

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

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# **PITKIN COUNTY POLICIES AND PROCEDURES MANUAL**

## **SECTION 1 – GENERAL PROVISIONS**

### **POLICY 1.10 – GENERAL PROVISIONS**

- I. Intent**
- II. At-Will Employment**
- III. Authority**
- IV. Positions Covered**
- V. Disclaimers**
- VI. Severability**
- VII. Departmental Rules and Regulations**

#### **I. Intent**

This Manual is designed to provide the policies and procedures for employment at Pitkin County. For information regarding the County’s general employment practices and guidelines, please refer to the Personnel Manual (Policy 1.30). Any general questions regarding policies, specific benefit information and other details regarding employment should be directed to the employee’s supervisor. The intent of this Manual is to ensure that personnel actions have a structured basis for employees, and assist managers and supervisors in understanding and communicating County policy to employees.

#### **II. At-Will Employment**

At Pitkin County, neither the employee nor the company is committed to an employment relationship for a fixed period of time. Employment with Pitkin County is at-will. Either the employee or management has the right to terminate the employment relationship at any time, for any reason. The language used in this manual and any verbal statement by management are not intended to constitute a contract of employment, either express or implied, nor is there a guarantee of employment for any specific duration. No representative of Pitkin County, other than the Board of County Commissioners, has authority to enter into an agreement of employment for any specified period and such agreement must be in writing, signed by the Board of County Commissioners Chair and the employee.

#### **III. Authority**

These policies are authorized by the County Manager and administered by the Chief Operating Officer as rules. The Human Resources Department administers the Manual and related administrative procedures, forms, records, reports, and audits. For questions not answered here, speak with your supervisor or contact Human Resources. This Pitkin County Policies and Procedures Manual becomes effective the date of publication and replaces all previously issued editions. Any revision to this document shall be posted to the applicable section.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## IV. Positions Covered

These policies define the general conditions of employment for all regular full-time, regular part-time, seasonal, and temporary employees of the County.

## V. Disclaimers

The contents of the manual are summary guidelines for employees and therefore are not all inclusive, This manual supersedes all previously issued editions. Except for the at-will nature of the employment, the county reserves the right to suspend, terminate, interpret, or change any or all of the guidelines mentioned, along with any other procedures, practices, benefits, or other programs of Pitkin County. These changes may occur at any time or without notice.

## VI. Severability

If any section, subsection, sentence, clause or phrase is found to be illegal or unenforceable, such finding(s) will not affect the validity of the remaining portions of the policies.

## VII. Departmental Rules and Regulations

Departments may adopt, issue, and/or post their own written work policies when they are not covered by or are in conflict with these rules. In any event, the Manual will take precedence over any departmental rule or regulation.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 1.20: POLICY DEVELOPMENT

**Effective Date:** Revised (in part) **06/07/2018**  
**Effective Period:** Until superseded  
**Responsible Department:** Administration

- I. Intent**
- II. Policy Development**
- III. Policy Announcement**

### I. Intent

The County has established the processes and procedures outlined below for the development, announcement and authorization of Policies and Procedures.

### II. Policy Development

Development of changes to existing policies and development of new policies will be the responsibility of Administration. Administration will review the Policies and Procedures Manual annually. Any substantive changes or new policies and procedures to be included in the Policies and Procedures Manual will be reviewed by the Department Heads and Section Leaders. Based on that review and feedback, the final recommendation will be developed by the Chief Operating Officer and/or Assistant County Manager. Upon final approval, announcement of a policy change or addition will be made in accordance with the Policy Announcement process immediately below.

### III. Policy Announcement

Policy changes, including rescinded old policies and/or adopted new policies, will be posted on the County’s intranet site and the Policies and Procedures Manual Table of Contents and will describe the policy changes.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## SECTION 2 – CONDUCT AND WORKING ENVIRONMENT

**Effective Date:**  
**01/27/2016**  
**Effective Period:**  
Until superseded  
**Responsible**  
**Department:** Human  
Resources | Personnel  
**Manual**

### Policy 2.10 – Equal Employment Opportunity (EEO)

- I. Policy**
- II. Sexual Harassment**
- III. Reporting EEO Violations/Harassment**
- IV. Religious Belief Accommodation**
- V. Americans with Disabilities Act (ADA) Accommodation**
- VI. Colorado Workplace Accommodation for Nursing Mothers Act**

#### I. Policy

The County endorses and supports the policy of equal opportunity, which reflects the County’s commitment to EEO in any term, condition, or privilege of employment. The County strives to maintain a positive work environment and provides a process to report suspected violations of the Equal Employment Opportunity (EEO) Policy or harassment based on the protected classes listed in the EEO Policy, including sexual harassment. The County’s Human Resources Director is the EEO Coordinator, who shall be responsible for providing guidance and assistance to County employees in implementing the EEO policy.

The County prohibits unlawful discrimination against applicants or employees on the basis of sex, race, color, ancestry, religious creed, national origin, military status, veteran status, physical or mental disability, medical condition, age, marital status, the taking of protected family and medical leave, sexual orientation, gender identity or expression, and genetic information (collectively “Protected Classes” or individually “Protected Class”), or any other status protected by applicable state or local law. This prohibition includes unlawful harassment based on any of these protected classes.

#### II. Sexual Harassment

The County believes that sexual harassment raises some issues that are unique in comparison to other forms of harassment and warrants separate emphasis. The County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcomed sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature when it affects an individual’s employment in a negative way.

#### III. Reporting EEO Violations/Harassment

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

The County expects anyone experiencing or suspecting unlawful discrimination or harassment to make a timely report to enable the County to investigate and correct any action or behavior that may be in violation of the EEO policy. The violation should be reported to the Human Resources Director. If this individual is not available and the timing is critical, the report may be made to the next available official: The Chief Operations Officer, Assistant County Manager, County Attorney, or County Manager. The County prohibits retaliation against any employee for filing a complaint with merit, under this policy or for assisting in a complaint investigation.

## **IV. Religious Belief Accommodation**

The County prohibits discrimination based on religious beliefs. The County can make reasonable accommodation for employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the County or cause a direct threat to health or safety

## **V. Americans with Disabilities Act (ADA) Accommodation**

The County acts in accordance with the Americans with Disabilities Act (ADA), which prohibits discrimination against a qualified person with a disability in employment actions such as job application, selection, hiring, promotion, compensation, training, benefits, and other conditions of employment. The County can make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the County or cause a direct threat to health or safety. An employee with a physical or mental impairment wishing to request an accommodation through the ADA should contact Human Resources.

## **VI. Colorado Workplace Accommodation for Nursing Mothers Act**

The County recognizes that breastfeeding is a normal part of daily life for mothers and infants, and that the [Colorado Workplace Accommodation for Nursing Mothers Act](#) and federal laws require employers to accommodate nursing mothers with reasonable break time(s) and a private location (other than a restroom) in close proximity to the work area for up to two years after the child's birth. The County also upholds the Colorado law that protects a mother's rights to breastfeed anywhere she has the right to be.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 2.20: Employee Expectations

**Effective Date:** 02/11/2016 Revised (in part) 10/15/2018  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources | Personnel Manual

- I. Policy**
- II. Open-Door Policy**
- III. Confidentiality**
- IV. Accepting Gifts**
  - A. Acceptable Gifts**
- V. Attendance and Punctuality**
- VI. Personal Appearance**
- VII. Use of County Property**
- VIII. Resource Conservation**
- IX. Children in the Workplace**
- X. Companion and Service Animals in the Workplace**
- XI. Personal Property in the Workplace**

### **I. Policy**

The County's citizens are entitled to a fair, ethical, and accountable local government. The County's policies regarding workplace expectations and guidelines are intended to provide employees with standards and prohibitions in the performance of job duties and when representing the County.

Departments/sections often establish processes and procedures based on requirements in their own organization. Employees should consult their supervisor for specifics for their department/section. The following summary guidelines provide general information for all County employees.

### **II. Open-Door Policy**

The County strives to maintain an open-door atmosphere for all County employees. Employees are encouraged to feel free to discuss their observations and ideas, whether positive or negative, about any aspect of working at the County with supervisors, management, and leadership, up to the highest levels of County administration up to the County Manager.

*Personnel Manual 02.11.16*

### **III. Confidentiality**

Many County employees have access to confidential information. Any such information – whether it be verbal, written, faxed, or electronic – it should be maintained in such a way that its privacy and safety are ensured. Furthermore, confidential information should not be discussed in open areas such as hallways, lobbies, break areas, etc. Employees who have access to identified confidential information must sign a Confidentiality Agreement.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

The use or disclosure of any confidential information acquired by County employees, in the course of performing their duties, for personal gain or to benefit family, friends or acquaintances is prohibited. If an employee has an outside interest which could be affected by any County plan or activity, the situation must be reported in writing to their supervisor immediately.

## IV. Accepting Gifts

Employees shall not take any special advantage of services or opportunities for personal gain, by virtue of their position. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised. Acceptance of nominal gifts in keeping with special occasions, meals and refreshments in the ordinary course of business, or social courtesies, which promote good public relations and encourage participation in community events, is permitted.

A County official or employee shall not accept any valuable gift, service, loan, favor, thing of value, promise or other valuable consideration (as defined in Section 24-18-104(2) and (3), C.R.S.) from any person or entity which may tend to influence the discharge of official duties or give the appearance of undue influence.

### A. Acceptable Gifts

The following are gifts that are not of substantive value or gifts of substantial economic benefit tantamount to gifts of substantial value:

As long as the totality of the circumstances would not lead a reasonably prudent person to believe that a receipt of a gift was in exchange for a favor or would lead to influence a decision; an employee may accept:

- 1. An unsolicited item of trivial value;
- 2. A gift with a fair market value of (one hundred – County Code?) fifty-three (state statute) dollars or less that is given to a County official, or County employee by a person other than a professional lobbyist;
- 3. An unsolicited token or award of appreciation;
- 4. Non-monetary awards for public service that are presented by an organization as long as the award is not extraordinary considering the employee’s position.
- 5. Payment of or reimbursement for admission to, and the cost of food or beverages consumed at, a reception, meal, or meeting Meals and events admission (including parking);
- 6. Gifts while visiting other places or hosting visitors from other places when it would breach protocol to refuse the gift.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

7. Payment of or reimbursement for reasonable expenses paid by a nonprofit organization or government in connection with attendance at a convention, workshop or meeting where the employee is scheduled to make a presentations, participate in a panel or otherwise represent the County;
8. Appropriate gifts for special or infrequent occasions such a weddings, funerals or illnesses;
9. Appropriate gifts to commemorate a public event where an employee participated in an official capacity.
10. Memberships and passes from non-profit organizations

## **V. Attendance and Punctuality**

All employees are expected to be on time and punctual for showing up at work. In addition, regular attendance is considered an essential function and is necessary for the effective operation of the County's services. In general, if an employee is going to be absent or late, he or she must let his or her supervisor know as soon as possible prior to the beginning of the scheduled shift. Each department/section may establish its own attendance criteria and call-in procedures for employees to follow. If an employee does not report to work for three (3) consecutive days without notifying their supervisor, or the employee fails to return from leave of absence on his/her expected return date, the County may consider this job abandonment and it is considered a voluntary resignation of the employee.

## **VI. Personal Appearance**

The County believes employees attire, grooming, and hygiene should be appropriate to the work situation. Because each County department/section has different job responsibilities, what may be considered appropriate in one department/section may be considered inappropriate in another and is typically based on type of job responsibilities and/or contact with the public. Employees should address questions about appropriate dress to their supervisor. If a supervisor believes that an employee is dressed inappropriately, the supervisor may instruct him/her to return home to change attire.

## **VII. Use of County Property**

The County expects employees to care for and conserve County resources including equipment, vehicles, buildings, and supplies. Employees may not use County resources for unethical or illegal purposes or private gain. Personal use of County resources is prohibited unless expressly allowed or authorized under applicable County policies, procedures, or guidelines.

## **VIII. Resource Conservation**

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The County is committed to conserving natural and environmental resources. Employees are encouraged to be mindful of conservation practices in daily work behavior. This includes practices related to paper use, turning off lights, conserving water, composting food waste, and purchasing and using energy efficient or recycled products whenever possible.

## **IX. Children in the Workplace**

It is anticipated that there will be times when employees will have their children (defined as under age 18) with them in the workplace. If bringing a child to work is unavoidable, the employee must contact his/her supervisor as soon as possible to discuss the situation and obtain permission to have the child accompany the employee while working. Supervisors may make rare allowances for a temporary, unforeseen emergency, but no parent may have a child in the workplace without the supervisor's permission.

In considering whether to allow a child at work, employees and supervisors must consider issues of safety (for the child, co-workers, and the public) confidentiality, disruption of services, disruption to other employees, and appropriateness posed by the presence of children in the workplace. Factors the supervisor will consider are the age of the child, the safety of the employee's work area, and any possible disruption to the employee's and co-workers' work. Consideration will not be given to allow a child with an illness to come to work with the employee.

A child brought to the workplace is the responsibility of the employee parent and the child must be accompanied and be under the direct supervision of the employee parent at all times. If a child's behavior becomes inappropriate for the work environment, it is the employee's responsibility to use time off from his or her accrued leave balance and leave work. When child care arrangements fail, an employee must seek alternatives to bringing the child to the workplace. It is generally expected that where alternatives are not available, the employee may use accrued sick leave, comp time, or leave without pay. If the County feels that there is a potential safety risk to the child or another employee, the County has the right to not allow the child to come to work.

## **X. Companion and Service Animals in the Workplace**

The County may allow clean, trained, well-behaved, non-aggressive companion animals in the workplace at the discretion of management in individual sections and departments. Companion animals (dog/cat) must meet legal and health requirements, such as license and vaccinations, as appropriate. Service animals may be permitted in the workplace as an accommodation under the Americans with Disabilities Act (ADA). Animals other than dogs and cats are not considered companion animals by the County and are not allowed in the workplace.

The animal must not adversely affect office operations and must be under the control of the owner at all times. Acceptable behavior is at the discretion of the co-workers in the office with the final decision resting with the section leader/department head. Employees who are allergic to an animal should inform their supervisor to ensure they are not impacted by an

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

animal in the work area. It is the animal's owner's responsibility to ensure that animals go outside to relieve themselves and to dispose of waste appropriately. It is also the responsibility of the animal's owner to clean up any accident or mess an animal may make inside and owners should not call facilities staff for cleaning. Owners are responsible for any damage to person or property caused by the animal.

## **XI. Personal Property in the Workplace**

Employees may use their personal property for work purposes with their immediate supervisor's approval. For their own convenience or comfort, employees may bring personal property to the workplace. Pitkin County does not assume and specifically disclaims responsibility for any personal property located on its premises. Employees who choose to bring personal property to work do so at their own discretion and at their own risk and are responsible for the security of the items stored.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 2.30: Standard of Conduct

Effective Date: 10/26/2005  
Effective Period: Until superseded  
Responsible Department: Attorney

- I. Policy**
- II. Applicability**
- III. Responsibilities**
  - A. Board of County Commissioners**
  - B. Citizen Boards**
  - C. County Section Leaders**
  - D. County Hearing Officers**
- IV. Standards**
  - A. Act in the Public Interest**
  - B. Conduct of Public Officials**
  - C. Respect for Process**
  - D. Conduct of Public Meetings**
  - E. Communication**
- V. Conflict of Interest**
  - A. Private Conflicts of Interest**
  - B. Volunteer Board Conflict Notification**
  - C. Section Leaders Conflict Notification**
  - D. Institutional Conflicts of Interest**
- VI. Gifts and Favors**
- VII. Confidential Information**
- VIII. Use of Public Resources**
- X. Advocacy**
- XI. Policy Role of Public Officials**
- XII. Independence of Boards and Hearing Officers**
- XIII. Positive Work Place Environment**
- XIV. Bylaws**
- XV. Absenteeism**
- XVI. Implementation**
  - A. Compliance and Enforcement**
  - B. Sanctions**
- IX. Representation of Private Interests**

### **I. Policy**

The citizens of Pitkin County are entitled to fair, ethical and accountable local government that earns the public’s confidence in the integrity of Public Officials. In keeping with Pitkin County’s commitment to the public trust, the effective functioning of democratic government therefore requires that:

- Public Officials respect the laws and policies affecting the operations of government;
- Public Officials be independent, impartial and fair in their judgment and actions;

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

- Public office be used for the public good, not for personal gain; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

All Public Officials must understand, respect, and value the job, the organization, the employees, the citizens, and the common public interest. To this end, the Pitkin County Board of County Commissioners has adopted a Standard of Conduct for Public Officials to assure public confidence in the integrity of local government and its effective and fair operation.

## II. Applicability

The standards contained herein apply to the following:

- 1. Board Members, which include:
    - Members elected to the Board of County Commissioners
    - Members appointed to Volunteer Citizen Boards by the Board of County Commissioners
  1. Section Leaders appointed by the County Manager
  2. The County Manager, the Open Space and Trails Director, and the County Attorney
  3. County Hearing Officers

The term “Public Officials,” when used in this document, refers to Section Leaders appointed by the County Manager, Board Members, the Open Space and Trails Director, the County Attorney, and County Hearing Officers. This section on sanctions does not supersede the provisions of the Home Rule Charter, and in the event of any conflicts between this Standard of Conduct and the Home Rule Charter, the Home Rule Charter prevails.

## III. Responsibilities

### A. Board of County Commissioners

The primary responsibility of the members of the Board of County Commissioners is to establish the overall policies for the County and to exercise the powers, duties, and functions of the County in compliance with applicable law and the Home Rule Charter, through action at regular and special meetings and other job-related duties and functions.

### B. Citizen Boards

The primary responsibility of the members of the various Citizen Boards is to exercise the duties and responsibilities vested in each board through formal action of that Citizen Board at regular and special meetings.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## C. County Section Leaders

The primary responsibility of County Section Leaders is to develop, communicate, and implement organizational policies, to recommend public and budgetary policies to the Board of County Commissioners and to implement policies of the Board of County Commissioners.

## D. County Hearing Officers

The primary responsibility of County Hearing Officers is to provide contract services to the County to conduct judicial or quasi-judicial proceedings on various County matters.

## IV. Standards

### A. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, Public Officials will work for the common good of all the people of Pitkin County, and will assure fair and equal treatment of all persons, claims and transactions coming before Pitkin County Boards.

### B. Conduct of Public Officials

The professional conduct of Public Officials must be of the highest standard. Public Officials shall be dedicated to the highest ideals of honor and integrity in order to merit the respect and confidence of the public.

Public Officials shall comply with the laws of the United States, the State of Colorado and Pitkin County in the performance of their public duties. These laws include, but are not limited to: The United States and Colorado constitutions; the Pitkin County Home Rule Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, open processes of government; and County ordinances and policies.

### C. Respect for Process

Public Officials shall perform their duties in accordance with the processes and rules of order established by the County Commissioners governing the deliberation of public policy issues, with meaningful involvement of the public, and through implementation of policy decisions of the Board of County Commissioners by staff.

### D. Conduct of Public Meetings

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Public Officials shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. Public Officials shall base their decisions on the merits and substance of the matter before them.

## E. Communication

Public Officials shall publicly endeavor to share all relevant information regarding a matter under consideration that they may have received from sources outside the public decision-making process. Board Members and County Hearing Officers involved in quasi-judicial land use decisions or other judicial or quasi-judicial decisions shall disclose any such communications at the public hearing or public meeting. After an application has been submitted to the County, Board Members and County Hearing Officers shall not intentionally engage in communications with interested parties regarding issues upon which they must make a judicial or quasi-judicial decision at a public meeting or public hearing. Judicial or quasi-judicial decisions are those for which there is a specific applicant (or appellant) requesting a decision from the Board Members or Hearing Officer, based upon specific facts to be considered at the hearing or meeting and made a part of the record.

## V. Conflict of Interest

Conflicts of interest can occur both from private interests and from institutional interests. A conflict of interest is a disparity between the private interest and the official responsibilities of an individual in a position of trust in government. This policy is intended to prevent conflicts of interest without obstructing fair and speedy resolution of issues that come before the County.

### A. Private Conflicts of Interest

#### 1. Applicability

The following public officials are subject to the conflict of interest provisions in the Pitkin County Home Rule Charter: County Commissioners, County Manager, Assistant County Manager, Community Development Director, County Attorneys and the Open Space and Trails Director.

For other Section Leaders not subject to the Home Rule Charter provisions and for Volunteer Citizen Board members and County Hearing Officers the following conflict of interest policy shall apply.

#### 2. Decision Prohibition

No Section Leader, Citizen Board Member, or County Hearing Officer shall vote or otherwise participate in a decision making process which affects any property, asset, or entity in which he/she has a known significant financial interest or in which any

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member of his/her family has a known significant financial interest. Family is defined as spouse, parent, brother, sister, grandparent, child, grandchild, step-child, step-parent, step-grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or any individual who is a part of the Section Leader's, Citizen Board Member's, or County Hearing Officer's immediate household. Any Section Leader or Citizen Board Member otherwise barred from participating in a discussion pursuant to this section may, if requested by his/her respective Board or the County Manager, give information about the issue in which he/she or his/her family has a financial interest.

A County Hearing Officer may not hear a matter in which he/she or his/her family has a financial interest. This prohibition, and the prohibition on institutional conflicts in V-B below, shall not prevent Section Leaders from performing their work for the County, so long as any financial or institutional interest held by a Section Leader is not in conflict with the common public interest, and is disclosed to the County Manager or, in the case of the County Manager, to the Board of County Commissioners. The County Manager has the discretion to direct a Section Leader to refrain from participation when a conflict exists.

## **B. Volunteer Board Conflict Notification**

If an issue arises in which a Volunteer Board Member believes he/she may have a either a private or an institutional conflict of interest, he/she must disclose that potential conflict of interest to his/her respective board and the County Attorney for an opinion on the validity of the conflict. If determined to be in conflict regarding the issue before him/her, he/she will refrain from participation as a Board Member in the decision-making process or voting on that issue. A Board Member may vote on an issue notwithstanding the conflict only if his/her participation is necessary to obtain a quorum or otherwise enable the board to act.

## **C. Section Leaders Conflict Notification**

If an issue arises in which a Section Leader believes he/she may have a conflict of interest, he/she must disclose that potential conflict of interest to the County Manager for an opinion on the validity of the conflict. If determined to be in conflict regarding the issue before him/her, he/she will refrain from participation in the decision-making process or voting on that issue.

If an issue arises in which a County Hearing Officer believes he/she may have a conflict of interest, he/she must disclose that potential conflict of interest to the County Attorney for an opinion on the validity of the conflict. If determined to be in conflict regarding the issue before him/her, he/she will be disqualified from acting as Hearing Officer on that matter.

## **D. Institutional Conflicts of Interest**

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

An institutional conflict of interest occurs when a Public Official is a member of a board, group, or organization that is requesting action from the Public Official or the Board of County Commissioners of Pitkin County or volunteer citizen board of which the Public Official is a member, and the action requested provides a benefit to the board, group, or organization that is different from the common public interest. No Public Official shall vote or otherwise participate in a decision making process requested by a board, group, or organization of which he or she is a member when an institutional conflict of interest exists.

The process for handling these institutional conflicts are the same as expressed in this Standard of Conduct for handling private conflicts. Institutional conflicts of those Public Officials subject to the Home Rule Charter provisions on conflicts are governed by the Home Rule Charter process.

## **VI. Gifts and Favors**

Public Officials shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised. Acceptance of nominal gifts in keeping with special occasions, meals and refreshments in the ordinary course of business, or social courtesies, which promote good public relations and encourage participation in community events, is permitted.

## **VII. Confidential Information**

Public officials have a duty and obligation to promote what should be public and a duty and obligation to protect what should be confidential. Public Officials shall respect that certain information concerning the property, personnel or affairs of the County is confidential. They shall neither disclose confidential information, nor use such information to advance their personal, financial or other private interests without prior authorization from their respective boards.

## **VIII. Use of Public Resources**

Public Officials shall not use public resources not available to the public in general, such as County staff time, equipment, supplies or facilities, for personal gain.

## **X. Advocacy**

Board Members shall represent the official policies or positions of their Board to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Board members shall explicitly state they do not represent their body or Pitkin County, nor will they allow the inference that they do.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## **XI. Policy Role of Public Officials**

Public Officials shall respect and adhere to the Board-Manager structure of Pitkin County government as outlined by the Home Rule Charter. In this structure, the Board of County Commissioners determines the policies of the County with the advice, information and analysis provided by the public, boards and commissions, and County staff.

## **XII. Independence of Boards and Hearing Officers**

Because of the value of the independent advice of Volunteer Citizen Boards and County Hearing Officers to the public decision-making process, members of Board of County Commissioners shall refrain from using their position to unduly influence the deliberations or outcomes of appointed board or hearing officer proceedings.

## **XIII. Positive Work Place Environment**

Public Officials shall support a positive and constructive work place environment for County employees and for citizens and businesses dealing with the County. Any single Board Member should not give direction to staff, but after a decision of the majority of the Board present at a meeting, the request can then be forwarded to the County Manager, or to the applicable staff liaison for Citizen Boards, to give staff direction. However, individual board members may seek information directly from staff, which will then be distributed to all board members. If a Board Member has a request that is of a magnitude that disrupts the normal workflow of a County employee, the request shall go through the County Manager. This section shall not be construed to prohibit the County Manager or staff liaisons from obtaining direction from Board Members in emergency situations when a meeting cannot be held before some action is necessary.

## **XIV. Bylaws**

All Volunteer Citizen Boards shall adopt bylaws. These bylaws must be approved by resolution of the Board of County Commissioners.

## **XV. Absenteeism**

Members of the Board of County Commissioners shall make every effort to attend all scheduled meetings. If they are unable to attend any meeting they shall advise the County Manager.

Each Volunteer Citizen Board shall recommend its own absenteeism policy and include this policy in its bylaws. All Citizen Board members shall comply with their respective Board's absenteeism policy.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## **XVI. Implementation**

The Pitkin County Standard of Conduct is intended to be self-enforcing and shall be included in the regular orientations for new board members, and newly elected and appointed officials and Section Leaders. In addition, the Standard of Conduct shall be reviewed by the Board of County Commissioners to consider recommendations and to update it as necessary.

### **A. Compliance and Enforcement**

The Pitkin County Standard of Conduct expresses standards of ethical conduct expected for members of the Pitkin County Commissioners, Volunteer Citizen Boards and Section Leaders. Public Officials themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity and effective functioning of government.

Any Board Member may notify the Board of County Commissioners, through the County Attorney, when actions that appear to be in violation of the Standard of Conduct are brought to their attention. The County Attorney shall bring any alleged violation to the full Board of County Commissioners. The Board of County Commissioners may impose sanctions, up to and including removal of members of Volunteer Citizen Boards and County Hearing Officers, for violation of this Standard of Conduct.

### **B. Sanctions**

The Board of County Commissioners may impose sanctions on Commissioners whose conduct does not comply with the County's ethical standards, such as reprimand, public or private censure, loss of seniority or committee assignment, or budget restriction. The imposition of sanctions on any Board Member requires the unanimous approval of the full Board of County commissioners, except for any Commissioner who is the subject of the proposed sanction.

Unless prohibited by law, deliberations and consideration of sanctions, if any, shall be conducted at a public meeting.

County staff subject to this Standard of Conduct may be subject to disciplinary action by his/her supervisor, up to and including termination of employment for violation of this Standard of Conduct. Except as provided in the Home Rule Charter, a violation of this Standard of Conduct shall not be considered a basis for challenging the validity of a County Commissioner, Volunteer Citizen Board, or County Hearing Officer decision, and shall not create any legal rights for a private citizen.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## **IX. Representation of Private Interests**

In keeping with their role as stewards of the public interest, Board Members shall not appear before their own boards or before the Commissioners on behalf of the private interests of third parties on matters related to the areas of service of their boards.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 2.40: Alcohol and Drugs

**Effective Date:** Updated 11/01/2016  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

- I. Policy**
- II. Prohibited Conduct**
- III. Definitions**
- IV. Testing**
  - A. Applicant Testing**
  - B. Current Employee Testing**
  - C. Positive Results**
  - D. Refusal**
- V. Violations and Rehabilitation**
  - A. Alcohol and/or Illegal Drug(s) Violations**
  - B. Prescription or Over-The-Counter Drug Violations**
- VI. Loss of Regular or Commercial Driver’s License**
- VII. Responsibility & Rehabilitation**
- VIII. Disclosure**
- IX. Re-Employment**

### I. Policy

Employees are expected and required to report to work mentally and physically fit to perform their jobs. It is the County’s intention and obligation to provide and maintain a safe, healthy and secure work environment for employees, as well as the general public and other individuals doing business with the County. Because the County recognizes drug and alcohol use as a potential health and safety hazard, it has implemented these rules to ensure a work environment free from alcohol, drugs, illegal/controlled substances and other intoxicants.

This Policy applies to all employees while performing work on behalf of the County, or who are in facilities or on property owned, controlled or operated by the County.

### II. Prohibited Conduct

It is the policy of the County to strictly prohibit the use, consumption, possession, transaction or sale of alcohol and/or drug(s) by any employee while working or assigned to work on County property, while operating County equipment or vehicles or while performing County duties. When required as part of their job duties, employees may be authorized by their supervisor to sell, transport or handle alcohol and/or drug(s).

The following conduct is specifically prohibited:

- 1. Use of illegal or unauthorized drugs (including excessive quantities of prescription or over-the-counter drugs) and any other chemical substance that may alter or affect an individual’s mood, senses, responses, motor functions, judgment, reactions or performance.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

2. Use of prescription medications which have a likelihood of substantially affecting the employee's performance while on the job, unless such use is approved as necessary to job performance as determined by the employee's physician in consultation with Human Resources.
3. Possessing or using alcohol or drugs while on duty, being under the influence of alcohol or drugs or having the odor of an alcoholic beverage or drug(s) while on duty or reporting to work or to a scene.
4. Possessing of alcohol or drugs while operating a County vehicle, unless the alcohol or drug(s) are being transported on County business.
5. Use of or consuming alcohol or drugs within eight (8) hours of reporting to work or to a scene.
6. Use of or consuming alcohol and/or drugs while on call.
7. Following a vehicle accident requiring a Post-Accident Test, use of alcohol within eight (8) hours after the accident, or until the employee takes the Post-Accident Test as required by this Policy, whichever occurs first.

## III. Definitions

Alcohol includes the intoxicating agent in beverage alcohol, ethyl alcohol or other alcohol including methyl and isopropyl alcohol. Covered property includes all offices, facilities, land, buildings, structures, fixtures, installations, automobiles, trucks and all other vehicles and equipment, whether owned, leased, rented or used by the County, including its affiliates. County property also refers to all work locations or mode of transportation to and from those locations while an employee is engaged in the course and scope of employment with the County.

Drugs, for the purposes of this Policy, include legal and illegal substances including cocaine, marijuana, medical marijuana, opiates, amphetamines and phencyclidine and any other substance determined by the United States or the State of Colorado to be illegal to possess or consume; narcotics, hallucinogens, depressants, stimulants, inhalants and other substances capable of creating or maintaining effects on one's physical, emotional or mental state; any substance intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or other conditions in persons or animals. A drug is a "substance" for purposes of this Policy's reference to substance abuse.

## IV. Testing

To meet the objectives of this Policy, the County will maintain a drug-testing program that includes the following:

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## A. Applicant Testing

Testing for positions requiring a Commercial Drivers' License will be tested as required by Department of Transportation.

## B. Current Employee Testing

### 1. Reasonable Suspicion

Any employee reasonably suspected of being impaired, even to the slightest degree, by alcohol and/or drug(s) while on duty will be required to submit to testing. Reasonable suspicion includes those objective observations of appearance, behavior, speech or body odors, which lead a supervisor or other ordinary reasonable person to believe that the employee is using or abusing alcohol and/or drug(s). The person who makes the observations will not be the same person who administers testing. If a Reasonable Suspicion Test is required, the County will provide the employee with transportation to and from the testing site. Under no circumstances will the employee be authorized to drive to the testing site.

### 2. Post County Vehicle Accident

Employees will be subject to alcohol and/or drug(s) testing following a County vehicle accident when an employee is reasonably suspected of being impaired, even to the slightest degree, by alcohol and/or drug(s).

If reasonably suspected of being impaired, the employee must remain available for testing or the employee will be considered as having refused to be tested. This does not mean that the employee cannot leave the scene of an accident to obtain emergency medical or other assistance, or that medical attention for an injured employee be delayed.

## C. Positive Results

Any employee with a positive test for alcohol and/or drug(s) will have that result verified through a confirmatory testing method. The result of the confirmatory test will be considered final. Test results arising out of or under this Policy will be handled in an effort to reasonably ensure privacy, minimize intrusion and establish a proper chain of custody and confidentiality. Any information gained will be communicated on a strict "need to know" basis.

## D. Refusal

Refusal by any employee to submit to testing under the circumstances outlined above is considered a violation of this Policy, and will result in disciplinary action up to and including dismissal.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## V. Violations and Rehabilitation

### A. Alcohol and/or Illegal Drug(s) Violations

Should testing show the existence of alcohol, illegal drug(s) or marijuana in the employee's system, the employee may be disciplined in accordance with the Discipline Procedures outlined in [Policy 5.10](#) of this Manual.

### B. Prescription or Over-The-Counter Drug Violations

Any employee who has taken, used or ingested drug(s) for a medical condition which has (have) a likelihood of substantially affecting the employee's performance while on the job, has the responsibility to tell their supervisor about the effect(s) of the drug(s) so that accommodation(s) may be made.

Use of physician-prescribed drug(s) according to the prescription/directions given by the employee's physician/pharmacist will not, in and of itself, subject the employee to discipline.

Use of physician-prescribed drug(s), where the employee has not used the drug(s) according to the employee's physician's/pharmacist's directions or use of prescription drugs for which an employee does not have a current physician's prescription, may subject the employee to discipline as outlined in the Discipline Procedures outlined in [Policy 5.10](#) of this Manual.

## VI. Loss of Regular or Commercial Driver's License

If an employee is charged with and convicted of, Driving Under the Influence of Alcohol/Driving While Ability Impaired, Vehicular Assault, or Vehicular Homicide as defined by Colorado State Law (or corollary statutes of any state) the employee will be subject to discipline according to the Discipline Procedures outlined in [Policy 5.10](#) of this Manual.

If the offense(s) occur while on duty, the employee may be dismissed. If the offense(s) occur while off-duty and driving is an essential job function for their position, the employee may be dismissed. The employee's inability to perform driving responsibilities due to a loss of license will generally not be accommodated through job duty changes or transfers to other assignments. Employees may apply for open positions that do not have a driver's license requirement.

Drivers of a Commercial Motor Vehicle (CMV) as defined by federal law are subject to disqualification from driving a CMV for one to three years following a first conviction or refusal to be tested for a drug or alcohol offense, and a lifetime disqualification for a second conviction or refusal to be tested. A County employee whose job requires a Commercial Driver's License (CDL) may be dismissed upon the loss of the CDL.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## **VII. Responsibility & Rehabilitation**

Where alcohol and/or drug(s) possession or use by an employee is suspected, the employee's immediate supervisor, department head/section leader or Human Resources should be immediately notified. Rehabilitation for substance abuse, if any, is at the sole discretion of the appropriate department head/section leader, and must be reviewed and approved by Human Resources and County Manager. If rehabilitation is recommended and approved, the employee will not be allowed to return to work until certified to do so by an appropriate representative of the treatment program. Certification may include, but not be limited to, return-to-duty testing, follow-up testing and other testing and/or treatment.

Employees participating in a treatment program will do so at their own expense. Paid Time Off, Banked Leave and Leave Without Pay may be authorized by the appropriate department head/section leader for a treatment program. Employees on physician-prescribed medication should notify their supervisor prior to starting work if there is likelihood that such medication could affect job performance and safety. Employees needing assistance in handling such problems are encouraged to use the County's Employee Assistance Program (EAP) and health insurance plans, as appropriate. Efforts to obtain help for an alcohol and/or drug(s) problem will not, in and of itself, jeopardize employment.

## **VIII. Disclosure**

Upon written request, an employee is entitled to copies of the County's records pertaining to the employee's use of alcohol and/or drug(s), including records pertaining to their alcohol and/or drug(s) tests.

All results of alcohol and/or drug(s) testing conducted pursuant to this Policy on employees who have a Commercial Driver's License (CDL) will be made available upon written request to the Secretary of Transportation, or any state or local officials with regulatory authority over the County and to other employers.

Any information obtained pursuant to this Policy will be released per regulatory authority.

## **IX. Re-Employment**

Employees who are involuntarily discharged from employment with the County or resign in lieu of disciplinary action as a result of a violation of the Drug and Alcohol policy will not be eligible for re-employment for three (3) years.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 2.50: Campaign Activities

**Effective Date:** 12/06/2006  
**Effective Period:** Until superseded  
**Responsible Department:** Attorney

- I. Policy**
- II. Political Activities**
  - A. Endorsements**
  - B. Contributions**
  - C. Working Hours**
  - D. Employees Elected to Office**
  - E. Supporting or Opposing a Campaign**
  - F. Permitted Activities**

### I. Policy

Pitkin County encourages its employees to participate in political activities regardless of any employee's particular point of view. However, elected officials and employees are not permitted to engage in campaign activities while at work, nor use public funds for advocacy purposes.

### II. Political Activities

Elected Officials shall not ask any employee to nor shall any employee engage in any political activities which give the appearance that the political activity is endorsed by the County or which interfere with the performance of the employee's normal duties.

- 1. An example of a permissible activity occurs when an employee calls others from home, not on work time, and urges support or opposition to a ballot issue or candidate, without identifying himself or herself as a county employee.
  2. An example of an impermissible activity occurs when an employee calls from work, identifying himself or herself as a county employee, and urges support or opposition to a ballot issue or candidate.

#### A. Endorsements

Pitkin County encourages and supports public participation by employees. Unless there is an official county policy on the issue, any County employee making a statement of endorsement should specify that he or she is not making a statement on behalf of the County and that the opinions expressed are solely those of the speaker. As long as so qualified, employees may take individual positions contrary to an adopted position of the Board of County Commissioners.

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## B. Contributions

Elected Officials shall not ask employees to make any contribution to a political party, to elected officials, to a candidate, or to an issue committee and a refusal to do so by the employee shall not be used to penalize the employee in any way. An employee, while on County time or on County property, shall not make any campaign-related solicitations of contributions from any other employee.

## C. Working Hours

During working hours and while on County premises, Elected Officials and employees shall not:



1. Ask employees to support or endorse any candidates for elected office in Pitkin County;
2. Circulate or ask employees to circulate any nominating petitions for such office;
3. Distribute or ask employees to distribute any campaign literature or materials;
4. Display car stickers on county vehicles;
5. Display placards, posters or other materials on county premises on behalf of any candidate for elected office or ballot issue in Pitkin County; nor
6. Devote staff time for any campaign activity.

This section shall not prohibit employees from wearing political buttons so long as that does not interfere with the performance of the employee’s normal duties.

## D. Employees Elected to Office

Employees who are elected to a Pitkin County office shall resign from the employment of Pitkin County as of the commencement of the elected term of office.

## E. Supporting or Opposing a Campaign

The Board of County Commissioners and employees are also prohibited from the following activities in support of or in opposition to a campaign, whether involving nomination, retention, or election of any person to public office or to urge electors to vote for or against any state-wide ballot issue, local ballot issue, referred measure, or recall of any elected official:



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1. Making any contributions of public funds in campaigns involving the nomination, retention, or election of any person to any public office;
2. Expending any public moneys from any source or making any contributions to urge electors to vote in favor of or against any
3. Statewide ballot issue that has been submitted for the purpose of having a title designated and fixed or that has had a title designated or fixed;
4. Local ballot issue that has been submitted for the purpose of having a title fixed or has had a title fixed;
5. Referred measure;
6. Measure for the recall of any elected official once the measure has been certified by the appropriate election official for submission to the electors.
7. Examples of what is prohibited includes;
  - a. Using or spending public funds or supplies;
  - b. Allowing employees to work on a campaign during working hours or to use public facilities or equipment for the purposes of a campaign;
  - c. Providing transportation or advertising using public property or funds to influence the passage or defeat of any issue.

## F. Permitted Activities

The Board of County Commissioners and employees are permitted to engage in the following activities in support of or in opposition to a campaign, whether involving nomination, retention, or election of any person to public office or to urge electors to vote for or against any state-wide ballot issue, local ballot issue, referred measure, or recall of any elected official:



1. The local governing body may take a position and pass a resolution urging the electorate to vote for or against any matter. Staff background research for such a resolution is also permissible, as is distribution of the resolution through the same means by which other government information is regularly provided to the public.
2. Elected officials may express an opinion on any issue.
3. Employees may expend personal funds and/or use personal time to urge electors to vote in favor of or against any issue.
4. Employees may respond to questions about any campaign issue if the employee has not solicited the question.
5. A board member or employee with policy-making responsibilities may spend not more than \$50.00 of public moneys in the form of letters, telephone calls or other activities incidental to expressing opinions on campaign issues.
6. If the Board of County Commissioners has a policy permitting public groups to use its facilities for community purposes, it may

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allow groups opposed to or supportive of a ballot issue to use its facilities if the policy is applied in an evenhanded fashion.

