

**Racine County
Human Resources
Condensed Policy Manual**

February 2018

Equal Opportunity Employer

AFFIRMATIVE ACTION STATEMENT

Racine County is an equal employment opportunity employer. It is the policy of Racine County to comply with the Racine County Affirmative Action Program and the requirements of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, the Rehabilitation Act, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Equal Pay Act, and the Wisconsin Fair Employment Act now or as hereinafter amended.

It is the policy and commitment of the Racine County Board of Supervisors that all employment policies and practices shall be non-discriminatory with regard to race, color, religion, national origin, marital status, arrest and conviction record, sex, age, disability, or sexual orientation (except where age, sex, or physical requirements constitute a bona fide occupational qualification) or other protected category under state, federal and/or local law.

Detailed information on this policy is contained in the Racine County Affirmative Action Plan. Copies are available on the Racine County website or the Racine County website, or by contacting the Racine County Affirmative Action Officer or the County Clerk.

SAFETY AND WELLNESS

BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN

Policy

The Racine County Bloodborne Pathogens Exposure Control Plan, in accordance with the OSHA Bloodborne Pathogens Standard, 29 CFR §1910.1030, as adopted by Wisconsin Administrative Code Chapter Comm 32, applies to all employees who may incur occupational exposure to blood or other potentially infectious materials. The Exposure Control Plan identifies those job classifications that may have occupational exposure and how to reduce the exposure. Each department's Exposure Control Plan identifies Coordinators. The purpose of the Exposure Control Plan is to protect employees from the risk of health hazards related to bloodborne pathogens and to reduce or eliminate the risk of occupational exposure to bloodborne diseases. A copy of the Bloodborne Pathogens Exposure Control Plan is located in the Human Resources Department.

DRUG-FREE WORKPLACE

Policy

Racine County prohibits an employee from engaging in the following conduct:

- On county premises, or elsewhere while engaged in county business, using, possessing, dispensing, manufacturing, distributing, or receiving open alcohol intoxicants,
 - illegal drugs, or
 - other controlled substances (if not pursuant to and consistent with, lawful prescription) *

- Reporting to work under the influence of alcohol and/or with a measurable amount of illegal drugs in his/her system or with a measurable amount of other controlled substances in his/her system (if not pursuant to and consistent with, lawful prescription) *
- Refusing to undergo or cooperate in any alcohol and/or drug testing required by this policy;
- Knowingly disregarding the requirements of this policy, or deliberately departing from the policy in regard to subordinates;
- Providing false information in connection with a drug/alcohol test or falsifying test results through tampering, contamination, adulteration, or substitution.

Violations of this policy will result in disciplinary action, up to and including discharge, and may have legal consequences.

*The presence of a drug in one's system, even if prescribed, is prohibited if it poses a threat to the safe and efficient performance of the employee's or co-workers' duties.

Reasonable Suspicion

The county may require appropriate drug and/or alcohol testing procedures for any employee whom the county reasonably suspects to be in violation of this policy. Involvement in an on-the-job accident may constitute a basis for reasonable suspicion testing under this policy.

Reasonable suspicion is based on specific, articulated observations, receipt of information about an employee's impaired behavior from a reliable source that has been substantiated, and on any reasonable inferences drawn from those observations about the conduct of an individual that would lead the reasonable person to suspect that the individual is in violation of Racine County's drug and alcohol policy while on County time. An employee who refuses to submit to a required drug and/or alcohol test will be considered to have a positive test result.

SAFE WORKPLACE

1. Policy

Racine County is committed to providing a safe workplace. All violent behaviors—whether on the part of employees, contract staff or the public—are inappropriate in the workplace and will not be tolerated. All employees shall notify their supervisors of any workplace violence which they have witnessed, experienced, become aware of or in any way have knowledge of.

