, but not be limited to, the following:

1. Application forms, résumés, transcripts, and letters of recommendation.
2. Disciplinary Action forms.
3. Performance Evaluations.
4. All personnel forms.

B. Supplemental Employee Files

Department Directors have the option of maintaining supplemental employee files within their departments. However, no disciplinary action shall be taken based on any documentation that has not been filed in the employee's personnel file maintained in the Human Resources Department.

1.16 AVAILABILITY OF EMPLOYEE RECORDS

A. Employee Inspection of Own File

Employees have the right to inspect their own official personnel file by filing a request to inspect such records with the Human Resources Department.

B. Kansas Open Records Act

Under K.S.A. 45-215 et seq., the Kansas Open Records Act, any member of the public may request, and shall be provided the names, positions, salaries, and length of service of officers and employees of the county. No other information shall be provided without the express, written permission of the employee or officer.

C. Other Access

An employee's personnel file may not be inspected except by the Board of County Commissioners (collectively), the County Administrator, the Human Resources Director, County Counselor, Department Directors for their departmental employees, or pursuant to a lawful order issued by a court or other legal jurisdiction. The employee may provide written permission for inspection of other matters. Any request to inspect records shall be made to the Human Resources Director during normal working hours. Records may not be removed from the Human Resources office without the approval of the Human Resources Director.

1.17 GUARDIAN OF INFORMATION

The Human Resources Director shall be responsible for authorizing the release of any information from county personnel records. Requests for information from public records must be approved or denied within three (3) full working days of the request.

1.18 NOTIFICATION OF CHANGES OF ADDRESS OR TELEPHONE NUMBERS

Employees are required to promptly notify the Human Resources Department of any change of personal address or telephone numbers.

SECTION 2: EMPLOYEE DEVELOPMENT / COMPENSATION

2.1 PERSONNEL FORMS

The Human Resources Department shall have full responsibility for the development and management of all personnel forms.

2.2 JOB DESCRIPTIONS

Job descriptions are required for each position including, detailed descriptions of the actual job duties and responsibilities for the particular position. Each job description will define the positions cultural competencies, essential duties and responsibilities, position requirements, knowledge, skills, ability, and physical demands. Job descriptions are reviewed annually by the department director. The Human Resource Department will receive and maintain the official set of all approved job descriptions. At start of employment and employee evaluation, they are signed by employee and given a copy.

Job descriptions are official documents of the county and cannot be changed or altered. A department director requesting changes to a position job description should contact the Human Resources Director to start the process.

2.3 PERFORMANCE EVALUATIONS

Performance evaluation is an on-going process. Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's initial introductory period in any new position. This allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted at least annually to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. The effective date of a transfer, promotion or demotion shall be used to determine new introductory and evaluation dates for employees if the anniversary date is used by the department for the purpose of scheduling performance evaluations.

The Human Resources Department will coordinate the evaluation process by forwarding performance evaluation forms to the Department Director at the beginning of the year. October 1 is the deadline for all annual evaluations to be completed, signed, and returned to the Human Resource Department. Completed evaluation forms must be returned to the Human Resources Department by the return deadline date in order for the employee to receive a salary adjustment at the proper time. Failure to return forms by the return deadline will cause the employee to receive salary adjustments retroactively in a later pay period.

As previously mentioned in Section 2.2, job descriptions are to be reviewed annually by Department Directors. Current job descriptions are forwarded to and kept on file electronically by the Human Resources Department.

An employee's performance evaluation will include an overall evaluation rating for the employee. Satisfactory completion of an employee's performance evaluation will be determined as a rating of 2.0 or higher. Ratings will be considered as follows:

0.0 – 1.99	Unacceptable Performance
2.0 – 2.99	Satisfactory Performance
3.0 – 3.99	Excellent Performance
4.0	Outstanding Performance

2.4 INTRODUCTION OF COMPENSATION AND PAY PLANS

Compensation for county employees and elected officials is subject to the County Commission approval, budget authority, and pay plan rules and pay ranges. Compensation for employees will be determined by the following methods:

Position Classification & Pay Scale: This plan governs wages for all non-elected county employees.

Elected Officials: Salaries for all elected officials are established annually by the County Commission and adopted by resolution.

2.5 POSITION CLASSIFICATION & PAY SCALE

A. General Description

The objective of the position classification and pay scale is to provide standardization of pay by assigning positions to job classifications and grades based on the positions required knowledge, supervisory control, available guidelines, position complexity, scope and effect, contacts, and physical and environmental demands. The job description provides a basis for the appropriate position classification according to the general character of the position, the regularly assigned duties and responsibilities, and the knowledge, skills and abilities required of an individual to fill the position.

Classification specifications are compiled into a classification plan. The plan will serve as the basis for recruitment, selection, promotion, transfer, and other personnel actions. The Human Resources Department will maintain the official set of all approved classification specifications.

B. Labor Market

The primary labor market area shall be surveyed for wage comparisons of all the various classifications in the county classification plan. Job duties of all positions in the labor market are compared to the county classification specifications and raw salary data is obtained. Salary grades for each county classification are then established based on the raw salary data and other considerations such as career ladders, organizational structure, internal equity, and special certifications and/or qualifications. The pay classification grades may be changed from time to time to reflect labor market and other considerations such as recruiting experience of the

county, availability of employees in particular occupational categories and employee turnover.

C. Pay Scale

The pay scale consists of 15 pay grades. Grades 1-8 are separated by 7.0% between each grade, while grades 9-15 are separated by 11.0% between each grade. Each pay grade has a 50.0% range from minimum to maximum, with a 9.0% hiring range. (See Attachment F – Position Classification & Pay Scale)

No position will be paid less than the base rate of pay or more than the maximum of the pay range for the classified grade.

D. Hiring Range / Entrance Pay

New appointments for introductory, regular, and seasonal positions shall be made at the base rate of pay of the appropriate pay grade whenever possible, as determined by market conditions. Each grade also has a hiring range which is 9.0% over the base rate of pay for the grade. The hiring range should be used as an instrument for department heads to give credit to a candidate that may bring additional experience or a higher skillset to the position being hired. A suggested approach to using the hiring range is as follows:

- 0 – 3% Candidate has no to minimal relative experience
- 3 – 6% Candidate has moderate or quantifiable experience
- 6 – 9% Candidate has high level of previous relative experience

No offer shall be made to a potential candidate without approval from the Human Resources Director and County Administrator. The requesting department must complete a Wage Request Form for all introductory and regular employee candidates.

It is recognized that market conditions or position requirements may dictate that a potential candidate be hired outside of the hiring range. In these extreme and rare events, the County Administrator and Human Resources Director may authorize appointment above the hiring range in recognition of these extraordinary circumstances.

New appointments for part-time positions will be made at a flat rate of 10.0% over the base rate of pay for the positions classified grade.

E. Determination of Salary Increases

Salary increases are granted dependent on the budget allocations established by the County Administrator and the Commission, and the subsequent approval by the County Commission. Increases may take the form of merit increases, cost of living adjustment (COLA), which increases the entire pay scale, performance and recognition bonuses, or other methods approved by the County Administrator and County Commission. Pursuant to Section 2.4F, an employee’s evaluation will also be used to determine the increases received. *The method in which annual increases are*

determined and applied may vary from year to year and will be established at the approval of the County Administrator.

F. Types of Personnel Actions Affecting Compensation

Several types of personnel actions may affect compensation: merit increases, promotions, demotions, transfers, acting assignments, out-of-class work, and reclassifications.

1. Initial Introductory Increase. Upon satisfactory completion of an employee's initial introductory 6-month period (i.e., new employee to the county) employee may receive a 3.0% increase as approved through the annual budget process by the County Commission.
2. Merit Increases. Merit increases based on performance evaluations are normally given to individuals on scheduled dates as approved through the annual budget process.

Employees may normally expect to advance through the pay scale on a regular schedule of pay increases based upon satisfactory performance. This is not guaranteed but depends on meeting or exceeding expectations in performance of duties and availability of funds as designated and budgeted by the County Commission. In every case, the Department Director shall certify to the Human Resources Department that the employee's performance has met or exceeded expectations prior to granting the increase.

Increases will not be granted if an employee:

- (a) Does not have a current evaluation on file; or
- (b) Evaluation contains any "Unacceptable" score; or
- (c) Evaluation has a total average rating of less than 2.0.

In such case that an employee has an "unacceptable" rating or a total evaluation score of less than 2.0, the employee shall be placed on special probation. Upon satisfactory completion of the special probation, the employee may receive a salary increase as designated and budgeted by the County Commission.

In the event an employee reaches the maximum pay rate of their grade and receives a satisfactory annual evaluation, the employee will receive any budgeted cost of living adjustments. Any other approved increases may be paid in a lump sum bonus. No employee will be compensated outside of the pay range for the classified grade.

3. Promotions. All employees may be eligible for promotion to a higher classification for which they are qualified.

The pay tabulator will be used by the Human Resource Department to determine the new rate of pay in case of promotion. The rate of pay will be calculated by giving credit for half of the separation of each grade increased (i.e., 3.5% for grades

1-8 and 5.5% for grades 9-15). If the calculated rate of pay is below the minimum of the new pay grade, the employee will receive the minimum of the new pay grade plus 3.0%, whichever is greater. A Department Director may request via the Wage Request Form to promote an employee within the hiring range of the new grade.

When promoting before the completion of an employee's initial introductory period, the wage tabulator will be used to calculate the employee's new rate of pay, if the calculated rate is lower than the base of the new pay grade, the employee will start at the minimum of the new pay grade, whichever is greater. Employee is eligible for increases pursuant to section 2.5.F.2.

All employees who are promoted may serve a six-month introductory period in the new position. At the completion of three months in the position, an informal evaluation will be conducted to help identify and correct weaknesses in employee's job performance. Near the end of the six-month introductory period, there will be a formal evaluation and the Department Director shall: a) request regular employment status; b) extend the introductory period up to six months; c) transfer the employee back to his/her previous position should a vacancy exist; d) offer the employee an available position for which the employee is qualified within the department should a vacancy exist; or e) dismiss the employee.

4. Demotions. Employees may be demoted to a classification with a lower pay grade for the following reasons and pursuant to the provisions of Section 4 of these Rules and Regulations.

A pay tabulator will be used by the Human Resource Department to calculate the new rate of pay when demoting to a lower grade. A department head may request via the Wage Request Form to pay an employee within the hiring range of the new grade.

(a) Involuntary Demotions.

- (1) For unsatisfactory performance on the employee's job;
- (2) Due to reorganization and/or reclassification of positions at the discretion of the County Administrator; and
- (3) In the event that the employee, in the opinion of a medical professional, is either unable to perform the essential functions of the position or continued presence in that position constitutes a risk to the health and safety of fellow employees or the public.

All employees who are demoted will serve a six-month introductory period in the new position. Near the end of a six-month introductory period, there will be a formal evaluation and the Department Director shall a) recommend regular employment status; b) extend introductory period for up to six months; or c) dismiss the employee.

(b) Voluntary Demotions.

An employee may request reassignment to an available vacancy for which he or she is qualified with Department Director approval. Near the end of a six-month introductory period, there may be a formal evaluation and the Department Director shall: a) request regular employment status; b) extend the introductory period up to six months; c) transfer the employee back to his/her previous position should a vacancy exist; or d) offer the employee an available position for which the employee is qualified within the department should a vacancy exist; or e) dismiss the employee.

5. Transfers. All employees who are transferred to another position will serve a six-month introductory period in the new position. At the completion of three months in the position, an informal evaluation may be conducted to help identify and correct weaknesses in the employee's job performance. Near the end of the six-month introductory period, there will be a formal evaluation and the Department Director shall: a) request regular employment status; b) extend the introductory period up to six months; c) transfer the employee back to his/her previous position should a vacancy exist; or d) offer the employee an available position for which the employee is qualified within the department should a vacancy exist; or e) dismiss the employee.

The salary of the employee who is transferring to a position within the same pay grade will remain the same. A Department Director may request via the Wage Request Form to pay an employee within the hiring range of the grade.

6. Acting Assignments. Acting assignments shall be pre-approved by the county Administrator. All regular employees may be eligible for acting assignments. The Department Director may determine the employee to serve in an acting assignment based on qualifications and other criteria and such determinations shall not be subject to the complaint resolution process contained herein.

- (a) Benefits. Employees on an acting assignment shall continue to accrue all benefits and seniority in the employee's regular position.
- (b) Compensation. The salary of an employee receiving an acting assignment may be up to the amount determined by the pay tabulator.

7. Out of Class. All employees of the county may be assigned to perform duties not contained within their classification specifications for the position in which they are employed for a limited period of time. The Department Director shall determine the qualifications and select the employee to perform out of class work.

- (a) Benefits. Employees performing out-of-class work shall continue to accrue all benefits and seniority in the employee's regular position.
- (b) Compensation. The salary of an employee performing out-of-class duties will be determined by the pay tabulator and difference in grade between the employee's regularly assigned position and the out-of-class duty. Out-

of-class pay adjustments require preauthorization from the Department Director and must be greater than one week.

Employees assigned to work out of class and who are performing duties assigned to a classification in a lower pay range shall be compensated at the employee's regular rate of pay.

G. Position Request / Position Analysis

Department staffing needs may change over time due to multiple factors. A review of staffing needs may determine that additional staff, new positions, or the evaluation of a current position is necessary. Under normal circumstances, staffing needs should be planned and reviewed during the annual budgeting process; however, rare situations may dictate the need for a new position request or a position analysis outside of the budgetary process. Types of position request / position analysis may include:

1. Add Additional Classification / Position

This process should be used to request additional staffing of a current position / classification (i.e., MV / Tax Clerk, Equipment Operator II, etc.) within the department. As the county continues to grow and department requirements change, there may be a need to request additional staff in order to meet the requirements of the county.

When requesting additional staff outside of the budgetary process, the Department Director should make a formal request to the County Administrator to begin the process. The County Administrator will approve or deny the request for additional staffing. If the County Administrator denies the initial request, the Department Director may follow the process for requesting staff during the annual budgetary process.

If approved, the Department Director will submit the Position Request / Position Analysis form to the County Administrator, which will be reviewed by the Human Resources Director. Final recommendation by the County Administrator and Human Resources Director will be made to the Board of County Commissioners for approval during a regular business meeting.

2. New Position

This process should be used to request the development of a new position / classification not currently in the department. When a department's operations evolve and change the need to create a new position may arise.

When requesting additional staff outside of the budgetary process, the Department Director may make a formal request to the County Administrator to begin the process. The County Administrator will approve or deny the request for creation of a new position. If the County Administrator denies the initial request, the Department Director may follow the process to request a new position during the annual budgetary process.

If approved, the Department Director will submit the Position Request / Position Analysis form to the County Administrator, which will be reviewed by the Human Resources Director. The Human Resources Director will review the department needs with the Department Director to develop an appropriate job description. The Human Resources Director will be responsible for making the final position classification recommendation. Final recommendation by the County Administrator and Human Resources Director will be made to the Board of County Commissioners for approval during a regular business meeting.

3. Position Analysis

This process should be used to request the analysis of a current position / classification in a department to review the current classification. The request for position analysis may be made when a position's core and essential job functions or positional requirements necessitate review.

When requesting the analysis of a position / classification outside of the budgetary process, the Department Director may make a formal request to the County Administrator to begin the process. The County Administrator will approve or deny the request for the position analysis. If the County Administrator denies the initial request, the Department Director may follow the process to request position analysis during the annual budgetary process.

If approved, the Department Director will submit the Position Request / Position Analysis form to the County Administrator, which will be reviewed by the Human Resources Director. The Human Resources Director will review the department needs and position job description with the Department Director and complete a position analysis. The Human Resources Director will be responsible for making the final position recommendation based on the analysis.

A position analysis may result in one of the following outcomes:

- (a) No recommended changes. Review of the position determines that no change in job description or classification is required.
- (b) Change to job description only. Review of the position determines that necessary changes to the job description may be required, but no change in position classification.
- (c) Change of position classification. Review of the position determines a change in job description and a recommended change of classification and / or grade.
 - Promotion – follow guidelines of Section 2.5.F.3.
 - Demotion – follow guidelines of Section 2.5.F.4.

Final recommendation by the County Administrator and Human Resources Director will be made to the Board of County Commissioners for approval during a regular business meeting.

H. Other Types of Compensation or Reward

1. Cause for Applause. Department Directors are authorized to reward stellar employees with various rewards including time off. Up to twenty (20) hours per year may be awarded to any employee who contributes significantly toward the achievement of department or County governmental goals, customer service improvements, safety records or other like contributions. Department Directors will request Cause for Applause Awards through the Director of Human Resources.
2. Recognition Award. Individuals or groups of employees may be honored with a recognition award, such as the Monthly and Quarterly Recognition Award. For details of the Employee Recognition Program, see the Human Resources Department.
3. Anniversary Advantage. Regular employees experiencing an anniversary milestone (i.e., 5, 10, 15 years of service) will be eligible for a 1.5% increase on their anniversary as determined by the Human Resources Department and pursuant to the guidelines of section 2.5.F.2.
4. Discretionary Bonus. As approved during the annual budget process, all active regular employees and elected officials are eligible for a year-end discretionary bonus. Discretionary bonuses are not given in accordance with production, attendance, accuracy or other merit indications.

Discretionary bonuses will be compensated at \$100 for each full year of service accomplished by the employee between January 1st and December 31st each year.

Elected officials date of service will be retroactive to the date of their election into office or their full-time anniversary date, whichever is greater.

SECTION 3: EMPLOYEE CONDUCT & REGULATION STANDARDS

The county has established a code of conduct for all county employees to follow. Public trust is our cornerstone. The following statements are to be carefully considered and followed. This list is intended to provide examples of misconduct, but is not exhaustive. Other types of conduct may also constitute misconduct. Questions about any specific type of conduct can usually be answered through the use of common sense communication between employee and supervisor, and adherence to socially accepted norms of behavior.

3.1 GENERAL CONDUCT

Employees shall be courteous and respectful at all times to both the general public and other employees. They are expected to be governed by principles and ordinary rules of good behavior and judgment. Employees are expected to be just and honorable in relations with each other; they shall not make false reports concerning another employee or department. Further, they shall not act in a manner calculated to create disturbance or dissension. Employees shall refrain from altercations, disorderly conduct and the use of profane, abusive or improper language. All Miami County employees are expected to adhere to the Miami County, Kansas Code of Ethical Conduct (see Attachment G).

3.2 SAFETY

Safety is the responsibility of both the county supervisors and employees. It is the policy of the county to establish a safe work environment for employees. Supervisors with the assistance of management are responsible for ensuring the safe work procedures of employees and providing necessary safety training programs. Employees shall follow the safety policies and procedures and attend safety training programs as a condition of employment.

3.3 EMERGENCY EVACUATION OF BUILDING

In the event of discovering a fire or other emergency, OPERATE FIRE ALARM AND TELEPHONE FIRE SERVICE ON 9-1-1. When alarm sounds, staff members are to carry out the following procedure:

1. Close all windows and doors (do not lock doors).
2. Turn off electrical equipment such as portable heaters and other potentially hazardous equipment. (Do not turn off lights.)
3. Proceed to your normal exit door, if possible, otherwise, proceed to the nearest exit. (Do not run.)
4. Do not under any circumstances use the elevators.
5. Assemble in an area designated by the "Emergency Evacuation Plan" located in each of the Miami County offices.
6. Do not re-enter the building until you are advised to do so.

3.4 FALSE STATEMENT

No person shall willfully or corruptly make any false statement, certificate, mark, rating, or report in regard to any test, certification or appointment held or made, in any manner

commit or attempt to commit any fraud preventing the impartial execution of these personnel policies.

3.5 SPECIAL TREATMENT

No person seeking appointment to, or promotion in the county service shall either directly or indirectly give, promise, render, or pay any money, service or other valuable thing to any person for, or on account of, or in connection with his/her test, appointment, proposed appointment, promotion or proposed promotion.

3.6 OBSTRUCTION OF EMPLOYMENT

No employee of the county shall defeat, deceive or obstruct any person in his/her right to examination, eligibility, certification, or appointment under the provisions of this policy, or furnish to any person any special or confidential information for the purpose of affecting the rights or prospects of any person with respect to employment.

3.7 USE OF COUNTY PROPERTY

Employees shall not use county property except for county functions unless required as a condition of employment.

A. Equipment Care and Usage

Employees shall protect county equipment and adhere to safety standards to ensure a safe working environment. County employees in possession of county equipment such as cellular phones, pagers and vehicles are expected to protect the property from loss, damage or theft. See the attached Appendix for a listing of additional administrative policies.

B. Driver's License

Any person who operates a motor vehicle within the scope of their employment on behalf of the county must be in possession of a valid driver's license. Any endorsement or cancellation must be advised to the employee's supervisor and the Human Resources Director within 48 hours of the notification to the employee. If an employee loses his/her driver's license, the county will attempt to place that employee in a non-driving position within the department and may adjust salary to the new position if such assignment results in a lower pay grade for a period no longer than 30 days. If no position is available, the employee may be terminated.

C. County Computers

Miami County prohibits personal use of the county's computer system. In addition, all electronic mail messages sent or received at work are county records. The county reserves the right to access and disclose all messages sent over its electronic mail system for any purpose. For details of the Miami County Computer Use Policy, see Attachment A of this document.

3.8 TOBACCO FREE WORKPLACE

Due to the acknowledged hazards from using tobacco or exposure to tobacco smoke, it shall be the policy of Miami County to provide a tobacco free workplace for all employees, while on Miami County time. This policy covers the use of any tobacco products at the

Miami County workplace or in Miami County vehicles. All Miami County employee workplace facilities will be considered tobacco free of use campuses. Employees who violate this policy are subject to disciplinary action.

3.9 PERFORMANCE

Employees shall perform their duties promptly, competently, efficiently, and honestly.

3.10 STEALING

Employees shall not steal, take, or remove anything of value that does not belong to the employee from any premise, household, person, or office.

3.11 GAMBLING

Employees shall not engage in gambling for anything of value while at work.

3.12 VISITORS AND TELEPHONE CALLS

Personal visits and phone calls shall be allowed only at the discretion of the Department Director. Each Department Director shall review telephone billing to determine whether abuse of the county phone system is taking place, and to eliminate the use of the county phone system for personal calls that might be charged to the county.

3.13 GUNS OR OTHER WEAPONS

Unless required by occupation or the employee desires to carry a concealed weapon in their possession in accordance with State law, no employee shall carry, possess, keep, discharge, clean, repair or assemble guns, firearms, or other weapons of any kind while at work or in personal vehicles parked on county property. No employee will be allowed to carry or possess a weapon within the secured area of the County Detention Facility and Miami County Courthouse.

Employees who choose to carry a concealed handgun while at work shall be allowed to while on the job with the exception of the Detention Facility and Courthouse. Employees who choose to carry a concealed handgun while at work will be required to carry the handgun at all times while at work and on safety or secure the weapon in a private vehicle. Employees shall have in their possession and keep concealed their handgun should they decide to bring to work, and at no time shall they leave a handgun unsecured and not in their possession and concealed in any office or facility, which would include such places as a desk, purse or personal gun safe. Field workers who choose to carry and drive a county vehicle will be required to provide a gun safe secured to the vehicle they are utilizing should they have to enter a building or facility that prohibits concealed carry of handguns. Except when entering a building where concealed handguns are prohibited, employees will have their weapons within their actual possession and in a concealed condition.

In accordance with State law, public employers shall not be liable for any wrongful or negligent act of an employee carrying a concealed handgun that is not being carried in the course and scope of such employee's employment, concerning acts or omissions regarding such handguns.

Additional department requirements such as in EMS, shall be followed in accordance with the State Law.

3.14 DRESS

Employees shall dress according to the position held. Appropriate dress will vary by occupation, but all employees are expected to abide by established custom or written policy of the department. Miami County reserves the right to require uniforms for its employees.

Non-uniformed employees shall be appropriately dressed in attire that presents a professional image and in no way interferes with job performance or job safety for the type of work they are performing. Business casual wear is acceptable during Mondays through Thursdays; casual wear is acceptable on Fridays. More traditional business attire may be appropriate and required on particular occasions or for certain meetings and presentations, either inside or outside Miami County offices. Whether you are attending outside business meetings, or simply entering and exiting our office doors, you are portraying the image of Miami County.

3.15 BEHAVIOR WHICH REFLECTS ON THE COUNTY

Employees shall not be involved in any action, which reflects adversely on the county.

3.16 VIOLATION OF DEPARTMENT REGULATIONS

Employees shall not violate any written department or division regulation.

3.17 INSUBORDINATION

Employees shall not be insubordinate.

3.18 NEGLIGENCE IN THE CARE OF COUNTY MONEY OR PROPERTY

Employees shall not be careless or negligent with the monies or other property of the county or the public.

3.19 INFLUENCE OTHERS TO COMMIT AN UNLAWFUL ACT

Employees shall not induce or attempt to induce an officer or employee of the county to commit an unlawful act or to act in violation of any department or division regulation, county resolution or county policy.

3.20 ABUSE OF AUTHORITY

An employee shall not abuse his/her authority or wrongfully assume authority not delegated by the appropriate authority.

3.21 CONVICTED EMPLOYEES

The conviction of an employee for a crime, which makes the individual unsuitable for that position, is grounds for immediate dismissal.

3.22 BRUTALITY OR CRUELTY

An employee may be disciplined or dismissed immediately for brutality or cruelty (including physical and verbal abuse) to a person in custody, or to other persons, provided the act committed was not necessarily or lawfully done in self-defense; to protect the lives of others or to prevent the escape of a person lawfully in custody.

3.23 VIOLENCE FREE WORKPLACE

Miami County is dedicated to providing safe, dependable working conditions and services to its citizens and employees. In order to achieve this goal, it is the county's policy to provide a workplace free from violence and violent acts. All employees are prohibited from engaging in violent or threatening behavior, such as intimidation, threatening or hostile physical or verbal behaviors, stalking, physical or verbal abuse, assault, vandalism, arson, sabotage or any other verbal or physical conduct of a violent nature against any County official, employee, vendor, guest or visitor.

Any person who makes threats of violence, displays threatening behavior, or engages in violent acts on county property, will be removed from the area as soon as safety allows, shall remain prohibited from entering county premises, and shall be placed on suspension, with or without pay, until an investigation of the conduct in question has been completed. Should the investigation establish a violation of this policy, the county will take appropriate action, up to and including termination of any business relationship, suspension or termination of employment. Action may also involve criminal prosecution. Should the investigation establish no violation of county policy, the employee will be reimbursed for any loss of pay during the suspension.

County employees shall report any threats of violence, displays of threatening behavior or other violent acts to the attention of the county through their supervisors and/or Department Director. All county employees and representatives are expected to comply with this policy and failure to do so may result in disciplinary action.

3.24 UNAUTHORIZED ABSENCE

An unauthorized absence shall be without pay and also may be cause of immediate disciplinary action (see Section 4). An employee with two (2) or more unauthorized absences in a six-month period will result in disciplinary action. Unauthorized absences of three consecutive days shall be considered job abandonment and shall constitute a resignation of the position by the employee.

3.25 POLITICAL ACTIVITY

The purpose of this policy is to avoid the appearance of impropriety on the part of any county employee. County employees are neither appointed to, nor retained in, the county's service on the basis of their political activities.

It is the right of every employee to register and vote on all political issues, to support candidates, to run for office, to contribute labor and time to candidates and organizations that endorse candidates, to join political organizations, civic associations, or civic betterment groups and become involved in all political activities, subject to the following restrictions:

1. As private citizens, employees may participate in all political activities, including holding office, except for activities that are incompatible with the employee's county employment.
2. Political activity must not interfere with job attendance or performance.
3. Any county employee desiring to become a candidate for a county elective office in which he/she will run against an incumbent shall first take a leave of absence without pay or resign. Should the employee be successful, they will be required to resign their original position with the county. Should the employee be unsuccessful in seeking such elective office, he/she shall be returned to employment on the same terms and conditions as any other employee who has taken leave of absence without pay. An employee is considered to be a candidate for elective office once all statutory requirements have been met to qualify as a candidate.
4. Employees are not permitted to solicit, sell, or handle political contributions in local, state or federal elections.
5. Employees are not permitted to wear or display political badges, buttons or signs on their person or on county property, speak in favor of any candidate, distribute literature, or in any other way participate in the administration of any political campaign during on-duty hours.

3.26 OUTSIDE EMPLOYMENT

Outside employment is permitted only when the outside employment is considered secondary to public service, it does not interfere with the performance of duties in the employee's position with the county, no legal, financial or ethical conflicts of interest exist concerning dual employment, and the secondary work will be performed on employee's own time and outside normal working hours for the county. In general, outside work activities are not allowed when they: prevent the employee from fully performing work for which he or she is employed at Miami County, including overtime assignments; involve organizations that are doing or seek to do business with Miami County, including actual or potential vendors or members, or violate provisions of law or Miami County policies. Questions about the possibility of a conflict of interest should be directed to the County Administrator.

A county employee shall not use any county property for outside employment. The only exception is that Sheriff's deputies will be allowed to wear their uniforms off duty to work security for schools, county functions, etc., in Miami County. All security activity will be pre-approved by the Sheriff and/or Undersheriff.

3.27 SECONDARY COUNTY EMPLOYMENT

All employees are prohibited from holding two county positions, either full-time or part-time. The County Administrator may approve exceptions where hours and overtime can be monitored.

3.28 CONFLICT OF INTEREST

It is important that employees refrain from activities or interests that might impair their independence of judgment. No transaction with a business or organization should be influenced by an employee's personal interests or relationships, which might affect the objectivity and independence of the employee's judgment or conduct in carrying out his or her duties and responsibilities. Employees must avoid any situation which involves or may involve a conflict between their personal interest and the interest of the county. Employees must avoid even the appearance of a conflict of interest. It is imperative that public disclosure of any factual information does not embarrass the county or jeopardize the public trust. If a situation arises in which the employee may have a conflict of interest, the employee shall report the circumstances to his or her supervisor, who will make a decision regarding the handling of the situation. The supervisor may consult the Department Director, County Administrator, County Counselor and/or the Human Resources Director for assistance in resolving the matter.

3.29 NON-DISCRIMINATION AND HARASSMENT

Discrimination against any person in recruitment, examination, training, promotion, retention, discipline or any other aspects of personnel administration shall be prohibited.

Miami County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, Miami County expects that all relationships among employees will be business-like and free of bias, prejudice and harassment.

A. Equal Employment Opportunity

It is the policy of Miami County to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, age, disability, marital status, citizenship or any other characteristic protected by law. Miami County prohibits any such discrimination or harassment.

B. Retaliation Prohibited

Miami County encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Miami County to investigate such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

C. Definitions of Harassment

1. Sexual Harassment constitutes discrimination and is illegal under federal, state and local laws and will not be tolerated by Miami County. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of

such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching, insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

2. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (b) has the purpose or effect of unreasonably interfering with an individual's work performance; or (c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts, denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

3. Pregnancy Discrimination Act (PDA) is an amendment to Title VII of the Civil Rights Act of 1964 which forbids discrimination and harassment based on pregnancy when it comes to the aspect of employment; including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits such as leave and health insurance, and any other term of condition of employment.

Miami County is required to comply with the Pregnant Workers Fairness Act and Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act). Contact the human resources department for additional information.

D. Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Miami County (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace or in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

E. Reporting an Incident of Harassment, Discrimination or Retaliation

Miami County requires immediate reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, the Director of Human Resources, the County Administrator, or the County Counselor. See the Complaint Procedure described in item F of this section.

In addition, Miami County encourages individuals who believe they are being subjected to such conduct promptly to advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often such requests alone will resolve the problem. Miami County recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures.

False and malicious complaints of harassment, discrimination or retaliation may be subject of appropriate disciplinary action as opposed to complaints which are made in good faith, even if erroneous.

When any supervisor witnesses or is made aware of harassment or discrimination they are required to report it to the Director of Human Resources or the County Administrator, contact information can be located on the Employee Resource page following the Table of Contents.

F. Complaint Procedures

1. Informal Procedure: If for any reason an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual shall notify his/her immediate supervisor, the Director of Human Resources, the County Administrator or County Counselor, who may, if the individual so requests, talk to the alleged offender on the individual's behalf. In addition, there may be instances in which an individual seeks only to discuss matters with one of the Miami County designated representatives, and such discussion is encouraged.

An individual reporting harassment, discrimination or retaliation should be aware, however, that Miami County may decide it is necessary to take action to address such conduct beyond an informal discussion. The best course of action in any case will depend on many factors and, therefore, the informal procedure will remain flexible. Moreover, the informal procedure is not a required first step for the reporting individual.

2. Formal Procedure: As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct shall discuss their concerns with their supervisor, the Director of Human Resources, the County Administrator or the County Counselor.

Miami County requires the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. While no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

All reported allegations of harassment, discrimination or retaliation will be investigated promptly by Administration. The County Administrator may delegate the investigation to Human Resources, County Counsel or an outside legal counsel at his/her discretion. The investigation will include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Notes shall be taken at the time verbal interviews are in progress.

Confidentiality will be maintained, as much as possible, throughout the investigation process to the extent consistent with adequate investigation and appropriate corrective action.

Based on the investigation, the County Administrator, Human Resources Director and the County Counselor will determine whether the conduct of the person against whom a complaint has been made constitutes a violation of these rules. In making that determination, the record as a whole and the totality of circumstances, including the nature of the conduct in question, the context in which the conduct, if any, occurred, will be reviewed.

If it is determined that the behavior complained of violates these rules, immediate and appropriate disciplinary action will be taken against the employee who engaged in such behavior.

The disciplinary action will be consistent with the nature and severity of the offense. Consideration may be given as to whether a supervisory relationship exists, the effect of the offense on employee morale, public perception of the offense, and the light in which it casts Miami County, and any other factors that are believed to relate to fair and efficient administration. The disciplinary action may include training, referral to the Employee Assistance Program, warning or reprimand, reassignment (which may or may not represent a demotion), suspension or termination. A determination of the level of disciplinary action will also be made on a case-by-case basis.

The complainant, and when appropriate the alleged harasser, may be informed about the employer's conclusions and any actions it plans to take as a result of the investigation.

G. Appeal of the Decision

1. If a party to a complaint does not agree with its resolution, that party may, within five (5) days of receipt of the decision, request a formal hearing. It is the complaining party's responsibility to assure that the request, which must be made

in writing, has been delivered by hand or certified mail to the County Administrator, County Counselor, and/or Human Resources Director. Upon that request, a meeting will be called within ten (10) business days from the receipt of the request for the purpose of holding the formal hearing.

2. The grievant, the County Administrator, County Counselor, Human Resources Director and any other relevant person may be requested to attend the hearing. Within seven (7) days of the end of the informal hearing, the County Administrator will issue a written decision to the concerned parties, which shall be final and binding.

H. Records of Harassment Complaint Kept Separate

All records concerning a harassment complaint will be kept in a separate locked file in the Human Resources Department. Access will be only with the Human Resources Director's approval to parties who have a direct and relevant need to know.

I. Obligation of Employees

Employees are obligated to cooperate in every investigation including coming forward with evidence, both favorable and unfavorable, fully and truthfully making a written report or verbally answering questions when required to do so by an investigator during the course of an investigation.

J. Conclusion

Miami County has developed this policy to ensure that all its employees can work in an environment free from harassment, discrimination and retaliation. Miami County will make every reasonable effort to ensure that all concerned are familiar with these policies and that any complaint in violation of such policies will be investigated and resolved appropriately.

Any employee who has any questions or concerns about these policies should talk with the Director of Human Resources or the County Administrator.

To avoid being labeled as a Harasser, understand that what is acceptable behavior to some people is not always acceptable to others. Whether or not harassment is intentional, an employee may find himself or herself accused of harassment if any of the above-described behaviors occur. Be aware of how people respond to what is said and done. If an individual objects to behavior toward him or her, listen to that person and heed those objections.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of Miami County prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The

prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

3.30 IDENTIFICATION BADGES

All employees will be issued an ID badge by the Human Resources Department that identifies the individual as a county employee with his or her name, department and photograph displayed. Employees are encouraged to wear their badges, but employees must not wear their badge when operating equipment or while working outside of county facilities where other environmental risks might be anticipated.

Uniformed employees of the EMS and Sheriff's Departments should keep their employee identification badge readily available but are not required to wear it while in uniform.

3.31 CONFIDENTIAL INFORMATION & CONFIDENTIALITY

Employees may, at times, receive, handle, or have access to confidential information regarding other employees, citizens, or vendors. The unauthorized access, misuse, or mishandling of such confidential information—particularly regarding personnel, citizen, or county data—is strictly prohibited. Confidential information includes, but is not limited to, Social Security Numbers, Taxpayer Identification Numbers, driver's license numbers, dates of birth, and banking or debit account information. Violations of this policy may result in disciplinary action, up to and including termination. If an employee is uncertain whether information is confidential, the employee should contact their supervisor for direction on how to handle the information.

When inquiries are made regarding an employee, former employee, client, or customer, the employee should forward the request to the appropriate department director or Human Resources without providing any comment.

This policy is intended to emphasize the importance of discretion in handling confidential information and does not interfere with normal business communications. Furthermore, this policy does not limit employee rights under Section 7 of the National Labor Relations Act.

Any individual or organization seeking records from Miami County, as permitted under the Kansas Open Records Act (KORA), must submit a formal request to the Miami County Clerk. Employees should refer to and follow the procedures outlined in Article 4—Policy for Public Records in the Miami County Code, available on the county website.

SECTION 4: DISCIPLINARY / CORRECTIVE ACTION

4.1 DISCIPLINARY ACTIONS

Employees have a personal responsibility to meet reasonable standards of performance and conduct. Any type of disciplinary action, including immediate suspension or dismissal, may be invoked for serious misconduct. Because this is a progressive system of discipline, failure to correct or improve after a disciplinary step will cause subsequent discipline to proceed to the next step.

It is impossible to outline procedures that should be uniformly followed in all instances requiring employee discipline. Further, it is recognized that appropriate disciplinary action always rests within the sound discretion of county supervisors. Guidelines have been established in the interests of providing supervisors with a basic outline for effective counseling and discipline. Except as provided in subsection (A), any Department Director experiencing problems with a regular employee shall use the following progressive disciplinary procedure with that employee.

A. Exceptions

1. The Department Director is not required to utilize the progressive disciplinary procedure and may dismiss the employee in accordance with Section 4.3 hereof, or may proceed directly to Step 2 (Reprimand), if an employee has committed serious offenses, including but not limited to the following:
 - (a) Conviction of commission of a crime while on or off the job if the crime relates to the performance of the employee's job.
 - (b) Physical violence on the job.
 - (c) Harassment or other professional misconduct.
 - (d) Serious violations of county policy (i.e., insubordination, use of alcohol/drugs on the job, etc.). In the case of serious offenses, the Department Director must consult with the Human Resources Director or County Administrator prior to the action.
2. Unauthorized Absences. In the case of an unauthorized absence, the Department Director may proceed directly to Step 2 (Reprimand). However, an employee's failure to report to work and failure to notify his or her supervisor may be interpreted as job abandonment and resignation from employment.
3. Initial Introductory, Probationary or Temporary Employees. Initial introductory, probationary, or temporary employees may be dismissed at any time with no right of progressive discipline or formal complaint resolution proceedings.