7. The County or any department or staff member may use public funds to dispense a factual summary, which shall include arguments both for and against the proposal, on any issue of official concern before the electorate in the jurisdiction. Such summary shall not contain a conclusion or opinion in favor of or against the proposal.

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## Policy 2.60: Open Records and Public Information Requests

**Effective Date:** Updated 11/01/2016 Revised 05-01-2020  
**Effective Period:** Until superseded  
**Responsible Department:** Attorney

- I. Policy**
- II. Procedures**
  - A. Requests and Responses**
  - B. Charges for the Production of Documents**
  - C. Forms of Requests and Appropriate Responses**
  - D. Inspection of Documents**
  - E. Exceptions to Disclosure**

### I. Policy

Pitkin County is a public entity and most of the documentation and records we maintain are public in nature and available to the public for review and copying. Requests for review and/or copying of public records may be directed to board members and staff.

### II. Procedures

Documents and records consist of any maintained record in a paper, digital, or audio/video format. Staff should contact the County Attorney if they have questions regarding the statutes and procedures required in responding to any such requests. Staff should contact BITS for technical assistance in filling requests for email.

#### A. Requests and Responses

Response to a request for public documents must be pursued diligently. Such diligence is best demonstrated by a clear written communication with the requesting party.

##### 1. Walk-In Requests

When a member of the public walks in and makes a simple request to review a document or records, staff should be able to handle such a request when it is made.

##### 2. Requests that are in writing

A response to a written request for public records should also be in writing and must be completed within three business days or less, C.R.S. § 24-72-203(3)(b).

##### 3. Request that are unusual, burdensome, or otherwise of concern

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The response may need to be in written form to demonstrate adherence to statutory requirements. Having the request itself in written form is the best way to document what has been requested and the timeliness of the response. Any staff member receiving such a request must immediately bring the request to the attention of his/her supervisor. The County Attorney should be contacted immediately if there are any questions about how to respond.

## **B. Charges for the Production of Documents**

Per House Bill 14-1193: In order to defray the cost of the production of public records to individual requesting parties and not overly burden the County general or special funds with undue expenses, the County establishes a fee of \$30 per hour for research and retrieval time to gather public documents associated with a request for production. The first hour of time shall not be charged.

In addition to the research and retrieval costs allowed by HB14-1193, the custodian may charge a fee not to exceed twenty five cents per standard page for a copy of a public record or a fee not to exceed the actual cost of providing a copy, printout or photograph of a public record in a format other than a standard page.

## **C. Forms of Requests and Appropriate Responses**

A response to a request for public records may be in one of the following five forms:

1.
  - 1.The staff person to whom the request is directed is not the custodian of the records sought. In this circumstance, to the best of staff's ability, the written response must indicate who the custodian is.
  - 2.The request is so vague that staff is unable to determine what records are being requested. The written response should indicate that staff would respond once the request is adequately clarified.
  - 3.The records are available and the person requesting them may come in to the office during regular business hours to inspect them. The response should also indicate that if copies are requested during the inspection, a copying charge consistent with the County rate will be collected.
  - 4.The information sought is not available as it is protected or confidential under the Colorado Open Records Act. The County Attorney must be consulted before this response is given.
  - 5.The records are of a nature that they are either so voluminous or so scattered in different locations that the request cannot be complied with within three business days. This response should include how much time it will take to assemble the records for inspection and the cost of that assembly. The requesting party should also be advised that the record will be sent only upon receipt of payment for all costs associated with research

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and retrieval of the records and for all other fees lawfully allowed, unless all or any portion of such costs or fees have been waived by the custodian.

## D. Inspection of Documents

Staff must exercise caution in allowing public inspection of physical records, as the County is under a continuing obligation to maintain the reliability, integrity, authenticity and usability of our records. Inspection of records should be supervised whenever possible to ensure their proper handling and protection.

## E. Exceptions to Disclosure

There are a number of exceptions to what records may be disclosed. The County Attorney's office must be consulted before any records are being withheld based on exceptions, and staff should be cognizant of what records should not be readily available to the public. The more notable exceptions are:

1. Attorney-client communications. All materials coming from the County Attorney's Office to individual staff members regarding items of concern should not be available to the public. This includes written memoranda and email communications.
2. Personnel files. Generally, personnel files are not available to the public.
3. Investigation files in the possession of Social Services or the Sheriff's Office should not be available to the public.
4. Records of sexual complaints and investigations are only available to an administrative agency investigating the complaint upon a showing of necessity. Disclosure of records of sexual harassment complaints and investigations is permissible to the person making the complaint or who is the subject of such a complaint only to the extent that the disclosure can be made without permitting the identification of any individual involved.
5. Military records filed with a county clerk and recorder's office concerning a member of the military's separation from the separation from military service are only available to the military service member, or, if deceased, to family members.
6. Records of executive session discussions of the Boards of the County are not public.
7. Electronic mail addresses provided to the County for the purpose of receiving future e-mail communications from the County are not available to the public.

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8. Social Security numbers shall not be included on any document issued by the County, including licenses, permits, passes and certificates, nor shall social security numbers be requested over the phone, internet or by mail.
9. Library records that disclose the identity of an individual are not available to the public.
10. Information contained in motor vehicle records, including title applications and motor vehicle registrations, are not available to the public.

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## Policy 2.70: Criminal Justice Information system (CJIS) Security

**Effective Date:** 10/15/2018  
**Effective Period:** Until superseded  
**Responsible Department:** Administration

- I. Policy**
- II. Policy Application**
- III. Secure Areas**
- IV. Personnel Security**
- V. Network Security**
- VI. Security Incidents**

### **I. Policy**

The County ensures only authorized users have access to CJIS information and that CJIS is safeguarded to prevent unauthorized or improper access, use, or dissemination and release. Authorized users shall have access to CJIS Systems and disseminate CJI only for the purposes for which they are intended. Users must complete a certification process to have direct access to CJIS Systems.

### **II. Policy Application**

This policy applies to every individual, contractor, private entity, noncriminal justice agency representative, or member of a criminal justice entity with access to, or who operate in support of, criminal justice services and information. The CJIS Security Policy requires support personnel, contractors and with access to physically secure locations or controlled areas (during CJI processing) to be subject to state fingerprint-based record check unless these individuals are escorted by authorized personnel at all times. All personnel who have access to Criminal Justice Information (CJI) and all appropriate Information Technology (IT) personnel and vendors with access to facilities that process or store CJI are required to complete and pass CJIS Security Awareness training within six months of initial appointment or assignment and biennially thereafter. Staff with IT roles are required to complete the training within 30 days.

### **III. Secure Areas**

Pitkin County is responsible for identifying access areas containing sensitive devices, data or systems; determining the perimeter of the area requiring physical security; define when data (local or offsite), should be backed up; define security practices to prevent unauthorized access to mobile or remote devices; and ensure appropriate controls are applied when handling Personal Identification Information (PII) extracted from CJI.

The secured areas in the county are:

- Business Information Technology System equipment/server rooms

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- Jail
- Dispatch Center
- Radio/Broadcast Services room
- Public Safety Radio Rooms
- Sheriff's Office (administered by Sheriff's TAC)

## IV. Personnel Security

The Local Agency Security Officer (LASO) / Terminal Agency Coordinator (TAC) for Pitkin County is an Emergency Dispatch Supervisor. They are responsible for authorizing user access to CJIS. A current CJIS Authorized Access List of individuals is maintained for the Emergency Dispatch Department's Originating Agency Identifier (ORI) with CBI. Each department head is responsible for identifying which of their employees will potentially come in contact with confidential CJI and submit their names to the TAC. All training records are kept and maintained by the TAC.

Pitkin County uses the following designations for CJIS Security Training:

### Level 1 CJIS Security Training

Personnel with Unescorted Access to a Physically Secure Location. Designed for people who have access to a secure area but are not authorized to use CJI.

### Level 2 CJIS Security Training

All Personnel with Access to CJI. Designed for people who do not have physical and logical access to CJI but may encounter it in their duties.

### Level 3 CJIS Security Training

Personnel with Physical and Logical Access to CJI. Designed for operators who typically have access to query, enter, or modify CJI data.

### Level 4 CJIS Security Training

Personnel with Information Technology Roles. Designed for all information technology personnel including system administrators, security administrators, network administrator, etc.

Minimum screening requirements must be followed for individuals requiring access to CJI. Checks are not necessary if the individual is escorted by authorized personnel at all times.

## V. Network Security

Pitkin County will maintain an up-to-date network diagram for review and audit purposes. Install and regularly update antivirus software on all computers accessing CJI, including Spam and Malware protection and timely application of system patches; ensure vendors

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conform to the same policies; ensure all technical and administrative requirements have been met in order to access systems that process CJI.

## VI. Security Incidents

In the event of a suspected security incident, the incident should be reported to Local Area Security Officer (LASO) and include the following information:

- - Date of Incident
  - Location of Incident
  - Systems Affected
  - Method of Detection
  - Nature of Incident
  - Description of Incident
  - Actions Taken/Resolution
  - Date and Contact Information for Agency

The LASO will report all incidents to the state's Information Security Officer.

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## Policy 2.80: Video Surveillance Cameras

**Effective Date:** 12/01/2019  
**Effective Period:** Until superseded  
**Responsible Department:** BITS

### I. Purpose

The purpose of this Policy is to establish internal standards and procedures governing the use of Video Surveillance Cameras (VSCs) and the management and use of resulting surveillance video footage. This Policy applies to any employee or contractor who has access to or responsibility for the operation and management of video surveillance cameras.

### II. Policy

#### A. General Use

The function of a video surveillance camera is to record and monitor areas for subsequent safety and business operations review. Cameras may be installed in various locations to enhance the safety and security of employees, the public and/or County facilities in locations where a business need exists (as outlined below). The use of video surveillance cameras are only permitted in areas that do not violate an individual’s reasonable expectation of privacy, as defined by Colorado common law. In addition, audio is not captured with any camera.

Video surveillance cameras are for official business purposes only per the following guidelines:



**General Facilities Cameras:** In the day-to-day operations of County facilities, the safety of employees, visitors and County property is protected and maintained by conventional means such as: alert observation by staff, random foot patrols by Sheriff’s personnel, the security-conscious design of both the interior and exterior of the building, and the consistent application of the County’s rules of conduct. In some circumstances, additional security is provided by video surveillance cameras to maintain safe and lawful use of County premises.

**Law Enforcement Cameras:** To provide safety and security for the jail facility, employees, inmates, and visitors and maintain standards for evidence preservation.

**Elections Cameras:** Per the Colorado Secretary of State Election Rules [8 CCR 1505-1, Rule 20.8] the County must make video security surveillance recordings of the areas beginning at least 60 days before election day and continuing through at least 30 days after each election day.

#### B. Notification

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Notification of use of Video Surveillance Cameras includes:



- Signage adjacent to cameras (where possible)
- A notice at the reception desk
- An email notification to all affected employees within 24 hours of operation.

## **B. Installation and Maintenance**

The BITS and Facilities Departments are jointly responsible for video surveillance camera installation. Facilities, with the assistance of Law Enforcement and BITS will maintain a camera inventory detailing installation location, department, and authorized access. The department which requested the video surveillance camera is responsible for any on-going maintenance and/or costs.

## **C. Requests to Add, Change or Delete Video Surveillance Cameras**

Any requests to add, change or delete video surveillance cameras must provide a rationale and justification for the requested change to Facilities. All requests may be submitted through the [Change/Add/Delete form](#) found on PCIN. Any costs associated with these changes will be charged to the requesting department.

## **D. Surveillance Video Records Retention**

The County has adopted the Colorado Municipal Records Retention Schedule. The retention period for video surveillance is 30 days per the Retention Schedule. Questions for video surveillance regarding retention should be directed to the County Attorney’s office.

## **E. Viewing Video Surveillance Camera Footage**

Permission to view active or archived surveillance video is granted by the County Manager or their designee, or at the discretion of the Attorney’s Office. The Facilities department will copy the requested footage to a storage device and deliver it to the requesting party who, upon receipt, becomes the owner of that video surveillance record.

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## Policy 2:90: Protecting Personal Identifying Information (PII) and Consumer Data

### I. Intent

Colorado law protects consumer privacy and requires public and private entities to develop policies safeguarding documents containing [PII](#). Pitkin County requires all divisions and departments to protect documents with PII, destroy them as soon as possible according to the County [Records Retention Schedule](#), and to only require such information in documents when necessary under state or federal law. Some examples of PII are as follows:

- Social Security Number
- Personal Identification Number
- Password
- Pass Code
- Official state or government-issued driver's license or identification card number
- Government passport number
- Biometric data (unique data generated from measurements or analysis of human body characteristics for the purpose of authenticating the individual when accessing an online account)
- Employer, student or military identification number
- Financial transaction device (any instrument or device such as a credit card, banking card, debit card, electronic fund transfer card, guaranteed check card, or account number representing a financial account)

### II. Policy

It is the policy of Pitkin County that:

- County employees use due diligence in respecting and maintaining appropriate [controls](#) to ensure PII is processed appropriately.
- Pitkin County does not [collect or include PII unless required](#) as a function of mandate or service delivery.
- Pitkin County and associated users or partners will [collect PII](#) according to established procedures and in accordance with the law.
- PII (electronic or paper) [are secured](#) from unauthorized use.
- The County maintains transparency regarding how PII is used, processed, maintained or destroyed.
- PII is [retained only as long as required](#) by the department or division or superseding regulations.
- Pitkin County Records Administrator and BITS will employ [reasonable methods](#) for ensuring sensitive data are secured and protected from unauthorized access and use.

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- If a division or department becomes aware of a potential data breach of PII, it is required to [take appropriate action](#) as defined in the applicable PII incident response procedure to investigate the cause and extent of the breach.

This Policy applies to all divisions and departments of Pitkin County government and vendors or contractors who deal with PII.

This policy does not apply to personal (non-business related) PII received, used, and/or stored by staff as permitted by Policy 6.30 – [Use of County & Personal Information Technology \(IT\)](#). For example, if an employee maintains medical records related to their children on their County-owned PC and this information is breached or publicly exposed, the County is not responsible. Staff should not store or access their own personal PII on any County resources.

## II. Procedures

### A. Responsibilities for Managing PII

Data security is the responsibility of the individual dealing with PII, the division or department in which they operate (or vendor/contractor), and the supporting security framework at the County administered by BITS.

- Each division or department is responsible for identifying all records being kept (either physical or electronic) that contain PII and create a process for managing this information for appropriate use, visibility, and disposal. The list of documents containing PII are identified in the [Records Retention Schedule](#).
  - Divisions and departments should carefully determine if this information is critical to collect, and if it must be collected, have effective measures to control and keep this information confidential, and [effectively dispose](#) of it when no longer needed or required.
  - Data [retention schedules or access](#) with respect to PII are subject to superseding requirements from Federal or State law as indicated. (For example, HIPAA, CORA requests, and legal holds.)
  - Divisions or departments are also responsible for ensuring [vendors and contractors maintain PII in compliance with this Policy](#). The Procurement department will maintain the approved version(s) of contract language that satisfies this requirement. See example language in the [Technical Addendum to Cloud Software Agreement](#).
1. **The County Records Administrator** - is responsible for the general administration and implementation of the Record Retention Program and shall provide advisory services as required to facilitate communication amongst designated Record

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Custodians to encourage and keep the County accountable to the tenets of this Policy. The Information Records Administrator shall implement mandatory periodic staff training on this policy.

2. **Record Custodians** (Appointed staff members or designees) are the responsible staff members within a division or department for ensuring departmental compliance relating to the retention and disposal of PII for designated records collection(s). Record Custodians are responsible for local implementation of records policies and procedures, and for ensuring that staff attend training.
3. **Division or Department Directors** - shall ensure compliance with PII Policy and Procedures within their organization. They shall identify PII and ensure compliant retention and disposal. They shall oversee the notification process in the event of a data security breach that affects Personal Information.
4. **The Information Technology Department (BITS)** - as part of its cybersecurity responsibility, will adequately protect electronic PII by implementing and maintaining reasonable security procedures and practices.
5. **Divisions and departments** shall ensure vendor/ contractors comply with this Policy. The County will implement contract language for "third-party service providers".
6. **County employees and vendors/contractors** who collect PII during the course of business shall be responsible for compliance with this Policy and respective retention schedules, notifying division and department directors of any suspected data breach, and carrying out any data disposal as appropriate to their job function. County employees and vendors/contractors will not share PII informally (for example, via email or storing data to secondary storage).

## **B. Control of PII**

County employees must exercise due diligence in respecting and maintaining appropriate controls to ensure PII is processed appropriately.

1. Employees will keep all data secure by taking reasonable precautions, following the guidelines outlined within policy and supporting procedures.
2. Data access permissions are determined based on the functional role of the County employee and existing access controls.
3. Sharing PII will only be done using appropriate tools and procedures as defined by each department or the County as a whole (e.g. encrypted email, secure file sharing services, etc.).

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4. PII is not to be shared “informally” outside of these tools and procedures (such as unofficially sending PII in an unencrypted email, storing to a local hard drive, or storing to unencrypted removable media).
5. Pitkin County will provide appropriate security awareness training to all employees that handle PII.
6. PII will not be disclosed to any unauthorized person, either within the organization or externally.

## **C. Inclusion of PII**

1. Pitkin County should not collect PII unless required as a function of mandate or service delivery.
2. Pitkin County shall not issue licenses, permits, passes or certificates that include a full social security number unless required by state or federal law or unless the County Attorney determines the necessity for inclusion.
3. Pitkin County and associated users or partners will collect PII per established procedures and in accordance with the law.

## **D. Storage of PII**

Any information received or generated by the County in the course of business that contains PII must be properly protected.

1. PII (electronic or paper) must be secured from unauthorized use.
2. When PII is stored electronically, it will be reasonably protected from unauthorized access, accidental deletion, and malicious hacking attempts.
3. Users should avoid storing PII on removable media; if data must be stored on removable media devices, it must be physically secured and/or encrypted.
4. Pitkin County data is stored on designated drives and servers and is only uploaded to approved cloud computing service(s) as identified by BITS.
5. Servers containing PII are situated in a secure location.
6. Users should refrain from storing PII on paper, only print when necessary, and destroy paper records when no longer needed.
7. Paper records containing PII should be kept in a physically secure location when not being actively used.

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8. Pitkin County employees must ensure paper documents are not left where unauthorized people could view them (for example, on a printer or on a desk). In addition, employees must ensure that electronic PII is not visible by any unauthorized people (for example on a monitor that the public may have the ability to view).

## **E. Use of PII**

The County maintains transparency regarding how PII is used, processed, maintained or destroyed.

1. When working with PII, County employees will ensure screens are locked when left unattended.
2. Pitkin County employees will not share PII that is held by Pitkin County unless within the course of County business or operations.
3. When possible, users will access PII via a master copy or set of data (in other words, keep only one copy of required data and reference the original).

## **F. Retention of PII**

PII should only be kept as long as required by the division / department or superseding regulations.

1. Data should be regularly reviewed against the [Records Retention Schedule](#). If no longer required, data should be promptly and appropriately disposed.
2. Data backups will be executed in alignment with the Backup and Recovery Schedule and executed by BITS.
3. Paper documents will be shredded (crosscut shredding recommended or pulp) and disposed of securely when no longer required or scheduled for destruction by a specialized vendor. Or in the case where historical records must be kept without the associated PII, all PII must be effectively redacted.
4. Note on removable media such as a hard drive, simply deleting or re-formatting is not sufficient to securely remove all data. In cases where entire drives must be deleted, follow an approved wiping method (such as the NIST SP 800-88 media erasure guidelines).

## **G. Protection of PII**

The County Records Administrator and BITS will employ reasonable methods for ensuring sensitive data is secured and protected from unauthorized access. All employees have a special duty to protect information from loss and misuse. Failure to

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protect this information can result in substantial harm, embarrassment, and inconvenience to the affected individuals and can lead to fraud and identity theft. An accidental release of sensitive data also causes a major disruption to County business and undermines our ability to provide effective and efficient service to customers and stakeholders.

1. BITS will use necessary physical and technical controls and organizational measures to ensure all infrastructure containing data is protected and secured.
2. Users will follow associated procedures and work with BITS in cases involving electronic data breaches.
3. To ensure data is protected the following will apply to PII:
  - a. Password protect all IT resources that are used to access County information and that are connected to County IT infrastructure. Set a password and lock up electronic storage media (hard drives, thumb drives, mobile devices) that can contain or can access sensitive data, including PII.
  - b. Locate and move any files containing sensitive information. If the files are the only copy, move the file to access – controlled storage (e.g, Electronic recordkeeping system, H Drive, Google Drive (not shared)) and delete all extra copies.
  - c. Do not send or disseminate PII, regulated, or sensitive information in an unencrypted form over a County network or the Internet.
  - d. Maintain the confidentiality of all sensitive information concerning County business, County residents, and User data.
  - e. Take precautions to protect the unauthorized or careless disclosure of this information. Pitkin County’s [Policy 2.60 – Open Records and Public Information Requests](#) includes a list of exceptions to disclosure and instructs staff to contact the Attorney’s Office with questions when responding to a request.
  - f. Protect and secure hard copy documents containing PII. When printing records to paper, retrieve and account for the printouts immediately. If possible, avoid sending the printouts to a network printer. Do not leave these printouts on printers or in print queues. Secure hard copy documents containing sensitive information under lock and key.
  - g. Never take sensitive information out of the office.
  - h. When arranging for the disposal of equipment, ensure that hard drives and other electronic storage components are removed and completely destroyed.
  - i. Use records management as a tool to help manage and control PII. Identify information types that contain PII, maintain them within an access controlled recordkeeping system, and destroy them as soon as they are eligible according to the County Records Retention Schedule.
  - j. Never download or store sensitive data on a personal IT resource, including personal portable devices, computers, external hard drives, CDs/DVDs, or USBs.

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- k. Immediately report lost or stolen devices to the employee's manager and the 24X7 BITS help desk. The County reserves the right to remotely remove (wipe) some or all data and malware from any device, including an employee owned device if it was used to access County resources. The fewest privileges consistent with job duties will be assigned.

## H. Destruction or Disposition of PII

When PII is not needed for the functioning of the service or mandate, then it should not be collected if reasonably possible. If this data is needed, then it must be disposed of effectively when it is no longer needed (or required to retain based on a superseding law or regulation)

Pitkin County may keep these records in paper and/or electronic format. When such documentation is no longer needed, pursuant to records retention requirements, legal considerations, superseding State or Federal regulations, and best practices, the County will destroy the records or arrange for their destruction.

Destruction or disposition of PII may be through shredding, through incineration at the County landfill, through a private certified document destruction business, or through compliance with state archive and public document rules. Which method is most appropriate for a particular record will depend on the circumstances and the judgment of the custodian of the record. Each County division and department shall regularly destroy or dispose of documents containing PII.

## III. Definitions

1. **Data Subject** - the person whose PII is being collected and maintained.
2. **Disposal** - Refers to the arrangement of or destruction of data by shredding, erasing or otherwise modifying the PII to make it unreadable or indecipherable "through any means".
3. **Disclosure** - A disclosure of PII includes intentional sharing of information to a third party where the third party agrees to comply with this Policy and respective retention schedules, notifying Division or Department Directors of any suspected data breach, and carrying out any data disposal as appropriate. County employees and vendors/contractors will not share PII informally (for example, via email or storing data to secondary storage). A "disclosure" of PII does not include the sharing of information to a third party where the county retains primary responsibility for implementing and maintaining reasonable security procedures per this Policy.
4. **Notification** - The procedure of realizing when a security breach occurs, identifying the type of data affected and the set of Colorado residents it affects, and making required notifications to affected Colorado residents as well as notification to the Colorado Attorney General.

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5. **Personal Identifying Information (PII)** - Any information concerning a data subject, which, because of name, number, symbol, mark or other identifier, can be used to identify that data subject. PII is a superset of personal confidential data defined as:
  - Social Security Number
  - Personal Identification Number
  - Password
  - Pass Code
  - Official state or government-issued driver's license or identification card number
  - Government passport number
  - Biometric data (unique data generated from measurements or analysis of human body characteristics for the purpose of authenticating the individual when accessing an online account)
  - Employer, student or military identification number
  - Financial transaction device (any instrument or device such as a credit card, banking card, debit card, electronic fund transfer card, guaranteed check card, or account number representing a financial account)
  
6. **Personal Information (PI)** - is a subset of PII being a Colorado resident's first name (or initial) and last name (or username or email address) in combination with the following elements (if not encrypted, redacted or secured by a means to render the name of the element unreadable or unusable) that would for example permit access to an online account:
  - Social Security number
  - Student, military or passport identification number
  - Driver's license number or identification card number
  - Medical information (any information regarding medical or mental health treatment or diagnosis by a healthcare professional)
  - Health insurance identification number
  - Biometric data
  - Account number, credit or debit card number in combination with any required security code, access code or password
  - PI does not include publicly available information (lawfully available to the general public from a Federal, State or local government record or distributed media).
  
7. **Retention** - Refers to the time when such data is in possession (in readable or usable format) of County organizations or vendors/contractors. For example, a "[retention schedule](#)" outlines, for a specific set of data, when data records are to be disposed of.
  
8. **Security Breach or Data Breach** - means the unauthorized acquisition of unencrypted computerized data or physical records that compromise the security, confidentiality or

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integrity of PI (note this applies to the physical removal of paper records as well as, for example, a hard drive with data not effectively destroyed).

9. **Sensitive information** – Any information which the loss, misuse, or unauthorized access to or modification of could adversely affect the interests of the county, the conduct of programs, or the privacy to which individuals are entitled.
10. **Third-party service provider** - means an entity that has been contracted to maintain, store, or process personal identifying information on behalf of a governmental entity.

## **IV. Related Policies and Procedures**

Policies delineating privacy information requirements for specific datasets and uses include:

[Policy 2.60 – Open Records and Public Information Requests](#)

[Policy 2.70 - Criminal Justice Information System \(CJIS\) Security](#)

[Policy 2:90 – Notification of a Security Breach Involving Personal Information \(PI\)](#)

[Policy 3.30 - Personnel Information](#)

[Policy 6.30 – Use of County & Personal Information Technology \(IT\)](#)

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## Policy 2:100 – Notification of a Security Breach Involving Personal Information (PI)

### I. Intent

Colorado law protects consumer privacy and requires public and private entities to notify affected Colorado residents and the Colorado Attorney General that a security breach involving PI occurred. Pitkin County requires divisions or departments to investigate, determine the cause and extent of a suspected breach, and give notice to the affected Colorado residents and the Attorney General when the investigation determines that the misuse of information about a Colorado resident is likely to occur.

### II. Policy

This policy applies to Personal Information (PI). For example: Name, email address, user name combined with Personal Identifying Information (PII). Refer the Definitions in Section III of [Policy 2.80 Protecting Personal Identifying Information \(PII\) including Consumer Data](#).

If a division or department becomes aware of a potential data breach of PI, it is required to take appropriate action to investigate the cause and extent of the breach. The division or department will work with other groups (BITS, County Attorney, Sheriff’s Office, etc.) to launch and manage such an investigation.

If the investigation determines that the PI has been or is reasonably likely to be misused, they must issue a notice to affected Colorado residents and the Colorado Attorney General. Notice (e.g., Enclosure A) must be given no later than 30 days after the date of determination that a security breach occurred (i.e., sufficient evidence to conclude that a security breach has taken place).

If a law enforcement agency determines that, giving notice to those affected by a PI breach, will impede its investigation, the County may delay the notification. Once the law enforcement agency confirms that notice will no longer impede its investigation, the County is then required to provide notice no later than 30 days after receiving that confirmation.

### III. Procedures

#### A. Contents of Notifications

If a division or department becomes aware of a data breach of PI, it is required to provide the following items in a notice to affected Colorado residents. As data breaches are difficult to detect, this conclusion may come as the result of inquiries, resident feedback, internal investigations, or some other means.

1. The date, estimated date, or estimated date range of the security breach
2. A description of the PI that was acquired or reasonably believed to have been acquired as a result of the security breach
3. Information on how to contact the County to inquire about the security breach

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4. Toll-free numbers, addresses, and websites for consumer reporting agencies as well as Federal Trade Commission
5. A statement that the resident can obtain information from the FTC and credit reporting agencies about fraud alerts and security freezes. (See Enclosure A for a sample Notice of Security Breach.)

## **B. Encrypted PI**

If the PI identified in the security breach was encrypted, it is generally excluded from the notice provisions. However, if the encryption key, confidential process or other means to decipher the PI was also obtained or reasonably believed to have been obtained, the notice provisions apply.

## **C. Format of Notice**

Notice must be made in one of the following formats:

1. Written notice to the postal address listed in County records
2. Telephonic notice
3. Electronic notice if the primary means of communication with the Colorado resident is by electronic means
4. Consistent with the provisions regarding electronic records and signatures set forth in the Federal “Electronic Signatures in Global and National Commerce Act” at 15 U.S.C 7001, *et seq* (for records with required retention, reference D).

## **D. Substitute Notice for Large Breaches**

A “substitute notice” (email, conspicuous posting of the notice on the County website, or notification via major statewide media) can be made if:

1. The cost of providing notice will exceed \$250,000
2. The affected class of persons exceeds 250,000 Colorado residents
3. The County does not have sufficient contact information to provide notice.

## **E. Notice Requirements after Investigation Indicating Misuse of PI**

If an investigation determines that a security breach of PI has resulted in or reasonably likely to result in misuse, an expanded notice must:

1. Direct the person whose PI has been breached to: promptly change their password and security questions or answer or take other steps appropriate to protect the online account with the County and all other online accounts for which the person whose PI

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has been breached uses the same username or email address and password or security question or answer.

- 2. If login credentials of an email account are provided by the County, the notice may not be provided to that same email address. Instead, use any of the contact methods mentioned above.
- 3. For security breaches that affect 500 or more Colorado residents, the County will send notifications through the Public Information Administrator.
- 4. Departments and Divisions are expressly prohibited from passing on any costs associated with providing notice to the affected Colorado residents.

**F. Third-Party Service Provider Requirements**

If the security breach occurs with a third-party service provider, it is required to cooperate with the County and provide information pertaining to the breach in the most expedient time possible. The law does not include the 30-day maximum timeframe for third-party providers. Third-party providers are not required to disclose sensitive business information or trade secrets.

**G. Notice to the Colorado Attorney General**

Breaches determined that misuse of PI has occurred or is likely to occur, and that affects 500 or more Colorado residents, must be reported to the Colorado Attorney General within 30 days of the determination that a security breach occurred.

Notice to the Attorney General is sent to:

Office of the Attorney General  
Consumer Protection Section  
Colorado Department of Law  
Ralph L. Carr Judicial Building  
1300 Broadway, 7th Floor  
Denver, Co 80203

**H. Breaches affecting 1,000 or more Colorado residents**

Breaches affecting 1,000 or more Colorado residents require the County to provide information to the national consumer reporting agencies of the anticipated date that the affected Colorado residents will receive notice of the breach and an approximate number of affected residents. No identifying information must be shared.

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## ENCLOSURE A: Sample Notice of Breach

### NOTICE OF DATA SECURITY BREACH

[Date]

Provided via [Written Notice / Electronic Notice]

[Colorado Resident Name]

[Resident address if mailed, email address if electronic]

This notice is provided to you pursuant to C.R.S. 24-73-101, *et seq.*, under the protections concerning consumer data privacy. Below, you will find information pertaining to the security breach. Please review this notice carefully as it includes information that may be useful to you in preventing or mitigating any harmful consequences resulting from the security breach. [This notice has been provided within thirty (30) days as required by law. OR This notice was delayed at the direction of [Law Enforcement Agency] and has been provided to you within thirty (30) days of notice from [Law Enforcement Agency], received by us on [DATE].]

Date of Security Breach: [DATE or estimate date or date range]

Personal Information was [acquired and/or reasonably believed to have been acquired] of the following types:

- First Name or First Initial and Last Name
- Social Security Number
- Student, Military, or Other Identification Card Number
- Driver's License Number
- Medical Information
- Health Insurance Identification Number
- Biometric Data
- Other: \_\_\_\_\_

At this time, we [are investigating / have investigated] the security breach. [We have determined that the personal information [has / has not] been misused and [is / is not] reasonably likely to be misused. [IF MISUSED, INCLUDE: As a result, you must promptly change your password and security questions or answers, if applicable, and take other steps as appropriate to protect your

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online account and/or all other online accounts for which you use the same username or email address and password or security question and answer, as applicable.]

If you wish to contact us about the security breach, please direct your inquiries to [NAME] at [TELEPHONE, EMAIL, AND/OR OTHER CONTACT INFORMATION].

You can get more information about fraud alerts and security freezes from the national consumer reporting agencies and/or the Federal Trade Commission. The contact information for these agencies is:

Experian P.O. Box 9530 Allen, TX 75013  1-888-397-3742 www.experian.com	Transunion P.O. Box 2000 Chester, PA, 19016  1-888-909-8872 www.transunion.com
Equifax P.O. Box 740256 Atlanta, GA, 30374  1-800-685-1111 www.equifax.com	Federal Trade Commission 600 Pennsylvania Ave, NW Washington, DC, 20580  1-877-382-4357 www.ftc.gov

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## SECTION 3 – EMPLOYMENT WITH THE COUNTY

### Policy 3.10: Recruitment and Selection

- I. Policy
- II. Authority
- III. Vacancy Announcements
- IV. Internal Promotions and Transfers
- V. Application Procedures
- VI. Reemployment
- VII. Veterans Preference
- VIII. Verification of Employment
- IX. Employee Referral Program
- X. Immigration Law
- XI. Evaluation and Selection
  - A. Extending an Offer of Employment
  - B. Establishing a Starting Salary
  - C. Establishing a Starting Date
- XII. Hiring Package
  - A. Moving Expenses
  - B. Housing Stipend

#### I. Policy

The County places a high value on human relations, human diversity and human rights. Consistent with these values, the County strives to maintain a work environment that is characterized by mutual respect for all individuals. County employees are expected to follow acceptable business and professional principles in conducting County business and in their personal conduct.

#### II. Authority

Human Resources will monitor recruitment and selection activities. The County Manager has final authority and responsibility for this policy.

#### III. Vacancy Announcements

Announcements of job vacancies will be posted by Human Resources for a minimum of three (3) working days. The County’s general practice is to post open positions/current vacancies on the County website, in local newspapers, and in additional venues when appropriate. Certain vacancies may be filled through internal promotion or restricted to applicants who are current employees of the County. For positions open to external applicants, Human Resources will recruit applicants using a variety of sources depending upon the requirements of the position. Contact Human Resources for more information.

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## **IV. Internal Promotions and Transfers**

Current employees may apply for posted positions within the County. In considering an employee for promotion, the individual's experience, education, training, work record, attendance, and length of service are evaluated among other factors. The County also may consider a lateral transfer or internal promotion without a posting. Promotions or transfers must be approved by Human Resources Director or their appointee.

## **V. Application Procedures**

To be considered for employment, all applicants must complete a County Employment Application located on-line. Falsification of information on the application and/or refusal to supply requested information will eliminate an applicant from consideration. Applications will be accepted only for vacant positions. Individuals may subscribe to be notified of future vacancies through the County's website ([www.pitkincounty.com](http://www.pitkincounty.com)).

## **VI. Reemployment**

Former employees may be considered for reemployment provided they qualify for the position of interest and if they maintained satisfactory performance and attendance while employed at the County. Any person discharged from the County may not be considered for reemployment.

## **VII. Veterans Preference**

Qualified veterans and surviving spouses are eligible for preference points when competitive examinations are required for open vacancies. This does not apply to promotional examinations. To be qualified, applicants must be honorably discharged veterans or the unremarried surviving spouse of a veteran who served on active duty in the United States Armed Forces during one of the periods for which the federal government awards veteran's preference points. It will be the candidate's responsibility, upon application, to present documentation in the form of a DD214 form or other supportive documentation of veteran status.

## **VIII. Verification of Employment**

Prospective employers, financial institutions, or other businesses seeking employment-related information may request a verification of employment, written or by telephone. All requests for verification of employment should be directed to Human Resources.

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## **IX. Employee Referral Program**

Employees are encouraged to refer applicants for regular full-time positions posted on the County's website and may be eligible for a finder's fee if all the conditions for the program are met. Only one employee is eligible per referred applicant. The program may also be extended to other types of positions when they are hard to fill.

The hired applicant must have listed the referring employee on the application form for the employee to receive credit for the referral. Direct hiring supervisors, Section Leaders, Elected Officials and Human Resources staff are not eligible for this program.

When a referred applicant is hired, after 30 days of employment the referring employee will receive a lump sum payment of \$500. This payment is pre-tax and will be included in the first paycheck following the 30 day waiting period. Employees should contact Human Resources for more information on this program.

## **X. Immigration Law**

Compliance Pitkin County verifies the identity of each employee hired to perform labor or services in return for wages or other remunerations. All employees, US citizens and non-citizens, as a condition of employment, must complete the Employment Eligibility Verification form (I-9) and present documentation establishing their identity and employment eligibility. All offers of employment are considered conditional until acceptable I-9 documentation has been reviewed by Human Resources and any other additional documentation has been obtained. Any employee who fails to produce the required documents, or receipt for a document, within three (3) business days can be terminated for failure to comply.

## **XI. Evaluation and Selection**

Applicants who appear to be best qualified for a position based on relevant job history, education, training, test performance and other job-related criteria will be further evaluated by participating in any one or a combination of assessments to determine suitability for employment, including but not limited to oral interviews, written and performance tests, physical, Criminal Justice Information Services (CJIS) clearance, reference and background checks.

### **A. Extending an Offer of Employment**

The supervisor has the responsibility to make the final decision on which applicant to hire. After a discussion between supervisors and Human Resources, an offer of employment is made to the chosen candidate by the supervisor or Human Resources. The offer may include information regarding job title, grade or salary range, rate of pay, length of

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appointment, schedule including hours per week or percentage effort, and any information regarding any pertinent procedures.

## *Offer Letter*

Once all components of a candidate's offer of employment are identified, Human Resources will prepare an offer letter documenting the agreed on wage, starting date and any other items included in the hiring package.

## **B. Establishing a Starting Salary**

Before offering a salary, the supervisor should consult with the Compensation Analyst or the Human Resources Director to ensure the salary is consistent with the classification or salary range of the position and education and experience of the candidate.

If a candidate does not accept the initial salary offer, the hiring supervisor, in consultation with Human Resources will identify a counter-offer. The candidate's skills competencies, experience, education and/or accomplishments must be relevant to the requirements of the position to be filled and must be significantly higher than that needed to be minimally qualified for the position and/or be a more specialized quality compared to other candidates.

## **C. Establishing a Starting Date**

After an offer of employment has been accepted, a mutually agreeable starting date should be determined.

## **XII. Hiring Package**

Subject to department budgetary and contract limitations, newly hired employees may be offered additional hiring package components.

### **A. Moving Expenses**

A newly hired employee may be reimbursed for moving expenses if relocating at least 100 miles to accept the position.

The County will reimburse newly hired employees for reasonable 1 moving expenses up to a maximum of \$10,000 upon submission of the Employee Moving Expenses Reimbursement Form and Hiring Package Agreement (see section C – Forms) within the first six months from hire. All moving expense reimbursements must have supporting documentation 2 showing actual amounts paid such as itemized receipts from the vendor and invoices. Credit card payment receipts or statements will not be accepted. Expenses will be reimbursed to the employee in a regularly scheduled payroll. The reimbursement of

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

moving expenses is taxable and therefore taxes will automatically be deducted from the payment and will be reported on the employees W2.

In the event the employee should resign from employment with the County, or are otherwise terminated by the County before the expiration of one (1) year from the start date, the amount paid for moving expenses will be required to be repaid to the County by the employee.

- 1. Reasonable Expenses (IRS): Moving your household goods and personal effects (including in-transit or foreign-move storage expenses), and Traveling (including lodging but not meals) to your new home.
- 2. Supporting Documentation: Mileage will be reimbursed for the most direct route only.

## B. Housing Stipend

Pitkin County provides assistance with expenses related to the cost of housing (such as rent, deposits or a down payment) to certain qualified employees who have relocated for employment with the County. Newly hired full-time, benefit-eligible, employees who relocate into the Roaring Fork Transit Authority service area, and do not participate in any of the County’s other housing programs, may qualify for one of the two options listed below.