Prohibition

The possession, use or threat of use of a weapon in the workplace, and any other act of workplace violence, by county employees and contract staff is prohibited. Violations of this policy shall lead to disciplinary action up to and including termination and may also result in criminal prosecution.

Definition of Workplace Violence

Any act of written, verbal or physical aggression that occurs in the workplace intended to physically harm an individual or that could cause a reasonable person to be in fear of imminent physical harm. It also includes the intentional unauthorized destruction or abuse of property. Examples of workplace violence may include, but are not limited to: harassment, obscene phone calls, e-mail, threats (direct or implied), stalking, unauthorized possession or inappropriate use of weapons, assault, battery, robbery, kidnapping, murder, bomb threats and arson. Workplace violence does not include the use of reasonable force in the defense of oneself or others.

Public Access

Racine County recognizes that workplace violence is a growing national concern that needs to be addressed by all employers. Employees of Racine County should be provided with a work environment that is as safe from harm as is reasonably possible. However, due to the need to allow public access to county facilities and services and the nature of certain employees' work, the county cannot guarantee the protection of employees or customers against acts of violence. The county may, however, regulate and direct the conduct of its employees and customers, when possible, in an effort to minimize the frequency and severity of violent incidents.

Exceptions to Weapons Prohibition

The weapons prohibition policy does not apply to employees who are armed in the line of duty, such as Sheriff's Deputies, except in designated restricted areas unless otherwise directed by the Sheriff. Also, employees required to utilize knives or jackknives on the job within the normal scope of their employment, as authorized by their department head, are not considered to be in violation of this policy.

Exceptions to Violence Prohibition

When acting within the scope of their employment, Sheriff's Office sworn personnel, jail corrections staff, and Detention Center staff are exempt from these prohibitions on the use of force and possession of weapons and/or instruments of force in the workplace.

Emergency Response Plan

Each building where Racine County departments are located has an Emergency Response Plan designed specifically for that building. The emergency response plan outlines the proper response to incidents of workplace violence.

Reporting Procedures

Non-emergency – If an individual is acting in a suspicious, hostile or aggressive manner, even if that person is not overtly violent and an immediate threat of violence may not be present, employees should:

- Notify their supervisor,

- Keep distance between themselves and the individual,
- Become aware of escape routes,
- Call the Communications Center at 886-2300 to report non-emergency events involving suspicious activity that is not life threatening;
- Be ready to notify 9-911 if the situation escalates to an emergency situation.

Emergency – If it is reasonable to believe that an individual is acting in a manner that poses an immediate threat to him/herself or others, employees should:

- Seek safety by leaving the area if possible;
- Notify their supervisor;
- Dial 9-911, and activate emergency alarms when available;
- When reporting an emergency event, employees should tell the dispatcher their name and location, report the specifics of the event in a clear and concise manner and be prepared to stay on the line and answer any questions the dispatcher may have;
- Make no attempt to control a violent individual.

Restraining Orders - Employees who are seeking or have obtained restraining orders or injunctions against abusive persons are encouraged to notify their supervisors so that appropriate measures can be taken to facilitate prudent safety measures within the workplace. When a protective or restraining order lists county workplaces as being protected areas, an employee must provide his/her supervisor with copy of the petition and declaration used to seek the order, a copy of any temporary protective or restraining order that has been granted, and a copy of any protective or restraining order that has been made permanent.

Alternative to Reporting Workplace Violence to Supervisor - If an employee is not comfortable reporting incidents of workplace violence to his/her supervisor, the employee may instead report it to his/her department head, to a supervisory employee in any other county department including the Sheriff's Office, or to the Human Resources Department professional staff.

Reporting Responsibilities of Supervisors

Supervisors receiving employee reports of workplace violence, or who have knowledge or information of an internal or non-emergency nature of situations that may affect the security of Racine County and its assets, must report such incidents to their department head. The department head must complete a confidential memorandum and submit it to the Human Resources Director. The memorandum should include:

- A detailed description of what happened and where and when it happened;
- The identity of the person(s) committing the threat or violent behavior;
- The identity of the person(s) against whom the threat was made or violent behavior directed;
- The identity of the person(s) reporting or witnessing the threat or violent behavior;
- Observations that support the contention that the individual intends to follow through on a threat;

- How the matter was resolved or suggestions for minimizing the risk of a violent act based on the information available.

