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SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.1 Format for Boulder County Policies (June 24, 2014)

It is the policy of the BOCC that Boulder County's Personnel & Policy Manual shall have a uniform format. This policy establishes that format and explains the major headings and numbering scheme used in all policies.

The Administrative Services Department is responsible for compiling, issuing, and updating policies and procedures, which affect the county as a whole. This includes external policies, which affect the public and are usually mandated by state statute, and internal policies, which affect county employees.

The following shall be the major headings and section numbers for categorizing policies for inclusion in this document:

- Section I: General and Administrative Policies
- Section II: Conditions of Employment and Code of Conduct
- Section III: Employment Policies and Procedures
- Section IV: Pay Plan
- Section V: Benefits
- Section VI: Discipline
- Section VII: Separation from County Service
- Section VIII: Employee Development
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- Section XII: Contracts, Hearings and Agenda Items
- Section XIII: Vehicle Policies
- Section XIV: Internal Services
- Section XV: Safety and Risk Management Policies
- Section XVI: Information Technology

- A. Each policy will begin with a heading, the heading will be flush with the left margin, include the following in this order:
 1. Section including Roman numeral and title in all capital letters

2. Policy number: The numbers of the individual policy statements shall contain the Roman numeral of the section, followed by a period, followed by an Arabic number showing the chronology of the policy within that section (for example, I.2, III.3, IV.1, etc.).
 3. Date of last revision approved by the BOCC
- B. Sub paragraphing will be as follows:
- A.
- 1.
 - a.
 - 1)
 - a)
 - (1)
 - etc.
- C. Items not allowed in the formatting of policies:
1. Bold font
 2. Underlined font except for headings
 3. Hyperlinks to items outside of the manual
 4. Graphics or pictures
- D. Common Term Abbreviations
1. ADAAA: Americans with Disabilities Act, As Amended
 2. BCBS: Boulder County Building Services
 3. BOCC: Boulder County Board of County Commissioners
 4. CA: County Attorney
 5. DA: District Attorney
 6. EO/DH: Elected Official/Department Head
 7. Finance: Financial Services Division
 8. Fleet: Fleet Services Division of the Transportation Department
 9. FTE: Full Time Employee
 10. HR: Human Resources
 11. IT: Information Technology Division
 12. PERA: Public Employees Retirement Association
 13. Purchasing: Purchasing section of the Financial
 14. Risk: Boulder County Risk Management
 15. Transportation: Boulder County Transportation Department



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.2 Review Process for Boulder County Policies (June 27, 2013)

It is the policy of the BOCC to review all Boulder County policies and procedures according to the review schedule adopted by the BOCC for each respective policy or procedure.

- A. The Administrative Services Director (ASD) or designee will have the authority to make all administrative changes to the policy manual that do not affect policy intent. This authority includes changes resulting from typographical or clerical errors; incorporating mandates from the state or federal government; maintenance of administrative detail such as dates, deadlines, clarity, titles, numbering, grammar; or procedural changes already approved by proper authority.

Periodically as deemed necessary, ASD or designee will forward notification of administrative changes to all offices and departments.

1. All proposed policy changes, additions or deletions will be forwarded to the ASD or designee.
2. The ASD or designee will verify and process administrative changes in accordance with Section A. above.
3. Proposed policy changes affecting the intent of the policy will be processed as follows by the ASD:
 - a. The ASD or designee will forward a copy of the proposed policy changes to the Office of Primary Responsibility (OPR) for the policy. The OPR will review the proposed policy changes and, if appropriate, discuss and clarify the policy with the proposers of the changes. The OPR will return to the ASD or designee the policy with the OPR's recommendation on the proposed changes.
 - b. The ASD or designee will schedule discussion of the proposed changes at the next available EO/DH meeting. At least two (2) weeks prior to the discussion date, the ASD or designee will forward copies of the proposed changes

and should address any questions or suggestions to the OPR.

- c. EO/DH will discuss the proposed policy changes at the scheduled meeting and make any recommendations for action or amendments. A representative of the OPR will be in attendance to comment on the proposed policy changes.
- d. The ASD or designee in conjunction with the OPR will amend the proposed policy changes as may be appropriate from the EO/DH meeting discussion.
- e. The proposed policy changes will be scheduled for action on the BOCC Business Meeting Agenda. Any final discussion of the proposed changes will be conducted, and the BOCC will take action. Changes approved by the BOCC will be effective immediately unless otherwise specified by the BOCC.
- f. Administrative Services Department staff will distribute all new policies or amendments to existing policies which have been approved by the BOCC via Intranet.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.3 Parking Policy (July 22, 2010)

Because there are fewer parking spaces than there are employees, it is the policy of the BOCC to assign parking spaces on lots owned or accessed by Boulder County. Space will be assigned according to specifications adopted by the BOCC.

- A. In assigning parking spaces, the BOCC takes into consideration the following factors:
 1. The need for county-owned vehicles to be kept off the street for accessibility and security reasons.
 2. The need for readily available courier spaces for offices/departments in remote locations which have business to transact at other Boulder County locations.
 3. Status as EO/DH.
 4. The need for handicapped access by employees and the public.
 5. The need for parking spaces for members of the public.
 6. The need to provide spaces for bona fide carpool vehicles which transport two or more persons to and from work on a regular basis.
- B. EO/DH shall review their parking space assignments and allocate spaces designated for their offices/departments to their respective employees.
- C. County Security Officers patrol county parking lots and are authorized to ticket vehicles parked longer than thirty minutes in spaces designated for the public or parked in assigned spaces without authorization. Tickets will be issued to drivers of county vehicles parked in unauthorized spaces. Repeat violators of this policy may be subject to county disciplinary action. In special circumstances where a public parking space will be needed for longer than thirty minutes, the driver should contact Security at 303-441-3909.
- D. Unassigned employee parking spaces are available at the North Broadway campus on a first-come, first-served basis to county

employees driving personal vehicles. Such vehicles must display a Boulder County hang tag or they will be ticketed.

E. Temporary Employee Parking

The Commissioners recognize the need for business-related employee spaces have been created to meet this need. Spaces will be monitored by on site personnel who will be required to keep a log to track usage. The Boulder County Security Officers will enforce the time limit; violators will be ticketed. Repeat violators of this policy may be subject to county disciplinary action.

F. Carpooling

1. Carpoolers may secure an assigned parking space by having two or more persons traveling in one (1) vehicle on a regular basis to and from work each day. Members of such a carpool may submit a written request for assignment of a parking space, signed by all members of the carpool, to the Security Office. The request should include the license plate number, year, and make of the vehicle(s) to be used, as well as the starting location of the car pool.
2. If a space is available, the Security Office may issue the permit immediately, or place the request on a waiting list, until a space becomes available. If more than one (1) request is received at the same time, the Security Office shall hold a drawing to determine which employees will receive the permit. Upon approval, a carpool permit will be issued (Carpool Permit #_____) for display in the back windshield of each of the approved carpool vehicles. Members of the carpool will be notified in writing by the Security Office. Any carpool with three or more members shall have priority over a carpool with two members. At such time as all available carpool parking spaces have been assigned, any carpool with three or more members shall be allowed to replace a two-member pool.
3. Administrative Services will then prepare signage in the appropriate lot designating a space for Carpool Permit #_____.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.4 Parking Permit Reimbursement Program (August 15, 1985)

It is the policy of the BOCC to subsidize parking in certain City of Boulder parking lots for members of Boulder County Boards and Commissions, members of the public and the press who attend public meetings and hearings, volunteers working in the Courthouse Complex, persons attending county-sponsored training programs at the Courthouse Complex, and employees on official county business at the Courthouse Complex who do not have assigned parking spaces.

By offering free parking in these lots, the BOCC encourages participation by members of the public on various Boulder County Boards and Commissions, invites citizen participation in county government through its volunteer program, encourages members of the public and the press to attend public meetings and hearings, supports employee participation in county-sponsored training programs, and provides adequate parking for its employees who are conducting official business.

- A. The BOCC staff will make free parking validation cards available to all offices/departments who wish to distribute them to persons doing business with Boulder County under the above circumstances.
- B. The person distributing the cards will date and sign them. Initials are not sufficient.
- C. The City of Boulder will bill the Finance for cards turned in. Billing will consist of an itemization of charges.
- D. Finance will pay the City of Boulder.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.5 Issuance of Access Cards and Keys to County Buildings

(July 1, 2008)

It is the policy of the BOCC that access cards and keys to county buildings be issued and documented according to specific procedures set forth by the BOCC. All requests for access changes and/or keys must be made to the Security Office by a responsible party.

A. Each EO/DH shall be designated as a responsible party.

Each director of a non-profit organization using a county building on a regular basis will be named as the responsible party for access changes to the system.

Vendors or contract workers must go through a responsible party to obtain an access card.

EO/DH or directors of non-profits may appoint up to two (2) additional responsible parties for each administrative division. The Security Office must be notified in writing of who has been designated as a responsible party.

B. Responsible parties are authorized to:

1. Request card activation and de-activation to allow employee access to buildings/areas within the office's/department's area of responsibility
2. Designate which buildings/areas employees are allowed to access within their area of responsibility
3. Receive, review and validate reports on active cards on a quarterly basis
4. Request card access-point usage reports
5. Request doors be unlocked for meetings and events during non-standard business hours
6. Request a replacement card due to loss, theft or damage

C. Requests for access changes should be addressed to the Security Office by:

1. Email (!Security)
2. Interoffice mail
3. Postal delivery (PO Box 471, Boulder, CO 80306)
4. Phone (emergency only): 303-441-3909

These requests will be processed as quickly as possible or within twenty-four (24) hours.

D. Except in an emergency, all requests for changes must be submitted via email from an assigned Responsible Party and include:

1. Type of service requested.
 - a. Issuance of a new card;
 - b. Deactivation of a card;
 - c. Door locked/unlocked.
2. Name of person/vendor to whom the card will be issued.
3. Level of access to be assigned.
4. Responsible party contact information.
5. Date and time request is needed to be completed.
6. Attachment of new photo if needed

E. Holiday schedules will be provided to all responsible parties each January, or upon request. All county buildings are secured on holidays. Responsible parties must notify the Security Office of any building that may need public access available on those designated holidays.

F. The Security Office will maintain an electronic record of every change to the security access database for twenty-four (24) months.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.6 Eligibility for Membership on County Boards and Commissions (June 24, 2014)

It is the policy of the BOCC that the greatest number of interested persons as possible be allowed to serve on Boards and Commissions to avoid possible conflict of interest situations which could occur as a result of county employees or Elected Officials (as defined above) serving as voting members on Boards and Commissions.

- A. Boards and Commissions may include the following: advisory boards, task forces, and committees.
- B. Eligibility of individuals to serve on Boards and Commissions:
 - 1. County employees may be appointed to Boards and Commissions with permission of the relevant Elected Official.
 - 2. County employees are allowed to serve as an ad hoc member or in a consulting role, if invited to do so.
 - 3. Any person serving on Boards and Commissions, who is later elected to office, shall be allowed to complete his/her current term.
 - 4. When a slot on Boards and Commissions is mandated to be filled by an Elected Official, an exception to this policy will be made.
 - 5. All individuals appointed to at-large positions on County Boards and Commissions must be residents of Boulder County.
 - 6. The BOCC staff is responsible for reviewing applications from those wishing to serve on a Board or Commission to determine if the applicant is a county employee or an Elected Official, or a county resident if applying for an at-large position.
 - 7. The BOCC Deputy has the authority to reject applications from county employees and Elected Officials.
 - 8. Persons may only serve on one (1) Board or Commission at a time.
 - 9. Terms expire on March 1 of the year specified, except for the Citizens Cultural Advisory Committee, which expires on September 1, or when the BOCC makes its reappointment.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.7 Fees (January 2, 1992)

It is the policy of the BOCC that any office/department which determines that there are services offered for which fees should be charged may apply to the BOCC for consideration of such fee schedules, except as found in Colorado Revised Statutes which pertain to particular fees sought to be charged.

- A. EO/DH seeking to charge fees for particular services shall submit a proposed fee schedule to the CA for a determination concerning possible limitations or restrictions on such fees and to Finance for determination of auditing requirements.
- B. The CA and Finance shall issue respective opinions concerning the request.
- C. The EO/DH shall then submit his/her request to establish fees along with the opinions from the CA and the Finance to the BOCC for consideration.
- D. The BOCC staff shall schedule the matter on the Regular Agenda for consideration, deliberation, and decision. If the decision is to charge the fees requested, such fee schedule shall become part of the policies of the individual office/department charging same and designated as a revenue item.
- E. Notice and public hearing requirements shall be dictated by statutory procedures and/or BOCC direction.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.8 Closure of Offices because of Inclement Weather or Declared Emergency/Notification Procedures (July 1, 2015)

It is the policy of the BOCC that county offices shall be closed only in the most extreme of emergency weather conditions as defined by the weather services accessed by the county, or in the instance of a declared emergency. A declared emergency/disaster is defined as a declaration of a state of emergency within Boulder County by the BOCC. Such closure shall only occur by order of the BOCC and only by strict adherence to the procedures set forth below.

- A. The Sheriff and Road Maintenance Manager shall, based upon the best weather information at their disposal, determine the advisability of closure or delayed opening of county offices and shall so notify the Chair of the BOCC or designee. If such storm conditions occur during the night, the Chair shall be notified by 5:45 a.m. of such conditions; if such storm conditions occur during the workday, the Chair shall be notified as soon as possible.
- B. If the BOCC Chair, Vice Chair, and third Commissioner are not immediately available, the Deputy and/or the Public Information Officer (PIO) shall be notified at their homes or at their offices of the advisability of such closure.
- C. Upon recommendation by the Sheriff and/or Road Maintenance Manager that the offices should be closed for the safety of employees and members of the public, the Chair (or those stated in Section B, above) shall immediately direct the BOCC Deputy or PIO to notify the news media and the Twentieth Judicial District Courts Administrator* of such closure.
- D. When technical resources allow, the BOCC PIO or designee shall send an email to all county employees through the #all distribution list and update the homepage of the county website: www.bouldercounty.org with notice of the delay or closure

- E. Security (or a designated building contact person) shall post county offices with the appropriate signs indicating why the offices are closed.
- F. The county's "Emergency Closure Information Line" is 303-441-3800. A voicemail message shall be recorded at the earliest time possible to alert employees and members of the public of the closure.
- G. The BOCC staff will notify EO/DH of a snow closure by phone or email.
- H. If the closure occurs during the day, the BOCC staff may also use internal communications systems, such as the Emergency Paging System and email, to notify staff of the closure.
- I. Because there may be great diversity of weather conditions throughout the county EO/DH may exercise their discretion in releasing employees under the conditions of this policy.
- J. In cases where weather is not severe enough to warrant a delay or closure, but when employees wish to exercise use of personal time to avoid commuting to work, they must still follow policies under II.14.D. which outlines when and how personal time can be used under inclement weather conditions

*This policy does not apply to the Twentieth Judicial District. It is for notification purposes only.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.9 Use of County Grounds and/or Buildings (July 1, 2015)

A. Prohibited Uses

1. Alcohol, Beer, or Wine Consumption on County Grounds and/or in Buildings

It is the policy of the BOCC that no serving or consumption of alcoholic beverages (as defined by the Colorado Revised Statutes), 3.2 percent beer, or wine shall be allowed in county-owned or county-leased buildings, except as permitted by Parks Rules and Regulations and Special Events Permits, except as required for performance of official duties of the Boulder County Sheriff's Office, and at county functions with BOCC approval.

2. Marijuana Prohibited on County Grounds and/or in Buildings

It is the policy of the BOCC that marijuana may not be cultivated, processed, sold, traded, distributed, possessed, or consumed on county-owned or managed property or in any county-owned or county-leased buildings. An exception to this policy exists for marijuana held as evidence by the Boulder County Sheriff's Office.

3. EO/DH, county employees and agency heads shall be responsible for enforcing and complying with this section in their own area of control.

4. Any county employee who violates this section is acting outside the scope of employment, may be personally liable for any consequences, and may be subject to discipline.

B. Free Speech Purposes

The BOCC recognizes and supports the rights of free speech. This policy is intended to inform county employees and members of the public of the manner in which they may engage in constitutionally protected speech and expression upon the county-owned properties listed herein. Free speech includes but is not limited to leafleting, displaying a sign, picketing and other activities involving the advancement, communication or expression of views, ideas, or grievances and which have the effect or intent to express those views, ideas or grievances to others.

The county will protect the rights of freedom of speech, petition and peaceful assembly as set forth in the U.S. Constitution. The county maintains its right to regulate acts in connection therewith by reasonable time, place, and manner restrictions.

This policy addresses both public assemblies, which require the issuance of a Permit by the county, as well as the specific time, place, and manner of restrictions on the expression of constitutionally protected free speech, which do not require a Permit, on specific properties owned by the county.

The expressions of free speech regulated in this policy are acts or expressions that are being taken or conducted on the county-owned property listed herein. The interiors of county-owned buildings are not open to the public for the purpose of free speech expression and are expressly reserved solely for the functioning of the county government. The use of interior space for activities other than the functioning of county government is allowed, if the activity is sponsored by an office/department or agency, and the activity occurs after working hours, or if the activity is in furtherance of county purposes as determined by the BOCC or another County Elected Official (with respect to that Elected Official's office).

The following restrictions/prohibitions apply to all acts or expressions of free speech conducted on county-owned property.

Acts or expressions of free speech must not – or the people engaging in such acts shall not:

1. Threaten any person in a manner constituting assault or actionable harassment.
2. Interfere with, impede or cause blockage of the flow of vehicular or pedestrian traffic.
3. Create an imminent safety, security or health hazard.
4. Interfere with or disrupt any other lawful activity by anyone in the same general location at the same time.
5. Post materials on any walls, windows, doors, sidewalks, trees, light poles, fences, landscaping, on county-owned property, or on any other county equipment.
6. Conduct speech that includes obscenity or fighting words.
Fighting words are those words that by their very utterance tend to incite an immediate breach of the peace.
7. Engage in any other speech or action that is not allowed by law.

8. Engage in any acts that are significantly disruptive to the normal operations of the county or unlawfully invade the rights of others.

The Sheriff or local law enforcement officials may establish "police lines" in the case of counter-protests, for the purpose of separating confrontational groups and providing for safe events. Additionally, members of the public must obey orders by law enforcement when they are acting to prevent a clear and present danger of riot, disorder, interference with traffic upon a street, or other immediate threat to public safety, peace or order.

All applicable county policies and resolutions, state and federal laws, and applicable municipal ordinances must be followed when any person is using county-owned property pursuant to this policy.

C. Public Assembly Policy-Requiring a Boulder County issued Permit

The United States Supreme Court has recognized that the regulation of governmental-owned property for public assemblies is a traditional exercise of control by local governments, and in order to regulate competing uses of these public forums the county may impose a Permit requirement on those who seek to hold public assemblies.

It is the policy of the BOCC to grant permission to groups and organizations to use county-owned property listed in Exhibit A for scheduled events on a reservation basis. The Fairgrounds has additional requirements. Contact the Parks and Open Space Department to reserve this site. This policy does not apply to vehicular, bicycle or running/walking road races or parades on county roads which are regulated separately by the Transportation Department.

1. Definitions

- a. Sheriff means the Sheriff of the county of Boulder, Colorado.
- b. County means the county of Boulder
- c. BOCC Deputy means the Deputy to the BOCC or a designee of the BOCC or the BOCC Deputy
- d. The BOCC means the BOCC of Boulder County
- e. City, Town, or Municipality means any city, town or municipality located within Boulder County. The use of any of these terms throughout this policy shall refer to the actual city, town or municipality in which the free speech activity is to occur

- f. Public Assembly Permit (or Permit) means a Permit as required by this policy. The party applying for the Permit is defined as the Permit holder.
- g. Person means any person, firm, partnership, association, corporation, company or organization of any kind.
- h. Public Assembly is defined as either:
 - 1) Any meeting, demonstration, picket line, rally or gathering of more than twenty-five (25) persons for a common purpose as a result of prior planning that interferes with the normal flow or regulation of pedestrian or vehicular traffic or occupies any public area in a place open to the general public.
 - 2) Any meeting, demonstration, picket line, rally or gathering which includes the placement, construction, or assembly of a structure or structures, including but not limited to, personal sized tents, or objects including, but not limited to, tables, chairs, stages, recreation equipment regardless of the number of participants.
- i. Sidewalk is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.
- j. Internal sidewalk is a sidewalk located on the grounds of county-owned property and is included in all restrictions for county-owned property as set forth in this policy.
- k. Street is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.
- l. Camping shall be defined as sleeping, cooking, or otherwise engaging in activities of daily living, including having and storing paraphernalia of daily living, including but not limited to clothing, personal hygiene items, or cooking equipment, or using shelter including any cover or protection from the elements other than clothing. The term does not include napping during the day or picnicking. During the day is defined as the period from one (1) hour after "sunrise" until "sunset". Persons using a tent or other means of shelter on county-owned property should have no expectation of privacy, and can be asked to open the shelter by a Law Enforcement or Boulder County Security Officers.
- m. Historic Event which has occurred on county-owned property on a regular basis over a period of time such that there is an expectation that event will continue to occur on

that regular basis and an application for the event will be submitted to Boulder County.

2. Permit Required

No person shall engage in or conduct any Public Assembly on county-owned property unless a Permit is issued by the BOCC Deputy.

3. Exceptions

This policy shall not apply to the following:

- a. Funeral processions;
- b. A governmental agency acting within the scope of its functions; and
- c. Spontaneous events occasioned by news or affairs coming into public knowledge within two (2) days of such Public Assembly, provided that the organizer thereof gives written notice to the county at least twenty-four (24) hours prior to such Public Assembly.
- d. Vehicular, bicycle or running/walking road races or parades on county roads which are regulated separately by the Transportation Department.

4. Application

- a. A person seeking a Permit shall request and file a signed Permit application from the BOCC Deputy. The BOCC Deputy will forward the application to the County Attorney, the Risk Management, and the Administrative Services Department for the purpose of notice and review for suggestions; however, the BOCC Deputy shall have the final approval authority for any Permit.
- b. For a single, non-recurring event, an application for a Permit shall be filed with the BOCC Deputy at least ten (10) and not more than one hundred eighty (180) days before the Public Assembly is proposed to commence. The BOCC Deputy may waive the minimum ten (10) day filing period and accept an application filed within a shorter period if, after due consideration of the date, time, place, and nature of the Public Assembly, the anticipated number of participants, and the county services required in connection with the event, the BOCC Deputy determines that the waiver will not present a hazard to public safety. A Public Assembly cannot be approved for more than seven (7) consecutive days.
- c. For public assemblies held on a regular or recurring basis at the same location, an application for a Permit covering all such assemblies during that calendar year may be filed with the BOCC Deputy at least sixty (60) and not more

than one hundred eighty (180) days before the date and time at which the first such Public Assembly is proposed to commence. The BOCC Deputy may waive the minimum sixty (60) day period after due consideration of the factors specified in subsection (2) above.

- d. Historic Events will take precedence if there is a conflict in location, date, and time between a recurring Public Assembly and such Historic Event. The BOCC Deputy may deny a Permit for a recurring Public Assembly if that event is monopolizing a particular location or time period which limits the access of other members of the public to the public spaces.
- e. The application for a Permit shall set forth the following information:
 - 1) The name, address and telephone number of the person seeking to conduct such Public Assembly and how the applicant or person in charge of the event may be contacted on the day of the event, including during the event;
 - 2) The names, addresses and telephone numbers of the headquarters of the organization for which the Public Assembly is to be conducted, if any, and the authorized and responsible heads of the organization;
 - 3) The requested date of the Public Assembly;
 - 4) The approximate number of persons who will constitute such Public Assembly;
 - 5) The hours when such Public Assembly will start and terminate;
 - 6) The location by street of any assembly areas for such Public Assembly;
 - 7) The time at which organizers and/or participants of the Public Assembly will begin to assemble at any such area;
 - 8) If the Public Assembly is designed to be held by, or on behalf of, any person other than the applicant, the applicant for such Permit shall identify the person or organization in charge of the event and provide contact information for said person/organization to the BOCC Deputy;
 - 9) The type of Public Assembly, including a description of activities planned during the event;
 - 10) A description of any recording equipment, sound amplification equipment, banners, signs, or other

attention-getting devices to be used in connection with the Public Assembly;

- 11) The approximate number of participants (spectators are by definition not participants);
- 12) The approximate number of spectators;
- 13) A designation of any public facilities or equipment to be utilized; and
- 14) Any additional information that the BOCC Deputy finds reasonably necessary to a fair determination as to whether a Permit should be issued.

5. Fees

A refundable deposit for cleanup and damages of \$50.00 (and for applicants who propose to use candles on the flagstone area in front of the Courthouse, \$100.00) shall be paid to the county by the applicant when the application is filed. If the costs of cleanup and/or repairing damages are less than the deposit amount, the balance will be refunded. If the costs are greater than the deposit, the applicant agrees to be responsible for the actual costs for cleanup and repairing damage.

6. Police Protection

- a. The BOCC Deputy shall determine whether the applicant must coordinate with local police enforcement authorities to ensure that all local laws, ordinances and regulations will be met, and to determine whether and to what extent there is a need for law enforcement support during the Permitted event. In such case the BOCC Deputy may require that the applicant obtain written confirmation from the local law enforcement authority that the above-stated conditions/considerations have been sufficiently addressed.
- b. Persons engaging in public assemblies conducted for the sole purpose of public issue speech protected under the First Amendment are not required to pay for any police protection provided by the county.

7. Standards for Issuance

- a. The BOCC Deputy shall issue a Permit as provided for herein when from a consideration of the application and from such other information as may otherwise be obtained, s/he finds that:
 - 1) The conduct of the Public Assembly will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location;
 - 2) The conduct of the Public Assembly will not require the diversion of so great a number of

county and/or city, town or municipality police officers to protect public safety as to prevent normal police protection of the county and/or city, town or municipality.

- 3) The concentration of persons at Public Assembly points will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such Public Assembly areas;
- 4) The conduct of the Public Assembly is not reasonably likely to cause injury to persons or property;
- 5) Adequate sanitation and other required health facilities are or will be made available in or adjacent to any Public Assembly areas;
- 6) The applicant has met the requirements of paragraph E for payment of deposit;
- 7) Such Public Assembly is not for the primary purpose of advertising any product, goods or event that is primarily for private profit and the assembly itself is not primarily for private profit. The prohibition against advertising any product, goods or event shall not apply to signs identifying organizations or sponsors furnishing or sponsoring exhibits or structures used in the assembly;
- 8) No Public Assembly Permit application for the same time and location is already granted or has been received and will be granted; nor is the time and location historically used by a reoccurring Public Assembly for which a Permit is expected to be received and granted;
- 9) No Public Assembly Permit application for the same time but different location is already granted or has been received and will be granted, if the police resources required for that prior Public Assembly are so great that in combination with the subsequent proposed application, the resulting deployment of police services would have an immediate and adverse effect upon the welfare and safety of persons and property; and
- 10) No event is scheduled elsewhere in the county where the police resources required for that event are so great that the deployment of police services for the proposed Public Assembly would

have an immediate and adverse effect upon the welfare and safety of persons and property.

- c. No Permit shall be granted that allows for the erection or placement of any structure, whether permanent or temporary, on a county street, sidewalk, or right-of-way, internal sidewalk or other county property, including those encircling the fountain area immediately in front of the Courthouse, unless advance approval for the erection or placement of the structure is obtained from the county.
- d. The county reserves the right to deny one (1) or more Permits for a period of up to two (2) years from the last date of a non-complying event if the applicant has, in the past, failed to substantially comply with the conditions of prior Permits. A Permit may also be denied when the Permittee has, on prior occasions, damaged county property and has not paid in full for such damage.