- **Option 1: \$500 per month:** If the newly hired employee chooses the option to have \$500 per month added to their pay check, for a period of one year, the employee will receive \$250 per paycheck for the first two paychecks per month. If he/she vacates employment within the 12 month period or obtains employee/subsidized housing, the \$500/month stipend will end. It is the employees responsibility to notify Human Resources if subsidized housing is secured.
- **Option 2: \$6,000 lump-sum:** If the newly hired employee chooses to have the County provide them with a \$6,000 lump-sum. With option 2, there is a payback clause should the employee separate employment with or without cause within the first 12 months of their employment or obtain employee/subsidized housing.

In both cases, the employee must sign the Hiring Package Agreement sent as part of the onboarding process, and note both options above are subject to taxable income and will be taxed when paid to the employee through payroll. For New Hires, payment is issued on the first paycheck or on the following pay date after the form is received. *Revised (in part) 07/01/2019 Revised (in part) 04-28-2021*

## XIII. Conditional Offers of Employment

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All employment offers are considered conditional until all necessary documentation has been obtained by Human Resources. Verification of any background checks or any further information related to licensures must be completed and received by the County before a new employee will be permitted to perform any job assignments directly related to the licensure or certification requirement. If verification is not received in a reasonable period of time or by a pre-agreed date, as determined by the County, the applicant will not be hired or if conditionally hired, employment will be terminated. Applicants for positions requiring a Commercial Driver's License (CDL) are required to pass a post-job offer drug test before beginning employment. If the drug test result is positive, the applicant will not be hired. Additional screenings (i.e. drug testing, credit report checks, Criminal Justice Information Services) may be conducted depending on the requirements of the position.

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## Policy 3.20: On Boarding

**Effective Date:** Revised (in part) 09/12/2019  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

- I. On-Boarding
- II. Introductory Period
- III. Adjusted Hire Date at Rehire

### I. On-Boarding

New employees complete the on-boarding process in phases. Personal information, acknowledgements and benefit enrollment are completed on-line in the Human Resources Information System, in [Munis ESS](#). Human Resources hosts employee orientation sessions to introduce new employees to County policies, procedures and other requirements of being a County employee. New employees receive important information regarding requirements of their position, basic policies, eligibility for benefit programs, safety training, plus other information to better acquaint them with their job. Employees should use this orientation time to familiarize themselves with County policies, procedures and guidelines, and to ask any questions they may have.

Departments are responsible for orienting new employees to position responsibilities and essential tasks.

### II. Introductory Period

The introductory period of employment is six (6) months in length and provides the opportunity to demonstrate abilities to achieve a satisfactory level of performance and to determine whether the position meets expectations. The County uses this period to evaluate capabilities, work habits and overall performance. If the County determines that the designated Introductory Period of six (6) months does not allow sufficient time to thoroughly evaluate performance, the period may be extended up to a maximum of three (3) additional months from date of hire. Successful completion of the Introductory Period does not guarantee a job for any period of time nor in any way changes the “At-Will” nature of employment at Pitkin County. Should an employee not meet the expectations of the introductory period, further disciplinary action up to and including termination may occur. Separation decisions based on failed introductory period are not eligible for appeal under the Discipline Policy 5.10.

*Revised (in part) 09-12-19*

### III. Adjusted Hire Date at Rehire

If a rehired employee starts work within six months of the separation date, the original hire date is considered the date of hire for the purpose of some benefit accruals. Rehired

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employees with a separation period of greater than six months will have a new Adjusted Service Date for purposes of calculating County benefits.

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## Section 3.30: Personal Identifying Information

**Effective Date:** Updated 11/01/2016  
**Effective Period:** Until superseded  
**Responsible Department;** Records Management

- I. Protection of Personal Identifiable Information (PII)**
  - A. Definitions**
  - B. Inclusion of PII**
  - C. Storage of PII**
  - D. Employee Responsibilities**
  - E. Destruction or Disposition of PII**
- II. Personnel Files**
  - A. Employee Access to Personnel**
  - B. Copies of Personnel File**

### I. Protection of Personal Identifiable Information (PII)

Colorado law protects consumer privacy and requires public and private entities to develop policies safeguarding documents containing personal identifying information. Pitkin County requires all departments to destroy documents with personal identifying information, and to only require such information in documents when necessary under state or federal law.

#### A. Definitions

Personally Identifiable Information (PII) – Any information concerning a data subject, which, because of name, number, symbol, mark or other identifier, can be used to identify that data subject.



- Examples include: social security number; a personal identification number (PIN); a password; a pass code; an official state or government-issued driver’s license or identification card number; a government passport number; biometric data; an employer, student, or military identification number; credit card, banking card, card, debit card number; electronic fund transfer card, guaranteed check card, bank account number.

Sensitive information – Any information which the loss, misuse, or unauthorized access to or modification of could adversely affect the interest of the state, the conduct of programs, or the privacy to which individuals are entitled.

#### B. Inclusion of PII

Pitkin County shall not issue licenses, permits, passes or certificates that include a social security number unless required by state or federal law or unless the County Attorney determines the necessity for inclusion.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## C. Storage of PII

Any information received or generated by the County in the course of business that contain personal identifying information must be properly protected

## D. Employee Responsibilities

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1. All employees have a special duty to protect information from loss and misuse. Failure to protect this information can result in substantial harm, embarrassment, and inconvenience to the affected individuals and can lead to fraud and identity theft. An accidental release of sensitive data also causes a major disruption to County business and undermines our ability to provide effective and efficient service to customers and stakeholders.
2. Set a password and lock up electronic storage media (hard drives, thumb drives, mobile devices) that can contain or can access sensitive data, including PII.
3. Locate and move any files containing sensitive information. If the files are the only copy, move the file to access – controlled storage (e.g, Laserfiche, H Drive, Google Drive (not shared)) and delete all extra copies.
4. Hard copy documents containing PII must be protected and secured. When printing records to paper, retrieve and account for the printouts immediately. If possible, avoid sending the printouts to a network printer. Do not leave these printouts on printers or in print queues. Secure hard copy documents containing sensitive information under lock and key.
5. At no time should an employee take sensitive information out of the office.
6. All personal media and mobile devices used for County business must be secured with a password
7. When arranging for the disposal of equipment, ensure that hard drives and other electronic storage components are removed and completely destroyed.
8. Use records management as a tool to help manage and control PII. Identify information types that contain PII, maintain them within an access controlled recordkeeping system, and destroy them as soon as they are eligible according to the County Records Retention Schedule.

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## **E. Destruction or Disposition of PII**

Destruction or disposition of PII may be through shredding, through incineration at the County landfill, through a private certified document destruction business, or through compliance with state archive and public document rules. Which method is most appropriate for a particular record will depend on the circumstances and the judgment of the custodian of the record. Each County department shall regularly destroy or dispose of documents containing personal identifying information.

## **II. Personnel Files**

County Human Resources maintains employment records and keeps the records as confidential as possible. Personnel files include records of employee information, emergency contacts, personnel actions, education and training certificates required by Human Resources, and performance appraisals. Benefit files include benefits selection and enrollment forms, beneficiary information, dependent information, and other benefits-related documents required by Human Resources. Medical records, work eligibility records, and EEO self-reporting records are kept separately.

Employees are responsible for providing information updates to keep their records current by contacting Human Resources or updating their information in [Munis ESS](#) the county's self-service site. Employees may review their personnel and benefits records through [Munis ESS](#) or by appointment with Human Resources staff.

### **A. Employee Access to Personnel**

Files Upon request to the Human Resources Director or their designee, an employee will be given reasonable opportunity to inspect and/or obtain a copy of their personnel file. A request to inspect a personnel file may be oral or written, and all files will be reviewed in the Human Resources office. No changes or alterations may be made to any documents in the file, and no documents may be removed from the file.

An employee's file may not be immediately available for inspection. If a hard copy of the personnel file is not available, or immediate inspection is not feasible, the Human Resources Division will have reasonable time to provide the personnel file.

### **B. Copies of Personnel File**

A request for hard copies of an employee's personnel file must be submitted in writing to the Human Resources Director. Information in an employee's personnel file which relates to an individual other than the subject employee will be removed from the copies given. Before the requested copies are prepared, the employee will be notified of the copying charges that will apply. Copying charges will include the labor cost for retrieving, assembling, editing or revising and copying.

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Costs associated with copying personnel files are:

Labor Pages

One hour or less No Charge 1-10 Pages No Charge

Over one hour \$30/hour 11 & Over \$.25/page

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## Policy 3.40: Employment Categories and Status

**Effective Date:** Revised (in part)  
**09/01/2017**  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

- I. Policy**
- II. Employee Categories**
  - A. Regular Employee**
  - B. Seasonal Employee**
  - C. Temporary Employee**
  - D. Contract Employee**
  - E. Term Appointment Employee**
- III. Employment Status**
- IV. Fair Labor Standards Act (FLSA) Status**
  - A. Non-Exempt Status**
  - B. Exempt Status**
- V. Internships**

### **I. Policy**

The Board of County Commissioners specifies the number and classifications of all budgeted positions authorized for each department through the budget approval process. Employees must meet the minimum requirements for each job occupied and must be able to perform the essential job functions.

### **II. Employee Categories**

#### **A. Regular Employee**

An employee in a regularly budgeted, benefits eligible position, who is hired for an indefinite period of time. Appointment is continuous, subject to satisfactory performance, availability of funding and the “at-will” provisions of this manual.

#### **B. Seasonal Employee**

An employee hired to do a specific job for a specific seasonal period in an at-will status, for work as full-time, part-time, intermittent, on-call, or emergency in nature. Typically winter season employees are hired November through April and summer seasonal employees are hired April to November. In certain departments, the season may be extended for up to nine months to accommodate for business and operational needs. Seasonal employees are not eligible for County benefits other than those required by law (i.e., Family and Medical Leave, Workers’ Compensation Insurance, Unemployment). Returning seasonal employees may be eligible for certain benefits based on their returning years of service (refer to [season](#)).

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## C. Temporary Employee

An employee who is hired for a period of short duration, in an at-will status, for work on an intermittent, on-call, emergency nature or to temporarily fill a vacancy in a regularly authorized position, not to exceed twenty nine (29) hours per week. The term of the temporary position is no longer than six (6) months. Temporary employees are not eligible for County benefits other than those required by law (i.e., Worker's compensation Insurance, Unemployment. *Revised (in part) 09-16-2021*

## D. Contract Employee

The Board of County Commissioners hires contract employees into certain senior positions. The responsibility associated with the position is judged to be such that the County must reserve the right to renew or not renew the contract of the incumbent in the position when such contract expires. The provisions of his/her contract bind an individual who enters into an employment contract with the County. Except for matters specifically set forth in such contract (including duties and salary), the benefits, terms and conditions of employment of a contract employee are governed by the County's policies and procedures.

## E. Term Appointment Employee

An employee hired into a position that is designated to run for a defined period of time. This may occur for various reasons, such as the position is funded from non-recurring sources (e.g., contracts of grants), or the position is needed to complete a special project with an end date. Term Appointment employees are normally hired for periods greater than six months and less than three years.

Employees hired for a term appointment will be separated from the County as of a specific date unless the supervisor notifies the employee that the appointment will be extended and the employee agrees to the extension. For the specified period of appointment, term employees are entitled to all other rights and privileges as regular status employees, except the right to grieve separation at the end of the appointment.

## III. Employment Status

- **Full-Time Employee** - An employee who is normally scheduled to work 30 hours or more per week.
- **Part-Time Employee** - An employee who is normally scheduled to work less than 30 hours per week.
- **On-Call Employee** - An employee who is not scheduled for specific hours but is available to work on an on-call bases or as needed.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## IV. Fair Labor Standards Act (FLSA) Status

### A. Non-Exempt Status

The County pays employees performing non-exempt work beyond forty (40) hours in a workweek at a rate of one and one-half times their regular hourly wage. Leave time taken during a workweek does not count toward hours worked when calculating overtime. In lieu of paid overtime, employees performing non-exempt work may receive compensatory time (comp time) off at the rate of one and one-half times the amount of overtime hours worked.

### B. Exempt Status

Employees performing exempt work are paid on a salary basis and receive a predetermined amount of pay each pay period. Employees performing exempt work are expected to work no less than eighty (80) hours each pay period or take authorized leave to make up the full eighty (80) hours in a pay period.

## V. Internships

The County in conjunction with an academic institution, may hire interns for a specified period of time. Internships may be paid or unpaid. Unpaid interns are not eligible for County benefits other than those that may be required by law. The following are required for all internships, regardless of compensation:

1. The student must be currently enrolled in an academic program, which is in a closely related field of study to the offered internship. They must remain enrolled for the duration of the internship;
2. The student may participate as an intern only if they obtain college/high school credit for the internship;
3. The training, even though it includes actual operation of the facilities in the County, is similar to that which would be given in a vocational school;
4. The training is for the primary benefit of the intern;
5. The work of the intern must complement and not displace regular employees. The intern must work under close observation while being provided with significant educational benefit;
6. The County derives no immediate advantage from the activities of the intern and on occasion the County's operations may actually be impeded
7. The internship is conducted without entitlement to a paid job at the conclusion of the internship.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

8. The County and the intern understand that they are not necessarily entitled to wages for the time spent in training. Special care must be taken when considering an offer of an unpaid internship. Unpaid internships must strictly adhere to current FLSA rules. If there is any doubt as to the primary beneficiary of the internship, the intern must be paid

9. Paid interns will be considered full time, temporary employees with an employment term not to exceed nine months without BOCC approval; incidental benefits for paid interns (such as bus pass or housing stipend) must be funded through related grants and must not exceed the benefits that are offered to similarly situated full time employees. **Amended (part) 08-04-2021**

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## Policy 3.50: Changes to Job Assignments

**Effective Date:** Updated 11/01/2016  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

### **I. Change in Schedule**

### **II. Reduction in Hours**

### **III. Reasonable Accommodation**

### **IV. Modified Duty Program**

#### **I. Change in Schedule**

Employees are scheduled for such hours and schedules as established by their department head. At times, it may be necessary to work other than regularly scheduled hours and the County has the right to change schedules at any time. A department head may make such changes to the schedule of work hours as a public convenience or operational necessity.

#### **II. Reduction in Hours**

An employee's status may be changed to less than full time. Reduction in hours could occur as a result of changes in hours of operation or in response to the need to reduce labor costs. When an employee is reduced in hours their status and eligibility for certain benefits may change to part-time or part-time/seasonal.

#### **III. Reasonable Accommodation**

The County will make reasonable accommodation for qualified individuals with disabilities, unless there is no reasonable accommodation that the County can make, the disability actually disqualifies the person from the job, and the disability has a significant impact on the job.

If an employee has a disability, they may request a reasonable accommodation at any time during the period of employment. The employee, their healthcare professional, or any other representative acting on the employee's behalf may request the accommodation. This may be done by completing a reasonable accommodation request form or by contacting Human Resources. Documentation from an appropriate healthcare or rehabilitation professional will be required to establish an employee has an ADA qualified disability that necessitates a reasonable accommodation.

#### **IV. Modified Duty Program**

The County has established a modified duty program as a benefit to employees injured on the job. The psychological and financial benefits of modified duty to the employee are significant. The employee is returned to a working environment that alleviates the isolation from peers most often experienced following a serious injury. The financial benefit for the

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

employee is the ability to accrue annual and sick leave as well as retirement benefits upon returning to work.

The modified duty program provides temporary job placement of injured employees prior to their being released to full duty or their reaching maximum medical improvement. The following steps are required:

- 1. A return-to-work release complete with modified duty restrictions, signed by the treating physician.
  2. Assessment of restrictions by the department manager and Human Resources staff in relation to regular job duties including detailed evaluation of all physical elements performed by employee while completing job duties.
  3. Identification of temporary modified duties, if reasonable, in compliance with restrictions issued by treating physician.
  4. Department manager's determination regarding reasonableness of accommodation. If a department is unable to meet such restrictions on a temporary basis, every effort will be made to temporarily re-locate the employee to another department able to provide modified duties.

An employee assigned to a modified duty assignment is responsible for adhering to the identified restrictions. If an employee chooses not to accept a modified duty assignment, compensation benefits may be discontinued pursuant to applicable state law.

For those employees who reach maximum medical improvement and sustain a permanent disability and/or physical job restrictions, an assessment by Pitkin County's designated medical provider will be conducted to determine the employee's ability to perform the essential functions of his/her position. If warranted, Pitkin County will make reasonable accommodation for the employee in accordance with the Americans with Disabilities Act.

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## Policy 3.60: Emergency Preparedness and Response

**Effective Date:** Revised (in part) 11/01/2016

**Effective Period:** Until superseded

**Responsible Department:** Emergency Management

### I. Voluntary Resignations/Retirements

### II. Job Abandonment

### III. Off-Boarding

### IV. Exit Survey

#### I. Voluntary Resignations/Retirements

In order to maintain a continuity of service, Pitkin County requests employees in exempt positions give at least 30 days' notice and employees in non-exempt positions give at least two weeks' notice when resigning from their positions. At Pitkin County's discretion, the employee's supervisor may agree to permit a shorter period of notice or relieve the employee from work duties on the day of the resignation. Failure to comply with the notice requirement will be noted in the employee's personnel file and may result in the employee forfeiting reinstatement privileges. The County requires an employee to complete the [Voluntary Resignation Notice](#) identifying the effective date and reason for the resignation. Employees may not extend the term of their employment through the use of paid leave time.

#### II. Job Abandonment

If an employee does not report to work for three (3) consecutive days without notifying their supervisor, or the employee fails to return from a leave of absence on his/her expected return date, the County may consider this job abandonment and is considered a voluntary resignation of the employee.

#### III. Off-Boarding

Upon receiving notice of an employee's separation, Human Resources staff will schedule a time to go over off-boarding procedures for separation (return of property, arrangements for delivery of final paycheck, conversion of insurance, and other matters of concern). Employees are required to return any and all County property to their supervisors on or before their last day of employment with the County. Employees also may return any County property that was not already turned in to the supervisor to Human Resources through the off-boarding process. Employees should contact Human Resources for information.

#### IV. Exit Survey

Employees are encouraged to participate in an Exit Survey after they submit their resignation. An Exit Survey is a powerful tool that allows the County to gain an understanding as to why employees leave – what they liked and what they did not like about their employment and what areas of the organization they feel need improvement. An effective Exit Survey process

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will enable the County to learn from past experiences of departing employees and gain an opportunity to improve management/employment practices accordingly.

Human Resources staff will offer a voluntary exit interview to the employee, typically scheduled during the employee's last work week. The results of Exit Survey and interview are treated with confidence, do not prejudice future references, and will only be used in general system-wide analysis.

Human Resources periodically analyzes the results and related statistical reports created from Exit Survey data. Doing so provides the County with an opportunity to develop actions to improve recruitment, retention, placement, training practices, and working conditions which, in turn, will help reduce turnover, enhance supervision, and identify issues that may have factored into an employee's decision to separate.

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## Policy 3.70: Separations

### I. Voluntary Resignations/Retirements

### II. Job Abandonment

### III. Off-Boarding

### IV. Exit Survey

**Effective Date:** 11/01/2016

**Effective Period;** Until superseded

**Responsible Department:**  
Human Resources

### I. Voluntary Resignations/Retirements

In order to maintain a continuity of service, Pitkin County requests employees in exempt positions give at least 30 days' notice and employees in non-exempt positions give at least two weeks' notice when resigning from their positions. At Pitkin County's discretion, the employee's supervisor may agree to permit a shorter period of notice or relieve the employee from work duties on the day of the resignation. Failure to comply with the notice requirement will be noted in the employee's personnel file and may result in the employee forfeiting reinstatement privileges. The County requires an employee to complete the [Voluntary Resignation Notice](#) identifying the effective date and reason for the resignation. Employees may not extend the term of their employment through the use of paid leave time.

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If an employee does not report to work for three (3) consecutive days without notifying their supervisor, or the employee fails to return from a leave of absence on his/her expected return date, the County may consider this job abandonment and is considered a voluntary resignation of the employee.

### III. Off-Boarding

Upon receiving notice of an employee's separation, Human Resources staff will schedule a time to go over off-boarding procedures for separation (return of property, arrangements for delivery of final paycheck, conversion of insurance, and other matters of concern). Employees are required to return any and all County property to their supervisors on or before their last day of employment with the County. Employees also may return any County property that was not already turned in to the supervisor to Human Resources through the off-boarding process. Employees should contact Human Resources for information.

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employees leave – what they liked and what they did not like about their employment and what areas of the organization they feel need improvement. An effective Exit Survey process will enable the County to learn from past experiences of departing employees and gain an opportunity to improve management/employment practices accordingly.

Human Resources staff will offer a voluntary exit interview to the employee, typically scheduled during the employee's last work week. The results of Exit Survey and interview are treated with confidence, do not prejudice future references, and will only be used in general system-wide analysis.

Human Resources periodically analyzes the results and related statistical reports created from Exit Survey data. Doing so provides the County with an opportunity to develop actions to improve recruitment, retention, placement, training practices, and working conditions which, in turn, will help reduce turnover, enhance supervision, and identify issues that may have factored into an employee's decision to separate.

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## Policy 3.80: Reduction in Force (RIF) Job Elimination

**Effective Date:** Revised (in part)  
**06/01/2017**  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

- I. Policy**
- II. Determination of a Reduction in Force (RIF)**
  - A. Selection of Employees**
- III. Reduction-in-Force Actions**
- IV. Appeals**
- V. Reassignment**
- VI. Separation Process**
- VII. Severance**
  - A. Severance Pay**
  - B. Severance Pay for Reduction in Force with Reassignment**
  - C. Health Insurance Coverage Assistance**
  - D. Employee Assistance Program (EAP)**
  - E. Career Transition Services**
- VIII. Re-Employment**
- IX. Non-Discrimination Statement**

### **I. Policy**

A reduction-in-force (RIF) will be implemented when necessary because of financial conditions, lack of work or a change in County operations or organizational structure. Changes in operations may include use of an outside contractor, privatization or reduction or elimination of a County service. It is at the County Manager’s sole discretion to reduce the workforce.

### **II. Determination of a Reduction in Force (RIF)**

When it is determined that a reduction-in-force is needed, the department head of the affected division along with Human Resources will conduct an analysis, including an evaluation of any alternatives, and prepare a recommendation for the County Manager detailing the changes to be made in order to generate the labor cost savings needed or to create a more cost effective or efficient way of conducting business. The recommendation will identify employees that, as a result of the reduction, will be separated, reassigned or reduced in hours. In their analysis the department head and Human Resources will consider existing conditions, as well as the future needs of the County, the department, division and work unit.

### **A. Selection of Employees**

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The primary factors used in the selection of employees to be included in a reduction-in-force will include the individual employee's skills and abilities to perform the duties of a specific position and/or to meet the needs of the County in providing essential services. These factors will be used in evaluating employees for all types of reduction-in-force actions including but not limited to, separation, reassignment, and reduction in hours or changes in status.

The following criteria, in no particular order, may be used in evaluating an employee's skills and abilities:

- 1. The employee's past performance in the affected job class as documented in the employee's performance appraisals;
  2. Documented disciplinary and performance issues in the employee's personnel file or supervisor's employee file;
  3. Recommendation and reference from the employee's supervisor;
  4. Training and qualifications for the position including years of experience;
  5. A competitive process designed to assess job related knowledge, skills and abilities;
  6. The employee's ability to meet future organizational objectives.

In situations where incumbent's skills and abilities are relatively equal, continuous years of service in the same division and/or department may be used to determine the order in which employees are included in a reduction-in-force.

Employees selected for reduction-in-force will be provided with as much advance written notice as possible in order to minimize personal hardship.

### **III. Reduction-in-Force Actions**

Prior to a reduction-in-force action occurring, the Section Leader will meet with the employee and provide:

- 1. The reason for the Reduction in Force.
  2. Selection Factor(s).
  3. The benefits to which the employee is entitled and the manner in which the Reduction in Force will affect the employee's benefits.
  4. Eligibility for future employment (Re-Employment).

A written notice of the decision and a copy of the reduction-in-force policy will also be provided to the employee.

### **IV. Appeals**

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

A Reduction in Force is not appealable.

## V. Reassignment

An employee whose position has been eliminated may be offered reassignment by their department head to a position within their division or department in an equivalent or lower job class. An employee whose position has been eliminated and who cannot be reassigned to a position within their division or department may be offered reassignment by the County Manager to a position in an equivalent or lower job class in any other division or department.

Employees who are reassigned will be paid at the level of expected performance within the pay range of the new position and will be considered to be introductory employees until such time as their supervisor determines the employee will be successful in the new assignment. Should an employee choose not to accept an offer of reassignment, their separation will be designated as a reduction-in-force. Benefits such as unemployment may apply.

## V. Separation Process

1. **Unemployment Compensation:** Employees may be eligible for Unemployment Compensation provided they meet normal eligibility requirements.
2. **Paid Time Off, Administrative Leave, Compensatory Time:** All accrued, but unused, Annual Leave, Administrative Leave and Compensatory Time will be paid at final rate of pay.
3. **Major Sick Leave:** Not eligible for pay out.
4. **Fitness/Wellness/Tool Allowances:** Repayment requirement waived.
5. **Employee Loans:** Any outstanding loan balances are subject to individual conditions of loan agreements.

*Updated 01/01/2019*

## VII. Severance

When Covered Employees are involuntarily separated due to a Reduction in Force, the County may offer the following Severance Package. To be eligible for benefits under the County's Severance Package, affected employees must sign (and not later revoke) the Pitkin County Release and Waiver Agreement within the specified time limits. The RIF Severance Package includes:

### A. Severance Pay

Severance Pay for a reduction in force is provided as a lump sum payment representing twelve (12) weeks of the average weekly pay. Pitkin County will treat such payment as compensation from which federal and state withholding and payroll taxes are deducted.

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## **B. Severance Pay for Reduction in Force with Reassignment**

Circumstances may arise in which an employee identified to be separated due to a Reduction in Force is offered, and accepts, another position within Pitkin County that is immediately available.

If the employee is unable to successfully complete the introductory period for the new position and is separated due to a lack of fit or skills needed to perform the new job, the supervisor may authorize a lump sum payment representing two (2) weeks of the average weekly pay as Severance Pay. Additional Severance Pay up to a total of twelve (12) weeks provided for reduction in work force may be approved by the County Manager based on a review of the circumstances of the reassignment.

If the employee is released due to poor performance not related to lack of fit or skills once employed in the new position, no severance pay shall be applied.

## **C. Health Insurance Coverage Assistance**

Employee(s) will be offered continuation on the Pitkin County Health Plan through COBRA and by way of the County’s third party COBRA administrator. Should the employee(s) timely elect COBRA; the monthly Employer Contribution amount will be waived for the first two (2) months of COBRA coverage. Employee(s) will, however, be responsible for what they otherwise would pay as an active employee plus a 2% COBRA administration fee.

After the first two (2) months of COBRA coverage, normal COBRA contribution amounts will apply. Employee(s) may continue COBRA coverage for up to eighteen (18) months.

## **D. Employee Assistance Program (EAP)**

Five (5) additional visits through Triad are offered during the ninety (90) day period following date of separation.

## **E. Career Transition Services**

Four (4) hours of individual career consulting, training and coaching are offered through Mountain States Employers Council (MSEC) during the ninety (90) day period following date of separation.

## **VIII. Re-Employment**

Employees in good standing affected by a Reduction in Force are welcome and encouraged to apply for any open position with the County through the normal recruitment process.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

All uncompensated Sick Leave will be restored if re-employed by the County within twelve (12) months following the month in which separation occurred. If re-employed by the County within the time frame governing severance payment, the employee shall pay back the severance payment on a pro-rated schedule (e.g., severance period is 12 weeks, re-hired within 8 weeks, must pay back remaining 4 weeks of severance).

## **IX. Non-Discrimination Statement**

All separation or Re-Employment decisions pursuant to this policy will be made without regard to race, color, religion, sex (including pregnancy), age, national origin, disability, veteran status, political affiliation, sexual orientation, gender identify, marital status or genetic information.

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## Policy 3.90: Citation/Arrest or Conviction Reporting

**Effective Date:** 11/01/2016

**Effective Period:** Until superseded

**Responsible Department:** Human Resources

### I. Citation/Arrest or Conviction Reporting

Most County employees are hired for jobs that require accreditation, licensing, certifications and specialized qualifications. In addition, because all County employees are entrusted to serve the community, County employees must perform their work with a high degree of moral and ethical behavior. Each of these requirements must be continuously met throughout an employee's career with the County. Failure to meet these standards may result in discipline. In order to assure that all employees have and keep these standards, employees are required to report any arrest(s), conviction(s) for criminal violation(s), and/or all citations for moving violation(s) of six (6) points or more (such as speeding 20 mph over the limit or DUI) whether resulting from on or off duty conduct and whether or not occurring within the County. See Policy 2.40 for more information on Pitkin County's Alcohol and Drug policy.

In order for the County to be prepared to respond to and protect the employee from potentially volatile or damaging situation, employees are required to report other contacts with law enforcement such as an officer being called to an employee's home for a domestic disturbance, an employee being investigated as a suspect in a crime or any other event that would adversely affect employee or public safety in County Facilities.

Employee reports under this policy must be made to the employee's supervisor as soon as possible but within no more than 48 hours of the beginning of the incident. Rights provided by the 5th Amendment to the United States Constitution apply; an employee does not have to incriminate themselves in their report but do have to disclose that they were contacted, charged, arrested etc. In the event the employee is incarcerated, a family member may report on the employee's behalf. Any reporting will remain as confidential as allowable by law.

The supervisor along with the Human Resources Director will evaluate whether pending charge(s) or conviction(s) will have an effect on the employee's ability to perform the duties and responsibilities of their job.

Documentation regarding incidents reported under this policy will only become part of the employee's personnel record if the incident results in disciplinary action.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy No. 3.100: Nepotism and Consensual Relationships

**Effective Date:** 11/01/2016  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

### I. Nepotism - Employment of Immediate Family/Household Member

### II. Consensual Relationships

#### I. Nepotism - Employment of Immediate Family/Household Member

Pitkin County may employ relatives of current employees except in the following situations:

- 1. Relatives that would be in a position to supervise another relative.
  2. Relatives who have access to confidential information including payroll and personnel records.
  3. Relatives who audit, verify, receive, or are entrusted with money handled by the other relative.
  4. In cases of marriage or the formation of a civil union, between two employees, if the above guidelines apply, one must transfer.

These guidelines apply to all categories of employment, including full-time, part-time, and temporary classifications. They also apply to all relatives and individuals who are not legally related, but who reside with another employee.

#### II. Consensual Relationships

The County generally regards consensual romantic and/or sexual relationships between employees as private as long as such conduct does not create problems within the workplace. However, it is critical that supervisors or persons in authority should avoid, or must disclose to the Human Resources Director, the existence of any romantic or sexual relationship with a direct report or subordinate in the reporting line. Where problems or potential risks are identified, the appropriate County officials will address the situation with the parties involved.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 3.110: Time Reporting and Payroll

**Effective Date:** Revised (in part) **03/20/2019**  
**Effective Period:** Until superseded  
**Responsible Department:** Finance

- I. Policy**
- II. Hours of Work/Work Week**
- III. Flexible Work Arrangements**
  - A. Compressed Workweek**
  - B. Workplace Flexibility**
  - C. Meal Periods**
  - D. Break Periods**
- III. Stand-by Pay on Holiday**
- IV. Paydays**
- V. Direct Deposit**
- VI. Lost/Stolen Paycheck**
- VII. Pay Corrections**
- VIII. Payroll Deductions**
- IX. Wage Garnishments**
- X. Recording and Reporting Hours Worked**
  - A. Non-Exempt Time Reporting**
  - B. Exempt Time Reporting**
  - C. Pay Reductions**
- XI. Training Time**
- XII. Travel Time**
- XIII. Final Paycheck**

### **I. Policy**

The Finance department is responsible for the timely and accurate payment of salaries and wages and for the processing of all of the County’s payroll disbursements and related deductions.

### **II. Hours of Work/Work Week**

The established workweek begins at 12:01am on Sunday and continues for seven consecutive days and ends at 12:00 midnight on Saturday. Work schedules vary from department to department due to the varied nature of the services provided by the County. Department supervisors will notify their employees of their work schedule prior to the beginning of employment. In certain circumstances, supervisors have the discretion to change an employee’s schedule as an operational necessity.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## III. Flexible Work Arrangements

The County is committed to helping employees face the demands of juggling work, family and life-related issues by offering a number of Flexible Work Arrangements. These arrangements provide employees with increased flexibility with their work schedule while allowing the County to maintain a progressive, productive, and positive work environment. Ability to participate in Flexible Work Arrangements is a privilege and can be revoked at any time if needed.

### A. Compressed Workweek

Compressed workweek is an alternative to the traditional 9-to-5, 40-hour work week. Shifts may be comprised of lesser than, greater than, or equal to five days per week/eight hours per day (e.g., four 10-hour work days (4-10s), four 9-hour days and one day off in a two week period (9-80s).

Individual offices/departments may have different defined workweeks for calculating time worked in a compressed workweek. The specific terms of an employee’s compressed workweek must be set out in a written agreement between the employee and the manager on a Compressed Workweek Schedule.

### B. Workplace Flexibility

Workplace flexibility is a mutually beneficial arrangement between the employee and the County in which both parties agree on when, where, and how the employee will work to meet the organization and department’s needs. Flexibility can be formal and officially approved through HR policies (e.g. Telework Policy), or informal and available on a discretionary basis. Flexibility may include but isn’t limited to:

- Flextime - Allows employees to vary their arrival and/or departure times from a range of available hours.
- Telework - See Telework Policy 3.130;
- Two (2) hours of paid work time a month to participate in County-sponsored Employee Health and Well-Being activities and programs
- Informal practices such as occasionally or regularly using flextime for personal needs, exercise, etc.

Workplace flexibility means equity across the organization and that all employees receive access based on whether their specific job requirements are compatible with their flexibility request. This differs from equality, where all employees have the exact same level of access to all Flexible Work Arrangements regardless of what they do. Emphasizing equity allows for tailored arrangements that can adapt to differences in personal and organizational circumstances over time.

Employees interested in flexible work arrangements should discuss their request with their Manager. Department Head and Manager (if applicable) approval of a flexible

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work arrangement is required and will depend on the impact on the workplace as well as the benefit to the employee. No schedule will be approved that has the potential to unduly shift the workload to another employee, increase the department's liability for overtime pay, or change an employee's employees status (i.e. exempt or non-exempt).

*Revised 03/20/2019*

## **C. Meal Periods**

When employees performing non-exempt work are scheduled for a full day of service, an unpaid meal period of at least 30 minutes should be scheduled. Individual departments may have their own departmental policy and employees should check with their supervisor for guidance.

## **D. Break Periods**

Break periods are not required by the Fair Labor Standards Act (FLSA). However, as operational requirements permit and working conditions warrant, a 15-minute paid break may be provided during any work period of four consecutive hours. Break periods enhance productivity by providing opportunities for employees to refresh and refocus. Any missed breaks cannot accumulate as time paid. When breaks are skipped due to the volume of workload, employees may not necessarily leave work early that day unless pre-approved by their supervisor.

## **III. Stand-by Pay on Holiday**

Regular full-time and part-time employees on Stand-by duty on a County-recognized holiday shall be compensated at one and one half (1 ½) times their normal Stand-by rate of pay. If an employee is called into work and is non-exempt, employee will be paid at one and one half times (1 ½) rate of pay per Section IV. Regardless if called-in, employees will only receive one (1) eight-hour holiday.

*Revised 01/01/2019*

## **IV. Paydays**

The County pays its employees on a biweekly basis every other Friday. Paychecks are distributed to departments on the Friday following the end of the pay period. If the regular pay day occurs on a holiday or when the banks are closed for a holiday, employees are paid on the last working day prior to the regular payday.

On each payday, employees receive a statement showing gross pay, deductions, and net pay. Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans and individual savings plans may be arranged through Payroll or Human Resources.

## **V. Direct Deposit**

Direct deposit provides the convenience of having paychecks electronically deposited into checking or savings accounts. Employees are strongly encouraged to take advantage of direct

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deposit because of the many advantages it offers. In addition to being efficient and convenient, direct deposit is the most reliable method of receiving pay. In order to participate, employees may sign up on [Munis ESS](#) by going to Pay/Tax information section and update Direct Deposit.

## VI. Lost/Stolen Paycheck

One of the reasons that direct deposit is strongly encouraged is that checks that are physically lost or stolen can significantly delay the delivery of pay to employees. If a paycheck is lost or stolen, employees should contact Payroll immediately. Payroll will issue a stop payment on the lost or stolen check. After the financial institution has notified Payroll that payment of the check has been stopped, Payroll can issue a new check within three to four business days.

## VII. Pay Corrections

The County strives to compensate employees accurately. Employees are encouraged to discuss any questions regarding the calculation of their pay with their supervisor and/or Payroll and must bring any pay errors, underpayment or over payment, to the immediate attention of their supervisor and/or Payroll. If the employee's paycheck is short due to a payroll error, the employee has the option of receiving the amount on the next scheduled payday or in advance of the next scheduled pay day. Errors made as a result of an employee's omission are generally corrected on the next scheduled payday. Over payment corrections will be made on the next payroll following the discovery of the error.

Any questions concerning how or when corrections will be made should be directed to the supervisor and/or Payroll.

## VIII. Payroll Deductions

Paychecks reflect total earnings for a biweekly pay period and any mandatory or voluntary deductions. Mandatory deductions are deductions that the County is legally required to take: Federal Income Tax, Medicare, Social Security Tax (FICA), and any applicable state and local taxes. Voluntary deductions are deductions that you have authorized. Voluntary deductions might include healthcare, retirement accounts, etc.

Employees should contact Payroll with questions regarding deductions or with holdings, or log into [Munis ESS](#), to change payroll deductions.

## IX. Wage Garnishments

A wage garnishment is an order from a court or a government agency directing the County to withhold a certain amount of money from an employee's paycheck and send it to a person or agency. If the County is instructed by a court or agency to garnish an employee's wages the County is legally required to comply with these orders. If an employee has a dispute or

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concerns about the amount of a garnishment, the employee should contact the court or agency that issued the order.

## X. Recording and Reporting Hours Worked

### A. Non-Exempt Time Reporting

Employees in non-exempt positions are required to track their time worked on a daily basis. Time is kept in quarter-hour increments with rounding to the nearest quarter-hour. For example, a start time from 7:53 to 8:07 rounds to 8:00 and a start time from 8:08 to 8:22 rounds to 8:15.

Employees in non-exempt positions are required to submit an electronic timesheet for their supervisor's approval according to the biweekly payroll schedule. Employees must indicate whether the recorded hours are for time worked or for time off.

### B. Exempt Time Reporting

Employees in exempt positions are paid on a salary basis and are required to submit an electronic timesheet for their supervisor's approval according to the biweekly payroll schedule indicating any leave time used (i.e., Paid Time Off, Major Sick Leave, Admin Leave, etc.). Employees in exempt positions are expected to work eighty hours each pay period or take authorized leave to make up the full eighty hours.

### C. Pay Reductions

The County is committed to complying with salary basis requirements which allows properly authorized reductions. Permissible pay reductions from salaries are as follows:

- 1. **Personal absences** - Employers may deduct for partial day absences for personal reasons other than sickness or disability when accrued leave time is not used.
  2. **Absences for illness or injury** - Employers may deduct for partial day absences due to illness or injury if bona fide sick pay/disability plans are in place.
  3. **Absences for FMLA Leave** - Employers may deduct for full day absences taken as FMLA leave and partial day absences for hours taken as intermittent or reduced FMLA leave when accrued leave time is not used.
  4. **Offsets** - Employers may offset employees' pay for amounts received by the employee for jury fees, witness fees, or military pay.

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5. **Infractions of safety rules** - Employers may deduct for penalties imposed when salaried employees violate safety rules of major significance.
6. **Infractions of workplace conduct rules** - Employers may suspend exempt employees without pay for full days for infractions of written workplace conduct rules.
7. **First or last weeks of employment** - Employers may make partial week payments during an employee's first or last week of employment.

If you believe an improper reduction has been made to your salary, you should immediately report this information to Payroll. Reports of improper reductions will be investigated. If it is determined that an improper reduction has occurred, you will promptly be reimbursed.

## XI. Training Time

A non-exempt employee who attends County approved training will be compensated for time in attendance if the following are met:

1. The training occurs during the employee's regular working hours;
2. The training is approved by the employee's supervisor or department head; and
3. The training is directly related to the employee's job.

Time spent by non-exempt employees in voluntary training will not be considered hours worked. All of the following must be met for the training to be considered voluntary:

▪

1. Attendance must occur outside the employee's regular working hours;
2. The employee is not required to attend as a condition of their employment;
3. The employee does not perform any productive work while attending; and
4. The training is not directly related to the employee's job or aid the employee in handling their present job. With the approval of the supervisor and department head, voluntary training may occur during work hours or may be considered hours worked.