Should it appear that the incident requires immediate attention, a verbal report shall be made to the Human Resources Director or his/her designee followed by with a confidential written memorandum. Although every effort will be made to keep reports and records made and kept pursuant to this policy confidential, they may be subject to public disclosure under Wisconsin's Public Records Law.

Criminal Investigation

In those cases where it appears that criminal activity may be involved, department heads and supervisors should not take any action that would jeopardize the outcome of an investigation. This includes not touching or changing anything at the scene of a violent incident until given permission by those in authority.

Investigation and Resolution

The Human Resources Director will respond to complaints of workplace violence with the assistance of the Sheriff's Office, if necessary.

False Reports

Allegations and/or reports of workplace threats or acts of violence will be taken seriously. Employees intentionally making false reports will be subject to discipline up to and including discharge.

Privacy

Privacy rights will be observed in the event of the need to investigate workplace violence incidents. Only those individuals with a clear need to know of a potential risk will be notified in cases where a person is perceived to be a threat to others. Anonymity of employees reporting violence or threats of violence will be maintained to the greatest extent possible by those investigating and resolving the complaint. However, there is no right to or guarantee of anonymity since it is often necessary to make the employee or customer against whom the allegation has been made aware of the complaint in order to ascertain facts pertinent to the investigation.

Retaliation

Anyone who engages in or assists in retaliatory actions against an employee who reports threats of workplace violence in good faith will be subject to disciplinary action up to and including termination of employment.

WORK RULES

Confidentiality of Information

No employee shall use or disclose privileged or confidential information gained in the course of or by reason of his/her official position or activities. It is the county's policy that any confidential information concerning any citizen or employee will not be released to any outside person or agency without the signed consent and authorization of the citizen or employee. It is also the policy of the county that employees are to discuss confidential information only in the performance of their duties. It is also the policy of the county that employees do not access confidential information not needed to complete specific work duties, including paper or electronic files. All employee medical information is confidential and maintained by the Employee Benefits Manager of the Human Resources Department as outlined in the Personnel Records and Transaction policy and HIPAA policy. Any infraction of these policies may be sufficient cause for immediate discharge.

Demeanor and Appearance

Policy

Employees are expected to dress in a professional manner befitting their jobs with due consideration to the needs of the county and the perceptions of the public, vendors, and fellow employees and leaders. All employees must be well groomed. Unkempt appearance can offset many other fine qualities and can negatively affect the county's image. Department supervisors may establish specific dress code requirements for each department that are designed to reflect the professionalism of the workplace. All protective clothing must be worn as required and removed when leaving the designated work area. Employees are expected to wear clean, neat and not wrinkled clothing including appropriate undergarments and to maintain clean and appropriate oral and body hygiene.

Employees who fail to dress in a professional manner will be expected to immediately change their appearance. This may include returning home to change clothing or groom, without compensation for the time absent from work.

Unacceptable Attire

Examples of items of attire deemed unacceptable include, but are not limited to:

- Dresses or skirts that are excessively short.
- Halter, tank tops, or spaghetti strap tops or dresses.
- Tight fitting, sheer clothing or clothing that is otherwise revealing, distracting or provocative.
- Jeans or shorts.
- Clothing with offensive pictures or language.
- Soiled, torn or ripped clothing.
- Beach attire and beach-type sandals or shoes.

- Sweat suits or workout attire.
- Flip-flops.

Body Piercing and Tattoos

Body piercings should be modest and conservative and should not pose any safety threat to the employee or the customer. Employees may be asked to remove body piercing apparatus during work hours if it does not reflect a professional atmosphere of service to the public or if it limits clear communications with the public. Employees may be required to cover tattoos.