B. Procedure

At any Step in this procedure the Department Director may, with the approval of the Human Resources Director, request utilization by the employee of the Employee Assistance Program, as outlined in Section 8.12D hereof.

STEP 1 – COUNSELING THE EMPLOYEE

When the employee's conduct or performance is unsatisfactory, the Department Director shall counsel the employee to review departmental and county expectations. The counseling session should be documented, signed and dated by the Department Director and the employee, and forwarded to the Human Resources Department for filing in the personnel file. Included should be explanations of the performance issue or conduct, which has not been acceptable. The employee shall have the opportunity to justify/explain the conduct.

The employee shall be given ten (10)* working days from the date of the counseling session to improve his/her performance or conduct. If after ten (10) working days, performance or conduct has not improved, the Department Director shall proceed directly to Step 2 (Reprimand). If performance or conduct improves during the ten (10) working days, but unsatisfactory performance or conduct occurs during the next six (6) months, the Department Director is not required to repeat Step 1 and may proceed directly to Step 2. (*Two shift rotations in the case of Emergency Medical Service employees.)

STEP 2 – REPRIMAND

The Department Director shall complete the Disciplinary Action Form with a description of the unsatisfactory performance or misconduct. The Department Director may suspend the employee as outlined in Section 4.3 hereof. The Disciplinary Action Form shall be shared with the employee, and the employee shall be asked to date and sign the form. One copy shall be given to the employee and another copy shall be sent to the Human Resources Department to be placed in the employee's official personnel file.

A review session shall be scheduled with the employee at the end of ten (10) working days (or two working shifts for EMS employees). If the employee's performance or conduct has improved, the Department Director shall so advise Human Resources. If, however, the employee's performance or conduct remains unsatisfactory, the Department Director shall proceed to Step 3. If the employee successfully completes the ten (10) working days, but within six (6) months of the signing of the reprimand form, repeats the same or other unsatisfactory performance or conduct, the Department Director shall document the performance or conduct and may:

- (a) proceed immediately to Step 3; or
- (b) suspend the employee and give the employee ten (10) working days (not including the suspended days) to improve his/her performance or conduct. If the unsatisfactory performance or conduct occurs at any time during the next six-month time period, the employee shall not be given another opportunity to improve his/her performance or conduct.

STEP 3 – DISMISSAL

When the employee's performance or conduct has not improved following Steps 1 or 2, the Department Director shall proceed directly to dismissal, as outlined in Section 4.3 hereof.

4.2 PERFORMANCE-RELATED CORRECTIVE ACTIONS

Each employee of the county shall be evaluated at least annually as provided in these Rules and Regulations. The evaluation and any special evaluations shall be used as the basis for all performance-based corrective actions.

A. Corrective Actions

As used in this section, corrective actions shall include:

1. Special performance probation.
2. Demotion.
3. Termination.

B. Special Probation

The county may place an employee on special probation when management determines that such employee's performance is less than satisfactory with respect to any or all of the duties, tasks, and/or responsibilities as set forth in the employee's position description.

Special evaluations shall be performed in intervals, to be determined on a case-by-case basis, which shall be considered an opportunity for the employee to improve his/her performance to an acceptable level. Management shall identify the areas of improvement necessary to correct the employee's performance.

An employee receiving an unsatisfactory evaluation shall be informed of the areas of improvement needed and shall be given a period of time, to be determined on a case-by-case basis, to improve his/her performance to a satisfactory level. The employee shall be considered to be on a special probationary status during this period. The employee shall be given an evaluation on the completion of special probationary period. In the event that an employee's performance has not improved within this period, the Department Director, with the concurrence of the Human Resources Director, may take the appropriate action of:

1. Demotion to a position of lesser responsibilities within the expected abilities of the employee, as outlined in Section 4.3 below;
2. Extend the special probationary period; or
3. Terminate the services of the employee.

4.3 SUSPENSION, DEMOTION OR DISMISSAL

Employees may utilize the Complaint Resolution Process regarding suspensions, demotions or dismissals as outlined in Section 6 if he or she feels that the disciplinary action is unjust.

A. Suspension

Employees may be suspended for up to forty (40) working hours without pay for disciplinary issues. Additional suspensions may be authorized by the County Administrator for serious violations or offenses. The Department Director shall give the employee a written statement of the reason for suspension and a copy of the Complaint Resolution Process prior to suspension.

Immediate suspensions may be authorized by the County Administrator for serious violations or offenses, or in the case of a pending termination or administrative investigation.

Employees may appeal the suspension as outlined in the Complaint Resolution Process, and if the results are in favor of the employee, the employee may receive part or full reimbursement for wages and benefits lost during the suspension.

B. Demotion

The Department Director shall give the employee a written statement of the reasons for demotion and a copy of the Complaint Resolution Process prior to the effective demotion date. An employee may be demoted if a vacancy exists in which to demote the employee.

C. Dismissal

Prior to dismissal of any employee, the Department Director shall meet with the employee to discuss the reasons for dismissal. The Department Director must give the employee an opportunity to respond. Following this meeting, the Department Director shall forward a written determination to the employee, and if applicable, include a copy of Complaint Resolution Process.

SECTION 5: SEPARATION, REINSTATEMENT AND REEMPLOYMENT

5.1 TYPES OF SEPARATIONS

All separations of employees from positions in the service of Miami County shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, lay-off, fitness for duty, voluntary retirement, dismissal or death.

5.2 RESIGNATION

An employee may resign by submitting the reasons for resignation and the effective date in writing to the immediate supervisor as far in advance as possible. A copy of the resignation shall be provided to the Human Resources Department for the employee's personnel file.

1. Minimum Notice: A minimum fourteen calendar day resignation notice is requested. Employees submitting their resignation are expected to work the entirety of the notice period, unless otherwise directed by the Department Director.
2. Utilizing Leave After Notice: The utilization of leave after an employee has submitted their resignation shall be approved by the Department Director and those guidelines set forth in Section 7.11 and other leave subsections.
3. Failure to Provide Minimum Notice: Failure to provide the minimum notice of resignation may result in the ineligibility for re-employment or reinstatement at any future time with Miami County. Failure of an employee to provide or work the entirety of the minimum notice will result in the loss of payment of accumulated leave as outlined in Section 5.9.
4. Waiver of Minimum Notice: The minimum notice may be waived upon recommendation of the Department Director and approval by the County Administrator.

5.3 LAY-OFF

A. Criteria for Lay-Off

Regular employees within a department shall be laid off by 1) job classification; then 2) seniority; then 3) job performance evaluation.

Whenever possible, the Department Director shall attempt to place affected employees into other positions for which the employees are qualified and where vacancies exist.

B. Return Rights

Employees who are laid off shall have return rights, not to exceed one-hundred eighty (180) calendar days from the effective date of the lay-off, to the position they held at the time they were laid off. Department Directors may not fill those positions with any

other individual until the laid-off employees have been reinstated or have waived their option to return to County employment. Such waiver must be submitted in writing to the Human Resources Director and is not revocable.

C. Accrued Vacation

Accrued vacation leave may be utilized by an employee while on lay-off if that employee has been with the county at least six (6) months.

D. Insurance for Laid-Off Regular Employees

Miami County may continue payment of county's share of health insurance for ninety (90) days after the effective day of the lay-off if the employee chooses to continue health insurance coverage under the COBRA act (see Section 8.10).

E. Recall

Employees shall be called back to work in the reverse order of lay-off.

F. Compensation for Accrued Leave

The employee who has been laid off may, at any time during the lay-off period, request compensation for accrued leaves as follows:

1. Vacation Leave: The employee who has been laid off shall receive payment in full for all accrued vacation leave if the employee has at least six (6) months of service. If reinstated within one hundred eighty (180) days, the employee will receive credit for any remaining balance of accrued time not issued at the time of lay off.
2. Sick Leave: The employee who has been laid off and who has been in the county service for at least five (5) years, shall be paid for accrued sick leave in accordance with the Section 5.9. If reinstated within one hundred eighty (180) days, the employee will receive credit for any remaining balance of accrued time not issued at the time of lay off.

G. Return of County Property

Whenever an employee is laid off, the employee shall surrender to the Department Director all property in his/her possession belonging to the county. Failure to return county property in serviceable condition may result in legal action against the employee.

5.4 FITNESS FOR DUTY

Human Resources may, at the request of the Department Director, direct an employee to be examined by a medical professional of the county's choice when it is reasonable to suspect that the employee is unable to perform the essential functions of his/her position or when a physical or mental condition makes continuance on the job a health or safety risk to fellow employees or the public. Based on findings of the examination, one of the following actions may be taken:

1. If the condition is correctable, a reasonable period of time shall be allowed for its correction. Failure of the employee to correct within such period may be grounds for dismissal or other action.
2. If the condition cannot be corrected, an attempt shall be made to find a reasonable accommodation, which will permit the employee to continue to perform the essential functions of the position satisfactorily. If the employee refuses to accept a reasonable accommodation, the employee may be dismissed.
3. If the condition cannot be corrected within a reasonable amount of time or the employee cannot be reasonably accommodated in the current position, the county shall attempt to place the employee in another position, if one is available which the employee can perform satisfactorily. If the employee refuses such reassignment, the employee may be dismissed.
4. Nothing within this section shall require the county to obtain a medical opinion prior to taking any personnel action.

5.5 VOLUNTARY RETIREMENT

An employee who meets the conditions set forth under the provision of the applicable retirement plan, shall be eligible and granted retirement upon notification to the county.

5.6 DISMISSAL

An employee may be dismissed by the Department Director, with approval of the Human Resources Director or County Administrator, as outlined in Section 4 hereof if the employee: fails to achieve acceptable performance expectations; has committed any acts or omissions which may discredit the employee, the department or the county; fails to demonstrate appropriate professional competence, integrity or ethics; or in accordance with any of the rules and regulations contained herein. Any employee who is unable to perform adequately because of loss of a necessary license or other requirement may be dismissed.

5.7 DEATH WHILE EMPLOYED

In case of the death of an employee, separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the employee.

5.8 EXIT INTERVIEWS

All individuals leaving employment with Miami County are asked to participate in an exit interview with the Human Resources Department. This interview will be scheduled by human resources staff at a mutually convenient time.

5.9 LAST PAYCHECK

The last paycheck the employee receives shall include the following:

1. Regular earnings through the last day of employment.

2. Accrued Vacation Pay: Regular employees retiring or voluntarily resigning shall be compensated at their regular rate for all accrued vacation leave, not to exceed the maximum payment of accumulated vacation leave in accordance with Section 7.12. Employees separating from the county for any other reason will not be entitled to payment of accrued vacation leave, unless otherwise stated. Employees in their initial introductory period are ineligible for the payment of accrued vacation leave.
3. Accrued Sick Leave: Regular employees retiring or voluntarily resigning with at least 5 years of continuous service (or combined service by reinstatement) shall be compensated at their regular rate for accrued sick leave according to the schedule below. Employees separating from the county for any other reason will not be entitled to payment of accrued sick leave, unless otherwise stated. Employees in their initial introductory period are ineligible for the payment of accrued sick leave.

Voluntary Resignation

Employee receives 3% for each full year of service of his or her sick leave accruals, not to exceed 50% of the maximum accumulation in accordance with Section 7.13.

Retirement

Employee receives 4% for each full year of service of his or her sick leave accruals, not to exceed 100% of the maximum accumulation in accordance with Section 7.13.

5.10 RETURN OF COUNTY PROPERTY

Whenever an employee in any way severs his/her relationship with the county or department, the employee shall surrender to the Department Director all property in the employee's possession belonging to the county. Failure to return property in serviceable condition may result in legal action against the employee.

5.11 REINSTATEMENT

An employee who separated from county service in good standing may be reinstated to his/her former position or an equivalent position within one-hundred eighty (180) days from the effective date of separation. When reinstated, the employee shall have his/her service time computed back to the original date of employment minus the time not served.

5.12 REEMPLOYMENT

Any person previously employed by Miami County who separated from county service in good standing shall be eligible for reemployment. When reemployed, service time computations shall not include the prior employment period. A person re-employed will be considered an introductory employee as defined in Section 1.11 herein.

SECTION 6: COMPLAINT RESOLUTION PROCESS

6.1 GOALS

Employees are encouraged to bring their complaints about work related situations to the attention of management. The purpose of this procedure is to secure, at the lowest administrative level possible, resolution of an employee complaint, which may arise.

6.2 GENERAL PROVISIONS

A. Application

This procedure shall be used to resolve complaints arising from an alleged violation or misapplication of administrative regulations or policies of Miami County. A complaint may be defined as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by management, supervisors, or other employees. No employee shall utilize this procedure to protest county policies and resolutions; federal or state statutes; or in matters where the employee has no direct interest. Refer to Section 3.29 regarding the treatment of alleged harassment or discrimination of a legally protected classification, or retaliation of such complaint.

B. Time Limits

A complaint must be brought forward as soon as it might reasonably have become known to exist. In the event a complaint arises, the employee must submit it to his or her supervisor within five (5) working days.

In the event of an approved absence of the employee or the appropriate supervisor or County Administrator, time limits may be temporarily suspended.

C. Meetings

Any meeting pursuant to this complaint procedure shall be conducted at a time and place which will afford a fair and reasonable opportunity for all persons entitled to be present to attend.

Time spent by employees in such discussions with administration will be considered hours worked for pay purposes.

D. Confidentiality

Details of complaints and investigations shall be kept as confidential as possible.

E. Non-Retaliation

An employee shall not be interfered with, restrained, discriminated against or subject to any retaliation as the result of the complaint presentation.

6.3 COMPLAINT FILING PROCEDURE

The following steps are to be taken in sequential order:

STEP 1 - WRITTEN COMPLAINT TO SUPERVISOR

The complaining employee shall present a complaint in writing to his/her supervisor. Discussions will be informal for the purpose of settling differences in the simplest and most direct manner. The immediate supervisor shall reach a decision and communicate it in writing to the complaining employee within 3 working days from the date the complaint was presented.

Any complaint presented shall be on the form prescribed by the Director of Human Resources. It must be dated and signed by the employee presenting it. Any decision rendered shall be written to the employee and shall be dated and signed by the appropriate county representative at that step. When a complaint is reduced in writing there shall be set forth:

1. A complete statement of the complaint and facts upon which it is based;
2. The section or sections of the county policy claimed to have been violated; and
3. The remedy or correction requested.

STEP 2 - WRITTEN COMPLAINT TO DEPARTMENT DIRECTOR

If the complaint is not settled in the first step, the complaining employee shall, within 3 working days, forward the written complaint to the Department Director. The Department Director shall, within 5 working days, meet with the complaining employee to determine the facts of the case. The Department Director shall notify the employee of his or her decision, in writing, within 5 working days following the date of the meeting, unless such time is mutually extended.

STEP 3 - WRITTEN COMPLAINT TO HR DIRECTOR

If the complaint is not settled at Step 2, the complaining employee shall, within 5 working days, forward the written complaint to the Director of Human Resources. The Director of Human Resources shall meet with the complaining employee within 10 working days after receipt of the complaint unless such time is mutually extended in writing. The Director of Human Resources shall ascertain the facts and forward recommendations to the County Administrator within 5 working days after the meeting unless this period is extended in writing by mutual agreement. The County Administrator shall have 5 working days to consult with any of the parties involved and render a decision in writing to the employee unless this period is extended in writing by mutual agreement.

The decision of the County Administrator at Step 3 shall be final and binding on the parties, without further right to appeal.

A complaint not advanced to the higher step within the time limit provided shall be deemed permanently withdrawn, and as having been settled on the basis of the decision most recently given. Failure on the part of the county's representatives to answer within the time limit set forth in any step will entitle the employee to proceed to the next step.

SECTION 7: HOURS OF WORK AND TYPES OF LEAVE

7.1 HOURS OF WORK

Miami County is required to comply with the Fair Labor Standards Act (FLSA). The County Administrator shall determine which positions are “Non Exempt” and are therefore subject to the FLSA in areas such as hours of work and work periods, rates of overtime compensation, and other provisions. Whenever practicable, supervisors will schedule time off on an hour-for-hour basis within the applicable work period for non-exempt employees, instead of paying overtime. When time off within the work week cannot be granted, overtime worked will be paid within the next pay period in accordance with the FLSA.

A. Designated Work Week

The county’s designated workweek is Saturday at 8:00 a.m. to Saturday at 8:00 a.m. Non-Exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position. Hours worked beyond the FLSA established limit will be compensated at the appropriate overtime rate. In determining eligibility for overtime in a work period, refer to section 7.5 of this policy.

B. Normal Work Week

The normal work week for each FLSA non-exempt position shall be determined by individual Department Directors. Normal daily and weekly work schedules may be changed at the discretion of the Department Director to meet scheduling and productivity needs. Changes in schedules will be announced as far in advance as possible. Work performed outside of an employee’s schedule should be approved by the Department Director, including checking or responding to non-emergency emails or phone calls. Employee’s performing work outside of their normal work week schedule, without prior approval, could result in disciplinary action.

C. Working Off the Clock

Non-exempt FLSA employees, as defined by Section 1.12, shall not perform work off the clock. All work performed by non-exempt employees shall be compensated in accordance with the FLSA.

D. Employee Work Breaks

Within each eight-hour workday, employees may be given up to two fifteen (15) minute rest period breaks with supervisory approval. However, supervisors must adhere to safety practices for the protection of employees. Employees shall not be denied breaks when an extreme work environment calls for such. The break periods, when authorized, shall not be combined, taken at the beginning or ending of each workday, or taken in conjunction with any unpaid meal period.

E. Employee Meal Periods

Unpaid meal periods must be at least thirty (30) minutes in duration. Employees must be completely relieved from duty and able to use the time away from work for his or

her own personal purposes. Non-exempt employees taking an unpaid meal break should clock in and out following the guidelines set forth in Section 7.2.

F. Lactation Break Time

The Pregnancy Discrimination Act (PDA) and the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) are federal laws protecting pregnant and / or nursing mothers against discrimination, see section 3.29.C.3. The FLSA requires employers to provide reasonable break time for nursing employees to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

7.2 TIMEKEEPING

All non-exempt employees are required to use the timekeeping system to record their hours worked. For the purpose of this policy, all forms of timekeeping will be referred to as clocking in or out.

Employees should clock in no sooner than five (5) minutes before their scheduled shift and clock out no later than five (5) minutes after their scheduled shift.

Accurate timekeeping is a federal and state wage and hour requirement, and employees are required to comply. Altering, falsifying, tampering with time records, failing to record actual time worked, recording time on another individual's time record, or clocking in or out for another employee may result in disciplinary action up to and including termination of employment.

A. Time Calculation

Non-exempt employee time worked will be calculated in five (5) minute increments.

B. Time Rounding

The timekeeping system will automatically round employee clock in and clock out times to the nearest five (5) minutes.

1. Round Down: Time will round down to the nearest 5-minute increment at 1-2 minutes.
2. Round Up: Time will round up to the nearest 5-minute increment at 3-4 minutes.

7.3 ATTENDANCE AND PUNCTUALITY

Miami County expects good attendance and punctuality from all employees. A dependable work force is an essential element in providing high quality service to our citizens. Employees are expected to be conscientious about punctuality and attendance.

Attendance and punctuality records are evaluated regularly with consideration to the frequency and duration of absences, reasons for absences, attendance and punctuality history, and patterns of absenteeism and overall record with Miami County. Poor attendance and excessive tardiness are disruptive to co-workers and citizens and is

ultimately the responsibility of each employee. Poor attendance and/or punctuality may lead to disciplinary action, up to and including termination of employment.

7.4 ABSENTEEISM

Absenteeism is the excess use of unplanned leave by an employee. A habitual pattern of absence without good reason is disruptive to the operations of the county and the moral of the department. Department Directors suspecting an employee of absenteeism should contact the Human Resources Department. Absenteeism may result in the disciplinary action of the employee.

7.5 OVERTIME POLICY

A. Eligibility

It is the policy of Miami County that overtime work is not encouraged and shall be avoided when possible. Overtime work must be approved by the Department Director or other appropriate supervisor before it is worked. Overtime is paid in accordance with FLSA guidelines. Overtime shall be accrued in increments of ¼ hour. Employees determined to be exempt under the guidelines of the Fair Labor Standards Act (FLSA) are not eligible for overtime pay.

B. Compensation

If any employee works overtime, the employee shall receive cash compensation at a rate of 1½ times the employee's regular rate of pay.

C. Calculating Overtime

1. Overtime shall be defined as that time worked at the direction of the Department Director or supervisor in excess of 40 hours in the seven-day designated work week, as defined in Section 7.1. Overtime for certified public safety personnel, as defined by FLSA, shall consist of that time worked at the direction of a Department Director or supervisor in excess of eighty (80) hours in a fourteen (14) day work schedule.
2. Determining overtime when an employee utilizes leave is defined as follows:

Non-Emergency Personnel

Leave used for non-emergency personnel in combination with hours worked will not be approved in excess of 40 hours per week, as defined in section 7.9C. Non-emergency personnel utilizing leave shall not be eligible for overtime.

Emergency Personnel

Employees working in an emergency department (Dispatch, EMS, Jail, Sheriff) are required to utilize accrued leave to cover their scheduled shifts, as defined in Section 7.8C. When determining overtime for emergency personnel, vacation and personal leave will calculate towards overtime. No other leaves will count towards the overtime calculation.

7.6 TRAVEL & COMPENSATION

At times an employee may be required to travel for work and / or training. Employees will be compensated for those approved hours spent commuting for county business. All employees operating a personal or county owned vehicle shall comply with the attached “Admin Policy – Vehicle Usage.”

A. Travel During Normal Work Hours

Employee’s will be compensated when traveling / commuting during their normal work week. Commute time between the employee’s home and workplace during the employee’s normal shift shall not be considered as time worked. Some Deputy Sheriff employees’ normal shift begins when they enter their patrol vehicle, or upon crossing the Miami County line when residing outside of the county.

B. Travel for Call-Back

An employee called back to work, per section 7.8, shall be compensated call-back pay for time spent commuting to the designated location.

C. Out-of-Town and / or Overnight Travel

Single day or overnight travel, in excess of a 60-mile radius of the employee’s normal work reporting location, shall require prior approval of the Department Director and follow the attached “Admin Policy – Business Travel & Expense Policy.”

It is the policy of Miami County to actively practice stewardship of the county’s human, fiscal and material resources; therefore, every effort should be made to make the most economical arrangements in regard to travel.

1. Employees will be compensated for those hours spent traveling for work. Overtime for employee’s engaged in travel shall be calculated per section 7.5.
2. Employees are encouraged to travel during their normal work week, whenever possible, for out-of-town and / or overnight assignments. Department Directors are encouraged to modify employee work schedules when travel is involved to minimize overtime.
3. Employees traveling for out-of-town and / or overnight assignments that are offered transportation by mass transit (i.e., bus, train, airplane, boat, etc.) but request to drive, shall only be compensated for those hours that would have been spent in mass transit.

7.7 STANDBY STATUS

A Department Director may require an FLSA non-exempt employee to be on standby status when the employee may potentially need to respond to an emergency situation (i.e., snow removal). Employees on standby status will be paid one quarter hour straight-time pay for each hour of standby shift. Employees on standby status are required to report within 20 minutes of notification. Any employee on standby status who does not respond when called within 20 minutes, shall lose standby compensation for that period and may be subject to disciplinary action. Employees on standby status must immediately report to their supervisor if extenuating circumstances affect their availability.

7.8 CALL-BACK TIME

Call-back time is a premium pay designation and will be compensated at 1 ½ times the employees' regular rate of pay with a minimum of one (1) hour of pay for each call-back, whether or not the employee worked the required regular hours for the week. For the purpose of overtime calculation defined in section 7.5 call-back time will not calculate towards the employee's overtime as it is already being compensated as such. Call-back for employees will be determined as follows:

Road and Bridge Employees

Call-back will be paid when an employee is required to report to work for an emergency situation between the hours of 6:00 pm and 6:00 am Monday through Friday or on weekends between the hours of 6:00 pm on Friday and 6:00 am on Monday.

All Other Regular Employees

Call-back may be approved by the department director when an employee is required to report to work in an emergency situation (i.e., natural disaster, eminent threat to community) outside of their normal schedule. An employee called in to cover a shift, complete assignments, or assist in a non-emergency capacity is not considered call-back. Call-back will not be paid during normal work hours (i.e., Monday thru Friday 6:00 am to 6:00 pm) or in excess of two (2) hours per event.

7.9 SHIFT DIFFERENTIAL

All non-exempt law enforcement personnel will receive a \$1.00 per hour shift differential for all regular hours worked between 6:00 pm and 6:00 am during the designated work week.

7.10 UNAPPROVED ABSENCE

An employee must receive approval from the Department Director to be on any of the authorized leaves described below. An absence without approval will be unpaid and will be considered an unauthorized absence as defined in Section 3.24.

7.11 TYPES OF LEAVE

A. Types of Leave

Miami County believes that certain leave privileges are important for the health and well-being of its employees. The following types of leave and no others are officially established:

- | | |
|------------------------------|--------------|
| 1. Vacation Leave | Section 7.12 |
| 2. Sick Leave | Section 7.13 |
| 3. Shared Leave | Section 7.14 |
| 4. Funeral Leave | Section 7.15 |
| 5. Injury Leave/Workers Comp | Section 7.16 |
| 6. Holidays | Section 7.17 |
| 7. Personal Leave | Section 7.18 |
| 8. Military Leave | Section 7.19 |

9. Civil Leave	Section 7.20
10. Maternity/Paternity Leave	Section 7.21
11. Leave Without Pay	Section 7.22
12. Curtailment of Services	Section 7.23
13. FMLA	Section 7.24
14. Parental Leave	Section 7.25
15. Administrative Leave	Section 7.26

B. Employees Duty to Report Absences

An employee who will be absent from duty must report the reasons to his/her supervisor no later than one half (½) hour before the beginning of the workday. Shift workers in the departments must report to their Department Director or immediate supervisor two (2) hours in advance of the workday. Failure to report may result in disciplinary action.

C. Approval of Leaves

All leaves shall be granted by the Department Directors or their designees in conformance with rules established for each type of leave. Most leaves are computed on a forty (40) hour work week. For those employees on a work week other than forty (40) hours, the leave will be adjusted to their particular work schedule.

Non-Emergency Personnel

Leave used in combination with hours worked will not be paid in excess of 40 hours per week. Approved leave hours will be adjusted accordingly and be returned to the employees leave bank.

Emergency Personnel

Employee's working in an emergency department (Dispatch, EMS, Jail, Sheriff) will be required to use accrued leave hours to cover their scheduled shift.

D. Leave Payout

When leaving employment an employee may be entitled to payout of accrued leave pursuant to section 5.9.

7.12 VACATION LEAVE

Vacation leave entitlements shall not be construed as an earned wage. Conditions precedent to earning vacation are: a) no leave shall accrue in excess of the maximum accumulation; and b) an employee resigning from employment shall do so in accordance with section 5.2 herein.

A. Eligibility

Vacation leave is only granted to regular employees.

B. Use by Initial Introductory Employees

Initial introductory employees may accumulate vacation leave but shall not be permitted to take vacation leave during the introductory period. Employees shall be

allowed to take accumulated vacation leave after satisfactory completion of their performance evaluation and gaining regular employment status.

C. Vacation Leave Accrual

Vacation leave accruals begin on the first full pay period following an employee’s hire date. Vacation leave will be accrued on a pay period basis, based on the employee’s years of service.

Vacation leave accruals will be suspended for an employee while on an unpaid leave of absence, which will be determined as an employee earning less than half of their regular hours in a pay period. Leave accruals will not be suspended for employees on leave of absence for work comp or FMLA.

Regular Full-Time Employees Accrual*:

YOS	Pay Period Accrual	Annual Accrual
0 – 5 Years	4 Hours	104 Hours
6 – 10 Years	5 Hours	130 Hours
11 – 15 Years	6 Hours	156 Hours
Over 16 Years	7 Hours	182 Hours

**Includes 12-hour EMS employees*

Maximum annual carryover for regular full-time personnel will not exceed 240 hours of vacation leave.

EMS Employees Accrual*:

YOS	Pay Period Accrual	Annual Accrual
0 – 5 Years	6 Hours	156 Hours
6 – 10 Years	7.5 Hours	195 Hours
11 – 15 Years	9 Hours	234 Hours
Over 16 Years	10.5 Hours	273 Hours

**Does not include 12-hour EMS employees*

Maximum annual carryover for EMS personnel will not exceed 280 hours of vacation leave.

D. Utilization

Employees shall be granted the use of accrued vacation leave, upon request in advance, at those times designated by the Department Director which will least obstruct normal operations of the county. Department Directors are responsible for ensuring that approved vacation leave does not hinder the effectiveness of the county’s operation. Vacation cannot be used before it has been accrued.

E. Maximum Accumulation

Vacation leave may be accumulated without any applicable maximum until the end of the pay period for the first payroll in January; at which time, any accrued vacation leave in excess of the maximum annual carryover shall be forfeited, if not used. If the

employee departs from service, payment for accumulated vacation leave shall not be more than 200 hours for EMS personnel and 160 hours for all other personnel.

Employees are cautioned not to retain excess accumulated vacation leave until late in the year. Because of the necessity to keep all functions in operation, large numbers of employees cannot be granted vacation leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall not receive special consideration either in having vacation leave scheduled or in receiving any exception to the maximum accumulation.

Recognized county holidays which occur during the taking of an employee's vacation will not be counted as a day of vacation.

F. Charging Vacation Leave

Utilization of vacation leave for FLSA non-exempt employees will be charged in increments not smaller than five (5) minutes.

G. Transfer

When an employee is promoted or transferred to another County department, the new department shall accept all of the employee's accumulated vacation leave.

7.13 SICK LEAVE

Sick leave with pay is not a right, which an employee may demand, but is intended solely to provide income protection in the event of illness or injury and may not be used for any other absence.

A. Eligibility and Utilization

Sick leave is only granted to regular employees absent from work for any of the following reasons: sickness, bodily injury, quarantine, health examinations or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others. Sick leave may also be used when an employee must care for a member of his or her family (as defined by the FMLA) who is ill. With approval of the Department Director and Human Resources Director, sick leave may also be used when an employee must care for other family members residing in the employee's household.

Sick leave may also be used to supplement Workers' Compensation Disability Leave except that an employee may not exceed the regular salary amount using this provision.

In order to be granted sick leave, an employee must report to the Department Director or immediate supervisor the reason for the absence as outlined in Section 7.8B above. Sick leave cannot be used before it has been accrued.

B. Sick Leave Accrual

Sick leave accruals begin on the first full pay period following an employee's hire date. Sick leave will be accrued on a pay period basis.

Sick leave accruals will be suspended for an employee while on an unpaid leave of absence, which will be determined as an employee earning less than half of their regular hours in a pay period. Leave accruals will not be suspended for employees on leave of absence for work comp or FMLA

Sick Leave Accrual*:

Employment Type	Pay Period Accrual	Annual Accrual	Max. Carryover
Regular Full-Time	4 Hours	104 Hours	960 Hours
Regular Part-Time	3 Hours	78 Hours	720 Hours
EMS Employees	6 Hours	156 Hours	1,280 Hours

**12-hour EMS employees will accrue at regular full-time rate.*

C. Accumulation

Sick leave may be accumulated without any applicable maximum until the end of the pay period for the first payroll in January; at which time, any accrued sick leave in excess of the maximum annual carryover shall be forfeited, if not used. If the employee departs from service, payment for accumulated sick leave shall be paid in accordance with Section 5.9 above.

Recognized county holidays which occur while an employee is on sick leave will not be counted as a day of sick leave.

D. Charging Sick Leave

Utilization of sick leave for FLSA non-exempt employees will be charged in increments not smaller than five (5) minutes.

E. Doctor's Release

The Human Resources Department or the Department Director may require the employee to submit a doctor's certificate for sick leave and/or a release to return to work under the following conditions:

1. The employee is absent three or more consecutive days.
2. There is a concern that an employee is abusing sick leave.
3. Sick leave is substituted during a pre-authorized vacation leave.
4. A doctor's release may also be required of those engaged in emergency medical service or other health-related areas, regardless of time absent from the job, when there is a possibility that the employee has contracted or has been exposed to a contagious disease.
5. To serve as a "fitness for duty" statement, verifying the employee's ability to perform his or her essential job functions.

F. Sickness or Disability While on Vacation

If an employee taking vacation leave becomes ill or injured and, for all intents and purposes, is deprived of all or a portion of his/her vacation, the Human Resources Director, upon the request of the employee, may charge to sick leave some or all of the time the employee was ill or injured while on vacation. A written statement by a medical doctor or dentist may be required as outlined above.

G. Transfer

When an employee is promoted or transferred to another county department or division, the new department must accept all of the employee's accumulated sick leave.

H. Abuse of Sick Leave

An employee who improperly claims sick leave shall be subject to disciplinary action, including loss of pay or dismissal. Employees who establish a pattern which gives the appearance of sick leave abuse or who are suspected of sick leave abuse shall be referred by their supervisor to the Department of Human Resources for review and possible referral to an authorized county physician for consultation. The Human Resources Director or an authorized county physician may require an employee to provide a statement from a medical doctor showing:

1. The date the employee was treated;
2. A statement indicating the extent or seriousness of the illness or injury which would have prevented the employee from being available for work;
3. Date(s) the employee was unable to work because of the illness or injury; and
4. Date the employee may return to work to assume full duties.

Failure to provide the medical statement as required above may result in disciplinary action, up to and including termination.

I. Notice of Resignation

An employee who has given notice of resignation shall not be allowed to use sick leave without a doctor's written statement.

7.14 SHARED LEAVE PROGRAM

The shared leave program is a means to transfer or loan vacation and sick leave to a qualifying employee experiencing, either personally or by an immediate family member (as defined by the FMLA), a serious, extreme, or life-threatening illness, injury, impairment or physical or mental condition which has caused, or is likely to cause, the employee to take leave without pay or terminate employment.

For details of the Shared Leave Program, see Attachment B of this document.

7.15 FUNERAL LEAVE

In the unfortunate event of a death in the family (as defined), a leave of absence with pay will be granted. Such leave must be taken consecutively within a reasonable time from the day of the death or day of the funeral and may not be split or postponed. Proof of

death and relationship to the deceased may be required. Employees must notify the Department Director prior to utilizing Funeral Leave.

A. Immediate Family Members

Employees shall be allowed up to the following maximum leave with pay per funeral for employee's immediate family members, including spouse, child, parent or sibling (includes step):

1. EMS Employees: Up to two (2) consecutive 24-hour shifts in a seven-day period.
2. Regular Employees: Up to three (3) consecutive working days in a seven-day period. (Includes 12-hour EMS employees.)

B. Close Family Members

Employees shall be allowed up to the following maximum leave with pay per funeral for employee's close family members, including grandparent, great grandparent, grandchild, great grandchild, a family member residing in the same household, and those immediate and close family members of an employee's spouse.

1. EMS Employees: Up to one (1) 24-hour shift.
2. Regular Employees: Up to two (2) consecutive working days in a seven-day period. (Includes 12-hour EMS employees.)

C. Other Family Members

Employees shall be allowed up to the following maximum leave with pay per funeral for employee's other family members, including aunt, uncle, niece, nephew or cousin (includes great).

1. EMS Employees: Up to 12 consecutive hours
2. Regular Employees: Up to one-day (Includes 12-hour EMS employees.)

D. Co-Workers

Employees may be allowed two (2) hours off with pay to attend the funeral of a current or former Miami County co-worker. Department Directors may allow additional time to permit employees to clean up in order to attend the funeral.

E. Extension of Funeral Leave

Extensions of leave may be authorized with approval from the Department Director and Human Resources Director, but the employee must utilize sick, vacation or personal leave; or authorized leave without pay. Such extensions of leave will only be considered for extenuating circumstances. Use of sick leave for the extension of funeral leave may be denied to an employee who maintains a high utilization rate of sick leave, excluding such use for FMLA leave.

7.16 INJURY LEAVE

Miami County employees involved in a workplace incident / injury which results in lost time away from work shall be paid injury leave.

A. Compensation

Employees will be compensated at their regular rate of pay for injury leave hours. Injury leave will not calculate towards overtime.

B. Utilization

Injury leave should be used from the onset of the incident / injury until the employee is released to work, not to exceed seven (7) calendar days per workers' compensation benefits.

When an employee involved in a work-related incident / injury has been released to work, but requires follow-up care, time should be entered as injury leave.

7.17 HOLIDAYS

Each year, by resolution, the Board of County Commissioners will approve the county observed holidays for the following calendar year. All non-emergency offices will be closed on the observed holiday.

A. Designating Observed Holidays

Holidays will be observed on the true date of the holiday. If a holiday falls on Saturday, it will be observed on the preceding Friday. If a holiday falls on Sunday, it will be observed on the following Monday.

B. Observed Holidays

New Year's Day	1st of January
Martin Luther King Day	3rd Monday of January
President's Day	3rd Monday of February
Memorial Day	4th Monday of May
Juneteenth	19th of June
Independence Day	4th of July
Labor Day	1st Monday of September
Veteran's Day	11th of November
Thanksgiving Day	4th Thursday of November
Day after Thanksgiving	Day After Thanksgiving
Christmas Eve*	24th of December
Christmas Day	25th of December

**Christmas Eve will only be observed as a designated county holiday when it falls on Monday, Tuesday, Wednesday or Thursday.*

C. Compensation

All regular employees shall receive compensation at the employee's regular rate of pay for the authorized holidays, based on the schedule shown below, emergency personnel will be compensated based on the employee's normal work schedule.

Normal Work Schedule	Holiday Compensation
Non-Emergency Personnel	8 Hours
Emergency Personnel	8, 10, 12 Hours

EMS Employees	12 Hours
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1. Employees on Paid Leave
Employees on authorized paid leave, shall receive holiday compensation as outlined above.
2. Non-Emergency Personnel
Regular full-time, non-emergency personnel working a modified Monday through Friday work schedule (i.e., 4, 10-hour shifts) will revert back to a regular Monday through Friday schedule with 8-hour shifts.
3. Regular Part-time Employees
Regular part-time employees shall receive compensation at the employee's regular rate of pay for hours they would have otherwise been scheduled to work on the observed holiday.
4. Seasonal and Part-time Employees
Seasonal and part-time employees will not be compensated for observed holidays.

D. Required to Work on the Holiday

All regular full-time employees required to work on a holiday will receive holiday overtime pay as outlined below, in addition to the compensation detailed in section 7.17C above.

1. Non-Emergency Personnel
Employee's working for a non-emergency department, will be compensated at one and one-half times (1½) their regular rate of pay for any hours worked from midnight to midnight on the county observed holiday. For the purpose of this policy, non-emergency personnel include road and bridge employees.
2. Emergency Personnel
Employee's working for an emergency department (Dispatch, EMS, Jail, Sheriff), will be compensated at one and one-half times (1½) their regular rate of pay for any hours worked from midnight to midnight on the true date of the holiday.
3. Part-time Employees
Part-time employees will be compensated at one and one-half times (1½) their regular rate of pay for any hours worked from midnight to midnight on the true date of the holiday.
4. Seasonal Employees
Seasonal employees will be compensated at their regular rate of pay for hours worked on a county observed holiday.

7.18 PERSONAL LEAVE

All regular full-time employees will receive one personal day per year as authorized by the Board of County Commissioners.