If the training or continuing education is required as a condition of a trade or profession, and if the training is not directly job related, attendance at such training will not be considered working time.

## XII. Travel Time

Ordinary home-to-work travel by employees does not count as hours worked. However, once employees start the workday, all time spent traveling as part of their principal activities are

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counted as hours worked. Where an employee's job involves traveling from one site to another after reporting for the day's work, the travel time is counted as hours worked.

When employees must take a trip by car, train, or other public transportation that keeps them away from home overnight, all time spent traveling is counted as time worked, including travel on Saturdays, Sundays, and holidays. Time that should not be included as time worked are meal periods and the time spent traveling between the employee's home and point of departure—for example, an airport or bus station. This home-to-depot time falls into the standard home-to-work travel exemption.

The County will not compensate employees for time spent traveling in County vehicles between home and work assignment or service calls, so long as:

- 1. Use of the County's vehicle is strictly voluntary and not a compensable time
  2. The vehicle is the type that normally would be used for commuting and,
  3. The work sites are within the normal commuting area of the County's facilities.

## **XIII. Final Paycheck**

An employee's final paycheck at the time of the separation includes pay for time worked and any payout for accrued leave available based on County procedures, less any monies owed to the County. Upon separation, an employee will be paid out for unused Paid Time Off and Comp Time at the employee's rate of pay at time of separation.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 3.120: Classification and Compensation Plans

**Effective Date:** 11/01/2016 Revised  
01-01-2021

**Effective Period:** Until superseded  
**Responsible Department:** Human  
Resources

### Colorado Equal Pay for Equal Work Act

#### I. Overview

#### II. Classification Plan

#### III. Compensation Plan

#### IV. Job Descriptions

### Colorado Equal Pay for Equal Work Act

In accordance with the 2021 Colorado Equal Pay for Equal Work Act (SB 19-085), Pitkin County will ensure policies and procedures for all employees are in compliance with the intent of the law that prohibits employers from discriminating because of sex (including gender identity) or in combinations with another protected status, by paying less for substantially similar work in terms of skill, effort and responsibility.

*Added 01/01/2021*

#### I. Overview

The Classification and Compensation Plans provide a system to inventory all County positions and assign a pay level to each position. The purposes of the Classification and Compensation Plan are:

- 1. Establish pay rates on the basis of job content and market conditions.
  2. Enable the County to recruit and retain qualified employees and to recognize the value of employees' contributions.
  3. Provide uniform titles for positions.
  4. Establish recruiting, testing and qualification standards.
  5. Provide appointing authorities with the means of analyzing area of responsibility, lines of authority, work distribution and other relationships between positions.
  6. Establish lines of promotion.
  7. Provide a basis for determining training needs.
  8. Provide a basis for developing standards of work performance.
  9. Assist appointing authorities in determining budget requirements.

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10. Comply with applicable federal and state laws and regulations.

## **II. Classification Plan**

The Classification Plan provides a systematic arrangement and inventory of County positions. Each position title is assigned to a class specification that lists the minimum requirements and qualifications needed to perform the job. By describing essential job functions, responsibilities and qualifications, the Classification Plan provides guidelines for establishing a Compensation Plan based on these relationships. A master set of all approved class specifications is maintained by Human Resources.

## **III. Compensation Plan**

All County positions, except elected official and specific contract employees, are assigned to a grade in the Compensation Plan that establishes a specific range of allowable wage rates for each grade. A position's placement in the grade is based on an evaluation of factors including level of responsibility, decision-making requirements, skills, education and experience required, scope of authority, supervisory responsibility, complexity, skill, physical demands and work environment.

## **IV. Job Descriptions**

Job descriptions exist for all regular positions and summarize typical duties, responsibilities, working conditions, and hiring qualifications including required education, experience level(s), and licensure(s)/certification(s).

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## Policy 3.130: Telework

**Effective Date:** 10/05/2016  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

- I. Policy**
- II. Eligibility Criteria**
- III. Teleworker Expectations**
- IV. Approval**
- V. Exceptions**
- VI. Applicable Employment Laws**
- VII. Residency**
- VIII. Termination of Telework Agreement**
- IV. Procedure for Approval**
- V. Exceptions**
- VI. Applicable Employment Laws**
- Removed in its entirety 09-21-2021**
- VII. Termination of Telework Agreement**

### **I. Policy**

Teleworking is a work arrangement in which employees routinely perform their regular job responsibilities away from their primary business location. This arrangement may be established for regularly scheduled, sustained periods of time and may represent a portion or all of the employee's work week. Formal arrangements are not needed for temporary or intermittent assignments that add up to less than thirty days in a year in which work has been approved to be performed away from the primary work place. However, the guidelines set forth in this policy will govern all teleworking assignments: permanent, routine and temporary. *Revised in its entirety 09-29-2021*

### **II. Eligibility Criteria**

Department managers are responsible for determining the feasibility of any individual teleworking arrangement based upon evaluation of the work to be accomplished, benefits to the department, interactions required between the teleworking employee and other staff members or customers and the demonstrated skills of the employee.

1. Employees that are regular, temporary, or contract with a full or part-time designations are eligible;
2. Both exempt and non-exempt employees are eligible;
3. Seasonal and on-call employees are not eligible.

Consideration should also be given to the following:

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4. If an existing employee, they have a record of acceptable or higher performance free of disciplinary action or documented performance issues;
5. Employee is capable of independent, self-directed work.

Pitkin County recognizes telework is not an option for all county positions. *Revised in its entirety 09-29-2021*

## III. Teleworker Expectations

1. Teleworkers are expected to adhere to the same information security procedures in their remote location that they employ at their regular County worksite. Consistent with the County's expectations of information security for employees working at the office, employees working remotely will be expected to ensure the protection of proprietary County and customer information accessible from their telework site. All forms of information must be kept secure and confidential. If it is necessary for data to be downloaded or transported to be used off-site, employees must safeguard the information. Employees must inform their supervisor if taking confidential information out of their workplace.
2. Teleworkers are encouraged to take regular meal and break periods.
3. Non-exempt teleworkers must receive prior approval from their supervisor before performing any overtime work or prior to performing work outside of normal working hours.
4. Teleworkers must only use County issued devices for work related matters. County issued devices must only be used by County employees. Reasonable steps must be taken to protect any County property from theft, damage or misuses.
5. Teleworkers must provide a safe telework site and are responsible for costs such as furniture and internet service. The County will provide standard office supplies such as paper, pens, and computer equipment such as a lap top, monitors, webcam, keyboard, mouse, inexpensive printer, etc.
6. Teleworkers must maintain the teleworking site in a manner free from health or safety hazards and immediately report any teleworking site accidents or injuries to their supervisor.
7. Teleworkers must provide for dependent or child care arrangements during work hours such that these do not interfere with work being performed as much as is reasonably possible.
8. Telework does not create a "second job" with the County or allow employees to pursue other jobs or business initiatives external to the County. Their position at Pitkin County must be their primary job.
9. Teleworkers must comply with all other county policies. *Revised in its entirety 09-29-2021*

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## IV. Approval

Approval is based on criteria outlined by director level supervisors, or their designee, and is subject to change based on need. *Revised in its entirety 09-29-2021*

## V. Exceptions

If management determines that emergency circumstances exist, such as natural disaster, pandemic, etc., temporary or intermittent assignments may be requested with County Manager approval without formal written agreements or processes followed. Employees are not to assume they may work from home without first obtaining approval. *Revised in its entirety 09-29-2021*

## VI. Applicable Employment Laws

Teleworking arrangements must comply with federal, state, local laws and County policies that apply to employees at Pitkin County. This includes, but is not limited to, the Fair Labor Standards Act (FLSA). Therefore, teleworking arrangements do not change salaries, benefits, job responsibilities, leave policies or other basic terms or legal requirements associated with employment. The employee will be covered by workers' compensation for job-related injuries that occur in the course and scope of employment while teleworking. In cases where the home and the workplace are the same, workers' compensation will not apply to non-job related injuries that might occur in or outside the home or for incidents that occur outside of work hours.

The employees designated workplace remains the primary office location unless they are hired specifically for remote work only. All applicable IRS laws continue to apply to the primary office location such as travel. Teleworkers traveling to their primary office location is their commute and are not eligible for mileage reimbursement. *Revised in its entirety 09-29-2021*

## VI. Residency

Employees' permanent residence must be in the state of Colorado due to tax and insurance implications. Any residency outside of Pitkin, Garfield, Eagle, Adams and Mesa Counties must be approved by the Human Resources Department.

International telework is permitted on a temporary basis, not to exceed 30 days, with manager approval. Additionally, it must meet IT requirements including completing the International Travel Notification form. *Added 09-29-2021*

## VIII. Termination of Telework Agreement

Termination of the Telework Agreement could occur due to a change in employment status, residency or failure to meet teleworkers expectations outlined above.

Health or safety hazards at the teleworking site may result in immediate suspension/termination of the teleworking arrangement. If an injury to the employee does occur at the teleworking

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worksite, management reserves the right, in response to the injury or illness, to inspect the worksite and make appropriate recommendations.

Management retains the right to modify the agreement as a result of business necessity or in response to an employee request. An employee should give at least two weeks' notice to the County prior to terminating the teleworking agreement. Likewise, the County should provide at least two weeks' notice to the employee prior to terminating the teleworking agreement, unless such notice is not feasible due to business necessity or due to actions resulting in poor performance or safety concerns. *Revised in its entirety 09-29-2021*

## **IV. Procedure for Approval**

*Removed in its entirety 09-29-2021*

V. Exceptions

*Removed in its entirety 09-29-2021*

VI. Applicable Employment Laws

*Removed in its entirety 09-21-2021*

VII. Termination of Telework Agreement

*Removed in its entirety 09-29-2021*

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 3.140: Special Pay

**Effective Date:** 11/01/2016  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

### **I. Overtime and Compensatory Time (Comp Time)**

#### **II. Stand-by Pay**

##### **A. Responsibilities for Staff in Stand-by**

#### **III. Call-Back Pay**

##### **A. Call-Back Hours worked**

##### **B. Shift Premium**

##### **C. Temporary – Interim Assignment Pay**

##### **D. Overload Pay**

##### **E. Maximum Hours / Day**

### **I. Overtime and Compensatory Time (Comp Time)**

On occasion, employees may be asked to work beyond their regularly scheduled hours. Every effort will be made to give employees advance notice when overtime work is necessary; however, it will not always be possible to notify workers in advance. All overtime and comp time must be authorized and approved in advance by the employee's supervisor. Working unapproved overtime may result in a corrective action.

Employees in non-exempt positions are paid overtime at the rate of one and one-half times their regular hourly rate for hours worked in excess of 40 during the established workweek. Therefore, sick leave, annual leave, or other paid or unpaid leave time is not included in calculating the 40 hour threshold.

Comp time is a balance of hours accumulated at the rate of one and one-half times for each hour worked and provided to employees in lieu of paid overtime. The maximum accrual for comp time is 160 hours upon Section Leader approval. Comp time may not be available in some departments due to workload or scheduling needs. Comp time is normally used as leave but may also be cashed out on a one-to-one basis if the employee reaches the maximum accrual and is unable to take the time off. Employees should refer questions about how overtime/comp time is calculated to Payroll or Human Resources. Upon separation of employment or change in FLSA non-exempt status to FLSA exempt status, an employee is paid out for their unused comp time at a one-to-one basis.

### **II. Stand-by Pay**

Non-exempt employees assigned to stand-by duty for the purpose of being on call and available to handle emergency situations arising at times other than during normal working hours are eligible for stand-by pay. Employees will be paid \$30 per day for stand-by duty assignment (up to a 24 hours of stand-by coverage). Stand-by schedules will be authorized by the appropriate supervisor and approved by the appropriate department head. The supervisor

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of departments needing stand-by coverage will develop a schedule that includes who is on call each day/week and instructions for contacting each person.

Under special circumstances, there may be certain exempt positions that would be eligible for stand-by pay, subject to budgetary resources and Human Resources approval.

## A. Responsibilities for Staff in Stand-by

- 1. The staff person assigned for stand by response shall be available continuously available through phone or pager.
  2. While in stand-by, staff must abstain from use of alcohol or other intoxicating substances.
  3. Any calls that are not answered and are sent to the staff's voicemail that require a response will be returned within 15 minutes of the first call.
  4. The assigned staff will be able to respond in person within 90 minutes or less and have transportation available to readily respond to calls if needed.

## III. Call-Back Pay

Non-exempt employees who have left their work site after completing their regular shift and who are subsequently "called back" to perform emergency work (i.e., unscheduled work with less than four hours prior notice) are eligible for call-back pay or compensatory time. Call-back pay or compensatory time will be authorized by the appropriate supervisor. The availability of compensatory time will vary across departments or divisions based upon operational demands, budget or staffing concerns.

### A. Call-Back Hours worked

Call-back time will cover the period from the time employees report for work until they are released by their supervisor. Time spent in travel to the work-site is not counted as call-back time unless the employee is responding in a County vehicle. All call-back time will be calculated to the nearest fifteen (15) minutes of time worked. For calls that require and on-site call, a minimum of two (2) hours will be guaranteed for each call-back. Additional call-back events which occur within the two (2) hour guarantee time will not be treated as separate events for purposes of determining a new call-back period. *Revised (in part) 09-14-2021*

### B. Shift Premium

Non-exempt employees assigned to work shifts and who routinely perform work during the hours of 11:00 p.m. and before 4:00 a.m. for a minimum of a two-week period will receive an hourly shift premium. Shift premium pay is an additional fifty (50) cents per hour. Shift premium pay does not apply to designated Sheriff's Office or employees in positions that perform work during the assigned hours due to the nature of their jobs. Shift

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premium pay will be authorized by the appropriate supervisor and approved by the appropriate department head

## **C. Temporary – Interim Assignment Pay**

Temporary upgrade pay is intended for upgrades lasting a minimum of two consecutive weeks. In cases where an upgrade is ongoing, the department head will follow procedures in order to request a reclassification or a position addition. Temporary upgrade to a vacant position will be limited to six (6) months or until the vacancy is filled, unless otherwise approved in writing by the County Manager. A request for temporary upgrade pay will be recommended by the supervisor, approved by the appropriate Section Leader and reviewed by Human Resources. Employees who are temporarily upgraded for at least one full pay period or 80 consecutive hours will be compensated within the pay range of the higher level job class at the greater of the entry rate or their base rate plus up to ten percent (10%). A supervisor may recommend a rate less than ten percent (10%) above the employee's base rate, but not less than the entry rate of the range. The hiring supervisor's recommendation will require approval by the appropriate department head and review by Human Resources.

## **D. Overload Pay**

Employees may receive stipend pay for certain special duty assignments. Stipends will be authorized in writing by the appropriate supervisor and approved by the department head, Human Resources and County Manager. Employees designated to receive a stipend will receive a percentage of their base salary as the stipend. Stipends are not considered part of base pay and will not be included for purposes of calculating overtime and other employee benefits.

## **E. Maximum Hours / Day**

Employees are encouraged to maintain a 12-hour shift during emergency response (i.e. snow plowing/emergency maintenance). In extreme circumstances, with supervisor approval, employees may work longer, not to exceed 16 hours per shift.

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## Policy 3.150: Performance Management

**Effective Date:** Revised 10/15/2018  
**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

### I. Performance Management Process

### II. Merit Increases On hold until further decisions are made regarding performance management 10-14-2021

#### I. Performance Management Process

Performance management is an essential practice for Pitkin County. [The Performance Management Library](#) is published to give clear guidance and the framework to provide employees clarity of responsibilities, links strategic County objectives and the day-to-day actions of employees, and focuses on employee development. The County's performance management cycle covers the period January 1 through December 31.

#### II. Merit Increases

#### *On hold until further decisions are made regarding performance management 10-14-2021*

The County is committed to linking the opportunity for annual pay increases to employee performance during the year. The opportunity for an annual merit increase is based on an individual's annual performance evaluation and annually approved guidelines. Eligibility guidelines and merit increase amounts are developed each year through the budget adoption process with performance reviews at the end of the year and merit increases effective in February.

#### A. Merit Guidelines for New Hires / Job Changes

New employees and employees that experience a change in position due to promotion or departmental transfer between the period January 1 to September 30 are eligible to receive the annual wage adjustment/increase in February of the following year based on applicable fiscal year guidelines and designated performance.

New employees hired between October 1 and December 31 will receive a base pay wage offer that includes an additional amount equal to one-quarter (1/4) of the fiscal years adopted wage adjustment/increase. Employees will then be eligible for a wage adjustment increase in the following year per the guidelines outlined above. All employees will receive a performance review each year regardless of eligibility for wage adjustment.

Change in job duties within existing department and/or job class maintain their current eligibility cycle.

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## Policy 3.160: Recognition

**Effective Date:** Revised (in part)  
**0102/2019**

**Effective Period:** Until superseded

**Responsible Department:**  
Administration

### I. Policy

### II. Hire Date/ Anniversary Annual Leave Award

### III. Service Awards

### IV. Employee Recognition Programs

#### C. Spotlight Award - On hold for review

Suspended 01/01/2021

#### D. Spotlight of the Year - On hold for review - Suspended 01/01/2021

### I. Policy

The County develops alternative programs to reward and recognize employees who exemplify the County values, embrace a positive work experience, has an outstanding work achievement or experience a work/life milestone. *Revised 09/30/2021*

### II. Hire Date/ Anniversary Annual Leave Award

Regular full-time and part-time employees receive a Paid Time Off (PTO) Leave award on the annual anniversary of their hire date. This leave award is prorated according to their established weekly schedules, up to a maximum of 8 hours. The Anniversary PTO Award will be awarded in the pay periods in which their anniversary date falls. *Revised 09/30/2021*

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Scheduled Hours per Week	PTO Leave Award Hours
Under 11 hours	2 hours
11 (.25 FTE) to 15.99 hours	3 hours
16 (.40 FTE) to 20.99 hours	4 hours
21 (.525 FTE) to 25.99 hours	5 hours
26 (.65 FTE) to 30.99 hours	6 hours
31 (.775 FTE) to 35.99 hours	7 hours
36 (.90 FTE) to 40 hours	8 hours

Upon separation of employment, an employee will be paid out for their unused PTO leave.  
**III. Service Awards**

Employees are vital to the service they provide to the community and its’ residents. Service Awards recognize regular full-time, regular part-time and seasonal employees who have dedicated their time and talent to Pitkin County. A cash award is given to employees based on 5 year increments. All cash awards are subject to applicable withholding taxes and the amounts are subject to annual budget appropriations. The current award amounts are: ***Revised 09/30/2021***

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Years	Award
5	\$250
10	\$500
15	\$750
20	\$1,000
25	\$1,500
30	\$1,500
35	\$1,500
40	\$1,500

## IV. Employee Recognition Programs

### A. High Five! Award

The High Five! Award recognizes employees who are team players, go above and beyond and who always keep our County Values at the forefront of what they do. High Five! Award winners receive a \$50 cash recognition in their paycheck. Monetary awards are subject to applicable withholding taxes and are based on annual budgetary appropriation.

**Examples of High Five! Awards:** An employee who always contributes to a positive work environment; someone who steps away from their work to help you with yours or someone who exemplifies superb service to our community. **How to nominate someone:** Recognize an employee or a co-worker whether in your department or part of another department, by filling out the [High Five! Award](#) (also located on the County’s PCIN). All requests must be approved by the Department Director/Section Leader and reviewed by the Admin Recognition Group for final approval.

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## **B. Standing Ovation! Award**

The Standing Ovation! Award recognizes employee accomplishments through awarding Paid Time Off (PTO) that Supervisors and/or Department Directors/Section Leaders may award to regular full-time and part-time employees. The maximum leave to be awarded is 40 hours per year.

**Examples of Standing Ovation! Awards:** An employee that has gone above and beyond the expectations of their job and exemplifies the values of Pitkin County, stepped in to fill someone else's position while they were out sick for an extended time period or answered the call after working hours to come to report to work. All requests must be approved by the Department Director and reviewed by the Admin Recognition Group for final approval.

**How to nominate someone:** Recognize your employee by filling out the [Standing Ovation! PTO Recognition Award](#) (also located on the County's PCIN). All requests must be approved by the Department Director/Section Leader and reviewed by the Admin Recognition Group for final approval.

Effective January 1, 2020, all Leave Recognition is awarded through the Paid Time Off (PTO) accrual type. Any "Admin Leave" prior to December 31, 2019, was rolled over into the employee's PTO balance. *Revised 09/30/2021*

## **C. Spotlight Award - On hold for review** *Suspended 01/01/2021*

## **D. Spotlight of the Year - On hold for review - *Suspended 01/01/2021***

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 3.170: Seasonal Employee Incentives

**Effective Date:** Revised (in part)  
**03/25/2019**  
**Effective Period:** Until superseded  
**Responsible Department:** Human  
Resou

- I. Policy**
  - A. Season Dates**
  - B. Eligibility**
- II. Benefits**
  - A. Paid Time Off (PTO) Accrual**
  - B. Incentives**

### I. Policy

The objective of Pitkin County’s Seasonal Employee Incentive Program is to incentivize, reward and recognize seasonal employees to return year after year, decrease training costs and decrease time to fill for open positions.

#### A. Season Dates

- Winter Seasonals – Season is generally September thru May
- Summer Seasonals – Season is generally April thru December (May end earlier).

#### B. Eligibility

Employees who are classified as seasonal workers and work consecutively up to nine-months are eligible for this program.

- Seasonal full-time (30 hours a week or more) employees are eligible for all benefits outlined in this policy.
- Seasonal part-time (less than 30 hours) or on-call (minimum 160 hours per season) employees are only eligible for the returning and end of season bonus.

Returning bonus incentive and end of season bonus incentive are paid out at the discretion of the Supervisor and the Director and based on good performance. At the Department/Section’s discretion, if an employee has an accident, the end of season bonus incentive could be reduced by \$250 per accident.

If an employee starts mid-season, they’re not eligible for a returning bonus and the end of season bonus will be pro-rated based on the months worked. Must start before the 15th of the month for that month to count towards the end of season bonus. If an employee does not finish the season, they’re not eligible for the end of season bonus.

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## II. Benefits

- Uniform and Footwear (See [Policy 4.90](#))
- Flexible scheduling (i.e. 4/10s) if appropriate for the needs of the County and based on the discretion of the Supervisor and/or Director
- Bus Pass – complimentary of County

### A. Paid Time Off (PTO) Accrual

Returning seasonal employees must have worked through the entire prior season to be eligible for the higher PTO accrual rate. Upon termination any unused Paid Time Off will be paid out to the employee on their final paycheck.

### B. Incentives

Seasons of Service	PTO Accrual Rate
First Year Seasonal Employee	5 hours/80 hour pay period (no max accrual)
Returning Seasonal Employee	10 hours/80 hour pay period (no max accrual)

Returning seasonal employees must have worked through the entire prior season to be eligible for the higher PTO accrual rate. Upon termination any unused Paid time Off will be paid out to the employee on their final paycheck.

Seasons of Service	Returning Bonus	End of Season Bonus	Monthly Stipend
Year 1 (minimum of 6 months)	N/A	\$500	\$350
Year 2	\$500	\$700	\$350
Year 3	\$700	\$900	\$350
Year 4	\$900	\$1,100	\$350
Year 5	\$1,100	\$1,300	\$350
Year 6-10	\$1,300	\$1,500	\$350
Year 10+	\$1,500	\$1,700	\$350

On-call and part-time seasonal employees are not eligible for the monthly stipend of Paid time Off Accrual.

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## SECTION 4 - BENEFITS

### Policy 4.10: Core Benefits

**Effective Date: 11/01/2016**

**Effective Period:** Until superseded

**Responsible Department:**  
Human Resources

#### I. Policy

#### II. Medical and Prescription Drug, Dental, and Vision Insurance

#### III. Dependent Health Coverage

#### IV. Flexible Spending Accounts (FSA)

##### A. Limited-Purpose Health (Flexible Spending Account) FSA

#### V. Health Savings Account (HSA)

#### VI. Basic Life/Accidental Death & Dismemberment (AD&D) Insurance and Supplemental Life Insurance

#### VII. Retirement Plan - 401(a) and Social Security

##### A. Vesting Schedule

##### B. Retirement Board

##### C. Retirement Plan

#### VIII. Short-Term Disability (STD) Plan

#### IX. Long-Term Disability (LTD) Plan

#### I. Policy

The County currently offers employees and their family members a strong foundation of core benefits that offer exceptional value including high-quality medical and dental plans, paid time-off, retirement plans, and life and disability insurance.

#### II. Medical and Prescription Drug, Dental, and Vision Insurance

Regular full-time employees normally scheduled to work 30 or more hours per week currently may enroll in medical and prescription drug, dental, and vision plans to cover themselves and eligible family members. Eligibility begins on the first day of the month following the hire date. The Employee Benefits Guide provides detailed information on benefits offered by the County.

#### III. Dependent Health Coverage

Currently, employees of the County who are eligible to participate in employee benefit programs are eligible to cover dependents to the extent allowed under applicable state and federal regulations. The following is the list of acceptable documents required for dependent coverage:

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- 1. Adult Dependent
  2. Civil Union Certificate
  3. Marriage Certificate
  4. Affidavit of Common-law
  5. Dependent Child (Age 25 and under):
  6. Birth of a child - birth certificate (within 30 days of birth to add coverage)
  7. Step child – birth certificate with the name of adult dependent listed on any of the documents above
  8. Adoption paperwork or proof of legal guardianship
  9. Any dependent change that would eliminate qualifications for a dependent (death or divorce) must be communicated to Human Resources as soon as practical but no more than 30 days from the event. Documentation of the change (death certificate, divorce decree) must be notarized and submitted to Human Resources.

## IV. Flexible Spending Accounts (FSA)

The County currently offers three types of reimbursement accounts that allow employees to take advantage of tax savings on eligible expenses:

- 1. Health Care (for health expenses not covered by insurance)
  2. Dependent Care (for reimbursement of day care expenses for eligible dependents)
  3. Transportation Expense (for expenses related to cost associated with work, ie: parking)

These reimbursement types require employees to estimate the cost of their expenses for the upcoming calendar year. By setting aside pre-tax money into these accounts, employees may later re-pay themselves for eligible expenses incurred in the established time period. Because contributions are deducted from pay before federal income, state income and Social Security taxes have been withheld, employees can save on taxes.

### A. Limited-Purpose Health (Flexible Spending Account) FSA

Employees enrolled in an HSA are not eligible to participate in a general purpose Flexible Spending Account (FSA). They are allowed to enroll in a Limited-Purpose FSA while still contributing to an HSA. A Limited-Purpose FSA gives employees the same ability to set aside their pre-tax dollars, but in this case, the funds are reserved for eligible dental, vision and preventive expenses. This allows employees to tap into the Limited FSA for costs

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associated with dental and vision care while only using their HSA for qualified medical expenses.

## **V. Health Savings Account (HSA)**

Employees who enroll in the County's High Deductible Health Plan (HDHP) and qualify as eligible (see Employee Benefits Guide, for eligibility criteria) are automatically enrolled into HSA Bank. Additional contributions to the HSA Bank account can be made on a pre-tax basis through payroll deductions. HSA is a personal health care savings account that can be used to pay out-of-pocket health care expenses with pre-tax dollars. Contributions are tax free, and the money remains in the account to spend on eligible expenses no matter if the employee is no longer employed at Pitkin County or how long funds stay in the account.

## **VI. Basic Life/Accidental Death & Dismemberment (AD&D) Insurance and Supplemental Life Insurance**

Regular full-time and part-time employees normally scheduled to work 20 hours or more per week are currently covered for Basic Term Life Insurance/AD&D with a Dependent Term Life Insurance benefit for eligible dependents. Employees are covered for 2x annual earnings, spouses are covered for \$10,000, and children are covered for \$1,000 (live birth to 6 months) and \$5,000 (6 months to unmarried children to age 26 years). Employees may purchase additional Supplemental Life Insurance for themselves and eligible dependents. Employees should contact Human Resources for information.

## **VII. Retirement Plan - 401(a) and Social Security**

Regular full-time and part-time employees scheduled to work 20 hours or more per week are eligible to be enrolled in the Retirement Plan and do not participate in Social Security. Temporary and seasonal employees are not eligible and participate in Social Security.

The County contributes 13% of an eligible employee's gross pay into the Pitkin County retirement account. The retirement plan is a 401(a) defined-contribution plan, which means the amount received upon retirement or termination of employment is determined by the amount contributed to the plan and the plan's earnings.

Since employees do not pay social security tax while employed with the County, social security retirement benefits may be reduced. For more information see the [Pitkin County Public Employees' Retirement Plan: Summary](#).

There are no mandatory or voluntary employee contributions; only the County makes contributions. Investment in the retirement plan account is self-directed. Employees may choose from several model portfolios and individual funds. Once enrolled in the retirement plan, additional investment information is available online after logging into an individual's account.

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## A. Vesting Schedule

Employees are vested in the portion of their retirement account attributable to County contributions in accordance with the following schedule:

Period of Service Percentage Vested

Initially (Upon date of hire) 50%

After 1 year of service 60%

After 2 years of service 75%

After 3 years of service 100%

Funds are not available for withdrawal until retirement or with a withdrawal penalty at termination of employment. Employees should contact Human Resources for information.

## B. Retirement Board

The retirement plan is overseen by a retirement board composed of two members appointed by the county commissioners, two members elected by employees, and the county treasurer. Current board members are: Jeff Sgroi and Michael McVoy, appointed, Marykate Valentine and Nathalie Crick, elected, and Tom Oken, treasurer. The board meets quarterly at 12:30 pm in the commissioners' meeting room in the Courthouse Plaza on the third Wednesday of February, May, August, and November. Employees are welcome to attend or direct their comments and questions to the Board.

## C. Retirement Plan

Loans Employees are currently eligible to borrow up to 50% of their vested retirement balance or \$50,000, whichever is less for the purchase of their primary residence. Employees are also eligible to borrow up to 50% of their vested retirement balance or \$10,000, whichever is less, for general purposes. The combined loan amount of these two programs must not exceed \$50,000. Interest is charged for these loans and is calculated at the time the loan is finalized. Employees should contact Finance for information.

Regular full-time and part-time employees currently may enroll in the voluntary Colorado County Officials and Employees Retirement Association (CCOERA) Governmental 457(b) deferred compensation plan. CCOERA is a non-profit association whose sole purpose is to provide retirement benefits to employees of Colorado local governments. The 457(b) Deferred Compensation Plan is a County-sponsored retirement plan that allows

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employees to defer (postpone) receiving a portion of their current compensation until retirement or separation from service.

The concept behind deferring some current compensation until the future is — during peak earning years employees will most likely be in the highest income tax bracket of their lifetime. By deferring receipt of a portion of current compensation, an employee would pay taxes on this income in retirement when they may be in a lower tax bracket.

## **VIII. Short-Term Disability (STD) Plan**

This plan helps replace pay for regular full-time and part-time employees normally scheduled to work more than 20 hours per week if they suffer a covered disability for a limited period of time. Employees should contact Human Resources for information.

## **IX. Long-Term Disability (LTD) Plan**

This plan helps replace pay for regular full-time and part-time employees normally scheduled to work more than 20 hours per week if they suffer a covered disability for an indefinite period of time. The LTD insurance provides up to 60% of an employee's base monthly income after a 90 day waiting period. This benefit is paid directly to the employee in the event of a qualified disability that exceeds 90 days. An employee may request long-term disability once all of their sick and vacation time has been used or paid out. Employees should contact Human Resources for information.

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## Policy 4.20: Time Away for Pitkin County

**Effective Date:** Revised (in part) 11/06/2019 Revised (in part) 12-26-2020 Revised (in part) 01-01-2021 Revised (in part) 09/22.2021 **Effective Period:** Until superseded **Responsible Department:** Human Resources

- I. Policy**
- II. Eligibility**
  - Paid Time Off (PTO)**
  - Holiday Leave**
  - Major Sick Leave (MSL)**
  - Volunteer Service Leave**
  - Emergency Closing**
  - Inclement Weather**
  - Personal Leave of Absence**
  - Bereavement Leave**
  - Military Leave**
  - Victims Protection Leave**
  - Voting Leave**
  - Jury Duty Leave**
  - Colorado Family Care Act**
  - Public Health Emergency Leave (PHE)**

### I. Policy

The County recognizes that employees have diverse needs for time away from work and supporting such needs to the extent possible is integral to creating a positive work environment. As such, the County provides paid leave to provide a support mechanism for employees, encourage job retention, promote employee well-being and ensure stewardship of public trust. The Leave Program defined herein reflects the values of the County, is competitive within the market and maintains our fiduciary responsibility to the public.

### II. Eligibility

Regular full-time, part-time and term-limited employees are eligible for the types of leave listed below, based on their established schedules with prorated accruals for employees working less than 40 hours weekly.

*Revised (in part) 12-23-2020*

### III. Types of Leave

The County provides various types of leave benefits to all regular full-time, part-time and term-limited employees. The following types of leave are described in this policy:

- Paid Time Off (PTO)

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- Sick Leave for Non Eligible PTO Employees
- Holiday Leave
- Major Sick Leave (MSL) - *Employees hired on or after 10/27/2019 are not eligible for MSL.*
  
- Emergency Leave
  - Inclement Weather
  - Damage to County Facilities Leave
  - Emergency Response Leave as Part of an Emergency Response Organization
  - Victims Protection Leave
  - Other Emergency Leave
  - Personal Leave of Absence
  - Volunteer Service
  - Bereavement Leave
  - Military Leave
  - Domestic Leave
  - Voting Leave
  - Jury Duty Leave
  - Colorado Family Care Act
  - Public Health Emergency Leave (PHE)

## **Paid Time Off (PTO)**

Paid Time Off (PTO) is an all-purpose, flexible approach to time off by combining vacation, sick, and personal leave. ***Employees are accountable and responsible for managing their own PTO hours and should ensure adequate reserves of PTO hours*** to include not only vacation, but also an illness or injury, disability, appointments, emergencies, or other situations of family members or companion animals (e.g. dog, cat) that may require time off from work.

For employees covered under the PTO policy, the hours accrued by each tier surpasses the legal minimum requirements for the 2021 Health Families and Work Places Act (HFWA).

For employees not covered under the PTO program (non PTO eligible), starting January 1, 2021 under the HFWA all employees will be eligible to accrue paid sick leave. The non PTO eligible employees will accrue up to 48 hours of paid sick leave starting from date of hire with an accrual rate of one hour of leave for every 30 hours worked (including overtime) up to a maximum accrual per calendar year of 48 hours. Unused sick leave time accrued but not taken at the end of the calendar year will be forfeited, will not carry over into the next calendar year and cannot be paid out.

If an employee does not have enough PTO hours accrued for the time away from work, they will be required to take Leave without Pay.

***Revised (in part) 01/01/2021***

### **I. Availability**

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PTO accruals are available for use in the first pay period following date of hire or date of transfer. PTO time may not be used unless it's accrued in the employee's PTO bank. Employees may not borrow against their PTO banks; therefore, no advance leave will be granted. PTO used cannot exceed the employee's accrued PTO balance as of the end of the current pay period.

Seasonal full-time employees are eligible for PTO under different accrual rates, please see Seasonal Incentive [Policy 3.170](#).

## II. Accruals

PTO will be accrued based on the employee's years of service as outlined below (chart based on a regular, full-time 1.0 FTE). Years of service are based on employee's hire date anniversary and any changes in accrual levels will occur during the employee's anniversary pay period.

Employees who start with the County will have forty (40) hours front-loaded to their PTO accrual bucket to use right away. PTO will then not accrue until the beginning of their fifth pay period and they will accrue at the rate of Tier 1. Some exceptions may apply for returning employees who accrue at a higher rate of PTO.

*Revised (in part) 01-1-2020*

	<b>Years of Service</b>	<b># PTO hours accrued / Biweekly Pay Period</b>	<b>PTO Maximum Carryover Limit</b>
Tier 1	Up to < 3 years	7.70 hours	560 hours
Tier 2	3 to < 5 years	8.92 hours	624 hours
Tier 3	5 to < 10 years	10.15 hours	688 hours
Tier 4	10 year or more	11.42 hours	754 hours

Example:



- 2 years 11 months = Tier 1
- 4 years 2 months = Tier 2
- 5 years 1 months = Tier 3
- 10 years 5 months = Tier 4

Employees who work less than 1.0 FTE will receive pro-rated PTO accruals based on the percentage of FTE hours. For example, an .80 FTE employee in the second year of employment will receive 6.14 PTO hours per pay period.

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*7.68 hours / pay period X .80 (FTE) = 6.14 hours / pay period  
Updated 01.03.2020*

## III. Paid Time Off (PTO)

PTO must be scheduled with your immediate supervisor and in advance whenever possible. Exempt and non-exempt employees may take PTO in hourly increments. PTO should be scheduled to interfere as little as possible with the normal operation of business and to avoid excessive workloads for other employees during peak periods.

An employee is required to use PTO hours according to their regularly scheduled workday. For example, if an employee works a ten-hour day, the employee should request ten hours of PTO when taking the day off.

PTO is paid at the employee's base pay rate at the time of absence. It does not include overtime or any special forms of compensation such as bonuses or shift differentials. PTO is not included in the calculation of overtime.

No employee is allowed to have more than the maximum caps listed above in Section II according to the tier that they are in. Once an employee reaches their maximum accrual cap, the employee ceases accruing any additional PTO. If the employee later uses enough PTO to fall below the cap, the employee begins accruing PTO again from that date forward until the maximum cap is reached for the respective tier.

PTO is subject to supervisory approval, department staffing needs and established departmental procedures. Unscheduled absences will be monitored. An employee will be counseled when the frequency of unscheduled absences adversely affects the operations of the department. The supervisor may request that the employee provide a statement from a health care provider concerning the justification for an unscheduled absence.

Manager or Section Leader can require an employee to leave work and use PTO when they reasonably believe that the employee may compromise the health of other employees or the public due to sickness, injury, and/or a risk of spreading infection.

## IV. PTO Cash Out

Employees may request a PTO cash out up to eighty (80) hours per calendar year. A minimum balance of 40 hours must remain in the PTO account after the payout. Employees must obtain supervisor approval and submit a **PTO Leave Cash Out Request** to Payroll by the master change deadline for the pay period in which they would like to be paid out. PTO is paid out on a 1:1 basis. PTO cash out is subject to budgetary appropriation and may be discontinued at any time. Contact payroll for information. *Revised (in part) 09/23/2021*

## V. Separation of Employment

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At the time of separation, in accordance with Colorado state law, employees will be paid all accrued and unused PTO (up to the maximum accrual cap) at the employee's base rate of pay at the time of separation.

## Holiday Leave

The County provides regular full-time, part-time and term-limited employees with up to 10 paid holidays per year. When a holiday falls on Saturday, it will be observed on the preceding Friday. When a holiday falls on Sunday, it will be observed on the following Monday. An employee may choose to observe the actual holiday or the County observed holiday, depending on their work schedule. The following 10 days and early closures have been designated as County holidays:

## Holiday Observed

New Year's Day January 1

Martin Luther King Day 3rd Monday in January

Presidents' Day 3rd Monday in February

Memorial Day Last Monday in May

Juneteenth\* June 20th

Independence Day July 4

Labor Day 1st Monday in September

Veterans' Day November 11

Thanksgiving 4th Thursday in November

Day after Thanksgiving Friday after 4th Thursday in November

Christmas Eve (early closure if Monday-Friday). If the County recognized holiday falls Friday through Monday then early closure will not apply.) December 24 at 12PM Christmas December 25

New Year's Eve (early closure if Monday-Friday). If the County recognized holiday falls Friday through

Monday then early closure will not apply.) December 31 at 3PM

\* Juneteenth is a newly approved holiday for 2022

The County recognizes that employees may observe separate religious holidays. Employees may elect to float the County-recognized holidays for their own religious

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

holidays but must inform their supervisor and all holiday hours must still be used by the second pay period in October. If an employee elects to observe a different holiday, hours worked on a county-observed holiday will not be eligible for holiday pay.

*Revised (in part) 07-08-2021 Revised (in part) 10-12-2021 Revised (in part) 10/28/2021)*

## I. Availability

A holiday is considered an eight-hour workday for full-time employees. Employees will receive eight (8) hours of Holiday Leave for each of the County-recognized holidays. For early closure on Christmas Eve employees will receive four (4) hours of Holiday Leave. For early closure on New Years Eve employees will receive two (2) hours of Holiday Leave.

Regular full-time employees who work less than forty hours per week are eligible to receive holiday pay for a prorated number of holiday hours based on total hours scheduled. For example, an employee that works 30 hours per week is eligible to receive 6 hours of holiday pay for any one holiday. If hours vary from week to week, estimation may be made based on an average number of hours worked on the day of the week in which the holiday will fall over a four week span.