Casual Dress Days

Casual dress days may be authorized by the County Executive and may have certain requirements. Employees who are required to wear uniforms or employees required to appear in court may not be able to dress in casual attire. All items deemed inappropriate above are also inappropriate for casual day except jeans.

Gifts and Gratuities

No County employee or public official may solicit or accept from any person, directly or indirectly, anything of substantial value if the item or acceptance of the item could reasonably be expected to influence his/her official action or inaction. This provision does not prohibit a public official from accepting complimentary tickets or invitations to dinners and similar functions when invited in his/her official capacity.

HARASSMENT-FREE WORKPLACE

Policy

Racine County is committed in all areas to providing a work environment that is free from harassment. Harassment based on individual sex, race, ethnicity, national origin, age, religion, sexual orientation, disability, color, or any other legally protected characteristic will not be tolerated. All employees, including supervisors and other management personnel, are expected to abide by this policy. No person will be adversely affected in employment with Racine County as a result of complaints of unlawful harassment.

Sexual harassment is behavior of a sexual nature that is unwelcome and offensive to the person or persons victimized by it. Examples of harassing behavior may include, but are not limited to, unwanted sexual contact, foul language or an offensive sexual nature, sexual propositions, sexual jokes or remarks, obscene gestures, and displays of pornographic or sexually explicit pictures, drawings, or caricatures.

If an employee feels that he/she is being harassed, he/she should immediately report the matter to his/her supervisor. If the supervisor is not available, or is the subject of the harassment complaint, the employee should immediately contact the Human Resources

Department. Once the matter has been reported, it will be promptly investigated and any necessary corrective action will be taken where appropriate. All complaints of unlawful harassment will be handled in as discreet and confidential a manner as possible under the circumstances.

Any employee engaging in improper harassing behavior will be subject to disciplinary action, including the possible termination of employment. Retaliation against any employee who reports improper harassing behavior will not be tolerated.

HIPAA COMPLIANCE/PROTECTION OF HEALTH INFORMATION

Policy

It is the policy of Racine County that when employees or agents of the county use or disclose protected health information or when requesting protected health information from another entity, the employees and agents must make reasonable efforts to limit the use or disclosure or request for protected health information to the minimum necessary to accomplish the intended purpose of the use, disclosure or request. It is the further policy of Racine County that employees who are not specifically authorized to access protected health information shall not in any way read, access or disclose protected health information. If an employee becomes aware of protected health information that is not being treated with confidentiality, the employee shall immediately notify his or her supervisor. Every employee shall obey any departmental rules that are enacted to comply with HIPAA and protect private health information.

Definitions

- ***Health information*** is any information whether oral or recorded in any form or medium that relates to the past, present or future physical or mental health condition of an individual, provision of health care to an individual or payment for the provision of health care to an individual.
- ***HIPAA*** stands for the Health Insurance Portability and Accountability Act of 1996, which was enacted as part of a broad congressional attempt at incremental health care reform. The primary purpose of HIPAA is to provide better access to health insurance, limit fraud and abuse and reduce administrative cost.
- ***Protected health information*** includes all individually identifiable health information that is transmitted or maintained by the county regardless of form.

No Retaliation

Racine County will not retaliate against any employee or other person exercising rights provided by HIPAA, for assisting in an investigation by the Department of Health and Human Services or another appropriate agency, or for opposing an act or practice that the employee believes in good faith violates the HIPAA rules. Racine County will not require any employee to waive any rights under HIPAA.

Discipline

Racine County will discipline any employee who fails to comply with the requirements of this section and with any rules and regulations developed by a particular department to comply with HIPAA and its regulations. Discipline may include termination of employment.