8. Prohibitions, Guidelines and Requirements

The following prohibitions, guidelines and requirements shall apply to all public assemblies:

- a. It is prohibited for any person to stage, present, or conduct any public assembly without first having obtained a permit as herein provided;
- b. It is prohibited for any person to participate in a public assembly for which the person knows a permit has not been granted;
- c. It is prohibited for any person in charge of, or responsible for the conduct of, a duly licensed public assembly to knowingly fail to comply with any condition of the permit;
- d. It is prohibited for any person to engage in any public assembly activity that would constitute a substantial hazard to the public safety or that would materially interfere with or endanger the public peace or rights of residents to the quiet and peaceful enjoyment of their property;
- e. No amplified sound or music will be allowed during county business hours Monday through Friday. Amplified sound or music must in all cases meet the county and any city, town or municipal noise ordinance standards.
- f. Permitted events must be open to all interested persons. No admission or ticket charges will be allowed.
- g. Political rallies and/or partisan political functions may not be scheduled during the following specified times because of state laws prohibiting electioneering activities (these restrictions apply only to county properties upon which election voting is then taking place):

- 1) Fifteen (15) days prior to an election between the hours of 8:00 a.m. and 5:00 p.m.
 - 2) At any time during the day of an election.
- h. Soliciting of funds or fund-raisers for non-profit agencies are not allowed within county buildings, but may be allowed from booths or tables set up for this purpose on the Courthouse lawn with an approved Permit.
 - i. Retail merchandise sales must be noted on the Permit application and are only allowed to be done by non-profit organizations.
 - j. Alcoholic beverages are prohibited, with the following exceptions. Except as permitted by Parks Rules and Regulations, Special Events Permits, county functions with BOCC approval and Downtown Management Commission-sponsored events having a City of Boulder special events liquor license, which are subject to review and approval by the BOCC Deputy may be allowed.
 - k. Sale of refreshments by other than non-profit organizations is prohibited.
 - l. Unlawful activities are prohibited.
 - m. All debris is to be picked up and disposed of, and walkways/lawn areas are to be cleaned, by the permit holder at the conclusion of the event.
 - n. Organizers of events during which food or beverages will be served must comply with applicable requirements of Boulder County Public Health and the [Zero Waste policy](#) for meetings and events.
 - 1) Meetings and event organizers who use county property to create virtually no waste through:
 - a) Using reusable, recyclable, or compostable food service items
 - b) Educating staff and attendees on proper recycling and composting practices,
 - c) Providing access to and requiring use of convenient recycling and composting collection containers, and
 - d) Arranging for the materials collected to be recycled or composted through the use of commercial collection service(s) or dropping of these materials at a commercial facility that accepts these materials. A list of haulers providing these services is available on request from the Resource Conservation Division.

- o. Organizers must comply with all National Fire Protection Association standards in effect at the time of their event.
- p. Boulder County will not provide electrical power for any event. For the Courthouse lawn location, arrangements can be made with the City of Boulder Parks and Recreation Department or Downtown Management Commission.
- q. Events scheduled must take place between the hours of 7:00 a.m. to 11:00 p.m., excepting only Downtown Management Commission events, unless approved by the BOCC deputy. Camping, as defined in this policy, is not allowed.
- r. Additional restrictions may be placed on activities which are not protected speech.

9. Non-Discrimination

The BOCC Deputy shall uniformly consider each application upon its merits and shall not discriminate in granting or denying Permits under this policy based upon political, religious, ethnic, race, disability, sexual orientation, color, gender, gender identity, national origin, age or socio-economic related grounds.

10. Notice of Denial of Application

The BOCC Deputy shall act promptly upon a timely filed application for a Public Assembly permit but in no event shall grant or deny a Permit less than forty-eight (48) hours prior to the event, except where the BOCC Deputy has waived the ten-day application requirement and an application is accepted within seventy-two (72) hours of the event. If the BOCC Deputy disapproves the application, s/he shall notify the applicant either by personal delivery, fax, email or mail at least forty-eight (48) hours prior to the event of his action and state the reasons for denial, except where the ten-day application requirement has been waived and an application is accepted within seventy-two hours of the event. When an application is accepted within seventy-two (72) hours of the event, the Deputy shall decide whether to grant or deny the application and notify the applicant within twenty-four (24) hours prior to the event.

11. Alternative Permit

- a. The BOCC Deputy, in denying an application for a Permit, may authorize the conduct of the Public Assembly at a date, time, or location different from that named by the applicant. An applicant desiring to accept an alternate Permit shall, within five (5) days after notice of the action of the BOCC Deputy, file a written notice of acceptance with the BOCC Deputy.

- b. An alternate Public Assembly Permit shall conform to the requirements of, and shall have the effect of, a permit issued under this policy.

12. Appeal Procedure

- a. Any applicant shall have the right to appeal the denial of a Permit to the BOCC. The denied applicant shall make the appeal within five (5) days after receipt of the denial by filing a written notice with the BOCC. The BOCC shall act upon the appeal at the next scheduled meeting following receipt of the notice of appeal.
- b. In the event that the BOCC rejects an applicant's appeal, the applicant may file an immediate request for review with a court of competent jurisdiction.

13. Notice to County and Other Officials

Immediately upon the issuance of a Permit, the BOCC Deputy shall send a copy thereof to the following:

- a. The Director of the Administrative Services Department of the county;
- b. The CA;
- c. The Fire Chief of the city or town in which the property is located;
- d. The police or law enforcement unit of the city or town in which the property is located;
- e. The Sheriff; and
- f. The manager or responsible head of each public transportation utility, the regular routes of whose vehicles will be affected by the Public Assembly.

14. Contents of Permit

Each permit shall state the following information:

- a. Starting and ending time;
- b. The portions of the property that may be occupied by the Public Assembly;
- c. Contact information of persons in charge of the event in order that the county may contact said person the day of and during the event;
- d. Such other information as the BOCC Deputy shall find necessary to the enforcement of this policy.

15. Duties of Permit Holder

- a. Permit Holder hereunder shall comply with all Permit directions and conditions and with all applicable laws and ordinances.
- b. A copy of the Permit, including any conditions of approval, must be held by one of the Assembly participants during the

conduct of the Assembly and available for inspection if required.

16. Public Conduct During Public Assemblies

- a. No person shall unreasonably hamper, obstruct or impede, or interfere with any public assembly or with any person participating or used in a public assembly.
- b. No driver of a vehicle shall drive between the persons comprising a public assembly when such vehicles or persons are in motion and are conspicuously designated as part of a public assembly.

17. Revocation of Permit

The BOCC Deputy shall have the authority to revoke a Permit instantly upon violation of the conditions or standards for issuance as set forth in this policy or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the Public Assembly would have an immediate and adverse effect upon the welfare and safety of persons or property.

18. Severability

If any section, subsection, sentence, clause or phrase of this policy is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this policy.

D. Free Speech Policy

This section of the policy applies to all free speech expression and activity on county-owned property that is not covered by county Permit requirements. Free speech activities are those activities under the First Amendment of the United States Constitution and similar provisions in the Colorado State Constitution. They include, but are not limited to: Leafleting, displaying a sign, picketing, and other activities involving the advancement, communication or expression of political or religious views, ideas, or grievances, and which have the effect or intent to express those views, ideas or grievances to others. Pursuant to federal law, the county may regulate the time, place, and manner of assembly and other free speech activities. The term "properties" throughout this Section II specifically excludes any buildings or structures and only refers to the grounds upon which the buildings/structures are located and that are owned by the county.

This policy is not intended to cover road races or parades, which are regulated separately by the Transportation Department.

Generally, government properties are categorized as public forums or non-public forums. If a government property is not a traditional public forum it is a non-public forum and can only become a public forum if the government unit intentionally designates it as open to free speech expression, with or without limitations.

Boulder County properties include traditional public forums (listed in Exhibit A) and limited public forums (listed in Exhibit B) for free speech activities for individuals or small groups that do not require a Permit under this policy.

This policy does not cover any unlisted county-owned properties that are managed by the Parks and Open Space Department, all of which are non-public forums.

The county reserves the right to alter or modify the designation of county-owned properties or the regulations of speech thereon. Any county-owned properties not specifically listed in this policy should be considered non-public forums, unless otherwise designated public by the BOCC.

E. Traditional Public Forums

The properties in section C of this policy are traditional public forums. They are properties that have traditionally been used for purposes of assembly, communicating thoughts between members of the public and discussing public questions. The following regulations apply to the properties listed in section C of this policy when used for free speech and free speech activities:

Acts or expressions of free speech must not – or the people engaging in such acts:

1. Shall not threaten any person in a manner constituting assault or actionable harassment.
2. Shall not interfere with, impede or cause blockage of the flow of vehicular or pedestrian traffic.
3. Shall not create an imminent safety, security or health hazard. Fire shall not be permitted (i.e., candles) due to the risk of harm to people and property.
4. Shall not interfere with or disrupt any other lawful activity by anyone in the same general location at the same time.
5. Shall not post materials on any walls, windows, doors, sidewalks, trees, light poles, lawns, landscaping, on county-owned property, etc., or on any other county equipment.

6. Shall not conduct speech that includes obscenity or fighting words. Fighting words are those words that by their very utterance tend to incite an immediate breach of the peace.
7. Shall not engage in any other speech or action that is not allowed by law.
8. Shall not engage in any acts that are disruptive to the normal operations of the county or unlawfully invade the rights of others.
9. Shall not camp, as defined in this policy.

The Sheriff or local law enforcement officials may establish "police lines" in the case of counter-protests, for the purpose of separating confrontational groups and providing for safe events. Additionally, members of the public must obey orders by law enforcement when they are acting to prevent a clear and present danger of riot, disorder, interference with traffic upon a street, or other immediate threat to public safety, peace or order.

All applicable county policies and resolutions, state and federal laws, and applicable municipal ordinances must be followed when any person is using county owned property pursuant to this policy.

F. Non-Public Forums Opened for Free Speech/Activity for a Limited Purpose

Non-Public Forums opened for selective access to speakers whose topic is the organization of employees to address issues incident to their status as employees of the county.

The properties listed in section D of this policy are non-public forums; they are not and have never been dedicated to open communication. Therefore, the county intends to continue to restrict the use of these properties to those who participate in the forums' official business. Although the use of these properties is reserved for their intended business purposes, the county, to further its own internal purposes, is specifically allowing an additional use of the properties on a limited basis for free speech activity which directly relates to the organization of employees, to address issues incident to their status as employees of the county. Allowable free speech activity on these properties is subject to the following regulations:

Acts or expressions of free speech must not – or the people engaging in such acts:

1. Shall not threaten any person in a manner constituting assault or actionable harassment.

2. Shall not interfere with, impede or cause blockage of the flow of vehicular or pedestrian traffic.
3. Shall not create an imminent safety, security or health hazard.
4. Shall not interfere with or disrupt any other lawful activity by anyone in the same general location at the same time.
5. Shall not post materials on any walls, windows, doors, sidewalks, trees, light poles, landscaping, on county-owned property, etc., or on any other county equipment.
6. Shall not conduct speech that includes obscenity or fighting words. Fighting words are those words that by their very utterance tend to incite an immediate breach of the peace.
7. Shall not engage in any other speech or action that is not allowed by law.
8. Shall not engage in any acts that are disruptive to the normal operations of the county or unlawfully invade the rights of others.
9. Those wishing to engage in free speech/activities on these properties must obtain prior permission to access these properties from the county. Permission for access to these properties should be directed to the County Deputy Administrator, who may include additional restrictions not listed in this policy but which further the county's purpose of providing access without disruption to the ongoing business of the county.
10. There shall be a fifteen-foot buffer zone at every point of ingress and egress to the buildings within which no person shall locate for the purpose of engaging in free expression speech.

For those wishing to engage in free speech activity whose topic is not the organization of employees, to address issues incident to their status as employees of the county, all activity must occur on the public right-of-way (i.e., streets, sidewalks) adjacent to the county-owned property.

G. Traditional Public Forums

Fairgrounds	9595 Nelson Rd.
Boulder County Courthouse	1325 Pearl St.

H. Non-Public Forums Opened for Free Speech/Activity for a Limited Purpose

Non-Public Forums opened for selective access to speakers, whose topic is the organization of employees, to address issues incident to their status as employees of the county

Clerk and Recorder	1750 33 rd St.
Courthouse East Wing	2025 14 th St.
Courthouse West Wing	2020 13 th St.
Longmont Courts	1035 Kimbark St.
Justice Center	1777 6 th St.
Recycling Admin Building	1901 63 rd St.
Lafayette Motor Vehicles	1376 Miners Dr.
Allenspark Transfer Station	Allenspark
Parks and Open Space Admin. Bldg.	5201 St. Vrain Rd.
Lee Hill Rd RD-3	820 Lee Hill Rd.
55 th St. Maintenance Shop	2907 N. 55 th St.
Walden Pond RD-1	3897 N. 75 th St.
Road & Maintenance Offices RD-2	1288 Alaska Ave.
Nederland RD-4	286 Ridge Rd.
Road District	5201 St. Vrain Rd.
Parks and Open Space Shop	5201 St. Vrain Rd.
Bio Mass Facility	5201 St. Vrain Rd.
Communications Center	3280 Airport Rd.
Courthouse Annex	2045 13 th St.
Clerk and Recorder	508 Terry St.
Sheriff's Substation	7960 Niwot Rd.
*Jail Building	3200 Airport Rd.
**Sundquist Building	3482 N. Broadway
**Addiction Recovery Center	3470 N. Broadway
**Mental Health Center	1333 Iris Ave.
**Old County Hospital	3460 N. Broadway
**Health and Social Services - Social Services	3400 N. Broadway
**Health and Social Services - Health	3450 N. Broadway
**Simpson St. Building	400 E. Simpson
**Lafayette Health	1345 Plaza Court North
**Addiction Recovery	3281 Airport Rd.
**Social Services - Housing	101 W. Waneka
**Copper Door	1770 21 st St.
**St. Vrain Complex	529/515 Coffman St.
**Louisville Social Services	712 Main St.

*For security reasons, approved speakers may only access the public parking lot at the jail. No Further access is allowed. All other general regulations as stated in the policy apply.

**Most of the services provided at these properties are community support services which include, among other things, services such as: Substance abuse counseling; teen pregnancy counseling; pre-trial

detention and child welfare services. In order to protect the privacy of these individuals as much as possible; to minimize the disruption of services to the members of the public of Boulder County who access these properties; and to prevent confusion on the part of members of the public accessing these properties for services; the use of the properties are subject to these additional limitations: Solicitation, picketing, demonstrations or use of signs is prohibited. All other general regulations as stated in the policy apply.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.10 Guidelines for Handling Requests for Public Records

(June 24, 2014)

Colorado statutes (C.R.S. § 24-72-200.1, *et seq*) set forth the rights and requirements of the Colorado Open Records Act (CORA). Generally, the public has the right to access the public documents of a governmental entity. Boulder County EO/DH are the custodians of records maintained within their respective offices and departments. A completed Public Records Request Form should be sent directly to the office/department that maintains the records. A fee may be charged for these records; refer to section C of this policy, which addresses fees.

It is the policy of the BOCC that all public records shall be open for inspection by any person at reasonable times, except as provided by the Colorado Open Records Act (CORA) or by other laws. This policy is intended to provide a guideline for employees handling public records requests and will be deemed modified by additional or new language added to CORA.

Although "all public records are to be open for inspection by any person at reasonable times," procedures for such disclosure can be subject to rules and regulations made by the official custodian or the custodian. C.R.S. § 24-72-203(1)(a). These rules and regulations are authorized, if they are reasonably necessary for the protection of such records and for the prevention of unnecessary interference with the regular discharge of the duties of the custodian or his/her office/department. C.R.S. § 24-72-203(1)(a). Such rules and regulations cannot change the Act; for example, such rules and regulations cannot limit who is entitled to records or limit what records are open for inspection. This policy is intended as a general guideline to assist employees in handling public records requests. However, depending upon the circumstances of a request, the county reserves the right to allow a custodian to establish specific rules and regulations necessary for the protection of such records and for the prevention of unnecessary interference with the regular discharge of the duties of the custodian or his/her office/department.

A. Definitions

The definitions found in C.R.S. § 24-72-202, as amended from time to time, shall apply unless the context clearly requires a different meaning. Two (2) definitions of particular importance are listed below:

1. Public Records: “[A]ll writings made, maintained, or kept by... [any] political subdivision... for use in the exercise of functions required or authorized by law... or involving the receipt or expenditure of public funds.” C.R.S. § 24-72-202(6)(a)(I). Criminal justice records are not included by the provisions of Part 2, but rather are covered by Part 3 of the Act.
2. Writings: [A]ll books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. ‘Writings’ includes digitally stored data, including without limitation electronic mail messages, but does not include computer software.” C.R.S. § 24-72-202(7).

B. Procedure

1. The county has determined that the use of an official request form to be used by members of the public is necessary for the efficient handling of such public records requests. The Public Records Request Form should be given to any individual who makes a request that is not on the form, or the individual should be directed to the web page where a fillable PDF version of the public records request page is located:
<http://www.bouldercounty.org/records/public/pages/pubrecforms.aspx> or HR to receive a request form. The individual should be told that county policy requires that requests be made on this form and the employee should make every effort to ensure that the individual is given enough information to access the form without delay. Once a request is received on the official Public Records Request Form, a copy should be transmitted to the CA Office immediately. Additionally, if the records are not held by the office/department receiving the request, the request should be transmitted to the office/department that maintains the records being sought. The county has a limited amount of time within which to respond to public records requests and employees receiving such requests should be familiar with these statutory deadlines. See Section D, Time for Accessing Public Records, in this policy for more information regarding timelines.
2. The Clerk to the BOCC is the official custodian of all records centrally maintained by the county. Department heads are the official custodians of all records maintained within their departments. The IT Manager is the official custodian of emails. It is the responsibility of each department head to become

familiar with and to educate his/her affected employees about the standards and requirements of this policy.

Elected officials may develop their own policies and procedures regarding public records in their custody; however, to the extent that the county has custody of any public records of an elected official, the county shall, in consultation with the elected official, meet any requirement of the CORA as it may apply to documents in the county's possession.

If the public records requested are not in the custody or control of the person to whom the application is made, such person shall "forthwith" notify the applicant of this fact, in writing if requested by the applicant. In such notification, the person shall state in detail to the best of the person's knowledge and belief the reason for the absence of the records from the person's custody or control, the location of the records, and what person then has custody or control of the records. C.R.S. § 24-72-203(2)(a).

C. Fees

1. Requests for records which fit the following criteria may, in the judgment of the official custodian, be provided free of charge:
 - a. Per request, documents which do not exceed ten pages and which are retrievable within a two-hours; or
 - b. Agenda materials which have been prepared in advance and which are in support of items scheduled for consideration by the BOCC at a future date (copying fees may still apply), unless the request exceeds copies in excess of fifty pages of material; or
 - c. Records which are normally produced for public information, such as the current year budget document, brochures on county services, or procedures, etc.
2. In all cases where a person has the right to inspect any public record, s/he may request copies, printouts or photographs of such record.
 - a. The fee for copies and printouts shall be \$.25 per page. In addition, actual costs may be charged and may include staff time if the records created are in a format other than word processing or if the records are larger than the customary letter-size page. Fees may be waived or reduced with prior approval of the BOCC, or the EO/DH.
 - b. In the case of a request for a computer printout other than word processing, the fee may be based on the recovery of the actual incremental costs of providing the electronic

- services and products together with a reasonable portion of the costs associated with building and maintaining the information system.
- c. All payments for copies etc. must be received in advance of releasing the requested records.
 - d. Checks for copies shall be made payable to Boulder County.
 - e. Departments may charge for time spent responding to large requests, including without limitation, requests that require the searching of voluminous files for specific information, manipulating data (including manipulating data in order to generate a record in a form not used by the county, although such manipulations is not required by CORA), or redacting documents to excise confidential information. The charge for these kinds of services shall be \$30.00 per hour. All time spent on such tasks may be charged to the requestor. When staff time in excess of three hours is required to respond to a records request, a time log should be maintained describing the time spent in responding to the request. For large requests, a deposit of the estimated cost of work shall be collected before work begins. The time period for responding does not begin to run until the county receives the deposit. If actual charges are less than the deposit, the balance will be refunded.

D. Time for Accessing Public Records

1. Time for Inspection of Records – Three Working Days

If the requested records are in active use or are in storage and, therefore, are not available right away, this fact shall be communicated to the applicant “forthwith” in writing if requested. The custodian shall set a date and hour within three (3) working days when the records will be available for inspection.

2. Extension of Time to Ten (10) Working Days

The period of providing requested documents for review may be extended up to ten days if the custodian determines that one of the following conditions exists, and, states such condition in writing to the requestor within the first three (3) days that the request was received:

- a. A broadly stated request is made that encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather the records within the three (3) day period; or

- b. A broadly stated request is made that encompasses all or substantially all of a large category of records and the custodian is unable to prepare or gather the records within the three (3) day period because the custodian or department needs to devote all or substantially all of its resources to meeting an impending deadline or period of peak demand that is either unique or not predicted to recur more frequently than once a month; or
 - c. A request involves such a large volume of records that the custodian cannot reasonably prepare or gather records within the three (3) day period without substantially interfering with the custodian's obligation to perform other public service responsibilities.
3. In no event can extenuating circumstances apply to a request that relates to a single, specifically identified document.
4. If the request is too broad, speculative or voluminous to prepare in ten (10) days, the county may request relief from the court, including attorney's fees, as provided by law.
5. The time period for response does not begin to run until the county receives the request on the county's official Public Records Request Form. If the form is sent by:
 - a. Email, it is deemed received when it is viewed by the recipient.
 - b. U.S. Mail, it is deemed received when its seal is broken.
 - c. Fax, it is deemed received when it is printed during regular business hours, or if received after hours, at 8:00 a.m. on the following business day.

E. Reviewing Records

The custodian of the records may set the location where the records may be viewed by the requestor. In no event may a requestor remove documents or add documents to those provided for review. The requestor shall not bring and shall not use cameras, photocopiers, digital copiers, fax machines or any other copy, scanning or reproduction device to copy county records. Upon completion of the review, the requestor must mark the pages s/he wishes to have copied with adhesive tabs. Copies will be made at a later time, depending upon volume. The requestor will be notified when the copies are available for pick-up.

If the custodian has the capability to make reproductions s/he shall do so at the rates set in the section entitled Fees, above. If the custodian does not have the facilities for making copies, printouts, or photographs of the records, the custodian may make arrangements for

the services to be rendered at another facility. If other facilities are necessary, the person desiring a copy, printout or photograph of the record shall pay the cost of providing them. In no event shall the records leave the custody and possession of a county employee during this process (other than providing the items to the third party facility for reproduction). The county is under no obligation to allow members of the public access to county computers nor is the county obligated to provide records in electronic format.

F. Denial of Inspection of Records

1. Denial of inspection must be specific and can only be based on reasons provided in the Colorado Open Records Act. The Act provides that documents may be withheld from disclosure:
 - a. If inspection would be contrary to any state statute.
 - b. If inspection would be contrary to federal statute or regulation.
 - c. If inspection is prohibited by a rule of the Supreme Court or by order of any court.
2. Denial is permitted in the following situations, if disclosure would be contrary to the public interest; but if such records are given to one news agency, they shall be available to all news agencies:
 - a. Any records of the investigation conducted by a sheriff deputy, prosecuting attorney, or police department, any records of intelligence information or security procedures of any sheriff, prosecuting attorney, or police department or any investigatory files compiled for any other law enforcement purpose
 - b. Test related data listed in C.R.S. § 24-72-204(2)(a)(II)
 - c. Details of bona fide research projects of state institutions
 - d. Contents of real estate appraisals relative to acquisition (not sale) of property for public use until title has passed to the county
 - e. Market analysis data generated by the Department of Transportation's bid analysis and management system for the confidential use of the department for awarding contracts or for the purchase of goods or services and any documents prepared for the bid analysis and management system
 - f. Records and information relating to the identification of persons filed with, maintained by, or prepared by the Department of Revenue pursuant to C.R.S. § 42-2-121
 - g. Confidential voter information
3. Inspection of the following shall be denied, unless otherwise provided by law or unless requested by the person in interest:

- a. Medical, mental health, sociological, or scholastic achievement data on individuals
 - b. Personnel files, except for application and performance ratings
 - c. Letters of reference (which are also not to be disclosed to the person in interest, if they concern employment, licensing, or issuance of permits)
 - d. Trade secrets, privileged information, and confidential commercial, geological, or geophysical data furnished by or obtained from any person
 - e. Certain material contributed to libraries or museums.
 - f. Addresses and phone numbers of school children
 - g. Library records identifying users, as prohibited by C.R.S. § 24-90-119
 - h. Home addresses, telephone numbers and financial information of county employees
 - i. Names, addresses, telephone numbers, and personal financial information of past or present users of public utilities, public facilities, or recreational or cultural services that are owned and operated by the state, its agencies, institutions, or political subdivisions
 - j. In addition to the above-described documents, the Act provides specific and detailed circumstances for the denial of, or limited release of, records related to:
 - 1) Sexual harassment complaints and investigations, and,
 - 2) Applicants for an executive position at the county
 - 3) Records protected by common law privileges such as the governmental privilege, the deliberative process privilege, work product privilege, or attorney-client privilege. If a record is withheld pursuant to the deliberative process privilege, the custodian shall provide the applicant with a sworn statement specifically describing each document withheld, explaining why each document is privileged and why disclosure would cause substantial injury to the public interest
 - 4) The constitutional right of privacy may, in very limited circumstances, be a basis for resisting disclosure, particularly for the person in interest
4. Denial on Basis That Release would do Substantial Injury to the Public Interest
- a. The official custodian may petition the District Court for an order restricting disclosure of records otherwise subject to

- inspection if disclosure would do substantial injury to the public interest (C.R.S. § 24-72-204(6)).
- b. If inspection is denied, the applicant may request a written statement of the grounds of denial and that statement shall cite the law or regulation which is the basis for denial (C.R.S. § Colo24-72-204(4)).
 - c. Even records which must be kept confidential are subject to subpoena, discovery requests, etc., but such requests can be resisted under the balancing tests set up in *Martinelli vs. District Court* 612 P.2d 1083 (Colo. 1980).



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.11 Americans With Disabilities Act Notice Requirements

(July 23, 2009)

It is the policy of Boulder County to make county programs, meetings, activities, and services accessible to individuals with disabilities. In order to provide special services, such as interpreters or provide special materials in special formats, such as large print, Braille, or computer disk, the county needs to be informed of individual's special needs. To publicize the availability of services and to ensure that requests are timely made, all public notices, advertisements, brochures and similar materials shall include information directing individuals needing special assistance to the ADAAA coordinator (or the appropriate contact within an office/department). The following sentence shall be added to all future public notices:

"If you need special assistance, contact Julia Yager, ADAAA Coordinator, or the Human Resources Division at 303-441-3525 at least 48 hours before the scheduled event."



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.12 Lactation Room Requirements (June 24, 2014)

In accordance with Colorado law, Boulder County shall provide reasonable unpaid break time or permit an employee to use paid break time, meal time, or both, each day to allow the employee to express breast milk, in a private setting, for her nursing child for up to two (2) years after the child's birth.

Although a specific lactation room does not need to be designated, the space utilized for this purpose must be:

- A room other than a bathroom
- Shielded from view (Permanent blinds or curtains must cover any windows- It is not acceptable for employees to put up a temporary cover each time they use the room)
- And, free from intrusion (The door must have a lock for privacy)

HR has compiled a list of lactation rooms throughout the county and shall distribute this list to expectant mothers before they go on maternity leave.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.13 Boulder County Security Cameras (June 26, 2012)

Security cameras have been installed for the limited purpose of providing evidence of criminal acts and determining the identity of individuals involved therein. The cameras are to be used solely for the generation of recordings to serve as such evidence.

No routine, real-time monitoring of the video screens receiving the video from the security cameras is intended. Real-time monitoring will only be used in unique law enforcement circumstances. Neither cameras nor recordings will be used to monitor any political gatherings; unless prior to the event, compelling evidence of significant law enforcement need is clearly identified. Recordings shall be reviewed by Boulder County employees only where relevant to the report of a criminal act or incident to Security or other county offices. Recordings shall be stored for a maximum of two (2) weeks and shall thereafter be erased or reused. Where a recording may show information relevant to a reported criminal or incident, such videotape may be retained in its current state until all investigations and proceedings relative to said act or incident have been concluded.