For example, if an employee works 32 hours per week:

*32 hours (scheduled amount of hours per week) / 40 hours (full-time hours per week) x 8 hours (amount that County gives for recognized holiday) = 6 hours of pro-rated holiday time.*

## II. Use and Scheduling of Holiday Leave

Holiday Leave is paid at the employee's base rate of pay at the time of the Holiday. It does not include overtime or any special forms of compensation such as bonuses or shift differentials. Holiday Leave is not included in the calculation of overtime. Other hours, such as volunteer hours may not be used on a County-recognized holiday.

Employees scheduled to work on a County-recognized holiday will receive 8 hours of Holiday Leave to be used on another day, subject to Section Leader/Department Head approval. If an employee voluntarily chooses to work on a holiday and bank their holiday hours, they will be paid at their regular rate of pay and will not receive time and a half. Use of the banked holiday hours is subject to Supervisor approval. Any unused Holiday Leave prior to the last day in the last pay period of October of each calendar year will be forfeited. There is no carry over and no cash out of Holiday Leave.

**Revised (in part) 09-01-2021**

## III. Stand-by Pay on Holiday

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

Regular full-time, part-time and term-limited employees on stand-by duty on a County-recognized holiday shall be compensated at one and one half (1 ½) times their normal Stand-by rate of pay. If an employee is called into work and is non-exempt, employee will be paid at one and one half times (1 ½) rate of pay per Section IV. Regardless if called-in, employees will only receive one (1) eight-hour holiday.

## IV. Non-exempt employees required to work on Holiday

Regular full-time and part-time non-exempt employees required to work on a holiday will be compensated at the rate of one and one half (1 ½) times their normal rate of pay for hours worked in addition to receiving up to eight (8) hours of Holiday Leave. Only actual hours worked on the holiday count towards the computation of overtime. If an employee works two shifts within the 24 hour holiday period, only one shift is eligible for one and a half (1 ½) times pay.

If a County recognized Holiday falls on a Saturday or Sunday and is observed on a Friday or Monday, and if a non-exempt employee has to work either one or both (County observed Holiday and the regular Holiday), time and one-half will be paid for only one of those shifts. The employee should choose the first shift they work. For example, if Independence Day is on a Saturday but the County recognizes it on a Friday and the employee works a Wednesday through Friday schedule, the Friday hours will qualify for Holiday pay.

*Revised (in part) 06-25-2020*

## Major Sick Leave (MSL)

### I. Legacy Policy

As of October 27, 2019 Major Sick Leave hours are no longer part of an employee’s leave accrual. Employees hired prior to October 27, 2019 retain all accrued MSL hours until they are exhausted or the employee separates from the County. All Major Sick Leave accruals remain subject to the MSL policy set forth below. MSL hours are not eligible for cash out and will not be paid upon separation for any unused MSL.

### II. Availability

Major sick leave (MSL) may be used for a serious health condition of the employee or a member of the employee’s family. There is no longer a requirement to use PTO hours prior to using MSL.

MSL may be used for the following examples:

- Employees may use MSL when an employee is hospitalized,
- Is absent or unable to work due to injury or illness,

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

- Scheduled for outpatient surgery,
- Is attended by licensed medical practitioner for appointment or emergency,
- Stay at home to recover from an illness or
- Sent home by a supervisor for obvious illness,
- Needs to care for a family member or companion animal (e.g. dog, cat).

*Revised (in part) 12-26-2020*

### **III. Intermittent Use**

Employees may also be eligible to use FMLA in conjunction with MSL and/or short-term disability. If any situations occur where the use of MSL, FMLA and short-term disability are coinciding, please contact HR for further details and explanations.

Major Sick Leave may not be used unless the employee has accrued MSL hours. Employees may not borrow against their MSL banks and no advance leave will be granted.

*Replaced and restated 12-26-2020*

### **Volunteer Service Leave**

The County allows regular full-time, part-time and term-limited employees the opportunity to volunteer their time for community causes through the use of Volunteer Service Leave. Volunteer service should be scheduled in a way that minimizes interruptions to department operations. Approval and determination of qualifying volunteer service is at the discretion of the supervisor.

#### **I. Availability**

**Hours Worked:** 30+ hours / week 24-30 hours / week >24 hours / week

**Annual Limit:** 16 hours / year 8 hours / year 4 hours / year

Volunteer Leave should be taken in at least one-hour increments. Volunteer Service Hours do not accrue, cannot be cashed out by the employee, and cannot be carried over from year to year.

#### **II. Use and Scheduling of Voluntary Service Leave**

Qualifying volunteer service is defined as service for which an employee receives no implied or explicit significant compensation. Significant compensation in this context means the employee receives something of otherwise considerable monetary value in return for their service; for example free or discounted ski pass, free or discounted entry to events like JAS Aspen, Aspen Food & Wine or Wheeler Opera House shows.

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Employees participating in authorized Pitkin County-sponsored events may not be required to use Volunteer Service Leave but must receive supervisor or manager approval to participate in these events.

Employees must get their supervisor's approval and may be required to provide proof of service to their supervisor. Volunteer Service Leave must be taken in the same pay period when service is performed, will not count toward overtime for that pay-week and cannot extend paid time beyond the regularly scheduled work-week. Volunteer Leave may not be accrued or flexed. (i.e. Employee cannot volunteer on the weekend or a County-recognized holiday and take Monday off if their regularly work schedule is Monday thru Friday).

*Revised 11/06/19*

## **Emergency Closing**

The County Manager or their designee may call for an Emergency Closing in emergency situations such as severe weather, fire, utility services disruption, or natural/human-made disasters. "Disaster" refers to riots, bombings, terrorist activities, or other actual or threatened activity that, in the opinion of the County Manager, could pose a safety risk to employees. During an Emergency Closing, employees will be paid for their regularly scheduled work time.

## **Inclement Weather**

Pitkin County will make every effort to maintain normal work hours even during inclement weather. However, when travel to and from work may be hazardous due to inclement weather, the County Manager may declare a Storm Day for non-essential employees. During a Storm Day, the County will be open and designated employees will be expected to report to work if safety permits. Other employees will have the option to work or take time off, with their supervisor's permission, and may use appropriate leave to receive pay for the day.

## **Personal Leave of Absence**

Employees with a minimum of 12 months of service with the County may request up to 12 weeks of a Personal Leave of Absence. A written request must be submitted to the employee's supervisor and Section Leader/Department Head stating the reason for the leave. Approval is not guaranteed and will depend on the purpose of the leave, length of time, section/department workload, employee's work record, and length of service. The following items must be agreed upon prior to the start of the personal leave and approved by the Section Leader/Department Head:

- 
- 
- Reason for the leave;
- Duration of the leave;

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- How the leave is to be paid;
- Eligible leave includes: Paid Time Off; Comp Time; or Leave without Pay. MSL is not eligible;
- Benefit provisions; and
- Returning position and pay.

A signed document outlining all the terms of the leave must be forwarded to Human Resources before the leave can be approved. For some absences, additional verification and documentation may be required.

All applicable leave accruals must be used before the leave may be classified as unpaid. During extended unpaid leave, employees do not accrue PTO or Holiday Leave hours, and may need to transition to COBRA if they are on the County's benefit plan or pay prorated insurance premiums. The County will make every effort to place the employee into the former or similar position upon return from Personal Leave of Absence, but cannot guarantee this placement.

## **Bereavement Leave**

Regular full-time, part-time and term-limited employees are eligible for paid Bereavement Leave when a death occurs in an employee's family. An employee may receive up to forty (40) hours of Bereavement Leave. Bereavement time-off for employees working less than 40 hours per week is prorated based on their regular work schedule. Under extreme circumstances, the County Manager may approve additional leave up to a maximum of eighty (80) hours total.

For the purpose of this policy, employee's family is defined as: spouse, domestic partner/significant other, parent (step), child (step/foster), sibling (half/step), grandparent (step), grandchild (step), parent of domestic partner/significant other or child of partner/significant other (step/foster). With supervisor's approval, employees may use Paid Time Off, Major Sick Leave, Comp Time or unpaid leave for funerals of other relatives or acquaintances, or upon the death of an employee's companion animal (e.g. dog, cat).

*Revised (in part) 6-2-2020*

## **Military Leave**

The County grants Military Leave of absence for eligible employees, and reinstates and pays in accordance with the laws governing veterans' re-employment rights. The County pays regular wages for the first 15 days of leave. After that time, leave is without pay or employees may use applicable accrued paid leave.

## **Victims Protection Leave**

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Employees are eligible for up to three (3) days paid leave in any 12 month period if the employee or their family member has been the victim of domestic abuse, which includes stalking, sexual assault, or any other crime for which the underlying factual basis has been found by a court to include an act of domestic violence. Other than providing requested verification, the employee is not required to provide any additional information about the circumstances of the need for leave.

- 1. Seeking a civil restraining order to prevent domestic abuse;
  2. Obtaining medical care or mental health counseling or both for the employee or the employee's children to address physical or psychological injuries resulting from the act of domestic abuse, stalking, sexual assault or other crime involving domestic violence;
  3. Making the employee's home secure from the perpetrator of the act of domestic abuse, stalking or sexual assault or other crime involving domestic violence or seeking new housing to escape said perpetrator; or
  4. Seeking legal assistance to address issues arising from the act of domestic abuse, stalking or sexual assault or other crime involving domestic violence; and/or attending and preparing for court-related proceedings arising from the act or crime.

Employees may use up to three days of paid Victims Protection Leave first and then make use of other appropriate forms of leave as may be necessary and appropriate. A supervisor or manager may grant more time using other types of leave if it is requested by the employee. Any manager or supervisor who receives a request for time off from work for the purpose of engaging in any of the activities described in this section should contact the Human Resources Department immediately. Information related to an employee's use of this type of leave must be kept confidential.

## **Voting Leave**

Voting is an important right that all US Citizens and legal residents have. The County encourages employees eligible to vote to exercise this right in all municipal, state, and federal elections. Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in an election, employees should make arrangements with their supervisor no later than the day prior to Election Day.

## **Jury Duty Leave**

The County recognizes Jury Duty as a civic responsibility of everyone. Employees summoned for jury duty should inform their supervisor and will be granted leave to perform their duty as a juror. If an employee is excused from Jury Duty during his/her regular work hours, the employee is expected to report to work promptly.

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Employees receive their regular pay for the first three days of Jury Duty if they were scheduled to work and they provide confirmation of juror service.

Beginning the fourth day and thereafter, employees, as jurors, are paid \$50.00 per day by the State of Colorado for state, district, or county court Jury Duty. An employee may elect to receive regular pay for up to an additional 12 days by signing over the \$50 per day court pay to the County. If the employee does not wish to sign over court pay to the County or, when the Jury Duty assignment is longer than 15 days, the employee may elect to use accrued PTO or unpaid leave for time missed.

## **Colorado Family Care Act**

The County follows this state law, which expands on the federal FMLA by allowing eligible employees to take up to twelve weeks of leave to care for parties to civil unions and domestic partners with serious health conditions.

## **Public Health Emergency Leave (PHE)**

If a federal or state government declares a public health emergency, employees will receive up to 80 hours of paid leave for full-time employees. Employees who work less than 40 hours will accrue prorated PHE leave for prorated hours worked.

Qualifying reasons for taking PHE leave are as follows:

- Self-isolation
- Seeking a diagnosis or treatment
- Inability to work due to symptoms
- Caring for a child or family member for any of the above reasons or school closure

*Added 01/01/2020*

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 4.20 Addendum

**Effective Date:** Updated  
11/24/2019

**Effective Period:** Until  
superseded

**Responsible Department:**  
Human Resources

- I. Policy**
- II. Purpose**
- III. Eligibility**
- IV. Paid Parental Leave Coverage**
  - a) Amount of leave
  - b) Conditions of Leave Use
- V. Requests for Paid Parental Leave**
- VI. Coordination with Other Policies**

### **I. Policy**

Pitkin County provides eligible regular full-time and part-time employees with up to twelve weeks of paid parental leave following the birth of an employee’s child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn newly adopted or newly placed child. This policy will be in effect for births, adoptions or placements of foster children occurring on or after **November 24, 2019**.

This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable and is subject to ongoing evaluation and budgetary considerations. As such, this policy may be modified or discontinued at any time.

### **II. Purpose**

Pitkin County is committed to providing benefits that are supportive and responsive, when possible, to the well-being of its employees. A work-life balance is important for personal well-being and vital to the success of the County. Paid parental leave is provided for employees to take paid time off for the birth or adoption of a child in lieu of PTO, MSL, Holiday or Comp time.

### **III. Eligibility**

Eligible employees must meet the following criteria:

- - Employed with Pitkin County for at least 12 months.
  - Have worked at least 1,250 hours during the 12-consecutive months immediately preceding the date the leave would begin.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

- Be a regular full-time or part-time employee (temporary, seasonal employees and interns are not eligible for this benefit).
- Qualify and be approved for Family Medical Leave Act (FMLA) through Pitkin County's FMLA administrator.

In addition, employees must meet one of the following criteria:

- Given birth to a child.
- Spouse or committed partner has given birth to a child.
- Adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger). The adoption of a child due to the marriage of a new partner is excluded from this policy.

## IV. Paid Parental Leave Coverage

### a) Amount of leave

Eligible employees will receive a maximum of twelve weeks of paid parental leave per birth, adoption or placement of a child/children. Multiple birth, adoption or placement(s) (e.g., the birth of twins or adoption of siblings) does not increase the twelve-week total amount of paid parental leave granted for that event. Paid Parental Leave may not exceed twelve (12) weeks in a rolling 12-month period.

Regular full-time and part-time employees will be paid at 100% of the employee's regular, straight-time rate. Leave will be paid biweekly on regularly scheduled pay dates.

Any unused paid parental leave will be forfeited at the end of the 12-month rolling calendar and is not eligible for cash out or pay out.

### b) Conditions of Leave Use

Approved paid parental leave may be used at any time during the twelve-month period immediately following the birth, adoption or placement of a child with the employee (and run concurrently with approved FMLA). Leave may be taken before the actual birth, adoption or placement if the following:

- An employee's medical condition requires them to be out of work prior to the birth of the child. The employee is eligible for paid parental leave immediately and must be used in a continuous block of time until the birth event.
- The placement or adoption of a child requires an employee's absence from work for the placement for adoption or foster care to proceed.

Paid parental leave may not be extended beyond the approved time period. Employees are not required to exhaust paid leave such as PTO, MSL, or Admin to be eligible for paid parental leave. However, it may not be stacked with any other leave type (i.e. PTO or Short-term Disability). While on paid parental leave, employees will accrue PTO at their current accrual rate. Holiday hours may not be deferred to be used at a later date while on

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paid parental leave. For example, if an employee is on paid parental leave during a holiday, the eight (8) holiday hours will be used for that day.

An employee on paid parental leave who fails to report back to work at the scheduled end of the leave is considered to have voluntarily resigned.

## V. Requests for Paid Parental Leave

The employee must provide their Manager, Department Head and the Human Resource Department with at least 30 days prior notice of the request for leave (or if the leave was not foreseeable, as soon as possible) by submitting a completed Time Off Request through the [Munis Self-Service](#). The Request must be approved by their Manager / Department Head documenting the type of parental leave, start date, the total number of days/weeks taken and, if applicable, agreed upon intermittent schedule. Intermittent scheduling requests may be dependent upon department budget and staffing needs.

## VI. Coordination with Other Policies

Paid parental leave taken under this policy will run concurrently with leave under the FMLA. Any paid parental leave that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the [Family and Medical Leave Policy](#) for further guidance on the FMLA.

Employees will maintain all benefits during the paid parental leave period just as if they were taking any other company paid leave such as paid vacation leave or paid sick leave.

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## Policy 4.30: Family and Medical Leave Act (FMLA)

**Effective Date:** Updated  
**11/01/2016**

**Effective Period:** Until  
superseded

**Responsible Department:**  
Human Resources

- I. Policy**
- II. FMLA Eligibility Requirements**
- III. FMLA Definition of Serious Health Condition**
- IV. FMLA Military Family Leave Entitlements**
- V. FMLA Benefits and Protections**
- VI. FMLA Use of Leave**
- VII. FMLA Substitution of Paid Leave for Unpaid Leave**
- VIII. FMLA Employee’s Responsibilities**
- IX. FMLA County’s Responsibilities**
- X. FMLA Unlawful Acts**
- XI. FMLA Enforcement**

### I. Policy

The FMLA entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

Twelve workweeks of unpaid leave in a 12-month period for:

1. The birth of a child and to care for the newborn child within one year of birth;
2. The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
3. To care for the employee’s spouse, child, or parent who has a serious health condition;
4. A serious health condition that makes the employee unable to perform the essential functions of his or her job;
5. Any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered service member on “covered active duty;” or Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

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## II. FMLA Eligibility Requirements

Employees are eligible if they have worked for the County for at least 12 months and for 1,250 hours over the previous 12 months.

## III. FMLA Definition of Serious Health Condition

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

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

## IV. FMLA Military Family Leave Entitlements

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

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness\*.

\* The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition."

## V. FMLA Benefits and Protections

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During FMLA Leave, the County will maintain health coverage for an employee on a County group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their usual portion of insurance premiums while on leave. If an employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for the County's portion of insurance premiums paid during leave.

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

Use of FMLA Leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. Sick Leave and Annual Leave will accrue while the employee is on paid leave but will not accrue while the employee is on unpaid leave. Bereavement Leave and Jury Duty pay are not granted while on unpaid leave.

## **VI. FMLA Use of Leave**

The maximum time allowed for FMLA Leave is either 12 weeks in the 12-month period measured backward from the date an employee used any FMLA leave, or 26 weeks as explained above. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the County's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

## **VII. FMLA Substitution of Paid Leave for Unpaid Leave**

Employees may choose, or the County may require, use of accrued paid leave while taking FMLA Leave. In order to use paid leave for FMLA Leave, employees must comply with the County's normal paid leave policies and FMLA will run concurrent with Sick Leave or Annual Leave.

## **VIII. FMLA Employee's Responsibilities**

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

Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for Military Family

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Leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The County may require second and third medical opinions at the County's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in corrective action in accordance with the County's attendance guideline. Employees on leave must contact the Human Resources Director at least two days before the first day of return. FMLA does not supersede the attendance policy. It is still the responsibility of the employee to notify their supervisor or manager of any lost time or anticipated lost time.

## **IX. FMLA County's Responsibilities**

The County will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If an employee is not eligible, the County will provide a reason for the ineligibility.

The County will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the County determines that the leave is not FMLA protected, the County will notify the employee.

## **X. FMLA Unlawful Acts**

FMLA makes it unlawful for an employer to:

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

## **XI. FMLA Enforcement**

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

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

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 4.40: Benefit Enrollment

**Effective Date:** Updated  
**11/01/2016**

**Effective Period:** Until  
superseded

**Responsible Department:**  
Human Resources

### I. Policy

### II. Intent

### III. Timing

#### A. Newly Eligible Employees

#### B. Qualifying Life Events

### I. Policy

The County offers a comprehensive benefit program recognized for its progressive features and economic value. In addition to a robust array of traditional benefits such as health care, dental care, and retirement, the County also offers a wide range of well-being, and family-friendly benefits to attract, support, and reward a skilled workforce.

### II. Intent

The benefits package includes different plans for eligible employees and eligible dependents/domestic partners. The information below is only a brief guide. For more information about these plan's terms and conditions of coverage, please refer to County's Employee Benefits Guide, summary plan descriptions, and benefits documents located on the County's Intranet site. Employees may also contact Human Resources for more information.

### III. Timing

Several of the benefit programs require employees to enroll within a specified period of time or to wait to make enrollment changes during the annual open enrollment period usually in the fall of each year. Enrollment in other benefits may occur throughout the year based upon eligibility or a qualifying event.

#### A. Newly Eligible Employees

Prior to the first day of employment a new employee will have an opportunity to enroll in benefits and will receive information which will describe the individual benefits available. Benefit information can be found in [Benefits Library](#) located on the County's intranet site. An employee has the opportunity to decide on medical, dental, vision, and voluntary life insurance and retirement investment options if applicable for themselves and eligible dependents and whether to enroll in medical or dependent care reimbursement accounts. After the initial enrollment opportunity, the next opportunity to enroll or make changes

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will be during the annual open enrollment period (typically in the fall) unless a qualifying event occurs throughout the year.

## **B. Qualifying Life Events**

If employees experience a qualifying life event, they may enroll or make changes to some of their County benefits within 30 days of the event. Any change made must be consistent with the qualifying event such as adding a dependent on medical coverage following the birth of a child. Qualifying events include:

- 1. Marriage or divorce
  2. Birth or adoption (or placement of adoption) of a child
  3. Change in employment status for employee or a dependent resulting in the loss/gain of coverage
  4. Change in a dependent's eligibility status
  5. A significant change in the cost or coverage of a dependent's benefits (for dependent care flexible spending account only)
  6. Death of a covered dependent
  7. Employee or dependent reaching age 65 and enrolling in Medicare

If employees experience a qualifying event, they must notify Human Resources and provide documentation within 30 days of the event to update benefit enrollments. Employees will need to present documentation such as a birth, marriage, or death certificate, or divorce decree. It is the employee's responsibility to notify Human Resources on any change that would cause a dependent to not be covered under the terms of the County policies. Change requests submitted after 30 days cannot be accepted. If an employee has a change and does not report it, the insurance provider may refuse coverage.

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## Policy 4.50: Well Workplace Benefits

**Effective Date:** Revised (in part) 05/14/2018

Revised (in part)  
01/17/2020 Revised (in part)  
06-08-2002

Revised (in part) 12-04-2020  
Revised (in part) 01-21-202

**Effective Period:** Until superseded  
**Responsible Department:** Human Resources

- I. Policy
- II. Fitness/Well-being Benefit
- III. Employee Assistance Program (EAP)
- IV. Valley Health Alliance (VHA)
- V. Professional Organizations and Board Appointments
- VI. Tuition Reimbursement
- VII. Bus Pass
- VIII. Solid Waste Center Credit and Discount
- IX. Chamber Rate for Aspen Skiing Company Passes
- X. Employee Discounts

### I. Policy

The County supports staff participating in County-sponsored Employee Health and Well-Being activities and programs for two (2) hours of paid work time a month that are designed to increase staff productivity, work/life integration and retention, and decrease healthcare costs, and absenteeism. Employees are also encouraged to participate in activities that support a well workplace and their own health and well-being. The County strives to comprehensively address employee well-being through the implementation of best and evidence-based practices and strategies. The County also strives to help employees balance work, life, and family responsibilities to achieve personal and professional goals by providing a broad array of support, services, and benefits to employees and their families.

### II. Fitness/Well-being Benefit

The current Fitness/Well-being Benefit is provided as an opportunity to purchase personal fitness and/or wellness activities and equipment. The annual amount is determined in the annual budget cycle and is based upon a calendar year. This is a taxable benefit included in an employee’s W-2 but not taxed at the time received.

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Employees who are regularly scheduled to work thirty (30) or more hours per week are eligible to receive the full allotment and those who regularly work less than twenty to twenty-nine (20-29) hours per week are eligible to receive half the allotment. Eligible new employees will receive a pro-rated amount for the time worked in the current calendar year. Seasonal, temporary employees and interns are not eligible for the Fitness/Wellness Benefit. The Fitness/Wellness Benefit is provided as an opportunity to purchase personal fitness and/or wellness activities.

*Revised (in part) 1/17/2020*

Employees who are employed with Pitkin County for less than a year are required to reimburse the County for the fitness/well-being benefit on a pro-rated basis based on their separation date. If the separation date occurs on or before the 15th of the month, the employee is responsible for that month. If the separation date occurs after the 15th of the month, the employee will not be responsible for that month. The Exit Checklist, provided by Human Resources prior to the last day of employment, will provide additional detail on the repayment amount. Employees who have been employed for at least one year are not required to repay the fitness/well-being bonus.

### **III. Employee Assistance Program (EAP)**

The County provides employee assistance services through a third party provider, TRIAD Employee Assistance Program. Counseling in the areas of work life balance, relationship and financial issues are available on a limited basis at no cost. Employees and their immediate family members are eligible for this benefit. Employees can access EAP information from the County's intranet site or they may contact Human Resources for more information.

### **IV. Valley Health Alliance (VHA)**

The Valley Health Alliance was formed in 2012 by five local self-insured employers: Pitkin County, Aspen Valley Hospital, City of Aspen, Aspen Skiing Company, and Mountain Family Health Centers. The purpose of the VHA is to promote quality healthcare, reduce costs, and improve the overall health of our community through evidenced-based practices and access to primary care.

Employees and their families are encouraged to use VHA's website ([ourvha.org](http://ourvha.org)) for a variety of health and well-being tools, resources, and local events.

### **V. Professional Organizations and Board Appointments**

Pitkin County acknowledges that membership participation in job-related professional organizations and boards provides employees with an opportunity for professional development. Pitkin County supports such participation as long as the employee can meet the performance standards for their position. The employee must notify their supervisor of their

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

interest of membership in a professional organization or board prior to enrollment or application.

Upon management approval for participation, the County may pay fees and expenses related to membership in such organizations, subject to budgetary appropriation. No employee shall engage in activities with a professional organization of board as a representative of Pitkin County that would conflict with the needs/positions of Pitkin County. If an employee's work performance is negatively affected, the employee may be directed to terminate participation. Work assignments and schedules will not be changed for an employee to perform duties not related to Pitkin County.

## VI. Tuition Reimbursement

Pitkin County currently supports employees furthering their education and supports this effort through the establishment of a tuition reimbursement program. This program provides qualified employees with funds for coursework completed towards an educational degree that is work-related such as an Associate's, Bachelor's Masters Degree. Courses may be approved in this program if they relate to the following areas: present job assignment, job advancement, and advanced degrees related to the job.

Full-time regular employees are eligible for consideration for tuition reimbursement upon hire. The County will reimburse up to a maximum of \$5,250 annually (tax-free) to a total maximum benefit for each employee of \$26,000 over the course their employment with the County. This benefit is subject to budgetary appropriation.

Study and class attendance must be voluntary and accomplished in the employee's off work-time. Upon finishing the coursework, the Employee agrees and acknowledges that, in order to receive tuition reimbursement from the County, Employee shall be required to promptly provide a copy of the transcript or transcripts applicable to the semester in the year for which tuition reimbursement is sought as well as documentation and proof that the tuition for that semester was paid for by the employee. Employee must submit evidence of satisfactory completion (e.g. grade report) to Human Resources and a receipt for tuition paid. An overall grade point average (GPA) of 3.0 in the program is required at all times until completion of the degree or certificate program.

Please contact Human Resources to receive information on the program and application process for the Agreement for Tuition Reimbursement. The County, at its sole discretion, may terminate the Agreement at any time. *Revised (in part) 6-08-2020; Revised (in part) 01/21/2021 Revised (in part) 07/07/2021*

## VII. Bus Pass

The County currently provides bus passes to employees commuting to and from work via the Roaring Fork Transportation Authority (RFTA) buses. Human Resources surveys all employees prior to RFTA's winter and summer season for employee interest in bus passes. An employee may qualify for a season Zone Pass or a Stored Value Pass based on their

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anticipated riding schedule. Employees who desire to use RFTA for commuting and receive bus passes must complete the **Request Form** and [Bus Pass Agreement](#). Employees who participate in County Van Pools ([Policy 4.70](#)) are not eligible for a Bus Pass.

If a Bus Pass is lost or stolen, the employee is responsible for the replacement of the pass. If the employee separates employment with Pitkin County, the employee must return the unused pass. This benefit is subject to budgetary appropriation. Employees should contact Human Resources for information.

## VIII. Solid Waste Center Credit and Discount

Employees are currently eligible to bring \$100 worth of items (trash, brush, paint, electronics, etc.) annually into the County's Solid Waste Center at no charge. Employees can bring their paystub as proof of employment. Employees also receive 50% off purchases (compost, paint, topsoil, screened rock). Payment by cash or check is required.

## IX. Chamber Rate for Aspen Skiing Company Passes

Pitkin County is eligible to purchase discounted ski passes to Aspen/Snowmass as a current member of the Aspen Chamber of Commerce. Employees must work a minimum of 20 hours per week during the winter season. Spouses can also qualify and must be able to provide legal documentation such as a Marriage Certificate, Common Law Affidavit or Civil Union Certificate if an audit is requested. If your employment is ended for any reason, your ski pass will be deactivated and no refund will be given. Season passes are non-refundable and insurance is available.

Chamber pass vouchers are purchased by the County. Employees pay the County for the voucher and can redeem them at any ticket office or by phone if they had a previous season pass. Upgrades to a chamber pass may be made at the time of voucher redemption. The cost of the upgraded pass is determined by the pricing season in which the initial voucher was purchased.

As a member of the Aspen Chamber of Commerce, we follow [these guidelines](#).

**Revised 12-04-2020 to add ACC guidelines and deactivation of ski pass if employment is ended; Revised 08-26-2021 to add amended ACC guidelines**

## X. Employee Discounts

The County has arranged professional discounts with various vendors in the area. Employees can find current information on available discounts in in the [Benefits library](#) on the County's intranet site or contact Human Resources for information.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 4.60 Van Pool

**Effective Date:** Updated  
**11/01/2016**

**Effective Period:** Until  
superseded

**Responsible Department:**  
Public Works

### **I. Policy** **II. Guidelines**

#### **I. Policy**

Pitkin County has set up a Van Pool for the benefit of its employees. This benefit is a privilege and can be revoked at any time for any reason. It is not the responsibility of the County to provide transportation from home to work or work to home for its employees. Individual employees are responsible for being at work on time regardless of limitations with the van pool, car pool or bus system.

The Van Pool program was provided through a Federal grant to eliminate traffic on SH82. In order to remain consistent with the spirit of how the funds were obtained, the vans should be used where the most vehicles can be eliminated from the highway. Van Pools are required to have a minimum capacity of seven passengers in order to meet IRS tax regulations so employees will not be taxed as a commuting benefit.

If you are interested in Pitkin County’s Van Pool program, contact the [Fleet Manager](#).

#### **II. Guidelines**

The following guidelines are in place for the use of the Van Pools:

- 1. Pitkin County will provide vans for the primary purpose of employees commuting to and from work as well as the necessary gas and maintenance. All vans can carry up to a maximum of 10 people.
  2. Van pools are self-formed and governed and must consist of a minimum of seven regular riders who commit to riding the van pool for a minimum period of six months. Each van pool will assign an employee who will act as that van pool’s point of contact.
  3. Each van pool will decide amongst themselves who drives. Drivers must be at least 25 years of age, insurable and possess an acceptable DMV driving record. The HR Department will check DMV records to ensure compliance.
  4. The driver and riders are required to wear seat belts at all times.

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5. Drivers are prohibited in using cell phones when operating the van.
6. Time spent commuting by drivers and van poolers are not considered hours worked.
7. In the event that an employee who regularly rides the van has to arrive or leave earlier than his/her normal scheduled van pool time or when necessary maintenance is scheduled, a RFTA bus passes will be provided based on budgetary allowances.
8. All work place policies are in effect while commuting in the van including but not limited to harassment, violence and smoking.
9. All van pools are non-smoking.
10. If demand at any given facility (or the attempt to meet employee(s)' schedule(s)) exceeds the ability to assign vans; the assignment will be made based on which schedule (or facility) can provide the greatest consistent ridership. In the event ridership is similar, employees without administrative flexibility with their schedules will be given priority in receiving an assigned van.
11. From time to time a van may be required to be used for other County related purposes. If a van is not available for commuter use, advance notice will provided and other accommodations will be made
12. All vans will begin and end their destination at a RFTA park-in-ride. All stops along the commute will be made at RFTA park-in-ride decided by the riders. Vans are not permitted to be taken home as per the IRS tax code unless the employee pays the cost between home and the RFTA park-in-ride at .50 cents per mile (2010) or the current IRS year requirement or unless there are extenuating circumstances approved by the Public Works Director.
13. It is understandable from time to time the van pool may not have a minimum of seven employees to ride in the van on a given day. If this becomes a consistent situation, the van may be parked until ridership has been determined to increase.
14. All employees who do not ride the van pool on a consistent basis are allowed to ride provided there is room to accommodate.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 4.70: Employee Fleet Shop Privileges

**Effective Date:** Updated  
**11/01/2016**  
**Effective Period:** Until superseded  
**Responsible Department:** Fleet

- I. Policy**
- II. Hours of Use:**
- III. Procedure**
  - A. Equipment Available**
  - B. Restrictions**
- VII. Enforcement**

### I. Policy

The County currently allows employees to use the Fleet Shop to perform work on their personal vehicle. Employees should contact the Fleet Manager for information on this program.

### II. Hours of Use:

Mon – Fri 4:30 pm- 10:00 pm Sat – Sun 7:00 am – 7:00 pm

### III. Procedure

All individuals must be trained and complete a “certification” to utilize the equipment listed in this policy. The individual must be able to demonstrate the ability to use the equipment in a safe and effective manner. Those who cannot demonstrate this ability will not be granted use of the equipment. All individuals must demonstrate the proper knowledge and technique to become certified. The Fleet Manager or Shop Foreman must certify the user of the equipment.

A County Shop Privileges Sign in / out sheet is located in the small vehicle bay to sign in and out when the shop is used for any matter.

### A. Equipment Available

- Rotary Automotive Lifts
- Shop Pit
- Any Open Bay
- Black – Tire Dismount / Mount Machine
- Wheel Balancer
- Floor Jack
- Jack Stands
- Solvent Tank

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- Battery Charger
- Bead Blaster
- Grinder Stand
- Belt Sander

This equipment use list provides the necessary tools available to complete basic routine maintenance. If the equipment or tool is not listed above, it is not available for use. The Fleet Dept. has many specialized tools and we depend daily on these tools to function properly for us. Some of the tools in the shop are highly specialized and demand specialized training and in some case State and/or Federal licensing to operate. These types of tools and equipment are very costly to maintain and operate.

## **B. Restrictions**

- 1. No work during business hours
  2. Any work on personal vehicles is considered on your own time and at your own risk
  3. Must use own tools, parts, oil, washer fluid, etc.
  4. Vehicle must belong to immediate family
  5. Must clean area thoroughly when done
  6. All users must read and sign County Release / Waiver
  7. Must reserve and be approved in advance (first come, first serve basis)
  8. Must sign in and out
  9. May not move County vehicle to work on your own vehicle
  10. County vehicles have top priority – personal vehicles must be moved upon request
  11. May not work on vehicles for pay or profit
  12. Tires, batteries, etc. must be removed from premises immediately
  13. No overnight parking – remove vehicle within 48 hours (weekend)
  14. May not store personal property on County property
  15. No loose pets or alcohol/drugs allowed in or around the County shop
  16. No children under 16 allowed in the shop

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 4.80: Uniform, Protective Safety Equipment, and Footwear

**Effective Date:** Revised  
**01/01/2018**  
**Effective Period:** Until  
superseded  
**Responsible Department:**  
Finance

- I. Intent**
- II. Uniforms**
- III. Footwear**
- IV. Approved Departments**
- V. Authorized**
- VI. Eligibility**
- VII. Purchasing Guidelines**
- VIII. Approval**
- IX. Reporting**

### I. Intent

The intent of the Uniform, Protective Safety Equipment and Footwear Policy is to provide standard expectations for departments to manage the needs of their employees. The County recognizes certain positions in designated departments may require uniforms, protective equipment, footwear and/or outerwear to effectively and safely perform their job. This policy is not intended to fully support an employee’s clothing requirements for work but to support the safety needs of employees.

### II. Uniforms

Various departments may require employees to wear uniforms and/or safety equipment while on the job. In addition, departments may require uniforms for their employees due to frequent public contact in the field or office and the need to be readily identified and recognized as County employees. Uniform clothing must be specifically required as a condition of employment with appropriate Pitkin County logo and not worn or adaptable to general usage outside of the workplace.

It is up to the Section Leader/Department Head to determine if a uniform or safety equipment is needed and if so, will be budgeted on an annual basis by each department and subject to annual management review.

Items that may qualify as uniforms:

- - Shirts (long-sleeve or short-sleeve) of a standard color or style bearing appropriate Pitkin County name and/or logo
  - Pants of a standard color or style

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- Jackets of standard make bearing appropriate Pitkin County name and/or logo for positions that frequently exposed to outside conditions

Items that may qualify as safety equipment include:

- Gloves
- Hard hats
- Safety Vests
- Eye protection (excluding sunglasses)

In addition, departments may have item caches for employees that intermittently are in the field and require safety equipment. All uniforms and safety equipment are the property of the County and must be returned upon separation from employment or prior to being issued new items.

### III. Footwear

The County recognizes certain positions may require specific footwear to ensure the safety of employees while on the job. Section Leaders/Department Heads or their designee should confer with Risk Department to determine the need for safety footwear for their department. Upon approval by Risk, employees may visit an approved vendor to purchase the allowable footwear under an existing County account.

### IV. Approved Departments

The following departments have been approved for uniforms and/or footwear.

Department Uniforms Footwear

Airport Yes Yes

Facilities Yes Yes

Fleet Yes Yes

Environmental Health No TBD

Open Space Yes Yes

Community Development No TBD

Building Inspectors TBD TBD

Engineering No TBD

Road and Bridge Yes Yes

Senior Services No TBD

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Solid Waste Center Yes Yes

Sheriff's Office Yes Yes

## V. Authorized

Rates All rates are subject to specific department and position needs.

**Uniforms & Safety Equipment:** Department - specific

**Footwear:** Up to \$200/year (based on Risk approval)

## VI. Eligibility

Eligible employees must complete the [acknowledgement form](#) confirming the employee agrees with all terms and conditions of uniform and safety equipment. In addition, employee acknowledges that if their employment is terminated (voluntarily or involuntarily) all uniform, safety equipment and footwear must be returned to the County.

## VII. Purchasing Guidelines

Departments shall utilize follow the Procurement procedures in procuring uniforms and safety equipment for their employees whenever possible. For the purchase of footwear, employees must use one of the County-approved vendors. Any purchases of footwear outside of these vendors does not qualify for reimbursement.

## VIII. Approval

The Department Head/Section Leader or their designee shall be responsible for approving work-related clothing purchases for department staff. Each department shall submit the amount of and items covered by the department's clothing and uniform purchase funds quarterly to finance and annually as part of the budget process.

## IX. Reporting

Departments will be required to submit uniform/safety forms to Finance quarterly.

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## Policy 4.90: Tool Allowance

**Effective Date: 05/18/2015**

**Effective Period: Until superseded**

**Responsible Department: Fleet**

### **I. Policy**

### **II. Provision of Benefit**

### **III. Amount of Allowance**

### **IV. Enrollment**

#### **I. Policy**

The Tool Allowance benefit applies to the fleet department where employees are required to have their own tools.

#### **II. Provision of Benefit**

The Tool Allowance is provided to eligible employees as a lump sum benefit in the first quarter of each year or, for new employees, a prorated amount is provided at the time of hire. The annual reimbursement amount is determined in the regular annual budget cycle. This benefit is taxable and will be included in the employee's gross wages for the year in which it was received.

#### **III. Amount of Allowance**

Fleet department employees are required to have their own tools and are provided an annual Tool Allowance of \$900 to offset that cost.

#### **IV. Enrollment**

To receive the Tool Allowance, the eligible employee must submit an expense report via [Munis ESS](#), the County's self-service site. This allowance is based on the calendar year and cannot be accrued and carried forward into the next year.

Enrollment in this benefit confirms the employee agrees with all terms and conditions. In addition, an employee acknowledges that if their employment is terminated (voluntarily or involuntarily) prior to the end of their first year of employment they authorize repayment of the allowance through payroll deduction from their final pay check. The amount repaid is calculated as a proportionate share of the allowance for the calendar year based on the total benefit divided monthly. Employees should ask their supervisor for department guidelines.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 4.100: Employee Housing Assistant

**Effective Date:** Updated (in part)

**12/01/2017**

**Effective Period:** Until superseded

**Responsible Department:** Administration

### I. Housing Purchase Assistance

#### A. Down Payment Assistance

#### B. Pitkin County Deed Restriction

### II. APCA Purchase Program

### I. Housing Purchase Assistance

The County recognizes the current housing stock is unable to keep up with the demand and that housing prices continue to escalate throughout the Roaring Fork Valley. Pitkin County has developed the following programs to offer assistance to employees. Eligible employees may only receive one benefit during their tenure with the County and may not stack either of the programs.

If you are interested in the County's employee housing programs, contact Rich Englehart, Deputy County Manager to learn more.

#### A. Down Payment Assistance

Through a third-party partner, Funding Partners, the County provides a below-market amortizing loan to assist employees with the purchase of a primary place of residence. Employees may be as be eligible for up to 15% of the purchase price, not to exceed \$50,000 for down payment assistance. May be used for free-market or APCA deed-restricted housing. For additional information, contact HR.