INFORMATION TECHNOLOGY USE

Policy

Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq), notice is hereby given that there are **no** facilities provided by this system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and employee access requests, and will monitor messages as necessary to assure efficient performance and appropriate use. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

Interference with Network Security Systems

Racine County has installed a variety of systems to assure the safety and security of its networks. Any employee who attempts to disable, defeat or circumvent any county information security system will be subject to disciplinary action.

Monitoring and Privacy of Internet Communications and Usage

The county also has software and systems in place that can monitor and record every aspect of internet usage, and the county reserves the right to do so at any time. No employee has any expectation of privacy as to his/her internet usage.

The county reserves the right to log network use and monitor file server space utilization by employees and assumes no responsibility or liability for files deleted due to violation of file server space allotments. The county further reserves the right to remove an employee account from the network.

Telephone and Voicemail Systems

The telephone system is to be used primarily for Racine County business purposes, but the county realizes that some personal calls may be necessary. While at the workplace, employees are permitted to make or receive brief personal telephone calls that are urgent or extremely difficult to schedule outside work hours. Whenever possible, employees should make and receive personal telephone calls during meal or break times. In addition, wherever possible such calls should be made or received on employees' personal cell phones (or on county-issued cell phones, provided that employees reimburse the county for such use).

Employees who make fraudulent, unlawful or abusive calls on county telephones are subject to discipline, up to and including discharge, and possible criminal prosecution. Employees should report any threatening, intimidating or harassing telephone calls received at work to their

supervisor or to the Human Resources Department. Whenever possible, employees should avoid using fee-based telephone services such as directory assistance. Use of fee-based telephone services for personal purposes is subject to reimbursement to the county.

Voicemail, like other components of the Racine County telephone system, is intended for business use only. Employees should respond promptly to their voicemail messages and delete old messages. Although employees need a password to access the voice-mail system, they should not expect that voicemail messages are private.

E-mail

Employees should be aware that once an e-mail message has been sent to or accessed by others, it is possible to readily forward that e-mail to any number of individuals, without the consent or knowledge of the originator. E-mail messages are similar to printed communications and should be written with the same care. Employees should be aware that their communications may be perceived by recipients as expression of official County policy and should conduct themselves accordingly.

Data Security

Employees must safeguard their login ID and password from disclosure to any person. Employees must use their own login ID and password, are responsible for all activity on their login ID, and must immediately report any known or suspected compromise of their ID to the Information Systems Department.

Downloading

Downloading of non-executable files for business use is permitted. These would include such items as reports, adobe pdf files, and information flyers that may be useful to the county, from other institutions or government agencies.

Executable software, such as downloadable screen savers - demo software - or software upgrades (excluding anti-virus updates that are approved and provided by Information Systems), should not be downloaded without first consulting with Information Systems staff. This type of software may contain viruses, which could harm the county's network. If such a file is required, contact the Information Systems Department to see if a needed file can be safely brought into the county network. In addition, announcements or other written or printed material not related to the conduct of County business may not be posted or displayed on County premises without written approval from the County Executive or Human Resources Director.

NO-SMOKING POLICY

No smoking is allowed in buildings owned by the county and operated by its employees or in any county-owned motor vehicle. Individual county departments may also have a separate

policy for no smoking rules. Refer to the Smoking section in the Racine County Code of Ordinances for additional information.

POLITICAL ACTIVITY

No employee is precluded from engaging in political activity provided that such activity does not interfere with normal work performance, is not conducted during normal working hours and does not involve the use of county equipment or property.

SOLICITATION POLICY

Employees are prohibited from engaging in any of the following non-county business activities during working hours, and employees and non-employees are prohibited from engaging in such activities at any time on county property:

- Solicitation of any kind,
- Collection of funds,
- Transaction of business not related to the county.

With the exception of the United Way Fund Campaign and/or other activities benefiting recognized not for profit organizations (authorized by the County Executive), collections or contributions are not allowed, nor are salespersons, solicitors or solicitations allowed in county buildings, except as related to county business.