Due to the unique nature of the security needs at the Boulder County Sheriff's facilities, the Boulder and Longmont courts, and the Recycling Center, these facilities are exempt from this policy. The Boulder County Sheriff's Office maintains internal controls over their security camera systems. The BOCC will approve the location and orientation of the cameras at the Recycling Center.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.14 Document Disposal Policy (June 24, 2014)

- A. In accordance with Boulder County's Zero Waste resolution and policies, all unwanted documents produced by Boulder County departments and offices will be recycled rather than shredded in all cases, except where documents contain personal identifying information and other sensitive information.
- B. Any documents used by Boulder County or its employees in the course of business that contain personal identifying information or other sensitive information and are not being preserved for use in ongoing county business shall be shredded by the employee disposing of the documents, or turn over to the IT Records Management division any large volumes of documents for proper disposal.
- C. For purposes of this policy, personal identifying information and other sensitive information shall mean:
 1. a social security number
 2. a personal identification number
 3. a password, a pass code
 4. an official state or government-issued driver's license or identification card number
 5. a government passport number
 6. biometric data
 7. a financial transaction device
 8. date of birth
 9. financial information

If correspondence is sent to the county and contains a request of confidentiality it shall be considered confidential and shredded, unless otherwise indicated by the Colorado Open Records Act. An address, telephone number and/or signature alone, without any of the other information identified above, shall not be considered confidential and may be recycled as opposed to shredded. Each EO/DH may adopt this definition of personal identifying information or adopt his/her own definition, with review by the CA Office.

The term "Media" includes videocassette tapes, film, microfiche, 3.5" floppy disks, CD-ROMs, DVD-ROMS, and other electronic recording devices.

D. Responsibilities:

1. EO/DH are responsible for ensuring the proper management of confidential paper documents or media generated by their department either through the contract maintained by the Resource Conservation Division, or a similar contractor hired directly by the department or office, or by operating a shredding machine in the office.
2. Each staff member is responsible for correctly discarding all paper documents or media containing personal identifying information and other sensitive information
3. If an office chooses to use the contracted document and media shredding service, that office is required to have one (1) staff member assigned to act as confidential document liaison. This staff member will be the sole person able to unlock the confidential document consoles or carts in each office space.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.15 Delegation to Assessor's Office to Settle Abatement Petitions and Appeals from the Board of Equalization (June 27, 2013)

A. Abatement Proceedings

Pursuant to C.R.S. §39-1-113(1.5) and a memorandum from the Colorado State Property Tax Administrator, dated June 21, 2010, regarding House Bill 10-1117, commencing with abatement or refund petitions filed as of January 1, 2011 the Boulder County Assessor's Office shall review all petitions for abatement or refund of property taxes, and may settle by mutual agreement with the taxpayer any such petition when the amount of the tax refund is \$10,000 or less per tract, parcel or lot of land or per schedule of personal property. In all cases in which the tax refund is more than \$10,000 per tract, parcel or lot of land or per schedule of personal property, the Boulder County BOCC shall retain the final authority to decide upon the proposed settlement.

B. Arbitration, District Court and Board of Assessment Appeals (BAA) Proceedings

Pursuant to Board Resolution 99-196, the Assessor's Office shall have the authority to settle all arbitration, District Court or BAA appeals except appeals involving property valued by the Assessor's Office or Boulder County Board of Equalization (BOE) in excess of \$10,000,000.00, where the proposed settlement would result in a 10% or greater reduction in value of said property. In appeals involving property valued by the Assessor's Office or BOE in excess of \$10,000,000.00, where the proposed settlement would result in a 10% or greater reduction in value of said property, the BOCC or BOE shall retain the final authority to decide upon the proposed settlement.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.16 Delegation to the Treasurer's Office to Settle Bankruptcy Matters (July 1, 2005)

The Treasurer's Office may settle by mutual agreement with the taxpayer/debtor, trustee, creditors' committee, or other applicable entity in a bankruptcy action, all matters except cases in which the base tax amount in dispute, exclusive of any interest or fees, is more than \$100,000 and the proposed settlement results in more than a 20% change in payment from the base tax amount. In all cases in which the base tax amount in dispute is more than \$100,000, where the settlement would result in more than a 20% change in payment from the base tax amount, the BOCC shall retain the final authority to decide upon the proposed settlement.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.17 Property Valuation Proceedings Rule (June 24, 2014)

It is the policy of the BOCC that the following rules of procedure shall apply to property valuation proceedings before the BOCC and Board of Equalization (BOE).

A. Scope of Rules

These rules govern the following types of property valuation proceedings in Boulder County:

1. BOE proceedings;
2. Abatement proceedings; and
3. Arbitration proceedings.

B. Definitions

1. "Agent" means any person or organization, including a management company, authorized by a Property Owner or Authorized Tenant to represent the Property Owner's interests before the Board. Any attorney who is authorized to practice law in the State of Colorado shall not be required to prove agency on behalf of a taxpayer he or she is representing.
2. "Authorized Tenant" means a tenant of the Property Owner's property who is legally authorized by the Property Owner to pursue property valuation appeals related to the property.
3. "Board" includes the BOCC and the BOE.
4. "Petition" includes a petition for equalization, abatement, or arbitration.
5. "Property Owner" means a person, persons, or entity listed in the Boulder County Assessor's records as the owner of the property for any part of the year in which the property taxes were due.

C. Duties of Appeals Coordinator

1. Maintain abatement and BOE files;
2. Ensure that the Board meets statutory deadlines for property valuation appeals;
3. Accept timely petitions;

4. Notify Petitioners of defects in petitions that would prevent consideration of those petitions;
5. Recruit, interview and contract with referees;
6. Schedule and notice hearings;
7. Enter and mail referee decisions;
8. Formulate and maintain a list of arbitrators;
9. Perform other duties as required by the Board.

D. Petitions

1. All petitions must be signed by the Property Owner, an Authorized Tenant, or the Property Owner's authorized Agent. The owner of the property when the tax was due may also authorize the current owner to pursue property valuation appeals. Any petition signed by an Authorized Tenant shall be accompanied by sufficient proof of authorization from the Property Owner or Authorized Tenant. The form available from the Appeals Coordinator is the preferred proof of authorized agency. If this form is not utilized, any proof of agency must include the following, or the Appeals Coordinator shall reject the petition:
 - a. Authorization from the Property Owner or Authorized Tenant to a specific person or entity to pursue property valuation appeals. If the Property Owner is an entity, the individual signing the letter of agency must verify that he or she has the authority to give authorization on behalf of the entity. The names, addresses, and telephone numbers of the Property Owner, Agent, and signatory must be included in the letter of agency or other proof of agency, or attached as a separate document.
 - b. The specific year or years for which authorization is given.
2. The petition, and, if necessary, proof that the Petitioner is an Authorized Tenant, and proof of agency must be filed before any statutory deadline to perfect the appeal. If an appeal is not perfected by a statutory deadline, the Appeals Coordinator shall reject the petition on behalf of the Board, and notify the Petitioner of the rejection.
3. Each petition shall contain only one schedule number. The Appeals Coordinator shall reject petitions with multiple schedule numbers. Any exceptions must be approved by the Appeals Coordinator prior to filing the petition.

E. Hearings

1. Unless otherwise specified by the Board, all abatement and BOE hearings shall be conducted by referees appointed by the Board.
2. The Appeals Coordinator shall provide advance notice of hearings to the Petitioner, the Assessor, and all other necessary parties.
3. At the same time the petition is filed, the Petitioner or their Agent may notify the Appeals Coordinator, in writing, that no appearance will be made at the hearing and waive the right to a hearing. The Waiver of Hearing available from the Appeals Coordinator may be utilized.
4. A Petitioner or their Agent may withdraw the petition at any time prior to a hearing by giving written notice by regular U.S. mail, or by fax, to the Appeals Coordinator.
5. A Petitioner or member of the Assessor's staff may request that the Appeals Coordinator reschedule a hearing to a later date. The Appeals Coordinator may reschedule the hearing if, in the discretion of the Appeals Coordinator, it is reasonable to accommodate the request. If a Petitioner or Agent or the Assessor's representative fails to appear at a hearing, it shall not be rescheduled.
6. All evidence shall be produced before or at the hearing. Evidence may not be submitted after a hearing. A referee may continue a hearing if the production of further evidence is necessary, or for other good cause, and with the consent of all parties.
7. After the conclusion of the hearing, the referee shall recommend one value to the property. The referee shall not recommend separate values for land and improvements.

F. Arbitration

1. Any Petitioner desiring arbitration after a BOE decision shall notify the Board by filing a petition with the appeals Coordinator within thirty (30) days of mailing of the final decision of the Board. The petition shall be in the form available from the Appeals Coordinator. Petitions for arbitration shall not be accepted later than thirty (30) days after a final BOE determination has been mailed.
2. At the time the petition is filed, the Petitioner shall tender a deposit of \$150 for residential cases, and \$500 for all non-residential cases, including classification appeals. The check or money order shall be made out to "Boulder County". This deposit shall be placed in an escrow account. If the arbitration petition is settled or withdrawn prior to hearing, one-half of this

deposit will be returned to the Petitioner unless the property is classified as residential, in which case the entire amount will be refunded to the Petitioner; petitions must be withdrawn no later than seventy-two (72) hours before any scheduled hearing to qualify for any refund. Fees for residential property arbitrations shall not exceed \$150.00. For non-residential arbitrations, and requests for changes of classifications, fees shall be \$75.00 per hour for the arbitrator's time spent on the case, with a two (2) hour minimum, unless the Board and Petitioner agree on a different fee schedule for the arbitrator.

3. Within forty-five (45) days of mailing of the BOE's final decision, or within thirty (30) days of the day the list of approved arbitrators is made available to the Petitioner, whichever is later, the Petitioner and the BOE shall choose an arbitrator from the list. If no agreement can be reached, the District Court shall select the arbitrator, as provided by statute. For non-residential valuation cases, the BOE and Petitioner must agree on an hourly fee for the arbitrator, after consultation with the arbitrator. If the Petitioner fails to select an arbitrator within this time limit, then the arbitration will be canceled and one-half of the deposit shall be refunded.
4. After the selection of the arbitrator, the Appeals Coordinator will determine a date agreeable to the parties and the arbitrator, and the hearing will be calendared. The hearing must occur within sixty (60) days of the selection of the arbitrator, unless the parties agree in writing to allow the hearing within a later specified period, but shall occur as late in the sixty (60) day period as possible to allow the parties to enter into settlement negotiations, prepare evidence and satisfy the evidence exchange requirement of this rule. Any unavailability of the Petitioner to appear at specific dates may extend to sixty (60) day period.
5. The parties may informally engage in the discovery process. If necessary, parties may apply to the arbitrator for a subpoena for information or witnesses, pursuant to C.R.S. §39-8-108.5(3)(c).
6. At least ten (10) business days prior to the hearing, the BOE and the Petitioner must exchange a witness list and all relevant information that may be submitted as evidence to the arbitrator at the hearing, and a copy shall be filed with the Appeals Coordinator on the same day as the exchange between the parties. At least three (3) business days prior to the hearing, the BOE and the Petitioner shall exchange any reply or rebuttal evidence that they may submit to the arbitrator, and a copy

shall be filed with the Appeals Coordinator on the same day as the exchange between the parties. The arbitrator will not consider any documents or exhibits not timely exchanged, or hear from witnesses not timely disclosed, unless agreed to by the parties and accepted by the arbitrator. If a hearing is rescheduled for any reason, the deadlines for the exchanges of evidence will be based on the new hearing date.

7. Arbitration hearings shall be conducted in conformity with C.R.S §39-8-108.5(3). Within ten (10) days of the conclusion of the hearing, the arbitrator will issue a decision in writing, which will be delivered personally or sent by registered mail by the arbitrator to the Petitioner and the Appeals Coordinator. The decision shall include the hearing date, the property account number and classification, the Property Owner's name, names of parties and representatives present at the hearing, the property's actual value, and shall be signed by the arbitrator. The arbitrator shall recommend one value to the property, and shall not recommend separate values for land and improvements. The decision is final and not subject to review or appeal.
8. The arbitrator's decision will also allocate his or her fees between the parties. For a residential property valuation, the fees shall not exceed \$150. If the Petitioner is ordered to pay less than \$150 in fees, the balance in escrow shall be returned.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.18 Language Translation Policy (July 21, 2011)

Translation of any materials to be distributed to the public must follow the Boulder County guidelines for translation to ensure that all residents have access to program and service information that is linguistically and culturally appropriate.

- A. All Boulder County office/department materials (including web pages) available to fifty (50) or more members of the public for more than one (1) week, in a language other than English must:
 1. Be reviewed by a county employee for accuracy and grammar prior to translation
 2. Be translated by a qualified translator. This is defined as someone who:
 - a. Has near-native fluency in the source language; and
 - b. Has excellent writing skills with a grammatical mastery of the target language; and
 - c. Has awareness of cultural differences and linguistic nuances; and
 - d. Has knowledge/familiarity of industry terminology.
- Three (3) or more years of professional translation experience and professional translation accreditation and/or affiliation is preferred.
3. Use accepted common terms as outlined in the Boulder County Translation Glossary
- B. Minimal changes to a document previously translated by a qualified professional translator do not need to be translated by a qualified professional translator. Minimal is defined as:
 1. Change to contact information.
 2. Change to event date, times, location etc.
 3. Change of a few words in a short document, or a few sentences in large document.
- C. Boulder County office/department may use any provider on the

Boulder County vendor list of qualified translation services/providers or another provider that meets the criteria listed above.

- D. In the event of an emergency, when a translation cannot be completed by a qualified translator within the required time, another native speaker of the target language may provide temporary translation provided:
1. The temporary translator follows guidelines A1 and A3 as listed above; and
 2. The translation is reviewed by at least one (1) additional native speaker; and
 3. The translation is reviewed by a qualified translator when time permits, if the material is to be available to the public for more than one (1) week or to more than fifty (50) people.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES
NUMBER I.19 Open Flame Restriction Policy (July 22, 2010)

A person shall not utilize or allow to be utilized, an open flame for any purpose whatsoever in Boulder County buildings, except for the use of workplace equipment and birthday candles to minimize risk and to protect the health and safety of the public, employees, and Boulder County property.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.20 Building Naming Policy (July 22, 2010)

Naming buildings or parts of buildings, facilities or sites requires approval by the BOCC. Proposals should be forwarded to the BOCC.

A. Guidelines for Names

Names of buildings, parts of buildings, facilities or sites may be those of distinguished persons, organizations, corporations, foundations or families:

1. where there has been a significant contribution to the mission of the county, or
2. where there has been an outstanding contribution to the community which is deserving of county recognition, or
3. where a person with a strong connection to the county has made a major contribution in a specific area of public service, or
4. where an individual or group is a major benefactor of the county.

B. Naming Buildings According to Function and Use

The BOCC may approve the naming of buildings, segments of buildings, other facilities or sites where the name would be descriptive of function, location or usage.

1. Naming Principles:

- a. Names shall be unique and distinctive. Names shall assist in emergency response situations by avoiding duplication and by avoiding the use of similar sounding names and by ensuring consistency between building and geographical naming conventions.
- b. Names should convey a sense of place and community and should celebrate the distinguishing characteristics of Boulder County.
- c. Names should be understandable, recognizable and explainable to the residents of the community and should respect the values of all members of our community.

2. Naming Priorities:

In naming buildings, properties and sites, consideration will be given to the following elements in order of priority:

- a. Names that place the building, property or site in its geographic context, so as to assist the community in locating the named facility. Names of this type include names that reflect significant ecological or natural resource features of the area.
- b. Names that reflect the purpose or use of the building, property or site.
- c. Names that reflect and respect the history, heritage and culture of the community.
- d. Names that reflect the particular contributions of community groups or organizations.
- e. Names that reflect an individual's significant contributions to public life in general and to Boulder County in particular and that are appropriate to the specific building, property or site so named.
- f. Naming requests that come from groups or organizations, rather than requests from individuals

When naming a building, property or site after an organization or individual, every care will be taken to ensure that the name selected reflects an individual of such extraordinary prominence and lasting distinction that no other individuals, families or organizations can come forward and suggest alternate names. Furthermore, the community will be consulted to ensure that there is community support for the proposed name.

Wherever possible, naming of an interior space or portion of a building, property or site will be preferred to naming of an entire building after an individual or organization. Where an individual or organization name is used, permission must be obtained from the individual, their family or the organization to be named, prior to selection of the name.

3. Naming Process:

- a. All requests shall be submitted in writing and shall include the rationale for the proposed name. In the case of a proposal to honor an organization or individual, documentation of the individual or groups' record of achievements, is required. Letters of support from appropriate organizations and individuals which provide evidence of substantial community support for the proposed name are required.
- b. All requests will be forwarded to the BOCC for review within the framework of this policy. As part of the review, staff will ensure that the contributions of an organization or individual are well documented and broadly acknowledged within the community.

- c. All requests for naming will be circulated to all emergency responders for their comments.
- d. Where the naming request is substantiated and has been documented to be supported by the community, it will be brought forward in an options package for the BOCC consideration. Such an options package may include alternatives to the original request which could include naming an interior space or portion of a building, property or site rather than the entire facility.
- e. Where a request for naming or renaming has been initiated by a community group or organization and approved by the BOCC, all costs associated with the naming or renaming of the building, property or site will be paid by the originators of the naming request. This requirement may be waived by the BOCC at their discretion.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.21 Building Alteration & Remodeling Policy (July 1, 2015)

Offices and departments needing modifications, remodels, or painting of their building spaces shall utilize the BCBS Work Order Request process or the Capital Expenditure Fund (CEF) process when a space change is desired. (See the county BCBS intranet site for guidelines of these processes).

Offices and departments shall review any planned space modifications with BCBS prior to the commencement of any redesign or remodeling work. This review provides professional consultation to ensure solutions to space needs are the most effective solution to the concern, done in a sustainable manner that is cost-effective and in compliance with ADAAA, building codes and life safety. Reviews also ensure that building infrastructure systems i.e. electrical, fire protection, heating/cooling, are not compromised by the modifications. This will also ensure that necessary permits are acquired and inspections are conducted.

On occasion, if the requesting office/department will be funding and managing a modification from the office/department budget (not Work Order or CEF), Building Service's Architect's review and approval to proceed is still required.

This policy shall apply to all county-owned and leased spaces. This requirement should be included in any space leases, both as tenant and as landlord. Exempt are properties owned and managed by the Boulder County Housing Authority and Open Space properties.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.22 Boulder County Volunteer Policy (July 1, 2015)

An important and valued segment of the county workforce is the large number of volunteers who willingly give of their time on a regular basis, working without any remuneration beyond the personal satisfaction derived from their service. They are expected to adhere to the Code of Conduct as outlined in this manual and they are not eligible for any benefits except as outlined in the Volunteer Policy. It is the policy of Boulder County that skills developed as a volunteer be viewed as important job skills. Therefore, these skills will be considered when screening and selecting applicants for paid positions within the county.

This policy was established with the objective that all volunteers have a positive and productive volunteer experience and that both employees and volunteers understand specific duties and responsibilities associated with the volunteers' activities. The policy will not be construed as creating any contractual rights. Nothing in this policy creates an employment relationship between the County and the volunteer. Volunteers are not considered employees under this manual and volunteers are only covered by sections of this manual that unambiguously refer to volunteers. Specifically, volunteers are not entitled to any rights under Sections III through X of the manual.

Each county office/department is responsible for determining how to implement this policy. Unless otherwise stated (see Section F), all sections in this policy refer to both ongoing and one-time/short-term volunteers.

A. Employee/Volunteer Relationships

The relationship between employees and volunteers is a partnership. Volunteers have staff supervisors who are available for consultation, support and direction.

B. Volunteer/Client Relationships

The relationship between a volunteer and a client is guided by a profound respect for diversity and a belief in human potential, recognizing that each person has an individual dignity worthy of respect. Volunteers shall respect the preferences and decisions of clients and refrain from applying

undue pressure in the clients' matters of choice. Volunteers shall maintain a level of confidentiality equal to that expected of paid staff. Volunteers shall not financially profit directly or indirectly from a client or engage in activities that pose a conflict of interest.

C. Definition of a Boulder County Volunteer

A Boulder County volunteer is a person who gives time or expertise to county government, its staff and clients with no recompense or payment for services to county offices/departments or programs. The person may be donating time or expertise or may be in a service-learning project for school or college. The person may be an ongoing volunteer or a one-time-only project volunteer. County staff may volunteer for Boulder County with prior approval from HR and their EO/DH, in order to ensure compliance with the Fair Labor Standards Act.

D. Recruitment

Volunteer recruitment efforts target broad community involvement and do not discriminate on the basis of race, color, religion, age, gender, gender identity, sexual orientation, disability, socio-economic background, national origin or genetic information.

E. Volunteer Job Descriptions

Volunteer job descriptions are guides for volunteer opportunities in county government. These descriptions should include job title, objectives, responsibilities, minimum qualifications, training provided, supervision, time commitment, and benefits if applicable to the job. Volunteers must be given a written job description prior to placement.

If a community group is volunteering for a one-time or short-term volunteer project, the designated group contact should receive the group project description and minimum qualifications prior to the project start date and should be responsible for sharing this information with the rest of his/her group to ensure suitability.

F. Interviewing Ongoing Volunteers

All potential ongoing volunteers shall complete a volunteer application prior to placement. Also, they shall be interviewed to ensure suitability for volunteer placements, which are determined by interests, qualifications and jobs available. During the interview process, potential volunteers will learn about the volunteer opportunities available with county government and the mission of the particular office/department or division in which they are interested. However, volunteers who do not meet minimum qualifications may not be invited in for an interview.

G. Screening

Applicants must meet all required qualifications for the assignment. In addition, applicants must agree to background, motor vehicle, and reference checks when required for their job.

H. Placement of Volunteers

In determining suitable placements for volunteers, attention is given to the interests and goals of the volunteers and to the needs and requirements of the office/department. Volunteers may decline a proposed placement or request changes to the job prior to or following placement.

Volunteers are informed of the responsibilities of each job, along with any risk the job entails. If determined to be required for their volunteer job, volunteers must sign a liability release waiver, confidentiality agreement, and other applicable legal forms prior to starting their volunteer assignment.

I. Orientation and Training

Orientation includes an introduction to the work of Boulder County government and to the office/department where the volunteer is being placed. Prior to starting a volunteer assignment, all volunteers shall receive a copy of the county's [Multicultural Diversity](#) and [Equal Employment Opportunity and Unlawful Discrimination](#) policies or will be referred to a copy of the policies posted on the Boulder County public website.

In addition to orienting the volunteer the office/department has the responsibility to provide current and timely training to volunteers. The training will be general as well as job specific. Learning and skill development opportunities may also be made available throughout the volunteer's tenure. When possible, volunteers may attend appropriate in-service staff trainings or workshops.

J. Record Keeping

1. Volunteer records should be maintained electronically. These records should include name, address, phone number, email address, job assignment, dates of service, and hours contributed as well as relevant skills or experience, training received, and recognition. Each volunteer program shall maintain copies of volunteer documents, including any confidential information, in accordance with Boulder County policy.
2. Tracking Volunteer Time During Declared Emergencies

All volunteers who are utilized during a declared emergency shall track their time using designated forms which have been preapproved to meet FEMA standards, even if it is not a federally declared emergency.

K. Evaluations

The office/department will monitor and may evaluate work performances. Performance evaluations are encouraged at the conclusion of the assigned project or at least an annual basis, or when requested by the staff, the volunteer manager or the volunteer.

L. Volunteer Performance

The staff and volunteer manager will discuss with the volunteer any need for changes in work style, seeking suggestions from the volunteer on means of enhancing the volunteer's relationship with the agency, conveying appreciation to the volunteer and gauging the continued interest of the volunteer serving in that job. In appropriate situations, additional training, re-assignment to another job, or separation from volunteer service may be required.

M. Recognition

Recognition is an important component of the county's commitment to the public's participation in its work. Volunteers will be recognized for their efforts, the fulfillment of their commitment and the quality of their work.

N. Separation from Volunteer Service

Most volunteer jobs are for a defined time period and volunteers are asked to honor that time commitment. However, volunteers may resign at any time for any reason. There is no mandatory retirement age for volunteers. Volunteers who fail to satisfactorily perform their volunteer assignments are subject to suspension or separation. Prior to separation of a volunteer, the volunteer should be given an opportunity to discuss any reasons for separation with both their staff supervisor and the Volunteer Program Manager.

O. Insurance

Boulder County offers the following protection to volunteers:

1. Liability claims: The County's liability coverage may be extended to volunteers for volunteer responsibilities. Volunteers may be covered for claims made against them individually or to protect and defend them if sued for an action while doing business within the scope of their part of a joint claim.

2. Auto Liability Claims: If a volunteer uses his/her personal vehicle while conducting county business and has an accident which causes damage to the other vehicle or physical injury to its passengers, primary coverage will be from his/her personal automobile insurance policy. If claims exceed the policy limits, the county's auto liability coverage may provide additional coverage.
3. Accident Injury: Accident medical expense protection has been purchased for volunteers. If injured while volunteering, this policy will cover expenses that are reasonable and customary per policy provisions. Coverage limits for the volunteer are \$25,000 written as an excess plan to any other type of health insurance including Medicare. If the volunteer has no health insurance, this excess coverage becomes primary. Accidental Death is subject to a \$5,000 limit and specific or dismemberment coverage is subject to a maximum limit of \$10,000. Limits and coverage provisions are subject to change according to insurance carrier terms and conditions.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES

NUMBER I.23 Authority to Direct County Operations (June 26, 2012)

The statutes of the State of Colorado provide that the BOCC, other Elected Officials, and the Public Health Administrator have the authority to direct county operations in each of their respective offices. Included in this authority is the power for the BOCC, other Elected Officials, and the Board of Health to appoint and dismiss, at their pleasure, all department directors, and other individuals directly appointed by Elected Officials.

All Boulder County employees are under the provisions of Section VI in this manual, unless an Elected Official has filed specific exceptions to provisions of those chapters which have been approved by the BOCC as a function of its authority over the county budget and over the approval of salaries. Copies of the Elected Official's Personnel Manual or his/her exceptions are on file in HR. The Public Health Administrator, while not appointed by the BOCC, must also work within the confines of this manual.



SECTION I GENERAL AND ADMINISTRATIVE POLICIES
NUMBER I.24 Head Start (July 1, 2001)

The Head Start Program has by-laws on file in its office which, in addition to this manual, governs additional policies and procedures in that program. Employees of the Head Start Program have certain schedules which must be followed to coincide with the scheduling of the school district.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.1 General Policy (July 1, 2015)

The information in this handbook is for general information only. It outlines your responsibilities, benefits, and company guidelines related to the workplace. The guidelines, practices, and programs described in the handbook are subject to change and may not be all-inclusive. Where this handbook conflicts with benefit plan documents, the plan documents will prevail.

The language used in this handbook is not intended to create or constitute an employment agreement with any employee. This handbook supersedes all previously issued editions.

It is the goal of Boulder County Government to provide, efficiently and effectively, essential public services to its citizens. All Boulder County employees share in this goal. This Personnel and Policy Manual defines our policies and procedures in hopes of ensuring the well-being of county employees and promoting effective county operations.

This manual is not intended to supersede the authority of the BOCC, Elected Officials, or the Public Health Administrator as provided by the statutes of the State of Colorado. Nothing in this manual may be interpreted as a contract between the employee and the employer.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.2 Equal Employment Opportunity and Unlawful Discrimination (July 1, 2015)

A. Introduction and Policy Statement

The county is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of race, color, religion, gender, gender identity, national origin, age 40 and over, disability, socio-economic status, sexual orientation, genetic information, or any other status protected by applicable federal, state or local law.