A. Eligibility

Personal leave is granted to all regular full-time employees in non-probationary status.

B. Initial Introductory Employees

Employees in their initial introductory period shall not be eligible for personal leave. Upon satisfactory completion of the initial introductory period the employee will receive one personal day.

C. Personal Leave Hours

All regular employees shall receive personal leave hours based on the employee’s normal work schedule during the time of accumulation.

Normal Work Schedule	Personal Leave Hours
8 Hour Shift	8 Hours
10 Hour Shift	10 Hours
12 Hour Shift	12 Hours
EMS Employees	12 Hours

D. Utilization

Employees shall be granted the use of personal leave, upon request in advance with approval from the department director. Personal leave may be split over two occurrences.

E. Accumulation

Employees will forfeit any personal leave not used by the end of the calendar year.

7.19 MILITARY LEAVE

Employees who are inducted into the U.S. Armed Forces or who are reserve members of the U.S. Armed Forces or state militia groups will be granted leaves of absence for military service, training or other obligations in compliance with state and federal laws. These employees may use accrued vacation leave but are not required to do so. At the conclusion of the leave, employees generally have the right to return to the same position held prior to the leave or to positions with equivalent seniority, pay and benefits. Employees are requested to notify their supervisors as soon as they are aware of the military obligation. Copies of the employee’s military orders shall be submitted to the Human Resources Department as soon as possible.

A. Benefits

1. Accrual: When on unpaid military leave, an employee shall receive no county pay or benefits. This excludes short-term leave requests for required training and drills, which normally last up to two weeks.
2. Disposition of existing vacation and sick leave. Employees returning to the county service under these provisions shall have available any unused leave existing at the time of taking military leave.

B. Reinstatement

Regular employees returning from military leave shall be entitled to restoration to their former position, provided the position held before going on military leave has not been eliminated and that they are physically and mentally capable of performing the duties of the position.

1. Reenlistment: Reenlistment or continuation of active duty beyond the date when it could be terminated shall be considered a voluntary resignation from military leave status.
2. Time Limits: Any employee released from the service must make application for reinstatement within the prescribed time as permitted by federal law. Copies of military orders releasing the employee from the service shall be submitted to the Human Resources Director prior to reinstatement.

7.20 CIVIL LEAVE

Regular employees shall be given time off without loss of pay for the reasons outlined below. An employee is expected to return to work one hour after release from civil leave unless other arrangements are made with the Department Director.

A. Jury Duty

The employee must provide to the Department Director a form indicating that the employee did attend jury duty. Jury fees shall be turned over to the County Clerk and be deposited in the fund from which the employee's salary or wage is paid if jury duty was attended during scheduled work time. Travel allowances received for jury duty shall be kept by the employee.

B. Witness in Court

An employee shall be given necessary time off without loss of pay when appearing in court as a witness as the result of a subpoena in a criminal case or when the case is directly related to and within the scope of the employee's employment with Miami County. All witness fees received shall be turned over to the County Clerk and be deposited in the fund from which the employee's salary or wage is paid.

C. Emergency Duty

Performing emergency civilian duty in connection with national defense.

7.21 MATERNITY/PATERNITY LEAVE

No employee shall be compelled, coerced or ordered to begin maternity leave at any time during the period of pregnancy. Pregnancy and disabilities caused or contributed to by pregnancy shall be considered and treated as temporary disabilities. Employees affected by pregnancy and related conditions must be treated the same as other employees: on the basis of their ability or inability to work. Adoptive parents shall be considered eligible for maternity/paternity leave at the time of the adoption. Maternity/Paternity Leave shall be handled in the same manner as FMLA leave.

7.22 LEAVE WITHOUT PAY

A request for leave without pay must be supported by valid reasons, submitted in writing, approved by the Department Director and forwarded to Human Resources Department. Such requests shall include the employee's name, date of the request, inclusive dates of the requested leave and reason(s) for the leave. Employees are required to expend all accrued paid leave before requesting leave without pay. Use of accrued paid leave must be consistent with the purpose of the leave. It is possible benefits may be adjusted after 10 consecutive days of leave without pay.

It is up to the Department Director to approve or deny leave without pay (excluding FMLA leave). If the Department Director determines that it is in the best interest of the department to fill the position, the incumbent may be terminated. Employees and their supervisors should consult the Human Resources Department if it is believed that FMLA leave may be appropriate.

7.23 CURTAILMENT OF SERVICES

The duty of all county officials and employees is to serve the public. There may be situations, however, when it is felt those services can be minimized to protect the welfare of our employees. Examples can be inclement winter weather, power outages, etc.

Under any but the most extreme weather conditions which could cause near utility outages, all county offices will be open, and staffed by the Department Directors and/or their deputies, and as many others as the Department Director deems necessary to serve the public's need under the conditions then in effect.

A. Announcement

At times it is necessary to close facilities due to inclement weather or other conditions. In every instance, the decision to curtail county services will be based on local weather, road conditions, current weather forecast information, and the status of the utility service to the offices. The commissioners will make the announcement to that effect.* Employees will be paid for those days. If the county offices are open and are forced to close early, all employees who reported to work shall be paid for their normal workday(s). In instances where some employees are required to remain at work and others have been released (with pay) to leave due to inclement weather, those employees remaining at work will be paid for hours worked and, in addition, shall receive paid time off at a later date, equal to the time off received by the employees who were released early.

**When the commission is not in session, the County Administrator shall be responsible for the decision to curtail county services.*

B. No Announcement

If the announcement is not made and employees do not come to work, that day shall be charged to vacation leave.

C. Vacation/Sick Leave Adjustments

If an employee is on pre-authorized vacation or sick leave and the facilities are closed due to inclement weather or other reasons, the amount of vacation or sick leave will be adjusted to reflect the time the facilities were open.

7.24 FAMILY AND MEDICAL LEAVE ACT POLICY

Miami County will grant up to twelve (12) weeks of family and medical leave during any twelve (12) month period to eligible employees in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave as specified in this policy. The twelve-month period shall be measured as a rolling 12-month period. This 12-month period is measured backward from the date an employee uses any FMLA leave.

For details of the Family and Medical Leave Act Policy, see Attachment C of this document.

7.25 PARENTAL LEAVE

Miami County will provide eligible employees up-to four (4) weeks of paid parental leave for parents to bond and care for new children.

A. Eligibility

Regular full-time and regular part-time employees who have satisfactorily completed their initial introductory period, as defined in section 2.3, may qualify for paid parental leave.

Spouses and domestic partners, who are both eligible employees under this policy may each be eligible for parental leave for the same qualifying event.

B. Qualifying Event

Employees may use parental leave to care for and bond with their child after the birth of a child or following the placement of a minor child for adoption. An individual who adopts a spouses or domestic partners child will not be eligible for parental leave.

An employee will not be granted more than one parental leave qualifying event in a 12-month period. Pregnancy or placement is considered a single event, regardless of the number of children involved.

C. Hours and Compensation

Employees utilizing parental leave will be compensated at their regular base rate of pay. Parental leave will not be considered as hours worked for the purpose of calculating overtime.

Parental Leave Hours*:

Employment Type	Hours of Leave
Regular Full-Time	160 Hours
Regular Part-Time	120 Hours
EMS Employees	192 Hours

**12-hour EMS employees will accrue at regular full-time rate.*

D. Utilization

Parental leave may be used on a continuous or intermittent basis, in five (5) minute increments. Parental leave can only be used for the employee’s regularly scheduled shift. Approval of parental leave will be in accordance with section 7.11C above and cannot be used in combination with any other leave, holidays, or hours worked.

Employees may utilize parental leave within a 12-week period immediately following the qualifying event. Parental leave will run concurrently with the Family Medical Leave Act (FMLA) if the employee is eligible. Employees utilizing parental leave will be eligible for all approved benefits as defined herein.

E. Accumulation

Parental leave cannot be accumulated, donated, or transferred. Parental leave not utilized within the 12-week period of the qualifying event will be forfeited.

F. Requesting Leave

The Human Resources Department will be responsible for the approval of all parental leave requests. Employees may request parental leave via the Human Resources Department, who may require additional documentation or verification of the qualifying event.

Employees must follow the department procedures when requesting parental leave. When practical, employees should provide reasonable notice of their leave request and will be subject to department approval.

7.26 ADMINISTRATIVE LEAVE

A Department Director may request an employee be placed on administrative leave, which may be paid or unpaid. A director requesting an employee be placed on administrative leave must notify the Human Resources Department including the employee’s name, inclusive dates of the leave, reason(s) for the leave, and whether the leave shall be paid or unpaid.

When an announcement has been made for the closure of county offices, as defined in Section 7.23, Curtailment of Services, paid time for those hours and employees will be entered as administrative leave.

7.27 WORKER'S COMPENSATION PROCESS

Miami County provides workers' compensation benefits for all employees who are injured on the job, which results in lost time in accordance with Kansas statutes. Employee safety is fundamental to a functional workplace. Accurate and timely reporting are critical to ensuring the county provides a safe working environment, and that employees involved in a workplace incident receive the appropriate care and treatment.

A. Reporting of Workplace Incidents / Injuries

All incidents / injuries occurring while on the job or in the workplace must be reported to a supervisor immediately, regardless of the severity. Reporting of workplace

incidents / injuries is important for the compliance of workers' compensation laws, prevention of potential future incidents / injuries, and the timely treatment for injured employees.

1. Employee Responsibility

Employees should report incidents / injuries occurring at the county workplace or during work hours to their direct supervisor or department director immediately. They should complete and return all necessary documents to the human resources department and seek appropriate care as directed.

2. Supervisor / Director Responsibility

The responsible supervisor or director should notify the human resources department immediately, or within twelve (12) hours, of any incident / injury involving a county employee while at the county workplace or during work hours. They should complete and return all necessary documents and coordinate with the human resources department on next steps.

3. Human Resources Responsibility

It is the responsibility of the human resources department to notify the county's worker's compensation insurance provider of all incidents / injuries involving county employees while at the county workplace or during work hours. The human resources department is responsible for compliance of workers' compensation laws.

B. Authorized Providers

Employees involved in a workplace incident / injury that requires medical attention should seek appropriate care from an authorized work comp provider as determined by the county's workers compensation insurance provider and in accordance with K.S.A. 44-510.

1. Preferred Authorized Provider

When a Miami County employee is involved in a non-emergency work-related incident that requires medical treatment, the employee should seek care from the Preferred Authorized Provider. The Authorization for Work Comp Medical Treatment needs to be completed and given to the employee prior to seeking medical attention.

2. Emergency Authorized Provider

When a Miami County employee is involved in a work-related incident that requires emergency medical treatment, the employee should seek care from the Emergency Authorized Provider. *Employees should not seek treatment at an emergency provider for non-emergency / minor injuries.*

C. Types of Workplace Incidents / Injuries

When emergency medical treatment is necessary, the health and wellbeing of the employees is of the utmost importance, and medical attention should be sought immediately.

1. Employee Incident: Non-Injury, No Medical Treatment

When an employee is involved in a non-injury work-related incident that does not require medical treatment, the following steps should be followed:

- (a) Report the incident to HR within 12 hours.
- (b) Complete the MiCo Work Comp Packet (non-injury) and return to HR.
- (c) Provide the employee with the Employee Work Comp Packet.
- (d) Review the incident with the employee, discuss how to prevent future incidents.

2. Employee Incident: Injury, Non-Emergency

When an employee is involved in a non-emergency work-related incident that requires medical treatment, the following steps should be followed:

- (a) Report the incident to HR within 12 hours.
- (b) Complete the MiCo Work Comp Packet and return to HR.
- (c) The injured employee should be seen by the Preferred Authorized Provider.
- (d) Provide the employee with the Employee Work Comp Packet.
- (e) Review the incident with the employee, discuss how to prevent future incidents.

3. Employee Incident: Injury, Emergency

When an employee is involved in a work-related incident that requires emergency medical treatment, the following steps should be followed:

- (a) The injured employee should seek emergency care from the Emergency Authorized Provider.
- (b) Report the incident to HR within 12 hours.
- (c) Complete the MiCo Work Comp Packet and return to HR.
- (d) Provide the employee with the Employee Work Comp Packet.
- (e) Review the incident with the employee, discuss how to prevent future incidents.

4. Medical Attention: Overnight or Weekend

When an employee is involved in a work-related incident overnight or on the weekend that requires medical treatment, the following steps should be followed:

- (a) If the incident is an emergency, the employee should seek immediate emergency care.
- (b) If medical attention can wait, the employee should seek treatment at the earliest time from the Preferred Authorized Provider.
- (c) *Refer to and follow steps in the appropriate Employee Incident instructions as listed.*

D. Release to Work

An employee involved in a work-related incident / injury that requires medical treatment, should not return to work without a release to work from an authorized provider.

1. Medical Attention: Released to Work, No Restrictions:

When an employee seeks medical attention due to a work-related injury and the employee is released to work without restrictions by an authorized provider:

- (a) Employee should return all provider documents related to the injury.
- (b) Employee may return to work.
- (c) If an employee is released without restrictions but requires follow-up care, coordinate follow-up care with HR and work comp.

2. Medical Attention: Released to Work, Restrictions

When an employee seeks medical attention due to a work-related injury and the employee is released to work with restrictions by an authorized provider:

- (a) Employee should return all provider documents related to the injury.
- (b) Employee should not return to work without approval from HR and work comp.
- (c) HR, work comp, and department will discuss possible accommodations.

3. Medical Attention: Not Released to Work

When an employee seeks medical attention due to a work-related injury and the employee is not released by an authorized provider:

- (a) Employee should return all provider documents related to the injury.
- (b) Employee should not return to work and will be relieved of all duties.
- (c) HR, work comp, and department will discuss next steps.

E. Work Time Lost / Work Comp Benefits

1. Work Time Lost:

Time missed from work due to a work-related incident / injury should be entered as injury leave (section 7.16) from the time of the incident, not to exceed seven (7) calendar days.

2. Work Comp Benefits:

When an employee is unable to return to work due to a work-related incident / injury and workers' compensation benefits take effect, the employee shall receive a percentage of their regular gross pay from the Workers' Compensation benefit up to the maximum established by State law.

- (a) Workers' compensation benefits take effect on calendar day eight (8), after the employee is unable to work due to a work-related incident / injury.
- (b) Workers' compensation benefits pay the employee sixty-six and two-thirds (66 2/3%) of the employee's regular gross pay.

- (c) Employee's receiving workers' compensation benefits may supplement their earnings with accrued leave, not to exceed 100% of regular gross pay in combination with workers' compensation benefits.
- (d) Employee's receiving workers' compensation benefits will continue to accrue leave.
- (e) Employee's receiving workers' compensation benefits will continue to be responsible for their portion of elected payroll benefit deductions.
- (f) Employee's receiving workers' compensation benefits will be placed on FMLA, and hours away from work will be counted towards FMLA.

7.28 TEMPORARY LIGHT DUTY ASSIGNMENTS

A. Purpose

Temporary light duty assignments, when available, are for county employees who, because of injury, illness or disability (whether work related or non-work related), are temporarily unable to perform their regular assignments but who are capable of performing alternative duty assignments.

B. Availability

Temporary light duty assignments are limited in number and variety, and the availability of such assignments is not guaranteed. Assignments may be changed at any time, with input of the treating health-care provider.

C. Employment Status

Assignment to temporary light duty shall not affect an employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits. No specific position shall be established for use as a temporary light duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on temporary light duty.

D. Duration

Light duty assignments are temporary and normally should not exceed six months in duration, notwithstanding pregnancy situations. After six months, employees on temporary light duty who are not capable of returning to their original duty assignment may present supporting documentation to human resources.

E. Outside Employment

Employees on temporary light duty are prohibited from engaging in outside employment in which they may reasonably be expected to perform functions for which they have been determined physically or mentally unable to perform on behalf of the county and that form the basis for their temporary light duty assignment.

F. Types of Assignments

Temporary light duty assignments may be drawn from a range of technical and administrative areas. Decisions on temporary light duty assignments shall be made based upon the availability of an appropriate assignment given the applicant's

knowledge, skills and abilities; availability of light duty assignments; and the employee's physical limitations.

G. Requesting Temporary Light Duty Assignment

Requests for temporary light duty assignments shall be submitted to human resources. Requests must be accompanied by a statement of medical certification to support a requested reassignment, which must be signed either by the treating physician or other licensed healthcare provider. The certificate must include an assessment of the nature and probable duration of the condition, prognosis for recovery, and the nature of work restrictions. Once the request has been received, human resources will make a recommendation to the county administrator, in coordination with the department head. The county may require the employee to submit to an independent medical examination by a health provider of the county's choosing.

H. Pregnancy

If an employee becomes pregnant and is not able to perform the job duties associated with her position due to pregnancy-related medical restrictions, the employee may request a temporary light duty assignment. Any such assignment will be made with input of the health care provider, human resources, and the department head. The employee can remain in a light duty position until she is physically unable to perform their light duty assignment as certified by her physician. At that time, the employee may utilize any applicable leave.

I. Return to Regular Position

An employee can return to work at their regular position with no restrictions after the treating health care provider gives their written approval based on the employee's job functions. Employees who are out on a designated workers' compensation illness or injury will not be eligible for any workers' compensation benefits if they choose to not return to work at their regular position after receiving written approval.

SECTION 8: BENEFITS

8.1 ELIGIBILITY

Elected officials, regular, and introductory employees of Miami defined in Section 1 hereof are eligible for employee benefits. These benefits may be changed upon review and decision made by the County Commission. Seasonal and part-time employees are eligible only for workers' compensation and social security. Part-time employees may be eligible for retirement benefits as outlined by the Kansas Public Employee's Retirement System (KPERS).

8.2 KPERS AND KP&F RETIREMENT

Miami County offers retirement plans for all eligible county employees through the Kansas Public Employee's Retirement System (KPERS) and the Kansas Police & Fire (KP&F). All employees working in a KPERS or KP&F covered position contribute a pre-tax percentage of their gross wages. A KPERS / KP&F covered position will be defined as any introductory or regular position. Part-time positions working a continuous and consistent schedule of 20 or more hours per week and at least 1,000 hours annually. Elected officials may opt-out of participation in the KPERS / KP&F retirement systems.

KPERS. All regular employees and elected officials (except designated positions in Sheriff's Office and EMS) become members of Kansas Public Employees Retirement Systems (KPERS) as per K.S.A. 74-4901 after one year of continuous service. Under KPERS, members contribute a percentage of their compensation.

KP&F. All eligible employees in the Sheriff's Office and Emergency Medical Services become members of Kansas Police & Fire Retirement Systems (KP&F) upon employment. Under KP&F, members contribute a percentage of their compensation.

8.3 GROUP HEALTH, HOSPITALIZATION AND LIFE INSURANCE

Miami County provides group insurance programs for health, dental, vision, and life for eligible employees as established in the County's insurance contracts.

Premiums for the employee are paid in part by Miami County. Information concerning eligibility, cost, employee share of cost, and detail of benefits shall be available to all eligible employees and may be obtained from the Human Resources Department or via the Employee Portal located on the Miami County website.

A. Types of Enrollment

All benefit eligible employees will have an opportunity to enroll in county provided insurance plans during new hire enrollment and annual open enrollment. An employee will not be able to make changes outside of the annual open enrollment. If an employee experiences a qualifying event (i.e., birth, marriage, divorce) which affects the employees' coverage or those individuals covered under the county's insurance plan, the employee is required to notify the Human Resources Department within 31

days of the event. Contact the Human Resources Department for information and details regarding benefit enrollments and qualifying events.

B. Dependent Verification

It is the requirement of the Human Resources Department to obtain and maintain dependent verification records of any person being covered under the county's health insurance plan. *It is the responsibility of the employee to provide the necessary documentation to the Human Resources Department.*

C. Employees Responsibility to Report

It is the responsibility of any benefit eligible employee to report and notify the Human Resources Department of any life changing event that may affect their benefit eligibility. Failure to report or provide the necessary documentation within the designated timeline may result in the loss of coverage, or inability to make changes to enrollment. Contact the Human Resources Department with questions or for additional information.

8.4 OTHER OPTIONAL BENEFIT PLANS

Miami County offers other group benefits such as voluntary group life insurance, short-term disability, accident, and critical illness policies to employees upon authorization of the Board of County Commissioners.

8.5 FLEXIBLE SPENDING ACCOUNTS

Eligible employees may participate in the county's Flexible Spending Accounts for dependent care and/or unreimbursed medical expenses or other qualifying expenses. Details of this plan are available in the Human Resources Department.

8.6 LEAVES/HOLIDAYS

Miami County provides holidays and various types of leave for its employees. For a full explanation of these benefits, please refer to Section 7 hereof.

8.7 DEFERRED COMPENSATION

Miami County is participating in the following deferred compensation programs:

1. KPERS 457 (Empower Retirement)

Any regular employee may participate in these programs by contributing a designated portion of his/her income before taxes into either of these deferred compensation programs. Details are available in the Human Resources Department.

8.8 RETIREMENT

Any employee deciding to retire from Miami County employment shall give thirty (30) days advance notice to the Human Resources Department. An eligible retiree is one who is eligible for full retirement benefits with Social Security, KPERS, and/or KP&F.

A. KPERS / KP&F

Employee's eligible for retirement through the KPERS or KP&F retirement systems may request information regarding options from the Human Resources Department.

B. Health Insurance

Group health insurance benefits will be extended to those employees and elected officials who retire from county service according to the provisions of the Retiree Resolution adopted by the Board of County Commissioners.

C. Miscellaneous

When an employee retires from Miami County, they will receive with their final paycheck other miscellaneous compensations. For an in-depth explanation, please refer to Section 5.9 hereof.

8.9 WORKERS' COMPENSATION

All employees of Miami County are covered under the Kansas Workers' Compensation laws and regulations and are required to report all injuries arising out of and in the course of employment to their immediate supervisors at the time of the injury in order that appropriate action may be taken at once.

8.10 CONCILIATORY OMNIBUS BUDGETARY RECONCILIATION ACT (COBRA)

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, if an employee terminates employment with the County, the employee is entitled to continue participating in the County's group health plan for a prescribed period of time. COBRA coverage may not be extended to employees terminated for gross misconduct.

It is the employee's responsibility to notify the Human Resources Department, in writing, if a dependent is no longer eligible for insurance coverage. Any notice provided to the Human Resources Department must be made *in writing*. Once *timely notice* is received that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage for their spouses, and parents may elect COBRA continuation coverage on behalf of their children. For each qualified beneficiary who elects COBRA continuation coverage, COBRA continuation coverage will begin on the date that plan coverage would otherwise have been lost

If a former employee chooses to continue group benefits under COBRA, he/she must pay the total applicable premium. Coverage will cease if the former employee fails to make premium payments as scheduled, becomes covered by another group plan that does not exclude pre-existing conditions or becomes eligible for Medicare.

Detailed information regarding COBRA will be provided to the employee, as well as his or her covered spouse and dependent children, in a lawful and timely manner. Employees should contact the Human Resources Department for additional information.

8.11 EDUCATIONAL ASSISTANCE PROGRAM

Miami County values its employees and the contributions they make. In an effort to encourage the professional development of employees, the educational assistance program has been designed to reimburse employees for some educational expenses.

For details of the Educational Assistance Program, see Attachment D of this document.

8.12 EMPLOYEE ASSISTANCE PROGRAM

The goal of the Employee Assistance Program (referred to as EAP) is to assist employees of Miami County who may experience personal or emotional difficulties, which may affect job performance. The EAP is available to all employees of Miami County and their immediate family members.

A. Policy

1. Miami County recognizes that personal and emotional difficulties can contribute to deteriorating job performance.
2. Miami County encourages employees to utilize the services available. In addition, supervisors may utilize the resources of the EAP as an integral part of an intervention program when personal problems are suspected of causing poor job performance.
3. Miami County acknowledges that use of the EAP does not, in any way, alter management's responsibility or authority as an employer.
4. Participation in the EAP will not, in any way, jeopardize future employment or career advancement; however, participation will not protect the employee from disciplinary action for substandard job performance or rule infractions.
5. Miami County encourages employees to use the EAP when deemed necessary. Miami County, therefore, agrees to help promote the EAP for employees and immediate family members who seek assistance with personal and emotional difficulties.

B. Confidentiality

1. Miami County recognizes that the success of the EAP will be enhanced by protecting the confidentiality of those employees utilizing the program.
2. The organization contracted by Miami County to provide EAP services will not reveal the name of the employee who self refers to the EAP.
3. Information supplied to Miami County on employees referred to the EAP by the supervisor will be limited to the following: acknowledgment of failed or kept appointments and acknowledgment of treatment compliance. Additional information, including specific diagnosis or treatment, will not be released unless

the employee signs a release specifying the information to be released and to whom.

4. All information regarding an employee's participation in the EAP is part of the clinical records maintained by the organization contracted by Miami County to provide EAP services and is subject to all state and federal confidentiality laws governing such medical records.

C. Procedure

The EAP "Support line" will be coordinated by a third-party administrator. This program will include a toll-free number, available 24 hours a day to be answered by licensed or certified master's level mental health professionals who will provide helpful suggestions, crisis intervention, telephone assessment, and assistance with a referral to community resources if appropriate.

D. Voluntary Referral

Crisis intervention, telephone assessment, and timely access to ongoing treatment resources, if appropriate, are available by accessing the "Support Line." The EAP provides unlimited access to all employees and immediate family members for use at their own discretion as needed. A mental health professional will listen and offer suggestions that might help.

E. Mandatory Referral/Drug and or Alcohol

Mandatory referrals to the EAP may be recommended by Department Directors and approved by the Human Resources Director. A mandatory referral shall be the result of a documented problem or problems related to poor job performance or conduct on the part of the employee. If a mandatory referral recommendation is made by a Department Director and approved by the Human Resources Director, the Mandatory Referral form shall be completed by the Department Director, signed by the employee and the Human Resources Director. The Human Resources Director will contact the EAP counselor to alert them to the required contact.

The employee will have forty-eight (48) hours after signing the Mandatory Referral Form to contact an EAP counselor by calling the toll-free number and setting up a face-to-face meeting. The EAP counselor will confirm contact from the employee by notifying the Human Resources Director. Failure to contact the EAP counselor within forty-eight (48) hours without just cause may be grounds of disciplinary action, including termination.

SECTION 9: DRUG & ALCOHOL POLICY

Miami County recognizes that the use and abuse of drugs and alcohol in today's society is a very serious problem, which has also found its way into the workplace. Miami County also recognizes the significant threat that a drug-impaired employee working in the transportation industry can pose to the safety of the worker, co-workers and the general public. In order to address the safety threat presented by the problem of drug and alcohol abuse in the transportation industry, the Department of Transportation, and the Federal Highway Administration have established extensive regulations requiring drug testing under certain circumstances.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. Violation of this policy will result in disciplinary action, up to and including termination. Employees are required to notify their Department Director in writing of any personal conviction of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

In light of the above, Miami County has adopted this Anti-Drug Plan to specify the circumstances under which drug and alcohol testing may be required, the procedures for conducting such testing, and the methods and procedures for complying with the requirements of the regulations.

Additionally, Miami County's drug and alcohol testing program is incorporated in an overall anti-drug plan that is designed to create a drug-free transportation industry and provide help to those employees who may suffer from problems with substance abuse. The Plan has been developed in compliance with existing federal regulations in a manner, which ensures accurate and reliable test results, and thereby contains procedures designed to recognize and respect the dignity and privacy of all of our employees. More importantly, we recognize that our employees are our most valuable resource, and we want to assist any employee who feels that he or she may have a problem with substance abuse.

A separate policy defines the Employee Assistance Program of Miami County, which is also a part of the mandated requirements.

For details of the Miami County Drug & Alcohol Testing Policy, see Attachment E of this document.

ATTACHMENT A: COMPUTER TECHNOLOGY USAGE POLICY

Effective: May 31, 2005

I. Introduction

Miami County has established the following policy to protect the confidential information of its citizens, in conducting its business activities, and to protect the significant resources it has invested in facilities and electronic support systems.

Use of the county's facilities, electronic support equipment, and electronic communications services for any non-county-related activity without the prior approval of a Department Director is prohibited. Loading of software or programs, etc. (not supplied by the county) onto the county systems for any non-county-related activity without the approval of a Department Director is prohibited. In addition, the county strictly prohibits inappropriate access to and use of its facilities, equipment, and all of its various communication services. The county reserves the right to effectively monitor and enforce this policy by accessing or auditing these systems when in the county's judgement such review is warranted. Removal of any form of county computer technology asset, this includes hardware, software and any files from county computers, from the premises without Department Director approval is prohibited.

II. Purpose

Miami County recognizes that computer technology, including Internet access, electronic mail ("e-mail") and voice mail, play a significant role in the county's business. Policies and standards must govern our use of technology in order to; (a) promote efficiency, clarity, and accuracy in our business communications; (b) protect the county from liability; (c) ensure the confidentiality of the county's information assets; and (d) ensure the appropriate use of county technology. Accordingly, this and related policies and standards shall govern the use of technology by the county, and each authorized computer user is deemed to consent to this Policy. The county reserves the right to change or modify this Policy or any related policies or standards at any time.

III. Computer Usage

- A. Authorized Use – The use of the county computer technology is a privilege which can be withdrawn at anytime. This privilege must not be abused. The county provides its computer technology to users for the purpose of conducting official county business. All other usage must be authorized or pre-approved by the Department Director.
- B. Authorized Software – The Director of Information Systems has a current list of the software authorized for use on Miami County computer systems. Unauthorized software may not be used or stored on any Miami County computer.
- C. Absence of Privacy – Any file stored on a Miami County computer system is the property of Miami County, subject to the provisions of applicable local, state and federal law. The county has the right to access, audit, review, and manage information stored on a Miami County computer system at any time without notice

and without recourse regardless of the content of the information, subject to the provisions of applicable local, state and federal law. Use of the county's computer system constitutes each user's consent to such audit, review and management. Upon request from county administration, a user shall furnish to the county all passwords or codes necessary to access information the user has stored, or is using, on a Miami County computer system.

- D. Viruses – The county's computers are configured with anti-virus software to scan for e-mail bound viruses. Files received from a non-county source, other than e-mail, must be manually scanned with virus detection software before being used on a Miami County computer system.
- E. Passwords - No user may access the county's computer system in any manner by using another user's user I.D. and password.
- F. Log-off – All county users must log-off when leaving the office at the end of their work day. The county reserves the right to log-off any user not in compliance with this Policy.

IV. E-mail and Voice Mail

A. Definitions

1. E-mail System – A computer application, and its associated data network, used to transfer a message from a sender to a designated recipient. Examples of e-mail systems presently in use at the county include GroupWise, Lotus Notes, Internet Mail, and Microsoft Outlook.
2. E-mail – A message, including attachments or draft messages, transferred or stored on an e-mail system. "E-mail" includes messages transferred using the mail transfer features of an application, such as the "send" command in Microsoft Word or Excel.
3. External E-mail – An e-mail that is sent outside of the county's e-mail system, through the use of the Internet, X.400 communications or another system.
4. Miami County E-mail System – An e-mail system the county provides and authorizes for use.
5. Voice Mail System – A computer application, and its associated hardware components, used to record a spoken telephone message from a caller to a designated recipient.
6. Miami County Voice Mail System – A voice mail system that the county provides and authorizes for use.
7. Authorized User – A person or entity expressly authorized by the county to use a county e-mail or voice mail system. Such a person or entity shall be allowed to use the Miami County e-mail or voice mail system only to the extent authorized and subject to ongoing compliance with this Policy and any related policies or standards.

B. Authorized Use

1. The use of Miami County e-mail systems is a privilege which can be withdrawn at any time. This privilege is one which must not be abused. The county provides e-mail access to authorized users for the purpose of conducting official county business. Proper business judgement and discretion should be used when sending e-mail. Inappropriate, potentially offensive, improper or harassing e-mail, or that which contains obscenity, sexually explicit content, vulgarity or profanity is prohibited. In addition, e-mail which contravenes the county's policies is prohibited.
2. The above principles apply equally to voice mail and Miami County voice mail systems.
3. Use of e-mail to disseminate copyrighted materials, such as articles or computer software, in violation of copyright laws is prohibited.
4. Use of encryption technology other than that provided by the county in connection with e-mail is prohibited unless authorized by the Information Systems Director. Use of a Miami County e-mail or voice mail system to send or receive a message that does not accurately reflect the sender's identity is prohibited. Use of an anonymous remailer or similar system to send or receive e-mail is prohibited.
5. The county reserves the right to immediately terminate any use of a Miami County e-mail system which may be improper or interfere with the continuing operation of that e-mail system. The county does not support and users will not be allowed to use instant messaging services such as AOL Instant Messenger, YAHOO Messenger, or HOTMAIL.
6. Authorized users must protect their access to Miami County e-mail and voice mail systems against unauthorized use. Unauthorized use of another person's e-mail user ID or voice mail password is prohibited.

C. Absence of Privacy – E-mail stored or transferred on Miami County e-mail systems is the property of Miami County, subject to the provisions of applicable local, state and federal law. Authorized users should compose e-mail with the knowledge that it is a business document and not a personal communication, and that it may be retrieved by the county administration, and may, in fact, become public. These principles apply equally to voice mail and Miami County voice mail systems.

D. Confidential and Proprietary Information

1. While the county takes precautions to ensure that Miami County e-mail systems are secure, it may be possible for an expert to wrongfully obtain e-mail. This may be especially true for e-mail sent outside of the county. Forwarded and misdirected messages also pose risks of inadvertent disclosure. As a result, proper judgment and discretion must always be used when sending confidential and proprietary information via e-mail.

2. Certain types of sensitive or confidential information should not be sent via external e-mail, unless adequate security provisions are in place. Any questions concerning whether a particular document or type of document should be sent via e-mail should be directed to your Department Director.
 3. These principles apply equally to voice mail and voice mail systems.
- E. **Audit and Review-** The county has the right to access, audit, review, and manage information stored or transferred on e-mail systems at any time without notice and without recourse regardless of the content of the information, subject to the provisions of applicable local, state and federal law. Use of the county's e-mail system constitutes each e-mail user's consent to such audit, review and management. Upon request from administration, an e-mail user shall furnish to the county all passwords or codes necessary to access the user's e-mail. These principles apply equally to voice mail and voice mail systems.
- F. **Reporting Unauthorized Use-** Authorized users should report any actual or potential violations of this policy or any related policies or standards to their office manager, department Director, or the Information Systems Department, as appropriate.

V. Internet

A. Authorized Use

1. The county provides access to the Internet through its computer system for the purpose of conducting official county business. Access to the Internet is a privilege, which can be withdrawn at any time. Employee use of the Internet must not interfere with the employees job performance or responsibilities. This privilege is one, which must not be abused. Proper business judgment and discretion should be used when accessing the Internet.
 2. The county reserves the right to immediately terminate any user's access to the Internet, which may be improper or interfere with the continuing proper operation of the county's computer system.
- B. **Monitoring -** The county reserves the right to monitor a user's access to Internet through the county's computer systems without further notice. Consistent with the overall county policy concerning technology and the use of county technology and the access to technology, there is no individual, personal right of privacy in connection with such usage.
- C. **Inappropriate Use-** Inappropriate use of the Internet access provided by the county will result in appropriate employment disciplinary action.

VI. Violations

Violations of the Policy or any related policies or standards may be grounds for disciplinary

action up to and including termination of employment for county employees, or termination of the contract(s) and services of an external consultant, vendor, or temporary worker. Some violations could result in civil or criminal liability for the county or the authorized user in addition to loss of access to county technology.

VII. Signed Acknowledgment

This policy is to be read and signed by all employees in the presence of their supervisor or county human resources staff and filed in each employee's personnel file. The signature of the employee constitutes acknowledgement of their obligation to abide by the policy. After reading and signing this policy, county employees have 48 hours after the date signed to clear any material that does not conform with this policy.

ATTACHMENT B: SHARED LEAVE PROGRAM

7.14 SHARED LEAVE PROGRAM

The shared leave program is a means to transfer vacation and sick leave to a qualifying employee experiencing, either personally or by an immediate family member (as defined by the Family Medical Leave Act), a serious, extreme, or life-threatening illness, injury, impairment or physical or mental condition which has caused, or is likely to cause, the employee to take leave without pay or terminate employment.

A. Coverage

1. Exclusions: Common or minor illnesses, injuries, impairments or physical or mental conditions that are not serious, extreme or life-threatening, or illnesses, injuries, impairments or conditions that will not cause the employee to take leave without pay or terminate employment are excluded.
2. Unsatisfactory Attendance: Shared leave is not intended to cover employees with unsatisfactory attendance records. Unsatisfactory attendance shall be defined, for the purpose of this Section, as an employee that has been absent without notification, or an employee that has expended 75% or more of previous paid leave for purposes other than serious, extreme or life-threatening illnesses, injury or impairment during the previous five-year period.
3. Worker's Compensation/Disability: If the employee receives worker's compensation, long-term disability payments, or both, the employee is not eligible to received shared leave.

B. Duration

Shared leave is meant to cover only the duration of the current illness or injury for which it was collected up to a maximum of twelve (12) weeks from the date the employee began using shared leave.

C. Compensation and Benefits

1. Shared leave will be calculated into a dollar amount and pooled into a fund. This fund money will be used to pay the requesting employee's wage.
2. An employee on shared leave status shall be treated the same as an active employee. The receiving employee is considered on paid leave and will continue to receive benefits as appropriate.
3. An employee will continue to accrue sick/vacation leave at the regular rate while on shared leave. Any vacation and sick leave accrued each pay period must be deducted before shared leave is used.

D. Eligible Employees

All regular employees are eligible to receive or donate shared leave upon meeting all other requirements of the program.

E. Requesting Procedures

1. Requesting Department:

- (a) The requesting department should counsel requesting employee of the provisions of this Section.
- (b) It is the requesting employee's responsibility to submit a letter of request for shared leave to his/her Department Director.
- (c) The Department Director will review the request to determine whether the employee has:
 - (i) exhausted or will exhaust all forms of paid leave (sick, vacation, or other forms of paid leave);
 - (ii) at least six (6) months of continuous service; and
 - (iii) a satisfactory attendance record.
- (d) If the employee meets the above criteria, the requesting Department Director shall request that the Human Resources Director obtain appropriate medical documentation from the employee and/or the employee's physician.
- (e) If the request is for the care of a family member, the Department Director shall forward the request to the Human Resources Director for medical determinations.

2. Human Resources Department:

- (a) A review panel consisting of the Human Resources Director, County Counselor and County Administrator shall determine whether the illness, injury, impairment or physical or mental condition is:
 - (i) serious, extreme or life-threatening; or
 - (ii) not serious, extreme or life-threatening and shall take appropriate action to approve or deny the leave. The employee's letter requesting shared leave along with a written explanation for denial will be filed by the Human Resources Department. The Human Resources Director will notify the requesting employee of the denial.
- (b) The review panel will:
 - (i) approve the use of all of the shared leave requested;
 - (ii) approve the use of a portion of the shared leave requested; or

(iii) deny the use of the shared leave requested.

- (c) Denial of the use of shared leave by the review panel is not a determination that a situation is not a personal emergency. The Human Resources Director may propose other possible solutions such as leave without pay under the FMLA.
- (d) The decision to approve or deny the use of shared leave by the review panel is final and not subject to appeal.