#### B. Pitkin County Deed Restriction

Pitkin County recognizes the low housing stock, even within the APCA deed-restricted housing. To provide employees with affordable housing option, the County developed the Pitkin County Deed Restriction program. Under this program, employees will partner directly with County in the purchase of a free-market home. In exchange for County contribution of 40% of the purchase price (not to exceed \$300,000), based on an affordability ratio, the employee will agree to place a deed restriction on the property. More information regarding the program can be found in the [program guidelines](#).

### II. APCA Purchase Program

In addition to County Housing Assistance, Aspen Pitkin County Housing Authority (APHCA) provides deed-restricted home purchase opportunities throughout Pitkin County. Individuals may purchase a home within the APCA housing stock at a pre-determined price. Visit [www.apcha.org](http://www.apcha.org) for more information.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 4.110: County-Owned Employee Housing

**Effective Date:** Revised (in part) 5/14/2018 Revised (in part) 10-13-2020)

**Effective Period:** Until superseded  
**Responsible Department:** Administration

- I. Policy
- II. County Offered Units
- III. Community Offered Units
- IV. Rental Rates
- V. Rental Procedures
- VI. Determination Process
- VI. Rental Term
- VIII. Employment Termination

### I. Policy

Pitkin County maintains a limited inventory of Rental Housing Units. All Units are administered under the Aspen-Pitkin County Housing Authority (APCHA). Generally, half of the County’s Rental Units are offered to Pitkin County employees and the other half are made available to Community members that work in Pitkin County. The County may choose to adjust the balance of Units based on the needs of either the County or the Community.  
Revised (part) 10-13-2020

### II. County Offered Units

A minimum of one (1) County employee qualified per [APCHA guidelines](#) must be seeking residence to be eligible to apply for an identified County Unit. The income and total assets for all household members applying must not exceed the Net Gross Income and Net Assets per household threshold set by the [APCHA Rental Unit Guidelines](#).

**Priority for County Offered Units:** The following is the priority for rental of County offered units:

**Priority 1:** Pitkin County full-time employees whose departments do not offer employee housing.

**Priority 2:** Pitkin County full-time seasonal employees who work nine (9) months or more or part-time employees working 24-30 hours per week. Seasonal employees need to have worked at least two (2) seasons before they can be considered for a rental unit.

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**Priority 3-4:** Pitkin County full-time employees that work for departments who offer housing.

## III. Community Offered Units

APCHA Community Units will be available based on the established Category set forth by APCHA requirements. For community-offered units or other available housing in the area, employees should contact APCHA at 210 East Hyman Ave., Suite 202, Aspen, CO, phone # 970-920-5050 or visit their website [apcha.org](http://apcha.org).

## IV. Rental Rates

The rental rate for a County Unit is determined by the total household income for the Unit. The total income is identified in the APCHA Guidelines for a specific Category. The rent will be set at no more than the corresponding Category's maximum monthly rental rate and will be calculated based on size, proximity to Aspen and condition/age of the Unit. County staff will work with APCHA to determine the specific rental amount of the Unit. Utilities shall be the responsibility of the renter and will be identified when the Unit is offered.

County-owned units will have a \$10 per month fee for each approved pet if applicable.

## V. Rental Procedures

When a County Unit becomes available, Human Resources will identify if the unit is needed for relocation of a new hire within 60 days of the unit becoming available. The individual being offered the unit must sign up with APCHA to document qualification, Category assignment and to execute the lease. If the unit is not needed for relocation, then the unit will be offered to current employees.

County Units available to current employees will be announced by email to all County employees. County rental applicants must sign up with APCHA to be considered for a Unit. Sign-up procedures are established according to [APCHA Guidelines](#). APCHA will contact the highest priority applicant and request submission of a Rental Application and documents to verify qualification and Category assignment. A rental lease must be signed prior to an employee occupying any unit. All lease agreements will be under APCHA's administration and subject to the term identified for rental units in the APCHA Guidelines.

## VI. Determination Process

Determination of priority for units for recruiting proposes will be recommended by Human Resources to the County Manager for approval.

County Owned Units Priority: For units offered to current employees is established according to a combination of duration/work history with Pitkin County and in Pitkin County. When two or more qualified employees receive the same priority rating a random draw for priority will be made by APCHA. There are no other specified priorities for County Units.

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Process to be followed:

1. Advertise available unit via county-wide email to fill out form by deadline.
2. Compile a list of all who are interested, based on
  - a) How long has the person work for Pitkin County Government, and
  - b) How long has the person worked in "Pitkin County" and where.
3. Select the person with the most seniority working in the county gov and/or work inside Pitkin County combined.
4. If there are multiple people with the same qualification, a drawing will be made by the County Housing Team (Jodi and Michele) to ensure unbiased selection is made.
5. Once the selection is made, an offer will be made and notice sent to all other applicants.
6. Once qualified by APCHA Facilities will enter into a lease with that person.
7. Term of lease is 12 months (1-year)
8. Each unit varieties in accepting pets and will need to be approved by the Facilities Director.
9. Each unit varies in HOA rules and regulations on Pets, parking, occupants, visitors, etc., HOA documents will be attached to lease issued by through the facilities department.

## **VI. Rental Term**

Community and County Units will be administered under the [APCHA Guidelines](#).

County-owned units will be administered through the Housing Team  
[Housing@pitkincounty.com](mailto:Housing@pitkincounty.com)

## **VIII. Employment Termination**

If a County employee in a County Unit terminates employment they must vacate the unit within 60 days from the date of termination. Prior to the employee's last day in the unit, they must notify APCHA when the unit will be vacant.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## SECTION 5 DISCIPLINE AND APPEALS

### Policy 5.10: Discipline

Effective Date: **Updated (in part)** 09/12/2019  
Effective Period: **Until superseded**  
Responsible Department: Human Resources

- I. Policy**
- II. Employee Performance Expectations**
- III. Reasons for Disciplinary/Corrective Action**
- IV. Forms of Disciplinary/Corrective Action**
  - A. Counseling**
  - B. Oral Warning**
  - C. Written Reprimand**
  - D. Performance Improvement Plan**
  - E. Suspension**
  - F. Disciplinary Probation Status**
  - G. Demotion**
  - H. Dismissal**
- V. Administrative Leave**
- VI. Notice of Discipline/Corrective Action**
- VII. Disciplinary/Corrective Action Review Meeting**
- VIII. Letter of Discipline/Corrective Action**
- IX. Disciplinary Appeal Process**
- X. Final Decision**
- XI. Performance Agreements**
- XII. Process Deviations**

### I. Policy

The County expects all employees to comply with reasonable standards and expectations of behavior and performance. The County may take action to remedy any deficiency or non-compliance with these standards. If a deficiency or non-compliance is determined to be sufficiently serious, any one or combination of corrective actions may be taken immediately. Any action taken by the County in an individual case cannot be assumed to establish precedent. Employees in their introductory period (whether 6 or 9 months) are not eligible to appeal any corrective actions or separation decisions.

The County Manager shall be responsible for hiring, terminating and counseling all County employees except independently elected officials and their staffs, per the County Home Rule Charter.

*Revised 09/12/19*

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## II. Employee Performance Expectations

When employees are not meeting workplace expectations, supervisors have the responsibility to counsel and coach them. Supervisors are expected to provide corrective action in such situations and document these corrective action processes. Corrective actions must be handled consistently and across each section/department and for each problem. In most cases, supervisors should develop a performance improvement plan to help an employee identify and improve performance deficiencies.

## III. Reasons for Disciplinary/Corrective Action

Section Leaders/Department Heads and all levels of supervisors may impose corrective actions with Human Resources and County Attorney consul. Examples of unacceptable job performance for which an employee may be disciplined include, but are not limited to:

- - Incompetence or inefficiency in performance of job duties.
  - Conduct endangering the safety or well-being of self, fellow employees, or the public.
  - Discrimination on the part of a supervisory employee against an employee on the basis of race, color, religion, sex (including pregnancy), age, national origin, disability, veteran status, political affiliation, sexual orientation, gender identity, marital status, or genetic information.
  - Violation of or failure to comply with statutes, regulations, and policies applicable to the performance of official duties.
  - Harassment of another employee or member of the public, including sexual harassment, offensive language and behavior regarding an individual's race, color, religion, sex (including pregnancy), age, national origin, disability, veteran status, political affiliation, sexual orientation, gender identity, marital status, or genetic information.
  - Intentional, reckless or negligent damage, or waste of private or public property.
  - Unauthorized or inappropriate operation or use of County vehicles, machines, or equipment.
  - Abusive language or unbecoming conduct toward the public or fellow employees.
  - Failure to comply with lawful orders or regulations.
  - Being under the influence of alcohol while on duty and/or use of any controlled substance not taken in accordance with a doctor's prescription while on duty.
  - Absence without approved leave.
  - Conviction of a felony or misdemeanor involving moral turpitude that affects the individual's ability to perform the duties and responsibilities of the position.
  - Accepting or soliciting rewards, gifts or other remuneration from any source other than salary and fringe benefits to which he/she is lawfully entitled for performance of his/her duties.
  - Theft or misappropriation of County funds or property.

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- Breach of confidentiality: release of confidential information from privileged records to unauthorized individuals.
- Any falsification, deliberate misstatement or omission, either written or oral, with regards to employee duties or official records.
- Insubordination or refusal by an employee to follow instructions or to perform designated work or to comply with the directives of his/her Section Leader/Department Head.
- Failure or refusal to maintain or obtain required licensure, certification, or registration.
- Instigating or participating in deliberate low productivity and/or interfering with another employee's work.
- 

## IV. Forms of Disciplinary/Corrective Action

The County administers discipline depending on the nature of the offense. There is no expressed or implied right to receive corrective action or counseling prior to, or in conjunction with, a corrective action or to receive the corrective actions set forth below in a progressive order.

Employees may be subject to the following types of actions for corrective, counseling, or disciplinary purposes, depending, in the opinion of the County, upon the circumstances involved:

This list is for illustrative purposes only and does not indicate an order of action to be followed.

### A. Counseling

A supervisor may counsel an employee in an effort to make the employee aware of a deficiency, as well as to inform the employee of what will take place in order to correct the deficiency. Counseling may include a training program to correct a deficiency. A written summary of the counseling will be made for the supervisor's record.

### B. Oral Warning

A supervisor may orally communicate to the employee the deficiency and indicate that failure to remedy the problem(s) will result in other or more severe disciplinary action. A written summary of the warning will be made for the supervisor's record. An oral warning is not an appealable discipline .

### C. Written Reprimand

A supervisor, with consultation of Human Resources, may reprimand an employee in writing. The written reprimand will identify the offense(s), the necessary corrective action(s) by the employee, and if applicable, the time period in which the employee must accomplish the corrective action. A written reprimand will be signed by the

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

supervisor and provided to the employee. A signed copy will be delivered to Human Resources for inclusion in the employee's personnel file.

## **D. Performance Improvement Plan**

A supervisor, with consultation of Human Resources, may develop a written performance improvement plan to document past performance and clearly address performance expectations to assist the employee in achieving performance standards.

## **E. Suspension**

A supervisor, with consultation of Human Resources, may suspend an employee. Suspensions will be without pay. A suspension is an appealable action.

## **F. Disciplinary Probation Status**

A supervisor, with the consultation of the appropriate department head/section leader and Human Resources, may change the status of a regular employee to probationary. Disciplinary probation will be for a specific period of time, not to exceed twelve (12) months, during which the supervisor will evaluate the employee's ability to meet job standards and expectations. Failure to meet performance expectations during the probationary period will result in further disciplinary action, typically in the form of Dismissal. A change in status from regular to probationary is an appealable action. Employees dismissed while on disciplinary probation may not appeal the Dismissal to the County Manager except in cases where the employee feels discrimination has occurred. Employees on disciplinary probation will not receive market adjustments to their pay or be eligible for promotion or transfer until they have returned to regular status.

## **G. Demotion**

A department head/section leader, with consultation of Human Resources, may demote or reduce the pay of an employee permanently or temporarily. A demotion is an appealable action.

## **H. Dismissal**

A department head/section leader, with consultation of Human Resources, may dismiss an employee. A dismissal is an appealable action.

## **V. Administrative Leave**

If, in the sole discretion of the County, it is in the employee's and/or the County's best interest that an employee be removed from the workplace, the employee may be placed on either paid or unpaid Administrative Leave. Administrative Leave may continue while the circumstances surrounding the employee's alleged action are under investigation and until they are authorized to return to duty. In the event of a criminal investigation, disciplinary

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action may take place prior to the conclusion of the investigation. When the investigation results in a Letter of Discipline, any period of appeal will be without pay, unless otherwise approved by the department head/section leader and Human Resources. Employees on Administrative Leave will not receive market adjustments to their pay until they have returned in good standing to full duty.

## **VI. Notice of Discipline/Corrective Action**

When information received by the supervisor indicates the possible need to impose a suspension, demotion, change in status or any other disciplinary action which affects a full-time or regular part-time employee's pay, benefits, or status, a Notice of Discipline will be issued. The Notice of Discipline will minimally include:

- 1. A statement containing the reasons for the discipline, and that disciplinary action up to and including termination is being considered.
  2. Notice of the time and date the employee is scheduled for a disciplinary review meeting with their department head/section leader. The employee will be advised that failure to attend the disciplinary review meeting will eliminate the employee's entitlement to any further review or appeal.
  3. A statement that the employee may provide a written document to the department head/section leader that details any disagreement with the charges, evidence and/or proposed action.
  4. Notice of the employee's right to request copies of, or the opportunity to review, documentation supporting the proposed disciplinary action.

The Notice must be signed by the Section Leader and hand-delivered in a confidential manner to the employee, or be mailed to the employee's home address by certified (and regular) mail.

## **VII. Disciplinary/Corrective Action Review Meeting**

Within five (5) working days of issuing the Notice of Discipline/Corrective Action, the department head/section leader or their designee will meet with the employee. The purpose of the meeting will be to give the employee an opportunity to offer any facts, circumstances, arguments or evidence as to what has occurred. It is not intended that this meeting constitute a formal hearing where Rules of Evidence used in court proceedings would apply, but to give the employee an opportunity to meet and exchange information. The employee may bring one representative of their choice to the meeting. A representative may not make arguments on behalf of the employee or behave in any way that is disruptive to the meeting; otherwise the representative will be asked to leave. The disciplinary review meeting may be recorded.

## **VIII. Letter of Discipline/Corrective Action**

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Within ten (10) working days following the disciplinary review meeting the Section Leader or their designee will prepare a Letter of Discipline. The Letter of Discipline will serve as the department head/section leader's decision on the disciplinary matter and the discipline will be imposed.

The Letter of Discipline will:

- - Cite the reasons for the action.
  - State the disciplinary action to be imposed.
  - State the effective date of the disciplinary action, if any.
  - Advise the employee of their right to appeal, if applicable.
  - Specify the time frame for the employee's response.

The Letter of Discipline must be signed by the department head/section leader, and reviewed and approved by the Human Resources. The Letter of Discipline will be mailed to the employee's home address by certified mail or hand-delivered to the employee in a confidential manner. The discipline outlined in the Letter of Discipline will be imposed on the date stated in the Letter.

## IX. Disciplinary Appeal Process

An employee who wishes to appeal an appealable disciplinary action may request an appeal meeting. Appealable disciplinary actions include suspensions, demotions, dismissals, and any other disciplinary action which affects an employee's pay, benefits, or status. When an involuntary demotion or involuntary termination is not deemed a corrective action, employees may not appeal them. Non-appealable actions are as follows:

- - Demotion or involuntary termination resulting from the elimination of a position, a reduction-in-force, or lack of funding.
  - In compliance with the American for Disabilities Act or Family Medical Leave Act, employees who can no longer perform the essential functions of their jobs due to illness, physical or mental disability or condition, with or without reasonable accommodations or within the requirements of their normal working hours will be considered for transitional status including termination of employment.

For appealable disciplinary actions, the employee may request a meeting with the County Manager within five (5) working days after the department head/section leader's response. An appeal meeting should be scheduled will be scheduled by the County Manager or their designee within twenty (20) working days of the date a written request is received by the County Manager's office. Failure to follow the steps outlined above results in forfeiture of an appeal meeting.

The employee may designate a representative to discuss the charges and/or evidence, or otherwise represent the employee. The representative may confer with the employee during

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the meeting, but may not engage in tactics which, in the opinion of the County Manager, disrupt or unreasonably delay the meeting. Any representative will be compensated by the employee.

The supervisor or department head/section leader recommending discipline may be present at the appeal meeting and may have representation from the County Attorney's office, as well as Human Resources.

## **X. Final Decision**

The County Manager will make a final decision no later than ten (10) working days following the appeal meeting. The decision will be in writing and will be mailed to the employee's home address by certified mail or hand-delivered to the employee in a confidential manner. The County Manager may sustain, overturn or modify the proposed discipline. If the disciplinary action is overturned by the County Manager the effect of the discipline imposed will be reversed and may be made retroactive to the day the discipline was imposed.

If the County Manager overturns the discipline recommended in the Letter of Discipline through the appeal process, any pay which would have accrued may be paid to the employee at the discretion of the County Manager.

## **XI. Performance Agreements**

The employee's supervisor and department head/section leader, or the County Manager or their designee at either appeal meeting, may enter into a performance agreement with an employee in lieu of implementing pending disciplinary action. The agreement will detail the terms of the modified behavior and/or corrective action to be taken by the employee. The employee has the option of agreeing to, or rejecting the terms of the agreement. The employee must successfully complete all terms of the agreement. Failure to complete the terms of the agreement will be cause for immediate imposition of the proposed disciplinary action. The agreement will not have a term longer than twenty-four (24) months.

The County, by and through the supervisor, the department head/section leader, and/or the County Manager, has sole discretion to offer a performance agreement as an alternative to disciplinary action. The employee has no right or entitlement to such an agreement.

## **XII. Process Deviations**

Deviations from the processes and timelines stated in this discipline policy by any party must be documented and submitted to Human Resources in writing in a timely manner together with an explanation as to why the deviation occurred.

All issues and decisions throughout this process will be kept as confidential as practical. The County Manager will be informed of all decisions rendered.

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## 5.20: Grievance/Complaint Resolution

Effective Date: 11/01/2016  
Effective Period: **Until superseded**  
Responsible Department: Human Resources

- I. Policy
- II. Complaints of Discrimination or Harassment
- III. Informal Complaint Resolution
- IV. Formal Grievance
  - A. Section Leader Review
  - B. County Manager Review
  - C. Process Deviations

### I. Policy

The County establishes and promotes positive employee relations and sound personnel management. At times, employees may experience work-related problems or dissatisfaction with a County practice. The grievance process outlined in this policy provides a series of steps an employee may take in order to address and resolve complaints limited to the interpretation or application of County policies or state and federal laws, working conditions, discrimination, and harassment. The grievance process is not intended for complaints or disputes over management’s operational decisions, classification and compensation of positions, performance appraisals, denial of leave, or other benefit issues unless a potential policy or legal violation exists.

Employees who believe they have been unfairly subjected to disciplinary action should follow the steps identified in the Discipline and Appeals Policy ([Policy 5.10](#)). The employee may request the assistance of Human Resources staff to facilitate communication or serve as a mediator.

If an employee feels that he or she is being subjected to harassment or discrimination, the employee may bring the issue directly to the Human Resources Director without first following the informal or formal process. Any employee, supervisor or manager who becomes aware of an employee’s grievance related to discrimination or harassment should immediately report the issue to the Human Resources Director to ensure that a proper investigation is conducted and necessary action is taken.

### II. Complaints of Discrimination or Harassment

See Reporting EEO Violations/Harassment in this Manual: [Policy 2.10](#).

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## III. Informal Complaint Resolution

Employees should promptly attempt to resolve any grievance or complaint informally by discussing the matter with their immediate supervisor as soon as possible after the issue occurs. The majority of misunderstandings can be resolved at this level. Employees are encouraged to give their supervisor an opportunity to hear and respond to their concerns before filing a formal grievance. If the issue involves the employee's immediate supervisor and the employee is not comfortable talking with the supervisor directly, the complaint should be discussed with the next level of supervision, with the department head/section leader or a Human Resources representative.

No employee will engage in retaliation, retribution or any form of harassment against another employee for bringing forth workplace complaints and concerns. If the employee's concerns are not resolved to the employee's satisfaction by their immediate supervisor or next level supervisor, the employee may submit a formal grievance to their department head/section leader.

## IV. Formal Grievance

Procedure All formal grievances must be written and submitted to Human Resources. Any documentation which helps to explain the grievance may be attached to the formal letter. In order to facilitate a timely resolution to the issue, the formal grievance procedure should be initiated as soon as possible following the supervisor's response to the employee. The completed grievance form must be submitted to the department head/section leader and a copy sent to the Human Resources Director.

### A. Section Leader Review

The department head/section leader will schedule a meeting with the employee within five (5) working days of receiving the grievance form. At the request of the employee or department head/section leader, a Human Resources representative will also attend the meeting and will serve as a witness, facilitator and resource on employment law and internal policy. The department head/section leader will investigate the matter and attempt to resolve the grievance as quickly as possible. A response to the employee will be provided no longer than ten (10) working days following the meeting. The department head/section leader's decision will be reviewed and approved by the Human Resources Director. The department head/section leader will then notify the employee in writing of the decision.

If the grievance is against the employee's department head/section leader, the employee may submit the grievance form to the Human Resources Director. The Human Resources Director will meet with the employee within five (5) working days of receiving the grievance, conduct an investigation and provide a written response to the employee within ten (10) working days of the meeting.

### B. County Manager Review

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If the employee is unsatisfied with the response from the Section Leader and/or Human Resources Director, the employee may request a review of the decision by the County Manager. The employee must appeal to the County Manager in writing and include copies of the grievance and supervisor and/or department head/section leader responses. The appeal must be submitted within five (5) days of the department head/section leader's decision. The County Manager will review the decision and may request additional information or investigation from the employee, the department head/section leader or Human Resources Director. The County Manager will respond to the employee in writing as soon as possible but not longer than ten (10) days of receiving the employee's appeal letter. The County Manager's decision will be final.

AS PER THE HOME RULE CHARTER, the Board of County Commissioners shall have the right to review on appeal all decisions of the County Manager concerning termination and counseling actions involving any County employee.

## **C. Process Deviations**

Deviations from the processes and timelines stated in this grievance/complaint resolution policy by any party must be documented in writing in a timely manner together with an explanation as to why the deviation occurred.

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## SECTION 6 – OPERATIONAL STANDARDS

### Policy 6.10: Driving on County Business

Effective Date: **Revised (in part)**

10/15/2018

Effective Period: **Until superseded**

Responsible Department: Risk

#### I. Policy

#### II. Motor Vehicle Records

#### III. Use of County Vehicle

- A. Fueling County Vehicles
- B. Smoking in County Vehicles
- C. Vehicle Inspections
- D. GPS Activation
- E. ExpressToll Charges
- F. Vehicle Assignments

#### IV. Use of Personal Vehicle on County Business

- A. Parking and Public Transportation
- B. Vehicle Related Violations
- C. Fueling Personal Vehicles
- D. Insurance Coverage for Personal Vehicle

#### V. Public Transportation on County Business

#### I. Policy

Operators of vehicles used to conduct County business must possess a valid Colorado driver's license with the appropriate class or grade for the particular equipment or vehicles to be operated and have an acceptable Motor Vehicle Record (MVR). New employees without a Colorado driver's license must obtain a Colorado driver's license within 30 days from date of hire.

#### II. Motor Vehicle Records

Human Resources conducts MVR checks for all new employees upon hire and annually thereafter. This review procedure also applies to County volunteers who drive as a regular or incidental part of their job, either in a personal vehicle or a County vehicle. Upon receipt of the MVR, Human Resources staff will review the report to determine if the employee/volunteer will be allowed to drive on County business.

An employee or volunteer will not be allowed to drive for the County if any of the following are evident on his/her MVR for the three most recent years:

- 1. Any documented suspension, revocation, cancellation, or denial of driving privileges in Colorado or any other state.

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2. Accumulation of more than seven points within a calendar year not including points received for defective/unsafe vehicle.
3. Any DUI (driving under the influence), DWAI (driving while ability impaired), DUID (driving under the influence of drugs) or DWAID (driving while ability impaired by drugs) conviction.

If at any time there is a change in the employee's/volunteer's driving record, he/she shall inform their supervisor and Human Resources. A record change is a suspension, revocation, or cancellation of driving privileges, a violation, a pending action for an alcohol related offense, or accumulation of more than seven points. A change in record may necessitate another review of the employee's MVR for continued ability to drive on County business.

The County's liability insurance company may also review the employee's record change to evaluate continued insurability. If the employee is determined to be uninsurable by the insurance company, the employee shall not drive a County vehicle or a personal vehicle while on County business. The Section Leader/Department Head and Human Resources Director will evaluate how the driving exclusion may impact the employee's ability to perform his/her job and therefore whether or not the employee can retain his/her position with the County.

### **III. Use of County Vehicle**

The County has pool vehicles available for use for County business that are assigned to departments or as a general pool vehicles for traveling for County business. Assignment, operation, or use of a County-owned vehicle for County-authorized activities and functions may be used incidentally for personal use when travel plans remain consistent (i.e. at stop at a shopping center that is on the travel route from initiated site to destination). Non-employee passengers are permitted during County-authorized travel.

If Public Works pool vehicles are available for use, employees may reserve any of these vehicles for out-of-town travel. Aspen pool vehicles are to remain available for daily use (i.e. not taken overnight).

#### **A. Fueling County Vehicles**

All County vehicles are must be fueled at the County-operated fueling stations unless travel distance necessitates additional fuel. Trips should be planned and vehicles should be filled up before leaving. Provide a copy of the fuel receipt (in addition to providing the receipt when reconciling your P-Card) to Fleet and indicate the unit number and mileage on the receipt. This enables cost and miles can be tracked for a full cost of operation, maintenance and repair needs for each vehicle.

Instructions for County fueling stations are provided in the glove box of every pool vehicle.

#### **B. Smoking in County Vehicles**

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The County is a smoke-free, tobacco-free environment. Smoking/tobacco is not allowed in vehicles. This prohibition includes all forms of tobacco and e-cigarettes. This restriction applies to all employees and visitors, at all times, including non-business hours.

## **C. Vehicle Inspections**

The County may conduct inspections to help maintain a safe and efficient working environment for all County employees and the public. Employees should have the understanding that there is no reasonable expectation of privacy in County vehicles. The County may inspect county owned vehicles at any time. However, a County-initiated search does not necessarily imply an accusation of misconduct or that an employee has violated a policy.

## **D. GPS Activation**

The County may turn on “in-active Global Positioning System (GPS)” in any County vehicle to gather vehicle information. The data collected is used in analyzing fleet utilization to make organizational asset decisions to operate the County fleet efficiently and effectively.

## **E. ExpressToll Charges**

Employees traveling on County-related business may utilize the ExpressTolls as appropriate. Employees shall drive through the toll lanes and billing for the charges are sent to the Fleet Management Department. All charges will be billed to the appropriate vehicle/department. If a vehicle is using the express toll lanes regularly, as appropriate for county-related business, the Fleet Manger may install an ExpressToll tag on the vehicle for tracking and charge controls. The Fleet Manager reserves the right to revoke the toll charges if it is found to be excessive. The County will not reimburse for toll fees paid for at an ExpressToll station.

## **F. Vehicle Assignments**

Assignment of a non-pool County-owned vehicle to an employee will be authorized by the County Manager and/or Section Leader with a recommendation by a supervisor and/or Fleet Manager.

## **IV. Use of Personal Vehicle on County Business**

If an employee uses their personal vehicle for travel they will be reimbursed at the IRS business standard mileage rate. Mileage from an employee's home to the assigned office is defined as commuting and is not subject to reimbursement. Travel during on-duty hours must utilize the most direct route unless an alternate route would be less time consuming and/or more effective. Reimbursement for mileage expenses must be made on the Expense Reimbursement Form available on the [Finance internal website](#).

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If the employee travels outside the County for business (i.e. meetings, trainings, conferences, legislation, legal matters, etc.) in their personal vehicle, the total reimbursable mileage for the trip is equal to the lesser of:

- The distance from the individual's workplace to the destination, and back to the individual's workplace.
- The distance of the individual's place of residence to the destination, and back to the individual's place of residence.

Other eligible travel outside of the County includes travel between the place of lodging and the conference or event when the conference or event is not on the same premises as the place of lodging, or travel between a business related meeting and the place of lodging, conference or other event. Employees must maintain a record of travel documenting the from/to locations and the distance between, for which reimbursement is being sought.

When it is necessary for an employee to travel from his/her normal work location to any other location within the County for purposes of conducting assigned or required duties, the IRS mileage reimbursement rate shall apply for the actual miles driven. Employees must maintain a record of daily travel documenting the from/to locations and the distance between, for which reimbursement is being sought.

When assigned or required duties make it necessary for an employee to travel from his/her home to any other location within the County which is not his/her normal work location, the IRS mileage reimbursement rate shall apply for the actual miles driven in excess of their normal commute. Employees must maintain a record of daily travel documenting the from/to locations and the distance between, for which reimbursement is being sought.

## **A. Parking and Public Transportation**

Pitkin County provides reimbursement for parking fees and public transportation fees associated conferences or lodging for county-related travel. Parking and/or public transportation expenses should be submitted as a separate expense on the Travel Expense Report or on the employee's P-Card (see Policy 8.20). The County will not reimburse parking fees or public transportation fees associated with travel from an employee's home to place of work.

## **B. Vehicle Related Violations**

The County will not reimburse for out-of-pocket costs for parking tickets or moving violations related to operation of a County or personal vehicle, or damages and deductibles related to the operation of a personal vehicle on official County business.

## **C. Fueling Personal Vehicles**

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An employee may not use the County issued Purchasing Card to put fuel in their personal vehicle. Fuel for personal vehicles can only be purchased with personal funds. The IRS Business Standard Mileage Rate includes the cost of fuel and maintenance.

## **D. Insurance Coverage for Personal Vehicle**

The County does not provide insurance coverage for a personal vehicle when used for County business; Employees/volunteers utilizing their own personal vehicles in the course of County business are expected to maintain their own personal insurance in accordance with State Laws. Employees are responsible for all costs associated with their personal vehicle.

## **V. Public Transportation on County Business**

The County provides bus passes to all employees and encourages employees to use the RFTA system whenever traveling on County business within the [RFTA service area](#).

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## Policy 6.20 Take-Home County Vehicle

**Effective Date: 11/01/2016**

**Effective Period: Until  
superseded**

**Responsible Department:  
Fleet**

### **I. Policy**

### **II. Procedure**

### **III. Occasional Take-home Vehicle**

### **IV. Fringe Benefit Value**

#### **I. Policy**

In certain situations, Pitkin County will assign “take-home” vehicles to employees in order to enhance emergency response, or to ensure effectiveness and efficiency with specialized vehicle responsibilities. Take-home status means an employee is required to drive a County vehicle from place of residence to work, and vice versa, rather than leaving the vehicle at a County facility. Regular and seasonal assignments of take-home vehicles require consideration and recommendation by an employee’s Department Head/Section Leader.

The purpose of this policy is to provide direction concerning the circumstances under which it may be appropriate to assign County-owned vehicles to be taken home by County employees. It is also intended to set forth standards and guidelines that will encourage effective and efficient use of the County’s fleet, fuel, maintenance and vehicle replacement costs by limiting the amount of non-job-related trips. It will also attempt to ensure an equitable approach to vehicle usage driven by operational needs.

#### **II. Procedure**

The Department Head/Section Leader shall submit a justification to the County Manager for the assignment of take-home vehicles in their departments. Approval of the assignment of a take-home vehicle shall be the responsibility of the County Manager or his/her designee.

- 1. County vehicles shall not be taken home by employees living outside of Pitkin County, unless the County Manager or his/her designee determines that it is in the best interest of the County.
  2. All employees assigned a take-home vehicle shall keep a log of the usage of that vehicle outside of normal duty hours. This log shall include at least the name of the employee, date of call out, service address, nature of call out and time of service initiation and service completion.
  3. Section Leader/Department Head shall review, on a yearly basis, the assignment of take-home vehicles in their departments. Section Leader/Department Head

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

shall report to the County's Chief Operations Officer whether the assignments are justified by this policy.

4. The updated list of approved take-home vehicles and associated employees shall be maintained by the County's Chief Operations Officer and provided to the Finance Director and County Manager annually.
5. No assignment of a take-home vehicle shall be considered unless it is justified by one or more of the following criteria:
  1.
    - The employee is subject to frequent service calls requiring the use of a vehicle to conduct County business during the employee's non-duty hours. Frequent service calls shall be defined as an average of 2 calls per week.
    - The employee is required to respond to emergencies during non-duty hours, and the use of a County-owned vehicle is necessary for proper emergency response. Emergencies shall be defined as unforeseen circumstances requiring immediate action.
    - The employee is required to respond to non-duty hour calls within a limited time frame established by the department, and traveling to secure a County vehicle would prevent the employee from meeting response time standards.
    - The employee must use specialized equipment carried in a County-owned vehicle, during non-duty hours, to effectively carry out their job duties and traveling to a County facility to secure the vehicle would be create time constraints.
    - Exceptional circumstances necessitates a vehicle be taken home by an employee to enhance operational efficiency. The efficiency impact must be documented to the County's Chief Operations Officer in writing and should reference the benefits versus the costs of the assignment or the department's service standards. The County Manager or his/her designee deems that it is in the best interest of the County to assign a take-home vehicle to an employee by virtue of the responsibilities of their position.

### III. Occasional Take-home Vehicle

Due to work schedules of location assignments, employees may be permitted take a County vehicle home as an effective and efficient use of time. Taking a vehicle home must be associated with a work location that is related to the employee's home address at the end or beginning of a work day. Approval of the occasional take-home vehicle shall be the responsibility of the County Manager or his/her designee.

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## **IV. Fringe Benefit Value**

Internal Revenue Service guidelines dictate that in most cases, take-home vehicles are a fringe benefit and it is “the employer’s responsibility to determine the actual value of this fringe benefit and to include the taxable portion in the employee’s income.” Section Leaders/Department Heads shall communicate to employees the requirements for reporting take-home vehicles as a taxable fringe benefit prior to the employee taking the vehicle home.

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## **Policy 6.30: Use of County & Personal Information Technology (IT)**

Responsible Department: IT  
Effective Date: **Revised (in part)**  
12/01/2017 **Section XI Public Records**  
**Amended 05 -24 -2021**

**Effective Period:** Until superseded

- I. Policy**
- II. Monitoring**
- III. Data**
- IV. Internet**
- V. Cellular Communication Device (CCDs)**
  - A. Assignment of County Provided Equipment**
  - B. General Use of Cellular Devices**
- VI. Email/Text/Chat/Instant Messaging (IM)**
- VII. Personal Use of IT Resources**
- VIII. Remote Access**
- IX. Unacceptable Use of County IT Resources**
- X. Camera Phones and Other Recording Devices**
- XI. Public Records**
- XII. Copyrighted Material**
- XIII. Right to Monitor**
- XIV. Incident Reporting**
- XV. Purchasing Guidelines**

### **I. Policy**

Employees that have been issued or utilize an Information Technology (IT) resource that includes- computer equipment, communications equipment, storage media, applications, systems, and devices that:

- Are connected (e.g., wireless or via fiber) to a County network.
- Access cloud based or hosted systems (e.g., Google apps).
- Are otherwise used to process, store, and/or transmit County data.

Employees have no expectation of privacy of data contained within County resources. All Pitkin County IT resources, information, and data are the sole property of the County and applicable statutes, policies and guidelines govern their use. All employees must use County IT resources in an acceptable manner as defined in this policy.

All employees/users must sign and acknowledge the [IT Resource Acceptable Use Policy](#) within 30 days of requesting access to IT resources and submit a copy to BITS for retention in their employee/user files.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## II. Monitoring

BITS may monitor any employee's County network, Intranet, system or email accounts, and their usage for legitimate business reasons, including monitoring all IT resource performance, employee performance, compliance with this policy, and compliance with any applicable laws and industry regulations.

## III. Data

Protection To ensure data is protected the following will apply to Personally Identifiable Information (PII) which is defined as any information concerning a data subject, which, because of name, number, symbol, mark or other identifier, can be used to identify that data subject:

- 1. The employee shall not send or disseminate PII, regulated, or confidential information in an unencrypted form over a County network or the Internet.
  2. Employee shall password protect all IT resources that are used to access County information and that are connected to County IT infrastructure.
  3. Employees may learn, or have access to, sensitive information concerning County business, County residents, and User data. It is the responsibility of employee to maintain the confidentiality of all this information. Employees must take precautions to protect the unauthorized or careless disclosure of this information.
  4. No sensitive data shall be downloaded or stored on a personal IT resource, including personal portable devices, computers, external hard drives, CDs/DVDs, or USBs.

Devices that are lost or stolen must be reported to the employee's manager and the 24X7 BITS help desk immediately. The County reserves the right to remotely remove (wipe) some or all data and malware from any device, including an employee owned device if it was used to access County resources. The fewest privileges consistent with job duties will be assigned.

## IV. Internet

The Internet is used to conduct County business. Limited or occasional personal use of the Internet is permitted as outlined in the Use of Personal Property on County Business (Policy 6.30). Individual job functions will determine the Internet services approved for the employee.

Employees' Internet usage must comply with all federal and State of Colorado laws and County policies. Examples of inappropriate use on a County IT resource, or on a personal device include actions and items that are strictly prohibited, but are not limited to:

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

- 1. Online gaming.
  2. Visiting pornography sites.
  3. Sending pornographic text or images.
  4. Unauthorized copying of County information (or other information intended for official business) to removable media (e.g., CDs, thumb drives, DVDs, etc.) or sending it to an unauthorized address.
  5. Purposefully altering, disabling, or circumventing security features and mechanisms on County IT resources and networks.
  6. Purposefully tampering with or attempting to turn off monitoring software on an IT resource.
  7. Unauthorized attachment of personal computers, laptops, handheld computers, smartphones, modems, etc. to a County IT resource or network.
  8. Illegal file sharing (e.g., software, software keys, passwords, files, music, videos, etc.)
  9. Sending harassing, threatening, or hate-oriented content.
  10. Knowingly sending information that is sensitive and confidential to unauthorized parties.
  11. Creating and or knowingly sending malicious code.
  12. Engaging in phishing or other fraudulent activities.
  13. Intercepting data intended for others on the network.
  14. Using spoofing techniques to disguise email addresses or other network activity.
  15. Unauthorized access to any County IT resource.
  16. Unauthorized attachment of wireless access points to a County network.
  17. Sending or downloading copyrighted material unless authorized by the copyright holder or as a matter of fair use.

## **V. Cellular Communication Device (CCDs)**

Cellular Communication Devices (CCDs) are defined as any equipment that connects to a cellular network, including cellular phones, smart phones, tablets, PCs, wireless handsets, aircards, MIFI and data “hotspot” devices, and any form of wireless communication device capable of transmitting data. All employees who use CCDs for County business must sign the [IT Resource Acceptable Use Policy](#) confirming their understanding and acceptance of rules and the individual’s responsibilities assumed when being granted use of CCDs.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## A. Assignment of County Provided Equipment

Pitkin County will, based on approval by an individual's supervisor, provide employees with CCDs at the County's expense for the primary purpose of conducting County business. All CCDs issued by the County are County property and CCD detailed billing information is considered a public record under Colorado Law and is subject to Open Records Requests. Personal information stored on CCDs is not subject to Open Records Requests.

## B. General Use of Cellular Devices

Employees must use County issued CCDs in a responsible, informed and safe manner. The County may conduct random reviews of usage and charges to verify that cellular equipment policies and procedures are followed. The use of CCDs for personal use is acceptable per Policy 6.30.

## C. Using Cell Phones While Driving on County Business

For safety reasons, employees should avoid the use of cell phones and mobile devices to make calls while driving. Employees should park whenever they need to use a cell phone. The use of hands-free equipment such as a wired or wireless ear piece to make or answer calls is required while driving on County time. However, even when using hands-free equipment, safety must always be the first priority. Texting or emailing while driving is against Colorado State law and absolutely prohibited by the County.

## D. iPhone Implementation & Configuration

Effective April 1, 2016, all new county-issued smartphones will be Apple iPhones sourced (for 2016) from Verizon using the Pitkin County Software/Hardware Request Form. The Dual-Use (County & Personal) smartphones will be preconfigured with:

- Mobile Device Management.
- A County-Use Folder Containing:
  1. The standard Apple delivered applications
  2. All Google Applications
  3. Wi-Fi, printer, etc options
- Employees may not download Apps or other software to the County-Use Folder.
- A Personal-Use Folder Containing:
  1. A selection of standard Apple delivered applications.
  2. Apple delivered applications not approved for personal use will be moved from the Personal-Use Folder to a Quarantine Folder.
- Employees may download Apps or other software to the Personal-Use Folder using their own iTunes account.
- Employees may forward personal phone numbers to their Dual-Use iPhone.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## VI. Email/Text/Chat/Instant Messaging (IM)

All email messages, texts, chat, and instant messages sent to and from County-assigned email, text, chat and instant message accounts are property of the County. Users shall use email to further the goals and objectives of the County. The types of activities that are acceptable include:

- 1. Communicating with fellow employees, business partners, and constituents within the context of an individual's assigned responsibilities.
  2. Acquiring or sharing information necessary or related to the performance of an individual's assigned responsibilities.
  3. Participating in educational or professional development activities.