B. Americans with Disabilities Act As Amended (ADAAA) and Religious accommodation

The county will make reasonable accommodation for qualified individuals with known disabilities and 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 and safety. Employees needing accommodation are instructed to contact their supervisor or HR.

C. Equal Employment Opportunity (EEO) Harassment

The county strives to maintain a work environment free of unlawful harassment. In doing so, the county prohibits unlawful harassment because of race, color, religion, gender, gender identity, national origin, age 40 and over, disability, socio-economic status, sexual orientation, genetic information, or any other status protected by applicable federal, state, or local law. Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's protected status will not be tolerated. Prohibited behavior may include but is not limited to the following:

- Posting, emailing, or distributing materials in written form such as cartoons, e-mails, posters, drawings, and photographs
- Verbal conduct such as epithets, derogatory comments, slurs or jokes

- Physical conduct such as assault, or blocking and individual's movements

This policy applies to all employees including managers, supervisors, and co-workers. Non-employees such as, vendors and consultants are expected to comply with this policy as a condition of their contracts. Employees, contractors, and consultants are also prohibited from harassing customers and clients on the basis of the protected status of the customers and clients.

D. Sexual Harassment

Because sexual harassment raises issues that are to some extent unique in comparison to other types of harassment, the County believes it warrants separate emphasis.

The county prohibits sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment

All employees are expected to conduct themselves in a professional and business-like manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body

This policy applies to all employees including managers, supervisors, and co-workers. Non-Employees such as vendors and consultants are expected to comply with this policy as a condition of their contracts.

Employees, contractors, and consultants are also prohibited from sexually harassing customers and clients.

E. Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on a protected class, including sexual harassment, please use the following complaint procedure. The county expects employees to make a timely complaint to enable the county to investigate and correct any behavior that may be in violation of this policy.

Any employee, who believes that she or he has been discriminated against, harassed, and/or retaliated against, has a number of options. The employee should select the route that feels most appropriate for the circumstances. The employee may file a complaint with any of the following:

1. the employee's immediate supervisor, or
2. the employee's supervisor's supervisor, or
3. the EO/DH in the office/department where the employee works, or,
4. HR

If an employee believes that his or her personal safety is in jeopardy because of harassment while working outside of regular business hours, the employee should leave work immediately and notify one of the above as soon as possible.

Supervisors/managers who become aware of instances or allegations of discrimination, harassment, and/or retaliation by or against a county employee must report it to HR immediately. A supervisor/manager who fails to report an instance of, or an allegation of, discrimination, harassment and/or retaliation may be subject to discipline, up to and including termination.

F. Investigation and Confidentiality

Upon notice of a complaint involving potential discrimination, harassment, and/or retaliation HR will promptly investigate the complaint. The county will strive to protect the confidentiality of all aspects of its investigation; however, the county cannot guarantee confidentiality. All employees are expected to cooperate with HR during the course of an investigation of discrimination, harassment, and/or retaliation.

The county prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the

investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If the county determines that an employee's behavior is in violation of this policy, the employee will be subject to discipline, up to and including termination of employment. All sanctions will follow the policies and procedures of this manual.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.3 Communicable Diseases (July 21, 2011)

A. Health Education

Accurate information regarding medical conditions is essential in order for supervisors and staff to respond appropriately to ill co-workers. When it is deemed necessary and appropriate, the Personnel Board may arrange for the provision of information regarding specific diseases to county employees. This information may include facts about the impact of the disease on affected individuals and research findings regarding the risk of transmission of the disease to others. The purpose of such education is to enable the county to maintain a supportive and reasonable approach toward ill employees and to protect the health and safety of employees and the public.

B. Communicable Diseases Readily Transmissible in the Workplace

Employees with influenza, common colds, or other easily transmissible minor respiratory infections are encouraged to take appropriate medical leave to avoid further spread of these infections.

The incidence of serious or life-threatening illnesses that are readily transmissible during interaction in the workplace is quite low; however, because the presence of a serious disease that is transmitted by airborne droplet (e.g., active TB, measles) can pose a threat to the health and safety of employees or the public, the following responsibilities apply to affected employees, their supervisors, and EO/DH:

1. Employee Responsibilities

- a. An employee with a serious, easily transmissible disease such as active TB has the responsibility to remove him/herself from the workplace until the infectiousness of the disease has passed or is controlled by medication. (See [policy V.5.C.1.c.](#))
- b. If the possibility exists that co-workers or members of the public have been exposed to the infection in the workplace, the employee has the responsibility to notify his/her supervisor or EO/DH of the situation.

2. Supervisor Responsibilities

Supervisors shall not disclose the identity of an affected employee to any county employee or other individual.

3. EO/DH Responsibilities

- a. An EO/DH who is notified of the presence of an affected employee in his/her department shall not disclose the identity of an affected employee to any county employee or other individual, except that the EO/DH shall notify the Public Health Administrator so that appropriate contact follow-up can be instigated by the Health Department.
- b. EO/DH may contact the Public Health Administrator for the purpose of gathering information about health concerns.

C. Communicable Diseases Not Readily Transmissible in the Workplace

Serious or life-threatening illnesses that are caused by blood borne or sexually transmitted infectious agents are not readily transmissible through interaction in the workplace. These conditions, including Acquired Immune Deficiency Syndrome (AIDS), are transmitted by blood contamination from the bloodstream of one (1) person to the bloodstream of another and by intimate sexual contact.

1. Employee Responsibilities

Employees infected with blood borne or sexually transmitted infectious agents such as Human Immunodeficiency Virus (HIV) do not pose a threat to the health and safety of employees in the workplace and, therefore, are not required to remove themselves from the workplace or report such a condition to their supervisors.

2. Supervisor Responsibilities

Supervisors who become aware of such a condition by voluntary disclosure or suspect the presence of such a condition shall not disclose the identity or presence of an affected employee, even anonymously, to any county employee or other individual.

3. EO/DH Responsibilities

EO/DH who become aware of such a condition by voluntary disclosure, disclosure from a supervisor, or suspect the presence of such a condition shall not disclose the identity or presence of an affected employee, even anonymously, to any Boulder County employee or other individual, except:

- a. EO/DH may contact the Public Health Administrator for the purpose of gathering information regarding specific concerns or educational needs in their offices/departments and information on support services or referrals. The

- EO/DH will not disclose the identity of the employee to the Public Health Administrator.
- b. EO/DH may consult with the HR Manager, for the purpose of gathering information regarding personnel decisions. The EO/DH will not disclose the identity of the affected employee to the HR Manager unless the employee specifically consents to such identification.

D. Non-Discriminatory Practices

Where an affected employee qualifies under Section 504 of the Rehabilitation Act or under the Colorado Employment Practices Act as a "disabled individual," and where the employee is otherwise qualified to undertake the duties of his/her position, Boulder County shall not discriminate against the employee on the basis of his/her disabling condition and shall consider reasonable accommodations that can be made to allow the employee to continue in his/her employment.

If an affected employee feels that s/he is being discriminated against, s/he may contact the HR Manager. Confidentiality will be maintained.

E. Disabling Effects of a Communicable Disease

When a communicable disease affects the health of an employee to the point where his/her job performance suffers, personnel decisions will be made on the same basis as they would be when other serious health problems (e.g., cancer) come to the attention of the supervisor, or EO/DH. As long as affected employees are able to meet acceptable performance standards, and medical evidence indicates that their conditions are not a threat to others in the workplace, supervisors and EO/DH should be sensitive to their conditions and ensure that they are treated consistently with other employees.

F. Routine Infection Control Practices

Infectious agents may be present in body substances regardless of whether there are recognizable clinical or serological indications. Therefore, Boulder County has adopted routine infection control practices (on file in the Public Health department). These practices will be followed in all situations of body substance spills involving employees or the public. With routine infection control practices in place, screening programs in the workplace designed for the purpose of discovering the presence of infectious agents, other than those transmitted by airborne droplet, are unnecessary and unwarranted. Amendments to these practices may also be obtained from the Health Department.

G. Provisions for Rights to Privacy

All medical information gained by the county regarding the health status of an employee, including the identity of an employee affected by a communicable disease, shall be treated as confidential. Medical information obtained by the Public Health Administrator shall be used in accordance with public health statutes and HIPAA regulations.

H. Employee Refusals to Work With Affected Co-workers or Clients

Boulder County is committed to providing a safe work environment for all employees. Every precaution will be taken to ensure that the health and safety of employees is not threatened by medical conditions of co-workers or clients. In cases involving a communicable disease, determination of safety in the workplace will be made based on reasonable medical judgments given the state of medical knowledge regarding the transmissibility and severity of the disease. Guidance from the Public Health Administrator will be taken into account.

If a determination is made by Boulder County, after consultation with the Public Health Administrator or his designee, that a medical condition poses little or no threat to health and safety in the workplace setting, the county is not obligated to make any special accommodations for an employee who refuses to work with an affected co-worker or client.

I. Provision of Services to the Public

Members of the public with a communicable disease who are in need of services from any office/department of Boulder County will not be categorically excluded from services on the sole basis of their health condition.

Decisions regarding the provision of services to members of the public with a communicable disease will be based on medical evidence currently available regarding the transmissibility and severity of the disease.

Individuals with a serious communicable disease that are readily transmissible by interaction in the workplace must follow appropriate Public Health contagion control procedures (e.g., active TB: adhere to prescribed chemotherapeutic regimen to control infectivity). These individuals may be excluded from some services until the infectiousness of their condition has passed or is controlled by medication.

Because county employees will follow routine infection control practices in all situations of body substance spills involving the public, individuals with blood borne diseases (e.g., AIDS) and other communicable diseases that are not readily transmissible by interaction in the workplace require no

special treatment. These individuals will not be excluded from services of Boulder County on the sole basis of their health condition.

Some individuals affected by a serious communicable disease may also be considered "disabled" under the Americans with Disabilities Act and cannot be denied services on the sole basis of their disabling condition.

County employees shall maintain confidentiality of medical information acquired when a member of the public receives services from the county.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.4 Substance Abuse Policy (August 8, 1990)

The purpose of this policy is to protect the health and safety of employees, to maintain high quality service to the public, and to provide a supportive and reasonable approach toward employees who may need assistance.

- A. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, drug, or controlled substances is prohibited in the county workplace. The workplace shall include all county premises, work sites, and locations where any county employee is present during working hours, including home offices.
- B. No employee may report for work or remain on duty while under the influence or impaired by alcohol, drugs, or controlled substances, including any drug defined as illegal under state or federal law.
- C. Any employee who violates this policy shall be subject to discipline, up to and including termination, and may be required to complete an alcohol or drug abuse assistance or rehabilitation program.
- D. The county may establish a substance abuse program to inform employees about the dangers of alcohol and drug abuse in the workplace, the county policy of maintaining an alcohol and drug-free workplace, available alcohol and drug counseling and rehabilitation programs, and penalties that may be imposed upon employees for alcohol and drug use and abuse.
- E. Employees who have questions or concerns about this policy or violations of this policy should contact their supervisors or HR.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.5 Drug-Free Workplace Policy (January 5, 1989)

In order to comply with the Drug-Free Workplace Act of 1988, which governs recipients of federal contracts for goods or services valued in excess of \$25,000 and all federal grants, the county adopts the following policy which shall be distributed to all county employees who work in programs funded by such federal contracts or grants ("covered employees").

- A. The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances is prohibited in the covered employee's workplace. The covered employee's workplace shall include all County premises, work sites, and locations where the employee is present during working hours. Any covered employee who violates this section shall be subject to discipline, up to and including termination, and may be required to complete a drug abuse assistance or rehabilitation program approved by the county.
- B. The county shall establish a drug-free awareness program to inform covered employees about the dangers of drug abuse in the workplace, available drug counseling, rehabilitation and employee assistance programs, and penalties that may be imposed upon covered employees for drug abuse violations.
- C. As conditions of employment, all covered employees must abide by:
(a) the terms of this policy, and (b) must notify HR if they are convicted of manufacturing, distributing, dispensing, using, or possessing any controlled substance in the workplace (or plead guilty or nolo contendere to such charges), no later than five (5) days after such conviction or plea. The county shall notify the federal government contracting agency or granting agency, which has provided funds for the particular program in which the covered employee is working, of the conviction within ten (10) days after receiving actual notice of such conviction.
- D. The county shall discipline any covered employee who is convicted of a criminal drug violation, as appropriate, and/or require that the covered

employee satisfactorily participate in a drug abuse assistance or rehabilitation program approved by the county.

- E. The adoption of this policy and enforcement of this policy shall indicate the county's good faith effort to maintain a drug-free workplace.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT
NUMBER II.6 Employment Eligibility in the United States
(July 22, 2010)

All new employees hired or former employees rehired on or subsequent to November 6, 1986 must be willing and able to present, upon request and within three days of hire, current proof of their eligibility for employment in the United States as provided under the Immigration Reform and Control Act of 1986.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.7 Outside Employment (July 1, 2006)

Employees of the county may accept outside employment if the following conditions are met:

- There is no conflict with assigned working hours.
- The employee with an outside business may not advertise for customers or solicit employees with discounts during working hours or use county communication tools or equipment.
- The employee's efficiency at the county is maintained.
- There is no conflict of interest. See [Policy II.9](#) for definition of "Conflict of Interest."

Each office/department may define the policies regarding outside employment more specifically than the above conditions; however, such definition must be in writing and on file in HR.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.8 Political Activities (July 22, 2010)

The BOCC encourages county employees in matters of responsible citizenship and does not by these provisions intend to interfere with the conduct of county employees engaged in political activity, so long as those activities are confined to hours when the employee is not on duty and that the activities do not impair the employee's efficiency or the efficiency of fellow employees at their county job.

Employees are not to campaign while wearing their county uniform, logo, or insignia or while in county vehicles. Employees whose principal employment is in connection with federally financed activities are subject to all applicable federal restrictions on political involvement, such as the Hatch Act, 5 U.S.C., Section 1501, et seq., and regulations adopted by the federal government, such as those in 5 C.F.R. Part 151, which include the following:

- Covered employees may not use their official authority or influence for the purposes of interfering with or affecting the results of elections or nominations for office.
- They may not coerce, attempt to coerce, command, or advise other employees to pay, lend, or contribute anything of value to a party committee, organization, agency, or person for political purposes.
- Covered employees may not be candidates for public office in any partisan election. This restriction does not apply to Governors or Lieutenant Governors, mayors of cities; duly Elected Officials of executive departments of state or municipal merit or civil-service system, or individuals holding elected office.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.9 Conflict of Interest (July 22, 2010)

An employee or Elected Official exercising any substantial discretionary function in connection with a county contract, purchase, payment, or any other financial or monetary transaction who is a director, president, general manager or similar executive officer or who owns or controls, directly or indirectly, a substantial interest in any business or entity participating in the transaction, shall give seventy-two (72) hours written advance notice of the conflict to the BOCC. Failure to disclose a conflict of interest may be grounds for immediate termination, and the employee may be charged according to C.R.S. Section 18-8-308 and Section 18-8-308 as amended.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.10 Fund-Raising Activities (July 1, 2010)

County employees may not be involved with fund-raising activities as county employees on county time without expressed consent of the BOCC or other Elected Officials. Nothing in this section shall be interpreted to prevent county employees from participating in fund-raising activities as individuals on personal time, provided that the activities do not interfere with the work of other county employees.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.11 Use of County Tools or Equipment (July 1, 2006)

County tools and equipment are intended to be used only for county work and are not available for personal use.

County computers may be used for personal use outside of the employee's working hours if there are no modifications made or harm done to the equipment, and all software used meets licensing and copyright laws. Refer to the [Computing Security Policy](#).

Cell phones that are supplied to employees by the county for business purposes may be used for occasional personal calls during the employee's working hours. The employee is responsible for any incurred charges if the calls are not work related.

The use of county communications vehicles such as the intranet and payroll inserts must be related to county business and approved by the Administrative Services Director or designee before submitted for distribution.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.12 Legal Defense of Claims (July 22, 2010)

- A. The Colorado Governmental Immunity Act, C.R.S. Section 24-10-110(1), 1973, as amended, provides that the county shall pay the costs of legal defense, judgments, and settlements of all claims and/or suits brought against county employees. Election to defend and payment of defense costs, judgments, and settlements will be made by the county only where the claim against the employee arises out of injuries allegedly sustained from an act or omission of such employee occurring during the performance of the employee's duties and within the scope of his/her county employment and will not be made where the act or omission of the employee is willful and wanton. In order to meet the requirements of the act, employees are required to do the following:
1. Notify the Risk Manager of the underlying incident at the time it happens, or when the employee is made aware of the injury. (See [Workers' Compensation Policies](#) and Procedures)
 2. Notify the CA in writing within fifteen (15) days after commencement of any legal action against the employee and provide the county the opportunity to elect to assume the legal defense of the employee by the CA Office, self-insurance fund counsel, or private counsel as authorized by the BOCC. No private legal representation arranged solely by the employee will be paid or reimbursed by the county.
 3. Enter into an employee legal representation agreement with the county. (This agreement is on file in the County Attorney's Office.)
- B. Any compromise or settlement of a claim by an employee without the consent of the county will result in the county's refusal to pay such costs, judgment, or settlement.
- C. For purposes of this policy, "employee" means any Elected Official, officer, employee, servant, or authorized volunteer of the county, whether or not compensated, elected or appointed, but does not include independent contractors nor any person sentenced to participate in public service.

"Authorized volunteer" means a person who performs an act for the benefit of the county at its request and subject to its control.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.13 Employee Work Product (February 15, 1990)

All work product of the employees of Boulder County produced while on county time is the exclusive property of Boulder County. Employees are required to take such steps as may be necessary or as directed to preserve and protect such property from use by unauthorized persons and from competing claims of ownership. To the extent such work product is copyrightable; employees are required to assist the county in obtaining such protection.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.14 Hours of Work (July 1, 2015)

All offices/departments will be open to the public at least eight hours a day from 8:00 am through 4:30 pm.

A. Flex-Time

Flex-time work schedules may be set by EO/DH or their designees.

Non-exempt employees may seek approval to work a 4-5-9 schedule. A 4-5-9 agreement must be signed by the supervisor, employee and HR Manager before it becomes effective. This is defined as four 9-hour days plus one 8-hour day in a standard calendar week (44 hours), and four 9-hour days in the next standard calendar week (36 hours):

The scheduled hours must be worked in this order, with the flex day coming in week two. The work week begins and ends on the same day at the same time. With this alternate work week definition, non-exempt employees will still be working 40-hour work weeks as required by the Fair Labor Standards Act. Employees approved to work a 4-5-9 schedule must always take the same day off every other week AND the 8-hour day worked in week one must fall on this same day as well.

Other rules that apply to any non-exempt employee on a 4-5-9 schedule include:

1. On the employee's eight hour work day, the employee's start time must be four hours prior to the end of the work week. For example, if an employee's flex day (day off) is Friday, and their start time is 7 a.m., the work week would be completed at 11 a.m. The work week would be defined as Friday from 11 a.m. to 11 a.m. the following Friday.
2. If a vacation, medical or compensatory day is taken off on a scheduled nine (9) hour day, the employee will be charged nine (9) hours against his/her vacation, medical or compensatory time balances.
3. If a holiday falls on one of the scheduled nine (9) hour days, the employee will only receive eight hours of holiday pay, and the additional hour must be charged against the employee's vacation,

- personal or compensatory time balance. Alternatively, an employee may make up the missed time during the same work week with the permission of the employee's supervisor.
4. When a holiday falls on the employee's scheduled flex day off, the workweek on either side of the holiday must be adjusted to compensate the holiday hours and avoid overtime or compensatory time accrual. The standard eight (8) county holiday hours will populate on the timesheet in place of the flex day off. The flex time must then be moved and taken as four (4) hours in each 4-5-9 week on either side of the holiday in order to avoid overtime. For example, on a Friday holiday the employee will take off four (4) hours Monday, Tuesday, Wednesday, or Thursday prior to the holiday, and then take an additional four (4) hours on the Monday, Tuesday Wednesday, or Thursday of the following week. An employee may take the holiday during a different work week only with EO/DH approval. This policy is outlined in the 4-5-9 agreement.
 5. A non-exempt employee who requests a 4-5-9 schedule must obtain approval from the EO/DH or his/her designee. Offices/departments must require the non-exempt employee to complete and sign a 4-5-9 flexible work week memorandum and submit it to HR with the signature of the EO/DH or his/her designee.
 6. A non-exempt employee may not switch between a normal work schedule and a 4-5-9 schedule more than twice in a six-month period and a written notice must be sent to HR each time there is a change.

B. Attendance

Good attendance on the part of all employees is very important to both the county and the employee. It helps the county provide the essential public services to its members of the public. Therefore, all employees are expected and required to be at work unless they are excused by their supervisor.

C. Absence/Tardiness

All employees are required to notify their immediate supervisor (or his/her designee) when they are going to be absent or late. Such notification should be given as far in advance as possible and no later than one (1) hour after the employee's normal starting time. This allows the supervisor to schedule the absent employee's work among other employees. An employee who fails to notify his/her supervisor and is absent from work for more than one (1) day without prior approval is subject to discipline up to and including termination.

D. Inclement Weather and Declared Emergencies

In extreme weather situations and declared emergencies, the BOCC may declare county offices closed. Announcement of closures will be made on local radio stations, Denver network TV stations, local cable stations serving Boulder County, and the Emergency Closure Information Line (303-441-3800). If the closure is authorized before normal working hours, FTE and term employees will be paid for their regular scheduled work day. Employees who work on a day when county offices are officially closed for inclement weather will not be compensated in addition to their regular pay for the closure. If the closure is authorized during a regular business day, FTE and term employees at work will be excused at that time and paid for their regular scheduled work hours.

FTE and term employees, who are on a flexible schedule and report to work on a day when a delayed start has been authorized, may need to take leave time or make up the time. For example, the county's official start time is 8 a.m. but it is operating on a two (2) hour delayed start. An employee who normally begins his or her work day at 7 a.m. but reports at 10 a.m. that day would need to take one (1) hour of leave or make up the hour of time.

Employees not scheduled to work when the closure is authorized, because they are on medical leave or on vacation will be charged medical leave or vacation time as though the offices had remained open.

Temporary employees not at work or scheduled when the closure is authorized will not be paid.

FTE and term employees, who for personal reasons wish to leave work early or come in late during severe weather conditions, may do so with permission from their supervisor and will be charged vacation time, personal business time or will use accrued compensatory time off for the time they are absent from work.

Employees who are not authorized in advance to telecommute and who do not come to work due to weather conditions when a closure has not been authorized, will be charged vacation time, personal business time or accrued compensatory time off for a regular scheduled day. If an early closure is later authorized, employees who did not come to work due to weather conditions will only be charged leave until the time the closure is effective.

Note: Employees who are required to perform their duties during inclement weather are not affected by closure. Some county services are

required regardless of weather. EO/DH responsible for providing those essential services will specify which employees are to report to work as usual and make the appropriate notifications.

E. Rest/Meal Periods

In addition to an unpaid mid-shift lunch break, employees are entitled to a fifteen (15) minute break during each half of their working day. Non-exempt employees may not work during their lunch break. Although occasional exceptions may arise, these breaks are not to be used to shorten the work day.

Specific procedures concerning these breaks are established by the EO/DH or the employee's supervisor.

F. Extra-Curricular Activities

Employees may not engage in outside business activities during their county working hours.

G. "On-call"/Shift Employees

Policies regarding "on-call" and shift employees are established by the EO/DH. A copy of such policies is to be on file in HR



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.15 Telecommuting Policy (July 22, 2010)

A. Introduction

Telecommuting is a means of doing all, or part, of a job at home or in a satellite office instead of at the employee's normal work site. It is not an option for every position or employee. Participation in the telecommuting program is a joint endeavor between the employee and Boulder County. Decisions regarding an employee's participation will be made only by EO/DH or their designee. Implementing the Telecommuting Policy will take place within the budget and financial constraints of the county.

This policy provides a general framework for employees wanting to telecommute.

B. Definitions

Telecommuting encompasses a variety of different scheduling options. The two most commonly used options are:

1. Irregular Telecommuting Schedule

Telecommuting without a regular or consistent schedule is generally used to accommodate a short-term request by an employee to work on a specific project or program. EO/DH, or their designees, shall review the employee's request prior to each telecommuting event.

2. Regular Telecommuting Policy

Employees and their EO/DH, or their designees, define a regular and consistent telecommuting schedule. An employee may also be hired as a full-time telecommuter. When an employee wishes to telecommute on a regular weekly basis, their EO/DH, or their designees, must grant approval, and provide a periodic review of the situation (to occur at least once every six (6) months).

C. Policy

1. Telecommuting is a cooperative arrangement between an EO/DH or their designee, an employee, and the county, not an

entitlement or benefit, and is based on the needs of the job, workgroup, the county's needs, and the employee's past and present levels of performance.

2. Telecommuting does not change the basic terms and conditions of employment as a Boulder County employee.
3. Each telecommuting arrangement is jointly agreed to between the employee, EO/DH, or their designees, and the county, is voluntary, and may be terminated at any time.
4. Employee tax implications related to the home: Workspace, including but not limited to remodeling, furniture purchases, etc., is the responsibility of the employee.
5. Loss, damage or wear to employee-owned equipment used for telecommuting is the responsibility of the employee.
6. Any changes to the work schedule or the home workspace must be reviewed and approved by the supervisor and manager in advance.
7. Employee's salary, job responsibilities, benefits, and county-sponsored insurance coverage do not change as a result of telecommuting. Telecommuting work is subject to the same county policies, timesheet recording, Substance Abuse Policy and federal regulations (particularly the Fair Labor Standards Act, FLSA) as work done on county premises. EO/DH, or their designees, must review the county's policies related to FLSA rules on authorization and compensation of overtime work.
8. If an employee wants a regular telecommuting schedule, the EO/DH, or their designees, shall call HR to discuss compensation issues.
9. Employees working at home remain liable for injuries to third persons and/or members of the employee's family, on the employee's premises. Boulder County is not liable for damage to employee's real or personal property.
10. Telecommuters will be evaluated based on their ability to manage dependent care, personal responsibilities, non-work-related interruptions, and work performance in a manner that allows them to fully meet their job responsibilities. In general, telecommuters should not be responsible for an infant, toddler, sick child, elderly person, or anyone who requires continual care during regularly scheduled work hours. Employees working at home may be required to submit a proposal regarding the arrangements for the care of others requiring special attention during scheduled work hours.
11. Telecommuters will be accessible by telephone or other communication methods (email) during their regularly scheduled work hours. The method of communication should be

as reliable and dependable as the members of their on-site work group. The telecommuter may be required to have a high speed bandwidth (cable/DSL/satellite) connection.

12. While working remotely, the employee must be available by phone, within reason, during scheduled work hours. Employees must notify the main office if they leave their alternative work location, just as they would notify the receptionist when leaving the main office during the workday.
13. For those telecommuting requests that are approved, EO/DH, or their designees, must monitor and evaluate those arrangements at least once every six months, which includes reviewing the employee's daily work log to ensure that work performance is acceptable. Revision, adjustment, or cancellation of any telecommuting arrangement may be done at any time.
14. The county provides sick leave and vacation leave to each employee to effectively deal with non-work-related situations. Telecommuting should not be viewed as an alternative to either sick leave or vacation leave.
15. If an employee working remotely is absent or tardy for the scheduled work day, the EO/DH, or their designee, must be notified just as if the employee were scheduled to work in the main office that day.
16. Confidential and personal information (Social Security numbers, credit information) must not be removed from the office or accessed through the county's network unless approved in advance by the EO/DH, or their designees. Employees will not reproduce confidential or personal material at home and will take precautions to assure that confidential and personal information remains confidential.
17. No original county records can be removed from county offices without prior written approval of the EO/DH, or their designee.
18. Office supplies for employees working at home will be provided by the county and should be obtained during the employee's in-office work period. Any other supplies required will be provided at the discretion of the EO/DH, or their designees, in accordance with county purchasing policy. Out-of-pocket expenses for supplies will not be reimbursed unless the purchase is pre-approved by an EO/DH, or their designee.
19. All telecommuting employees must submit an itemized list of the computing equipment that will be used at home. The equipment must meet the county's minimal standard for PC's, printers, virus protection, security patches and software.