F. Donation Procedures

1. Requesting Department:

- (a) Notification of the need for shared leave will be the responsibility of the recipient's Department Director.
- (b) The receiving department, with assistance of the Human Resources Department, will determine the method of notification of the need for donated leave which may include memos, flyers, bulletin board notices, etc, without disclosing the requesting employee's name.

2. Donating Employee:

- (a) Donations must be made in writing.
- (b) Donations may be made to a requesting employee only after that employee has received final approval for shared leave by the Human Resources Department.
- (c) Employees donating vacation leave must have a vacation leave balance of at least eighty (80) hours after the donation is made. Employees donating sick leave must have a sick leave balance of at least two hundred forty (240) hours after the donation is made.
- (d) Employees may make multiple donations during a particular approved occurrence as long as the leave balance level requirements are met. Each donation must be made in written form and approved by the Human Resources Department.
- (e) Donations may be made to an employee in another department.
- (f) Donations may be made from accrued sick leave and/or accrued vacation leave.
- (g) Donations must be made in full-hour increments.

G. Record Keeping

1. The Human Resources Department will be responsible for processing shared leave requests and donations.

ATTACHMENT C: FAMILY MEDICAL LEAVE ACT (FMLA) POLICY

7.24 FAMILY MEDICAL LEAVE ACT POLICY

Miami County will grant up to twelve (12) weeks of family and medical leave during any twelve (12) month period to eligible employees in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave as specified in this policy. The twelve-month period shall be measured As a rolling 12-month period. This 12-month period is measured backward from the date an employee uses any FMLA leave.

A. Eligibility

To be eligible for FMLA leave, an employee must have worked for the County at least twelve (12) months, and for a minimum of one thousand two hundred fifty (1,250) hours during the previous year in accordance with principles established under the FLSA. Where a husband and wife work for the County, the total number of weeks leave to which both are entitled will be limited to twelve (12) weeks during any twelve (12) month period for the same occurrence.

B. Type of Leave Covered

In order to qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. The birth of a child and in order to care for that child;
2. The placement of a child for adoption or foster care, and to care for the newly placed child;
3. To care for a spouse, child, step-child or parent with a serious health condition; or
4. A serious health condition that makes the employee unable to perform the employee's job.

A serious health condition is defined as a condition which requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition which requires continuing care by a licensed health care provider. This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long term health condition which, if left untreated, would result in a period of incapacity of more than three (3) days, would be considered a serious health condition.

Employees with questions about what illnesses are covered under this FMLA policy or under the County's sick leave policy are encouraged to consult with the Human Resources Department.

C. Notice

All employees requesting leave under this policy must provide verbal notice with an explanation of the reasons(s) for the needed leave to their immediate supervisor, who will advise the Human Resources Department. If the leave is foreseeable, the immediate supervisor may require the employee to provide a written request for leave and reasons(s) with a copy to the Human Resources Department. Failure of the employee to provide a written request for leave cannot be grounds to deny or delay the taking of FMLA leave.

The county will provide individual notice of rights and obligations to each employee requesting leave within two (2) business days or as soon as practicable. For employees on intermittent or recurring leave for the same incident, this notice will be provided every six months if continued leave is requested.

When an employee plans to take leave under this policy, the employee must give the county thirty (30) days notice. If it is not possible to give 30 days notice, the employee must give as much notice as is practicable. An employee who is to undergo planned medical treatment is required to take a reasonable effort to schedule the treatment in order to minimize disruptions to the County's operations.

If an employee fails to provide 30 days notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date the employer receives notice. While on leave, employees are requested to report periodically to the County regarding the status of the medical condition and their intent to return to work, as outlined in the County's Response to Employee's Request for Medical Leave.

D. Medical Certification

Where leave is required as a result of a serious health condition, the employee, at the County's request, will provide the County a Certification Statement (form provided by Human Resources Department) issued by a health care provider. Failure to provide certification within 15 days of the request may result in a denial of continuation of leave.

Miami County has the right, at its own expense, to ask for a second opinion from a second health care provider, if it has reason to doubt the certification. Where there is a conflict between the two opinions, the County may pay for the opinion of a third provider. The opinion of the third provider is binding on both the employee and the employer. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Medical certification shall not be required for the birth or placement of a child. Medical certification may be required in all other cases when an employee expects to be, or is, absent from the job for FMLA reasons for three (3) days or more, either consecutive or intermittent.

Employees must provide a requested certification explaining their own serious health condition or that of a family member. It should detail the date on which the condition began; the probable duration of the condition; appropriate medical facts regarding the

condition: a statement that the employee is needed to care for a spouse, parent or child; or a statement that the health condition renders the employee unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. If the County finds the requested certification incomplete, the employee will be provided a reasonable opportunity to cure the deficiency.

If the employee plans to take intermittent leave or work a reduced schedule, any requested certification must also include dates and the duration of treatment as well as a statement of medical necessity for taking intermittent leave or working a reduced schedule.

E. Reporting Requirements

Employees on leave status will be required to report their status on a weekly basis. The employee's estimated date of return to work will be communicated to the appropriate Miami County compliance officer or supervisor as far in advance as practical so that scheduling can be facilitated. Supervisors will communicate with employees during the leave to determine the employee's intention to return to work, and they should be informed immediately if the medical condition changes or the employee states that he or she will not be returning to work.

F. Use of Paid Leave

An employee who is taking leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid sick, vacation, and personal leave and take the remainder of the twelve weeks as unpaid leave.

Disability leave, including maternity/paternity leave for the birth of the child and workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA leave.

G. Vacation and Sick Leave

Employees on unpaid family leave will not accrue any seniority, vacation or sick leave benefits.

H. Employee Status and Benefits During Leave

While an employee is on leave, the County will continue to provide health care coverage at the same level and under the same conditions as if the employee had continued to work. Where the employee fails to return from leave, the County can recover the premium(s) that has/have been paid on behalf of the employee to maintain health care coverage. If failure to return to work is due to the continuation, recurrence, or onset of a serious health condition beyond the employee's control, the employee will not be liable for health care premiums paid while on family leave. In such cases, a certification issued by a health care provider will be required.

I. Certification for Return to Work

All employees returning from medical leave caused by their own illness will be required to present to their supervisor (forwarded to the Human Resources Department) a return-to-duty certificate that employee is able to return to work. Reinstatement may be delayed until this certificate has been presented. If employee is unable or refuses to provide a return-to-duty certificate, he/she may be terminated.

J. Employee Status After Leave

An employee who takes leave under this policy will, upon appropriate certification for return to work described above, be able to return to the same position or a position with equivalent status, pay, benefits, terms and conditions of employment, subject to the exceptions set forth in the FMLA, which include, but are not limited to the following:

1. If the employee is unable to perform an essential function of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to reinstatement to his or her former position or to any other position.
2. If the employee would have been laid off or terminated due to a reduction-in-force during the leave, the employee will not be entitled to reinstatement to his or her former position or to any other position.
3. If any other circumstances are present such that the employee would not otherwise have been employed at the time reinstatement is requested, the employee is not entitled to reinstatement to his or her former position or to any other position.

K. Reduction in Force

Employees who are on a family or medical leave during a layoff will be treated in exactly the same way as they would have been treated if they were not on leave. They will not be given preferential treatment because of the leave, nor will it be held against them in the layoff selection. They will be recalled to work in the same order as they would have been under normal circumstances.

L. Service Member Family Leave

The federal Family and Medical Leave Act (FMLA) now entitles eligible employees to take leave for a covered family member's service in the Armed Forces ("Servicemember FMLA"). This policy supplements the County's FMLA policy and provides general notice of employee rights to such leave. Except as mentioned below, an employee's rights and obligations to Servicemember FMLA Leave are governed by the County's existing policy.

1. Leave Entitlement:

Servicemember FMLA provides eligible employees unpaid leave for any one, or for a combination, of the following reasons:

- (a) A "qualifying exigency" arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan; and /or

- (b) To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating.

2. Duration of Servicemember FMLA:

- (a) When Leave Is Due To a "Qualifying Exigency": An eligible employee may take up to 12 workweeks of leave during any 12-month period.
- (b) When Leave Is To Care for an Injured or Ill Service Member: An eligible employee may take up to 26 workweeks of leave during a single 12-month period to care for the servicemember. Leave to care for an injured or ill servicemember, when combined with other FMLA-qualifying leave, may not exceed 26-weeks in a single 12-month period
- (c) Servicemember FMLA runs concurrent with other leave entitlements provided under federal, state, and local law.

3. Leave Under State Military Leave Laws:

A growing number of states provide leave for family members of servicemembers. The entitlements for such leave differ from state to state. The county's policy is to comply with such laws in any circumstances where they apply to employees of the county.

ATTACHMENT D: EDUCATIONAL ASSISTANCE PROGRAM

8.12 EDUCATIONAL ASSISTANCE PROGRAM

Miami County values its employees and the contributions they make. In an effort to encourage employees to maintain and acquire job-related skills, the educational assistance program has been designed to reimburse employees for some educational expenses under the following conditions:

A. Eligibility

Employee must have regular full-time status, must have passed initial introductory period with 6 months of employment or more with a performance evaluation score of a 2 or above, must not be on disciplinary probation, and have had a "satisfactory" or better rating on his/her last performance evaluation. Coursework or degree program shall be directly related to the employee's job, shall be for college, technical or vocational school credit, and shall be approved by the Department Director.

B. Scheduling of Course

Employee must make every attempt to take coursework which does not interfere with the workday. If no alternative to obtain specific coursework is available, an employee may be allowed to take a course during the workday only with the approval of the Department Director and Human Resources Director. Employees may not receive time off with pay to attend courses.

C. Grade Requirements

Final grade in course must be at least "C" for undergraduate and vocational coursework and at least "B" for graduate coursework.

D. Reimbursement

The county will reimburse the employee at the completion of the course (subject to the above grade requirements) for tuition and fees related to the course, not to exceed \$1000/term. Receiving the reimbursement, is also subject to reasonable processing time. The employee may not receive more than three thousand dollars (\$3000) in reimbursement in one (1) calendar year.

E. Agreement Upon Reimbursement

Employees receiving reimbursement must sign an agreement to work for a period of two (2) years (24 months) after the last reimbursement. Failure to comply with the agreement will require repayment on a pro rata basis to the county of all the assistance provided during that previous 12-month period. Repayment will be made through payroll deduction on the final paycheck.

F. Application Procedure

1. At a minimum of 3 weeks before the course starts, employees submit a request for educational assistance to their Department Director which outlines the title of the course, the cost of tuition, the course credit, where the course is offered, the

time and day the course is offered, and a statement of how this course will benefit the employee's position. List one course per request.

2. If the Department Director chooses to approve the request, it is then forwarded to the Human Resources Department for approval of the Human Resources Director.
3. Upon enrollment, the employee will submit to the Department Director proof of payment of tuition, which includes the date paid, the total amount paid, and enrollment information. The Department Director will forward this information to the Human Resources Department.
4. Upon completion of the course, the employee must provide proof of qualifying grades to the Department Director. The Department Director must then forward this information to the Human Resources Department, who will authorize the appropriate reimbursement to the employee.
5. Should an employee not complete a course for which educational assistance has been approved, that employee shall be ineligible to participate in the Educational Assistance Program for a period of one (1) year. Exceptions must be approved by the Human Resources Director.

G. Department Directors & Elected Officials

The educational assistance provided to Department Directors and elected officials shall not be bound by this policy. Coursework taken by and terms of assistance for Department Directors must be approved by the County Administrator. Coursework taken by and terms of assistance for elected officials must be approved by the County Commissioners.

H. Required Training

This Educational Assistance Program does not apply to any job-related training required by the State, county and/or department. Required training will be completely sponsored by the county.

ATTACHMENT E: DRUG & ALCOHOL TESTING POLICY

Miami County recognizes that the use and abuse of drugs and alcohol in today's society is a very serious problem, which has also found its way into the workplace. Miami County also recognizes the significant threat that a drug-impaired employee working in the transportation industry can pose to the safety of the worker, co-workers and the general public. In order to address the safety threat presented by the problem of drug and alcohol abuse in the transportation industry, the Department of Transportation, and the Federal Highway Administration have established extensive regulations requiring drug testing under certain circumstances. In light of the above, Miami County has adopted this Anti-Drug Plan to specify the circumstances under which drug and alcohol testing may be required, the procedures for conducting such testing, and the methods and procedures for complying with the requirements of the regulations.

Additionally, Miami County's drug and alcohol testing program is incorporated in an overall anti-drug plan that is designed to create a drug-free transportation industry and provide help to those employees who may suffer from problems with substance abuse. The Plan has been developed in compliance with existing federal regulations in a manner, which ensures accurate and reliable test results, and thereby contains procedures designed to recognize and respect the dignity and privacy of all of our employees. More importantly, we recognize that our employees are our most valuable resource, and we want to assist any employee who feels that he or she may have a problem with substance abuse.

A separate policy defines the Employee Assistance Program of Miami County, which is also a part of the mandated requirements. Miami County has adopted the following anti-drug program.

9.1 USE AND / OR ABUSE OF DRUGS

A. Defined

The use, possession, sale or distribution of illegal drugs or drug paraphernalia, or the improper or abusive use of legal drugs, alcohol or other intoxicating substances while on company property or other work locations and/or during work hours is strictly prohibited.

B. Applicability

The above provision is applicable to all Miami County employees who perform covered work.

9.2 COMPLIANCE

A. Condition of Continued Employment

1. Cooperation and compliance with Miami County's Drug and Alcohol Testing Policy (as with all other company policies and procedures) is a condition of continued employment for all Miami County employees. Failure to comply with this policy may lead to disciplinary action up to and including termination from employment.

2. Cooperation and compliance with Miami County's Drug Free Workplace Policy (as with all other company policies and procedures) is a condition of continued employment for all employees. Failure to comply with this policy may lead to disciplinary action up to and including termination from employment.

B. Mandates

Miami County's Drug and Alcohol Testing Policy is in compliance with the Federal Drug Free Workplace Act of 1988; the Federal Motor Carrier Safety Regulations (49 CFR Part 391); Federal Highway Administration (FHA) Part 382; and the Motor Carrier Regulations of the Transportation Division of the Kansas State Corporation Commission (82-4-3). All collection and testing procedures will specifically follow the regulations set forth in 49 CFR Part 40 for drugs and alcohol.

C. Employees to be Tested

1. Safety-Sensitive, EMS, Sheriff and Health Positions: For the purpose of assuring compliance with the above, both employees and applicants for safety-sensitive, EMS, Sheriff and Health positions will be subject to random testing, pre-employment, reasonable cause, post-accident, (if tested positive) follow-up and return-to-duty testing.
2. Employees Driving County Vehicles: The County Commission has also determined that any employee driving a County vehicle will be tested pre-employment, reasonable cause, post-accident, and (if tested positive) follow-up testing.
3. Employees Reimbursed for Mileage: The County Commission has also determined that any employee receiving mileage reimbursement from the County while driving a personal vehicle will be tested for post-accident and (if tested positive) follow-up testing.
4. All County Employees: The County Commission has also determined that all Miami County employees will be tested pre-employment, and reasonable cause.

9.3 DESIGNATION OF SAFETY-SENSITIVE POSITIONS

The Miami County Commission has established the following factors in designating specific positions as safety-sensitive:

A. Drivers of Commercial Vehicles

1. With a gross vehicle weight rating of 26,001 pounds or more or combination vehicles (weighing at least 26,001 pounds); or
2. Designated to transport sixteen (16) or more passengers including the driver; or
3. Transporting hazardous materials in amounts requiring placarding.

B. County Related Functions

Any driver required to have a commercial drivers license to perform a county-related function.

9.4 RESPONSIBILITIES

A. Implementation and Conformance

The Miami County Human Resources Director is responsible for the implementation and conformance of Miami County's drug and alcohol testing policy to 49 CFR Parts 40, 391, 382 (this includes any contract personnel, including subcontractors and anyone employed by a subcontractor are subject to drug and alcohol testing if they perform a covered function); and for record keeping and confidentiality of the drug testing process. (This includes maintaining required records with respect to subcontractors.)

In addition, supervisors are responsible for observing employee behavior and performance in relation to reasonable cause testing.

B. Employee's Responsibility to Report Prescriptions

Unless an employee's physician has advised the employee that the controlled substance they are taking does not adversely affect their ability to safely operate a motor vehicle or perform duties of the position, that employee should not drive under the influence of a prescribed controlled substance or perform those duties affected.

Employees must report the use of all prescribed controlled substances and provide Miami County with a written release from their physician which states it is safe to perform the safety-sensitive function, drive a Miami County vehicle, or perform other duties as deemed "sensitive" by the Human Resources Department. Such other duties will include, but not be limited to, 9-1-1 Dispatchers, Jailers, Nurses, Deputies, and EMS personnel.

9.5 NOTIFICATION OF DRUG POLICY TO POTENTIAL EMPLOYEES

Notification of the county's drug and alcohol testing requirements shall be given to all applicants who interview for employment with Miami County.

9.6 INSTRUCTION/TRAINING

A. Supervisors' Training

Employees who supervise other employees or who have responsibility to administer the company's drug and alcohol screening policies and procedures shall receive two (2) hours of training, by the Third-Party Administrative (TPA) representative on behavior, physical symptoms and performance indicators of probable drug and alcohol use.

B. Employees' Instructions on Policy

Appropriate instruction regarding the Miami County's Drug and Alcohol Testing Policy and Employee Assistance Program will be available to all employees.

9.7 CONFIDENTIALITY

A. Sole Point of Contact for Miami County

After the MRO contacts the employee to discuss a positive confirmatory test result and a final decision is reached regarding the positive result, the Miami County Human Resources Director shall serve as the sole point of contact with the Miami County's Employee Assistance and Drug/Alcohol Testing Program.

B. Release of Information

All drug and alcohol testing information will receive the highest level of respect in relation to confidentiality. Information regarding an individual's testing results or rehabilitation may be released only upon the written consent of the individual, except that such information must be released, regardless of consent, to the Human Resources Director or the representative of a state agency upon request as part of an accident investigation. Statistical data related to testing and rehabilitation that is not name-specific and training records must be made available to the Human Resources Director or the representative of a state agency upon request.

C. Storage of Testing Records

All records relating to drug and alcohol testing will be kept in a locked file, separate from other regular personnel files.

9.8 PROCEDURES AND REQUIREMENTS OF DRUG SCREEN

A. Outline of Procedure

An applicant or employee required to submit to a drug screen will be advised of the following:

1. Methods of drug/alcohol screening which will be used;
2. Substances which may be identified;
3. Consequences of a refusal to submit to a drug/alcohol screening test or of a confirmed positive result; and
4. Reasonable efforts to maintain the confidentiality of results and any medical information which may be provided.

B. Consent Forms

An applicant or employee will be required to sign the necessary drug/alcohol screening consent forms established by the company or authorized by the collection site agency. Refusal to sign required drug/alcohol screening consent forms will be considered refusal to submit to a drug/alcohol screening test as a condition of employment and will be considered the equivalent of receiving a confirmed "positive" result for employment.

C. Screening Collection Location and Time

An applicant or employee shall be informed of the drug/alcohol screening specimen collection location and time. The applicant or employee shall be responsible for reporting to the collection site at the scheduled time, with a photo ID, and comply with the directions of the specimen collector.

1. An employee who is requested to submit to a drug specimen collection shall be given time off with pay for that purpose.
2. Failure by an applicant or employee to report to the collection site at the scheduled time will be considered refusal to submit to a drug/alcohol screen as a condition of employment or continued employment, and will be considered the equivalent of receiving a confirmed "positive" result. The applicant or employee shall not be utilized in a safety-sensitive capacity until cleared by the MRO or SAP.

9.9 DRUG/ALCOHOL TESTING

A. List of Chemicals and Thresholds for Drug Screens

1. Drug screening will be conducted for the following chemicals: Marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines. A drug immunoassay screen will have the following thresholds for positive verification:

Marijuana Metabolite.....	50 ng/ml
Cocaine Metabolite.....	300 ng/ml
Opiates.....	300 ng/ml
Phencyclidine.....	25 ng/ml
Amphetamines / Methamphetamine.....	1000 ng/ml

2. When the initial screen is positive (has exceeded the established screening threshold) a second confirmation test (GC/MS) will be completed. The thresholds for positive confirmation for GC/MS are as follows:

Marijuana Metabolite.....	15 ng/ml
Cocaine Metabolite.....	150 ng/ml
Opiates.....	300 ng/ml
Phencyclidine.....	25 ng/ml
Amphetamines / Methamphetamine.....	500 ng/ml

B. Alcohol Testing

Alcohol testing will be conducted by utilizing an evidential breath testing device (EBT) which meets the requirements established by the conforming products list published in the Federal Register.

1. A reading of .04 or greater on the EBT will result in the necessity of a second test occurring within twenty (20) minutes in order to make a determination of positive.

2. A second EBT test result of .04 or greater will result in the removal of the individual from the safety sensitive position.
3. An initial EBT reading of .02 to .0399 will result in a second EBT test within the time frame noted in B1 above. If the second test falls within the same range, the individual will be removed from the safety sensitive position until the start of the next regularly scheduled duty period, but not less than twenty-four (24) hours following the administration of the test.

9.10 CONDITIONS OF DRUG/ALCOHOL SCREENINGS

The following conditions establish who may be screened and under what circumstances the drug and alcohol screening may occur:

A. Condition of Employment or Continued Employment

1. Safety-Sensitive Positions: An individual offered employment and/or re-assigned to a safety-sensitive position shall be required to take and pass a drug and alcohol screening test as a condition of employment or continued employment.
2. Driver of County Vehicles: An individual offered employment and/or re-assigned to a position in which they will be driving a County-owned vehicle shall be required to take and pass a drug screening test as a condition of employment or continued employment.

(An exemption to the policy stated in A1 and A2 above would be if the applicant/employee is participating in an appropriate DOT drug and alcohol testing program of another organization; has been involved in such a testing program within the previous thirty (30) days; has been tested in the past six (6) months or participating in the drug/alcohol testing program for the last twelve (12) months. Written verification of drug and alcohol testing participation should be obtained for company files.) “Miami County Release of Information” form addresses information, which must be provided.

B. Reasonable Cause

Any Miami County employee may be required to submit to a drug/alcohol screening test, based upon reasonable cause of drug/alcohol use by the employee as reported by the employee’s supervisor. All supervisory employees are required to notify the Miami County Human Resources Director when reasonable cause is presumed.

1. Reasonable cause involves a judgment made regarding the employee’s behavior, appearance, speech or body odor, or evidence found or reported and may be based on, among other circumstances, one of the following:
 - (a) Direct observation of specific contemporaneous, articulable behaviors exhibited by the employee which may impair the employee’s ability to perform his/her job or which may pose a threat to safety or health.

- (b) Physical on-the-job observation of drug and/or alcohol use by the employee.
 - (c) Documented deterioration in the employee's job performance that is likely to be attributed to drug or alcohol use by the employee.
 - (d) An on-the-job incident or occurrence where there is evidence to indicate the incident or occurrence was in whole or in part the result of the employee's actions or inactions and/or the employee exhibited behavior indicating illegal drug or alcohol use.
2. Supervisors have the right to ask a current employee to submit to a drug/alcohol screening test under the circumstances of reasonable cause as a condition of employment in accordance with this policy. Refusal may be grounds for termination. In no instance of refusal for testing shall an individual be allowed to perform a safety sensitive function.
 3. Any employee requested to provide a drug specimen under the auspices of reasonable cause will be transported to the collection site. All time away from work will be compensated.
 4. Under no circumstances will an employee be allowed to drive a County vehicle or perform a safety sensitive function if they have consumed alcohol within four (4) hours of reporting for duty.
 5. If an alcohol test is not administered within two (2) hours of this determination, a record should be prepared stating the reasons for not administering the test. Attempts to test should cease at eight (8) hours and the individual should be removed from the safety sensitive function until they test less than .02 or twenty-four (24) hours has passed. A written record should be made of the observations.

C. Random Testing

1. At least fifty percent (50%) of the average number of EMS, Sheriff, Health and safety-sensitive (CDL/DOT Regulated) positions will be tested on a random basis under the drug testing requirements.
2. Under the alcohol testing requirements at least ten percent (10%) of the number of EMS, Sheriff, Health and safety-sensitive (CDL/DOT Regulated) positions shall be tested.
3. All current drivers are subject to a urine drug test as a part of the DOT's biennial medical examination, unless they have been tested as a part of the random program (applies to Federal Motor Carrier regulations only).
4. Random selection will be made through a computerized program provided by the Third-Party Administrative (TPA) representative.

- (a) By the 15th of each month Miami County will make available to Third-Party Administrative representative the names and SSN's of all employees to be covered in the random program for the next month.
- (b) The list of persons to be tested for the next month will be created through the Third-Party Administrative's computerized random number program.
- (c) The name of the person identified to be tested will be relayed to the contact person of the employer by the afternoon prior to the test date. The Employee will be notified on the morning of the test to report to the collection site not more than thirty (30) minutes plus travel time, prior to the scheduled test time in the case of a drug collection. In the case of an alcohol test, the individual shall be tested within fifteen (15) minutes prior, during or fifteen (15) minutes after performing a safety sensitive function.

D. Return-to-Duty Testing

An employee who refuses to take or fails a drug or alcohol test may not return to duty until the employee passes a drug or alcohol test administered under this part and the MRO/SAP have determined that the employee may return to duty. An employee who returns to duty shall be subject to a reasonable program of follow-up drug/alcohol testing without prior notice of up to six (6) unannounced drug/alcohol tests per twelve (12) months for up to sixty (60) months after return to duty. The MRO/SAP will determine the schedule of unannounced testing.

E. Post-Accident

Post-Accident testing will be required in accordance with Section 9.2C hereof: a) when it is determined that the County employee was responsible for or contributed significantly to the accident; b) if damages occurred to property other than County property; or c) if there is loss of life.

1. Following an accident all reasonable steps to obtain a urine sample from an employee should be implemented after first treating the injury.
 - (a) In the case of a conscious but hospitalized employee, the coordinator of Drug/Alcohol Testing at Miami County should notify the hospital or medical facility of the need for a sample and, if necessary, refer to the DOT drug testing requirements (Title 49 CFR Part 40).
 - (b) If an employee is injured or unconscious and unable to consent to the drug test, the medical facility should collect the sample, and retain it until the employee is able to consent. If the employee gives his consent, the sample should be sent to the laboratory for testing. If the employee refuses to be tested, the sample should be discarded and the incident will be treated as a refusal to test. The treating physician should determine if the employee is able to understand a request to provide a sample.

- (c) If an employee is conscious, able to understand a request for a sample, and able to urinate normally (in the opinion of a medical professional) and refuses to be tested, that person must be suspended indefinitely pending further review.
2. A breath alcohol test should also be administered in these same circumstances. An EBT test can occur up to eight (8) hours after the accident/incident and should be obtained as early as possible. Preferably within two (2) hours of the accident.
3. Failure to obtain a breath alcohol test within two (2) hours and a drug test within thirty-two (32) hours will result in the employer preparing and maintaining on file a record stating the reasons for not promptly administering a test. Records will be submitted upon request to the Department of Transportation.
4. No driver required to take a post-accident test shall use alcohol for eight (8) hours following an accident or until a breath alcohol test occurs.
5. The employee who is subject to post-accident testing shall remain readily available for testing. Necessary medical attention may be secured. Failure to remain available can be interpreted as a positive test result.
6. Results of a breath or blood test for the use of alcohol or a urine test for the use of controlled substances, conducted by Federal, State or local officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to applicable Federal, State or local requirements, and that the results are obtained by the employer.

9.11 SCREENING AND COLLECTION SITES/PROCEDURES

A. Collection Sites for Drug Screening

Collection sites for drug screening specimen collection will be established by the Third-Party Administrative provider. Drug testing of the specimen will be provided through an established and accredited laboratory that has completed certification to conduct drug testing by the U.S. Department of Health and Human Services (DHHS) and National Institute of Drug Abuse.

B. Alcohol Testing

Alcohol testing will be conducted by a certified Breath Alcohol Technician (BAT).

C. Chain-of-Custody Practices

Strict chain-of-custody practices will be adhered to regarding urine specimen collection, transportation to the laboratory, during laboratory analysis, MRO review and reporting to the agency.

D. Split-Sample Specimen

All urine specimens collected will be split-samples.

E. Safety/Health Threat

An employee who is removed from the work site pending the results of a drug screening test because the employee is deemed by their immediate supervisor and the Miami County Human Resources Director to pose a threat to safety or health shall be granted leave with pay.

F. Escort to Testing Site

Except in the case of random or new hire testing, an employee must not be allowed to drive to a facility for alcohol and drug testing.

9.12 MEDICAL REVIEW OFFICER

The Medical Review Officer is an agent of the Third-Party Administrator. The qualifications and functions of the MRO are available upon request from the Consortium.

All drug test results, whether positive or negative, will be reviewed by the MRO of the Third-Party Administrative provider, in accordance with 49 CFR Part 40.33.

In the event of a presumptive positive, the MRO will contact the person whose specimen it was to determine what medications and/or the reason the test was returned positive. The MRO, based on his or her review of the information will make the final determination of confirmed positive or negative. It is only after the MRO review that Miami County will be notified of the outcome of the test.

9.13 TESTING RESULTS REPORTS

A. Drug Testing Report

1. Negative Testing: Negative drug testing report results will be reported within twenty-four (24) to forty-eight (48) hours of specimen receipt at the laboratory.
2. Positive Testing: Positive drug testing results will be reported within forty-eight (48) hours of receipt at the Laboratory (unless there is difficulty reaching the person being tested, by the MRO). All tests will be reported to the Miami County Human Resources Director. In no instance will the test go unreported longer than five (5) days from the time the specimen is received at the laboratory.

B. Alcohol Testing Report

Reports of breath alcohol tests will be reported immediately to the employee and the employer.

9.14 CONFIRMED POSITIVE DRUG SCREEN RESULT

Any employee testing positive under the category of random selection, reasonable cause, post-accident or return-to-duty will be immediately removed from performing safety-sensitive work and not allowed to return to the safety-sensitive position until they have passed a drug and alcohol test and cleared to return to duty by the MRO/SAP.

A. Confirmed Positive Result for Applicant

An applicant who receives a confirmed positive drug screen result or the equivalent shall have the offer of employment withdrawn and shall be subject to disqualification from application for Miami County employment for a period of two (2) years from the effective date of the disqualifying action.

B. Confirmed Positive Result for Employee

1. Confirmed Positive Drug Screen Result: An employee who receives a confirmed positive drug screen result or the equivalent and who has not previously had a confirmed positive result shall be directed to utilize the Miami County's Employee Assistance Program for referral to an appropriate drug assessment and education or treatment program; provided, however, the employer reserves the right to terminate an employee receiving a first time confirmed positive drug screen result if, in addition:
 - (a) The employee was involved in an accident or incident caused in part or in total by drug/alcohol use and injury to person/persons or property was involved; or
 - (b) The employee's personnel file reflects previous disciplinary material which, when combined with positive drug/alcohol testing screen results, in the opinion of the employer justifies termination.
2. Confirmed Positive Alcohol Test: An employee who receives a confirmed positive alcohol test shall be referred to a Substance Abuse Professional for appropriate assessment, education, and treatment. The employer retains the same right to terminate as in B1(a) and (b) above.

C. Employees Requiring Treatment

1. The employee directed to utilize the Employee Assistance Program will be required to provide verification to the Miami County Human Resources Director that he/she is participating in an appropriate and authorized education and treatment program, prior to returning to duty. In addition the employee must pass a return to duty drug and/or alcohol test.
2. Absences during regular work hours will be charged to accumulated vacation and sick leave. When paid leave is exhausted, time away from work will be considered as unpaid medical leave.
3. Employees should consult their insurance policy for extent of nervous, mental and substance abuse coverage.
4. If the employee's supervisor determines the employee poses a threat to safety or health at the work site while undergoing out-patient or post-care treatment, the employee may be relieved of his/her duties until such time as he/she is deemed capable to return to regular duty by the MRO/SAP, and successfully passes a drug

and/or alcohol test. All time away from work will be charged to accumulated sick and/or vacation leave. When accumulated paid leave is exhausted, remaining time will be charged as unpaid medical leave.

5. After completion of the recommended education or treatment program, the employee is required to provide or release verification to the Miami County Human Resources Director that they have successfully completed the recommended education or treatment program.
6. Subsequent drug/alcohol screens will be scheduled by the MRO/SAP in consultation with Miami County, as necessary, during the authorized education or treatment program and for a period of up to sixty months (60) after the program ends to determine or verify that the employee remains drug/alcohol free. All expenses for testing in the rehabilitation process will be the responsibility of the employee.
7. The employee will be tested a minimum of six (6) times in the first year of follow-up.

D. Second Confirmed Positive Result

A second positive test, whether alcohol or drug, will result in immediate termination of employment.

E. Refusal to Cooperate

Refusal by an employee to fully cooperate with a mandatory referral or with any recommended education or treatment program resulting from a mandatory referral or approved drug or alcohol assessment shall be grounds for employee discipline, up to and including termination.

F. Diluted Specimen

A negative dilute specimen is a specimen that contains an unusually high level of water concentration. Recollection of a specimen is required of an employee for any negative dilute specimen, regardless of test type. The result of the recollected test shall be treated as the test result of record.

9.15 DISMISSAL

An employee will not be subjected to dismissal solely on the basis of a confirmed positive result if the employee has not previously had a confirmed positive result, and the employee successfully completes an appropriate and approved drug/alcohol assessment and recommended education or treatment program.

A. Previous Confirmed Positive Result

Any employee who receives a confirmed positive drug or alcohol screen result shall be subject to dismissal if the employee has previously had a confirmed positive result.

B. Failure to Complete Education and Treatment

Any employee who receives a confirmed positive drug or alcohol screen result shall be subject to dismissal if the employee fails to successfully complete an appropriate and approved drug/alcohol assessment and recommended education and treatment program.

9.16 TAMPERING WITH DRUG SCREEN

A. Applicant's Tampering

Any applicant for a Miami County position who intentionally tampers with a sample provided for drug screening, violates the chain-of-custody or identification procedures, or falsifies test results shall have the conditional offer of employment withdrawn. Such actions will be grounds for disqualification for all positions in Miami County service.

B. Employee's Tampering

Any current employee who intentionally tampers with a sample provided for drug screening, violates chain-of-custody or identification procedures, or falsifies a test result shall be subject to dismissal.

9.17 CHALLENGE TO POSITIVE RESULT

A. Appeal Procedure

If an employee or applicant challenges the validity or accuracy of the confirmed positive result, they may appeal in writing to the MRO within seventy-two (72) hours of the employee/applicant having been notified of the positive result. All positive urine samples will be kept at the laboratory for a period of one (1) year, and at the employee's request, may be kept longer. The MRO and Drug Screening Coordinator should be notified of the appeal request so that arrangements for a second analysis process can be initiated on the split sample.

B. Re-Test Costs

The employee will be responsible for any associated re-test costs in advance and will be reimbursed if the re-test is negative.

Requirements for retention of samples and re-testing are determined by the Third-Party Administrative provider.

C. Violation in Procedures or Methods

The MRO will have discretion to authorize a re-test by the original or a different laboratory on the split specimen, if it is determined that the technical standards established for test method or chain-of-custody procedures were violated in deriving a confirmed positive result or has other appropriate cause to warrant a re-test.

9.18 RECORD KEEPING

A. Confidentiality

Records relating to drug/alcohol testing will be maintained as confidential, available only on a strict "need to know" basis.

B. Storage

Records will not be kept in an employee's regular, personnel file.

C. Release of Information

Information regarding an individual's drug and alcohol testing results or rehabilitation may be released only upon written consent of the individual, EXCEPT:

1. Such information must be released regardless of consent to a government agency as part of an accident investigation; or
2. Such information may be disclosed regardless of consent in a lawsuit, grievance or other proceeding initiate by or on behalf of the individual and arising from a verified positive drug/alcohol test.

D. Mandated Requirements

Records will be maintained according to mandated requirements.

9.19 CHANGES TO POLICY

Any changes made by Miami County to this policy will be in conformance with stated regulations.

9.20 DEFINITIONS

The following are definitions of the Miami County Drug and Alcohol Testing Policy:

1. ACCIDENT: An incident reportable under 49 CFR Part 382, and 391.
2. AIR BLANK: A reading by an EBT of ambient air containing no alcohol. (In EBTs using gas chromatography technology, a reading of the device's internal standard.)
3. ALCOHOL: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
4. ALCOHOL CONCENTRATION: Means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.
5. ALCOHOL USE: The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
6. APPLICANT: An individual offered employment in, or being promoted or transferred to a safety sensitive position, or an individual offered employment in, or being promoted or transferred to a position in which they will drive a County-owned vehicle.
7. AUTHORIZED SUBSTANCES: Include only one (1) lawful over-the-counter drugs (excluding alcohol) in amounts as specifically directed by the manufacturer.

8. BREATH ALCOHOL TECHNICIAN (BAT): An individual who instructs and assists individuals in the alcohol testing process and operates an EBT.
9. COLLECTION SITE AGENCY: A facility designed by the Third-Party Administrative provider as the collection site for drug screening samples (urine) and breath alcohol testing. For purposes of this policy, the collection site is not the testing laboratory.
10. MIAMI COUNTY PROPERTY: All areas in which Miami County operates including actual premises, parking lots, owned or leased equipment, lockers, desks, work areas and buildings, storage facilities, etc.
11. DRUG: Any chemical substance that, when consumed, tends to produce a physical, mental or emotional change.
12. DRUG SCREENING: Procedure to eliminate negative urine specimens from further considerations.
13. DRUG TESTING: An analytical procedure which identifies the presence of a specific drug or metabolite and which uses a different chemical principle from that of the initial test to insure reliability and accuracy. At this time gas chromatography/mass spectrometry (GC/MS) is the accepted standard confirmation method for cocaine, marijuana, opiates, amphetamines and phencyclidine.
14. EVIDENTIAL BREATH TESTING DEVICE (EBT): An EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices" (CPL).
15. EMPLOYEE ASSISTANCE PROGRAM (EAP): A program to help employees, and often their families, recognize and overcome personal problems that are interfering with the employee's work performance. This is an extension of the performance appraisal process and is designed to reach performance problems that cannot be remedied by training, education, or other employer-controlled factors. Among the many personal problems an Employee Assistance Program may deal with are alcohol and drug abuse.
16. ILLEGAL DRUGS: Urine samples from applicants and employees will be screened in all cases to identify the following classes of substances:

Threshold for Positive Verification Immunoassay Screen

Marijuana Metabolite.....	50 ng/ml
Cocaine Metabolite.....	300 ng/ml
Opiates.....	300 ng/ml
Phencyclidine.....	25 ng/ml

Amphetamines / Methamphetamine.....1000 ng/ml

When the initial screen is positive (has exceeded the established screening threshold) a second confirmation test (GC/MS) will be completed. The thresholds for positive confirmation for GC/MS are as follows:

Marijuana Metabolite..... 15 ng/ml
Cocaine Metabolite..... 150 ng/ml
Opiates..... 300 ng/ml
Phencyclidine..... 25 ng/ml
Amphetamines / Methamphetamine..... 500 ng/ml

17. IMPAIRED: Under the influence of an illegal or legal drug whereby the employee's senses (i.e. sight, hearing, balance, reaction, reflex) or judgment are affected.
18. LEGAL/PRESCRIBED (MEDICATION) DRUGS: Drugs an individual may be taking under the direction of a licensed physician to address a specific physical, emotional or mental condition.
19. MEDICAL REVIEW OFFICER (MRO): A licensed physician who reviews and interprets positive results of confirmatory tests and evaluates those results together with medical history or any other relevant biomedical information to confirm positive results. This person has knowledge of substance abuse and appropriate medical or forensic training.
20. NEGATIVE RESULT (CONFIRMED): No detection of an illegal substance in the pure form of its metabolites at or above the threshold level by a drug screening test.
21. POSITIVE RESULT (CONFIRMED): The detection of an illicit substance in the pure form of its metabolites at or above the specified threshold by two (2) consecutive drug screening tests which employ different test methods and which was not determined by the appropriate medical, scientific, professional testing or forensic authority to have been caused by alternate medical explanations or scientifically insufficient data. All positive results are intensively reviewed by a Medical Review Officer (MRO).
22. REASONABLE CAUSE: Involves a judgment made regarding the employee's behavior, appearance, speech or body odor, or evidence found or reported and may be based on, among other circumstances, one of the following:
 - (a) Direct observation of specific, contemporaneous, particular behavior exhibited by the employee which may impair the employee's ability to perform his/her job or which may pose a threat to safety or health.
 - (b) Physical on-the-job observation of drug and/or alcohol use by the employee.