## VII. Personal Use of IT Resources

The use of County IT resources (generally, Pitkin County email, Internet browsing, office telephone), for occasional, incidental personal use is acceptable. The use of a county smartphone for personal use is acceptable. However, the following guidelines are to be followed:

- 1. Users must still comply with all provisions of this policy and all applicable policies, guidelines and laws.
  2. Such use must not overly consume scarce County resources (e.g., bandwidth, disk storage space, printing supplies, etc.).
  3. If employee usage of a County IT resource is deemed unacceptable or it is impeding their ability to perform their job duties, the employees' managers may restrict employee access to County IT resources.

Should an employee engage County IT resources for personal confidential transactions (such as online banking or credit card usage), the County is not responsible or liable for the confidentiality of any personal data transmitted.

## VIII. Remote Access

Employees accessing County information and processes must safeguard their device from loss or theft. Remote access employees shall only connect to County IT infrastructure through secure channels that are authorized by BITS.

Remote access Employees shall ensure that both County-owned and personally-owned information assets used to connect to County IT infrastructure are password protected and use

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

up-to-date operating system software and security software (i.e., anti-virus, anti-spyware, firewall, and host intrusion prevention) every time a remote connection is initiated.

While not encouraged, employees may access County resources with their own devices, as long as they:

- 1. Comply with all County requirements as outlined in [Policy 6.30](#);
  2. Signed [IT Resource Acceptable Use Policy](#) and;
  3. The IT resources have been configured in accordance with County security policies and configuration standards.

## IX. Unacceptable Use of County IT Resources

- - The use of County IT resources for any commercial, religious, or political purpose is strictly prohibited.
  - Employees may not change the configurations of any IT resource. Employees may be grouped such that their group membership defines specific installation and configuration permissions.
  - Employees may not take any unauthorized, deliberate action, which damages, disrupts a County IT resource, alters, or degrades its normal performance, or causes it to malfunction.
  - Employees may not intentionally use County IT resources to access, or attempt to access, any machine, IT resource, network, file or information that they are not authorized to access by virtue of the privileges associated with their User account. This includes information within their Department, or any external IT resource. Such unauthorized access may constitute a violation of law and be subject to penalty under law.
  - Employees may not download or install software on a County IT resource without permission from and coordination with BITS. Employees may request that BITS grant them “Administrator” rights on their County PC. The decision to grant or not lies solely with BITS. All unauthorized software will be removed upon discovery. Examples of unauthorized software are as follows:
    - Online gaming software.
    - Unauthorized games.
    - Unauthorized shareware or freeware applications.
    - Unauthorized hacking or security software.
    - Software intended for social and/or personal business use (e.g., Quicken, TurboTax, Greeting Cards, etc.)
    - Registry cleaners.
    - Peer-to-peer software.
    - Personal firewalls.
    - Malware, to include but not limited to, APTs, Viruses, Trojans, Spyware, and Adware.

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## **X. Camera Phones and Other Recording Devices**

All Smartphones today come with built-in recording capabilities including camera, video, and/ or audio recording devices. Although these features are fun for personal use, using them in the workplace can lead to violations of privacy and breaches of confidentiality. Employees should check with their supervisor when in doubt about what is allowable at work.

## **XI. Public Records**

The County classifies all communications including but not limited to, chats, text messages, email and other files sent or received by County systems and devices, or stored on any County supplied storage media as County property. The County has the right at any time to retrieve, read, listen to, review, intercept, access, and disclose all documents and messages stored on, created by, and received or sent via County-supplied communication systems. *Amended (in part) 05-24-2021*

The above listed communications may be considered a public record and are subject to public inspection through the Colorado Open Records Act (CORA). The County is committed to ensuring public access to the County's public records within a reasonable time, at a reasonable cost, and as required by law. As provided by CORA, certain files, such as some personnel records, may be shielded from public disclosure. For specific requirements for responding to a CORA request, contact the County Attorney's Office. Data on devices pertaining to County business, including employee owned devices, are subject to legal discovery, Colorado Open Records Act (CORA) and preservation as official record as it pertains to County business.

## **XII. Copyrighted Material**

Copyright law subjects the County and its IT Users to the terms of software license agreements and similar restrictions on other products covered by copyright (e.g., electronic media items such as documents, books, photos, music or videos). County IT resources must be used in accordance with the terms of software license agreements or other copyright restrictions or as a matter of fair use in order to protect the County, its officials and Users from possible legal action. Questions concerning copyright or license issues may be directed to BITS. It is the responsibility of BITS to ensure the maintenance and availability of documentation demonstrating software license compliance.

## **XIII. Right to Monitor**

Use of County IT resources and all information and data, which are the property of (or are controlled by) the County, is governed by a variety of applicable statutes, policies and guidelines. The County has the right to monitor any User's IT resource, network, Internet, e-mail accounts, User performance, compliance with this policy, compliance with any applicable laws and industry regulations.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

By making use of County IT resources, Users consent to allow all information they store on County IT resources to be divulged to County Management or designee at the discretion of County Management.

## **XIV. Incident Reporting**

If an event, such as a seemingly malicious pop-up, virus warning, or other suspicious activity occurs, Users are required to immediately report the incident to BITS and to their reporting manager. Examples of incidents include, but are not limited to: A. Unusual Pop-ups and/or Virus Warnings. B. Suspicious callers attempting to obtain information such as a User's password or other personal information. C. Suspected attempts (either failed or successful) to gain unauthorized access to an IT resource or its data by unauthorized parties. D. The unauthorized use of an IT resource for the processing or storage of data.

## **XV. Purchasing Guidelines**

Users must purchase all IT Resources through the County's IT provider (Pro Velocity) or as authorized by the Director of Information Technology. Exceptions may be considered with supervisor approval and prior authorization from IT. Contact [help@pitkincounty.com](mailto:help@pitkincounty.com) for more information.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 6.40: Employee Gifts and Celebrations

**Effective Date:** Revised (in part) **02/23/2018**

**Effective Period:** Until superseded

**Responsible Department:** Finance

### **I. Policy**

### **II. Financial Limitations**

### **III. Recognition Gifts and Certificates for non-employees**

### **IV. Sympathy Gifts**

### **V. Retirement / Resignation Celebration**

#### **I. Policy**

There may be occasions from time to time where a manager or department head chooses to recognize one or more employees with a gift. These gifts are generally provided in an effort to recognize a particular high level of performance or extraordinary service. This would include service recognition; outstanding professional achievements; safety achievements; retirement; merits or contributions to the County; County sponsored competitions, contests, or random drawings.

Any gift item to an employee under this policy must be a non-cash gift of minimal value (see Financial Limitations below) such as flowers, a fruit basket, a book or similar item, movie tickets, or a plaque. Gift cards are determined cash equivalents by the IRS and are not permitted to be given to employees using county funds. In all cases and situations, reasonableness and sound business judgment is required and expected, as well as proper approvals and auditable documentation. Employee gift transactions must be approved by the immediate supervisor regardless of the payment method used (e.g., Reimbursement/Check Request, P-Card, etc.)

#### **II. Financial Limitations**

The County has established a maximum dollar amount of \$100 for any gift to an employee paid with County funds.

#### **III. Recognition Gifts and Certificates for non-employees**

Departments may choose to award a gift or certificate(s) as appreciation to volunteers, service providers or other County partners. The maximum amount of the gift and/or certificate is \$100 and should be commensurate to the activity being recognized.

#### **IV. Sympathy Gifts**

Gifts such as flowers may be presented for an expression of sympathy in the event of the death or major illness of an employee or a member of the employee's family or household. The cost of such gifts is limited to \$100 as described below under Financial Limitations.

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## **V. Retirement / Resignation Celebration**

The County supports recognizing employees/Elected Officials who are leaving the organization in good standing and have made significant contributions through their term. Retirement celebrations can cost up to \$750, resignation celebrations are limited to \$350. Staff should exercise their judgement that the celebration is reflected of the achievements of the individual. Exceptions above these thresholds must be approved by the County Manager.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 6.50: Meal and Food Purchases

**Effective Date:** 11/01/2016  
**Effective Period:** Until superseded  
**Responsible Department:** Finance

- I. Policy
- II. Purchases

### I. Policy

On occasion, Pitkin County may provide meals to employees and its volunteers under specific circumstances outlined below. The purchase of regular food and meal purchases are the responsibility of the employee. Under no circumstances will liquor be reimbursed. All meals should be purchased with a County Purchase Card, following the applicable Purchase Card Policy and Procedures ([Policy 8.20](#)).

### II. Purchases

Per the County Purchase Card Policy and Procedure, employees should use their Purchase Card to purchase food and/or meals as outline below. Meal expenses are limited to the current Meal and Incidental Expense per diem rate, as outlined in Travel and Business Expenses Policy ([Policy 6.70](#)) unless otherwise noted. Receipts for meals must identify the reason for the associated costs and who was in attendance. When using a County Purchase Card, details of who was in attendance and the reason for the meal is a required comment.

#### A. Unusual or Emergency Situations

Under unusual or emergency situations, it is understood that employees or volunteers may be required to commit additional time beyond the expected timeframe. Meals may be provided for the following:

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- Employees who are called in prior to, or must stay beyond their regular shift without notice.
- Employees that are called in and working outside of their normal work schedule.
- Employees and volunteers working during an emergency where Incident Command Post (ICP) is invoked by the Pitkin County Sheriff’s Office.
- Employees and volunteers involved in extraordinary circumstances where extreme work hours are required to complete a work product may be provided a meal(s) related to the hours worked.

Dispatch employees should refer to the department’s [Over-Shift Meal](#) policy for more specific guidelines.

#### B. Hosting a Member of the Public

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

The County recognizes that business meals on a modest scale are occasionally used to build goodwill, strengthen working relationships among business associates and benefit the public interest. The average per-person cost should not exceed the established per diem. If the average per diem is exceeded, approval from the immediate supervisor is required for the full expense to be approved or reimbursement to be received. The business reason for the expenditure should be full and clear with appropriate approvals and supporting documentation.

### **C. Meetings, Training or Retreats**

Lunches and/or snacks may be provided for meetings, trainings or retreats for employees, Citizen Board members and/or the public that last an entire day or occur over a meal period. A Section, department, Citizen Board or work group may be provided a meal to celebrate a major achievement or project completion. All purchases are limited to the per diem limits and subject to budgetary limitations. Section Leader approval is required.

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## Policy 6.60: Travel and Business Expenses

**Effective Date:** Revised (in part)  
**02/23/2018**

**Effective Period;** Until superseded

**Responsible Department:** Finance

- I. Policy**
- II. Expense Reimbursement**
- III. Travel Advances**
- IV. Meal Per Diem Guidelines**
- V. Airfare**
- VI. Rental Cars**
- VII. Lodging (commercial)**
- VIII. Out-of-State / International Travel**
- IX. Vacation in Conjunction with Business Travel**
- X. Entertaining/Business Expenses**

### **I. Policy**

The County provides reimbursement for authorized expenses incurred by employees on behalf of the County within budgetary constraints. The employee's supervisor must pre-approve any expense incurred, both prior to the expense being incurred and after, when appropriate documentation is received. Employees are encouraged to use their Purchase Card for any direct expenses, except for meals, as outlined in the County Purchase Card Policy ([Policy 8.20](#)). Employees are encouraged to exercise prudent and conservative expenditure of public monies.

### **II. Expense Reimbursement**

Actual travel and business costs must be itemized on the [Expense Report](#) and submitted, along with necessary documentation, to the department head for approval and submitted to Finance within five (5) business days of return from a particular trip.

### **III. Travel Advances**

Employees may request travel advances for expected business expenses by submitting a Travel Advance Form. Travel Advance requests must be submitted to Finance Accounts Payable at least ten (10) business days prior to travel, but not to exceed thirty (30) days in advance of travel and should not exceed the amount of the expected expenses. Travel Advance Requests without proper coding or approval signature will be returned to the employee for resubmittal and may not be ready before the travel date. Advance Funds in excess of expenses must be returned to the County.

An [Expense Report](#) documenting the use of the advance must be submitted to Finance Accounts Payable within five (5) business days of the completion of the travel. Any balance

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remaining from the advance must be returned by personal check or cash and must be attached to the Expense Report. Any advance not settled by an expense report may be deducted from the employee's paycheck.

## IV. Meal Per Diem Guidelines

When traveling for business on behalf of the County, employees are reimbursed for meals based on the standard federal per diem rate. Meal Per Diem rates are subject to annual approval and may be changed at any time upon written authorization by the County Manager or their designee. Allowance for meals during travel will not exceed the current authorized GSA Federal Per Diem Rate for Aspen, CO. For FY 2017, the County provides Meal and Incidental Expenses (M&IE) as follows:

Meal and Incidental Expenses (Updated for 2019):

Breakfast Lunch Dinner Incidental Expenses Total

\$18 \$19 \$34 \$5 \$76

Beginning travel (Departing)

Before 8 AM

\$18 \$19 \$34 \$5 \$76

8 AM – 6 PM

N/A \$19 \$34 \$5 \$58

After 6 PM

N/A N/A N/A N/A N/A

Completing travel (Arriving)

Before 12 PM

\$18 N/A N/A \$5 \$23

12 PM – 6 PM

\$18 \$19 N/A \$5 \$42

After 6 PM

\$18 \$19 \$34 \$5 \$76

The following items are included in the M&IE Per Diem rate (as outlined above). These items cannot be paid for with a P-Card and are only eligible through the Per Diem reimbursement.

- - Meals not included as part of the conference/meeting
  - Room Service
  - Laundry, dry cleaning
  - Personal telephone calls from hotel room
  - Fees and tips for persons who provide services, such as food servers  
baggage carriers and hotel staff

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The following are not included in the M&IE Per Diem. These items cannot be paid for with a P-Card and are not eligible for reimbursement.

- - In room video rentals
  - Alcoholic beverages
  - Health club charges
  - Loss or theft of personal property
  - Meals purchased independent of a conference/meeting, when a meal is provided as part of the conference/meeting. Such meals will be considered a personal expense and will not be reimbursed.
  - Meals charged to employee's purchase card, hotel room, or submitted for reimbursement are prohibited and will not be reimbursed.

All requests for reimbursement must be made on the [Expense Report](#) with the essential documentation (e.g., hotel receipts) and signed by the Section Leader/Department Head. If an employee requests outside of these guidelines, they must submit a justification approved by the appropriate Section Leader, Finance Director or County Manager. Per IRS Guidelines, expenses in excess of the standard GSA Federal Per Diem Rate for Aspen, CO are considered taxable income to the employee.

## V. Airfare

Employees are expected to obtain the lowest available airfare that reasonably meets business travel needs. Airfare must be prepaid for with a Purchase Card (P-Card). Employees are required to book flights at least 30 days in advance when scheduling permits to avoid premium airfare pricing. Employee may be responsible for any additional charges due to last minute booking/airfare travel.

Pitkin County provides reimbursement at the economy fare rate for domestic flights. The use of first class or business air accommodations is not authorized. Additional upgrades are not permitted without approval of the County Manager or their designee. **Revised 10-11-2021**

## VI. Rental Cars

It is the employee's responsibility to use the least expensive car that is suitable for the intended business use. Rental cars may be prepaid for with a Purchase Card (P-Card). The County auto Liability plan will provide coverage for rental cars for employee drivers only.

Pitkin County will not reimburse employees for the following related expenses:

- - Collision/Loss Damage Waiver (CDW/LDW)
  - Personal Accident Insurance (PAI)
  - Other additional insurance coverage

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## VII. Lodging (commercial)

The cost of overnight lodging (room rate and tax only) will be paid for employee travel if the distance is 100 miles or more from the employee's primary worksite. Lodging may be prepaid for with the Purchase Card (P-Card). The County expects employees to use moderately priced hotel accommodations and will pay for lodging expenses at reasonable, single occupancy, or standard business room rates. When the hotel or motel is the conference or convention site, the rate is limited to the conference rate. Lodging incidentals (such as parking and additional room charges) are not included in the lodging expense. Parking expenses should be submitted as a separate expense on the [Expense Report](#). Additional room charges are included in the M&IE per diem. Any additional room charges charged to the County P Card may be deducted from the employee's paycheck.

- Parking See [Policy 6.10](#) for Parking guidelines while on County business.

## VIII. Out-of-State / International Travel

Employees traveling out-of-state or internationally for County business must receive authorization by their Section Leader prior to committing any resources. All international travel requests are subject to County Manager, or their designee, approval. Employee Expense reimbursement requests for out-of-state and international travel must be signed by the employee's Section Leader. Section Leaders reimbursements must receive approval from their supervisor.

## IX. Vacation in Conjunction with Business Travel

In cases in which vacation time is added to a business trip, any cost variance in airfare, car rental or lodging must be clearly identified on the Travel Request form. The County will not prepay any personal expenses with the intention of being repaid at a later time, nor will any personal expenses be reimbursed.

## X. Entertaining/Business Expenses

See [Policy 6.60](#) - Meal and Food Purchases.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 6.70: Media/Public Relations

**Department: Community Relations**

**Effective Date: 11/01/2016**

**Revision Number 01**

### **I. Policy**

### **II. External Communications**

### **III. Social Media**

### **IV. Internal Communications**

#### **I. Policy**

The County strives to enhance public awareness of County issues and services, and to provide answers to inquiries as efficiently as possible. A Section Leader or designee may authorize an employee to write press releases and public service announcements about County activities, and may also use social media for County communications, when appropriate.

Communications mediums to consider are: newspaper, radio, television, and the internet.

Employees should refer media/public inquiries to the appropriate persons in the organization or to the Community Relations staff and notify their supervisor.

#### **II. External Communications**

**Pitkin County Website:** The Pitkin County website is a robust tool to use for external and internal communication. Getting current information on the website should be considered first, before contemplating advertising. The website is often used as the 'call to action' in advertising. It is the place to send the public for more information.

**Weekly Ad:** The Pitkin County 'weekly ad' is available to all county departments for short announcements and RFP notices. The weekly ad appears in the Aspen Daily News every Monday. Copy for the ad must be emailed to Community Relations by 12 noon on Wednesday the week before the ad runs.

**Display Ad:** Larger display advertising may also be used. Print advertising is expensive but our constituents are avid consumers of our two local newspapers. There are times when this is the best option. Contact Community Relations for advertising advice and options.

**CGTV Channel 11:** The Pitkin County Government channel, CGTV 11, is available to broadcast any and all 'government initiated' programming. CGTV includes 'bulletin board' and 'scroll' messaging available to all departments. Only professional-quality videos should air on CGTV. Contact Community Relations about video production resources.

**YouTube:** The Pitkin County YouTube channel is the home of all videos produced by Pitkin County. YouTube makes it possible to send customers/citizens/enthusiasts a digital link to your message. View the Pitkin County YouTube Channel [here](#).

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

**Facebook/Twitter:** Pitkin County Community relations maintains a Facebook and Twitter page on behalf of all departments of Pitkin County. Photographs and video attract significantly more attention than words alone. If you have information that you would like posted on the Pitkin County pages, contact Community Relations. View the Pitkin County Facebook page [here](#).

**Radio:** Local radio is an inexpensive alternative or complement to newspaper advertising. There are several commercial and one local public radio station. Because of the high population of commuters, radio is a great place to reach an audience.

**Press Releases/Public Service Announcements:** If you have news to share with the community you may want to consider a press release. Be prepared to answer the following questions before contacting Community Relations for assistance: Who, What, When, Where, and Why. Community Relations is happy to assist in helping determine whether or not information fits the 'news' category.

**Emergency Communication:** Upon hiring, all Pitkin County employees are signed up for the County's emergency alert system called [Pitkin Alert](#). This system is used to communicate internally and externally during major incidents. In the event of a major emergency that impacts the community, an Incident Management Team (IMT) would be deployed and if the incident is prolonged the Emergency Support Function 15 would be activated. (ESF 15- provides the public timely and accurate lifesaving information during major incidents) The Community Relations department is the ESF 15 lead. Employees with communications skills from writing to social media may be called upon to assist.

## III. Social Media

The County's policies regarding Standard of Conduct and Discrimination/Harassment prevention apply to employee social media communications both in the scope of employment and off the job. Postings with County information or news should be true and accurate. When expressing personal opinions, employees should make it clear that they are not speaking on behalf of the County. Employees have no right of privacy while accessing social media at work or on County-owned equipment.

County departments are encouraged to share information that would be useful to the public via social media. Several departments have developed Facebook pages: Sheriff, Airport, Landfill, Communications 911, Open Space and Trails, Healthy Rivers, Library, Jail. There is also an overall Pitkin County Facebook and Twitter page. If a department has information that it would like to share in the Pitkin County page, contact Community Relations.

## IV. Internal Communications

Internal communication is one of the most effective means of staying abreast of and understanding the workings of the county government operation. Internal communication is not only encouraged, it is expected when the actions of one department or employee may

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affect another. County management is relied upon to communicate information to employees that may be relayed to them by county leadership. Line employees are relied upon to share information with their managers and fellow employees when the information is relevant to all.

**Intranet:** The [Pitkin County Intranet](#) site is the ‘go to’ place for information pertinent to all Pitkin County employees. Announcements, time sheets, facilities work requests, training documents, and health insurance information may all be accessed on this site. The Pitkin County Intranet is the first thing employees see when they log in to their computers.

**Employee Newsletter:** The employee newsletter is published at the end of every month and contains timely information about employee accomplishments and important announcements. It is a resource for all departments when there is news to share with all employees. When there is information to be included in the employee newsletter contact Community Relations.

**Pitkin County Website:** The Pitkin County website is a useful internal tool for employees. It often contains a department's’ mission statement and a list of employees, their titles and contact information, in addition to other useful information.

**Email:** Email is a useful tool to use to communicate with employees but care should be taken not to misuse or overuse email. Become familiar with [business email etiquette](#). When an email string becomes too long - pick up the telephone or arrange an in-person meeting.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 6.80: Unmanned Aircraft System (UAS) Drones

**Department: IT**

**Effective Date: April 1, 2018**

**Revision Number 02**

### **I. Intent/Purpose**

### **II. Scope**

### **III. Definitions**

### **IV. Privacy**

### **V. Organization**

### **VI. Remote Pilot**

### **VII. Data Handling**

### **VIII. Flight, Maintenance and Training Records**

### **I. Intent/Purpose**

1. The purpose of this policy is to establish a framework for Unmanned Aircraft System (UAS) operations by Pitkin County. The County recognizes that UAS is a growing industry and the use of UAS for County operations will expand across many departments. This policy provides an organizational foundation, where specific procedures and guidelines have been developed to meet operational requirements.
2. Pitkin County recognizes the potential value of UAS technology in government operations. UAS may be deployed in a wide range of activities to complete tasks which may be difficult, costly, hazardous, or even impossible to accomplish without their use. The County is also conscious of the risks involved in UAS operations. As such, the purpose of this policy and the County's use of UAS is to provide a powerful tool for County employees, while managing the risks involved.
3. Pitkin County will use UAS technology to conduct County business activities such as inspections, aerial photography, videography, aerial surveying, mapping, 3D modelling, and similar activities.

### **II. Scope**

1. This policy applies to all County employees, volunteers, contractors and others acting on behalf of the County or engaging in any UAS operations under the auspices of the County. This policy applies to all UAS flight operations.
2. All UAS activity operated or caused to be operated on behalf of the County must be in compliance with this Policy. County employees may deviate from this policy only if doing so is reasonably necessary to address an emergency involving significant potential for injury or death. Emergency action must be taken in such a way as to minimize personal injury or damage to property. Any exceptions taken must be documented in the flight log and reviewed at the next quarterly UAS Team meeting.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

3. This policy does not apply to operations by the Pitkin County Sheriff's Office, as public Safety agencies are subject to different FAA rules.

## III. Definitions

- Unmanned Aircraft System (UAS): Unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications, navigation equipment, etc., necessary to operate the unmanned aircraft.
- Pitkin County Remote Pilot (Remote Pilot): A person who has obtained a FAA Part 107 UAS certificate and has successfully completed the checkout procedures in the Pitkin County UAS Operations Manual.
- Remote Pilot in Command (RPIC): A Remote Pilot who has the final authority and responsibility for the operation and safety of an UAS operation conducted under Part 107.
- UAS Crew Member: The RPIC, and any visual observers, sensor operators, or other personnel directly involved in ensuring the safety and success of a UAS mission.
- BITS: The Business and Information Technology Services Department that oversees the County's UAS program.
- Part 107: 14 CFR 107, federal regulations concerning civil operations of UAS.
- UAS Team: BITS Remote Pilots and County UAS stakeholders.

## IV. Privacy

- If the mission is to collect private property information and no other county offices and departments have notified the property owners and/or residents, BITS will undertake reasonable efforts to notify them of the proposed mission.

## IV. Organization

1. To ensure that UAS operations are conducted in a safe, efficient and sustainable manner BITS will coordinate the use of UAS technology for Pitkin County. In this role, BITS will act as the lead for coordinating safety, training, operations, program and policy development, Standard Operating Guidelines (SOGs), and a centralized system for maintaining UAS-related records.
2. BITS and County UAS stakeholders will meet quarterly to review operations, aircraft purchases, emergency procedures, training requirements, industry changes, budget recommendations and will prepare a quarterly report to the County Manager and Board of County Commissioners (BOCC).
3. The County Manager will review and approve all new UAS aircraft purchases.

## V. Remote Pilot

1. Prior to engaging in UAS operations, any Remote Pilot in Command (RPIC) must obtain a UAS Remote Pilot Certificate from the Federal Aviation Administration (FAA) under 14 CFR 107. This remote pilot certificate is required for all UAS flights.
2. To operate as a Pitkin County Remote Pilot, the pilot must pass the checkout procedures established in the [Pitkin County UAS Operations Manual](#).

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

3. Every RPIC has the responsibility to ensure their missions are performed within the parameters of what is safe, legal and effective. The RPIC has the ultimate authority and responsibility to refuse a mission if they believe such a mission would fail to comply with laws and regulations, present an unreasonable safety risk, or fail to meet best industry practices.
4. Remote Pilots will operate within the regulations associated with the Federal Aviation Administration (FAA) under 14 CFR 107. E. The RPIC is responsible for completing all tasks required to launch a mission. This includes communication with the FAA, nearby airports, property owners, and any other required notifications.

## **VI. Data Handling**

1. In the course of performing missions, a UAS may collect sensitive data which may need to be edited or redacted before it may be released. Any such redaction or non-disclosure must be done in accordance with the Colorado Open Records Act.
2. All persons on the mission must take reasonable precautions and conduct UAS operations in such a way as to minimize the collection of incidental data; such data will be discarded and not retained in any form.

## **VII. Flight, Maintenance and Training Records**

1. BITS shall establish a method for logging flight information and metadata from UAS missions as well as auditing and managing Remote Pilot training and currency requirements. At a minimum, the log must contain each operational mission, the name of the assigned RPIC, the names and roles of all other crew members, the mission location, a brief description of the mission's purpose, total time to complete, location of data collected, incidents and remarks.
2. BITS shall establish a method for tracking UAS aircraft and component maintenance, including propellers, batteries, etc.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## SECTION 7

**Effective Date: 11/01/2016**  
**Responsible Department:**  
Risk

### Policy 7.10: Safety

- I. Policy**
- II. Overview**
- III. Department Safety Meetings**
- IV. Facility Maintenance**
- V. Safety Rules and Hazard Recognition**
- VII. Anti-Violence**
- VIII. Weapon-Free Workplace**

#### I. Policy

The County is committed to maintaining a safe and comfortable workplace, which is defined as all County property, including buildings, parking lots, public areas such as lobbies, rest rooms, break rooms, and other locations under the County’s ownership or control. The County implements safety procedures and precautions to prevent potential risks and injuries.

#### II. Overview

Safety is a cooperative endeavor and is everyone’s responsibility. Employees are expected to do their job in a manner that ensures their safety, that of fellow employees, and the general public. Common sense, personal interest, and awareness are the greatest guarantees of safety.

#### III. Department Safety Meetings

Safety meetings are one of the most important communication vehicles for delivering safety messages. The most effective channel for delivering a safety message is through front-line supervisors. These supervisors know the hazards employees are exposed to and their safety advice and reminders can be tailored to meet the particular needs of their employees. Regularly scheduled safety meetings between supervisors and employees are a simple but effective step toward reducing accidents and injuries in the workplace and help to demonstrate management’s commitment to providing a hazard-free workplace.

#### IV. Facility Maintenance

The Facility department ensures the safety and cleanliness of County facilities with the exception of the Airport. Facilities staff maintain building systems and infrastructure and repair minor maintenance issues. If an employee recognizes an unsafe condition related to a County building or grounds they should mark the condition and immediately notify Facilities as soon as possible. Employees may formally report unsafe conditions by completing a work-order request, identifying the request as an Unsafe Work Conditions.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

Facilities staff are not responsible for personalization of work areas. Requests for service or regular maintenance requests, employees should submit a work order request from the Facility department through the online work-order system. Work orders are then prioritized on a first-come, first-served basis and scheduled for completion.

## V. Safety Rules and Hazard Recognition

The County expects all employees to comply with County policies, procedures, standards, rules, and other applicable directives that affect employee safety and safety in the workplace. Failure to follow safety rules or use appropriate safety devices may result in a reduction of the Workers' Compensation benefits received in the event of an injury.

Safety rules are provided to help prevent accidents, to prevent damage to property, and to promote safety. Employees should report any unsafe practices or conditions to their supervisor so corrective action can be taken. When an employee encounters or recognizes an unsafe condition, the employee should remedy it as best as possible or clearly mark the hazard.

Departments may establish safety rules depending on job duties and work environment. Employees should consult with their supervisor if they have questions concerning their department's safety requirements. Listed below are safety procedures for employees to follow.

- 1. **Slip, trip, and fall hazards** - Keep walkways, exits, and designated markings clear of materials and equipment at all times. Place cords, cables, or air hoses on elevated surfaces. Report any damage to floors and carpets that create trip hazards. Warn co-workers to avoid a hazard in the workplace. Temporarily repair or clearly mark hazards. Appropriately clean up all spills.
  2. **Personal safety** - Use Personal Protective Equipment (PPE), such as hard hats, safety glasses, work boots, masks, etc. (Supervisors will let employees know if a position requires protective gear).
  3. **Tools and equipment** - Use all equipment and machinery properly. All guard restraints and other safety devices must be used at all times. Inspect tools and equipment before use and report defects to supervisors and other potential users. Do not use the equipment or machinery for other than its intended purpose. Repair or replace tools or tool parts as need arises. Put away or sheath sharp-edged tools when not in use.
  4. **Defensive driving** - Have a complete understanding of the vehicle used and observe all traffic laws. Wear seat belts whenever operating or traveling in any vehicle on County business.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

5. **Electrical circuits, extension cords, and power cords** - Always check cords to ensure they are not frayed, partially torn, or not properly repaired. Ask for assistance in planning the electrical cord configuration per outlet in the workspace.

6. **Be aware of fire hazards** - Flammable materials such as paper, cardboard, oily rags, etc., must never be placed near heaters. Combustible trash must be disposed in the proper manner. Keep access to fire exits or equipment clear.

7. **Be aware of open containers of flammable liquids** - Containers not in use must be securely closed. Fire can result from open containers of flammable liquids or scrap materials near ignition sources, dust, or lint on machinery. Know ahead of time what procedure to follow if a chemical spills and/or comes in contact with a fire source.

8. **Use all chemicals as directed** - Know what chemical reactions to expect from mixtures of chemicals with water or air. Know how to treat chemical spills. Know how to access the Material Safety Data Sheets (MSDS) for all products used while working. Employees should ask their supervisor if they are unfamiliar with accessing and using MSDS.

## VII. Anti-Violence

Employees must not engage in intimidation, bullying, threats or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, or any other act, which in management's opinion is inappropriate in the workplace. In addition, employees must refrain from making bizarre or offensive comments regarding violent events and/or behavior. Employees are expected to report any prohibited conduct to their supervisor or management.

Employees should directly contact proper law enforcement authorities if they believe there is a serious threat to the safety and health of themselves or others.

## VIII. Weapon-Free Workplace

County facilities are declared a weapon-free workplace in the interest of maintaining a workplace that is safe and free of violence. This policy applies to all County employees on County property with the exception of law enforcement officers and other employees who carry a weapon as required by their position.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## 7.20: Workplace Health

- I. Communicable Disease
- II. Reporting Work Related Injury/Illness
  - A. Employee Responsibilities
  - B. Supervisor/Department Manager Responsibilities
- III. Medical Treatment for Work Related Injury/Illness
  - A. Emergency Treatment
  - B. Non-Emergency Treatment
  - C. Medical Appointments
- IV. Pay for Missing Work due to Work Related Injury/Illness

### I. Communicable Disease

The County is committed to providing a safe work environment for all employees. County employees should always consider that anyone is potentially infectious and exercise universal precautions. In most instances, potential exposure is foreseeable and therefore avoidable. For the safety of all employees, the County encourages employees with influenza, common colds, or other easily transmittable minor respiratory infections to take appropriate sick leave or use the [Teleworking Policy \(3.130\)](#), if applicable, to work remotely and avoid further spread of infections.

### II. Reporting Work Related Injury/Illness

The County maintains Workers' Compensation insurance coverage for work-related employee injuries and illnesses and proactively manages the Workers' Compensation self-insurance program. This approach includes: developing a claims management program, a modified duty program, safety training programs, and other educational programs. A third party administrator (TPA) provides contractual claims administration services on behalf of the County. Claims management is provided by Human Resources and the TPA. Outlined below are the basic responsibilities for employees and supervisors when a work-related injury or illness occurs.

#### A. Employee Responsibilities

- No matter how minor an injury, the employee's supervisor must be IMMEDIATELY notified.
- Seek immediate medical treatment, if appropriate. (See Medical Treatment below for specifics on receiving care.
- The employee must complete the [Employee's Written Notice of Injury to Employer](#). The completed form must be given to supervisor within four (4) working days of the occurrence of injury, or within thirty (30) working days of the first onset of the work-related illness.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

State regulations provide that failure to report an accident within this time period could result in loss of one day's compensation for each day's failure to report. Compensation can be further reduced if the employee's injury was caused by:

■

- Employee's violation of safety rules or failure to use safety devices required by Pitkin County.
- The result of employee's willful failure to obey any reasonable procedure adopted by Pitkin County for the employee's protection.
- Employee's consumption of alcohol or controlled substances.

The employee must provide the supervisor a release to work from treating physician before returning to work.

## **B. Supervisor/Department Manager Responsibilities**

### **C.**

- 1. If employee seeks emergency medical treatment, supervisor is to notify Human Resources during normal business hours or via Dispatch (970-920-5310) during non-business hours.
  2. Ensure the [Employee's Written Notice of Injury](#) to Employer is complete. If employee is incapacitated, supervisor may complete report.
  3. Complete the [Supervisor's Investigation Report](#) as thoroughly as possible.
  4. Submit both forms to Human Resources within four (4) working days of the injury. E. Forward any release-to-work forms from the employee to Human Resources.

If the employee or the supervisor has any questions regarding Workers' Compensation, please contact Human Resources.

## **III. Medical Treatment for Work Related Injury/Illness**

### **A. Emergency Treatment**

Call 911 for emergency transport or seek treatment at the closest appropriate facility. Identify the injury or illness as work related, if possible. Subsequent to the Urgent Care or Emergency Room visit, the Designated Provider (see providers below) must provide all follow-up care to be covered through Workers' Compensation insurance.

### **B. Non-Emergency Treatment**

The County's designated providers must treat any non-emergent, work-related injury or illness. The identification of a designated provider ensures quality medical care for injured employees and ensures efficient case management. If an employee fails to obtain treatment

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

from a designated provider the employee may be financially responsible for the cost of the medical treatment received.

## Designated Providers

Aspen Medical Care Aspen Medical Care Glenwood Medical Associates

101 Founders Place, Suite 109 204 Basalt Center Circle 1830 Blake Avenue

Aspen, Colorado 81611 Basalt, CO 81621 Glenwood Springs, CO 81601

(970) 920-0104 (970) 927-3141 (970) 945-8503

The treating physician may determine that it is appropriate to refer an injured employee to a medical specialist. Employees must obtain any referral in writing from the treating physician. Failure to obtain a written referral may result in denial of payment for such care. A copy of the referral should be forwarded to Human Resources as soon as possible.

## C. Medical Appointments

Employees are encouraged to make medical appointments for work related injuries outside of working hours. If this is not possible, the employee will be compensated by the County for appointment time.

## IV. Pay for Missing Work due to Work Related Injury/Illness

The County will compensate injured/ill employees who are not released to work at the written direction of the designated provider. The first three regular working days will be paid by the County at the employee's rate of pay at the time of the injury/illness. All compensation after the third day will be made directly by the third party administrator (TPA) at a rate of sixty-six and two-thirds percentage (66 2/3 %) of the employee's average weekly wage at the time of the injury/illness. No taxes (federal, social security, or Medicare) will be deducted from the benefits paid by the TPA, nor will annual or sick time accrue.

The current state maximum average weekly wage (AWW) for wage replacement benefits, is \$1,409.73 or \$73,305.96 annually. This results in a benefit of \$939.82 weekly. This amount is identified annually and the current AWW amount is effective July 1, 2016 through June 30, 2017. Employees who are paid above the state's AWW may supplement their benefit by using payment of Sick Leave to bridge the gap between the sixty-six and two-thirds benefit of the state's maximum AWW and sixty-six and two-thirds of the employee's AWW at the time of the injury/illness.

**Date: 11/01/2016**

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 7.30: Accident Reporting

### I. Policy

### II. Motor Vehicle Accident and Claim Reporting

#### A. Employee Responsibilities

#### B. Supervisor/Department Manager Responsibilities

### III. Non Motor Vehicle Accident - Incident Reporting

### I. Policy

The County maintains insurance coverage for motor vehicle, property and general liability.

### II. Motor Vehicle Accident and Claim Reporting

This Policy & Guidelines to be used when a motor vehicle accident occurs are located in the glove compartment of each County vehicle. They identify steps to take when at the scene of an accident for yourself and the vehicle. Guidelines for Employees to be used if an accident occurs:

- 1. Never leave the scene of an accident until released by a law enforcement officer. If the accident involves injuries, try not to move the victims until qualified medical help arrives.
  2. Call law 911 to report a motor vehicle accident to law enforcement (ask for an ambulance if there are injuries) or have someone call if you are not able.
  3. Seek immediate medical treatment, if appropriate. (See Medical Treatment for [Work Related Injury/Illness](#))
  4. Take pictures of the accident site after the injured have been stabilized but prior to any changes to the scene.
  5. Obtain the name, address, and phone number of any witnesses.
  6. Use this policy found in the glove box, with the registration and insurance card to note the following items in order to adequately complete the on-line [Accident Report](http://fleet.pitkincounty.com/accident/) <http://fleet.pitkincounty.com/accident/>:
  7.
    - the time and date of the accident; and
    - any statements that were made at the scene.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

- Pictures of the Vehicles, Location, Scene, and objects involved (Use your Cell Phone)
- Weather and road Conditions at the time of incident
- Other involved vehicles and drivers information
- Police name and report information/ number

7. Do not answer questions or discuss the accident with anyone other than law enforcement officers, your supervisor, or the Human Resources staff. Refrain from speculation about the cause of the accident and refer all questions regarding a claim to Human Resources.

## A. Employee Responsibilities

- 1. Notify the supervisor as soon as possible.
  2. Contact Human Resources as soon as possible.
  3. The employee must complete the [Accident Report](#) online within two (2) working days of the occurrence. It is then automatically emailed to your supervisor once the form has been fully completed / Submitted.
  4. If an employee is contacted by an insurance representative, refer them to Human Resources.
  5. Bring the vehicle to the Fleet department as soon as possible to be inspected by the Fleet Manager or Shop Foreman. The employee at that time will be provided information about vehicle repair plans and communications.

## B. Supervisor/Department Manager Responsibilities

- 1. If the employee has an injury notify Human Resources during normal business hours or via Dispatch (970-920-5310) during non-business hours.
  2. Make sure the vehicle was inspected by the Fleet Department ASAP for a safety check.
  3. Ensure the [online Accident Report](#) was completed within the 2 days. If an employee is unable to, a supervisor may complete report.
  4. Complete the Supervisors (accident Review and comments) section of the report.