20. An employee may not engage in other employment during working hours, in accordance with the [Outside Employment Policy](#).

D. Equipment

Unless otherwise determined by EO/DH the county will not:

1. Purchase or provide any telephone lines or high speed bandwidth to a private location, such as telecommuter's home, or provide reimbursement for any monthly telephone charges (other than pre-approved, work-related long distance calls).
2. Purchase any computer hardware or software for telecommuters.
3. Be responsible for any loss, damage or wear to employee-owned equipment used for telecommuting. That is the responsibility of the employee.
4. Provide all computer equipment (e.g., CPU and flat panel) and shall not be responsible for any costs related to its repair, maintenance, and replacement.

IT will work with offices/departments to facilitate telecommuting. The main items of concern would include minimizing the number of county purchased PC's, laptops and duplicate copies of software.

E. Security

1. Telecommuters must comply with all county security computing policies.
2. Telecommuters must comply with all Health Insurance Portability Accountability Act (HIPAA) regulations.
3. Telecommuters working on any of the systems identified in the FBI/CBI August 2003 Criminal Justice Information System (CJIS) security policy must comply with all of the FBI/CBI regulations.
4. Information considered confidential or sensitive must be protected during transmission of the data utilizing encryption or some other system of access controls that ensure the information is not accessed by anyone other than the intended recipient.
5. Violation of this policy may result in disciplinary action, as described in the [Disciplinary Actions to be Based on Cause Policy](#).



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.16 Smoking/Use of Tobacco on County Property and Vehicles (July 1, 2015)

Boulder County is committed to providing a healthy, safe, and supportive work environment for employees and visitors.

It is the policy of the BOCC that no smoking or use of tobacco products will be allowed in any county buildings, county vehicles, or on county campuses. Smoking and use of tobacco products includes the use of smokeless tobacco products as well as smoking which is defined as inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, weed, plant, electronic smoking device or other combustible substance in any manner or in any form, regardless of its composition. Food and Drug Administration (FDA) approved medications or devices for tobacco cessation are exempt from this policy.

All Boulder County campuses have been designated as smoke and tobacco free in order to protect clients, visitors, and staff from the harmful effects of secondhand smoke and exposure. Smoking and the use of tobacco products on these campuses is prohibited.

EO/DH may make provisional exceptions to this policy should there be limited circumstances in which a smoke and tobacco free campus is interfering with normal operation of county business. The EO/DH must file any exceptions to this policy with BCBS.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.17 Multicultural Diversity (July 1, 2008)

It is an expressed goal of the Boulder County Commissioners to foster inclusion and multicultural diversity in all phases of Boulder County Government. Boulder County promotes an inclusive, multiculturally diverse workplace and recognizes, understands, and respects the interests and concerns of its diverse employees and residents. Multicultural diversity, for purposes of this policy, includes race, color, national origin, religion, gender, gender identity, disability, sexual orientation, age, socio-economic status and genetic information.

Boulder County is committed to an inclusive, multiculturally diverse workforce in all departments at every level. Boulder County shall strive to design all services and operations in every department to serve the diverse residents of the county. Multiculturalism shall be viewed as an integral and essential element of the county work environment, one in which great value is vested.

It is the responsibility of all county department heads to ensure that this goal is articulated to each employee under their supervision. It is expected that all employees exhibit behavior consistent with this policy.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT
NUMBER II.18 Threats and Violence in the Workplace
(July 21, 2011)

A. Incident Command Structure

1. Security Officers are authorized to make site security decisions to protect the welfare and safety of employees and the public during an emergency situation, with the exception of releasing employees from work duty for the day.
2. If it is deemed necessary to evacuate and close the facility the Security Supervisor will notify the Administrative Services Director or designee who will make the determination.
3. During such an emergency all county employees must follow directions given to them by a uniformed Security Officer, BCBS staff member or police officer.

B. Emergency Representatives

1. Each EO/DH shall be designated as an emergency representative.
2. EO/DH or directors of non-profits will appoint a minimum of two emergency representatives for each office site. The Security Office must be notified in writing of who has been designated as an emergency representative.

C. Possible Sanctions

A person found guilty of behavior in violation of this policy will be subject to discipline, up to and including termination. All sanctions will follow the policies and procedures of the Boulder County Personnel and Policy Manual.

D. Emergency Situations

In all cases, if there is an immediate need for law enforcement intervention, any employee may call 9-1-1 from any county telephone or 9-1-1 from any other phone. If there is a need, the appropriate law enforcement agency will take control of the scene.

E. Training

In most instances, a well-informed, well-trained workforce can prevent or de-escalate a potentially violent situation from occurring.

With that in mind, Boulder County will provide ongoing training programs for supervisors and employees to increase awareness, provide tools to identify, and defuse potentially violent situations, and to inform employees of procedures to follow when there is potential for threatening or violent situations.

F. On-the-job

Any person involved in situations, where there is a fear that physical retaliation may take place, or where someone has made verbal threats of physical violence, should immediately discuss the threats with his/her manager or HR. Managers should report any accounts of threats, vandalism or violent acts to HR. Employees involved in fighting or making verbal threats will be disciplined, up to and including termination.

G. Dealing With the Public

Similar situations could occur in employee contacts with the public. Although Boulder County has a strong commitment to customer service, we do not intend for employees to be subjected to continuous verbal abuse from members of the public. A supervisor should be requested to intervene when a citizen is abusive. If there is a concern over the possibility of physical violence, it should be immediately discussed with a manager or HR. Managers should report any accounts of threats, vandalism or violent acts to HR.

H. Off-the-job

An employee may be involved in a personal dispute with family members or neighbors. If the situation escalates, individuals sometimes secure a "Restraining Order" or similar orders from the court. If an employee requests a court order, s/he should include the work location as well as place of residence in the order. The employee should inform the supervisor of the issuance of such an order and provide a description of the individual cited in the order. The supervisor should notify HR of the court order and the description of the individual in the order.

Even in the case where the employee has not secured a court order, but fears for his/her safety, the employee should notify the local police department or the Sheriff's Office and inform his/her supervisor and HR as soon as practical.

I. HR Actions

When any of the above situations are brought to the attention of HR, HR along with the Sheriff's Office and any other appropriate resources will evaluate the severity of the situation immediately. Confidentiality will be maintained appropriately as determined by each situation.

If it is concluded that there is a likelihood that violence could occur, HR will be responsible for the following steps to be taken:

1. The situation will be discussed with employees who are likely to come in contact with the potentially violent person. A description of the person and instructions on actions to be taken will be provided if the potentially violent person comes to the workplace.
2. The same information will be provided to building Security personnel.
3. All actions will be documented and responses to employees will be coordinated through HR.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.19 Firearms on County Property (February 9, 2010)

- A. It is the policy of the BOCC that no firearms shall be allowed in county-owned or county-leased buildings, or on other county-owned or leased real property, except:
 - 1. The possession of legally permitted firearms kept within the owner's private vehicle when that vehicle is occupied, or if unoccupied, only where the vehicle is kept locked; and
 - 2. The carrying of concealed handguns pursuant to a permit issued in accordance with C.R.S. 18-12-201 et seq. where carried in all respects in accordance with state law. This exception shall not apply to any county-owned or leased building with Security personnel and electronic screening devices on premises.
 - 3. Participants in the following events at the Boulder County Fairgrounds if, and only if, pursuant to valid written contract with Boulder County approved by the BOCC or the Director of the Boulder County Parks and Open Space Department:
 - a. organized shooting events for juveniles using air rifles or air pistols
 - b. gun shows and/or auctions
 - c. cowboy mounted shooting competitions
 - d. training events sponsored by 4H or the CSU Extension Office.
- B. This policy does not apply to residential tenants within their living quarters, nor to peace officers in the performance of their official duties, authorized security guards, and employees of the Sheriff, the DA, probation, and the courts, who carry weapons in the discharge of their official duties within such buildings or upon such property, or who may come into the possession of firearms as evidence or for safekeeping.
- C. Any county employee who is not required in the performance of his/her job duties to possess a firearm, but who carries a concealed handgun, pursuant to permit issued in accordance with C.R.S. 19-12-201 et seq., where carried in all respects in accordance with state law

upon county premises while on duty, shall notify his/her EO/DH of that fact upon entry upon county premises. An employee may choose to comply with this policy by notifying his/her EO/DH that he/she has received a permit and does intend to carry, from time-to-time, a concealed handgun while on duty. However, no county employee, other than those specified in paragraph B., shall maintain possession of any firearm in any secured county-owned or leased building.

- D. Any display or use of a firearm by a county employee while on duty, except peace officers in the performance of their official duties, authorized security guards, and employees of the Sheriff, the DA, the probation department and the courts who carry weapons in the discharge of their official duties within such buildings or upon such property or who may come into the possession of firearms as evidence or for safekeeping, is outside the scope of the employee's employment and is not authorized by the county.
- E. Any county employee who is not required in the performance of his/her job duties to possess a firearm but who wishes to carry a concealed handgun, pursuant to permit issued in accordance with C.R.S. 18-12-20 et seq., where carried in all respects in accordance with state law upon county premises while on duty, must first sign a written acknowledgment that any display or use of a firearm is not within the scope of the employee's employment, and deliver the acknowledgment to his/her supervising EO/DH.
- F. EO/DH, county employees, and agency heads shall be responsible for enforcing and complying with this policy in their own area of control.
- G. Any county employee who violates this policy is acting outside the scope of employment and may be personally responsible for anything which results, and is subject to immediate termination of employment following the procedures described in the [Section VI](#), Discipline and Complaint of this manual.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.20 Electronic Mail (June 24, 2014)

The electronic mail and computer systems are the property of Boulder County and are intended for business communications that enhance each employee's ability to conduct business for the county and serve the public. Electronic mail communication should be courteous and business-like just as written business communications would be.

This policy sets forth the county's position regarding the proper use, access retention, monitoring, and disclosure of all electronic media (including electronic mail) created or received by county employees.

A. Employee Responsibility

1. Boulder County employees, who use the county's electronic media, shall review and comply with the [Electronic Media Policy](#), [Social Media Policy](#), and any guidelines issued to outline compliance with this policy. If changes are made to this policy or guidelines, offices/departments will be notified. Violations of the policy and guidelines may result in the loss of access privileges and other disciplinary actions, up to and including termination.
2. Boulder County employees shall comply with all applicable local, state, federal, and international laws related to the use of electronic media. Any attempt to violate these laws using the county's electronic media may result in civil or criminal legal action.

B. Electronic Mail Policy

1. Electronic mail, provided by Boulder County to employees, shall be governed by the following policy:
 - a. All Boulder County policies and procedures regarding employees' conduct apply to the use of email. Only appropriate communications should be sent. Electronic communications should be free of comments that would offend someone on the basis of his or her age, race, gender, color, gender identity, religion, political beliefs,

- socioeconomic status, national origin, sexual orientation, disability, or genetic information or any other harassing comments as would otherwise be prohibited by county policy. In addition, no statements that are defamatory to any person should be sent via electronic media.
- b. Boulder County reserves the right to monitor, access, investigate, and intercept its electronic mail, voice mail, computer systems, and internet access at any time, with or without advance notice.
 - c. Since all information or communications prepared or conveyed using Boulder County's electronic media belong to the county, this information or communication may be disclosed without the permission of the employee.
 - d. Individual passwords and confidential labels do not restrict Boulder County access to any information or communications, either during transmission or while in storage.
2. Electronic mail, provided by Boulder County to employees, shall be governed by the following policy:
- a. Electronic mail or other Boulder County electronic media shall not be used to harass, offend, or annoy other internal or external users
 - b. Employees shall not commit confidential information to electronic mail, because the confidentiality of such material cannot be guaranteed
 - c. It is possible other Boulder County employees may view a user's electronic mail messages inadvertently, since there is no guarantee of privacy
 - d. Employees shall not allow anyone to use their electronic mail password or share their account without prior supervisor consent. It is each user's responsibility to protect his/her account from unauthorized use by changing passwords periodically and assigning passwords that are not easily guessed
 - e. Employees shall not forge or attempt to forge electronic mail messages
 - f. Employees shall not attempt to read, delete, copy, or modify electronic mail of other users
 - g. Employees shall not use electronic mail to send unsolicited junk mail, "for profit" messages, or chain letters.
 - h. Employees shall not use electronic mail to misrepresent a user's identity or affiliation
 - i. The indiscriminate sending of email to large groups is to be avoided. An appropriate receiving group should always

- be considered and identified when mail is sent to a mail group
- j. As the county email system is interconnected with other organizations' email systems and the worldwide internet, county employees should be careful to note in their communications whether their comments are personal or represent the official position(s) of the county. In the former, it would be appropriate to include a tag message that contains the sender's name, official title, email address, possibly a phone number, and a statement such as, "Opinions expressed represent those of the sender and not the official position of Boulder County."
3. County mail that is broadcast
- a. Several uses of email have been identified that are broadcast to groups such as "all". Materials sent to all employees should be limited to the listed purposes below. Sending material to the #ALL group for anything other than Boulder County business or Boulder County sponsored projects is not permitted.
 - b. The following identifiers have been established to allow for labeling of such mail:
 - 1) ALERT: High priority items that should be immediately read (for things such as office closing due to snow, a county emergency, a potentially dangerous situation in a county building and the like). Extreme discretion should be used for this identifier. Authored by designated security, communications staff or EO/DH only
 - 2) BENEFITS: Employee benefits authored by designated benefits staff only
 - 3) INTERNAL: News, announcements, updates, etc. pertaining to internal county services and facilities. Announcements must be of interest or importance to all county employees. Authored by designated Administrative Services staff or employees with responsibility for critical internal functions.
 - 4) I.T. NOTICE: Announcements that notify employees about changes, updates, critical alerts, etc. pertaining to the county's IT systems, including computers, databases, websites, phones, etc.
 - 5) NEWS: County-sponsored projects or news-related events tied directly to a county program or service. Authored by designated communications staff only
 - 6) POA: Position Opening Announcement

- 7) POLICIES: Policies and procedures
 - 8) SURPLUS: Items that are being offered to any office or department as surplus must use #SURPLUS instead of #ALL
 - 9) TRAINING: Announcements of county training classes, seminars, workshops, brown bag lunch sessions, and the like that relate to county business.
- c. Policies and procedures of sending mail to all employees:
- 1) Attached documents should be converted and uploaded as PDFs (instead of Word or Excel documents)
 - 2) The sender of the email should address the #all group in the "BCC" section to ensure that if a recipient selects "reply all," they reply to the sender not to the entire county.
 - 3) Before sending an email to the #ALL group, employees should consult their supervisor or designated communication staff to determine whether the message is relevant for all county employees or if it is more appropriate an InsideBC article or a smaller, more targeted audience such as an office/department, building or group list.
4. Purging and Deleting Email
 - a. The computer network system has certain schedules with regard to the purging of email established by [Electronic Mail Policy](#) and [Internet & Intranet](#) as amended from time to time by the IT Manager.
 - b. Once email messages are purged from the system, they are stored by alternative methods as set forth in this policy statement.
 5. Storage
 - a. The computer network will, on certain schedules established by [Electronic Media Policy](#) and [Internet & Intranet](#) as amended from time to time by the IT Manager, store all email messages on an alternative storage system.
 - 1) In order to avoid storing email that is unnecessary, employees should read and immediately delete any email messages that are of a personal nature. Please note, however, that the deletion of email does not erase it from recapture.
 6. Archiving (or saving)
 - a. Archiving in the email system is no longer authorized. Any record which a user finds necessary to save for future use

shall be saved electronically and then subject to any retention schedule applicable to those formats.

7. Retention

- a. On an annual basis, the IT Records Manager will send to all county departments an updated list of all records that must be retained or that may be destroyed for that year.
 - 1) For State retention purposes, email documents should be considered "correspondence" and will be retained according to the methods set forth in this policy.
 - 2) For all other forms of documents/records, it is the responsibility of each office/department to ensure compliance with the State requirements for archiving and retention. For more information or assistance on such requirements, the individual offices/departments should contact the County Attorney's office and/or the County's Records Manager in IT.

8. Email Retention

- a. Email will be purged from all Boulder County servers every 180 days.
- b. No email will be retained on any electronic backup media past 180 days, which includes servers and personal computer back up devices like tape drivers, CD/DVD disks, or flash drives.
 - 1) The daily server backup of email will be only used to recover from major server/disk failure that requires a restore of the email system. No individual email restores will be permitted.
- c. Monthly backups created for all electronic information other than emails will be retained one (1) year.

All of these retention periods may be extended upon receipt of notice to the IT Manager from the CA Office of the need to secure existing emails for possible production pursuant to the act or litigation discovery.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.21 Coordination of Staff Time and Work on Legislative Policies and Issues (May 1, 1996)

- A. The final determination of Boulder County policy relating to legislative issues at a federal or state level shall rest with the BOCC.
- B. The Intergovernmental relations staff shall provide technical assistance and advice to all offices/departments of county government and their staff as to appropriate and effective legislative activity on behalf of Boulder County government.
- C. In the event county employees are asked to provide technical information only to a legislative representative or legislative staff as a result of the position they hold in county government, employees should provide information in the same manner they would provide it to the general public. As soon as possible thereafter, the Commissioners' Office should be informed of the information imparted to an elected legislative representative or legislative staff so that the flow of information can be coordinated.
- D. When acting in their professional position, county employees shall not relay or advocate for a legislative policy position that has not been approved by the BOCC, unless they clarify that they are not acting on behalf of the BOCC.
- E. The Commissioners' Deputy shall be consulted on a legislative policy position by the BOCC so that a determination can be made as to the need for a decision by the Commissioners:
 1. when staff time is spent on issues which are being considered for legislative action at a state or federal level;
 2. when staff time is spent actively involved in legislative issues on behalf of a professional association;
 3. when any advisory board, committee or commission, appointed by the BOCC, would like to take a position, advocate for a cause, and/or draft or amend legislation as a result of its mission and duties as an advisory board, committee or commission; and

4. when any staff person is asked to testify before, or otherwise communicate with, a legislative body as a result of the position s/he holds in county government.
- F. When the BOCC Deputy determines that the BOCC needs to make a policy decision, either in concept or on detailed legislation, that issue shall be scheduled for review and decision during a regularly scheduled meeting of the BOCC.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.22 Acceptance of Gifts (June 27, 2013)

The following policy is derived from Article XXIX, Section 3 of the Colorado State Constitution. Employees are encouraged to review Article XXIX, Section 3, before accepting any gift in order to ensure full compliance with the Constitution.

In addition to any other applicable policy in this Personnel and Policy Manual (including but not limited to the conflicts of interest provisions of [Purchasing Policies and Procedures](#)) Boulder County offices/departments, agencies, employees, and volunteers shall comply with this policy.

The dollar limits stated in this policy are to be applied annually.

A. Acceptance of Gifts

1. No public official, office/department, agency, employee, volunteer, or immediate family member of any public official, employee or volunteer shall accept any gift:
 - a. When such gift, even if included within the list of exceptions in subsection 3, is given with the intent to influence the recipient's official actions or duties for Boulder County.
 - b. When acceptance of such a gift would constitute a breach of the public trust for private gain or create a conflict of interest in reality or appearance (as defined in the [Conflict of Interest Policy](#)).
 - c. From any professional lobbyist
 - d. If the gift is in violation of the Colorado State Constitution, Article XXIX, Section 3. Gift ban.
2. No public official, office/department, agency, employee, volunteer, or immediate family member of any public official, employee or volunteer shall accept any gift of a fair market value of greater than \$53, including food and beverages, from any vendor, person or entity doing business with Boulder County.

3. Exceptions (based on the Colorado Independent Ethics Commission Position Statement 08-01) - Employees, volunteers, and immediate family members of employees and volunteers may accept the following items from vendors or other donating parties:
 - a. Prizes of any value from vendors or other parties so long as prizes are attained with no influence by the donor or are otherwise random (i.e. raffle prizes or lotteries).
 - b. Prizes of any value won in a fair and open competition, including competitive scholarships, research projects, or other contests.
 - c. Payments or honorariums from vendors and other parties as reasonable compensation for services provided, such as speaking at a conference, or writing publications, including payment of reasonable travel costs related to the event (refer to [Outside Employment Policy](#)).

B. Remedies for Violations

Any office/department, agency, employee, or volunteer that accepts a gift in violation of subsection A.1 of this policy shall forfeit said gift to the BOCC for the use and benefit of Boulder County, except where the donor has any pending business or application before the BOCC. In such case, the gift shall be returned to the donor. Where the violation is found to be intentional, a volunteer for Boulder County may be dismissed from service to Boulder County as provided in the [Volunteer Policy](#), and an employee shall be subject to disciplinary action as provided in policies including but not limited to [Outside Employment](#), [Conflict of Interest](#), and policies in [Section VI Discipline and Complaint](#).



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.23 Sustainability (May 1, 2008)

It is the policy of the BOCC to ensure that Boulder County offices/departments and agencies model best practices for energy and resource sustainability in order to minimize the carbon footprint of county government activities, programs, and services. The following policies are each designed to effectuate this regarding a part of county business activities:

A. Vehicle use reimbursement limitations

In order to limit the amount of single employee occupant vehicle travel undertaken for county business, the following limitations on employee reimbursement for personal vehicle mileage and parking are adopted, any other county policies to the contrary notwithstanding:

1. Carpooling to off-site office events is mandated; no reimbursement of mileage or parking for those who do not carpool, unless there is an "office-related reason" for that.
2. Meetings in downtown Denver and at the state capitol: Use bus or carpool; no mileage or parking reimbursement for other vehicle trips, unless there is an "office-related reason" for that.
3. Bus or carpool shall be used in travel to the airport; no reimbursement for mileage or parking, unless there is an "office-related reason" for that.
4. "Office-related reason" is any office function or work that negates the ability to use longer duration forms of travel, such as juxtaposition of meetings or workload requirements that require more expeditious travel to the workplace than can be accomplished on a public bus, where no carpool is feasible. This would also include work travel that requires carrying voluminous or heavy files or equipment.
 - a. County vehicle transportation may be arranged if approved by a supervisor
 - b. For airport travel, outbound or return trips early in the morning or late at night may require the use of personal vehicle transportation

- c. "Office-related reason" also includes ability/disability considerations
 - d. "Office-related reason" does not include trips made by personal vehicle transportation for personal convenience or preference reasons
5. Carpooling generally means a trip with another county employee; however, where the business-related trip is one for which it is anticipated that the employee will bring a spouse, domestic partner, or other family member, such trips will also be considered carpooling.
 6. Determination of an "office-related reason" shall be left to the discretion of the EO/DH, and/or their office management designee.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.24 Travel, Conference, and Special Function

Reimbursement Procedures (July 1, 2015)

It is the policy of the BOCC that reimbursement and/or advances to county employees for county travel, conference, or special function expenses be disbursed according to specific procedures outlined herein. Employee reimbursement should be turned in to Accounts Payable or the office/department payroll coordinator, if appropriate, no later than sixty (60) days following the date the expense was incurred.

The following are considered reimbursable expenditures:

A. Per Diem

Per Diem shall be limited to the federal rate (GSA and DOD) for meals and incidental expenses (defined as laundry, dry cleaning, fees and tips for services) for each day of the activity, including the first and last day of travel calculated at 75%.

1. The GSA and DOD revise per diem rates annually.
2. The Federal per diem structure is six (6) tiered and is tied to location.
3. Travelers are entitled to 75% of the prescribed meals and incidental expenses for one (1) day travel away from the employee's official station if longer than twelve (12) hours.
4. IRS regulations require that employees return any per diem advanced for days not traveled.
5. In addition to Per Diem, substantiated ground transportation will be reimbursed up to \$100 per event.
 - a. Ground transportation includes taxis, buses, shuttles and/or use of personal vehicle to and from the airport including parking.
6. Business telephone calls and internet usage are not considered incidental expense, and employees may be reimbursed for these substantiated expenses in addition to the per diem rate.

B. Conference Registration. Conference registration must be paid to the appropriate vendor, i.e., to the organization sponsoring the conference/seminar.

1. Early registration for conferences is encouraged to take advantage of discounts offered.

C. Lodging.

1. Only single room rates will be reimbursed by the county unless a room is shared by two (2) or more county employees.
 - a. If two conference attendees from different governmental entities share a room, the county will pay one-half the double rate.
2. Reimbursement of expenses will not be made for any non-county personnel traveling with the county employee.

D. Travel.

- a. Boulder County employees are encouraged, whenever possible, to use alternative modes of transportation such as RTD, to the airport.
- b. Airfare. Only the most economical fare will be paid by the County.
 - 1) If for some reason this type of fare is not available, a more expensive fare may be authorized by the appropriate EO/DH or designee. In no instance will first class airfare be paid.
 - 2) The lowest airfares generally require travel on dates that include a Saturday. The county will pay extra per diem and extra nights' lodging, if the total of these costs, plus the lower airfare, is less than the airfare that does not include a Saturday. Documentation must be provided on the Travel Request Form.
- c. Personal Vehicle. Reimbursement for the use of a personal vehicle shall be set at a rate determined by the BOCC.
 - 1) However, if the employee chooses to drive when travel by air is possible at a lesser expense, only the lesser amount will be reimbursed.
 - 2) Lodging and per diem expenses incurred will not be paid when the employee chooses to drive rather than fly unless the total cost including mileage is less than the lowest unrestricted airfare available.
 - 3) If included as part of the lowest airfare, baggage and seat selection charges will be reimbursed if necessary, reasonable, and business-related.

- d. Car Rental. Car rentals require prior approval by the appropriate EO/DH or designee. Should circumstances necessitate a car rental while on county business, the following procedures shall be followed:
 - 1) Ideally, the car should be rented in Boulder County's name.
 - 2) Type of Car. Should be economy or midsize.
 - 3) Driver of Car. Only the driver whose name appears on the rental car contract shall drive the vehicle. Under no circumstances shall another person, especially a non-county employee, drive the rental car.
 - 4) Insurance Coverage. Coverage is provided through the county's self-insurance program on a limited basis. The employee shall purchase additional collision coverage.
 - e. The Travel Request Approval Form. A Travel Request Approval Form must be completed for travel that requires overnight lodging or out of state travel.
 - 1) The form must be approved by an EO/DH, or designee.
 - 2) The Travel Request Approval Form must have all sections completed, have a conference or seminar brochure, agenda, and conference registrations (if available) attached, and be submitted to Finance at least ten (10) days in advance of need.
 - 3) Reconciliation of actual expenditures to the travel form will be the responsibility of the office/department incurring the expense.
- E. Advance Payments. Advances can be obtained for per diem, mileage, lodging, airfare, and/or conference registration.
- 1. Per diem may only be requested within thirty (30) days of actual travel date.
 - 2. Per diem and mileage will be paid to the employee, lodging must be paid to the hotel/motel, airfare must be paid to the airline or travel agency, and conference registration must be paid to the organization sponsoring the conference.
 - 3. Amounts advanced for mileage must be reconciled by the office/department. Any excess advance mileage must be returned to the county.

- F. Reimbursement. An employee may request reimbursement for travel expenses if he/she did not receive an advance for his/her travel expenses.
1. The employee must submit a completed and approved Employee Request for Reimbursement Form, and provide receipt documentation to support the reimbursement.
 2. The reimbursement form, and receipt documentation, will be submitted to Accounts Payable through the normal payment process.

G. Local Expenses

1. Local Food Expenses. The cost of local meals for county employees will be considered a reimbursable expense, if reasonable and work related, as determined by the EO/DH. In addition, there must be a member(s) of the public in attendance with a direct relationship to the work being performed during the meal. (Member of the public will include officials or employees of other entities.)
2. Any local expenses, including meals and all travel that does not require overnight lodging, must be submitted to Accounts Payable, accompanied by itemized receipts and a written summary showing the business purpose of and participants in the activity. Any request for reimbursement that does not list the participants along with the member of the public present and the business purpose of the meal will be denied.