- (c) Documented deterioration in the employee's job performance that is likely to be attributed to drug or alcohol use by the employee.
 - (d) An on-the-job incident or occurrence where there is evidence to indicate the incident or occurrence was in whole or in part the result of the employee's actions or inactions and/or the employee exhibited behavior indicating illegal drug or alcohol use.
23. SAFETY-SENSITIVE: The Board of Commissioners of Miami County has established the following factors in designating specific positions as safety-sensitive. The number of safety-sensitive positions may be increased as further criteria are established by the Board of commissioners of Miami County.
- (a) Drivers of commercial vehicles:
 - (i) With a gross vehicle weight rating of 26,001 pounds or more or combination vehicles (weighing at least 26,001 pounds); or
 - (ii) Designated to transport sixteen (16) or more passengers including the driver; or
 - (iii) Transporting hazardous materials in amounts requiring placarding.
 - (b) Any driver required to have a commercial driver's license to perform a County-related function.
 - (c) Any employee whose primary job functions may adversely or negatively impact the general public or co-workers.
24. SUBSTANCE ABUSE PROFESSIONAL (SAP): A licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of a clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.
25. TESTING LABORATORY: A laboratory certified by the Department of Health and Human Services (DHHS) and the National Institute of Drug Abuse (NIDA) to perform drug testing of urine specimens obtained at the collection site.

MIAMI COUNTY, KANSAS

POSITION CLASSIFICATION & PAY SCALE

Effective December 28, 2024

Position Classification & Pay Scale reflects a 1.5% COLA increase on 2024 rates

	Hourly Range	Max Hire	Annual Range
Grade 1	\$13.91 to \$20.86	\$15.16	\$28,923 to \$43,385
Environmental Technician			
Office Aide			
Seasonal Laborer			
<i>Grade 1 Hiring Range</i>	<i>\$13.91 to \$15.16</i>		<i>\$28,923 to \$31,527</i>
Grade 3	\$15.92 to \$23.88	\$17.35	\$33,114 to \$49,672
EMT			
EMT-A ¹			
Mechanic I			
Maintenance Worker			
<i>Grade 3 Hiring Range</i>	<i>\$15.92 to \$17.35</i>		<i>\$33,114 to \$36,095</i>
Grade 4	\$17.03 to \$25.55	\$18.57	\$35,432 to \$53,149
Lab Technician			
MV / Tax Clerk			
Office Appraiser I			
Operations Support Assistant			
WIC Clerk			
<i>Grade 4 Hiring Range</i>	<i>\$17.03 to \$18.57</i>		<i>\$35,432 to \$38,621</i>
Grade 5	\$18.23 to \$27.34	\$19.87	\$37,913 to \$56,869
Equipment Operator (non CDL)			
Field Appraiser I			
GIS Specialist			
MV / Tax Specialist			
Operations Support Specialist			
Victim/Witness Coordinator			
<i>Grade 5 Hiring Range</i>	<i>\$18.23 to \$19.87</i>		<i>\$37,913 to \$41,325</i>
Grade 6	\$19.50 to \$29.25	\$21.26	\$40,567 to \$60,850
Blade Operator			
Compliance Officer I			
Engineering Technician			
Equipment Operator II			
LPN			
Mechanic II			
Office Appraiser II			
Office Coordinator I			
Paramedic			
Paramedic - Advanced ²			
Sign Technician			
<i>Grade 6 Hiring Range</i>	<i>\$19.50 to \$21.26</i>		<i>\$40,567 to \$44,218</i>
Grade 7	\$20.87 to \$31.30	\$22.75	\$43,406 to \$65,109
EMS Lieutenant			
Environmental Compliance Officer II			
Equipment Operator III			

Field Appraiser II Human Resources Partner Information Specialist I Mechanic III Paralegal Planner I				
<i>Grade 7 Hiring Range</i>	<i>\$20.87 to \$22.75</i>			<i>\$43,406 to \$47,313</i>
Grade 8	\$22.33 to \$33.49	\$24.34		\$46,445 to \$69,667
Battalion Chief Compliance Officer II Election Specialist Executive Assistant Office Coordinator II				
<i>Grade 8 Hiring Range</i>	<i>\$22.33 to \$24.34</i>			<i>\$46,445 to \$50,625</i>
Grade 9	\$24.79 to \$37.18	\$27.02		\$51,554 to \$77,330
Field Appraiser III Noxious Weed Supervisor Office Appraiser III Registered Nurse Road & Bridge Supervisor				
<i>Grade 9 Hiring Range</i>	<i>\$24.79 to \$27.02</i>			<i>\$51,554 to \$56,193</i>
Grade 10	\$27.51 to \$41.27	\$29.99		\$57,225 to \$85,837
Asst Finance Director Asst Health Director Asst Human Resources Director Asst Planning Director Engineering Project Manager Health Operations Supervisor Information Specialist II				
<i>Grade 10 Hiring Range</i>	<i>\$27.51 to \$29.99</i>			<i>\$57,225 to \$62,375</i>
Grade 11	\$30.54 to \$45.81	\$33.29		\$63,519 to \$95,279
Asst County Appraiser Building & Grounds Director GIS Director				
<i>Grade 11 Hiring Range</i>	<i>\$30.54 to \$33.29</i>			<i>\$63,519 to \$69,236</i>
Grade 12	\$33.90 to \$50.85	\$36.95		\$70,506 to \$105,760
Asst County Attorney Asst Road & Bridge Director Economic Development Director EMS Deputy Chief				
<i>Grade 12 Hiring Range</i>	<i>\$33.90 to \$36.95</i>			<i>\$70,506 to \$76,852</i>
Grade 13	\$37.63 to \$56.44	\$41.01		\$78,262 to \$117,393
Code Services Director Deputy County Attorney EMS Chief Information Technology Director Planning Director				
<i>Grade 13 Hiring Range</i>	<i>\$37.63 to \$41.01</i>			<i>\$78,262 to \$85,306</i>
Grade 14	\$41.76 to \$62.65	\$45.52		\$86,871 to \$130,306

Health Director			
Human Resources Director			
<i>Grade 14 Hiring Range</i>	<i>\$41.76 to \$45.52</i>		<i>\$86,871 to \$94,689</i>
Grade 15	\$46.36 to \$69.54	\$50.53	\$96,427 to \$144,640
Finance Director			
Road & Bridge Director			
<i>Grade 15 Hiring Range</i>	<i>\$46.36 to \$50.53</i>		<i>\$96,427 to \$105,105</i>
Grade 16	\$51.46 to \$77.19	\$56.09	\$107,034 to \$160,550
Asst County Administrator			
<i>Grade 16 Hiring Range</i>	<i>\$51.46 to \$56.09</i>		<i>\$107,034 to \$116,667</i>

Unclassified Positions

- County Administrator
- County Appraiser
- County Counselor
- Undersheriff

Elected Positions

County Attorney	\$123,481
County Clerk	\$97,282
County Commissioner	\$38,355
County Treasurer	\$82,937
Register of Deeds	\$82,183
Sheriff	\$115,367

EMT - A¹

An EMT - A is an advanced certification EMT. An employee gaining an retaining their advanced EMT certification will be eligible for a 3% increase. A new hire coming in with the advanced certification will have an additional 3% hiring range potential.

Paramedic - Advanced²

A Paramedic - Advanced has competed the Paramedic Critical Care certification. An employee gaining an retaining their critical care certification will be eligible for a 3% increase. A new hire coming in with the advanced certification will have an additional 3% hiring range potential.

Code Services Career Development Plan

Authorized staff of the Code Services Department may be eligible for career / educational incentives and / or promotion opportunities for the completion of approved International Code Council (ICC) certifications, including:

- B1 Residential Building Inspector
- E1 Residential Electric Inspector
- M1 Residential Mechanical Inspector
- P1 Residential Plumbing Inspector
- B2 Commercial Building Inspector
- E2 Commercial Electric Inspector
- M2 Commercial Mechanical Inspector
- P2 Commercial Plumbing Inspector
- R3 Residential Plans Examiner
- KS Small Flows System Operator
- Certified Permit Technician

Completion of aforementioned certifications will be compensated at \$0.25 per hour for each certification, not to exceed \$2.25 per hour. Staff must retain certification to be eligible for incentives.

MIAMI COUNTY, KANSAS
6TH JUDICIAL DISTRICT COMMUNITY CORRECTIONS
CLASSIFICATION & PAY SCALE

Effective December 28, 2024

Community Corrections Position Classification & Pay Scale reflects a 1.5% COLA increase

	Hourly Range	Max Hire	Annual Range
Grade CC 2	\$14.41 to \$21.62	\$15.71	\$29,973 to \$44,959
Intake Worker			
<i>Grade CC 2 Hiring Range</i>	<i>\$14.41 to \$15.71</i>		<i>\$29,973 to \$32,670</i>
Grade CC 7	\$20.87 to \$31.30	\$22.75	\$43,406 to \$65,109
Juvenile Care Coordinator			
<i>Grade CC 7 Hiring Range</i>	<i>\$20.87 to \$22.75</i>		<i>\$43,406 to \$47,313</i>
Grade CC 8	\$22.33 to \$33.49	\$24.34	\$46,445 to \$69,667
Program Provider / Prevention Specialist			
<i>Grade CC 8 Hiring Range</i>	<i>\$22.33 to \$24.34</i>		<i>\$46,445 to \$50,625</i>
Grade CC 9	\$24.79 to \$37.18	\$27.02	\$51,554 to \$77,330
Adult/Juvenile ISO			
<i>Grade CC 9 Hiring Range</i>	<i>\$24.79 to \$27.02</i>		<i>\$51,554 to \$56,193</i>
Grade CC 10	\$27.51 to \$41.27	\$29.99	\$57,225 to \$85,837
Community Corrections Financial Officer			
Juvenile Program Supervisor			
<i>Grade CC 10 Hiring Range</i>	<i>\$27.51 to \$29.99</i>		<i>\$57,225 to \$62,375</i>
Grade CC 12	\$33.90 to \$50.85	\$36.95	\$70,506 to \$105,760
Asst Community Correction Director			
<i>Grade CC 12 Hiring Range</i>	<i>\$33.90 to \$36.95</i>		<i>\$70,506 to \$76,852</i>
Grade CC 14	\$41.76 to \$62.65	\$45.52	\$86,871 to \$130,306
Community Corrections Director			
<i>Grade CC 14 Hiring Range</i>	<i>\$41.76 to \$45.52</i>		<i>\$86,871 to \$94,689</i>

MIAMI COUNTY, KANSAS

LEO POSITION CLASSIFICATION & PAY SCALE

Effective December 28, 2024

LEO Position Classification & Pay Scale reflects a 1.5% COLA increase on 2024 rates

	Hourly Range	Max Hire	Annual Range
Grade LEO 1	\$15.48 to \$23.22	\$16.87	\$32,196 to \$48,294
Environmental Technician			
<i>Grade LEO 1 Hiring Range</i>	<i>\$15.48 to \$16.87</i>		<i>\$32,196 to \$35,093</i>
Grade LEO 3	\$17.36 to \$26.03	\$18.92	\$36,102 to \$54,152
Maintenance Worker			
<i>Grade LEO 3 Hiring Range</i>	<i>\$17.36 to \$18.92</i>		<i>\$36,102 to \$39,351</i>
Grade LEO 5	\$19.49 to \$29.23	\$21.24	\$40,535 to \$60,803
Operations Support Specialist			
<i>Grade LEO 5 Hiring Range</i>	<i>\$19.49 to \$21.24</i>		<i>\$40,535 to \$44,183</i>
Grade LEO 6	\$20.66 to \$30.98	\$22.51	\$42,963 to \$64,444
Deputy Jailer			
Deputy Jailer - Advanced ³			
Dispatcher			
LPN			
Master Deputy Jailer ⁴			
<i>Grade LEO 6 Hiring Range</i>	<i>\$20.66 to \$22.51</i>		<i>\$42,963 to \$46,830</i>
Grade LEO 7	\$21.92 to \$32.89	\$23.90	\$45,602 to \$68,403
Information Specialist I			
<i>Grade LEO 7 Hiring Range</i>	<i>\$21.92 to \$23.90</i>		<i>\$45,602 to \$49,706</i>
Grade LEO 8	\$23.29 to \$34.94	\$25.39	\$48,452 to \$72,678
Communications Supervisor			
Deputy Sheriff			
Executive Assistant			
Master Deputy Sheriff ⁵			
<i>Grade LEO 8 Hiring Range</i>	<i>\$23.29 to \$25.39</i>		<i>\$48,452 to \$52,813</i>
Grade LEO 9	\$25.58 to \$38.37	\$27.88	\$53,202 to \$79,803
Emergency / Fire Coordinator			
Registered Nurse			
<i>Grade LEO 9 Hiring Range</i>	<i>\$25.58 to \$27.88</i>		<i>\$53,202 to \$57,990</i>
Grade LEO 10	\$28.12 to \$42.17	\$30.65	\$58,480 to \$87,720
Sergeant			
<i>Grade LEO 10 Hiring Range</i>	<i>\$28.12 to \$30.65</i>		<i>\$58,480 to \$63,743</i>
Grade LEO 11	\$30.91 to \$46.36	\$33.69	\$64,286 to \$96,429
Lieutenant Sheriff			
<i>Grade LEO 11 Hiring Range</i>	<i>\$30.91 to \$33.69</i>		<i>\$64,286 to \$70,072</i>
Grade LEO 12	\$34.31 to \$51.46	\$37.39	\$71,358 to \$107,036
Captain			
<i>Grade LEO 12 Hiring Range</i>	<i>\$34.31 to \$37.39</i>		<i>\$71,358 to \$77,780</i>

Deputy Jailer - Advanced³

A Deputy Jailer - Advanced has completed at a least one-year of services with the county and passed Level 1 of the Jailer Career Ladder earning the required certification. Completion of the Deputy Jailer - Advanced certification includes a 3% increase.

Master Deputy Jailer⁴

A Master Deputy Jailer has completed at a least two-years of services with the county and passed Level 2 of the Jailer Career Ladder earning the required certification. Completion of the Master Deputy Jailer certification includes a 5% increase.

Master Deputy Sheriff⁵

A Master Deputy Sheriff has served in the role of Deputy Sheriff with Miami County for at least five years or has served at least three years with Miami County and has at least two years previous deputy experience. The Master Deputy Sheriff includes a 5% increase.

ATTACHMENT G: CODE OF ETHICAL CONDUCT

APPLICATION

The Miami County Code of Ethical Conduct shall apply to all county commissioners and to each county officer, employee and board member appointed by the county commission.

PREAMBLE

The opportunity to serve the public as county commissioner, or other elected or appointed officer, employee or member of a county board is a high honor and confers a sacred trust to the office holder. For purposes of this article, the word “officer” shall include county commissioners, elected or appointed county officers, county employees and members of county boards appointed by the county commission. Stewardship of the public trust not only requires allegiance to the law, but also obligates all officers to act in ways consistent with the highest standards of ethical conduct. Miami County has adopted this code of ethics as a means of promoting the vitality of the democratic process in county government. The county commission believes that in carrying out the duties of a public office or position, from time to time every officer is confronted with ethical dilemmas. The following principles are offered to encourage county officers to engage in ethical reflection in advance of decision making. Ultimately, the ethical course of action for an officer must be discerned by the dictates of individual conscience and commitment to the public interest.

PRINCIPLES

Principle 1

A county officer should be vigorously dedicated to the democratic ideals of honesty, openness and accountability in all public matters involving county government.

An officer should exert good faith effort to communicate the full truth about county matters and avoid structuring information so as to mislead others or gain personal advantage.

Accountability requires an officer to accept responsibility for his or her public conduct as well as the actions of the officer’s office, department or board, especially when mistakes occur.

A commitment to the spirit of open government is characterized by the broadest possible provisions for public access and information sharing, and qualified only by those instances when meetings or certain public records are shielded by state or federal law.

An officer has an obligation to report suspected illegal misconduct by another elected or appointed official to the proper investigative authorities.

Principle 2

An officer should model decorum, respect for others and civility in all public relationships.

The honor of public office or employment requires an officer to behave with courtesy and respect for the dignity of others in all public relationships with other elected officials, employees, citizens, media and representatives of other units of government.

Officers should affirm the value of services provided by government and maintain a constructive attitude about governmental affairs.

Public meetings afford a prime opportunity for officers to promote conduct which enhances respectful civic discourse.

Principle 3

An officer should actively practice stewardship of the county's human, fiscal and material resources.

An officer should conserve public resources and support the wisest and best use of those resources consistent with the public interest and community need.

The principle of merit should guide all of an officer's human resources management decisions associated with recruitment, hiring, compensation, promotion and discharge.

An officer should advocate for and encourage other county officers to adopt practices that promote the most efficient, effective and ethical county services.

Principle 4

An officer should strive for excellence and continuous learning in personal development and in all operations of county government.

An officer, regardless of the length of tenure in office, should actively seek opportunities to develop skills and acquire knowledge in order to perform the duties of public office and employment more effectively.

An officer should dedicate the time necessary to adequately perform the duties of his or her office.

As a member of a public body, an officer should advocate and appropriate resources for a learning work environment in which employees are given opportunities to expand their performance capabilities.

Principle 5

An officer should perform the duties of public office with fairness and impartiality so as to enhance public confidence in county government.

Impartiality requires an officer to engage in conduct unswayed by public clamor, without fear of criticism and without seeking personal financial gain or partisan advantage.

An officer should make decisions free from the influence of family members, private business relationships, or other personal relationships.

An officer should promote county business practices which contribute to public perception of the impartiality of county decisions.

An officer should abstain from voting or taking part in the decision making process, even if not required to by law, if his or her impartiality might be reasonably questioned.

An officer should support the principle of equal employment opportunity and vigorously oppose discrimination in county operations.

Principle 6

An officer should neither seek nor accept any favor from any source which may be offered to influence his or her official decision making.

Officers should decline to accept anything of value which could be construed by a reasonable and informed person as intended to influence the officer's actions.

Avoiding the appearance of impropriety sustains public trust in democracy and is a necessary standard for officers to consider in determining an ethical course of action.

ATTACHMENT H: DRIVING RECORD POLICY

A. COMPLIANCE

Cooperation and compliance with Miami County's Employee Driving Records Policy (as with all other company policies and procedures) is a condition of continued employment for all Miami County employees. Failure to comply with this policy may lead to disciplinary action up to and including termination from employment.

UNSATISFACTORY results from a review of an employee's driving record, refusal to cooperate with, or any attempt to affect the results of these reviews, will result in withdrawal of any employment offer, or termination of employment, if already employed.

Note: Law enforcement positions in Miami County may be subject to additional policies from those located herein.

B. DRIVING RECORD – REVIEW PROCESS

The county reserves the right to review an employee's driving record in the following instances:

a) **Initial Hire:**

Human Resources will review the driving record of all new employees as a condition of hire.

b) **Existing Employees:**

Human Resources will review the driving record of current employees in the following instances:

i) Employees driving a county-owned vehicle:

(1) In addition to a review of driving records at the time of initial hire, the county will review and employee's driving records at the time of a reassignment or transfer into a position that requires the operation of a county-owned vehicle.

(2) The county will review and employee's driving records annually when the position requires the operation of a county-owned vehicle. The review will be approximately every 12 months from the date of initial hire or transfer into the position.

(3) The county may also review an employee's driving records for reasonable cause, post-accident, and following a positive drug test, consistent with Attachment E, Section 2.C.2.

ii) All other employees required to operate a motor vehicle as a function of their employment:

(1) The county may review an employee's driving records at other times for reasonable cause, post-accident, or following a positive drug test, consistent with Attachment E, Section 2.C.3-4 and Policy No. ADM 03-01-01.

iii) All employees upon suspension or revocation

The county shall review driving records for any employee who temporarily or permanently loses their driver's license. The county will review the reasons for the revocation or suspension of the license.

(1) If the revocation or suspension occurred in violation of any Miami County Policy, including but not limited to Sections 3 – Employee Conduct; or 9 – Drug & Alcohol Policy, the employee will be subject to disciplinary action, up to and including termination.

(2) If the reason for revocation or suspension was not a direct violation of any Miami County Policy, Human Resources will determine if actions pursuant to this policy are warranted.

C. DRIVING RECORD – REQUIREMENTS

Before an employee may operate a motor vehicle within the scope of their employment on behalf of the county, the following requirements must be met:

a) Valid Driver's License:

All county employees who operate a motor vehicle as a function of their employment are required to hold and maintain a valid Kansas driver's license, except for those listed in part (b) of this section.

Employees required to operate a county-owned vehicle may be required to maintain additional licensure requirements, per state law, in addition to these policies. Ex: If the employee's duties include the requirement to operate a Class C vehicle, the employee must maintain a valid Class C license.

Employees required to maintain a valid Kansas driver's license include:

- i) Employees who operate a county-owned vehicle for any part of their job functions;
- ii) Employees who rent a vehicle for the purposes of conducting county business;
- iii) Employees who use a personal vehicle for the purposes of conducting county business, regardless of any request for mileage reimbursement; and
- iv) Any employee acting within the scope of employment while operating a motor vehicle.

b) Exceptions to Having a Kansas-Issued Driver's License:

The following employees are exempt from having a Kansas-issued license, but still must maintain in a valid drivers' license in their state of residence, if their position requires the operations of a motor vehicle as a function of their employment.

- i) Active Service Members

county employees who are Active U.S. Armed Forces Members, or their immediate family are exempt under Kansas law from obtaining a Kansas driver's license and may instead maintain a valid license from their state of residence.

ii) Out of State Commuters

Employees who reside in a surrounding state but commute to Miami County are exempt from obtaining a Kansas driver's license and may instead maintain a valid license from their state of residence.

iii) Full-time College Students

Employees who attend college on a full-time basis (earning 12 or more credit hours per semester) are exempt from obtaining a Kansas driver's license and may instead maintain a valid license from their state of residence.

iv) Relocation Hires

Persons relocating to Kansas have 90-days under Kansas law to obtain a Kansas driver's license. If an employee does not have a valid Kansas driver's license at the time of hire due to relocation, and their job functions require the operation of a motor vehicle to perform any function of their job duties, the employee must provide a copy of their Kansas license to Human Resources upon receipt.

All other employees who operate a motor vehicle as a function of their employment are required to obtain a valid Kansas driver's license prior to beginning employment with Miami County and provide documentation of such to Human Resources.

c) Driving History Requirements:

It is the policy of Miami County to establish a safe work environment for employees and the public. To this end, potential and current employees must demonstrate and maintain a safe driving record prior to operating a motor vehicle as a function of their employment, as defined in Section C.a.

Using the metric below, an employee's driving record is SATISFACTORY if the results display incidents adding up to no more than five (5) points. A driving record review resulting in more than five (5) points is an UNSATISFACTORY driving record. An employee whose driving record is UNSATISFACTORY is prohibited from operating a motor vehicle as a function of their employment in any way, as defined in Section C.a.

Employees required to operate a motor vehicle as a function of their employment who have an UNSATISFACTORY driving record, using the metric below, are subject to termination of employment or revocation of a job offer as a violation of this policy.

Incident	Points (per occurrence)
Major moving violation, last 3 years	4
Moving violation, last 3 years	2
Non-moving violation, last 3 years	1
Major Accident, at fault, last 2 years	5
Major Accident, at fault, last 5 years	3
DUI/DWI, last 2 years	6
DUI/DWI, last 5 years	3

Suspended License (reinstated)	3
Suspended License (not reinstated)*	6
Revoked License (reinstated)	3
Revoked License (not reinstated)*	6

A major moving violation includes, but is not limited to, a citation for driving while suspended, reckless driving, leaving the scene of an accident, and eluding a law enforcement officer.

A moving violation includes, but is not limited to, a citation for speeding, running a stop sign or red light, and racing.

A non-moving violation includes, but is not limited to, a citation for inattentive driving, driving while talking on a cell phone, and driving without a seat belt.

i) Current County Employees

For current employees, if a driving records review displays UNSATISFACTORY results, the county will attempt to place the employee in a non-driving position within the department and may adjust salary to the new position if such assignment results in a lower pay grade for a period no longer than 30 days. The employee will be required to sign a waiver, acknowledging their understanding of the prohibition against operating a motor vehicle on behalf of the county. A copy of the acknowledgement will be maintained by Human Resources subject to Section 6 of this policy. If no position is available, the employee may be terminated.

ii) Applicants

Applicants whose driving record displays an UNSATISFACTORY result are not eligible for hire into a position in which the operation of a motor vehicle is a function of employment. A pending job offer may be revoked when a review of the applicant's driving record displays UNSATISFACTORY results. The Human Resources Director and hiring manager will consult to determine if the position requires operation of a motor vehicle for successful performance.

(1) If the operation of a motor vehicle is required, the job offer will be revoked.

(2) If the operation of a motor vehicle is not required, the employee will be required to sign a waiver, acknowledging their understanding of the prohibition from operating a motor vehicle on behalf of the county. A copy of the acknowledgement will be maintained by Human Resources subject to Section F of this policy.

D. DUTY TO REPORT

Every employee has an affirmative duty to report a change in their driving history to their supervisor and to the Human Resources Director within 48 hours of the occurrence. Failure to timely notify a supervisor and/or Human Resources will result in disciplinary action, up to and including termination.

When an employee no longer has a SATISFACTORY driving record, the county will attempt to place that employee in a position that does not require the operation of a motor vehicle as

a function of their employment within the department. The county may adjust the employee's pay rate to the new position if such assignment results in a lower pay grade for a period no longer than 30 days. The employee will be required to sign a waiver, acknowledging their understanding of the prohibition against operating a motor vehicle on behalf of the county. A copy of the acknowledgement will be maintained by Human Resources subject to Section F of this policy.

If no position is available, the employee may be terminated. Employees required to operate a motor vehicle as a function of their employment who fail to hold or maintain a valid driver's license are subject to termination of employment or revocation of a job offer.

E. CHALLENGE/GRIEVANCE PROCEDURE

Consistent with all county employment determinations, the employee may file a complaint under Section F and proceed through the Complaint Resolution Process to appeal any discipline imposed under this policy.

F. RECORD KEEPING

a) Confidentiality

Records relating driving history will be maintained as confidential, available only on a strict "need to know" basis. Supervisors of employees who are prohibited from driving on behalf of the county will be notified of the employee's restriction but not provided the details for the restriction.

b) Storage

Records collected, reviewed, or created under this policy will not be kept in an employee's regular, personnel file.

c) Release of Information

Information regarding an individual's driving history may be released only upon written consent of the individual,

EXCEPT:

- i) Such information must be released regardless of consent to a government agency as part of an accident investigation; or
- ii) Such information may be disclosed regardless of consent in a lawsuit, grievance, court order or other proceeding initiate by or on behalf of the individual and arising from the information included in the driving history.

d) Records Retention

Records will be maintained according to applicable federal and state records retention policies.

BUSINESS TRAVEL & EXPENSE POLICY
REVISED July 2025**EFFECTIVE DATE: July 30th, 2025**
POLICY NO: ADM 05-07-01

APPLICABILITY

This policy applies to all Miami County employees and elected officials. This policy applies to any travel on county business, irrespective of the funding source within the county budget used to pay the travel expenses. Reimbursement shall be provided utilizing the strictest means available. This policy does not apply to independent contractors of the county. The particular contract shall govern reimbursement of travel expenses for contractors.

GENERAL POLICY

Employees are entitled to payment of their reasonable travel expenses when on county business. The respective county officer or department director will determine travel on county business. Using a county vehicle is preferable when one is available. Travel authorization must be obtained using the County's official Travel and Expense Request Form. Mileage for privately owned vehicles (POV) will be paid according to a rate established by the State of Kansas and announced by the Internal Revenue Service (IRS).

USE OF CREDIT CARDS (P-CARDS)

Department Directors may provide employees with a county P-card to facilitate travel. The credit card may purchase meals, lodging, and transportation. (See county P-Card Policy for the use of credit cards for the purchase of supplies)

KANSAS SALES TAX

The county does not pay Kansas sales tax. The County Clerk's office can obtain a Kansas sales tax exemption certificate before hotel accommodations to avoid paying this tax. If a certificate is not obtained before travel, the traveling employee will be responsible for obtaining a refund of any sales tax. The county will not reimburse payment of Kansas sales tax on lodging.

LODGING EXPENSES

Employees will be reimbursed for actual and necessary lodging expenses. Employees will exercise prudent discretion regarding cost when selecting lodging and should only obtain lodging outside of a 60-mile radius of Miami County. If the government rate is the best, then that rate must be used. Most conferences will have group rates to use.

If a hotel/motel allows, employees may charge meals eaten at a hotel/motel restaurant to the room bill. However, the employee must still obtain an itemized bill for the meal itself.

MEAL EXPENSE

Employees will be reimbursed for the actual cost of meals (actual meal cost is defined as menu price including taxes for entrée and drink) and 20% gratuity expenses for breakfast, lunch, and dinner when traveling on county business. The cost of alcoholic beverages will not be claimed or reimbursed. Meals can be ordered by room service or third-party delivery services, but additional fees or charges related expense will not be claimed or reimbursed. Meals purchased for breakfast, lunch, or dinner will not be claimed for reimbursement if provided to the employee by way of lodging accommodations or sponsored event. Any gratuity above 20% will not be reimbursed.

If a meal is purchased for additional people, the employee must note on the itemized receipt the name of those people. Meals must be itemized on the receipt provided by the restaurant.

BUSINESS TRAVEL & EXPENSE POLICY
REVISED July 2025

EFFECTIVE DATE: July 30th, 2025
POLICY NO: ADM 05-07-01

Meals not the result of overnight travel may be reimbursable if pre-approved by the employee's respective department head while attending off-site training or conducting official business outside the county. Under many circumstances, IRS regulations require taxing such paid or reimbursed meals as a fringe benefit through payroll. Itemized receipts are required for any individual daily meals.

The county will reimburse up to, not to exceed, the following for each meal (meal is defined as entrée and drink) by an employee as the result of out-of-county travel. Miami County will adjust each meal cost according to the Meal and Incidental Expenses Rate (M&IE) provided by the U.S. General Services Administration. Employees will utilize the state, zip code of accommodations, and fiscal year in relation to travel for meal allocations.

STANDARD MEAL TIMEFRAMES

Breakfast	hours are from 4 a.m. to 10:30 a.m.
Lunch	hours are from 10:30 a.m. to 4:00 p.m.
Dinner	hours are from 4:00 p.m. to 10:00 p.m.

SUBSTITUTE MEALS

If the traveling employee is attending a conference that includes a meal, but cannot consume that meal due to dietary, religious, or schedule restrictions for official business. Miami County may allow the traveling employee to claim an alternative meal. The employee must make a reasonable effort to make alternative meal arrangements and request approval for this accommodation before travel.

TRANSPORTATION EXPENSES

When performing official travel, including authorized transportation expenses, reimbursement will be made to the traveling employee. Expenses as payable transportation are:

- (i) Fares, rental fees, mileage payments, and other expenses related to transportation.

Methods of transportation allowed:

- (i) Common carrier transportation (e.g., aircraft, train, bus, ship, or other transit systems)
- (ii) Government automobile
- (iii) Rental car
- (iv) Privately Owned Vehicle (POV)

The traveling employee must travel as authorized by Miami County; any additional expenses that are incurred that exceed the cost of the authorized method of transportation will be borne by the traveling employee.

It is the preference of the County that a County provided vehicle be used as a primary mode of transportation when reasonable. If a County provided vehicle is available at the time of travel, and the employee chooses to forgo said vehicle, the employee shall forfeit the rights to submit for mileage reimbursement. When applicable, the traveling employee will be reimbursed an applicable mileage rate based on the rate established by the State of Kansas announced by the Internal Revenue Service (IRS). Reimbursable expenses, in addition to mileage are ride-sharing, tolls, and parking fees. If other employees travel with the traveling employee on the same trip in the same POV, mileage is payable to only one.

Authorized service will be coach-class if the traveling employee is authorized to use an airline. This will apply to all common carrier transportation. Any expenses incurred in relation to "upgrades" of transportation shall be borne by the traveling employee.

Employees shall travel by the most practical, economical mode of transportation. If an employee chooses an alternative mode of transportation, the employee shall only be reimbursed at the lower rate. This will take into consideration hours worked and reimbursement of transportation related expenses.

Example:

An employee will be attending an annual conference. The estimated airfare is \$400 round trip with \$240 of accrued wages (estimated travel time of 8 hours at an hourly rate of \$30). The total estimated cost of travel being \$640.

- A. This employee decided to drive their personal vehicle instead of fly. Drive time to and from the annual conference is estimated at 30 hours and approximately 2,300 miles. Although accrued wages were estimated at \$900 and mileage reimbursement at \$1500, this employee would only be reimbursed at a maximum of \$640. The County would not reimburse accrued wages more than the estimated flight travel, mileage fees, toll, travel lodging (other than at the predetermined conference) or parking expenses.
- B. This employee decided to drive a County issued vehicle instead of fly. Drive time would remain the same at an estimated 30 hours. Although accrued wages were estimated at \$900, this employee would only be reimbursed at a maximum of \$240 for accrued wages. The employee would be able to use their County issued purchase card for the purchase of fuel making them ineligible for any mileage reimbursement. The County would not reimburse accrued wages more than the estimated flight travel or travel lodging (other than at the predetermined conference).

AUTOMOBILE RENTALS

Miami County must determine that using a rental vehicle is advantageous and specifically authorize such use. The traveling employee must use the least expensive compact car unless an exception for another vehicle class is approved. Miami County is a self-insurer that covers all insurance needed on the rental; the employee needs no additional insurance. If any additional insurance is purchased, this will be considered a personal expense and is not reimbursable. Any additional cost resulting from the unauthorized use of a commercial rental automobile other than for official travel-related purposes will be the employee's responsibility.

BUSINESS TRAVEL & EXPENSE POLICY
REVISED July 2025**EFFECTIVE DATE: July 30th, 2025**
POLICY NO: ADM 05-07-01**TRAVEL REQUEST AND EXPENSE REPORT**

Upon return from business travel, the employee must complete the travel expense form and submit it to their authorized person for review and completion. The travel expense form must bear the signature of the person authorized to approve travel expenses and the employee's signature. The authorized person will then forward the form to the appropriate payable clerk for processing. It is the traveling employee's responsibility to ensure any training/conference information is provided in the submitted documentation. If a P-card was used, only provide copies of the receipt with this form, as the original receipts will follow the Visa reconciling process.

Expenses that are not documented with a receipt will be the responsibility of the traveling employee. If the employee has paid the expense, the county will not reimburse the employee for the undocumented item. If the expense was charged to a county P-card, the employee must attach to the travel form his or her personal payment as a check or cashier check for the undocumented item. **Cash reimbursement should be delivered directly to the Administration office.**

Employees may not submit a claim for reimbursement for any expense billed directly to the county, charged on a county P-card, or for any item included in a registration fee paid by the county.

7-30-2025

Date

Shane D. Krull, County Administrator

**CELLULAR EQUIPMENT
REVISED August 2021****EFFECTIVE DATE: December 9, 2002
POLICY NO: ADM 05-07-02****APPLICABILITY AND PURPOSE**

This policy applies to all Miami County employees, and elected officials. Cellular phones have become a valuable tool for county employees to enhance their productivity while working away from their office. The cellular phone has become a lifeline back to the office for the coordination of work or, in some cases, for assurance of personal safety. The hotspot has become an office extension for working from home.

AUTHORIZATION TO USE CELLULAR EQUIPMENT

It is the responsibility of the department director to make the determination of whom within their respective department should depend on cellular phones or hotspots for official business needs, in a manner consistent with these policies.

It is incumbent upon Miami County and the department director to ensure that cellular phones or hotspots are provided only to those employees with a demonstrated need for this type of communication. For the county to provide and assign cellular equipment for an employee's use, the following criteria must be met:

1. The employee must be in a position where the preponderance of his/her time is spent out of the office during his/her normal workday; and
2. Use of a cellular phone must be essential for the conduct of the employee's work; or
3. Use of a hotspot is necessary due to working from home; and
4. The employee is subject to being contacted for urgent or emergency purposes.

While occasional personal use is permitted, as outlined below, employees are expected to reimburse the county for costs associated with personal use of county-issued cellular equipment.

When an employee no longer requires the cell phone, or when the employee terminates employment with the department authorizing the cellular equipment, that employee will return all county-provided cellular equipment to that department.

Departments having employees who have infrequent need for cellular communications may establish a "pool" cell that is provided to employees as needed. Controls will be established to account for who has the cell phone and when they are authorized to use it. Pool cells will only be assigned for specific, limited periods such as during travel, or other special work-related events.

Departments may also establish the same "pool" for a hotspot with the same controls. Employees will avoid using hotspots for personal use. The county is on a first responder plan and must keep airtime available for EMS, Sheriff, and Fire.

ACQUISITION OF COUNTY PROVIDED CELL EQUIPMENT

The purchasing department has established a contract with Verizon for equipment and service. The purchasing department will monitor the government service plans with Verizon and adjust where and as needed to ensure that each department is on the best plan for department users. When equipment is replaced or renewed, departments will determine their equipment needs from a list provided by purchasing.

REIMBURSEMENT FOR PERSONAL USE

Employees will avoid making personal phone calls on county equipment. It is understood that occasional calls of a short duration may be necessary. As an example, this would include contacting a family member to inform them that you will be arriving home later than expected. Personal calls placed on county cell phones will be reimbursed to the county if the calls result in any additional costs to the county. In such a

situation, the cost to the employee will only be for actual personal calls made. If the employee is found to be using the hotspot for personal use, such as streaming movies or using it as their internet service, the employee will reimburse the county and will no longer be allowed the convenience of using the hotspot. Employees are permitted a minimum of 20 calendar days from receipt of the Verizon detail to make reimbursement. No cash will be accepted for reimbursement, only check or money order payable to the county is accepted.