## III. Non Motor Vehicle Accident - Incident Reporting

Employees should follow Pitkin County's Policy and Procedure Manual for all other types for injuries/illness or workers compensation:

1. Employees should complete [Reporting Work Related Injury/illness](#)

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 7.40: Tobacco and Smoke-Free County Property

### I. Policy

### II. Requirements and Prohibitions

### III. Communication

### IV. Support for Employees who use Tobacco

### V. Non-Compliance

#### A. Employees

#### B. Contractors, Vendors, Clients, Volunteers and Visitors

### VI. Definitions

#### A. County Facilities & Grounds

#### B. Employees and Visitors

#### C. Smoking and Tobacco

#### D. Nicotine Replacement Products

### VII. Policy Implementation and Exceptions

### I. Policy

Pitkin County is committed to a healthy, safe, and supportive work environment for all employees and visitors of County property. Where smoking and tobacco use is a major cause of preventable disease and death in Colorado, the intent of this policy is to establish a 100% tobacco and smoke free environment on County property\*, and provide cessation information and resources to any users in search of quitting.

*\*Exceptions for certain properties are listed in Section VII of this document*

### II. Requirements and Prohibitions

1. All employees and visitors are prohibited from smoking and using tobacco products while on County-owned property, which includes buildings, facilities, and outdoor spaces.
2. Smoking and use of tobacco products are prohibited in all Pitkin County vehicles. Refer to [Policy 6.10 Driving on County Business](#).
3. Employees of Pitkin County Government are encouraged not to smoke or use tobacco products:
  - a. during paid work time (including breaks), even when off county property,
  - b. during unpaid work time (lunch) away from County buildings & grounds, and
  - c. while working off-site.
4. Advertisements of smoking and tobacco products in County buildings & grounds and County sponsored events are not permitted.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

5. It is the intent for Pitkin County to maintain good relationships with its neighbors. Trespassing, loitering or littering on neighboring properties during the course of employment to smoke or use a tobacco product is prohibited.
6. For the purpose of cessation, FDA approved nicotine replacement therapy product use including patches, gum or lozenges are permitted under this policy. Also see Section IV. Support for Employees who use Tobacco.

## III. Communication

1. Communication of the smoke and tobacco-free County policy will be announced to employees through methods the county uses for communication.
2. Signs declaring the property smoke and tobacco free will be posted at entrances and relevant locations around campus.
3. County officials, leaders, managers, and supervisors are responsible for leading by example and respectively communicating the policy to employees and visitors.
4. All employees share responsibility for adhering to and supporting the policy.
5. Individuals who observe a person or people smoking or using a tobacco product are encouraged and empowered to respectfully explain that smoking and tobacco product use is not permitted in County buildings & grounds.

## IV. Support for Employees who use Tobacco

Pitkin County is strongly committed to supporting employees to be smoke and tobacco-free via the [Employee Health and Well-Being](#) program and through health insurance. Employees should contact the Pitkin County Employee Health & Well-Being program representative or their health insurance representative for more information on resources available to help and stay tobacco-free.

## V. Non-Compliance

### A. Employees

The corrective action protocol for violations of this policy by employees is governed by Pitkin County's Discipline and Corrective Action policy in Pitkin County's Policies and Procedures Manual Section 5 - Discipline and Appeal, [Policy 5.10 Discipline](#) .

### B. Contractors, Vendors, Clients, Volunteers and Visitors

Violation of this policy by contractors, vendors, or clients should be referred to the appropriate departmental manager. *Refer to Section III. Communication, #3 and #5, above.*

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## VI. Definitions

### A. County Facilities & Grounds

- County Administrative Campus (Pitkin County Administration & Sheriff's Office, Courthouse, Library, Veterans Park, Jail)
- Health & Human Services Campus
- River Park Center in Basalt
- Basalt Southside campus
- Public Works Campus
- Landfill grounds & buildings
- Ambulance Facility
- Open Space
- North 40 building

All grounds include parking lots and, per the Colorado Clean Indoor Air Act of 2006, include the area within a 15 foot radius of the main or front entranceway.

### B. Employees and Visitors

This policy applies to any person, employee and or visitor at a County facility as defined in II.A. (County officials, contractors, interns, volunteers, clients, etc.)

### C. Smoking and Tobacco

Smoking is defined as inhaling, exhaling, or burning a product including but not to limited to cigarettes, medical or recreational marijuana products or derivatives, cigars, pipes, hookahs, electronic smoking devices, vaporizers, or other combustible substances in any manner or in any form, regardless of its composition.

Tobacco is defined as any product containing, made, or derived from tobacco or nicotine that is intended for human consumption including but not limited to the use of smokeless tobacco products such as chew, snuff, or spit tobacco.

### D. Nicotine Replacement Products

FDA-approved nicotine replacement therapy, including nicotine gum, lozenges, and patches.

## VII. Policy Implementation and Exceptions

This policy will be phased in across County buildings, starting with the new Pitkin County Campus as of July 23, 2018. Buildings and grounds included in the campus are shown in the

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

map below. All new buildings and grounds developed or acquired by the County after January 1, 2019 will automatically fall under this policy. These exceptions are as of January 1, 2019 and will be updated accordingly.

**Airport** - due to federal regulations, the airport will maintain designated smoking areas and other required exceptions to this policy until the time that the federal policy changes.

**Health & Human Services Campus** - Under previously agreed upon Hospital policy until future update, March 2020

**River Park Center in Basalt** - Effective February 1, 2020, will be updated for each leasee as leases are renewed or re-established

**Basalt Southside Campus** - Effective January 1, 2019

**Public Works Campus** - TBD

**Landfill grounds & buildings** - TBD

**Ambulance Facility** - Under previously agreed upon Hospital policy until future update, March 2020

**Pitkin County Government Campus - map** - Effective July 23, 2018



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This policy supersedes all other prior policies about smoking and tobacco.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## SECTION 8 – FINANCE AND STANDARDS

### Policy 8.10: Procurement

- I. Policy
- II. Expenditures/Purchases
  - A. Guidelines
  - B. Procurement Code
  - C. Procurement Processes
  - D. County Manager Approval Level
- II. Revenue Procurement
  - A. Public procurement
  - B. Surveys and/or bids
  - C. Financial models or mathematical formulas
- III. Departmental Coordination
- IV. Security Requirement
- V. Standards
- VI. Contract and Insurance Requirements

#### I. Policy

It is the policy of the Board of County Commissioners that the purchase of goods and services for the County be conducted in a fashion that will provide for increased public confidence in public procurement; ensure the fair and equitable treatment of all persons who deal with the procurement system of the County; maximize the purchasing value of public funds of the County; foster competition; and provide safeguards for the maintenance of a procurement system of quality and integrity. When revenue sources are to be procured, it is the policy of the County to maximize revenue whenever possible, while maintaining quality and efficiency of service and products and preserving County assets.

#### II. Expenditures/Purchases

##### A. Guidelines

The purchase of goods and services costing \$50,000.00 or more requires a formal procurement process; costing \$25,000 to \$50,000.00 requires an informal procurement process; under \$25,000 no process required.

*Revised 10/23/2019*

##### B. Procurement Code

All County purchases are governed by the [County Procurement Code](#) as adopted and amended from time to time by the Board of County Commissioners.

##### C. Procurement Processes

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

The County Procurement Team develops procedures to guide internal procurement processes for goods, services and construction. These procedures are posted on the [Procurement](#) website. Also included are standard county contracts approved by the attorney's office.

## **D. County Manager Approval Level**

The County Manager must sign any contract of \$50,000 or more. So long as there is approved budget for any purchase, the Board of County Commissioners does not need to sign any contract, unless Board signature is required by statute, as is the case for intergovernmental agreements, for example, or by the other contracting party, as is the case for most federal and state grants.

## **II. Revenue Procurement**

The threshold requirements for formal and informal procurement in Pitkin County apply to revenue procurement: under \$25,000, no process required; \$25,000-\$50,000, informal procurement; and over \$50,000, formal procurement. In all situations, the Procurement Officer (the employee responsible for the procurement) must balance the revenue needs of the County with the quality and efficiency of the product or service while maintaining the quality expected by the citizens. This balance may be obtained through the following methods:

### **A. Public procurement**

The public procurement process is an excellent method to establish appropriate revenue and ensure quality of the product or service, regardless of the amount of expected revenue. This method also defines the competition and minimizes the opportunity of challenges. Public procurement can also ensure quality through the use of established standards and criteria under the procurement documents. Applicable county contract terms will be included with any Request for Proposals ("RFP").

### **B. Surveys and/or bids**

Surveys can be utilized to establish parameters for the RFP. Bids/Proposals received by State of Colorado or other governmental jurisdictions may be accepted.

### **C. Financial models or mathematical formulas**

Minimum bid amounts based on models and/or formulas that include actual costs along with anticipated expenses and capital replacement needs may be used to assure that Pitkin County's recovery of expenses is maximized.

## **III. Departmental Coordination**

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Any county department receiving revenues should coordinate with Finance and the Treasurer's Office to assure that revenue or direct deposit records are delivered to the Treasurer's Office in a timely fashion and are accurately coded. The department should also work with Finance to have someone responsible and accountable for assuring that agreed-upon revenues are received by the County. Before new billing programs or software are initiated or old programs upgraded, Finance and revenue generating departments should consult to maximize compatibility with existing accounting programs or software.

## IV. Security Requirement

In order to protect County assets against damage and to assure a continuous revenue stream as well as performance by the contractor/vendor, security in the form of cash (with no interest to the vendor), letter of credit or other form approved by the county attorney is recommended in an amount equal to three months' revenue, for all revenue contracts. The security requirement is discretionary with the Section Leader/Department Head, after consideration of the following criteria:

- 1. The overall circumstances
  2. The dollar amount at risk and the impact on the budget and on operations if the revenue, service, or product is lost for three months
  3. Length of relationship with vendor
  4. Public perception
  5. Ability to use the security to provide or produce an interim replacement service or product
  6. Discussion with the Finance Department

## V. Standards

When applicable, Vendors should establish hours of operation that coincide with County operating hours. Vendors should provide a high quality service or product. Section Leaders and Department Heads should consider Pitkin County's core values when establishing contract performance criteria for vendors.

## VI. Contract and Insurance Requirements

Both a written contract and insurance are recommended in all instances in which a revenue source is procured for the County.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 8.20: Commercial Purchasing Card Program (P-Card)

**Date:** Revised (in full)  
**04/03/2019**  
**Effective Period:** Until  
superseded  
**Responsible Department:**  
Finance

- I. Policy**
- II. Card Issuance**
- III. Account Maintenance**
- IV. Card Usage**
  - A. Allowable Uses**
  - B. Non-Allowable Uses**
- V. Limitation of Vendors**
- VI. Tax Exempt Status**
- VII. Expenditure Documentation**
- VIII. Lost or Stolen Cards**
- IX. Fraud and Failure to Follow Policies and Procedures**
- X. Cardholder Responsibilities**
- XI. Supervisor Responsibilities**

### **I. Policy**

The purpose of the Pitkin County Commercial Purchasing Card (P-Card) Program is to establish a more efficient, cost-effective method of purchasing and paying for certain goods and services, within established usage limits and within compliance with all applicable regulations. It is also intended to replace petty cash, and the use of personal funds reimbursed through the accounts payable process.

All Cardholders must comply with all laws, policies and procedures. This policy establishes the required standards and terms for the use of the Pitkin County P-Card.

### **II. Card Issuance**

Upon the request of Department Heads, certain employees will be issued a P-Card to charge goods and/or services for County related business and expense. Cardholders will be required to sign a Cardholder User Agreement that outlines their responsibilities. The signature on the Agreement form indicates that the cardholder has received, read and understands the Purchasing Card Policies and Procedures, and agrees to abide by the terms. The cardholder is the only person entitled to use the card and the card is not to be used for personal use. P-Card limits will be set by Finance in line with the County Procurement Code. Cardholders must sign the back of their Purchasing Card upon receipt and activate it by calling the toll free number listed on the front sticker of the card.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## III. Account Maintenance

All requests for changes to credit limits, cardholder names, department/office change, termination of a Purchasing Card, use of Purchasing Card outside the United States or other administrative requests can only be made by the Department Head, Elected Official or assigned designee, to the Purchasing Card Administrator. With the exception of Elected Officials and the County Manager, cardholders may NOT make a request on behalf of themselves.

The process to delegate any of the above listed responsibilities is for the Department Head or Elected Official to e-mail the Purchasing Card Administrator indicating the name of the assigned designee who is being assigned the duties. A signature authorization form will need to be filled out by the department/office, if applicable.

Additionally, an email to the Purchasing Card Administrator is to be completed when any of the following situations occur:

- - Cardholder Name Change
  - Cardholder Department Change (only if initially incorrect, NO department transfers)
  - Credit Limit Change Request (temporary or permanent)
  - Account Termination because of Employment Change (resignation, termination, transfer)
  - Unblocking specific Purchasing Cards for use outside the United States
  - Lost or Stolen Purchasing Card
  - Employee placed on short-term or long-term disability
  - Cardholder violations leading to temporary or permanent revocation of privileges.

## IV. Card Usage

### A. Allowable Uses

The following are examples of types of items that may be purchased with the card. This is not an all- inclusive list. If in doubt, ask the Purchasing Card Administrator.

- - Travel-related expenses for County employees such as airfare, gasoline for county pool or rental cars used for County business
  - Taxi Rides (reasonable gratuity is 15%-20%)
  - Hotel (gratuity for housekeeping services is not allowed)
  - Conference/seminar registration fees
  - Professional membership and license fees
  - Work-related books, videos, periodicals and subscriptions
  - Freight and package delivery fees
  - Food for meetings or trainings
  - Non-contract equipment maintenance and repairs
  - General operating supplies

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

- Accessories for computers, iPads and phones (computers, iPads and phones must be purchased through BITS)

## **B. Non-Allowable Uses**

At no time are the following purchases allowed with a Pitkin County P-Card. This is not an all-inclusive list. If in doubt, ask the Purchasing Card Administrator.

- - Personal use of any kind or for any non-County purpose (employee must pay with personal funds) even with the intent of reimbursing the County
  - Travel expenses for which a per diem has been received
  - Travel expenses for a partner or spouse
  - Travel expenses (meals & lodging) for additional days beyond those required for County business purposes
  - Airline or rental car upgrades
  - Gasoline for a personal vehicle (gasoline is only allowed for County vehicles and rental cars used for County business)
  - Cash advances or cash refunds of any type
  - Amazon Prime memberships
  - Firearms
  - Controlled substances
  - Alcohol or alcoholic beverages of any kind
  - Colorado State sales tax
  - IT equipment (i.e. iPad, laptop, cell phone)
  - Gift cards for employees
  - Split purchases that intentionally circumvent the limits on an individual's Purchasing Card or the County's Procurement Policy. The Purchasing Card is not intended to avoid or bypass appropriate procurement or accounts payable procedures. Rather, the Purchasing Card complements the existing processes available.
  - Parking, speeding tickets or any other fines due to violations of the law.

## **V. Limitation of Vendors**

The P-Card Program also allows for Merchant Category blocking. If a particular Merchant Category is blocked and an attempt to use the card at such a merchant occurs, the purchase will be declined. The P-Card Administrator has made an effort to ensure that the vendors/suppliers used during the normal course of business are not restricted. Any requests to change a merchant category blocking must be made to the P-Card Administrator.

## **VI. Tax Exempt Status**

Pitkin County is exempt from paying Colorado sales and use tax. Cardholders are advised to carry a copy of the Colorado Sales Tax Exempt Certificate along with them when purchases are made. All cardholders are instructed to make every effort to ensure Colorado sales and/or use tax is not charged.

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If a charge of Colorado sales tax appears on the receipt (regardless of the amount), the cardholder is responsible for contacting the vendor and asking that the charge be credited to the card. If the Colorado sales tax exemption is denied, a note must be written on the receipt explaining why it was denied.

## VII. Expenditure Documentation

In order for the County to be compliant with Generally Accepted Accounting Principles and the IRS definition of an accountable plan, all county purchases including those on a P-Card, must demonstrate the expenditure was for a valid business expense. Therefore the following documentation and information is required:

- - An itemized, detailed receipt including the following information:
    1. Merchant name
    2. Transaction date
    3. List of items purchased or services provided
    4. Total amount paid
    5. Method of payment
  - Receipts which do not clearly list the items purchased will not be considered adequate documentation. Therefore more than one piece of purchase documentation may be required to satisfy receipt requirements.
  - A statement of business purpose. In order to maintain compliance with IRS regulations a statement of business purpose of the expenditure (if not listed on the receipt) must be provided. Business purpose comments provide a clear and concise explanation of how each transaction is necessary and beneficial to the County. These statements must contain:
    1. What was purchased or what services were provided
    2. Who the expense is for (if for other than the Cardholder) or who was in attendance (County affiliation should be included) and for what purpose

Receipts and business purpose comments must be submitted through the monthly reconciliation process. If a receipt is lost or missing a replacement receipt must be sought. In the event the Cardholder is unable to obtain this documentation a lost receipt affidavit must be provided.

## VIII. Lost or Stolen Cards

- 1. Cardholders are responsible for the security of their P-Card and any purchases made on your account. **If the Cardholder believes the card has been lost or stolen, IMMEDIATELY report this information to the banking institution** as described on the PCIN and in the Cardholder Agreement. Immediately after reporting, the Cardholder must inform the P-Card Administrator. It is extremely

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

important to act promptly in the event of a lost or stolen card to avoid liability for fraudulent transactions.

## **IX. Fraud and Failure to Follow Policies and Procedures**

Fraudulent use of a Pitkin County Purchasing Card is a serious matter that may result in disciplinary action up to and including termination of employment as per the County Personnel Policy, and may subject the cardholder to legal action. Participation in the Purchasing Card program is a privilege that may be revoked for repeated violations of the Purchasing Card Policies and Procedures.

Finance Department staff audit all transactions on a monthly basis for compliance with purchasing card policies and procedures. The following non-compliant situations will result in disciplinary action including suspension of card privileges, cancellation of the P-Card or termination of employment:

- 1. Inadequate documentation in support of purchases
  2. Inappropriate purchases
  3. Transactions that are outstanding or unapproved
  4. Personal use of the card
  5. Not reporting a lost or stolen card
  6. Other violations of purchasing card policies

If a Department Head, Elected Official, or the P-Card Administrator determines there is cardholder abuse, they may request to temporarily or permanently revoke a cardholder's privileges. The P-Card Administrator will deactivate the Purchasing Card after consultation with the Department Head and the Finance Director.

## **IX. Cardholder Responsibilities**

- - Read and abide by the policies and procedures and other applicable County policies and agreed items within the P-Card Agreement.
  - Keep the card in a secure location, keep the card number confidential, and exercise caution when providing account information for payments.
  - Cards are issued to an individual and should not be shared.
  - Ensure that Colorado sales tax is not charged when making a purchase on qualified purchases. The County's tax-exempt number is printed on the face of the card. If you are inadvertently charged Colorado sales tax, contact the vendor for a Colorado sales tax credit. Document on the receipt when a vendor refuses to grant tax exemption.
  - Submit receipts as required, document the business purpose and verify the correct GL code is charged.
  - Resolve all incorrect charges and product returns with the merchant as quickly as possible.
  - IMMEDIATELY call the bank if your card is lost or stolen, or if fraud is suspected. Also, notify the Card Program Administrator via email.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## X Supervisor Responsibilities

- - Review P-card expense reports for compliance with this policy, namely:
    - Receipts are attached for each purchase.
    - Each purchase was made for a valid business use, the statement of purpose is included in the report detail and the correct GL code is charged.
  - Once ensuring they are compliant, approve the monthly statements, within the timeframe required.
  - Collect P-card from employees upon termination along with outstanding receipts and notify the P-card Administrator.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 8.30: Grant Management

**Date:** 12/13/2017  
**Effective Period:**  
Until superseded  
**Responsible**  
**Department:** Finance

- I. Intent**
- II. Policy**
- III. Application**
- IV. Funding Analysis**
- V. Grant Approval, Administration and Operational Oversight**
- VI. Grant Monitoring and Reporting**
- VII. Personally Identifiable Information**
- VIII. Analysis of Grant Renewals and Continuations**

### I. Intent

The purpose of this policy is to set forth guidance for the application of grant proposals and the administration of grants awarded to the County that:

- ensure the efficiency and impact of grant funded programs, services, and capital improvements;
- limit the County’s exposure to grant related legal liability; and
- assure grantors and the public that the County shall discharge its responsibilities with the highest of standards.

### II. Policy

It is the policy of the Board of County Commissioners (BOCC) that the County will seek grant funding for activities and assets that are determined to further core County functions, or that provide for activities and assets that are in the best interest of the County and its residents. Unless exempted by Board action, all departments and agencies under the authority of the Board shall participate in a uniform grants administration program, under the direction of the County Manager, who will assess grants prior to submission and ensure that grant award functions follow the highest standards of the grantor or the County.

### III. Application

This policy applies to all grants provided to or facilitated by County departments (federal, state, county, local, corporate, and private foundation). Grant support is encouraged unless the prospective grant conflicts with the County’s strategic goals, generates more cost than benefit, or restricts the mission of the County.

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## IV. Funding Analysis

Once potential grants have been identified and prior to the submittal of a grant application to an agency or acceptance of funds from an organization, the Department should give consideration as to whether the grant is consistent with the County's Strategic and Department priorities. A funding evaluation should be completed to determine the effect of the grant on the current and future County resources or operations. Factors to consider are:

- Available funding for required grant matches (i.e. the County's portion of project costs or in-kind costs)
- Current and future year(s) budget implications (i.e. added positions, equipment)
- Capacity and experience of the Department and staff to effectively administer and implement all aspects of the grant.

## V. Grant Approval, Administration and Operational Oversight

To ensure transparent management of grants, grants valued with County resource commitments that are \$50,000 or more, or any amount if required by law or the grant agreement, require BOCC approval prior to acceptance of funds or upon submittal if award signifies acceptance. Grants do not require BOCC approval if governed by another authority. Transportation capital grants that require a rapid response to prevent forfeiting the grant may be approved by the County Manager or designee, prior to BOCC approval of capital project funded by said grant.

The BOCC Agenda Item Summary for review of a grant should include the grant's purpose, term and amount, as well as current and future year budget or operational implications, during and after the grant is completed. County Manager or designee are authorized to approve and execute documents related to grants with a gross value of less than \$50,000, unless the grant agreement specifically requires BOCC approval.

The County's Finance staff will provide grant management guidance and oversight to ensure adherence to the Grant Management Policy. The staff will serve as a central source for cross-departmental communications regarding the pursuit of grants and effective application of administrative procedures.

The Pitkin County policies and codes related to procurement shall be utilized for the purchase of materials, services, and construction with grant funds, in conjunction with any procurement requirements stipulated in the grant requirements.

## VI. Grant Monitoring and Reporting

Section Leaders/Department Heads shall ensure compliance with all grant requirements through ongoing administrative and operational support (i.e. trained staff resources, financial and/or program reporting, subcontractor monitoring of activities and/or performance, pass-thru monitoring, audit compliance by grantor and/or by external auditors, record retention, and any additional requirements detailed in the Grant award documentation such as federal circulars related to federal grants). Departments must review the monthly financial reports

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

and notify the Finance Department promptly of any discrepancies noted and/or any additional reports needed.

The requesting department is responsible for providing financial reports to grantors. If it is determined that the report preparation is to be handled by the Finance Department, this must be communicated to Finance at the time the grant is submitted.

Departments handling grant reporting are responsible for complying by the due dates with all reporting requirements of the grant including financial reporting and reimbursement requests. All reimbursement requests should be copied and forwarded to Finance for review and monitoring of timeliness of revenue reimbursements.

## **VII. Personally Identifiable Information**

Federally funded grant records must also comply with 2 CFR 220.82 which requires safeguarding data records against unauthorized alterations including Personally Identifiable Information (PII). The County's policy 3.30, Personal Information, directs employee actions for maintaining and destroying PII. PII is defined to include a person's name in combination with information such as a social security number, passport number, credit card number, bank number, health records, and similar information. PII required to be disclosed by law is excluded.

## **VIII. Analysis of Grant Renewals and Continuations**

If an approved grant requires an ongoing General Fund commitment from the County, it will be incorporated into the forecast to ensure expenditures can be supported when the grant expires. If the position funding is only for the life of the grant, the expenditures shall be budgeted from one-time funding.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## SECTION 9 – ASSETS

### Policy 9.10: Asset Disposition

**Date:** Revised (in part)  
**04/08/2019**  
**Effective Period:** Until  
superseded  
**Responsible Department:**  
Procurement

- I. Policy**
- II. Disposition Procedures**
  - A. Real Property**
  - B. Personal Computers, Monitors, and Printers**
  - C. Assets Acquired with Grant Funds**
  - D. Other Assets**
- III. Revenue from Disposition**

#### I. Policy

It is the policy of the Board of County Commissioners that County assets are disposed of in a manner that maintains the public trust in government’s use of public funds.

#### II. Disposition Procedures

##### A. Real Property

Disposition of interests in real property is governed by the Real Property Acquisition and Disposition Policy.

##### B. Personal Computers, Monitors, and Printers

Any IT item no longer used by a Department or Section shall be returned to the Information Technology Department (BITS) for determination as to suitability for subsequent use by the county. If the item is found to be of no value to the county, it is to be disposed of at the county landfill as electronic junk. BITS will pay the associated landfill fees. See *Surplus IT Equipment Disposal*.

If the item is found to be of potential value to the county, BITS will hold the item in inventory for reuse. If the item is not used in six months, it will be disposed of at the landfill under the authority of the *Surplus IT Equipment Disposal* policy referenced above. Under no circumstances will these items be donated to any entity.

*Revised 04-08-2019*

##### C. Assets Acquired with Grant Funds

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For assets that were acquired with grant funds, disposition must be consistent with conditions of the grant agreement and any applicable state or federal law.

## D. Other Assets

Other county assets that are no longer needed shall be disposed of by one of the following, listed in priority for preferred method:

1. Auction-- A public auction shall be held to dispose of county vehicles that have been replaced and for other assets with a value of \$5000 or more. The auction shall be arranged by the County Fleet Manager, who shall notify other county departments of the auction in sufficient time for them to include items in the public sale.
2. Sell or give to another County Department-- Any asset with insufficient value to justify inclusion in a public auction, or that must be disposed of before the next auction due to lack of storage space, or that may be desired by another County Department, should contact Facilities and submit a work order request to coordinate the disposition of the asset. Should another County Department desire to acquire the used asset, the department head must consider the budget impacts for future replacement of the asset and obtain supplemental budget approval when there is an ongoing budget impact.
3. Sell or give to another public entity or non-profit group-- Should there be no disposition by the methods above, the department head may sell or give the asset to another public entity or to a non-profit group. For a non-profit disposition, the Community Relations Director, when requested, shall advertise the item via email to the community non-profit contract agencies.
4. Sell or give to county employee or highest bidder-- Should the above disposition methods fail, the item may be offered for sale or for free, at the department head's discretion, to the highest bidder for sale items or to the first responder, if for free. Giveaways and sales to county employees should be noticed via all county email. Notification of sale items to an audience larger than county employees shall occur in the method determined by the department head to be most likely to generate the best price.
5. Trash or recycle-- As a last resort, the item will be taken to the Landfill for its "use it again" lot, or for disposal.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## III. Revenue from Disposition

The revenues received from any disposition of county assets shall be deposited with the County Treasurer’s Office to be credited to the sale of fixed asset account for the department disposing of the asset.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 9.20: Asset Protection and Inventory

**Date:** 05/01/2006  
**Effective Period:** Until superseded  
**Responsible Department:** Finance

- I. Policy**
- II. General Inventory Responsibilities**
  - A. Finance Department Responsibilities**
  - B. Department Responsibilities**
- III. Fixed Asset Inventory and Maintenance**
  - A. Facilities Inventory and Maintenance**
  - B. Fleet Inventory and Maintenance.**
  - C. Road and Bridge Inventory and Maintenance**
  - D. Open Space and Trails Inventory and Maintenance**
  - E. Vacant Land and Water Rights Inventory**
  - F. Airport Inventory and Maintenance**
  - G. Communication Sites Inventory and Maintenance**
  - H. Information Technology Inventory and Maintenance**
  - I. Senior Services Inventory and Maintenance**

### **I. Policy**

It is the policy of Pitkin County that County assets be adequately maintained, protected, replaced as needed, and not unnecessarily put at risk. The County Manager shall assure that the County has in place an adequate Risk Management program that ensures against property losses and liability losses to Board members, citizen board members, staff, and the County.

### **II. General Inventory Responsibilities**

#### **A. Finance Department Responsibilities**

The Finance Department shall maintain an inventory of fixed assets, which includes any tangible item having an original cost or value of \$5000 or more, and a useful life of three years or more. For the Library, the value of the various collections in their entireties will be considered the fixed asset. The fixed asset inventory is updated by the Finance Department annually.

#### **B. Department Responsibilities**

All fixed assets purchased by Pitkin County are the responsibility of the Department Head or Section Leader to whom the asset is assigned. Each Department Head or Section Leader responsible for County fixed assets shall provide an updated, verified inventory of fixed assets to the Finance Department annually. Any items deleted from a previous inventory

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shall be explained in an asset disposition memorandum, if one has not previously been submitted to Finance.

Department Heads or Section Leaders may maintain an inventory of assets valued at less than \$5000 if they desire.

## **III. Fixed Asset Inventory and Maintenance**

### **A. Facilities Inventory and Maintenance**

Facilities shall be responsible for the facilities inventory, including obtaining updated appraisals of all facilities and their contents as required for insurance purposes. “Facilities” include buildings and structures owned, occupied, and/or leased by Pitkin County, as well as any grounds, walkways and parking areas associated with facilities. A digital record of each facility shall be maintained by the Facilities Department and updated every five years.

In order to assure adequate insurance coverage and to assure that Assessor’s records are current, Facilities will provide the Human Resource/Risk Department and the Assessor’s Office a verified and updated facilities inventory annually, including the master list of leases of County property, excluding airport leases.

Facilities shall maintain and provide to Finance a ten-year capital replacement schedule for all facilities (except those at the airport and Communication Sites) updated annually, and shall be responsible for repair, replacement, and maintenance of County facilities.

Facilities shall maintain a master list of leases of County property, other than airport and Communication Site property, updated annually, and shall be responsible for any County maintenance required in such leases.

### **B. Fleet Inventory and Maintenance.**

The Fleet Manager, shall maintain and provide to Finance Department and Human Resource/Risk Department a verified fleet inventory and replacement schedule, updated annually. The Fleet Manager shall assure that the County fleet is adequately maintained.

### **C. Road and Bridge Inventory and Maintenance**

The Engineering Department shall maintain and provide to Finance and Human Resources/Risk a verified and updated inventory of County roads, including value and mileage, and bridges through the state HUTF process each year, and shall provide the inventory to the Finance Department and Risk Management after approval by the BOCC. The Engineering Department shall maintain and provide to Finance a 20-year capital repair/replacement schedule and a maintenance schedule for all County roads and bridges, updated annually.

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## **D. Open Space and Trails Inventory and Maintenance**

The Open Space and Trails Department shall be responsible for an inventory of real property acquired with Open Space and Trails funds, designated Open Space properties, conservation easements, water rights, and improved and unimproved trail easements, including properties and property interests designated as Open Space, updated annually.

The Open Space and Trails Department shall maintain and provide to Finance a ten-year repair, maintenance, and replacement schedule for all County trails, trailheads, parking areas and improvements on Open Space properties, and shall provide a maintenance schedule for other Open Space properties, whether acquired with Open Space funds or designated as Open Space, updated annually through the budget process.

The Open Space and Trails Department shall provide Finance, GIS, the Assessor's Office and Human Resources/Risk its inventory with total mileage of trails, both improved and unimproved, and total acreage of property owned and designated. The Open Space and Trails Department shall be responsible for the management and maintenance of the property within its inventory.

## **E. Vacant Land and Water Rights Inventory**

Public Works shall be responsible for an inventory of all non-Open Space, unimproved County property, and of all County water rights, including leases of water rights, updated to Human Resources/Risk, and Finance annually. Public Works shall provide the Human Resources/Risk Department, Assessor's Office and Finance with total acreage of non-Open Space unimproved County property annually.

Public Works shall be responsible for the management and maintenance of all non-Open Space unimproved County property. Public Works shall be responsible for the management and maintenance of all County water rights, working with the Attorney's Office, the Airport, Open Space and Trails, the Landfill, and any other County Department that has specific water interests.

## **F. Airport Inventory and Maintenance**

The airport shall be responsible for the development of a five and ten year capital improvement schedule for all improvements on airport airside and landside areas, updated annually.

The airport shall be responsible for an inventory of all County-held aviation easements, to be updated annually and maintained by the airport.

The airport shall develop a master list of leases of airport property, updated annually, and shall be responsible for any County maintenance required in such leases. The list of leases shall be provided to the Human Resource/Risk Department and the Assessor's Office

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annually. The airport shall be responsible for the management and maintenance of airport facilities.

## **G. Communication Sites Inventory and Maintenance**

The Communications Department shall maintain and provide to Finance an inventory and ten-year replacement schedule for the specialized buildings and equipment on each of the County’s translator sites, specialized technical equipment used by County departments, such as radios, cell phones, pagers, updated annually through the budget process.

## **H. Information Technology Inventory and Maintenance**

The Information Technology Department shall maintain and provide to Finance an inventory and four-year replacement schedule for all computers and printers used by County departments and an inventory and ten-year replacement schedule for the infrastructure, including the telephone system, updated annually through the budget process.

## **I. Senior Services Inventory and Maintenance**

The Senior Services Department, located in a building owned by Aspen Valley Hospital, shall maintain and provide to Finance an inventory and replacement schedule for County assets within the building, updated annually through the budget process. Facility maintenance responsibilities are set out in an intergovernmental agreement between the Hospital and the County.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 9.30: Real Property Acquisition and Disposition

**Date:** 05/01/2006  
**Effective Period:** Until superseded  
**Responsible Department:** Finance

- I. Policy**
- II. Ordinance Requirement**
- III. Deed Requirement**
- IV. Review Requirements on Acquisitions**
- V. Gifts of Real Property**
- VI. Exactions**
- VII. Disposition of Real Property**
- VIII. Notification**
- IX. Asset List, Recording of Deed**
- X. Original deeds and title policies to Attorney’s Office**

### **I. Policy**

It is the policy of Pitkin County that the acquisition and disposition of interests in real property occur in a manner consistent with the Home Rule Charter, that such acquisitions and dispositions are in the best interest of the citizens, and that all County interests in real property are sufficiently documented.

### **II. Ordinance Requirement**

The Pitkin County Home Rule Charter, Section 2.8.1.1, requires an ordinance for the granting of easements in public lands, acquisition, vacation, sale or lease in excess of one year of public lands, and for authorization of proceedings in eminent domain. All ordinances regarding acquisition or disposition of County real property shall include a reference to the parcel identification number of the affected parcel. “Real property” means land and interests in land, such as easements and leases in excess of one year.

### **III. Deed Requirement**

The Ordinance approval does not finalize the conveyance of real property. There must be a deed or other document approved by the County Attorney, signed by the Chair of the Board of County Commissioners, and recorded with the Pitkin County Clerk and Recorder in the County’s official land records, to finalize an acquisition or disposition of real property by the County.

### **IV. Review Requirements on Acquisitions**

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Any real property acquisition, whether by donation, exaction, purchase, dedication, or otherwise, shall require a staff review and recommendation which includes the following:

- 1. The acquisition is suitable for the purpose intended, after a site review by the County Open Space Land Steward, County Wildlife Officer, County Engineer, and/or such other staff as appropriate.
  2. The County Attorney's office has determined that there are no title issues, environmental issues, or survey issues that would adversely affect the purpose for which the acquisition is being made. A title commitment, environmental assessment, and boundary and improvement survey shall be reviewed by the County Attorney for each parcel and conservation easement acquisition, unless the County Attorney determines there is no need for these reports. For other acquisitions, at least a title commitment is required and such other reports or surveys as the County Attorney may require.
  3. The County Attorney has approved Ordinance and the form of any deed or other document of conveyance attached to the Ordinance, or is directed by the Ordinance to approve the form of any deed or other document before the Chair may sign.
  4. The acquisition does not create maintenance responsibilities or other liabilities to the County that outweigh its value for the purpose intended.
  5. Any development approval necessary for the property to be conveyed legally has been obtained or otherwise provided for; and there are no other land use implications that have not been addressed.
  6. Arrangements have been made to collect all taxes, including pro rate taxes through the date of closing.
  7. In addition, for proceedings in eminent domain, the County Attorney's office has determined that any statutory requirements and prerequisites have been satisfied.
  8. For Open Space acquisitions, the Open Space and Trails Board has recommended the acquisition.

## **V. Gifts of Real Property**

In addition to the review requirements above, for potential gifts of real property, the donor shall be responsible for providing title insurance, an environmental assessment, and a boundary and improvement survey, unless the County Attorney determines there is no need for these reports. Any potential gift of property shall be reviewed by both Open Space and Trails and Public Works to analyze its benefit to the County.

## **VI. Exactions**

# **PITKIN COUNTY POLICIES AND PROCEDURES MANUAL**

The acquisition of property through the development process, whether the property is a trail easement, an avigation easement, a fishing easement, a new County road, a parcel, or otherwise, is subject to these policies and procedures. If the acquisition or disposition is associated with a land use approval, the conveyance must be completed prior to recordation of any required plat or site plan. In the event that the exaction involves a conveyance of property to a third party, such as a conservation easement held by an entity other than the County, the review requirements set forth in this policy still apply, other than the ordinance requirement.

## **VII. Disposition of Real Property**

Except as provided in this section, no County real property may be sold or otherwise disposed of unless it is in the best interest of the public and the County to do so, and unless the sale or disposition is consistent with any applicable law or condition of acquisition, as determined by the Board of County Commissioners. Property acquired with Open Space and Trails Funds may only be voluntarily disposed of through the procedure set forth in Home Rule Charter Section 13.5.3. Property acquired by the County through tax sales may be disposed of as provided in state statutes.

## **VIII. Notification**

The department acquiring or disposing of real property is responsible for notifying the County's Human Resource/Risk Management Department, GIS, Finance, and Public Works of any real property the County has leased, purchased, sold, or otherwise acquired or disposed of. When acquisitions require payment of County funds, Finance requires a minimum two (2) business days advance notice of the closing in order to arrange for the funds transfer.

## **IX. Asset List, Recording of Deed**

The department acquiring or disposing of real property is responsible for notifying the County's Finance Department of any real property the County has leased, purchased, sold, or otherwise disposed of at the time the action is taken. The department acquiring or disposing of the asset is also responsible for having the deed or other documents recorded. Once a deed is recorded for a parcel of land, the Assessor's Office updates the County property data base and GIS updates the County property map. For acquisitions and dispositions of real property other than parcels, the department acquiring or disposing of the interest is responsible for updating the applicable asset list. For conservation easements a baseline inventory is also required.

## **X. Original deeds and title policies to Attorney's Office**

Once recorded, any original deed of real property to the County shall be delivered to the Attorney's Office, together with the original title insurance policy, if any. The Attorney's Office shall maintain a list of deeds and policies, and shall store the originals in the Treasurer's Vault.

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## Policy 9.40: Health and Human Service Building Leases

- I. Policy
- II. Priority Order
- III. Authority
- IV. Vacancy Process

**Date:** 05/01/2006  
**Effective Period:** Until superseded  
**Responsible Department:** Facilities

### I. Policy

It is the policy of Pitkin County that office space that is leased in the Schultz Health and Human Services Building be assigned according to a priority system.

### II. Priority Order

Priority shall be given in the following order:

- 1. Agencies occupying the building when it was opened in 1992 providing services including public health, child protection, public assistance, mental health and substance abuse prevention and treatment, support for survivors of sexual assault or domestic violence, contract management and daycare. (Community Health, Social Services, Aspen Counseling Center, Response, Valley Partnership, Human Services, Day Care)
  2. Other non-profit health and human service agencies ( e.g. Alpine Legal Services, Roaring Fork Valley Information and Assistance, The Right Door, Aspen Valley Hospital)
  3. County Departments addressing Health and Human Service issues (e.g. Environmental Health)
  4. Other organizations directly benefiting Health and Human Service agencies or Pitkin County (Roaring Fork Employees Credit Union).

### III. Authority

The Human Services Director will make decisions on allocation of space based on priorities a-d. When budget impacts arise the Board of County Commissioners will be included in the decision through the budget process or through a work session discussion (whichever comes first).

# PITKIN COUNTY POLICIES AND PROCEDURES MANUAL

## **IV. Vacancy Process**

When an office space becomes available, local Health & Human Service agencies will be notified through Pitkin County's weekly ad in the Aspen Daily News. The contract manager shall maintain a list of all requests for space. Space will be allocated based on an agency's mission and ability to meet pressing community needs. Office space needs are discussed by the Health & Human services collaborative (POD) at their monthly meetings and during agency site visits by the contract manager.