H. Banquets and Special Functions

1. The cost of recognition and farewell parties for employees and volunteers will be considered a reimbursable expense, if reasonable, as determined by the appropriate EO/DH.
2. The cost of plaques, flowers, gifts or receptions for recognition of county employees or volunteers who are retiring or terminating from county service will be considered a reimbursable expense, if infrequent and of a small value, as determined by the appropriate EO/DH.
3. The cost of special functions such as open sessions or employee and volunteer recognition other than that specified in C.2 will be considered a reimbursable expense, if infrequent and of a small value, as determined by the appropriate EO/DH.

I. Expenses Not Allowed

1. Entertainment
2. Liquor
3. Office functions other than described in Section C.2 & C.3.

4. Expenses for any non-county employee traveling with the employee.
5. Expenses for any parking violation or traffic violation tickets.

J. Miscellaneous

1. The issuance of any county commercial credit cards shall be approved in advance by the BOCC. (Commercial credit cards are defined as Visa, MasterCard, American Express, or similar broad-purpose charge cards which are not part of the county's p-card program.)
2. Taxes will be reimbursed to county employees in the amount paid, provided the expenditure is documented by a receipt. Every effort should be made to use vendors with whom Boulder County has an account, rather than employees making purchases with personal funds.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.25 Responsibility for and Disposal of County Property

(June 27, 2013)

It is the policy of the BOCC that the following responsibilities and procedures shall apply to county property.

A. Inventory of Capital Equipment items

1. Capital and other items purchased by Boulder County for use in an office/department are the responsibility of the EO/DH to whom the items are assigned. A capital item, computing or non-computing, is defined as an item having an original cost of \$5,000 or more, must be tangible in nature, and must have a useful life of more than one (1) year.
2. All capital items that exceed \$5,000 must be tagged with a Boulder County fixed asset tag.
3. Personal computers and network printers must have a fixed asset tag.
4. In accordance with C.R.S. 29-1-506, an annual inventory will be conducted in each office/department for capital items. At the conclusion of the inventory, the EO/DH will be expected to have physically produced each item for which s/he is accountable or to have provided a written explanation for any missing item.

B. Surplus/Salvage and Disposal

1. Policy for all items with a value under \$500 except personal computers, monitors, printers, Herman Miller furniture and E-waste.
 - a. Prior to replacing office equipment and other miscellaneous items, offices/departments should begin the process of attempting to find a home for their used items with a value of less than \$500 by following the county's surplus checklist available through Purchasing or Inside BC.
 - b. Removal of surplus or salvage equipment or supplies by county employees will be allowed if the item(s) has no real value or historical significance. If equipment or supplies have a value of less than \$500 and have not been claimed

by another office/department or non-profit organization, the item(s) may be eligible for donation to employees.

- 1) All items donated to an employee must be documented on a surplus documentation form.
 - 2) Employees who place an item into the surplus stream are not eligible to receive that item from the county.
 - c. Items not claimed by any of the above individuals or organizations shall be recycled or disposed of by the office/department in which they reside.
2. Policy for all items with a value over \$500
 - a. Prior to replacing office equipment and other miscellaneous items, offices/departments should begin the process of attempting to find a home for their used items with a value of more than \$500 by following the county's surplus checklist available through Purchasing or Inside BC.
 - b. Removal of surplus or salvage equipment or supplies with a value of more than \$500 by county employees will be allowed only upon approval by the BOCC.
 - c. No item(s) with value in excess of \$5,000 shall be sold or otherwise disposed of without prior specific approval by the BOCC.
 - 1) Upon approval by the BOCC, Purchasing shall have the authority to sell at public auction all item(s) not transferred to another office/department.
 - 2) Items with an estimated value of \$5,000 or more shall be sold at public auction or sold through Boulder County's Invitation to Bid Procedure.
 - d. Items with an estimated value of less than \$5,000 shall be disposed of through inter-office reallocation, trade-in, reverse bid, donation to a county-sponsored non-profit organization, or public auction.
 3. Whenever possible, items to be replaced may be offered as trade-in on a replacement item. Disposal of items may require disposal fees to be charged to the originating office/department.
 4. Revenue from such sales shall be recorded as revenue in the fund from which the item(s) was purchased, except when revenue from the exchange or trade-in of item(s) is applied against the purchase price of new item(s).
 5. Nothing in this policy shall prohibit the return of defective or unsuitable item(s) to the vendor for credit. The credit received from the vendor must be taken against the same expense account from which the original purchase was made, provided

the item(s) was purchased in the same fiscal year as the return credit.

^NOTE: Property seized by the Sheriff's Office and disposed of according to a court order is exempt from this policy.

6. Policy for disposal of computer equipment

- a. Any computer equipment declared surplus by any county office/department shall be turned over to IT for disposal.
- b. Equipment will be examined to determine if it is in good working order.
- c. All surplus computer equipment may be offered first as a donation to grant funded county agencies.
- d. All remaining surplus equipment may be offered as donations to county-funded non-profit organizations.
- e. All remaining surplus equipment will be offered to county employees for purchase.
- f. All remaining equipment will be disposed of according to Boulder County's [Electronic Waste policy](#).
- g. Revenue from general fund equipment sales shall be recorded as revenue in the general fund. All state, restricted or grant-funded surplus equipment sales and revenues will be handled by the originating office/department.

7. Policy for surplus of vehicles

- a. The donation of any vehicle requires BOCC approval.
- b. Any vehicle declared surplus through the budget process or otherwise, should be submitted for auction/sale/disposal no less than five working days before scheduled auction/sale/disposal.
- c. Each office/department having surplus vehicle(s) shall notify Fleet Services and Purchasing. Delivery instructions will be provided.
- d. All vehicles/equipment will be turned into Fleet Services when a replacement vehicle is received or other arrangements for temporary use have been made and agreed upon by the user office/department and Fleet Services until said time of disposal.
- e. All vehicles will be submitted in working order, i.e., working battery, full tires, etc.
- f. All vehicles will be submitted clean inside and outside and decal free.

- g. All vehicles will be submitted with proof of a current emissions test (no more than thirty (30) days before the scheduled auction/sale/disposal).
 - 1) Emissions tests shall be charged to the originating office/department.
- h. It is the responsibility of the last office/department in possession of the vehicle to submit vehicles in the condition stated above.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.26 Cash Handling (June 1, 2004)

It is the policy of the BOCC that offices/departments follow a proper separation of duties in the handling of cash. No employee who handles cash shall have access to the records documenting the receipt of that cash unless they follow a written policy describing the proper handling procedures specific to their office/department. The procedure shall include the necessary safeguards to prevent fraud/theft. A report of all transactions, including changes to any file, must be maintained and a receipt must be given for each financial transaction. Written policies for cash handling must be approved by Finance or the relevant Elected Official.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.27 Unclaimed Property (July 1, 2005)

It is the policy of the BOCC that the county shall retain and dispose of unclaimed property, as allowed by §30-11-101(1)(i), C.R.S. and §38-13-104(1), C.R.S.

A. Definitions

For purposes of this policy, the following definitions shall apply:

1. "Owner" means a person, persons or entity, including a corporation, partnership, association, governmental entity other than the county, or a duly authorized legal representative or successor in interest of the same, which owns Unclaimed Property held by the county.
 2. "Unclaimed Property" includes the following:
 - a. Intangible personal property, as defined by §38-13-102(7) (a), C.R.S., which has not been claimed by its Owner for more than one (1) year after it has become payable or distributable.
 - b. Personal property to which the Owner has specifically disclaimed any interest.
 3. "Unclaimed Property" does not include:
 - a. Personal property acquired pursuant to a law enforcement investigation or activity.
 - b. Personal property subject to forfeiture pursuant to §18-17-106, C.R.S., and Article 33.5 of Title 39, C.R.S.
- B. Prior to the disposition of any Unclaimed Property, the office/department in possession of the Unclaimed Property shall exercise due diligence to determine the owner of such property. For purposes of this policy, "due diligence" shall require that the office/department in possession of the Unclaimed Property shall send written notice by May 1 of each year to the Owner's last-known address, informing such Owner that the office/department is in possession of property and it will be disposed of if not claimed by the Owner by June 15. Due diligence shall only be required if:

1. The office/department has in its records an address for the Owner which such records do not disclose to be inaccurate;
 2. The claim of the Owner is not barred by the statute of limitations; and
 3. The property has a value of \$50 or more.
- C. On an annual basis, prior to July 1 of each year, each office/department shall send a notification of all unclaimed property in that office's/department's possession to Finance. Such unclaimed property may be sold, discarded, or used for county purposes as the Board deems to be in the best interests of the county.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.28 Use of Vehicles (July 1, 2015)

It is the policy of the BOCC that all Elected Officials, county employees, and volunteers who drive a vehicle for county business, including those employees who use a county vehicle for commuting purposes, will follow the guidelines established in this policy.

Boulder County operates a fleet of vehicles ranging in size from passenger automobiles to dump trucks and graders. As the potential for serious injury or property damage is present, it is the policy of the BOCC that all employees strictly adhere to the procedures contained herein.

A. Requirements for use of county vehicles for county business by Elected Officials, county employees, or volunteers.

1. Responsibility for County/Personal Vehicles Form. No one may operate a county vehicle without having on record a signed Responsibility for County Vehicles form with his/her EO/DH and the Risk Management Division. This form shows that the driver has read, understands, and agrees to adhere to the requirements for operating a county vehicle. This form is on file in the Risk Management Division. Additionally, this form is required when using your personal vehicle for county business in order to receive mileage reimbursement.
2. Motor Vehicle Records (MVR). Upon receipt of a completed Responsibility for County Vehicles Form, Risk will check the MVR through the State of Colorado, Department of Motor Vehicles. Drivers may have to sign a release for Risk Management to obtain their MVR. After an MVR has been received by Risk, an employee/volunteer may be eligible to use a county vehicle for county business. Approval to drive could be limited or denied if any employee's driving record includes tickets and/or accidents involving alcohol, drugs, reckless/careless driving or at-fault accidents. If approval to drive is denied for any reason, the minimum denial period is one year from the date of conviction, and is subject to reconsideration by the Risk Manager after one (1) year. Minor

traffic violations that do not involve drugs, alcohol, or reckless driving may be subject to a shorter denial period as determined by the Risk Manager's sole discretion. Boulder County operates a fleet of vehicles ranging in size from passenger automobiles to dump trucks and graders. As the potential for serious injury or property damage is present, it is the policy of the BOCC that all employees strictly adhere to the procedures contained herein. Employees will report any major violations, suspensions, or revocations immediately to his/her supervisor and Risk.

3. Driver's License. The driver of a vehicle on county business must possess a valid driver's license appropriate to the vehicle he/she is driving and is expected to drive in a safe and prudent manner and obey all traffic laws. The license must be physically examined by the supervisor, pool car administrator or other appropriate staff before the employee is allowed to drive a county vehicle.
4. Safety Equipment. Seatbelts must be worn at all times in county and personal vehicles while on county business. Note: Sheriff's employees are exempt.
5. Prohibited Activities While Driving. When using a county vehicle employees are prohibited to text while driving. The use of other mobile devices or cell phones is not recommended while driving on county business.
6. Accidents. In case of an accident, the driver shall refer to the [Losses Policy](#) which defines in detail the accident reporting and review requirements.
7. Driver Training. Driver training is occasionally offered to county employees. It is recommended that employees who are assigned the primary duty of driving a county vehicle receive a basic driver safety course and periodic refresher courses.
8. Pool Vehicles. See the [Use of County Vehicle Pool Policy](#) for policies pertaining to county-owned pool vehicles.
9. Out-of-State Use of County Vehicles. Use of county vehicles outside the state should be minimized. Therefore, vehicular travel should be limited to those situations where the EO/DH determines that out-of-state vehicle use provides substantial cost savings over use of scheduled airline transportation, or where such scheduled air service is not available. The county Risk Manager shall obtain and maintain liability insurance coverage for all County vehicle use outside the state. For each proposed out-of-state use of a county vehicle, the Risk Manager shall be notified of the details so that any insurance compliance requirements can be met.

10. Road Test. New employees must successfully pass a road test administered by his/her supervisor when required by his/her office/department.
11. Fuel. Fuel for county vehicles shall be purchased at Boulder County fueling sites unless a vehicle/equipment is out of town. Out of town fueling with a county vehicle should be considered a reimbursable expense by the user office/department.
12. Vehicle/Equipment Maintenance. All Boulder County Vehicles/equipment shall be maintained by the Fleet Services Maintenance Division with exception of the Sheriff's and Coroner's Offices vehicles/equipment which are maintained by the Sheriff's staff.
13. Preventive Maintenance. Each EO/DH shall maintain in good appearance and mechanical condition all county vehicles assigned to his/her office/department. (See the [Fleet Management and Maintenance Policy](#))
14. Vehicle Inspection. Each vehicle or piece of equipment should be inspected by the driver/operator on a daily basis, both before and after operation. The driver/operator is responsible for the safe condition of the vehicle/equipment. Unsafe conditions are to be reported to a supervisor as soon as possible. Any vehicle having steering or brake problems is not to be operated under any circumstances.
15. Declared Emergencies. All employees and volunteers who utilize county vehicles or equipment during declared emergencies must use pre-approved tracking forms that meet FEMA standards to track all mileage and project-related usage.

B. Use of county vehicles for commuting by Elected Officials and county employees

1. All policies under Section A. above apply. In addition, the following regulations apply if and when a county vehicle is used for commuting:
 - a. Volunteers. Volunteers may not use a county vehicle for commuting purposes.
 - b. "On-call" Status. Some employees who have been designated by their supervisors and approved by the BOCC as an "on-call" employee. The on-call employee is one who, as part of his/her job description, is required to be available for work at any time during a 24-hour period or who is a designated emergency responder in an official emergency response plan that has been approved by the EO/DH. The emergency responder must drive a vehicle that has prescribed emergency response capabilities as

identified in the applicable emergency response plan. On-call emergency responders must live within ten (10) miles of county boundary lines. On-call employees are eligible to use county vehicles for commuting purposes and must submit a signed "On Call" Employee Information form annually to HR.

- 1) The "On-call" Employee Information Form is available from the HR Payroll Section.
 - 2) Such employees are not required to carpool, but are subject to IRS withholding regulations as outlined in [policy II.30.](#)
- c. Commuting and Occasional Use. County employees may use county vehicles for commuting purposes in the following circumstances. Any use of a county vehicle in these manners must have prior approval of the employee's EO/DH:
- 1) The employee car pools with at least two other county employees and each member of the carpool individually reimburses the county for such use, as described in [Zero Waste Policy](#).
 - 2) Whenever the distance between the employee's work location (at the beginning or end of the work day) and the employee's home is shorter than the distance between the employee's home location and the designated home location for the vehicle being used. If this is a frequent or regular occurrence, then reimbursement for commuting purposes, as described in [Zero Waste Policy](#), will apply. As a matter of sustainable practices, when employees are assigned county vehicles for regular and frequent use for work assignments, every effort should be made to station that vehicle in a secure county facility as close as possible to the employee's home location.
 - 3) When an employee who has used an alternative mode of transportation to commute to work must work unanticipated additional hours and the alternative transportation is no longer viable for the commute home. By its nature, this must occur on a sporadic or very infrequent basis.
- d. No other personal use, except for minimal personal use such as a stop at the grocery store or a childcare facility on the way to or from work, is allowed.

- e. See the [Use of County Vehicle Pool Policy](#) for uses allowed for county-owned pool vehicles.
- C. Use of a personal vehicle for county business by Elected Officials, county employees, and volunteers.
- 1. All policies under A.2., A.3., and A.4., above, apply.
 - 2. County vehicles are made available and should be used for county business whenever possible (See the [Use of County Vehicle Pool Policy](#) for information concerning the county vehicle pool).
 - 3. When a county vehicle is not available, the employee's personal vehicle may be used for county business upon approval of his/her EO/DH or designee. When a personal vehicle is authorized for use, the following regulations apply:
 - a. Mileage shall be paid at the current reimbursement rate as set by the IRS and shall cover all expenses associated with the personal vehicle.
 - b. Other Expenses. The only other expense allowed is for parking. No reimbursement will be made for parking tickets, traffic violations, or equipment malfunctions.
 - c. Insurance. County employees shall carry liability insurance in limits required by state statute and shall provide proof of coverage to their supervisor. The county will provide liability coverage in excess of the driver's own limits, if necessary, in the event of an accident involving a third party and an employee driving her/her personal vehicle on authorized county business.
 - d. Damage to personal vehicle while on authorized county business.
 - 1) Employees using a personal vehicle on authorized county business may apply for reimbursement for the deductible portion of their vehicle insurance up to \$500 in the event the vehicle is damaged during the course of this business, and only in the situation where the employee is not at fault.
 - 2) Application for such reimbursement shall be made via a memo to the employee's EO/DH referencing this policy and explaining the facts surrounding the accident, along with a copy of the paid repair bill and a copy of the insurance settlement showing the employee's deductible portion.
 - 3) Reimbursement will not be made for damage to a personal vehicle while it is parked where it would

- normally be parked, if it were used exclusively for commuting purposes and not county business.
- 4) Approval of reimbursement will not be made if the employee is responsible for the damage.
 - 5) Approval of reimbursement will not be made if a third party is responsible for the damage, unless the employee has taken all reasonable steps to collect from that third party.
 - 6) The EO/DH is responsible for approving or denying the request for reimbursement.
 - 7) If approval is given for reimbursement, the EO/DH shall process a voucher for payment to the employee from the office/department budget. Documentation showing evidence that the employee paid for such repairs shall accompany the payment voucher.
- e. Fuel for personal vehicles being used for county business should be purchased from commercial gas stations. See C.3., above, for mileage reimbursement. In no case may fuel from county pumps be utilized by personal vehicles, no matter what the use.
4. Declared Emergencies. All employees and volunteers who use personal vehicles or equipment during declared emergencies must use pre-approved tracking forms that meet FEMA standards to track all mileage and project-related usage.

D. Use of a County vehicle for personal use

Under IRS regulations, only designated Elected Officials and BOCC may use a county vehicle for personal use. The reimbursement requirements differ for Elected Officials and BOCC because of state case law. Contact the payroll section in HR for information about the formula for computing reimbursement:

Effective January 1, 1986, no other county employee may use a county vehicle for personal use other than as described in Section B.1.d., above.

The county employee is responsible for any parking tickets, and any other tickets incurred while using a county vehicle.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.29 Reimbursement for Use of County Vehicles for Commuting (January 1, 1985)

To be in compliance with current Internal Revenue Service Regulation 99-44 (on file in HR), it is the policy of the BOCC that county employees who use a county-owned vehicle at any time for the purpose of commuting to and from work shall reimburse the county for such vehicle use. Sheriff and Fire vehicles, BOCC, Elected Officials, and designated "on-call" employees are exempt from this policy.

NOTE: An employee's use of a county vehicle for the purpose of an inspection, appraisal, "on-call" work, private investigation in unmarked vehicles, or other work-related tasks on the way home from work, shall not be cause for exemption from this policy.

- A. Designated "on-call" employees do not pay to use a county vehicle. Employees who are "on-call" shall be taxed on the value of their commuting miles at the rate of \$60 per month.
- B. Those employees who occasionally use a county vehicle for Commuting shall reimburse as stated under Section A., above. Should this situation occur seven or more working days per month, the employee shall be required to meet the carpooling requirements set forth under the [Parking Policy](#).
- C. No personal use of county vehicles is allowed except as set forth in the [Reimbursement for Use of County Vehicles for Commuting Policy](#). The BOCC and the DA shall reimburse for personal use as set forth in IRS regulations. (For the BOCC only, based on a Colorado court decision, commuting miles are not considered personal miles.) Said reimbursement shall be by personal check on a monthly basis.
- D. HR shall be responsible for processing payments or payroll deductions addressed under this and related policies and, specifically, performs the following functions:

1. Processes payroll deductions for county employees who use county vehicles for commuting purposes.
2. Produces W-2 forms for "on-call" employees and the BOCC which reflect the value of the personal use of the county vehicle. These W-2 forms will be issued for the period from January 1 through December 31.
3. Deducts FICA tax based upon information provided on the appropriate payroll information form.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.30 Zero Waste (July 1, 2015)

It is the policy of the BOCC that Zero Waste is a guiding principle for all Boulder County operations. Boulder County offices/departments and agencies should model best practices for responsible purchasing, waste reduction, and resource conservation, in order to minimize landfill disposal and the carbon footprint of county government activities, programs, and services. Boulder County government will achieve 50% waste diversion from landfill disposal, or better, by the year 2010, and will achieve Zero Waste generation (or darn near) by 2025.

To meet these ends, all county employees, offices/departments and agencies are required to reuse, reduce, recycle, and compost to the maximum extent possible and practicable and make purchases in accordance with the county's environmentally-preferable purchasing policies.

A. "Zero waste" is a waste-management strategy modeled on the waste-free and self-sustaining systems seen in nature. It advocates eliminating waste as much as possible and viewing the remaining "discards" as important resources to be returned to the market place through recycling, or to nature through composting.

B. Reducing and Reusing

All county employees, offices/departments and agencies should consider and utilize ways to:

1. Reduce purchases of goods
2. Reuse goods prior to discarding for recycling, composting, or landfill disposal.
3. Use reusable food service items (instead of buying compostable type) when practicable for smaller events and where dishwashers are available.

C. Recycling and Composting

All county employees, offices/departments and agencies are required to correctly utilize in-house collection programs for recyclables and

compostables in line with details and directions provided on the Resource Conservation Division InsideBC page.

D. Electronic Waste

See the [Electronic Waste Policy](#).

E. Hazardous Materials and Waste

See the [Hazardous Material Safety Policy](#).

F. Confidential Documents and Media Recycling and Disposal

See the [Document Disposal Policy](#).

G. Hard-to-Recycle Items

All county employees, offices, agencies and departments are required to correctly utilize in-house collection programs for hard-to-recycle items, including:

1. Pens, pencils, markers, highlighters;
2. #6 block Styrofoam;
3. Plastic bags;
4. Bubble wrap; and
5. Durable plastic.

H. Paint Recycling

1. All county employees, offices, agencies, and departments are required to properly recycle their paint at the county's Hazardous Materials Management Facility (HMMF).
2. Subject to color and sheen compatibility, purchase and use recycled interior latex paint produced as a result of operations of the HMMF from the county's current paint recycling company.

I. Battery Recycling

1. All county employees, offices, agencies, and departments are required to properly recycle their alkaline batteries through the quarterly e-waste round-ups or by making an appointment at the HMMF.
2. All county employees, offices, agencies, and departments should consider and utilize ways to implement the use of rechargeable batteries.

J. Zero Waste Contractors

All county employees, offices, agencies, and departments are responsible for using a contractor that has been approved by the Purchasing for the following zero waste services, including:

1. Recycling service;
2. Compost service;
3. Trash service;
4. Electronic waste (e-waste) recycling service (see XV.9);
5. Yard and wood waste chipping and composting; and
6. Scrap metal recycling;
7. Textile recycling;
8. Hard-to-recycle services; and
9. Book recycling service.

K. Zero Waste Trainings

All county employees are required to receive zero waste training every two (2) years to educate staff on the zero waste program.

L. Waste Diversion Reporting

All county offices/departments and agencies are required to report annual waste data resulting from county operations that is not already captured via the contracts in Section I above to the Resource Conservation Division, that will be used to measure progress towards reaching the zero waste goal.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.31 Safety Responsibilities (July 1, 2010)

It is the policy of the BOCC that all county employees develop and exercise safe work habits. All employees are responsible for compliance with safety policies, procedures, and standards as outlined in this manual or other applicable directives that are established.

Specific safety responsibilities are as follows:

A. EO/DH

It is the responsibility of all EO/DH to maintain safe and healthful working conditions within their offices/departments. This responsibility includes taking appropriate actions to ensure the safest possible environment for employees and the general public. Each EO/DH shall:

1. Ensure that the policies and procedures set forth in this manual are complied with by all personnel under their direction.
2. Provide leadership and a positive attitude regarding safety and loss prevention. Safety should be a prime consideration in all operations.
3. Devote a portion of staff meetings to discussing safety, as necessary. This may include a review of office/department accidents and a discussion of plans to bring about a reduction in losses.
4. Demonstrate a personal concern of office/department losses by interviewing, directly or through a responsible representative, each worker and his/her supervisor who has:
 - a. Lost time for a Workers' Compensation injury.
 - b. Been involved in a traffic accident involving a county vehicle.
5. Actively participate in safety meetings when convened by the appropriate management personnel and disseminate relevant information to office/department employees.
6. Hold supervisors accountable for an explanation of all preventable injuries, accidents, and liability claims incurred by their employees.

7. Call Risk for any assistance needed in promoting an effective loss prevention and safety program.

B. Supervisory Personnel

A supervisor has full responsibility for the safe actions of his/her employees and the safe performance of machines and equipment within his/her operating area. An effective loss prevention and safety program depends upon the cooperation of all supervisors. The following is a list of loss prevention responsibilities of supervisory personnel:

1. Aggressively enforce safety procedures that apply to the work s/he supervises.
2. Provide adequate basic job training and safety instruction to all employees under his/her supervision.
3. Ensure that all policies contained in this manual and the individual office/department safety rules are fully implemented for maximum safety on the job.
4. Provide continuing safety instruction while issuing daily work assignments. These safety instructions should focus attention on potential hazards, changes in work conditions, the use and need for protective equipment for specific hazards, and any changes in work procedures.
5. Continually observe and evaluate work conditions and work procedures to detect and correct unsafe conditions and practices.
6. Promptly report and investigate accidents. If corrective action is needed, make sure that it is completed.
7. Assure that the necessary safety equipment and protective devices for each job are available, properly used, and well maintained.
8. Establish monthly safety sessions with employees to promote positive safety attitudes.
9. Allow work times for breaks and/or exercises to support ergonomic programs.

C. Employees

Every employee has the responsibility to develop and exercise safe work habits in the course of his/her duties. Additionally, each employee shall be responsible for:

1. Promptly reporting to his/her supervisor all accidents and injuries occurring within the course of his/her employment.
2. Cooperating with, and assisting in, the investigation of accidents to identify accident causes and prevent recurrences.

3. Reporting to his/her supervisor all unsafe actions, practices, or conditions s/he observes.
4. Keeping his/her work area in a clean and orderly state.
5. Obeying all safety rules and following published work instructions.
6. Wearing protective equipment when working in hazardous operations and/or as required by supervisory personnel.
7. Inspecting all equipment prior to use and reporting any unsafe conditions to his/her supervisor.
8. Eliminating horseplay and distracting other employees.
9. Adjusting his/her workplace in order to work in an "ergonomically correct" environment.
10. Utilizing the time set aside or allowed by his/her supervisor for breaks and/or exercises to support good ergonomic practices.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.32 General Safety Rules (July 1, 2010)

It is the policy of the BOCC that all employees will follow the safety procedures outlined below:

- A. Report all personal injuries, no matter how minor, to your supervisor as soon as possible. This must be done whether or not the injury resulted in lost time from work or required medical attention. Prompt reporting of accidents is a requirement under the State Workers' Compensation Act.
- B. The county does not expect you to take any unnecessary chances or work under hazardous conditions. Learn the right way to do your job; that will be the safe way. If you are not sure that you thoroughly understand the job, ask your supervisor for further instruction.
- C. Eliminate horseplay and practical jokes on the job.
- D. Do not drink alcoholic beverages or use drugs (other than prescribed medication which will not interfere with your ability to perform your job) during working hours; this action may be subject to disciplinary action.
- E. Work at a speed consistent with safety. Avoid "foolish hurry."
- F. Keep yourself in good physical condition to do a day's work. Being tired or fatigued spells danger.
- G. Use the handrails on stairs or on elevated places.
- H. Do not jump from an elevation such as vehicles or equipment; this may result in serious injury.
- I. Always inspect your tools and equipment before use. Report defects to supervisor and other potential users. Do not use tools and equipment that are defective.