LOST OR STOLEN CELLULAR EQUIPMENT

It is the responsibility of the employee to notify their department director and the purchasing department immediately if their cellular equipment is lost or stolen. All costs incurred for replacement or repair will be the responsibility of the employee's department. If an employee, through negligence, damages or loses any cellular equipment, the employee must reimburse Miami County for the repair or replacement costs.

9-1-21
Date


Shane D. Krull, County Administrator

2005 / 2006 QUANTITATIVE ANALYSIS

- XII. Organizational Profile
- XIII. Job Group Analysis
- XIV. Placement of Incumbents in Job Groups
- XV. Determining Availability
- XVI. Comparing Incumbency to Availability
- XVII. Placement Goals

MIAMI COUNTY
POLICY & PROCEDURES

POLICY NO: ADM 01-04-01

EFFECTIVE DATE: April 1, 2001

TITLE: PETTY CASH

LAST REVISED: July 1, 2005

PURPOSE AND SCOPE:

Petty Cash Reimbursement

The purpose of the petty cash fund is to assist all County Departments with the purchase of items costing less than \$40.00. The fund shall be used to reimburse individuals for their cost of paying small freight bills, C.O.D. fees, postage due fees, copying charges, business expenses, including meals and other emergency needs.

The petty cash fund may not be loaned or advanced against the salary of any employee, nor may it be loaned or advanced to enable a Department to make an emergency purchase. All transactions through the petty cash fund shall be made in the form of a reimbursement.

The following procedural statement concerning petty cash is to be used as a basis for the operation of all petty cash funds of the Miami County. While there may be specific references that may not be germane to your operation, the basic intent is to ensure the safety of the fund while making monies available for the timely purchase of small items without requiring the completion of a purchase order.

Authorized Petty Cash Fund

<u>Miami County Department</u>	<u>Location</u>	<u>Amount</u>
County Clerk	201 S. Pearl	\$500.00

Procedural Statement.

A petty cash fund will be established and maintained in the Office of the County Clerk, in an amount not to exceed \$500.00. The Office of the County Clerk shall be designated as the custodian of the petty cash fund. This office shall be responsible for the custody and safekeeping of the money and must maintain a perpetual record of all receipts to and disbursements from the petty cash fund. The Petty Cash Fund shall be secured in a separate locked container and must be segregated from all other funds or monies.

+

For each disbursement from the petty cash fund, the individual requesting the reimbursement shall prepare a Petty Cash Disbursement Voucher (See Attachment A). The information required for the completion of this voucher includes a detail of the items purchased, date of transaction, amount of transaction and the signature by the Department Director and the individual requesting the reimbursement. The person requesting a reimbursement from the petty cash fund shall also

provide the appropriate fund, department, object and account numbers. These numbers will be used to charge the reimbursement to the proper location when replenishment of the fund becomes necessary.

An invoice, statement, cash register tape, receipt or other proof of payment must be attached to the Petty Cash Disbursement Voucher prior to receiving any monies from the fund. In addition, the originating Department Director must approve, by original signature, each proof of payment submitted for reimbursement. Disbursements may not be made from the Petty Cash Fund without the above required supporting documentation. Copy of a Travel Voucher is required when required by travel Policy.

Each time it becomes necessary for the Office of the County Clerk to replenish the petty cash fund (monthly) and at the end of each fiscal year, the custodian of the petty cash fund shall prepare a report showing the beginning balance, receipts to, disbursements from and the ending balance in the fund. A claim voucher shall be prepared, payable to Miami County Petty Cash, showing the amount needed to bring the cash balance on hand to the maximum of \$500.00. The above mentioned report, plus the original receipts and attachments, shall be the supporting documentation for the claim voucher. The various fund, department, object, and account numbers, as provided by the person receiving the petty cash reimbursement, shall be summarized and used to replenish the petty cash fund. Authorization to charge these accounts was secured at the time of reimbursement by the originating Department Director. Once this is completed, the claim voucher shall be signed by the County Clerk and the County Administrator. The claim voucher will then become a part of the vendor payment system and will follow the requirements of that system.

The reimbursement check, once received, shall be cashed by the custodian of the petty cash fund. Receipt of the reimbursement shall be noted in the perpetual record.

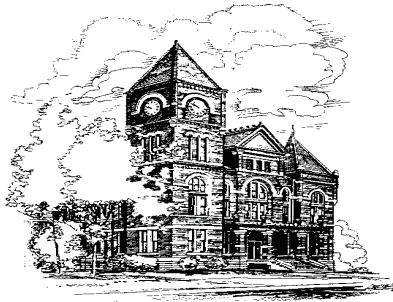
Although purchases may be made without the completion requirements of the bidding process, it is the responsibility of the ordering department to assure that all purchases are fair and reasonably priced. Using a source that the ordering department knows will result in a considerably higher price than other available sources indicates a lack of care and concern in expending county funds.

Ordering departments must stress with their personnel that, even though a purchase does not require competition, it is the responsibility of all employees to purchase at fair and reasonable prices.

Date

Shane D. Krull, County Administrator

MIAMI COUNTY KANSAS



PURCHASING POLICY AND PROCEDURES

County Administration Office: 201 South Pearl, Paola, Kansas 66071 (913) 294-9500

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I. GENERAL PROVISIONS

1.1 INTRODUCTION

This Purchasing Manual prescribes the policies and procedures for the purchasing of commodities, controlled services and equipment. It outlines the duties and responsibilities of Miami County employees involved in the purchasing process. Public purchasing is a process of acquiring quality goods and services at favorable prices.

It is generally recognized that a centralized purchasing function offers considerable benefits by maximizing the use of financial resources through sound procurement practices. The primary objectives in establishing this Purchasing Manual are:

- To Provide For Uniform Coordinated Procurement Of Goods And Services
- To Establish The Manner In Which Supplies, Materials And Equipment Shall Be Purchased, Delivered And Distributed
- To Encourage Open And Competitive Bidding
- To Consolidate Purchasing Requirements

1.2 AUTHORITY AND RESPONSIBILITY

County Commission

The Board of County Commissioners (BOCC) is required to give final approval to all claims before payment.

County Administrator

The authorities and responsibilities are as follows:

- Administer written purchasing policies and practices.
- Coordinate and oversee competitive bidding, competitive negotiation and competitive quotations.
- Develop and maintain Countywide purchasing objectives, policies, and procedures, and programs for the acquisition of materials, supplies, equipment, and services.
- Develop technical and non-technical commodity specifications.
- Maintain a comprehensive current list of qualified vendors and to monitor and evaluate vendor performance.
- Review and evaluate bid specifications, contracts and their amendments, requests for proposals, and other documents essential to the purchasing process.

- Sell, transfer, or otherwise dispose of surplus, obsolete, and salvage property belonging to the County, subject to the Board of County Commissioners approval.
- Maintain inventories at an appropriate level by acquiring goods and services in a timely manner.
- Execute contracts and order documents as approved by the Board of County Commissioners.

Department Head

The authorities and responsibilities are as follows:

- Advise departmental personnel on the purchasing policies and procedures and ensure compliance.
- When a department desires to make a purchase up to \$749, a payment voucher is prepared and directed to Accounts Payable.
- Coordinate the planning of purchases with Accounts Payable and Purchasing/County Administrator’s Office to determine available cash; and budget and to allow sufficient time to obtain pricing data, determine source, and issue purchase requisitions with reasonable lead time for delivery.
- Provide accurate and complete information on items requested; assist in the procurement of commodities, services, or equipment of a technical or unusual nature when required; suggest possible sources of supply; and in general, cooperate and coordinate with the Purchasing/County Administrator’s Office to achieve the purchasing objectives.
- Inspect or supervise the inspection of commodities, services, or equipment delivered and determine acceptability of their quality, quantity, and conformance with specifications.

II. SCOPE OF THE POLICY

2.1 PERSONNEL

This policy shall apply uniformly to all employees, authorized agents, officials, departments, agencies, boards, commissions and representatives for the expenditure of any and all funds provided or authorized through or by the Board of Miami County Commissioners or under authority of any budget approved by the Board of Miami County Commissioners.

2.2 GOODS AND/OR SERVICES

This policy shall apply to the purchase of any goods and/or services regardless of purpose or necessity unless that purchase is specifically made exempt by said Purchasing Policy and Procedures or waived by the Board of County Commissioners.

III. PURCHASING PROCESS AND PROCEDURES

3.1 PURCHASES UP TO \$749

Department Heads may authorize purchases up to \$749 in accordance with this policy, with the exception of office supplies and furniture. The Department Head verifies that funds are available when signing the purchase requisition. An invoice and purchase order is submitted to Accounts Payable. Splitting purchases is not allowed. Monthly reports of expenditures are required to be submitted to the County Administrator by Accounts Payable.

Requisitions for office supplies and furniture need to be submitted to Purchasing for competitive quotation. Upon receipt of competitive quotes, Purchasing will submit the quotation results to the Department Head for review. A purchase order will then be submitted to Purchasing for acquisition of the office supplies or furniture. The Department Head verifies that funds are available when signing the purchase requisition.

Weekly requisitions for office supplies and furniture are required in addition to the above quotation process. All requisitions for office supplies and furniture must be turned in by close of business on Thursday to the Purchasing Office. Supplies requisitioned will be available in the basement stockroom on the following Tuesday between the hours of 3 p.m. and 4 p.m.

3.2 PURCHASES BETWEEN \$750 AND \$10,000

Department Heads requesting the purchase of goods or service estimated to cost between \$750 and \$10,000 will submit a requisition form describing the required purchase to the Purchasing Office after verification that funds are available. The Purchase Requisition is then used to solicit quotes or bids.

- A. Requisition - The following information will be included on the requisition by the requesting department.
1. Vendor*, descriptive information necessary to complete the purchase, quantity, unit of measure, and price information if available. If this information is not available, the requester shall furnish a description of the goods or services and the estimated cost to assist the buyer in identifying the item to be purchased.
 2. The appropriate expenditure account(s) to be charged for the purchase.
 3. Delivery point and date required.
 4. The address where the invoice is to be mailed.
 5. Signature of the requester and appropriate department head.

*Note - Purchasing may change the vendor if an appropriate Term & Supply contract is in effect or when it is otherwise determined to be in the best interest of the County. If an alternate brand or

manufacturer results from the change in vendor, the requester will be notified prior to issuance of a purchase order.

- B. Competitive Quotes - If competitive sealed bids are not required, a minimum of three competitive quotes will be obtained for the purchase of goods between \$750 and \$10,000. A purchase order is then prepared and signed by the Department Head. Upon receipt of goods, the Department Head or Authorized Representative verifies the receipt of goods in accordance with the procedures set forth in this document.
- C. Technology Equipment - Prior to submitting any order for Information Technology hardware, the Department Head must have concurrence from the IT Director.
- D. Term and Supply - Purchases up to \$10,000 require informal documentation of competition; however, Term and Supply contracts will be established by Purchasing for repetitive purchases by one or more user departments.
- E. Award of Bids/RFP's – up to \$10,000, subject to Kansas Statutes Annotated, can be made by the County Administrator.
- F. Fixed Assets - The significant resources of a department with a useful life of more than one year and value of \$1,000 or more, shall be assigned a positive identification number and filed with the County Clerk's Office.

3.3 PURCHASES OVER \$10,000

Departments requesting to purchase goods or services estimated to cost more than \$10,000 will submit an invitation to bid or request for proposal (RFP) to Purchasing. Purchasing will forward the request to the County Administrator. Subject to availability of funds, the County Administrator will seek approval of the Board of Miami County Commission to advertise for bid. Specifications are prepared jointly by the User Department and Purchasing.

- A. Request to Bid Form: The following information will be provided by the requesting department either on or with the request to bid form.
 - 1. Estimated cost and budget available.
 - 2. Account(s) to be charged.
 - 3. Description, specifications quantity and unit of measure of goods/services required.
 - 4. Intended purchase (functional specifications).
 - 5. Suggested vendors.
 - 6. Department Head's signature.
 - 7. County Administrator's signature, if the goods are not included in the budget.
 - 8. Descriptive literature, if available.
 - 9. Delivery point and date required.
 - 10. Address to which invoice is to be mailed.

- B. Purchase Process - Upon approval from the County Administrator, Purchasing will seek competitive bids/proposals in accordance with purchasing procedures and in compliance with applicable Kansas Statutes.
- C. Purchases over \$10,000 - Where competitive bids are required, the following procedures must be followed:
1. Obtain approval from the County Administrator to forward the bid notice to the paper for publication.
 2. Sealed bids will be solicited by notice published once in the Official County Newspaper not less than ten (10) days prior to bid opening. All bids shall be opened and read aloud publicly at the time and location stated in the notice.
 3. Bids will be forwarded by Purchasing to the Department Head for presentation to the County Administrator.
 4. All awards shall be made to the lowest responsive and responsible bidder in compliance with this purchasing policy.
 5. Upon approval of the bid by the Board of Miami County Commissioners, a Purchase Order is prepared by the Department Head and forwarded to Purchasing. A copy is made by Purchasing and forwarded to Accounts Payable for encumbering.

3.4 VERIFICATION OF RECEIPT OF GOODS

The vendor supplies the goods or services and submits an invoice to the Department Head. The Department determines the order is received in good condition and specifications have been met. When ordered stock is received, the following steps must be taken to ensure proper control:

- Check all items against their invoices to see if quantities are correct.
- Make sure the prices quoted and listed match.
- Check or spot-check incoming items for damage or improper packaging.
- List and report any discrepancies to the supplier, conveyor, or agent without delay. If necessary, arrange for an immediate vendor inspection of all items/records in questions.

The Department Head acknowledges on the Purchase Order that goods are received; verifies the Requisition, Invoice and Purchase Order agree; then remits to Accounts Payable for payment. All vouchers are to be signed by the County Clerk, a signature stamp or his/her designee.

3.5 INTERGOVERNMENTAL PURCHASING

Intergovernmental purchasing is an agreement under which the County, along with other governmental entities, buy under the same contract or agreement. The County, upon determination of a need in conjunction with other governmental units, may prepare specifications, receive bids

and make contract awards to the lowest responsive and responsible bid. The County may also “piggyback” on contracts of other governmental jurisdictions when allowed and when it is assured that competitive sealed bidding has been employed. All intergovernmental purchases must comply with all provisions of this manual.

3.6 CONTRACTING FOR PROFESSIONAL SERVICES

All contracts for the procurement of professional and consultant services in excess of \$10,000 (except as exempted by emergency or sole source provisions of this manual) shall utilize competitive selection procedures. Professional Services shall include, but not be limited to the following disciplines:

- Administrative And Technical Consulting Services
- Financial And Accounting Services
- Legal Services
- Data Processing Services
- Photographic, Art Or Marketing Services
- Architectural And Engineering Services
- Appraisers

3.7 CHANGE ORDERS

Change orders are changes in terms and conditions associated with unforeseen problems not addressed in the bidding or contract documents, or changes that are commended after contract award. The Board of Miami County Commissioners will approve all change orders.

3.8 SUBMITTAL OF INVOICES FOR PAYMENT

Invoices should be submitted to Accounts Payable for payment after the completion of all purchasing procedures. Invoices should be submitted, attached to the original purchase order, or in the case of a blanket purchase order (BPO), the invoice should be submitted with the required information on the face of the invoice as described in Section 5.9.

The following should be considered when submitting invoices for payment:

- The deadline for submittal for payment is Thursday at Noon for the following Monday’s payment processing. As much lead-time as possible is requested for workload considerations.
- If attachments are to go with the check, a copy for Accounts Payable’s files should also be included.
- The invoice payment terms will be used unless otherwise specified by the submitting department.
- Complete required information on vendor payment stubs (i.e. utility and telephone payment amount). These are sent with the check.
- Write a short description in layman’s terms of the purchase on the purchase order or the invoice.

IV. PREFERENCE POLICY

4.1 LOCAL BIDDERS

If a local bidder (local is defined as a business domicile in Miami County) is within two percent (2%) of the low bid on a project in excess of \$10,000 and is compliant with all other “successful bidder requirements” the local bidder would be awarded the bid.

V. REQUISITIONING

5.1 UNAUTHORIZED PURCHASES

The purchase of goods or services, including those by lease, lease/purchase and rental, must be made in accordance with the Purchasing Policy and Procedures. Any purchase or attempted purchase of goods or services which does not comply with these procedures shall be considered unauthorized. Unauthorized purchases shall not be processed for payment and the goods or services shall be rejected and returned. Whenever funds have been expended or payment cannot be avoided on an unauthorized purchase; the matter shall be submitted to the County Administrator for action, which may include budget reductions or appropriate employee disciplinary procedures in accordance with the County Personnel Policies.

Purchases made or orders placed contrary to the Purchasing Policy and Procedures Manual can result in the employee or the employee’s Department Head being held personally liable for the cost of the goods or services purchased or ordered. The County is not liable for payment of invoices covering such purchases

Small Purchases

Splitting a purchase requirement to lower the individual portions of the purchase below the limits where a more restrictive level of bidding is required (i.e., to keep the portions of the transaction below the formal bidding level of \$10,000) is prohibited.

Public Access to Procurement Information

Trade secrets and confidential or proprietary information submitted by a vendor cannot be revealed to any person outside the County or to any County employee not involved in the bid/proposal evaluation or award process. Whenever any person outside the County requests information on a current solicitation, refer the caller to Purchasing for the information, or contact Purchasing to find out what information is acceptable for release.

5.2 COMPETITIVE PURCHASING PRACTICES

The County will seek competition for the purchase of goods and services exceeding \$750 or as required to be in compliance with all Kansas Statutes pertaining to bidding.

Types Of Competitive Procurement

The County uses three types of competitive procurement practices:

- Quotations
- Bids
- Request for Proposals (RFP)

The process used to acquire specific goods or services is determined by Purchasing based upon consideration of the Department's recommendation, the estimated amount to be expended, time restrictions, complexity of the required goods or services and the requirements of the Kansas Statutes.

- A. Quotations – are defined as price quotes received by Purchasing by telephone or in writing as a response to verbal or written request for prices.
 1. Quotations will be used to acquire goods estimated to cost between \$750 and \$10,000.
 2. Quotations will be initiated by the submission of a requisition by the requesting department.
 3. Quotations will be documented in writing by Purchasing and maintained for the number of years required by Kansas Statute.

- B. Bid – is defined as a written invitation issued by Purchasing to submit written pricing for specific goods or service(s) described in the bid document.
 1. Bids will be issued for purchases estimated to exceed \$10,000 or as required by Kansas Statutes.
 2. Bids will be initiated by the submission of a request to bid form.
 3. The bid document will include:
 - a. Instructions to bidders,
 - b. Terms & Conditions,
 - c. Specifications describing the goods or services required,
 - d. Forms on which bidders must submit their bids and other required submittals.

- C. Requests for Proposal (RFP) – is defined as an invitation issued by Purchasing or by a Department, subject to approval by the County Administrator, to submit a written proposal for providing professional services, technical products or equipment described in the RFP.

5.3 BID/RFP PROCESS

The process shall be performed by Purchasing and the Requesting Department.

- A. Preparation of the BID/RFP Document – It is the responsibility of the requesting Department Head to submit to Purchasing, information pertaining to the requested item and provide necessary assistance in preparation of the formal bid document. Engineering Services and Road and Bridge documents will normally be prepared and submitted by those Department Heads. Purchasing will review documents prior to release.
1. Instructions to bidders/respondents will describe the procedures and requirements for responding to a Bid/RFP and detail the required information or documents that must be provided with the respondent's Bid/Proposal.
 2. Terms and conditions pertaining to the bidder's response or potential contract with the County will be detailed in the Bid/RFP document.
 3. Bid surety in the form of a bid bond, cashier's check or certified check (the acceptable form and amount will be detailed in the bid document) shall be required for all construction bids as required by the Kansas Statutes Annotated. Performance and statutory bonds, as required by Kansas Statutes Annotated, shall be required for construction contracts. All bonds shall be provided by a surety company authorized to do business in the State of Kansas and shall include the appointment of a Kansas resident agent.
 4. Certified copies of appropriate insurance policies endorsing the County as an additional insured will be required from the successful contractor(s) for all construction contracts to protect the County from liabilities that may be incurred as a result of the construction. Certified copies of insurance policies for all other Bids/RFPs may be required at the discretion of Purchasing or Department Head. The amount and type of insurance required will be detailed in the Bid/RFP document.
 5. Specifications will be developed by Purchasing and the requesting department. The technical nature of the purchase and the technical background of the requester and buyer will be considered in the role of persons involved in preparing the specifications. A consultant may be employed for the purpose of developing plans and/or specifications.
 - a. Purchasing will be responsible for ensuring the specifications are open and non-restrictive.
 - b. Any specification which limits the purchase to a specific product or service must be justified in writing by the requester and approved by the Department Head and Purchasing. Disputes between the requesting Department and Purchasing; concerning specifications, will be resolved by the County Administrator.

- c. Purchasing may also request various County personnel or other individuals to participate in the development of standard specifications for various purchases which may not be exclusive to one office. (Example: Vehicles, Copiers, Furniture)
- B. Distribution of Requests for Proposals (RFPs) – Purchasing will be responsible for seeking competitive bidders/respondents in a non-restrictive and open process to encourage minority vendors and to provide a sufficient number of responses for a particular purchase.
 - 1. Purchasing will maintain a list of potential vendors for specific products or service areas. Any vendor may request Purchasing to place his/her company on the bid list. Vendors may be asked to complete a vendor application.
 - 2. All Bids/RFP's estimated to be in excess of \$10,000, or as required by Kansas Statutes Annotated, will be advertised by Purchasing in the official County newspaper at least ten (10) working days prior to the scheduled Bid/RFP opening, or as required by Kansas Statute. Additional publications may be utilized and selected on the basis of need and suitability for a particular purchase.
 - 3. All construction, renovation, or remodeling bids shall be distributed to the appropriate trade publications.
- C. Pre-Bid Conference – At times, a pre-bid conference with potential vendors and staff to review the specifications will be held.
 - 1. A pre-bid conference may be held prior to distributing the invitation to Bid/RFP in order to solicit information and advice from potential vendors concerning the development of the specifications. The intent of the conference will be to develop non-restrictive specifications that meet the full requirements of the proposed purchase.
 - 2. A pre-bid conference may be held after the invitation to bid or RFP has been distributed in order to review and clarify the specifications with potential vendors.
 - a. The date and time of the conference will be included in the instructions to bidders in the bid document.
 - b. The meeting will be open to the public and all potential vendors will be encouraged to attend.
- D. Bid/RFP Opening – All bids submitted in accordance with the instructions specified in the bid document will be publicly opened and read aloud at the date and time designated on the bid document. RFP's will be formally opened and publicly acknowledged in accordance with the instructions specified in the RFP document.

1. Two (2) County representatives will be present at Bid/RFP openings to open and record all bids/proposals.
 2. Bids/Proposals which are received after the designated time and date specified in the Bid/RFP document will be returned unopened to the bidder/respondent, provided a return address is furnished on the response envelope.
- E. Addendum – All changes, modifications, or clarifications to the Bid/RFP document will be issued by Purchasing in the form of a written addendum. The County will not make or be bound by verbal responses.
1. Addenda are a part of the Bid/RFP document and as such, must be acknowledged in the Bid/RFP response and will be considered in the award.
- F. Withdrawal or Modification of Bids/RFPs – Bids/RFPs may be withdrawn or modified as follows:
1. Miami County reserves the right to withdraw requests for Bids/RFPs prior to the date of the bid opening; reject any or all Bids/RFPs and any part of a bid/proposal to waive informalities, technical defects, and minor irregularities in Bids/RFPs received.
 2. Bidders/Respondents may withdraw their Bids/RFPs prior to the opening. A corrected Bid/RFP may be resubmitted at any time prior to the opening. Appropriate identification will be required by Purchasing for withdrawal of a Bid/RFP.
 3. Bids may not be withdrawn after the bid opening. Bidders that fail to perform in accordance with their bid are subject to forfeiture of the bid security and/or the County striking the vendor from future bid lists for a period of time to be determined by Purchasing. If the contractor fails to enter into a contract, the award will go to the next lowest, acceptable bidder or the contract will be re-bid.
- G. Evaluation of Bids/RFP's – Following the bid opening, the Bids/RFP's will be reviewed and evaluated by the the requesting Department Head; or by a committee assigned by the County Administrator, in cooperation with the requesting Department Head, to review and evaluate the goods or services as provided in the Bid/RFP document, or by a consultant if employed by the County for this purpose.

The Committee assigned to review and evaluate Bids/RFPs will be comprised of a minimum of three (3) persons familiar with the goods and/or services being bid/proposed and in the opinion of the County Administrator, qualified to perform such review and evaluation for award.

Criteria used in the evaluation of the Bids/RFPs will be described in the Bid/RFP document and will be applied to all responses consistently. Samples or demonstrations

may be required at no cost or liability to the County when necessary to determine the suitability or fitness of a product for specific applications.

1. Evaluation of RFPs – Additional written and/or oral presentations may be required in the selection of professional services or major equipment purchases.
 - a. Specific factors which may be used for evaluation purposes are as follows:
 - Previous applicable experience of the firm and/or personnel in providing the service/product
 - Presentation of the services/product to be provided
 - Technical approach to the project
 - Facility and capability information, including experience of key personnel
 - Evaluation factors and selection criteria
 - Standard contract terms and conditions
 - Affirmative action requirements
 - Cost data
 - Response from references
 - A proposed cost or fee schedule
 - b. In determining which offer is most advantageous, the County shall consider all pertinent factors and the award shall not be based solely on cost.
 - c. Engineers/Architects proposing to provide consulting design services for specific projects will be selected as follows:
 - The selection committee will independently evaluate the responses to the RFP based on the selection criteria outlined in the RFP.
 - The initial evaluation will give consideration to the respondent's qualifications as indicated in their response. Usually the top ranked three or more firms, depending on the number of responses, will be selected for further consideration.
 - The finalists will be requested to submit their approach to the project in writing or verbally as requested, along with a breakdown of the proposed personnel by classification, the fully loaded, charge out rate for each classification, and the estimated hours of each classification required to support their proposed approach. The breakdown of the proposed personnel shall be submitted at the time of their presentation.
 - The selection committee will rank the finalists based on their presentations with consideration of the proposed value of the services to be determined by the breakdown of the proposed personnel classifications and charge out rates.
 - The selection committee and Purchasing will recommend to the Board of County Commissioners that the staff be authorized to negotiate a contract with the top ranked firm.

- If an acceptable contract cannot be negotiated with the top ranked firm, the selection committee and Purchasing will recommend to the Board of County Commissioners that the staff be authorized to negotiate a contract with the next highest ranked firm.
 - d. Other Professional Services – Solicitation for Professional Services shall be made in the form of a Request For Proposal (RFP). Request For Proposals shall be distributed to qualified persons interested in performing the services. Request For Proposals shall be reviewed and approved by the County Administrator and shall contain at least the following information:
 - Instructions specifying when, to whom, and where proposals shall be sent
 - A complete, technical description of the problem or task
 - A statement of what is expected to be accomplished
 - A format specifying the extent and scope of work that shall be submitted in the proposal
- H. Award of Bids/RFPs – Bids shall be awarded to the bidder determined to be the lowest and best responsive and responsible bidder. RFPs will be awarded on the basis of services or product/equipment provided in lieu of, or in addition to cost.

The County will give preference to Miami County vendors when cost and all other factors are equal. Vendors outside the State of Kansas will be given the same consideration as Kansas vendors would be given in their state.

1. Award of Bids – A bid will be awarded to the lowest and best bid. The lowest and best bid is the bid that represents the lowest overall cost to the County, meets all specifications, provides the best product for the intended use, and the vendor is determined to be responsive and responsible having the financial and managerial resources to fulfill the contract.

Awards that are made other than to the low bidder will require the following documentation:

- A written statement from the requester, signed by the Department Head, detailing the reasons the low bidder was not selected
- Verification by Purchasing that the award is the lowest acceptable bid

In the event that the low bid, meeting all the requirements and criteria set forth in the bid document, are received from two or more responsible bidders, the tie bid will be awarded by drawing lots.

1. Award of RFP – An RFP will be awarded on the basis of services or product/equipment provided in lieu of, or in addition to cost. The criteria for awarding the RFP will be detailed in the RFP document. Documentation, which

- I. Authority to Make Award – A tabulation of the Bids/RFPs will be prepared by the Department Head or by Purchasing. If tabulated by the Department Head, a copy of such will be forwarded to Purchasing. The Department Head will be responsible for making the recommendation to the County Administrator’s Office.

Awards of Bids/RFPs of \$10,000 or more will be presented to the Board of County Commissioners for award. Purchases for agencies with Governing Boards other than the Board of County Commissioners shall be awarded in accordance with the agency’s policies and procedures.

- J. Notification of Award – Successful bidders will be notified of award by Purchasing or requesting Department Head by issuance of an Official County Purchase Order or Contract. Purchase orders and contracts are defined as follows:

1. Purchase Order – The issuance of a purchase order encumbers funds from the appropriate budget and reduces the available budget balance. The purchase order number is unique to every order and provides a control number for the ordering, receiving, and payment for all purchases of goods or services. Purchase orders will be used in conjunction with or in lieu of a contract to accomplish the accounting transaction. Discrepancies between the purchase order, receiving information and invoice will be reported to Purchasing for resolution.
2. Simplified Contract – A simplified contract is a standard one-page form that references the terms of the bid and the goods or services to be provided. This form is used primarily for contracts when one or more departments may wish to make purchases over a given time period and is used in conjunction with the purchase order. Simplified contract documents require the signature of the County Administrator.
3. Formal Contract – A formal contract may be issued for the purchase of goods or services with requirements or conditions beyond those included in the Bid/RFP document and issued in conjunction with the purchase order. Formal contracts will be signed by the Chairman of the Board of County Commissioners or the appropriate board authority.

5.4 NEGOTIATION

Purchasing may negotiate the purchase of goods or services under \$10,000 or as follows:

- A. Sole Source – When the goods or services to be obtained are determined to be available from a single source.
- B. RFP Process – When negotiations are specifically provided for in the RFP document.
- C. Extension of Services – For the extension of services from an existing contractor when it is determined by the using department and Purchasing that the existing contractor has acquired certain knowledge and expertise as the result of an initial contract that would be invaluable for providing additional related services and the specific service cannot be acquired elsewhere at a competitive cost.
- D. Reorder – Reorder of like services or goods within 60 days of the original quote or bid. If the reorder exceeds the original order quantity for any specific item, the item will be subject to the appropriate purchasing procedure.
- E. Competitive Negotiation for Goods or Services Other Than Professional Services – When using competitive negotiation procedures, the name of the offeror's, the content of their proposal and the status of the solicitation cannot be revealed to any person not specifically authorized by Purchasing or designee to receive the information.

5.5 EMERGENCY PURCHASE

An emergency purchase may be made without benefit of the competitive purchasing process when; (1) it is determined by the County Administrator that County operations without the purchase will be adversely affected, or (2) in event of a disaster which creates a threat to public health, welfare or safety. Emergencies which require a purchase outside the normal working week (7:30-4:30, Monday through Friday) may be made by the authorized department personnel and followed up immediately by the submission of a confirming requisition signed by the appropriate Department Head and the County Administrator.

Purchases requiring immediate authorization such as equipment or building/mechanical repairs will be expedited by Purchasing. Departments may contact Purchasing by telephone to expedite the purchase process and follow up the request with a written confirmation purchase order. Purchasing may also elect to secure quotations versus formal bids to respond to extenuating circumstances.

The procedures set forth for emergency purchases shall not be substituted for a lack of proper planning by the using department nor be used to circumvent the purchasing procedures in the absence of a bona fide emergency. EMERGENCY will be boldly printed across the requisition.

The County Administrator will advise the Board of County Commissioners of all emergency purchases.

5.6 SOLE SOURCE PURCHASE

A purchase may be considered sole source if it is determined by Purchasing that there is only ONE supplier that can provide required goods or services. A sole source purchase will not require a competitive bid for its acquisition.

5.7 CHANGE ORDERS

Change orders are issued to cover costs of changes in terms and conditions associated with unforeseen problems not addressed in the bidding or contract document, or changes/modifications that may be recommended after contract award. All change orders will be submitted to the Board of County Commissioners for approval.

5.8 TERM & SUPPLY CONTRACTS

A term & supply contract is the result of a negotiated purchase or Bid/RFP for the purchase of similar goods or services from one or more vendors over a specified time period. The term & supply contract may provide pricing in one of the following ways:

- A. Vendors will submit unit prices that will remain in effect for the duration of the contract for specific goods or services.
- B. Vendors may submit a catalog or price list and bid a percentage discount to be deducted from the current or fixed list prices for the duration of the contract.

5.9 BLANKET PURCHASE ORDERS

Blanket Purchase Orders include utility bills, copier rental, lease payments, standard laboratory fees, cleaning services, standard supplies and other recurring bills approved by the County Administrator. The blanket purchase order (BPO) is a purchase order that encumbers budgeted funds for the purchase of items or services from a vendor for a specific period of time. Blanket purchase orders are used to encumber funds for purchases against price agreements and other authorized contract sources for expenditures such as annual or monthly rental of equipment, maintenance contracts, or to encumber funds against a contract to purchase a specific amount of material such as rock or services over a period of time. The period of time shall not exceed the expiration date of the current contract term or the end of the current fiscal year, whichever comes sooner.

Using the blanket purchase order avoids having to prepare a separate purchase order every time a department purchases from an annual contract. When goods or services are required, they are ordered against the total encumbered amount. If a blanket purchase order does not have adequate funds remaining to pay for a planned purchase, the Department Head must obtain authorization from Finance and the County Administrator. The County Administrator may authorize Finance to make a line item adjustment prior to ordering the goods or services. Orders exceeding the encumbered amount are considered unauthorized purchases and the Department Head may be personally liable for payment.

Preparing Blanket Purchase Orders

Blanket purchase orders require the insertion of the following information in the description section of a standard purchase order for goods or services: “To encumber funds for (insert description of goods or services) the period stated below. Payments will be processed monthly against this purchase order. The purchase order number shall appear on all vendor invoices.” (The total encumbered amount must be typed in the “Total Cost” column as “Estimate: \$ _____”).

The additional notations must be made on the standard purchase order form as follows:

- A. Purchase Order Terms – This purchase order is valid from (insert effective date) to (insert expiration date of the contract or the end of the current fiscal year, whichever comes first).
- B. Contract No. – Insert applicable contract, utility billing number, bid or telephone quotation number.
- C. Contract Term – Insert starting and ending dates of original lease term or contract period, even if it started before and extends beyond the current fiscal year.
- D. Prices – Insert applicable unit prices and any other costs such as maintenance charges, hourly rate of trade persons or laborers, etc. Include all applicable price entries in the description section. When the contract calls for parts and labor, both the labor charges and the parts pricing formula must be included in the purchase order. To provide more typing space, type across the vertical lines of the quantity, unit price and total cost columns. If there is no room for all the pricing entries contained in the master contract, insert “All pricing shall be as awarded”.
- E. Description – A description (in layman’s terms) of the goods or services being purchased shall be included. (This facilitates the recording of the purchase for reporting purposes.)

Invoices

The purchase order number, assigned automated control number assigned by the Clerk’s Office, Contract Number; if applicable, contract terms and accounting codes shall appear on all vendor invoices. The Department Head’s approval on the invoice is also required.

5.10 VENDOR CONTACTS

All contacts between the County and vendors in regard to expanding orders, follow up on orders, resolution of discrepancies between the order, items received and invoiced, and the information pertaining to supplying goods or services will be made through Purchasing. Exceptions shall be subject to the approval of the County Administrator.

- A. **Delivery and Receipt of Goods** – The vendor will deliver goods to the “deliver to” address indicated on the Purchase Order. Each department shall designate the employee(s) authorized to accept deliveries.
 - 1. Authorized employee(s) will sign the vendor’s delivery tickets to acknowledge receipt only. Acceptance will be acknowledged by the Department Head (or the authorized designee) by completion and submittal of the receiving form. The receiving form is to be forwarded to Purchasing.
- B. **Non-Acceptance and Return of Goods** – The requesting department shall notify Purchasing of any item received that is damaged, broken, not as specified, ordered in error, or for any other reason not acceptable. Purchasing will contact the vendor to arrange for the exchange, return, refund or other appropriate remedy.
- C. **Warranty or Guarantee** – The requesting department will be responsible for submitting all required documentation to the appropriate vendor/manufacturer in connection with the warranty or guarantee. A copy of all warranties or guarantees for items acquired through the bid process shall be forwarded to Purchasing to be filed with the bid document.

5.11 STANDARD SPECIFICATIONS

Standard specifications will be developed to provide flexibility and consistency in County owned property. Purchasing will be responsible for working with the various County departments in developing standard specifications for commonly used goods or services.

County Vehicles

Vehicles that are required to carry out the duties of a specific County office will be acquired through Purchasing in accordance with the Purchasing Policies and Procedures. In an effort to secure the most competitive pricing and to provide uniformity of County-owned vehicles, Purchasing shall standardize specifications whenever possible. The acquisition of used vehicles may require an exception to the proposed standards and also require sole source purchasing.

All County owned vehicles should be clearly identified on both the driver and passenger side.

- A. Administrative vehicles shall be the most efficient size to meet the needs of the department, four door, white exterior with standard color interior and shall include the standard equipment package provided by the manufacturer. Exceptions are allowed subject to County Administrator approval.
- B. Maintenance, inspection and utility trucks shall be a standard manufactured model, white exterior with standard color interior, vinyl upholstery, and shall include the standard equipment package provided by the manufacturer. The actual vehicle and engine size shall be the minimum required for the intended use. Exceptions are allowed subject to County Administrator approval.

- C. Emergency and special use vehicles shall be of standard manufacturer when available and have only the options necessary to meet the needs of the specified use.

Departments that require exception(s) to the standard specifications shall submit written documentation in support of the exceptions to the County Administrator for approval.

5.12 EXEMPTIONS

The following will be exempted from the Miami County Purchase Procedure:

- A. Temporary Notes and Sale of Bonds – Competition will be the responsibility of the Finance Office.
- B. Fixed Expense, Including Utilities – A Blanket Purchase Order may be used to facilitate and regulate payments.
- C. Investment Of County Funds – Competition will be the responsibility of the County Treasurer’s Office.
- D. Selection Of Products Or Professional Services For Projects With Other Governments – When the County elects to jointly participate with another governmental entity for the purchase of goods or services, the process by which the goods or services will be or have been acquired by another entity, will be reviewed by Purchasing. If the acquisition process is within the County’s Purchasing Policy and Procedures, documentation will be filed with Purchasing and the acquisition will be subject to the County’s normal approval process. If the acquisition process is not within the County’s Purchasing Policy and Procedures, the requesting department will provide written documentation of the acquisition process and the department’s recommendation to Purchasing.

Purchasing will review the selection process and make a written recommendation to the Board of County Commissioners. The Board of County Commissioners may grant an exemption to the Purchasing Policy and Procedures in order to participate with another governmental entity.

- E. Goods Or Services That Are Available Through Other Governmental Entities – State or Federal Prison Industries, State surplus property and other public providers that are determined appropriate by Purchasing.
- F. Exemptions Approved By The Board Of County Commissioners – Any department/agency requesting exemption from one particular section of the procedures, or all procedures, shall prepare a written request detailing the specific sections from which their department/agency wishes to be exempted, the necessity for the exemption and the procedure that will be followed in lieu of the County’s established procedures.