- J. Remove, cut off, or hammer down protruding nails, staples, steel straps, or splinters from work area.
- K. Work clear of suspended loads; if a load is moved above where you are working, stand aside until it has passed.
- L. Obey warning tags and signs. They are posted to point out hazards.
- M. Operate only the machinery or equipment you have been authorized and trained to operate safely.
- N. Remove jewelry such as rings, identification bracelets, etc., in work involving climbing, materials handling, or operating mechanical equipment. If "medical identification tags" are needed, they should be worn on neck chains under clothing.
- O. Never reach over moving parts of machinery or equipment.
- P. Never operate machinery or equipment with guards removed.
- Q. Report to work in appropriate clothing suitable for the type of work you perform. This includes proper footwear. Avoid wearing loose clothing near machinery or equipment with moving parts.
- R. Wear protective equipment as required.
- S. Use common sense regarding health and sanitation rules for the welfare and consideration of other employees.
- T. Always disconnect all types of mechanical equipment, including office equipment before making adjustments or repairs.
- U. In order to minimize environmental and human risk factors at your place of work, utilize ergonomic principles to make adjustments and incorporate stretches and exercises in your regular work routine. Individual offices/departments may have additional safety rules. Employees should check with their supervisors regarding safety rules pertinent to their areas
- V. Hallways shall not be used for storage, including temporary placement of unwanted furniture. Exits shall not be obstructed and will remain free of any material that would render the exit hazardous or impassable. Required width of hallways and exits shall be maintained

at a minimum of forty-four (44) inches. All other requirements of local fire code regulations regarding egress shall be maintained.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.33 Personal Protective Equipment (July 1, 2010)

It is the policy of the BOCC that personal protective equipment be used for job assignments which have an inherent injury potential. Employees shall be accountable for the use and care of personal protective equipment provided by Boulder County. When the use of personal protective equipment has been specified for hazardous work, its use shall be mandatory.

Managers and supervisors will determine the work situations requiring the use of personal protective equipment. This use will conform to applicable safety standards legislation. Detailed specifications for the design and purchase of personal protective equipment shall be coordinated between the office/department and Risk.

Employees shall be accountable for the use and care of personal protective equipment provided by Boulder County.

Examples of some personal protective equipment and its uses are:

- A. Hard hats to protect against falling or flying objects, head bumping situations, or electrical conductors. Job site visitors should also be required to conform to this procedure, if the situation warrants.
- B. Goggles, face shield, or safety glasses to guard against flying debris, chemical splashes, welding sparks, heat, and injurious rays.
- C. Approved earplugs or earmuffs to guard against prolonged exposure to noise exceeding sound tolerance levels as defined by law.
- D. Safety shoes to protect feet against possible injury. This protective footwear shall be used by all employees when working with equipment, materials, or construction situations that could cause a foot injury.
- E. Respirators, gas masks, or self-contained breathing apparatus to protect employees against toxic or abnormal atmosphere conditions.

- F. Reflective vests or high visibility outer garments to be worn by all employees when exposed to vehicular traffic on highways, roads, streets, alleys, or other high-traffic areas.
- G. Other protection such as gloves, sleeves, aprons, leggings, and full suits. This personal protective equipment will offer protection against lacerations, abrasions, bumps, heat, and melted materials.
- H. Ergonomic aids such as wrists rests, task lights, document holders, lumbar support cushions, and foot rests.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.34 Computing Security (July 1, 2015)

A. Introduction

1. Boulder County manages IT security with an emphasis on confidentiality, integrity, and availability. Ensuring confidentiality means keeping all data private from unauthorized individuals or systems. Integrity is the assurance that only appropriate individuals can modify existing data. Finally, availability is achieved with infrastructure that provides reliable accessibility and performance. The county's approach to security is focused on protecting each of these key security components.
2. This document details Boulder County's policy on security awareness and compliance as it relates to network and system administrators. This policy applies to all resources that are owned, leased, or used by the county.
3. For the purposes of this policy, employees include contractors and part-time employees and volunteers as well as full-time staff.
4. This policy has been developed in an effort to support the county's business objectives and as a way to reduce losses associated with intentional or accidental information disclosure, modification, destruction, or denial of service. Nothing in this policy should be interpreted as limiting the rights and authority of law enforcement criminal or internal affairs investigation.
5. Questions about the policy should be directed to IT.

B. Acceptable Use/Allowed Services

1. Boulder County computing resources include resources that are owned, leased, or used by the county. Inappropriate use exposes the county to risks including virus attacks, compromise of network systems and services, additional cost, and legal issues. These rules are in place to protect the county and its employees, as well as its constituents, contractors, vendors, and agents.
2. All IT resources, including but not limited to computer equipment, software, telecom equipment, operating systems,

storage media, network accounts providing email, network browsing, and file transfer, are the property of Boulder County. These systems are to be used for business purposes in serving the interests of the County, and of the county's constituents, in the course of normal operations.

3. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. In all cases, employees may not extend access to other individuals for non-Boulder County purposes. For example, it is not acceptable for employees to "lend" their Boulder County accounts to a student for a research project. In some cases, upon request, the county may be willing to officially provide resources for such projects. If employees have questions about what personal use might be considered appropriate, they must contact their direct EO/DH or designee. It is the EO/DH or designee's responsibility to contact IT for approval, or with questions concerning any new issues.
4. Requirements
 - a. Data jack access is restricted to Boulder County employees and authorized contractors, vendors, and consultants only.
 - b. Employees are not permitted to install or enable additional software or services in their environment without the approval of their direct EO/DH or designee, which requires approval from IT. For example, installing screensavers such as webshots, instant messaging services, and password-gathering software is not permitted because of the possible security implications of such activities. Staff members are responsible for contacting the IT Manager or designee for any necessary clarification in this area.
 - c. Employees must be wary of solicitations by external people and programs to install or activate new functionality on their systems. "Download and install now?" pop-up boxes and the like must not be used without authorization.
 - d. The county recommends that users refrain from storing sensitive or vulnerable information on their C: drive. Sensitive or vulnerable information should be encrypted. For procedures on encrypting email and documents, refer to the Encryption section of this document.
 - e. For security and network maintenance purposes, authorized individuals within Boulder County may monitor equipment, systems, and network traffic at any time.
 - f. The county reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

- g. Employees are prohibited from using a Boulder County email address for posting to newsgroups, chat rooms, or other broadcast methods for personal use. Posting from a Boulder County email address to newsgroups, chat rooms, or other broadcast methods is allowed for business and professional purposes, but such postings must contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of Boulder County.
- h. Under no circumstances are Boulder County employees authorized to engage in any activity that is illegal under local, state, federal, or international law while utilizing Boulder County-owned resources.
- i. The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., system administration staff may have a need to disable the network access of a host if that host is disrupting production services). The lists below are by no means exhaustive, but they attempt to provide a framework for activities that fall into the category of unacceptable use.
- j. The following activities are strictly prohibited:
 - 1) Violating the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the county.
 - 2) Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, copyrighted video, and the installation of any copyrighted software for which the county or the end user does not have an active license.
 - 3) Exporting software, technical information, encryption software, or technology in violation of international or regional export control laws. Users must consult their EO/DH or designee prior to exporting any material in question.
 - 4) Intentionally introducing malicious programs into the network or server (e.g., viruses, worms, Trojan horses, email bombs, etc.).

- 5) Revealing account passwords to others or allowing account use by others. This includes IT staff, and family and other household members when work is being done at home.
- 6) Using a Boulder County computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws.
- 7) Using a Boulder County computing asset to engage in any activity that would put any human in harm's way.
- 8) Attempting to make a network connection to a host in a vendor's or affiliate's network that is not specifically required for legitimate Boulder County business operations.
- 9) Making fraudulent offers of products, items, or services originating from any Boulder County account.
- 10) Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging in to a server or account that the employee is not expressly authorized to access. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, ping floods, packet spoofing, denial of service, and forging routing information for malicious purposes.
- 11) Engaging in any activity intended to be retaliatory toward another employee, management, a vendor, constituent or any outside party.
- 12) Port scanning or security scanning of Boulder County systems, vendor systems, or of any third-party systems.
- 13) Executing any form of network monitoring that will intercept data not intended for the employee's host.
- 14) Circumventing user authentication or security of any host, network, or account.
- 15) Interfering with or denying service to any user other than on the employee's host (for example, denial of service attack).
- 16) Using any program/script/command, or sending messages of any kind, with the intent to interfere

- with or disable a user's terminal session, via any means, locally or via a network.
- 17) Providing any information about, or lists of, Boulder County employees, constituents, or vendors to parties outside the organization, unless providing such information is part of normal business duties.
 - 18) Using Boulder County resources for business purposes not related to the county (e.g., hobby businesses, home businesses, personal businesses, work for other employers).
 - 19) Harassing anyone in any way via email, telephone or paging, whether through language, frequency, or size of messages.
- k. For procedures on acceptable email activities refer to the Email Handling/Restrictions section of Boulder County Security Procedures.

C. Account Administration

- 1. User accounts, which permit specific system, application, and network access to specific individuals, are an important control point in the overall security model of an organization. If the number and owners of active accounts are not monitored closely, security risk to the organization greatly increases.
- 2. The key to effective, secure account administration is adherence to a strict set of policies that describe who is permitted to have accounts, who authorizes accounts, and when accounts expire.
- 3. Requirements
 - a. Accounts must be granted only to individuals with a verified business need to access Boulder County resources.
 - b. Accounts must be granted with the minimum level of access and on the minimum number of systems required for the user to complete his required business tasks.
 - c. Accounts must never be issued to a party whose identity or background cannot be positively verified. For individuals requesting accounts via phone or email, the party granting the account must "call back" the individual at a known location to verify their request.
 - d. Accounts must only be issued based on authorization by the appropriate party (EO/DH or authorized designees).
 - e. Users need to be educated that accounts are a privilege, not a right. Abuse of accounts or violation of policy must consistently result in disciplinary action and may include account termination.

- f. Accounts must be authorized and issued in a planned way to ensure procedural correctness. Accounts should never be authorized or issued under the pressure of time or outside of proper procedure.
- g. Accounts must adhere to the Authentication section of this document.

D. Authentication

As the front line of protection for user accounts, passwords are an important aspect of IT security. Passwords are used for various purposes at Boulder County. Some of the more common uses include user-level accounts, Web accounts, email accounts, screensaver protection, voicemail, application access, and local router logins. A poorly chosen password may result in the unexpected compromise of elements of Boulder County's network. As such, all Boulder County employees (including contractors and vendors with access to Boulder County systems) are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords. Boulder County EO/DH, or their designees, are responsible for promoting the creation and use of secure passwords by users.

1. Requirements

- a. All accounts, including accounts within major applications must have a password.
- b. All system-level passwords (e.g., root, enable, administrator, application administration accounts, etc.), including major application and database administrative passwords, must be changed at least every 180 days.
- c. All user-level passwords (e.g., email, Web, desktop computer, supervisor, etc.) must be changed at least every 180 days.
- d. Voicemail passwords must be changed at least every 180 days.
- e. User accounts that have system-level privileges granted through group memberships or other privilege-conveyance programs must have a unique password from all other accounts held by that user.
- f. Passwords must not be inserted into email messages, voice mail, or other forms of electronic communication.
- g. Shared passwords that must be documented (root, administrator, Oracle), must be stored in a secure manner.
- h. All user-level and system-level passwords must conform to the procedures described IT Computer Security Procedures.

E. Backups

1. Files are backed up to removable media on a regular basis primarily so they can be restored in case of a disk failure, accidental deletion, or intentional deletion during a security incident. Users should not rely on the backup system to recover files that are intentionally deleted (although in most cases the backup system should be able to recover them).
2. Because these backups provide a path to recovery in the event of a security incident, and a server/system baseline that can be used to determine the extent of a security incident, they are integral to organization security. One of the most important administrator tasks is ensuring that usable backups of all important data are occurring on a regular basis.
3. Backups must be vigilantly performed and tested by IT according to the policies set forth in the IT Computer Security Procedures. If, at any time, an administrator responsible for backups, according to the policies below, cannot adequately perform his duties in this regard, for any reason, he must notify the IT Manager or designee.

F. Exception Handling

The key to effective security is to set a policy that can be achieved, and to ensure compliance with that policy. The Boulder County exception handling committee will review and maintain all policy exception requests.

1. Requirements

- a. All policy exceptions must be reviewed by the county's exception handling committee.
 - 1) Appointees on the exception handling committee will be submitted and approved by the Computer Advisory Committee each year in January for a one (1) year term.
 - 2) Exceptions must be submitted on a Policy Exception Request Form.
 - 3) The exception handling committee must approve or deny the policy exception request, and document the committee's decision.
 - 4) The exception handling committee must annually review all previously granted exceptions and determine whether they still need to stand.

- 5) Policy exceptions that have been granted must be available to the appropriate IT staff for viewing and consideration.
- 6) Exception handling committee members must carefully balance security regulations, risk management, and precedent setting when granting policy exceptions.
- 7) Policy exceptions must be only granted based on business need.
- 8) Policy exceptions not approved by the exception handling committee will be considered noncompliance and may be subject to disciplinary action.

G. External Connections

External connections to third parties are sometimes necessary to facilitate effective business communications between organizations. It is possible to deploy them in such a way that they present only a minimum amount of security risk to the organization, but care must be taken to ensure this is the case.

1. External connections to Boulder County network, including leased line, dialup modems and ISDN, shall be on a case-by-case basis and must be approved by the IT Manager or designee.
2. Generic ("shared") login accounts may be necessary in situations where a workstation or kiosk is used to provide a specific application to the public. In these situations, extreme care must be taken to ensure that the login does not provide any access to the Boulder County network beyond what is specifically intended.

a. Requirements

- 1) Generic ("shared") login accounts may only be used on workstations specifically intended for public access. Generic logins can never be used on Boulder County internal workstations.
- 2) Generic logins must never have access to information classified as Boulder County Protected or Boulder County PHI.
- 3) Generic logins must have tightly restricted privileges, such that they cannot access any network shares or other resources beyond those specifically required for the application they are used to provide.

- 4) Workstations using generic logins must be "locked down" such that the only application that can be started is the intended application, and that external devices (CD/DVD or flash drives) are disabled.
- 5) IT must approve generic logins.

H. Information Sensitivity

This section is intended to help Boulder County employees determine appropriate methods of handling electronic representations of sensitive information.

1. The definition of what is not to be disclosed to the public is determined by Colorado's Open Records Law (C.R.S. 24-72-201).
2. The information covered in this policy includes, but is not limited to, information that is either stored or shared via any electronic means.
3. Sensitive and confidential materials should not be stored in cloud based file storage services (e.g. Dropbox, GoogleDocs) that have not been separately approved by the appropriate EO/DH for this particular use.
4. It must be noted that the sensitivity level definitions were created as procedures, and to emphasize common sense steps that can be taken to protect Boulder County Protected information (e.g., Boulder County Protected information must not be left unattended in conference rooms).
5. Please note: The impact of these policies on daily activity must be minimal.
6. Questions about the proper classification of a specific piece of information must be addressed to the County Attorney. Questions about this policy must be addressed to the IT Manager or designee.
7. All information handled at Boulder County is categorized into three main classifications:
 - a. Boulder County Public - Boulder County Public is information that has not been classified as exempt from the Colorado Open Records Law.
 - b. Boulder County Protected - Boulder County Protected is information exempt from the Colorado Open Records Law, such as records of investigations, medical data, personnel files; letters of reference, trade secrets, library records; addresses of public school children; and sexual harassment complaints under investigation.

- c. Boulder County Protected Health Information (PHI) - Boulder County PHI is information covered under the HHS HIPAA procedures, and must be handled as specified by HIPAA regulations.
- 8. Boulder County personnel are encouraged to use normal office/department procedures or legal advice in securing Boulder County protected information to the proper extent. If users are uncertain of the sensitivity of a particular piece of information, they must contact their direct EO/DH or designee.

I. Non-County-Owned Equipment

- 1. When the county accepts incoming equipment it does not own, it must verify to its own level of satisfaction that the equipment has not been previously compromised and is secure upon arrival at county facilities. This protects both the equipment owner and the county from a security breach resulting from previous misconfiguration or violation.
- 2. All non-county-owned equipment must conform to the following Boulder County security procedures while connected to the network. New additions and existing equipment replacements are also subject to these requirements.

J. Remote Access

This section defines standards for connecting to Boulder County's network from remote locations not directly affiliated with Boulder County primary offices, such as home networks or vendor networks. These standards are designed to minimize the potential exposure to the county from damages that may result from unauthorized use of county resources.

- 1. Damages may include the loss of county sensitive or confidential data, intellectual property, damage to public image, or damage to critical county internal systems.
- 2. Remote access implementations that are covered by this policy include, but are not limited to, dial-in modems, frame relay, ISDN, DSL, VPN, SSH, wireless, and cable modems.
- 3. Standards:
 - a. Only individuals with specific business need may be granted remote access to Boulder County's network. Requests for remote access must be approved by the EO/DH or designee and the IT Manager or designee, following completion and submission of a Remote Access Request form.
 - b. It is the responsibility of Boulder County employees, contractors, vendors, and agents with remote access

- privileges to the county's network to ensure that their remote access connection is given the same consideration as the user's on-site connection to the county.
- c. At no time may Boulder County employees provide their remote login information to anyone, not even family members.
 - d. Boulder County employees and contractors with remote access privileges must ensure that their county-owned or personal computer or workstation that is remotely connected to the county's network is not configured in a way such that it will act as a gateway for traffic between Boulder County network and any other network.
 - e. Remote access to Boulder County's network is strictly for business use only; personal matters not relating to Boulder County business must use other external resources.

K. Vendor and Product Selection

The introduction of vendors and new products into the Boulder County environment can often present a security concern. For that reason, it's important that all purchasing be done with an eye for its security implications.

- 1. Purchase of any IT-related items, including computer-related hardware, software, or network equipment, must be done only with the approval of the IT Manager, in conjunction with the Computer Advisory Committee (CAC), when required. This applies to all IT products purchased by the county.
 - a. The IT Manager should ensure that IT products purchased meet the county's security requirements.
 - b. Only approved products that have entered the organization through normal procedures can be added to the network. Violations of this principle often lead to security breaches, as an unknown system may fail to be considered by the normal security paradigm.
 - c. Security must be a consideration when purchasing computer technology and must be part of the RFP.
 - 1) It is the function of IT to develop and maintain minimum-security requirements for RFP's relating to IT software and hardware purchases.
 - 2) Ability of any vendor to meet the minimum-security requirements shall be a major consideration when awarding the RFP.
 - 3) IT must provide a written "Security Risk Assessment" for all purchased software and hardware products.

L. Virus Protection

Viruses, worms, and Trojan horses are designed to infect, control, and damage computers and networks. They are discovered daily, and each is designed to serve a unique function or purpose. Viruses can spread from a disk, over the network, via email, or in a file, and they can do anything to a system, from changing or deleting files to attacking other systems. The purpose of this virus protection policy is to minimize the risk of these types of threats to Boulder County workstations, laptops, and servers.

1. Virus protection software must be installed and maintained on all systems connected to the county network.
 - a. Install and maintain virus protection software on all machines.
 - b. Download and install virus protection software updates as they become available, and check for updates regularly.
 - c. Configure virus protection software to scan for viruses in real time.
 - d. Never open any files or macros attached to an email from an unknown, suspicious, or untrustworthy source. Delete these attachments immediately, then "double delete" them by emptying the "trash can."
 - e. Delete spam, chain, and other junk email without forwarding.
 - f. Never download files from unknown or suspicious sources.
 - g. Avoid direct disk sharing with read/write access unless there is an absolute business requirement to do so.
 - h. Always scan a CD/DVD and flash drives from an unknown source for viruses before using it.

M. Wireless Communication

All wireless data communication devices (e.g., personal computers, cellular phones, PDAs, etc.) connected to any of Boulder County's internal networks are subject to the following restrictions on wireless communication. This includes any form of wireless communication device capable of transmitting packet data. Wireless devices and/or networks without any connectivity to the county's networks do not fall under the purview of this policy.

N. Boulder County Security Procedures

Boulder County security procedures will be created and approved by the Boulder County Computer Advisory Committee (CAC). Once approved by CAC, the security procedures will be posted on the county's intranet site.



SECTION II CONDITIONS OF EMPLOYMENT AND CODE OF CONDUCT

NUMBER II.35 Social Media (June 24, 2014)

This policy is to identify the criteria and conditions by which Boulder County employees use and post county information on social media websites. The county's primary purpose for linking to external social media websites is for the county to provide information to the public regarding services available from county government, as well as information regarding services available from other governmental agencies and private organizations in partnership with the county.

To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, county agencies may consider participating in social media formats to reach a broader audience. All social media requests must be approved by EO/DH or their designee. Policies specific to individual offices/departments have been and may continue to be adopted to address goals and processes unique to individual offices/departments.

Boulder County supports open dialogue and the exchange of ideas. Boulder County is not responsible for the availability of these outside resources or their contents, nor does it endorse, nor is it responsible for any of the contents, advertising, and products.

A. Boulder County Social Media Policies

1. The same principles and guidelines that apply to Boulder County activities in general, as found in the Boulder County Personnel and Policy Manual, apply to Boulder County activities online. This includes forms of online publishing and discussion, including blogs, wikis, file-sharing, user-generated video and audio and social networks.
2. Protect confidential and proprietary information. Social media blurs many of the traditional boundaries between internal and external communications. Be thoughtful about what you publish—particularly on external platforms. You must make sure you do not disclose or use Boulder County confidential or proprietary information or that of any other person or company in any online

social media platform. For example, ask permission before posting someone's picture in a social network or publishing in a blog a conversation that was meant to be private.

3. Protect Boulder County clients, business partners and suppliers. Clients, partners or suppliers should not be cited or referenced without their approval. Externally, never identify a client, partner or supplier by name without permission and never discuss confidential details of a client engagement.
4. Use caution when creating social media forums. County-created social media forums must be structured narrowly to focus discussions on a particular interest of Boulder County.
5. When possible, content should always link back to the county website for more information. You should provide a link to the main county pages on the social media websites when possible.
6. Design and layout of any approved county social media website or application is subject to guidelines established by the Public Information Group (PIG).
7. All use of social media must comply with applicable federal, state, and county laws, regulations, and policies, as well as proper business etiquette.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.1 General Policy (July 1, 2015)

It is the express purpose of the BOCC to establish employment practices on a non-discriminatory and merit basis. To accomplish this, the policy of the county is to recruit, select, and advance employees on their fitness and qualifications for a position regardless of their race, color, religion, gender, gender identity, disability, national origin, sexual orientation, age, socio-economic status or genetic information.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.2 Recruitment (June 24, 2014)

A. Job Vacancies

The EO/DH may request to fill a FTE or term vacancy with a current county employee who has gone through a competitive recruitment without publicizing the position.

The EO/DH may request that an FTE or term position be advertised only within the county, office/department or division for promotional or job transfer hiring opportunities. These vacancies will be publicized to county employees or specific office/department employees by means of job announcements posted online on the county's internet and intranet websites.

All other FTE and term job vacancies will be announced to the public by:

1. Forwarding announcements of job openings to agencies designated in Boulder County's Affirmative Action Plan.
2. Posting on the county's internet website.
3. Using other agencies or media, as necessary, to reach a specialized labor market.

All department heads and other individuals directly appointed by Elected Officials will be recruited for at the discretion of the EO/DH.

B. County Employee Preference

The county employee preference policy is intended to provide additional opportunity to those already employed by the county. County employees, who apply for and meet minimum requirements for a particular position, will be given first consideration for an interview for that position. This county employee preference is available to employees who were hired prior to 9/1/89 and since that date have been hired through a competitive recruitment process. Interested employees must submit applications to the appropriate personnel office by the close date of the job opening for consideration.

Before hiring an employee from another office/department, the hiring manager must contact HR to review that employee's personnel file.

C. Application for Employment

All outside applicants must submit a county application. In addition to a required application, resumes may be required by the hiring authority for an advertised position. Applications for employment in the Public Health Department and Sheriff's Office are submitted directly to those offices/departments. All other applications are submitted to HR. Applications for advertised positions will be placed on active status for ninety (90) days.

This means that the applications may be reviewed for other job openings where applicants meet minimum requirements, if they have applied for an advertised opening within the past ninety (90) days.

Applications from the active file may be used by the EO/DH to fill current job vacancies without advertising, if the applicant has applied for an advertised position within the past ninety (90) days. The HR Manager may make an exception to the ninety (90) day policy based on extenuating circumstances.

D. Temporary Employees

In addition to other available sources, temporary employees may be hired from current active applications on file in HR. Interns may be utilized on a paid or unpaid basis at the discretion of the EO/DH.

1. Hiring a temporary employee into an FTE or term position requires a competitive recruitment unless the following criteria are met:
 - a. The temporary employee has performed the same duties in a temporary role for a minimum of three consecutive months prior to the FTE or term hire date, and;
 - b. The temporary employee worked an average of 20 hours or more weekly during the prior consecutive months, and;
 - c. The temporary employee meets all qualifications for the position, and;
 - d. The EO/DH provides written justification for waiver of the competitive recruitment process to the HR Manager, and;
 - e. The HR Manager approves the hire in writing.

E. Rehire of Former Employee

Before hiring a previous employee, the hiring manager should determine that the person is eligible for rehire by either contacting HR or reviewing the employee's file in HR. If a previous employee is

ineligible for rehire, the hiring manager should contact the previous manager to discuss why the individual is considered ineligible. Based on this information, the hiring manager may decide to waive the ineligibility.

A person who is rehired within thirty (30) days of separation will not experience a break in service and will continue previous benefits accrual.

PERA retirees may return to work at Boulder County the first business day of the calendar month following the effective month of PERA retirement. Retirees must be paid out all medical leave, if applicable, and all vacation leave upon retirement. Employees who were hired prior to June 1, 1987 and rehired under this provision will no longer be eligible for the grandfathered medical payout provision. To satisfy PERA requirements, the employee must remain off work during the effective month of retirement before returning to work for Boulder County to avoid a benefit reduction. For example: Joe Employee retires on January 25. His effective month will be February, and he will be eligible to return to the county on March 1. A PERA retiree who is rehired within the timeframe described above will not experience a break in service and will continue previous benefits accrual. For example: Joe Employee has worked for ten (10) years and accrued fourteen (14) hours of vacation per month. When Joe comes back March 1 as 50% FTE, he will earn seven (7) hours of vacation each month. Boulder County does not assume any responsibility for interpretation of PERA rules regarding PERA retirees returning to work. Insurance coverage will be reinstated the first of the month in which the employee returns to work without any waiting periods but subject to eligibility requirements.

A person who has previously worked for the county and has been separated for more than six months must follow the employment procedures as outlined in Paragraph C. above.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.3 Selection and Hiring (June 24, 2014)

A. Selection of Applicants: Screening

Applications will be screened on the basis of job-related knowledge, skills, abilities, experience and education. The criteria used may be provided by EO/DH and must comply with the job description for the announced position.

When offices/departments request that HR announce a vacancy, they must indicate on the Request to Fill Vacancy form which of the following screening procedures they intend to follow:

1. Receive all applications with no initial screening by HR. In this case the office/department is responsible for establishing minimum qualifications as outlined in the job description for the announced position. Only applicants meeting those qualifications can be considered for interviews. HR must review the selection before the position is offered to assure compliance with minimum qualifications and Affirmative Action policies.
2. HR will screen only for minimum qualifications outlined in the job description. All applicants meeting the minimum qualifications will be referred to the office/department for consideration.
3. HR will conduct a tight screen based on criteria set by the EO/DH or designee, referring only those applicants who meet the criteria to the office/department. These criteria include minimum qualifications plus other special requirements.

B. Hiring Procedures

The EO/DH or designee will make the final selection from those applicants who are determined to be most qualified for the position. A new hire form must be submitted to HR on or before the date the applicant begins work in order to process the necessary paperwork.