5.13 DISPOSAL OF SURPLUS PROPERTY

Upon approval from the Board of County Commissioners, Purchasing shall sell, trade or otherwise dispose of personal property belonging to the County which has become obsolete or unusable surplus, or which is being transferred in order to be leased back by the County under a lease purchase agreement. Any such sales, trades or exchanges shall be based on competitive bidding requirements wherever necessary. No County agency or department shall permit any obsolete, or unusable surplus, or damaged equipment, supplies, or materials to be transferred, loaned or otherwise disposed of except as Purchasing shall direct.

County employees shall be allowed to purchase surplus or obsolete equipment consistent with the procedures for the disposition of surplus property. However, County employees who, by the nature of their duties and responsibilities, are in a position to acquire and/or possess knowledge regarding specific property, and such knowledge places the employee at a competitive advantage, shall be ineligible to purchase said property. Furthermore, County employees who in their position recommend and/or authorize property to be sold as surplus or obsolete shall be ineligible to purchase such property. For specific procedures, refer to Appendix A and K.S.A. 19-227.

5.14 COMPLAINTS – VENDOR

Vendors shall have the right to present a complaint, dispute or grievance concerning unfair treatment, contracts, deliveries, payments, restrictive specifications and other incidents. The following steps are intended to provide uniform procedures for a vendor to express his/her problem and obtain remedy:

Step One – Vendor must file a grievance with Purchasing no later than thirty (30) calendar days after the occurrence of the dispute or incident. The complaint must be in writing and include all supporting data and desired resolution or remedy. Purchasing shall take corrective follow up action and provide a written reply within a reasonable period of time.

Step Two – If the vendor is not satisfied with Purchasing’s response, the vendor may appeal, in writing, to the County Administrator.

Step Three – The County Administrator, upon establishing validity to the complaint, will schedule a conference to discuss the complaint and hear the grievance. The County Administrator’s decision will be issued in writing.

5.15 GRATUITIES

It is a breach of ethical standards for any person to offer, give, or agree to give any employee, former employee, or public official; or for any employee, former employee, or public official to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of

employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter, pertaining to any contract or subcontract and any solicitation or proposal thereof. Gratuities shall not mean pens, pencils, matchbooks, calendars, or other novelty items used for advertising purposes, meals or other meeting circumstances for the purpose of conducting or discussing official business, or any incidental holiday food items intended for consumption at the workplace.

5.16 DISCLOSURE REQUIREMENTS WITH FINANCIAL INTEREST

Any employee who knows that he or she has an actual or potential conflict of interest shall disqualify himself or herself from involvement in the procurement process by disclosing to the County Administrator the specific nature of the conflict. This disclosure shall be made in such manner as prescribed by the County Administrator.

5.17 TELEPHONE QUOTATION PROCEDURES FOR PURCHASES UNDER \$10,000

When Purchasing solicits quotations for goods or services that are expected to cost less than \$10,000, several weeks could be required to complete the procurement cycle. Telephone quotations may be used to expedite this process; however, written confirmation of telephone quotations are required. Budget and cash approval must be verified with Accounts Payable before going out for quotation.

Purchases between \$750 and \$10,000 require competitive pricing. This may be accomplished by telephone, fax, or written quotations solicited from at least three (3) firms. All telephone quotations must be confirmed in writing and must contain the following information:

- Date of quotation
- Name , Address, Phone number and contact person of firm/company providing the quotation
- Specific description of products or services being quoted
- Quantity (product orders)
- Price with delivery included
- Delivery Date
- Estimated Date of Completion (services)
- Payment Terms of Net 30
- Comments or any notations for product/service variations
- Written confirmation and evidence of acceptable insurance coverage must also be obtained from the recommended vendor for all quotations for services, including construction/repair related purchases, that exceed \$2,000. Always confer with Risk Management before requesting a certificate of insurance to identify the amount of insurance coverage and the types of insurance required from the vendor.
- Vendor's Employer Identification Number (EIN)

5.18 SALES TAX EXEMPTION

The County is exempt from sales tax. Exemption certificates may be obtained in the Purchasing/Administration Office.

Project Tax Certificates

Project Tax Certificates must be obtained for any contract service performed for the County. Such certificates must be applied for and obtained through the Kansas Department of Revenue prior to the contractor, subcontractor, or repairman purchasing tangible personal property and labor services property as set forth in K.S.A. 79-3606(c), (d), or (aaa). This certificate must be presented to the supplier at the time the invoice is rendered; therefore, upon award of a County Contracted Service, the Department Head or designee must request a Project Exemption Certificate from the Purchasing Department.

Purchasing, in conjunction with the Department Head or designee, will complete the application form and submit it to the Kansas Department of Revenue. Once the project tax exemption certificate is received, a copy of the certificate along with a Project Completion form will be forwarded by Purchasing to the contractor, subcontractor, or repairman. Once the job has been completed, the Project Completion form must be returned by the contractor, subcontractor, or repairman to Purchasing. Purchasing will then forward a copy of this form to the Kansas Department of Revenue.

APPENDIX A

BUSINESS RELATIONS WITH SUPPLIERS

It is essential to develop and maintain goodwill between the County and its suppliers. The reputation of the County can be promoted by:

Giving all salespersons a full, fair, prompt, and courteous hearing.

Keeping competition open.

Keeping specifications accurate, clear and without bias for a specific product or service.

Having and applying consistent buying policies and principles.

Observing strict truthfulness in all transactions and in correspondence.

Respecting the confidence of the salesperson or the company about confidential information.

Keeping free from any obligation to any vendor.

The relationship between the purchaser and the seller must be based on mutual understanding. No contract that proves unsatisfactory to the vendor can be satisfactory to the buyer. It is the responsibility of all employees involved in the purchasing function to establish a relationship of mutual confidence and satisfaction between the County and its suppliers within the confines of applicable law and policy.

APPENDIX B

DISPOSAL OF SURPLUS MATERIAL

PROCEDURE

During day-to-day operations, materials and equipment may become surplus to the needs of a department/agency. When this occurs, Purchasing has the responsibility for determining the eventual disposition of surplus material.

The first consideration of Purchasing is to determine whether the surplus material can be transferred to another department/agency that may need the item (s). The second is to determine how to dispose of the item if no longer needed by County department/agencies.

The disposition of Surplus County Property is handled by sending a notice to Purchasing of the condition, age and description of the surplus items. Upon its disposition Purchasing will advise the County Clerk's Office that the property is to be removed from the Fixed Asset/Inventory file. Following Board of County Commissioners approval, Purchasing then determines the best method of disposition (action, transfer, dispose as trash, etc.).

The Report of Surplus or Obsolete Property form is used to report surplus items. Complete the form and forward to Purchasing for processing.

Your department/agency is charged with the items in its inventory. The only way to eliminate a surplus item from your recorded inventory is to complete the form and process it as detailed above.

ORIGINATING DEPARTMENT/AGENCY TRANSFER

If the originating department/agency knows of another department/agency that can use the surplus items, the Report of Surplus or Obsolete Property form can be used to identify that department/agency (Remarks section). After approval by Purchasing, the surplus items can be transferred directly to the other department/agency.

APPENDIX C

PREPARING THE PURCHASE ORDERS

GENERAL

When a purchase order is prepared, complete the purchase order as shown below. Only entries required by Purchasing are described. Department/Agency, Budget and Accounts Payable entries are governed by the applicable policies of those sections.

ENTRY DESCRIPTION

INSTRUCTIONS

Deliver To

Enter complete division or section name, street address and zip code. Include room number if applicable. If pick-up of the material is planned, insert the words “WILL PICK UP” but be sure to identify your department/agency on the purchase order. If the pickup is to be outside the state of Kansas, be sure that the appropriate amount of state sales tax for the purchase is included in the purchase order total. For example, when County personnel physically pick up merchandise from vendors located within the State of Missouri, Miami County is not exempt from the sales tax requirements of those jurisdictions.

Send Invoice To

Insert complete division or section name, street address and zip code if the invoice is to be sent to any address other than the “Deliver To” address. Include room or suite number if applicable.

Request Delivery Date

Several entries can be placed here; but only delivery conditions previously agreed to by the vendor can be enforced. A department/agency cannot unilaterally demand a delivery date that has not been agreed to by the Vendor.

- a. Never use the terms “ASAP” or “RUSH”. They cannot be enforced as a delivery term.
- b. “(n) Days” Contract award notices or other bidding documents include the promised delivery time period. Enter the number of days specified for the vendor.
- c. “Date” Insert a specific delivery date only if the vendor has agreed in advance to the date requested.

d. "PICKUP" Insert if you intend to pick up the order. Type on the purchase order the name of the person who will pick up the order and the date that the vendor has stated that the order will be ready for pickup.

Payment Terms	Enter the payment terms from the award notice, the vendor's bid form, or obtained during the bidding or telephone quotation process, and the payment term code.
Vendor Name and Address	Insert complete name and address, including zip code. All purchase orders are mailed to the vendor unless an exemption is requested in writing by the department/agency director addressed to the Clerk's Office at the time of processing.
Description of Order	Insert complete description of what is purchased. Include brand, model number and all information necessary to identify exactly what you are ordering.
Quantity	Insert quantity ordered.
Unit	Insert "Doz," "Each," or other applicable unit.
Unit Price	Insert the cost per unit exactly as bid and show the unit being ordered ("Doz," "Each," etc.).
Total Cost	Check the unit prices for accuracy and extend correctly.
Purchasing Authority	Insert the bid number, contract number, telephone quotation number, sole source number, or other authority for the purchase at the end of the description section.
Total	Insert the total of the entire order and all budget information on the first page of the purchase order. When additional pages are used, indicate each page total and insert the grand total of the order on the first page.
Dept. Ref. No.	Insert an internally-assigned department/agency reference or file number, if desired.
Dept. Ref. Date	Insert the date the purchase order was prepared.
Original Entry	If this is a change to another purchase order, check the

or Adjustment	“Adjustment” box and type the original purchase order number in the upper left corner of the purchase order form in the blank space titled “Purchase Order Number”.
Type of Order	Check the appropriate box depending on the nature of the purchase order.
Originated By	Insert your name, Department/Agency and Division.
Telephone No.	Insert your telephone number. This provides contact information for the vendor and for Purchasing if there are any questions or problems with the order. Be sure that the names and numbers entered are legible.
Date	Insert date of originator’s signature.

“X” OUT ERRORS – DO NOT USE “WHITE OUT”

There is no need to start a new purchase order to correct a typographical error. “X” out the error and retype the correct information. Never use “White Out” or correction tape on a requisition form.

WHEN ADDITIONAL SPACE IS REQUIRED FOR THE PURCHASE DESCRIPTION

When ordering lists of materials, an item, or group of items that will require more space than allowed on the standard purchase order form, use a second purchase order form and continue the description. When using two or more purchase order forms for a single purchase, insert all budget information and authorized signatures on the first page. Also insert on the first page the number of pages of the purchase order and the total dollar value of each page (if applicable). Type in the signature block on subsequent page (s) “PAGE 2 OF (#), SEE PAGE 1 FOR AUTHORIZED SIGNATURES.”

MIAMI COUNTY, KANSAS



PURCHASING CARD POLICY AND PROCEDURES

(Revised August, 2006)

MIAMI COUNTY PURCHASING CARD PROGRAM

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MIAMI COUNTY PURCHASING CARD PROGRAM

Introduction

The Miami County Purchasing Card Program, hereinafter referred to as P-card Program, is designed to improve the efficiency in processing small dollar purchases from any vendor who accepts the Visa Purchasing Card (P-card). This program shall allow the cardholder to purchase approved commodities and services directly from the vendor. Each P-card will be issued to an individual who will be responsible for all purchases made with the card. Miami County is clearly identified on the card as the “corporate” buyer of goods and services.

Purpose

The P-card Program guidelines and policies are set forth to facilitate the following:

- ❑ Reduce the cost of high volume, low dollar amount transactions – this program helps reduce the use of check requests, petty cash, and small dollar purchase orders.
- ❑ Provide an efficient method of purchasing and paying for commodities and services not exceeding \$750.00 per purchase.
- ❑ Reduce field crew travel time involving purchases.
- ❑ Reduce paperwork.
- ❑ Develop reasonable and enforceable policies, procedures and audit controls. The program is **NOT** intended to avoid or bypass appropriate purchasing or payment procedures, but to compliment the existing processes.
- ❑ Increase the number of vendors immediately accessible to Miami County.
- ❑ Improve management reporting on low dollar amount transactions.
- ❑ Provide for disciplinary action if P-cards are misused.
- ❑ Ensure Miami County bears no legal liability for inappropriate use of the P-card.

NOTE: The policies and procedures provided herein are minimal standards for departments. Department / Division Directors &/or the County Administrator may establish additional controls.

Program Summary

Miami County has contracted with UMB Bank for a Visa Purchasing Card Program. All cards are issued upon approval of the County Administrator. Card usage will be monitored, and cards may be suspended or rescinded at any time.

Please read all instructions and guidelines carefully. Your signature on the cardholder agreement indicates that you understand the intent of the program and agree to adhere to the established guidelines. The Program Administrator will issue your P-card after receipt

of the signed agreement. You may begin using your card once you have completed the initial training course conducted by the Purchasing Office. Refresher courses and program update training will be offered periodically to ensure accurate application of the P-Card Program.

Record keeping will be essential to ensure the success of the program. Standard payment policies require retention of receipts and other documentation. As with any purchase method, you must retain sales slips, cash register receipts, invoices, order forms and receiving documents. The cardholder is required to submit all receipts to the Department / Division Administrator so transactions can be allocated in the VIS On-line Reconciliation Program and be attached to the cardholder statement.

No individual transaction, including shipping and handling, may exceed \$750. Each P-card has been assigned a monthly total dollar limit of \$2500. The County Administrator or Department / Division Director may further limit these dollar amounts as they deem necessary.

Purchases must be for the use and benefit of Miami County. **NO PERSONAL PURCHASES ARE ALLOWED.** All purchases for commodities and services for which County price agreements or contracts are in place must be made from the contract suppliers.

When using your P-card, remember to request the vendor:

- Provide a detailed description on the receipt of the goods and services being procured – to not use a generic term such as miscellaneous.
- Process the sale as a sales tax exempt transaction. The County's tax exempt information is printed on the face of the P-card.
- Not invoice the County. Vendors are usually paid by UMB Bank / VISA within three (3) business days from the date of the transaction. (Invoicing the County presents the potential for duplicate payment.)

You, as the cardholder, are responsible for the security of the card and any transactions made against the card. Use of the card not in accordance with these established guidelines may result in personal liability.

Differences between the County's Purchasing Card & Personal Credit Card

This P-card is used like a personal credit card. However, as a Purchasing Card, there are differences you need to be aware of:

- Your department is responsible and liable for all charges made on your P-card. Unlike personal credit cards which have a limited liability if lost or stolen, the County is liable for all purchases made with your P-card unless you follow the proper procedures in reporting lost or stolen cards.

- ❑ Any violation of the cardholder terms and conditions of use set forth herein or as specified in the Cardholder's Agreement can result in personal liability to the cardholder.
- ❑ Transactions charged to your P-card are billed directly to the County by UMB Bank. The merchant is generally paid by VISA within 72 hours of submission of the transaction to VISA.
- ❑ Your P-card should be treated with the utmost care. Remember, it is County property and you are responsible for its security. Do not use the card to make a personal purchase. If your P-card is accidentally used for a personal purchase, you must bring it to your Department / Division Director's attention immediately and reimbursement must be submitted at the time the transaction appears on the statement. Personal purchases made without sales tax are illegal and put both you and the County at risk. If a pattern of personal use is established, your card maybe revoked or suspended.
- ❑ Guard your P-card number closely. Do not post it at your desk or place it anywhere easily accessible to others.
- ❑ The ONLY person entitled to use the P-card is the CARDHOLDER whose name appears on the face of the card. DO NOT LEND YOUR CARD to another person for use.

P-Card Procedure Responsibilities

Cardholder

- ❑ Hold and secure P-card.
- ❑ Order/receive materials and services.
- ❑ Make certain sales tax is **NOT** charged.
- ❑ Collect and receive sales receipts to be attached to your billing statement and submitted to your Department Administrator.
- ❑ Cancel lost or stolen cards and notify your Department / Division Administrator and the Program Administrator (Purchasing Office).
- ❑ Comply with all purchasing and P-card policies and procedures.

Department / Division Administrator

- ❑ Match receipts with monthly card activity statement. Review monthly statements for validity of all transactions for approval by Department / Division Director.
- ❑ Ensure availability of funds in proper account codes.
- ❑ Verify appropriateness of account codes.
- ❑ Process all cardholder activity statements in the VIS Reconciliation Program and Forward statements with supporting receipts to the Program Administrator
- ❑ Handle disputed items.

- ❑ Notify the Program Administrator of terminated or transferred employees.
- ❑ Notify the Program Administrator of lost or stolen cards.
- ❑ Make a photocopy of the front and back of each new or renewed card issued and forward the copy to the Program Administrator. The photocopy must be made after the cardholder has signed the card.
- ❑ Comply with all purchasing and P-card policies and procedures.
- ❑ Collect cards from cardholders who end employment.
- ❑ Notify the Program Administrator (Purchasing Office) of terminated cards.

Department / Division Directors

- ❑ Submit request for P-cards for designated employees to the County Administrator for approval. P-cards may be issued to permanent employees of Miami County (status verified by the County's Human Resources Department records).
- ❑ Set Departmental spending limits within established guidelines.
- ❑ Authorize charges and sign reconciled monthly statements.
- ❑ Approve transactions in the VIS On-line Reconciliation Program.
- ❑ Evaluate the need to cancel or reissue cards when employees transfer within the County. Review each cardholder's monthly statement and forward to Department / Division Administrator within the time period set by the Program Administrator.
- ❑ Comply with all purchasing and P-card policies and procedures.

Program Administrator (Purchasing Office)

- ❑ Create and maintain cardholder hierarchy for control and reporting purposes.
- ❑ Process card requests and card strategy changes.
- ❑ Block merchant commodity codes when appropriate.
- ❑ Administer training program for all cardholders.
- ❑ Coordinate issuance and cancellation of cards.
- ❑ Maintain policy and cardholder guides/manuals.
- ❑ Evaluate P-card feedback from suppliers and from departments.
- ❑ Coordinate and maintain internal controls.
- ❑ Participate in resolving billing disputes.
- ❑ Monitor use of cards and selection of vendor.
- ❑ Participate in ongoing program reviews.
- ❑ Provide cardholders all relative information regarding card-use policy and procedures.
- ❑ Audit monthly cardholder statements with the County Administrator for compliance with Purchasing Regulations and acquire County Administrators' approval of purchases prior to submission to the Fiscal Services Director.

Fiscal Services Director (Accounting Division)

- ❑ Receive monthly processed activity statements from Department / Division Administrators and balance with County's summary statement.
- ❑ Balance monthly summary statements with cardholder's activity reports for the same time period.

- ❑ Monitor missing documentation. Notify the Program Administrator of any missing documentation, violations or discrepancies.
- ❑ Audit statements for compliance with County regulations.
- ❑ Process and/or authorize the following Accounts Payable functions:
 - Complete journal entries as required.
 - File and store statements, receipts, etc.

County Administrator

- ❑ Coordinate program policy issues.
- ❑ Create dollar transaction limits for cardholders and oversee any necessary and required modifications.
- ❑ Authorize P-card requests, card limit changes\allowances and card strategy changes.
- ❑ Authorize the assignment of merchant codes to particular card strategies and authorize changes when in the County's best interests.

In the absence of one of the named process participants designated personnel shall be assigned temporary authority of the absent participant. The designated person shall be confirmed by the process participants as being authorized to carry out assigned processing tasks.

UMB Bank

UMB Bank is the issuer of the Miami County Purchasing Card. Their responsibilities include all activities related to the underwriting, promotion, issuance, and servicing of the card.

UMB Bank utilizes First Data Corporation card services to support all the data processing services necessary to support authorization, posting, settlement, billing and mailing, card embossing, and all on-line systems and reporting functions.

UMB Bank will process reported lost, stolen, canceled or reassigned cards as reported to them by Miami County. They will assist in processing errors and disputes with suppliers as necessary. UMB Bank will routinely produce and transmit reports and/or transaction files to Miami County.

UMB Bank Customer Service Center can be reached at 800/821-5184, X-2412.

Requesting Your P-Card

Prerequisite: To secure a P-Card, you must be a permanent employee of Miami County and have delegation of authority or, in other words, be authorized to purchase goods, materials and services on behalf of the County. The County Administrator is empowered to sanction this authority.

Complete pertinent sections of the VISA Purchasing Card Cardholder Account Action Request form (accessible on the Miami County Employee Information web page). The County will determine the dollar amount and types of commodities and services you will be authorized to purchase. The form will then be forwarded to the Purchasing Office for submission to UMB Bank for processing and issuance of the card. Upon the Purchasing Offices' receipt of the card from UMB, you will be scheduled for training. Once training is completed, you will be required to sign the Miami County Purchasing Card Cardholder Agreement before taking possession of your P-card. The Program Administrator will need a copy of both sides of your signed card before the card will be activated.

Always keep the card in a secure place. Although the card is in your name, it is the property of Miami County and is to be used strictly for County purchases as defined in this manual.

The Program Administrator will receive a variety of reports providing information on cardholders and their purchases. This information will be passed on to the Department / Division Directors and Department/Division Administrators as necessary to maintain the integrity of the program. Please remember such data is proprietary and should not be disclosed outside Miami County. P-card usage will be monitored and your P-card may be suspended or rescinded at any time. Remember, as a cardholder, you are expending County funds each time you use your P-card. It is your responsibility to maintain the County's integrity.

Limitations on the Use of a P-Card

Cardholder Use Only: Only the employee whose name is embossed on the card may use the P-card. No other individual is authorized to use the card.

County Purchases Only: The P-card is to be used for County authorized purchases only. The P-card cannot be utilized for any personal use. Any such use shall require immediate reimbursement and shall result in disciplinary action which may include dismissal. It is understood that mitigating circumstances can occur and such will be judged on a case-by-case basis.

Dollar Limitations

- The County Administrator shall set single purchase limits, as well as daily, weekly, and monthly limits for the assigned P-card. The maximum single purchase limit is seven hundred fifty dollars (\$750). The maximum allowable monthly limit is twenty-five hundred dollars (\$2500). Requests for spending limit changes must be approved by the Department / Division Director prior to their submission to the County Administrator for authorization. Multiple items may be purchased, but the invoice cannot exceed a total of \$750, or the cardholder's limit if less than \$750. Payment for purchases **can not** be split to stay within the single purchase limit. Deliberately splitting a purchase to circumvent these procedures may result in suspension or revocation of your P-card.

- ❑ All items purchased over the counter must be immediately available – no backordering is allowed.
- ❑ All items purchased during one telephone, FAX transaction, or Internet order must be delivered in a single delivery. If an item is not immediately available, no backordering is allowed.

Tips for Purchasing on the Internet

When purchasing a service or product online with your P-card, you should:

- ❑ Make sure that you are fully informed as to all of the charges associated with making a particular online purchase. Shipping and handling, plus other special or hidden fees can greatly increase the cost of your purchase. Note the expected delivery time and determine whether or not the vendor’s delivery schedule fits your needs.
- ❑ Read the online vendor’s refund/return and customer privacy policies. Learn the terms of business practiced by a particular online vendor. Beware of online merchants who do not prominently display refund/return or privacy policies.
- ❑ Look for addresses that start with “http:” Never enter your P-card number on a web page that does not have “http:” at the beginning of the web page address. The “http:” in the URL (web address) means that information you fill out in an ordering form will be transmitted over an encrypted, secure connection to the vendor.
- ❑ Look for the security alert and the lock icon when making online purchases. Using Internet Explorer, you will get a pop up “security alert” when you connect with a secure server. The message will read something like “You are about to view pages over a secure connection.” If you continue by clicking “OK” on the pop-up window, you will be connected to a secure server. At this point, you should see a lock icon in the bottom-right portion of your web browser window. The security alert and the lock icon are signs that you have in fact connected with a website using an encrypted, secure connection.
- ❑ Guard your personal information. Don’t provide any non-essential information online.
- ❑ Find out where a company is physically located so that you can check on its reliability through other verifying sources, such as the Better Business Bureau. Most reputable companies will offer an alternate means (retail outlets, mail orders, phone orders, etc.) of purchasing their products or services. Beware of online retailers that fail to list detailed contact information. A good way to discover the location of a website’s ownership is to use the “WHO IS Lookup” feature at Network Solutions. Type in the web domain of the company in question at [http://www. Networksolutions .com/eqi-bin. Whois .whois](http://www.Networksolutions.com/eqi-bin. Whois .whois).

- ❑ Never reuse the same password(s) for multiple e-commerce accounts. If your web browser asks you if you want to “remember” your password so that you don’t have to enter it in future visits to an online store, decline the offer.
- ❑ Know that unsolicited e-mail violates computer etiquette and is often used by con artists. Offers you receive through junk e-mail are often typed in all capital letters and are designed to appeal to people who are easily fooled by flashy messages and exaggerated claims. Unless you are familiar with the online business, do not respond to unsolicited e-mail messages offering services or products through online credit card sales.
- ❑ Look for seals or other symbols that identify a particular vendor as being a member of an online reliability, privacy, or secure site protection group. Organizations that sponsor these types of seals include BBBonline (www.bbonline.org), ePublicEye.com, Secure Assure (www.secureassure.org), Versign (www.versign.com), and TRUSTe (www.truste.com). Verify that the vendor is in fact a member of the seal program by visiting the site that issues the seal and looking up the vendor’s name and/or Web address.

Exclusions by Merchant Category Code (MCC)

MCC is a numeric 4-digit code VISA assigns to each vendor to identify the vendor’s primary product or service. Specific MCC’s are excluded from use on all Miami County P-cards. These exclusions will cause a transaction to be declined at vendors registered with these codes, i.e. 1) access to cash such as banks, ATMs, casinos and lotteries; 2) utilities such as cable or telephone services; 3) personal service providers such as barber and beauty studios, health spas, and carpet cleaners; and 4) amusement and entertainment vendors, such as theaters, bowling alleys and arcades. **NOTE:** If a vendor accepts VISA but your transaction is rejected, and you believe the purchase should be allowed, call the Program Administrator to check the vendor’s MCC code. Some vendors have codes that don’t necessarily make sense, e.g. a plumbing parts and supply wholesale/retail vendor may register as a “contractor”. Also, if you are attending a conference at any location that has legal gambling (Atlantic City/Las Vegas, etc.) you may be staying at a hotel that has a casino. The MCC code may show a casino. If you will check with the Program Administrator prior to leaving for your destination, we will insure that the MCC code is correct for your hotel.

Prohibited Use of P-Cards

The following types of items **MAY NOT** be purchased with a County P-card:

- ❑ Any item exceeding a cost of \$750 unless authorized by the County Administrator.

- ❑ Cash advances, cash refunds – defined as cash, cash in addition to purchase, cash in lieu of credit for the return or exchange of a purchase. It is a violation of County policy to make a cash or cash type transaction using your County P-card. Violation of this policy **SHALL** result in the revocation of your P-card and further investigation that could result in termination and/or criminal prosecution. The Department / Division Director and County Administrator shall determine the appropriate consequence.
- ❑ Personal items – defined as anything that is not purchased for use and ownership by the County. It is a violation of County policy to use the P-card for ANY personal purchase or personal transaction, whether or not the cardholder intends to pay the County back for the purchase. If an unintentional personal purchase occurs, reimbursement must be submitted with the statement on which the transaction occurred. Written documentation of the transaction along with a written acknowledgement that such purchase was unintentional and will be avoided in the future must also accompany the reimbursement. If this policy is abused, the transactions will be investigated, the P-card may be taken from the violator, and the action could result in permanent revocation of the card, termination of employment, and possible criminal prosecution. The Department / Division Director and County Administrator will determine the appropriate consequence.
- ❑ 1099 reportable services

NOTE: Fiscal Services is required to report to the IRS any non-incorporated vendor who provides services. Services are defined as non-commodity items such as consulting and professional services, rentals, and repair labor.

If you are using a new vendor for services, contact the Fiscal Services Manager for determination of 1099 services prior to purchase.

By using vendors with whom the County has a contract or price agreement, you can be assured that the required documentation for the IRS has been completed.

- ❑ Consulting and professional services.
- ❑ Computer hardware or software (contact ITS for these purchases).
- ❑ “Split” Purchases – “split” purchases occur when single purchases costing more than \$750 are split into multiple P-card transactions to circumvent the \$750 maximum. It is a violation of County policy to split purchases as described. Violation of this policy may result in the revocation of your card.
- ❑ Any product or service normally considered to be an inappropriate use of County funds.

Other Violations

Making purchases that exceed \$750 or the cardholder's specific dollar limit, are prohibited unless pre-authorized by the County Administrator. Such purchases will be closely monitored. It is the responsibility of the ordering department to ensure all "extra" charges such as freight, handling, set-up, delivery, etc., are considered before a purchasing card transaction is made. A vendor's willingness to honor a P-card transaction exceeding the cardholder's single transaction limit does not authorize the cardholder to make such purchases.

Purchases from vendors that create conflicts of interest, such as companies owned by a County employee or his/her relatives, or where the employee has or will gain or benefit directly or indirectly from the purchase is strictly prohibited.

Affidavits (accessible on the Miami County Employee Information web page) are available in case of a lost receipt. However, excessive use of affidavits in lieu of actual receipts, or not submitting your monthly statements in a timely manner, may be cause for revocation of your P-card.

Allowable P-Card Purchases

- Building/landscaping materials.
- Contracted services such as HVAC, electrical, carpentry, etc.
- Catering and food for business use – written authorization must be sent to Purchasing from the Department / Division Directors for these purchases.
- Miscellaneous maintenance and repair requirements.
- Office supplies.
- Uniform and clothing purchases.
- Education, such as registration for classes, conference, seminars, etc.
- Subscriptions, books, videos.
- Memberships.
- Approved travel expenses such as hotels, meals, fuel, car rental, shuttle/taxi and airline tickets.

NOTE: All travel expenses charged to P-cards must follow all County travel/business expense regulations and will be recorded on cardholder's business expense statement as a P-card expense.

Tax Exempt Information

Purchases made with this card are Sales Tax Exempt under K.SA 79-3606(b). Purchases made in Missouri must be delivered to a Kansas site to be tax exempt. Orders picked up in Missouri will be subject to Missouri sales taxes. The County is not exempt from hotel excise taxes or other fees.

Cardholders must inform vendors that the County is tax exempt before the order is processed. Some vendors may require that sales tax exempt purchases be processed at their customer service desk. Before leaving the store the cardholder should review the receipt to verify they have been charged the correct prices and that sales tax was not charged. If the receipt is not correct, the cardholder is responsible for correcting the transaction including the recovery of overcharges and incorrectly charged sales tax.

Should the vendor request a tax exempt certificate, contact the Program Administrator (Purchasing Office) or Fiscal Services Director and provide the vendor name, address, and fax number. A certificate will be faxed to them as expediently as possible.

Card Security

You are responsible for the P-card entrusted to you. Carefully guard it and use it responsibly. To prevent unauthorized use:

- Safeguard your P-card and card number.
- Prohibit others from using your P-card.

The following information is printed on the back of each P-card:

Authorized user of this card is responsible for the protection and proper use of this card. This card is the property of UMB Bank USA, n.a. and must be surrendered upon demand. Use of this card constitutes acceptance of and is governed by the terms and conditions of the Cardholder Agreement as amended from time to time. Unauthorized or inappropriate use may constitute a criminal offense.

Reporting a Lost or Stolen Card

IMMEDIATELY report lost or stolen cards to UMB, your Department / Division Administrator and the Program Administrator (Purchasing Office). Miami County is liable for all charges incurred before the card is reported lost or stolen to UMB Bank.

Immediately call UMB Bank at 800-821-5184, ext. 2412. Record the name of the person you spoke to, the time and date the loss/theft is reported, and the reference number if provided by UMB Bank.

Inform your Department / Division Administrator and complete the FORM TO REPORT A LOST OR STOLEN PURCHASING CARD (accessible on the Miami County Employee Information web page). The Department / Division Administrator shall forward this report to the Program Administrator, who will fax the form to UMB, suspending the account. A new card will be issued and forwarded within ten (10) working days.

Changes to Cardholder Information

Notify your Department / Division Administrator of any name, address, or employment status changes. The Department / Division Administrator should then forward the information to the Program Administrator, who will make the appropriate changes to the account.

Canceling a P-Card

To cancel a P-card, the Department / Division Administrator shall forward it to the Program Administrator (Purchasing Office), who will cancel the account with UMB Bank.

Cardholder Transfer

P-cards will be cancelled upon the transfer of a cardholder to a new department. The P-card may be reissued at the discretion of the new department.

Placing an Order

When making a P-card purchase, be prepared to provide the following:

- Your name.
- Your card number.
- Card expiration date.
- When suppliers ask for your Point of Sale code advise them to enter all zeros in the "Point of Sale" field.*
- Ask the vendor to provide a detailed receipt or packing list that includes product description, price, sales tax (when applicable), and freight or delivery charges. (The charge slips and receipts are required for monthly statement reconciliation.)
- If goods and materials are ordered by phone, ask the vendor to include a detailed sales receipt in the package and explain that the County is a sales tax exempt organization. Save the P-card receipt and shipping documents.
- Cardholders must inform the vendor that the County is tax-exempt before the order is processed. Check your receipt before leaving the vendor's place of business to ensure that tax has not been added to your purchase.

Receiving Materials

When you make a purchase at a store, you will receive the goods and obtain the receipt at the time of purchase. Goods ordered by phone, fax, mail, or Internet will be received in the mail or by freight carrier.

Every purchase must be documented with an itemized receipt which will typically be a standard store receipt. If you are having a purchase shipped to you, request an invoice (marked paid) in addition to the packing slip in order to have an adequate receipt that includes total costs. Under certain circumstances, such as magazine subscriptions, membership applications and conference registrations, copies of the order forms will be acceptable as receipts.

You should keep the charge slip attached to the receipt for each transaction. Provide all receipts to your Department / Division Administrator for reconciliation of your account statement. All receipts must contain the following information. (IF NOT PROVIDED BY THE VENDOR, THE CARDHOLDER MUST HANDWRITE THE MISSING INFORMATION ON THE RECEIPT.)

- Date the purchase was made.
- Vendor identification (name).
- Itemized description of items purchased, including quantity per item cost.
- Total cost.
- Cardholder identification (card account number or your name).

If the original receipt is not available from the vendor or if it has been lost, complete the Affidavit form (accessible on the Miami County Employee Information web page). Remember, continuous (frequent) use of affidavits in lieu of actual receipts may result in the revocation of your card.

Returns, Credits, Rejected Merchandise

The cardholder is responsible for making all arrangements associated with P-card returns. Cardholders are expected to follow up until the appropriate credit is issued against their P-card. To arrange a return:

- Notify supplier you are returning items that were purchased with the P-card. (Many suppliers will not accept returns without prior return authorization.)
- Ask the supplier to credit your P-card for the return. Never accept cash for a P-card return. Follow supplier's packaging and labeling instructions.
- Complete appropriate documentation of shipment.

Record Keeping

Retain all P-card receipts, cash register receipts, packing slips, etc. for monthly statement reconciliation. When making a purchase via the Internet, the vendor will provide you with a confirmation or e-mail with details of your order. If confirmation is not provided by the vendor via e-mail or fax, PRINT SCREEN before exiting the website. This should be used as your receipt. All receipts are to be entered on the purchasing log and attached in the order in which they are listed on the log. A P-card affidavit may be used if the receipt is lost.

WARNING: Excessive use of P-card affidavits is a violation and your P-card privileges can be revoked.

Statement Reconciliation

Transactions charged to your account must be reconciled by the Department / Division Administrator using the VIS On-line Reconciliation Program by the deadline set by the Program Administrator (Purchasing Office) during the distribution of the monthly statements. Your adherence to the deadline date allows for timely payment to the P-card company. Payment cannot be made until all accounts have been reconciled.

Upon completion of the VIS Reconciliation, the monthly statements must be submitted to the Program Administrator (Purchasing Office) along with the signed cardholder statements and attached receipts. Department / Division Administrators, Department / Division Directors, Program Administrator, County Administrator and Fiscal Services Director will review the monthly statements and cardholder statements with receipts considering the following:

- ❑ Review for correct signatures. (Signatures of cardholders will be on file in the department.) Transaction tickets signed with a name other than the cardholder's should be followed up. Use of the card by someone other than the cardholder is prohibited.
- ❑ Receipts or invoices documenting the detail of items purchased should be attached to the statement. In cases where a signed copy of the transaction ticket is provided, that ticket should also be attached.
- ❑ Determine that purchases are only for items that are for the use of the County.
- ❑ Review the statement for possible split transactions. Investigate transactions to determine if the cardholder was attempting to circumvent their established limits. Determine if limits are set too low.

- ❑ Review the statement for any single transactions that are over the authorized limit of the cardholder. Investigate circumstances to determine if transaction should be charged back to the cardholder.
- ❑ Review the statement for any transactions that were processed by vendors that are not authorized for the cardholder.
- ❑ Determine that amounts are reasonable for items purchased.
- ❑ Determine that the use of substitute receipts / affidavits is not excessive.
- ❑ Determine that tax exemption was honored where appropriate.
- ❑ Ensure that errors and disputes from the prior month have been corrected and included on the monthly statement.

NOTE: If you have a receipt, invoice or credit that does not appear on the monthly cardholder's statement, please hold it until the next monthly statement is received. It may happen that a purchase will not show up on your activity report for the month in which the transaction is made due to the fact that the vendor may process the transaction several days after the actual purchase. Advise the Program Administrator if the charge is not recorded the following month.

Errors & Disputes

When charges on your monthly statement appear to be incorrect:

- ❑ Complete and submit the Cardholder Dispute Form, providing necessary details regarding the disputed item / charges to your Department / Division Administrator.
- ❑ Department / Division Administrator is to immediately try to resolve the dispute with the vendor. Disputed items must be resolved immediately and should appear on the next billing cycle.
- ❑ If the Department / Division Administrator is unable to resolve the dispute with the vendor, immediately notify the Program Administrator and submit the Cardholder Dispute Form along with names and dates of persons contacted, copies of correspondence, and other documentation associated with your attempts to resolve the dispute.
- ❑ NOTE DISPUTED ITEMS ON THE RECONCILIATION, INCLUDING REASON AND ACTION TAKEN.

NOTE: Do not hold reconciliation until dispute is resolved. All items on the monthly statement are to be paid before the statement due date.

Visa Purchasing Cardholder Account Action Request

- | | |
|---|---|
| <input type="checkbox"/> New Account
<input type="checkbox"/> Reissue Replacement Card
<input type="checkbox"/> Request Lost/Stolen Replacement
<input type="checkbox"/> Change Reporting Level
<input type="checkbox"/> Change Control Account
<input type="checkbox"/> Close Account | <input type="checkbox"/> Update Account Information
<input type="checkbox"/> Rush Card Request
<input type="checkbox"/> Card is expiring _____
<input type="checkbox"/> Replacement – Card Unusable
<input type="checkbox"/> Other – (Identify action requested)
_____ |
|---|---|

Account Control Cycles (Required)

Total Monthly \$ Limit: _____ Maximum \$ per Transaction: _____

Account Number (if existing account): _____

Card Expiration Date: _____

Cardholder Name: _____

Cardholder Department: _____

Social Security Number: _____

Position / Job Title: _____

Statement Address: _____

City / State / Zip Code: _____

Telephone Number: _____

Name of Department Administrator: _____

Special Instructions: _____

Date of Request

Department Director Signature

Date of Authorization

P-Card Program Administrator Signature
(Purchasing Officer)

Faxed to UMB: _____

Card Received: _____

MIAMI COUNTY PROCUREMENT CARDHOLDER AGREEMENT

Name of Cardholder:	Cardholder Business Address:
Department Name & Number:	Cardholder Business Phone Number:
Supervisor's Name & Title:	Supervisor's Phone Number:

Cardholder agrees to accept responsibility for the protection and proper use of the Miami County Procurement Card (MCPC) in accordance with the terms and conditions below:

1. Cardholder agrees to provide the supporting receipts from the vendor and/or a transaction log for each transaction as designated by the MCPC Program Administrator under the agency policies and procedures. Failure to report or document any purchase may be deemed an improper use of the MCPC.

2. If the card is lost or stolen, Cardholder shall notify the MCPC Coordinator immediately.

3. Cardholder's agency shall be responsible for all charges, including fees and interest, incurred from the proper use of the MCPC.

4. **THE CARDHOLDER MAY NOT MAKE PERSONAL PURCHASES ON THE CARD.** Cardholder understands that he shall be personally liable for any improper use of the MCPC and agrees to pay to the issuer of the card such use (such issuer shall be a third party beneficiary under this agreement), other than improper use as the result of a lost or stolen card which was immediately reported as required in paragraph 2, including fees and interest assessed against the improper purchase. Cardholder understands that his/her improper use of the MCPC may subject Cardholder to criminal prosecution. Cardholder understands that Agency may withhold amounts attributable to improper use by Cardholder from any paycheck or other state of Kansas warrant which may be payable to Cardholder.

5. Cardholder understands that should his/her employment with Agency terminate for any reason, the MCPC must be returned to the MCPC Program Administrator. Cardholder understands that Agency may withhold his/her final paycheck until the MCPC is returned. Cardholder also understands that Agency may withdraw authorization to use the MCPC and require the return of the MCPC at any time for any reason.

6. Cardholder understands that use of the MCPC is for the purchase of commodity and non-inventory capital items only (coded in 3000 and 4XX9 series) of less than \$750 per purchase subject to individual card limitations on expenditures for use in official county business. All purchases must comply with state accounting and purchasing statutes, regulations and policies including all policies the Cardholder's Agency implements in the use of the MCPC. The following items may not be purchase with the MCPC, however, the list is not all inclusive:

- | | |
|---------------------------------------|--|
| Purchases exceeding \$750.00 in value | Cash advances, cash refunds |
| Personal Items | 1099 Reportable services |
| Consulting and Professional services | Computer hardware and software |
| Split Purchases | Any products or service normally considered an inappropriate use of County Funds |

If in doubt that a purchase is authorized under this agreement through the use of the MCPC, Cardholder understands that he/she should seek prior approval from the MCPC Program Administrator. Such approval presumes the proper use of the MCPC.

7. Cardholder acknowledges by his/her signature to this agreement, that he/she has received training in the proper use of the MCPC; has received, read and understands the Miami County Procurement Card Manual; and has read and understands this agreement.

Cardholder signature: _____ Date: _____

For Agency Use Only

Limit per Purchase: _____ (not to exceed \$750)

Cycle Credit Limit: _____ (not to exceed \$2500 without authorization)

Approval: Print Name: _____ Title: _____

Signature: _____ Date: _____

Approval: Print Name: _____ Title: _____

Signature: _____ Date: _____

Approval: Print Name: _____ Title: :BPC Coordinator

Signature: _____ Date: _____

FORM TO REPORT A LOST OR STOLEN PURCHASING CARD

Note to Cardholder: Immediately upon discovering your Card is missing, phone UMB Bank at the number below. Follow up the call with this written confirmation.

Fax to: 816-843-2485

Phone: 800-821-5184, ext. 2412

Date submitted: _____

Customer Service:

This written confirmation is to report a lost or stolen Purchasing Card.

Account Number: _____

Cardholder Name: _____

Cardholder Department: _____

Cardholder Address: Miami County, Kansas
201 S. Pearl, Suite 200
Paola, KS 66071

Cardholder Phone No.: _____

Time and Date lost/stolen card reported to UMB Bank (by phone): _____

Name of UMB Bank Person loss reported to: _____

Reference Number: _____

If stolen, Police report attached? Yes No

Cardholder Signature: _____ Date: _____

Copy to: Department / Division Administrator
Program Administrator (Purchasing Office)

**VISA PURCHASING CARD
CARDHOLDER DISPUTE FORM**

Cardholder Background

Account Number: _____

Name: _____

Department: _____

Disputed Details

Disputed Amount: \$ _____

Provide Necessary Details about the Disputed Item(s):

**Attach this form to your P-Card statement reconciliation
and submit to your Department / Division Administrator**

Date

Cardholder Signature

Purchasing Card Affidavit

The following expenditure was incurred for Miami County business for which no receipt was available.

Vendor: _____

Vendor Address: _____

Date of Purchase: _____

Total Amount: _____

<u>Description</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
TOTAL	_____

I affirm that the above described expenditure was incurred during the performance of official County business and pertained to County business.

Signature: _____ Date: _____

Inter-Departmental Purchasing Card Affidavit

The following expenditure was incurred for Miami County business for which the receipt is attached. Please review the purchase and authorize payment from the budget line account listed below.

Vendor: _____

Vendor Address: _____

Date of Purchase: _____

Total Amount: _____

Budget Line Account Assigned: _____

<u>Description</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
TOTAL	_____

I affirm that the above described expenditure was incurred during the performance of official County business and pertained to County business for the department listed above.

Signature: _____ Date: _____

Name: _____ Department: _____

Department Director Signature: _____

CARDHOLDER BILLING STATEMENT

Control Account

PAST DUE
MONTHLY STATEMENT
 Card Service Center
 P.O. Box 419734
 Kansas City, MO 64141

PAYMENT DUE DATE 08/23/99
BALANCE 129.67
ACCOUNT NUMBER 4715 6241 0135 1000

004 V7C 3 20 0
 59420001 171

PLEASE WRITE IN AMOUNT OF PAYMENT ENCLOSED
 \$ 129.67

MINIMUM PAYMENT

MAKE CHECK PAYABLE TO: CARD CENTER
 PO BOX 419736
 KANSAS CITY MO 64141-6736

PLEASE CHECK BOX AND NOTE ADDRESS CHANGE BELOW

PLEASE DETACH AND ENCLOSE TOP PORTION WITH PAYMENT.

CONTROL ACCOUNT
 PO BOX 2933
 SHANNEE MISSI KS 66201-1333

47156241 0012967 0012967

ACCOUNT NUMBER	CREDIT LIMIT	CYCLE DATE	DUE DATE	PAYMENT
4715 6241 0135 1000	14000	07/29/99	08/23/99	\$ 129.67

DATE OF TRANS	POST	REFERENCE NUMBER	PURCHASES, CASH ADVANCES, PAYMENTS, CREDITS AND ADJUSTMENTS SINCE LAST STATEMENT	AMOUNT
0729	0729	74715626JX2JT9F7J	PAYMENT - THANK YOU TOTAL 47156 \$629.16-	629.16-
0701	0701	24246515PBA9T9FGJ	BORDERS BOOKS & MUSIC 23 OVERLAND PARK K MCC: 5942 MERCHANT ZIP: 66212 SALES TAX: \$ 0.00 TAX INCLUDED: 0 CUSTOMER CODE: 02305537 MARY ANNE HILE TOTAL 47156: \$50.35	50.35
0706	0706	24108385V5SDJQQ95	KANSAS CITY COSTUME CO KANSAS CITY MO MCC: 5631 MERCHANT ZIP: 64108 SALES TAX: \$ 0.00 TAX INCLUDED: 0 CUSTOMER CODE: 17146704 BARBARA BRAND TOTAL 47156 \$197.32	197.32

PREVIOUS BALANCE	CREDITS	CASH ADVANCES	BALANCE
\$ 511.16	629.16	0.00	247.67
			0.00
			0.00
			\$ 129.67

AN AMOUNT FOLLOWED BY A MINUS SIGN (-) IS A CREDIT OR A CREDIT BALANCE UNLESS OTHERWISE INDICATED.

PAYMENTS	PURCHASES/DEBITS	FINANCE CHARGE

ANNUAL PERCENTAGE RATE

FINANCE CHARGE INFORMATION	PURCHASES/DEBITS		CASH ADVANCES
	PREVIOUS BILLING PERIOD	CURRENT BILLING PERIOD	CURRENT BILLING PERIOD
AVERAGE DAILY BALANCE	0.00	0.00	0.00
MONTHLY PERIODIC RATE	0.000	0.000	0.000
CORRESPONDING ANNUAL PERCENTAGE RATE	0.00	0.00	0.00
FINANCE CHARGE COMPUTATION	0.00	0.00	0.00

IMPORTANT: CERTAIN ADDITIONAL FINANCE CHARGES MAY BE APPLIED OR REDUCED IF YOU PAY THE "NEW BALANCE" WITHIN 25 DAYS OF THE ABOVE "STATEMENT CLOSING DATE" (WUCH 30TH DAY). WILL NOT ALWAYS BE THE EXACT "NEXT BILLING DATE". SEE REVERSE SIDE FOR INSTRUCTIONS ON THE INSTANCES AND BILLING ERROR INCURRED FROM RECEIVED AFTER THE CLOSING DATE WILL APPLY ON YOUR NEXT STATEMENT.

NOTICE: See reverse side for important information and disclosure regarding Terms.

For Account Information or to report a lost or stolen card, call 1-800-821-5184, in the Kansas City area, call 843-2000.

V7C

RETAIN BOTTOM PORTION FOR YOUR PERMANENT RECORDS.

PRINTED ON RECYCLED PAPER

CARDHOLDER BILLING STATEMENT

Cardholder Sub Account

Card Service Center
P.O. Box 419734
Kansas City, MO 64141

PAST DUE MONTHLY STATEMENT
DUE DATE ACCOUNT NUMBER

BALANCE 004 V7C 3 20 0
59420001 172

0.00 08/23/99 0.00 4715 6

MINIMUM BALANCE

MAKE CHECK PAYABLE TO:

PLEASE CHECK BOX AND NOTE ADDRESS CHANGE BELOW

PLEASE DETACH AND ENCLOSE TOP PORTION WITH PAYMENT.

CARD CENTER
PO BOX 419736
KANSAS CITY MO 64141-6736

MARY ANNE
PO BOX 2933
SHAWNEE MISSI KS 66201-1333

47156

0000000 0000000

ACCOUNT NUMBER CREDIT LIMIT CLOSING DATE DUE DATE
4715 2000 07/29/99 08/23/99

DATE OF TRANS	POST	REFERENCE NUMBER	PURCHASES, CASH ADVANCES, PAYMENTS, CREDITS AND ADJUSTMENTS SINCE LAST STATEMENT	AMOUNT
07/01	0704	24246515PBA9T9FGJ	BORDERS BOOKS & MUSIC 23 OVERLAND PARKKS MCC: 5942 MERCHANT ZIP: 66212 SALES TAX: \$ 0.00 TAX INCLUDED: 0 CUSTOMER CODE: 02305537 TOTAL PURCHASES \$50.35 TOTAL \$50.35	50.35

NEW BALANCE

PREVIOUS BALANCE	CREDITS	CASH ADVANCES	NEW BALANCE
PAYMENTS	PURCHASES/DEBITS	FINANCE CHARGE	
\$ 0.00	0.00	0.00	\$ 0.00

AN AMOUNT FOLLOWED BY A MINUS SIGN (-) IS A CREDIT OR A CREDIT BALANCE UNLESS OTHERWISE INDICATED.

ANNUAL PERCENTAGE RATE

FINANCE CHARGE INFORMATION	PURCHASES/DEBITS		CASH ADVANCES
	PREVIOUS BILLING PERIOD	CURRENT BILLING PERIOD	CURRENT BILLING PERIOD
AVERAGE DAILY BALANCE	0.00	0.00	0.00
MONTHLY PERIODIC RATE	0.000	0.000	0.000
CORRESPONDING ANNUAL PERCENTAGE RATE	0.00	0.00	0.00
FINANCE CHARGE COMPUTATION	0.00	0.00	0.00

Payment Address: Card Center, P.O. Box 419736, Kansas City, MO 64141
Inquiry Address: Card Center, P.O. Box 419734, Kansas City, MO 64141

IMPORTANT: DEDUCT ADDITIONAL FINANCE CHARGES MAY BE ADDED OR REDUCED IF YOU PAY THE "NEW BALANCE" WITHIN 25 DAYS OF THE ABOVE "STATEMENT CLOSING DATE" (EACH 25TH DAY WILL NOT ALLOW BE THE STATED "PAYMENT DUE DATE"). SEE REVERSE SIDE FOR INSTRUCTIONS ON THIS INSTANTANCE AND BILLING ERROR INCLUDES. ITEMS RECEIVED AFTER THE CLOSING DATE WILL APPEAR ON YOUR NEXT STATEMENT. NOTICE: See reverse side for important information and disclosures regarding Terms.

For Account Information or to report a lost or stolen card, call 1-800-821-3184. In the Kansas City Area, call 843-2000.

V7C

RETAIN BOTTOM PORTION FOR YOUR PERMANENT RECORDS.

PRINTED ON RECYCLED PAPER

MIAMI COUNTY

POLICY & PROCEDURES

POLICY NO: ADM 05-07-005

EFFECTIVE DATE: July 1, 2005

TITLE: RETIREE GIFT

LAST REVISED:

PURPOSE AND SCOPE:

The purpose of this policy is to provide County supervisors and employees with guidelines for expenditure of County funds to honor an employee who is retiring from County service.

Retiree Definition

A retiree is an employee who has given official notice of retirement from County employment. Such retiree must be eligible for full retirement benefits with KPERS, KP&F and/or Social Security.

Availability of Funds

Up to \$100 may be used to pay for expenses of a retiree gift or related expenses towards a celebration event.

Appropriateness of Expenditures

As with all County expenditures, it is important that sound judgment is applied towards any purchasing decision. All expenditures should be treated consistent with the County's general purchasing and petty cash reimbursement guidelines. Examples of an appropriate retiree gift include a gift certificate, tickets to the theater or sporting events, or tangible personal property such as a watch or pen. Examples of appropriate expenses towards a celebration event include refreshments, printing and invitations.

Date

Shane D. Krull, County Administrator

FLEX TIME POLICY
REVISED March 2022**EFFECTIVE DATE: May 30, 2005**
POLICY NO: ADM 060501**APPLICABILITY**

Miami County will actively support Flex-Time where it is reasonable and practical to do so and where operational needs will not be adversely affected. As stated in its Policy on Equal Opportunities, Miami County confirms its commitment to develop, maintain and support a comprehensive policy of equal opportunities in employment. All flex-time arrangements must be approved in advance by the appropriate Department Director.

DEFINITION OF FLEX-TIME

Flex-time is a work schedule that allows employees to work hours that are not within the standard 7:30 a.m. to 4:30 p.m. range while maintaining a high level of service during peak operating hours. (typically 9:00 a.m. to 3:30 p.m.)

GUIDELINES

- 1) The regular operating days and hours of Miami County range from 7:30 a.m. to 4:30 p.m. Central Time, Monday through Friday. Each department will provide coverage for their department's regular working business hours.
- 2) While daily schedules vary, all full-time employees are expected to work a 40-hour week. Flexible work schedules are available if the employee's workload, the departmental needs, and the needs of the County are met. Employees may modify their regular work schedule with the approval of their Department Director.
- 3) Employees, with approved consent, may have the option of beginning their workday between 6:30 a.m. and 9:30 a.m. and ending their day between 2:30 p.m. and 5:30 p.m. Each Department Director is responsible for ensuring staff coverage is available within their department during the needed times.
- 4) Any hours paid to non-exempt employees over 40 worked hours during one workweek are considered overtime. Compensation for overtime hours will be at the rate of time and one-half and will be paid when the total time worked during the week is more than 40 hours. Working overtime does require prior managerial approval. Extra hours worked in one workweek cannot be accumulated for use in the following workweek.
- 5) When determining starting and ending times for flexible scheduling, considering access to facilities and personnel security will be a deciding factor. A flexible work schedule may be suspended or canceled at any time.
- 6) The duties and responsibilities of some positions might preclude them from flexible work schedules. A request for a flex-time schedule will be denied if the change would decrease the effectiveness of the individual or department or leave an essential function unperformed.

3-16-22

Date



Shane D. Krull, County Administrator

MIAMI COUNTY

POLICY & PROCEDURES

POLICY NO: ADM 03-03-02

EFFECTIVE DATE: March 12, 2003

TITLE: TELECOMMUTING

REVISED: July 1, 2005

PURPOSE AND SCOPE:

Miami County considers telecommuting to be a viable alternative work arrangement in cases where individual, job and supervisor characteristics are best suited to such an arrangement. Telecommuting allows an employee to work at home, on the road, or in a satellite location for all or part of their regular workweek. Telecommuting is a voluntary work alternative that may be appropriate for some employees and some jobs. It is not an entitlement and does not change the terms and conditions of employment with Miami County.

All requests require advanced approval. The attached form must be completed for requests of telecommuting arrangements in excess of one day or eight hours.

Procedure:

1. Telecommuting arrangements may be made available on a temporary basis to accommodate an employee's request. Telecommuting arrangements are made on a case-by-case basis, focusing on the business needs of the County first. Evaluation of telecommuter performance will focus on work output and completion of objectives.
2. Any telecommuting arrangement will be made on a trial basis and may be discontinued at any time at the request of either the telecommuting employee or Miami County.
3. Miami County will not provide equipment (including hardware, software, modems, phone and data lines, facsimile equipment or software, photocopiers, etc.) for telecommuting arrangements. Miami County accepts no responsibility for damage or repairs to employee-owned equipment
4. Consistent with the Miami County's expectations of information security for employees working at the office full-time, telecommuting employees will be expected to ensure the protection of confidential information accessible from their home office. Steps include, but are not limited to, use of locked file cabinets, disk boxes and desks, regular password maintenance, and any other steps appropriate for the job and the environment.
5. The employee and supervisor will agree on the amount of telecommuting time allowed each week, the work schedule maintained by the employee, and the manner and frequency of communication. The employee agrees to be accessible by phone or modem within a reasonable time period during the agreed upon work schedule.

6. Before entering into any telecommuting agreement, the employee and manager will evaluate the suitability of such an arrangement paying particular attention to the following areas:

- a. Employee Suitability - the employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- b. Job Responsibilities - the employee and manager will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- c. Access to appropriate equipment and resources to perform work.
- d. Department scheduling needs.

Date

Shane D. Krull, County Administrator

**Telecommuting Proposal
Miami County, Kansas**

Employee Name: _____

Department: _____

Please complete the following proposal for telecommuting and return to supervisor.

How will telecommuting sustain or enhance your ability to get your job done?

What projects or assignments will you accomplish while telecommuting?

Do you have the appropriate equipment to accomplish such work at home?

What type of scheduling out of the office do you feel would accommodate your needs without sacrificing public service?

for supervisors only

How will you make yourself available to assist those you supervise?

Employee Signature

Date

Supervisory Approval:

I have considered the following factors regarding this request; employee's performance, position objectives, ability of this employee to work with minimal supervision, proven experience of the employee in making independent decisions, organizational skills, self motivation, requirements of the County, availability of equipment resources and scheduling.

Approved Not Approved

Comments:

Department Director Signature

Date

County Administrator Signature

Date



Policy: VEHICLE USAGE POLICY
Policy No: ADM 03-01-01

Effective Date: January 1, 2003
Revised Date: August 27, 2025

A. PURPOSE AND SCOPE:

It is the mission of Miami County to protect the county's human, fiscal, and material resources. The purpose of the *Miami County Vehicle Usage Policy* is to establish guidelines to ensure safe and efficient vehicle operations by county employees while operating county owned vehicles / equipment, or the utilization of privately owned vehicles for county use.

The authorization to operate a county vehicle / equipment, or a privately owned vehicle for county use, confers a sacred trust in the employee and they are expected to drive safely and responsibly and to use common sense and courtesy.

This policy is intended to outline the basic safety and authorization framework governing the use of county owned vehicles / equipment and the operation of a privately owned vehicle for county use.

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of county vehicle privileges, suspension, and / or termination.

B. USE OF COUNTY PROPERTY COMPLIANCE

It is the policy of Miami County that all employees shall safeguard county owned vehicles / equipment and adhere to safety standards to ensure a safe working environment.

- 1.) As set forth in Section 3.7 of the Miami County Personnel Rules & Regulations, *Use of County Property*, employees are expected to protect county vehicles and equipment from loss, damage, or theft.
- 2.) Employees operating a county owned vehicle / equipment, or utilizing a privately owned vehicle for county use, shall possess a valid drivers' license.
- 3.) As defined in the *Miami County Driving Record Policy*, attachment H of the Miami County Personnel Rules & Regulations, employees are expected to maintain a satisfactory driving record and are subject to continued driving record reviews.

C. VEHICLE USE AUTHORIZATION

Certain county positions or work assignments require access to county vehicles / equipment or the use of privately owned vehicle for county use, to perform the essential functions of their jobs. Such assignments shall be authorized as set forth.

1.) Authorization

The County Administrator or department director may authorize the use of county vehicles / equipment, or the use of a privately owned vehicle for county use, by a county employee consistent with this policy. Vehicles may be assigned according to the nature of the employee's duties.



2.) Inter-departmental Use

Department directors may approve the inter-departmental use of vehicles / equipment within the departments fleet inventory.

3.) Equipment and Emergency Vehicle Authorization

Only those employees licensed and / or certified to operate county equipment or emergency vehicles shall be authorized to do such. It will be the responsibility of the authorizing department director to ensure proper licensure and / or certifications are valid and meet the requirements for the intended use of the vehicle / equipment.

D. VEHICLE USE ASSIGNMENT

County vehicle / equipment assignments, or the use of a privately owned vehicle for county use, require authorization as defined in this policy.

1.) Regular Work Assignments

Employees who require a vehicle for the ordinary and necessary discharge of their job functions, as defined by the position requirements, may be assigned a county vehicle / equipment for regular work assignments.

2.) Take-home County Vehicle / Equipment Assignments

Based on public purpose and demonstrable and beneficial need, take-home county vehicle / equipment assignments will be approved only for the purpose of conducting county business.

Criteria which will be used in determination of eligibility take-home county vehicle assignment include:

- a. Requirement for frequent emergency availability.
- b. Emergency or other necessary equipment contained in the vehicle.
- c. Officially designated on-call status.

3.) County Motor Pool Vehicle(s) Usage

a. *Definition of County Motor Pool Vehicle*

Where county business responsibilities require transportation for various county duties and a county departmental vehicle has not been assigned, a county vehicle may be available subject to priority and prior commitments. Such vehicle(s) availability is for use solely for work related county functions.

b. *Request / Reservation of County Motor Pool Vehicle*

Requests to utilize County Motor Pool Vehicle(s) shall be submitted to the Purchasing Office per established procedures

c. *Requesting Department Responsibility*



The requesting department shall properly complete the top portion of the Vehicle Reservation form and submit to the Purchasing Office prior to requested use date.

- d. The vehicle driver shall properly complete the bottom portion of the Vehicle Reservation form at the time of travel.
- e. The requesting department shall be responsible for cleaning and re-fueling the vehicle prior to returning keys to the Purchasing Office.

4.) Privately Owned Vehicles for County Use

An employee may be authorized to utilize a privately owned vehicle for county use; however, county vehicles should be used for county business travel whenever possible. Employees will adhere to and follow the *Miami County Business Travel & Expenses Policy* when operating a privately owned vehicle for county use.

a. *Privately Owned Vehicle Restrictions*

Employees are prohibited from operating a privately owned motorcycle for county use.

b. *Minimum Insurance Coverage*

Employees authorized to drive a privately owned vehicle for county use must maintain the minimum amount of insurance required by state law. Proof of coverage may be requested by the County Administrator or the authorizing department director.

c. *Policy Compliance*

Employees operating a privately owned vehicle for county use are expected to adhere to the *Vehicle Usage Policy* as set forth.

d. *Expense Reimbursement*

Employees authorized to drive a privately owned vehicle for county use will be reimbursed for expenses as set forth in the *Miami County Business Travel & Expenses Policy*.

5.) Use of County Vehicle / Equipment Restrictions

County vehicles / equipment are not personal vehicles and are not for personal use. During emergencies, snow removal operations, or work assignments county directors may authorize county vehicles to be driven home or to a restaurant for meal breaks.

Vehicle use is limited to travel to and from the residence and place of work. The vehicle should be driven over the most direct route, considering road and traffic conditions. The vehicle should not be utilized for travel outside a direct commuting route for personal reasons.

Family members and friends are prohibited from use of county vehicles as a passenger or driver.



6.) Personal Use of County Vehicles

The use of a county owned vehicle for commuting between home and work are considered a non-cash taxable fringe benefit by the Internal Revenue Service (IRS) and will be taxed at the rate as established in Publication 15-B of the IRS.

7.) Rescission of Assignment

Any assignment of vehicle use may be rescinded at any time by the County Administrator or the authorizing department director.

8.) Maintenance / Servicing / Inspections

Each department director shall be responsible for coordinating the maintenance and repairs of county vehicle(s) assigned to their departments. All county vehicles shall be filled with gas at county approved locations unless outside the county or in emergency situations.

Employees should perform general vehicle inspections prior to operating a county vehicle / equipment including inspecting tires, fluids, gas levels, operating lights, etc.

E. VEHICLE USE OPERATING SAFETY STANDARDS

The operating safety standards established hereto shall apply to the operation of county owned vehicles / equipment and the use of privately owned vehicles for county use.

- 1.) Employees must follow all driving laws and safety rules, such as adherence to posted speed limits and directional signs, use of turn signals, and avoidance of confrontational or offensive behavior while driving.
- 2.) Employees must wear seat belts at all times, whether they are the driver or a passenger.
- 3.) The use of electronic devices for purposes other than navigation is strictly prohibited. This includes, but is not limited to, sending or receiving text messages or emails, browsing the internet, reading books, and downloading information from the web. If an employee needs to engage in any of these activities while driving, they must pull over to a safe location and stop the vehicle before using any device.
- 4.) Employees making or receiving phone calls while operating a vehicle must utilize a handsfree device. If a handsfree device is not available, the employee must pull over to a safe location and stop the vehicle before using the device.
- 5.) Employees should not engage in other distracting activities such as eating, shaving, or putting on makeup, even in stopped or slow-moving traffic.
- 6.) Use of tobacco or vaping products is prohibited in county owned vehicles / equipment or while operating a privately owned vehicle for county use, as established in Section 3.8 of the Miami County Personnel Rules & Regulations, *Smoke Free Environment*.



- 7.) The use of alcohol, drugs, or other substances that in any way impair driving ability is prohibited. This includes, but is not limited to, over-the-counter cold or allergy medications and sleep aids that have a residual effect.

F. ACCIDENTS AND TRAFFIC VIOLATIONS

1.) Vehicle Accidents

Employees involved in a traffic accident while operating a county owned vehicle / equipment should report the incident immediately to a supervisor and follow the guidelines of Section 7.27 of the Miami County Personnel Rules & Regulations, *Workers' Compensation Process*.

In the event that emergency medical care is necessary, the affected employee should seek immediate medical treatment.

2.) Traffic Violations

Employees cited for a traffic violation while operating a county owned vehicle / equipment should report the violation immediately to a supervisor. The employee is solely responsible for paying any fines imposed for traffic violations.

3.) Driving Record Policy

Vehicle accidents and traffic violations incurred by an employee in the operation of a county vehicle / equipment, or while operating a personal vehicle for county use, will be subject to the *Miami County Driving Record Policy* compliance.

4.) Post-Accident Drug / Alcohol Testing

In accordance with Attachment E of the Miami County Personnel Rules & Regulations, *Drug & Alcohol Testing Policy*, if an employee is involved in an accident while driving a county owned vehicle / equipment, or operating a privately owned vehicle for county use, they must submit to a post-accident drug and alcohol test.

Shane Krull, County Administrator

August 27, 2025

Date

ADDENDUM A
POLICY NO. ADM 03-01-01
MIAMI COUNTY VEHICLE USAGE POLICY

MOTOR POOL VEHICLE USAGE PROCEDURE

Where county business responsibilities require transportation for various county duties and a county departmental vehicle has not been assigned, a County Motor Pool vehicle may be available, subject to priority and prior commitments. Motor Pool vehicles are to be used solely for work-related county functions.

Priority for use of Motor Pool vehicles shall be given in the following order:

1. Board of County Commissioners
2. Administration / Purchasing
3. Appraiser's Office
4. Other County Offices

Reservations for use of a Motor Pool vehicle are to be scheduled through the Purchasing Office.

1. The requesting office shall properly complete the top portion of the Motor Pool Vehicle Reservation form. (Motor Pool Vehicle Reservation form is available on the Pubshare drive – Public\Pubshare\Blazer folder.) Items to be completed include:
 - Name of Requestor & Department / Office
 - Travel Destination
 - Departure Date and Time
 - Return Date and Time
 - Authorized signature of Department Head / Elected Official
 - Date request made
2. The Purchasing Office will review the request and advise the requesting department / office of vehicle availability by completing the middle section of the Vehicle Reservation form. Items to be completed include:
 - Reservation made or denied
 - If approved, when keys are available for pick up from Purchasing Office
 - Authorizing signature and date reservation was confirmed
3. The Purchasing Office will then place a copy of the Vehicle Reservation form in the active file and return the original to the requesting department / office for use / completion of the driver on date of travel.
4. Authorized staff from the requesting department / office will make arrangements to pick up the keys from the Purchasing Office.

5. Driver will complete the bottom portion of the Vehicle Reservation form on the day of travel. Items to be completed include:
 - Driver Name and signature
 - Beginning Odometer Reading
 - Ending Odometer Reading
 - Check items and complete checklist
6. Upon return, the driver / requesting department / office will clean the vehicle inside and out and refuel, prior to turning in the keys and fully completed Vehicle Reservation form.
7. The Purchasing Office will review the form for completeness and note any comments regarding the vehicle, taking appropriate action.
8. The copy of the Vehicle Reservation Form in the active file will be pulled and the completed form filed in the completion file.

NOTE: In the event one of the higher priority offices must use the vehicle, requesting department / office will be notified by Purchasing that their reservation has been superseded.

MIAMI COUNTY INTERNAL SOCIAL MEDIA POLICY

PURPOSE

The purpose of this policy is to establish regulations of county-sponsored social media for employee use. This policy addresses the responsibilities of county employees when using county-sponsored social media, responsibilities for record retention, and the county's terms of use and comment policy. Social media is used as a means of informing the public, customers and families about current events, programs and topical information. Miami County, Kansas, (the "County") provides social media as a supplement to the Miami County web site. Miami County, Kansas, is committed to fully complying with the freedom of speech clause of the First Amendment of the U.S. Constitution and other similar legal obligations surrounding free speech. Miami County, Kansas, has an important interest in assuring the accuracy and consistency of information associated with our social media.

If an employee has questions, contact the appropriate Department Head or Human Resources.

DEFINITIONS

Social Media – Comprehensive term that integrates technology, social interaction and content creation.

STANDARDS

Social media is a means by which the county may communicate. Only county employees authorized by their Department Head may use social media relating to county business. If in keeping with the county's Mission Statement, Personnel Rules & Regulations, Conflict of Interest, Code of Ethical Conduct policies and federal HIPAA laws, an employee may post on social media via their personal or professional account the county's or department's name, email address or telephone number for contact purposes, or post official department information, resources, calendars, and events. When employees utilize social media for personal purposes, they are not empowered to speak on behalf of the county government and are obligated to maintain their professional confidentiality obligations.

All Miami County policies and procedures that apply to communication also apply to social media. The county reserves the right to monitor employee usage and content and restrict the use of or access to media or sites at any time without notice. The county retains full editorial control over all content of its internal social media and, when possible, will edit or remove material if deemed by the county or its representatives to be inappropriate or in violation of any county policy or procedure.

The county's social media is subject to the Kansas Open Records Act. Users posting to county social media give the county the express right to reproduce, use, and distribute the content of their post. All county social media and professional county social media accounts shall be linked to a Miami County email address. Personal email addresses shall not be linked to any county-sponsored social media or professional accounts.

The county does not guarantee that comments posted during or after business hours will be viewed. Communications made on county social media shall in no way constitute a legal communication or notice. External users should be encouraged call the appropriate county department to report concerns, make an open records request, etc.

External users of county owned social media are expected to follow the terms and conditions for external users of social media found at www.MiamiCountyKS.org/SMTOU

PROCEDURES

Employees who are responsible for management and content must exercise vigilance in online activities. These activities reflect on both the employee, department and the county. As such, careful consideration as to what is published is essential. Violation of confidentiality or comments made in violation of the county's policy may be removed and, if made by an employee, may result in disciplinary action as per the Miami County Personnel Rules & Regulations.

The following directives are provided to ensure appropriate use of social media:

- A. The same care must be given to information shared through social media as is given to other avenues and departments are responsible for ensuring Miami County's Personnel Rules & Regulations and Code of Ethical Conduct policies are also followed.
- B. Departments must provide notification to the County Clerk and County Administrator upon the exploration and establishment of a department's social media presence.
- C. Departments must designate a primary and secondary employee with access to the department's social media. Annually, departments will be asked to specify at least one employee who has authority to share and speak for the department via social media.
- D. All county social media will utilize the county's official logo. The county logo, brand images and materials shall be used in compliance with Miami County Logo Standards. If available, departments may also use their customized official department logo as supplementation to the official county logo.
- E. The following statement shall be included on each departmental social media account's "about" section:
 - a. (Insert name of department) is a department of Miami County, Kansas, www.MiamiCountyKS.org. This account is intended for informing the public, customers and families about current events, programs and topical information. Miami County, Kansas provides communication on social media as a supplement to the Miami County web site.
 - b. Terms and conditions for external social media users, accessibility, disclaimers and linking guidelines for social media can be found at www.MiamiCountyKS.org/SMTOU

- F. Departments must establish professional employee accounts for and on behalf of the department. Accounts established under personal email addresses will not be allowed.
- G. Professional email addresses should only be linked to professional employee accounts or county-sponsored social media. Personal email addresses shall not be linked to any county-sponsored social media or professional accounts.
- H. Department Heads must control the use of professional accounts and managers associated with social media, ensuring that ownership is the county and not restricted to any one person.
- I. Departments must immediately change access if an employee previously authorized to manage and speak for the department via social media leaves employment or is otherwise no longer authorized to speak for the Department.
- J. Departments are responsible for monitoring or auditing their social media sites to ensure they are consistent with established countywide guidelines and departmental protocols.
- K. Departments are responsible for maintenance and proactively promoting marketing and the use of marketing tools on their department specific marketing mediums.
- L. Employees must protect the county's confidential and proprietary information and are prohibited from sharing information that is confidential or proprietary either on personal or professional social media. Examples of this include health information, vendor information, confidential bid documents, contractor proprietary information, and personnel information and records.
- M. Political campaigning or legislative advocacy shall never be engaged or used on official Miami County domains or professional accounts.
- N. All posts, advice or commentary on county-sponsored social media or professional accounts shall pertain to the department's area of responsibility. Cross-sharing and promotion of other department's content is encouraged, provided external users can determine the original source of information.
- O. Employees must respect copyrights, trademarks, patents, service marks or other intellectual property rights, and must ensure the right to use content is granted before it is published. If applicable, proper credit for external user's work must be clearly indicated.
- P. Miami County professional accounts shall not state any personal opinions in responses, posts or publications on any platform. All users are speaking as a representative of Miami County.

- Q. Mistakes must be corrected within a reasonable period of time after being brought to attention, if permitted by the application within the social media. If an error cannot be corrected, the post must be removed.

- R. Wherever possible, links to more information should direct users back to the county's official website for more information, forms, documents or online services necessary to conduct business with the county. Correspondence should be used to provide brief high-level information. In depth correspondence should take place over traditional methods such as phone or email.

- S. Employees must respect the audience, the county, fellow employees and customers. The use of ethnic slurs, personal insults, defamatory language, obscenity, or engaging in any conduct that would not be acceptable in the workplace, or discredit the county, is strictly prohibited. Employees should know and follow Miami County's Mission Statement, Personnel Rules & Regulations, Conflict of Interest, Code of Ethical Conduct policies and federal HIPAA laws. Usage must also be consistent with Miami County's anti-discrimination and anti-harassment policies.

Any concerns of inappropriate internet activity should be directed to the department head, Human Resources or the County Administrator. Any questions regarding this policy or acceptable social media usage should be directed to Human Resources or the County Administrator.

VIOLATION:

Violation of this policy may result in disciplinary action as per the Miami County Personnel Rules and Regulations.

RESOLUTION NO. R24-02-002

A RESOLUTION ADOPTING SOCIAL MEDIA POLICY FOR BOTH INTERNAL AND EXTERNAL USERS FOR MIAMI COUNTY, KANSAS AND FOR THE IMPLEMENTATION OF SAID POLICY.

WHEREAS, Miami County, Kansas is a county municipal government and the County Commission is the governing and legislative body of said municipal government; and

WHEREAS, the County Commission has studied the issue of whether a social media policy should be adopted by the County for the purpose of oversight and discretion for social media accounts that the County and its various agencies and services utilize; and

WHEREAS, the County Commission recognizes the value in social media websites to broaden communication regarding government services and facilitate greater citizen engagement; and

WHEREAS, the County encourages the use of social media to further the goals of the County and its departments, where appropriate, through dissemination of information about the County's mission, meetings, activities, and current issues to members of the public; and

WHEREAS, the purpose of the County's Social Media Terms of Use and Comment Policy is set forth the County's goals, policies and procedures relating to the County's presence on social media sites; and

WHEREAS, public input, an important part of transparent and open government, is encouraged on the County's social media sites, provided users of the sites adhere to the Social Media Terms of Use and Comment Policy; and

WHEREAS, such social media policy has been prepared and presented to the Commission for its consideration and the Commission is prepared to adopt said policies.

IT IS THE FINDING OF THE BOARD OF COUNTY COMMISSIONERS OF MIAMI COUNTY, KANSAS that the County will benefit from adopting a social media policy that will identify County engagement and external users oversight when utilizing social media platforms as a part of Miami County, Kansas, or its entities.

IT IS HEREBY RESOLVED BY SAID BOARD that the following policy for an official County logo shall be adopted and that said policy shall become effective upon adoption.

Miami County Social Media Policy
External Social Media Terms of Use and Comment Policy
Accessibility disclaimer linking notices

RESOLUTION NO. R24-02-002

RESOLVED THIS 14TH DAY OF FEBRUARY 2024.



**BOARD OF COUNTY COMMISSIONERS
MIAMI COUNTY, KANSAS**

TYLER VAUGHAN, Chairman

GEORGE PRETZ, Chairman Pro-tem

JENE VICKREY, Commissioner

BONNIE "ROB" ROBERTS, Commissioner

KEITH DIEDIKER, Commissioner

ATTEST:

JANET WHITE, County Clerk