The new employee will be paid at entry level of the pay range unless HR has approved a higher pay level based on the education and experience of the applicant in relationship to the minimum qualifications of the position.

The new employee will be scheduled for an orientation during the first two weeks of employment. Attending new employee orientation is mandatory. All hiring decisions shall be contingent upon the applicant attesting that she or he is eligible for employment in the United States and providing proof of such eligibility as required by the Immigration Reform and Control Act of 1986.

C. Inter-departmental Transfer

All employees, including temporary or term employees, who voluntarily transfer to another office/department/division through a competitive recruitment process are placed on a new nine (9) month introductory period during which time they will be evaluated as to their suitability for continued employment as a county FTE. There is no new introductory period if a competitive recruitment process is not conducted.

D. Employment of Relatives

In the interest of maintaining impartial employment practices, Boulder County has an established policy regarding the employment of relatives. Relatives who were employed prior to August 14, 1985, are not affected by this policy. County policy permits the hiring of immediate relatives of a current employee with the understanding that under no circumstances may an employee work under a relative's supervision regardless of the number of intermediate supervisors between the relative and the employee. If the relative or step-relative of a current employee is being considered for employment, the employee must be excluded from any involvement in the hiring decision.

Employees who marry may continue employment as long as their spouse is not their supervisor. If this is not feasible, one of the married employees will be asked to resign on a non-discriminatory basis. This applies to all employees. Exceptions to this policy may be established by the BOCC or other Elected Officials.

A relative is defined as spouse, partner in a civil union or domestic partnership, parent, child, grandparent, grandchild, sibling, cousin, aunt, uncle, niece and nephew of the employee or of the employee's spouse or partner in a civil union or domestic partnership.

Employees who are engaged to one another and/or in a common-law marriage (significant other) may not work under a significant other's supervision, regardless of the number of intermediate supervisors between them. If the significant other of a current employee is being considered for employment with Boulder County, the employee must be excluded from any involvement in the hiring decision.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.4 Temporary Assignment (July 22, 2010)

When it is not feasible to make a regular appointment to fill an existing vacancy, the BOCC or EO/DH may appoint an employee to serve in an "acting" capacity. The salary for the assignment will be determined by the EO/DH or designee, and may fall within the salary range of the position in which the employee is acting or may represent a 10% increase from his or her current salary. Upon termination of the temporary assignment, the employee will return to his or her former position and salary. Temporary assignment shall be limited to nine (9) months. Extensions may be granted by HR under certain circumstances.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.5 Employment Status (July 1, 2015)

A. FTE - Full Time Equivalent Salaried with Benefits

1. Full-Time FTE

An employee who is hired to a budgeted, salaried position with benefits working scheduled forty-hour work weeks.

2. Part-Time FTE

An employee hired to a budgeted, salaried position with benefits working less than forty hours per week, but at least twenty hours per week.

3. Grant-funded FTE

A full-time or part-time employee hired to a budgeted, salaried position with benefits working 20 hours or more per week in a program funded by a grant(s). Grant-funded employees must be hired through a competitive hiring process and into a position classified in accordance with Policy IV. Grant-funded employees can be terminated without cause if the funding source ends and in such cases are not covered under the layoff policy.

4. Introductory Employee

An employee in the first nine (9) months of continuous county employment as an FTE, or the first nine (9) months following voluntary transfer through a competitive recruitment process or change of employment status in the same position (e.g. from temporary to FTE) during which time his or her suitability for continued employment as a county FTE is evaluated. The Sheriff's Office introductory period is 12 months of continuous employment.

B. Term Employee

An employee hired for a limited, specified period of time or for a specific project which has a specified time limit. Such employees may be part-time or full-time, are paid on a monthly basis, and receive all benefits of an FTE as described in Chapter V of this Personnel Manual. Term employees must be hired through a competitive hiring process and into a position classified in accordance with Policy IV, and whose pay falls within the range associated with the classification. Term

employees can be terminated without cause and are not eligible for Review Board hearings.

C. Temporary Employee

An employee hired for a limited period of time. Such employees may be part-time or full-time, are paid on an hourly basis at rates determined by prevailing practice and office/department policy, and receive no County benefits other than those mandated by law. "On-call" employees in the Public Health Department are considered temporary employees. A current temporary employee may be transferred to FTE status when there is a vacant FTE position for which funding is available in the receiving office/department. Unless an exception is granted by HR, the employee must have gone through a competitive recruitment process to obtain the temporary position and must meet the qualification of the FTE position.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.6 Personnel Files (July 23, 2009)

Employees' official personnel files are kept within HR, in the employing office/department, or both. Access to all personnel files, regardless of where they are kept, is governed by C.R.S. 24-72-204 regarding allowances or denial of public records (see the [Guidelines for Handling Requests for Public Records Policy](#)). Employees have the right to review their own personnel files and add written responses concerning anything already existing in their files. EO/DH and designated supervisory personnel have the right to review the files of those employees whom they supervise. If an employee is being considered for transfer or hire into his/her office/department, the hiring manager must review the personnel file located in HR prior to selection.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.7 Introductory Period (July 1, 2015)

The first nine (9) months from the date of hire of employment as an FTE is an introductory period. This period of time allows for county supervisors to determine whether or not the newly hired employee is able to perform the job satisfactorily, has adjusted to the requirement of the work assignment, and appears to be a good potential employee for the county when fully trained and experienced in the present assignment. The employee has an opportunity to demonstrate proper attitudes and abilities in the position for which employed. The employee may be dismissed or terminate his/her employment without prior notice or obligation during this period. Employees in their initial introductory period are not eligible to use the floating holiday, personal business, or parental leave.

The introductory period is also in effect whenever an employee enters a different position within the county due to voluntary transfer through a competitive recruitment process or transfers from a temporary or a term status to an FTE in the same position within the same office/department. The employee enters the different position or employment status with this understanding and must demonstrate proper abilities in the different position or new employment status the same as a newly hired person. There is no effect or disruption upon employee benefits in any of these situations. It is the direct responsibility of each supervisor to observe and assess the quality and quantity of work produced by each new employee regularly throughout the first nine (9) months of the introductory period.

If at any time prior to the expiration of the nine (9) month introductory period, it becomes obvious to the supervisor that the performance of the new or transferred employee is unsatisfactory and/or the employee is not performing up to the expectations of the job, one of the following actions must be taken:

- Employee counseling for solution of problems
- Training
- Extension of Introductory Period*
- Termination

During the introductory period, each new employee will have his or her performance reviewed by a supervisor at least one time.

*This introductory period may be extended by up to three months with the concurrence of HR. A written statement outlining the rationale for the extension must be signed by the employee and the EO/DH.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.8 Residency Requirements (July 22, 2010)

Employees of Boulder County shall not be required to reside within Boulder County, except as provided below:

The BOCC, the Public Health Administrator, or the appropriate EO/DH, reserves the right to:

- Impose on key employees, with duties which clearly and demonstrably require them to be close to their place of employment, reasonable requirements as to the maximum distance they may reside from their place of work. Such conditions may be imposed after hearing by resolution.
- Impose residency requirements on key appointed Officials. Such conditions may be imposed by resolution.

When residency requirements are established by resolution, the affected employee shall have no longer than twelve (12) months in which to come into compliance.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.9 Change of Address or Name (June 27, 2013)

Employees may change their address using the employee self-service function in BC Time. Name changes may only occur after proof has been provided to HR by presenting a valid Social Security card.



SECTION III EMPLOYMENT POLICIES AND PROCEDURES

NUMBER III.10 Change of Dependents (July 22, 2010)

HR must be notified of any change of dependents or change in marital status by submission of a corrected W-4 form to the Payroll Office. HR must be contacted, as defined in [Section V, Benefits](#), when there is a change in insurance benefit status.



SECTION IV PAY PLAN

NUMBER IV.1 General Policy

Boulder County's pay plan provides for a systematic classification of positions with standardized salary ranges. The intent of the plan is to provide competitive salaries to recruit and retain competent employees and to reward employees on the basis of their job performance.

The job classification plan can be used:

- As a standard to determine and maintain equitable and competitive employee compensation.
- As a basis for recruitment, selection, and placement of personnel.
- As a tool for organizational planning and management.
- As an aid in evaluating job performance and advancing employees.
- As a means for determining training needs of county employees.
- As a basis for developing career ladders.



SECTION IV PAY PLAN

NUMBER IV.2 Job Description (June 26, 2012)

Classification of a position will be based on a written job description that will provide:

- Title
- General description of position
- Supervision given and received
- Education and/or experience required to perform the job
- Levels of knowledge, skills, and abilities needed to perform the job
- Physical requirements

It is important to note that classification of a position is based on what is done in the position not how well the current employee performs in the position.



SECTION IV PAY PLAN

NUMBER IV.3 Changes in Classification (July 1, 2005)

A. Reclassification of an Existing Position

1. Positions should be reclassified:
 - a. When there are significant changes in the duties, responsibilities, and required qualifications of a position.
 - b. To achieve internal equity.
2. To request a reclassification of an existing position, the EO/DH must submit a written request to HR along with supporting information to justify the change.
3. Upon receipt of a reclassification request, HR will collect and analyze appropriate data concerning the position. This may include job audits, supervisory audits, review of background information, and analysis of other relevant data.
4. After a timely review of information, HR will recommend the appropriate classification for the job along with justification for the classification. Under normal conditions, this process should be completed within thirty (30) days of HR receipt of all required forms.
5. Reclassification costs must be financed by the requesting offices/departments.

B. Reorganization of an Office/Department

1. Positions should be reviewed for reclassification in the event that reorganization significantly alters or shifts the responsibilities of one or more positions.
2. Procedures for reclassification due to reorganization will follow those outlined in Paragraph A. above.

C. Classification of a New Position

1. A description of a new position will be submitted to HR by the EO/DH, along with his/her judgment of appropriate pay range.
2. HR will review the description and collect additional information as required.

3. Working with appropriate office/department management, HR will write a job description and allocate the position to the proper classification.
4. The EO/DH will review the job description and classification, and upon reaching agreement, HR will finalize the classification.



SECTION IV PAY PLAN

NUMBER IV.4 Determination of Pay Levels (June 26, 2012)

The salary schedule for each budget year will be prepared by HR, reviewed by the EO/DH, and will become effective upon approval by the BOCC. In determining pay levels, the following is considered:

- The market rates of pay for comparable public and private agencies.
- Internal equity within the county for jobs with similar duties.
- Prevailing economic conditions and the county's ability to pay.

Each classified position will have a salary range with a minimum, midpoint, and maximum pay rate. This range may be adjusted annually to keep salaries competitive. The range can be adjusted by way of a general increase to all classes or as a salary adjustment to a particular class that has been determined to be underpaid in the market.

The pay range of every classified position will be surveyed annually to determine if either a general increase to all classes or a salary adjustment to a particular class is necessary to remain competitive.

A. Increase Based on Performance

An employee may move from entry level to the top of the range based on performance. Performance is determined by a written performance appraisal. The amount of increase is to be determined by the EO/DH within budgetary limitations and merit plan guidelines and is limited to percentages set by the BOCC as stated in their annual budget letter. An EO/DH who determines that an unusual circumstance warrants a waiver of this limitation may appeal to the BOCC.

B. Promotion/Increase to Base Pay

An employee moving to a higher pay range, because of promotion or reclassification, will be limited to a maximum 10 percent increase to base pay or entry level of the new pay range, if a 10 percent increase would not place the employee in the new pay range. The HR Manager may approve exceptions to the maximum increase with written justification from the EO/DH. Any pay increase for promotion or reclassification

comes from the 7000 budget account, not merit, and must be funded within office/department base for the year.

C. Demotion

An employee who is demoted to a lower classification, because of disciplinary problems, must have his/her salary fall within the pay range of the lower classification.

D. Bonus Pay

For employees at or over the top of the range, above-standard performance may be rewarded by means of a bonus, a sum of money not added to the base pay. A bonus may also be awarded to those employees within the range based on performance. The amount of bonus is to be determined by the EO/DH within budgetary limitations and merit plan guidelines and is set by percentage limits set by the BOCC as described in the annual budget letter

E. Reassignments

There may be occasions when it becomes necessary to reassign an employee to a job which is classified differently than his/her present job. Reassignments will generally occur, because an employee, for whatever reason, is unable to continue performing satisfactorily in his/her present position, but is considered capable of performing in another position. Reassignments should not be considered a disciplinary measure, but rather an adjustment required by the employee's inability to do his/her job. If an employee is reassigned, his/her salary must fall within the pay range of the job to which s/he has been reassigned. Exceptions to this pay adjustment require the approval of the HR Manager. Reassignments require the approval of the EO/DH in consultation with the HR Manager.



SECTION IV PAY PLAN

NUMBER IV.5 Rates of Pay for Classified Employees (June 27, 2013)

All employees are required to authorize Direct Deposit or Paycard for payment of wages. An EO/DH may request an exception for a short-term, temporary employee who does not have access to the Boulder County payroll system to view and print paycheck information. Those employees who are approved by HR for the exception will receive a printed paycheck by mail to the employee's home address of record.

A. Full-Time FTE and Full-Time Term Employees

Full-time FTE and Full-time term employees will be paid a monthly salary in accordance with the appropriate grade of the salary schedule. All employees are required to authorize Direct Deposit or Paycard for payment of wages.

B. FTE, Part-Time FTE and Part-Time Term Employees

FTE, part-time FTE and part-time term employees will be paid a monthly salary in accordance with the appropriate pay range of the salary schedule and based on the number of hours the employee is expected to work during a given work week on a continuing basis.

C. Temporary Employees

Temporary/hourly employees will be paid an hourly rate based on the number of hours worked.

D. "On-call" Employees

"On-call" employees will be paid according to office/department policy.



SECTION IV PAY PLAN

NUMBER IV.6 Rates of Pay for Department Heads and individuals directly appointed by elected officials (July 1, 2015)

These employees serve at the pleasure of an Elected Official and shall be so notified at the time of hire. Salaries for department heads who work for the BOCC will be set by the BOCC after analysis of tangible survey-based and job function-based data.



SECTION IV PAY PLAN

NUMBER IV.7 Days of Pay (June 27, 2013)

Salaried employees are paid by warrant on the last working day of each month. Employees on an hourly wage are paid by warrant on the last working day of each month. No advance wages will be paid. If an employee's effective date of hire falls on a county holiday, the employee will not be paid for the holiday. Non-exempt employees must account for all time on their timesheet. Exempt employees must account for exceptions only on their timesheet, unless required for reasons of business necessity.

HR has established procedures and rules for submittal of electronic timesheets and other payroll information through BC Time. Office/department Payroll Coordinators must submit monthly timesheets to HR Payroll by the stated deadline without exception. BC Time exceptions must be reviewed and/or resolved by stated deadlines and timesheets approved by both the employee and the supervisor.

Timesheets approved by the offices/departments and submitted to HR Payroll must reflect actual time worked according to county policy. Any willful misrepresentation of time worked is a violation of policy and any employee submitting or approving inaccurate timesheets is subject to discipline up to and including termination. The employee may also be subject to civil or criminal liability.



SECTION IV PAY PLAN

NUMBER IV.8 Overtime (July 1, 2015)

The Fair Labor Standards Act (FLSA) requires that overtime be paid or compensatory time be given to all non-exempt employees for all work hours which exceed forty in a work week. The overtime is computed at the rate of one-and-one-half times the regular hourly wage of the employee.

If compensatory time is given, it must be in accordance with the procedure described in Paragraph C. in this section.

- A. The FLSA does not include these items in the computation of total hours worked:
 1. The few minutes before and after the set office hours used as preparation and cleanup time.
 2. Coffee breaks offered by the employer, but not taken by the employee.
 3. The lunch period as long as the employee is not working during that period.
 4. Casual hours spent at home or at work reading miscellaneous work-related material.
 5. Classes and seminars taken after normal work hours unless approved by the employee's supervisor and specifically counting towards hours worked.

- B. The FLSA includes these items in computing total hours worked:
 1. Time worked at the work desk during the lunch period.
 2. All hours worked before regular starting time or after regular quitting time are to be included in total daily and weekly hours worked regardless of whether approved by the supervisor or not.
 3. Hours worked by the employee at home, either on the employee's own initiative or at the request of the supervisor (except casual reading).

The key criteria for eligibility for payment of overtime is the total hours worked in a work week. A long day offset by a short day (i.e., 10 hours Monday, 6 hours Tuesday, 8 hours each on Wednesday,

Thursday, and Friday), with the total weekly hours equaling forty does not qualify for overtime pay. See [policy II.14](#) Flex-Time for details regarding flexible scheduling.

C. Exempt and Non-Exempt Status

Exempt employees are in official, professional, and administrative positions and are not eligible for overtime pay or compensatory time. They are eligible for administrative leave. Non-exempt employees are eligible for overtime pay or compensatory time, but are not eligible for administrative leave. EO/DH will keep accurate records of overtime worked and submit that information on the time sheets. Compensatory time accrual must be submitted on time sheets and administrative leave records will be kept within the office/department.

In the event of a state or federally declared emergency where reimbursement funding for employees is available, exempt employees may be eligible for compensation over their regular pay. The EO/DH must submit compensation reimbursement requests to the appropriate state or federal agency so that the employee can be reimbursed. It is the responsibility of the employee to track all eligible time in the county's time tracking software and include the correct project codes to correspond with the activities of the declared emergency. When possible employees working during a declared emergency should be allowed a minimum of eight (8) hours off duty in any twenty-four (24) hour period.

It is Boulder County's policy to comply with the salary basis requirements of the FLSA. Deductions from an exempt employee's pay are permissible according to Boulder County policy and any reason allowed by law. We prohibit managers from making any improper deductions from the salaries of exempt employees.

If any employee believes that an improper deduction has been made to his or her salary, that employee should immediately report this information to HR at 2025 14th Street, Boulder, or at 303-441-3525. Reports of improper deductions will be promptly investigated by HR and HR Payroll. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed. There will be no retaliation against any employee who makes a complaint regarding improper deductions from salary.

D. Criteria for Receiving Overtime or Compensatory Time

1. All overtime must be authorized in advance by the EO/DH (or designee).

2. Non-exempt employees who are authorized to work in excess of the standard forty-hour work week will receive overtime pay or compensatory time.
3. Accrued vacation and medical leave are not treated as hours worked. Absences for medical treatment received as a result of on-the-job injuries are also not treated as hours worked. Therefore, they are not included in hours worked when computing overtime. However, holidays and compensatory time off are considered as hours worked, and they are included when computing overtime.

E. Rates for Overtime and Compensatory Time

1. Overtime pay will be paid and compensatory time will be accrued at the rate of one-and-one-half times the normal rate of pay for each hour worked in excess of forty (40) hours in the designated work week.
2. Employees who must work the following special holidays will be compensated for the holiday and at a rate of one-and-one-half times their regular rate of pay for any hours worked that day whether or not they work forty (40) hours that week. These special holidays are:
 - New Year's Day
 - Memorial Day
 - July 4th
 - Labor Day
 - Thanksgiving
 - Christmas
3. Employees who must work any other regular holiday will be compensated for the holiday and at one-and-one-half times their regular rate of pay for any hours worked if they have worked forty hours, including the holiday and compensatory time off, that week. Vacation or medical leave used during the week do not count as hours worked. If the hours worked in the designated work week, including holiday and compensatory time off, total forty hours or less, the employee will receive payment at the normal rate of pay.
4. The Sheriff's Office has separate rules regarding overtime and holiday pay. Please refer to their on-line manual for details.

D. Choice of Overtime Pay vs. Compensatory Time

1. The employee, with the approval of the EO/DH, may choose either overtime pay or compensatory time.
2. EO/DH will schedule their employees' use of compensatory time. In scheduling the use of compensatory time, EO/DH must follow the

procedures in Paragraph E. of this section and may not exceed his/her existing budgetary salary line allocations.

E. Compensatory Time: Maximum Accruals

1. Compensatory time cannot be accrued beyond eighty hours (Elected Officials may make an exception to this accrual limit, but cannot exceed the federal allowed limit of 240 hours.) If vacation or medical time is used during the work week and the employee accumulates more than 40 hours of total paid work time, the vacation time or medical time will be subtracted from the total and those work hours will be paid at the normal rate. Any remaining time over 40 hours will be calculated at the compensatory or overtime rate.
2. If an employee is at the maximum accrued compensatory time of eighty hours, s/he must be paid for overtime worked or asked to use the time until it is under the eighty hour limit.
3. If an employee transfers from one office/department to another the office/department in which the compensatory time accrued is responsible for paying out accrued compensatory time.
4. If an employee moves from a non-exempt to an exempt position, the compensatory time will be paid out at the hourly rate for the non-exempt position on the first pay period after the move.
5. Compensatory time must be paid upon termination. Payment is to be made from the EO/DH's overtime budget.

F. Administrative Leave

EO/DH have the authority to grant administrative leave to compensate exempt employees for extra hours worked.

G. Overtime for Part-Time FTE's and Temporary Employees

Part-time FTE'S and temporary employees are eligible for overtime pay when they have worked hours in excess of a normal forty-hour work week.



SECTION IV PAY PLAN

NUMBER IV.9 Electronic Timekeeping (July 1, 2015)

The purpose of this policy is to provide guidance to all Boulder County employees regarding proper use of the BC Time system. The goal is to ensure time is accurately recorded for payment and to establish consistency and responsibility for time reporting. Employees must refer to the guidelines provided by their own work group within their office/department, or refer to the HR intranet site if no internal office/department policy exists.

A. Definitions

1. **Exempt Employees**. All employees who are exempted from the overtime compensation requirements of the Fair Labor Standards Act and who have been designated as such by Boulder County HR.
2. **Non-exempt Employees**. All employees who are eligible for overtime according to the Fair Labor Standards Act and who have been designated as such by HR.
3. **Punching**. Creating a record of when an employee begins or ends the work day, commonly done at a computer or a time clock.
4. **Riding the Clock**. Term used for an employee who has clocked in but who is not working and/or is spending time on personal or other non-working matters.

B. Non-Exempt Employees

1. Non-Exempt employees must use an In-Touch Terminal or Computer Time Stamp to record in/out, unless otherwise approved by their manager. Employees should enter their time off and activities in BC Time on a daily basis to ensure accurate time reporting using the online application or In-Touch Terminal.
2. If the employee is unable to record time through an In-Touch Terminal or computer Time Stamp, the employee must receive his/her supervisor's approval to manually enter the time and will add a comment and note on that day describing the reason for the manual entry.

C. Timekeeping During Declared Emergencies

During a declared emergency, all employees shall designate the time they spend working on response and recovery of such emergency to a designated project code which has been pre-established in the BC Time system.

D. Prohibited Activities

1. It is prohibited to punch into the system for an employee who is not at work at that time. The only people who may punch in for the employee are the individual employee or the employee's supervisor. Using someone else's badge or punching in for someone else is considered, at a minimum, to be theft of county time and falsification of a government record.
2. Employees must not clock in until they are ready to work. Non-exempt employees also may not clock out and continue working "off the clock". Employees who do so are subject to discipline, and supervisors who permit this activity are also subject to discipline.



SECTION V BENEFITS

NUMBER V.1 General Policy (July 1, 2010)

Boulder County offers its employees a comprehensive benefit package that significantly enhances employee compensation. This benefit package is offered by the county to provide economic and personal security as well as job satisfaction for employees.

The Boulder County Health Plan is covered under the Health Insurance Portability and Accountability Act, known as HIPAA. The HR Manager is the Privacy Officer for HIPAA related matters and complaints related to county employees. The county's HIPAA manual for the county health care plan is on file in HR.



SECTION V BENEFITS

NUMBER V.2 Eligibility (July 1, 2015)

The extent to which employees receive benefits is based on their employment status with the county. A full-time FTE/term employee is eligible for all county benefits. A full-time FTE/term employee is an employee who is scheduled to work at least thirty (30) hours per week. A part-time FTE/term employee is eligible for county benefits if s/he is scheduled to work at least an average of twenty (20) hours per week. The county pays a portion of these benefits according to the [Insurance Plans, Flexible Spending Accounts, Health Savings Account and Retirement Plan Policy](#). Employees must be scheduled to work at least an average of thirty (30) hours per week to be eligible for long-term disability insurance. Boulder County employees who retire from Boulder County under PERA and return to work for Boulder County as a PERA retiree are entitled to benefits according to the requirements described on the "Checklist for Rehired Boulder County Employees Receiving a PERA Retiree Pension". The checklist is available on the Human Resources intranet site. Temporary employees are entitled only to those benefits mandated by law including unemployment insurance, PERA, workers' compensation, Medicare, and Social Security.

EO/DH are responsible for ensuring temporary employees do not reach or exceed 1,560 hours of work during the county's look-back period of October 15-October 14. If this threshold is reached or exceeded, a supplemental budget request for an FTE must be made, and the office or department must permanently forfeit the hourly budget for the corresponding employee.

Health, dental, basic life, supplemental life, Section 125 flexible spending accounts, health savings accounts, and short term disability and long-term disability insurance will be effective the 1st day of the month following date of hire as a full-time or part-time FTE/term employee or following the effective date of a status change from an hourly employee to a full-time or part-time FTE/term employee. Long term disability insurance will be effective the 1st day of the month following date of hire as a full-time FTE/term employee or following the effective date of a status change from an hourly employee to a full-time FTE/term employee.

All county employees are required to participate in Colorado PERA when they are hired.

Explanation of coverage and eligibility for new and rehired employees is detailed in separate insurance pamphlets.



SECTION V BENEFITS

NUMBER V.3 Insurance Plans, Flexible Spending Accounts, Health Savings Account and Retirement Plan (July 1, 2015)

A. Health/Dental Insurance

The county offers employees the opportunity to participate in a group health insurance plan, including a vision component, as well as a group dental plan.

The county contributes a portion of the health and dental premium for the employee and for eligible dependent(s) based on the employee's number of hours worked. The employee's portion of the health and dental premium for themselves and for their eligible dependents is paid through payroll deduction. A summary plan description is available on the HR intranet site.

B. Basic Life Insurance

The county offers a basic life insurance plan equal to one-and-one-half times the employee's annual salary. The county pays 75% of this premium and the employee pays 25% through payroll deduction. The insurance certificate is available on the HR intranet site.

C. Supplemental Life Insurance

The county offers supplemental life insurance for employees, spouses or domestic partners and dependent children. The employee pays the full premium through payroll deduction. The insurance certificate is available on the HR intranet site.

D. Short Term Disability Insurance

The policy pays a pretax weekly benefit of 60% of eligible pre-disability earnings reduced by other income benefits. The county contributes 100% of the premium for eligible employees. Approved short term disability runs concurrently with FMLA. If short term disability is denied, the employee may still qualify for FMLA. The employee must use all accrued paid leave, including without limitation, medical leave, vacation leave, floating holiday and compensatory time before receiving short term disability benefits. The employee must use

short term disability benefits, if approved, before leave without pay. Employees do not accrue medical leave or vacation leave while receiving short term disability if the total number of short term disability hours is more than half the working hours in that pay period. County holidays which fall during a short term disability period are counted as short term disability hours. The employee is not eligible for extra holiday pay. The short term disability insurance booklet is available on the HR intranet site.

E. Long Term Disability Insurance

The policy pays a pretax monthly benefit of 50% of eligible pre-disability earnings reduced by other income benefits. The county contributes 100% of the premium for eligible employees. The long term disability insurance booklet is available on the HR intranet site.

F. Flexible Spending Accounts (FSA)

A Flexible Spending Account is a benefit program governed by the IRS that allows you to set aside money on a pre-tax basis to pay for certain eligible health care and dependent care expenses.

G. Health Savings Account (HSA)

A Health Savings Account is a tax-advantaged medical savings account governed by the IRS for employees who are enrolled in the county's Consumer Driven Health Plan.

H. Retirement Plan/Colorado Public Employees' Retirement Associations (PERA) Benefits

PERA membership is required for all eligible employees. In addition to the traditional pension plan, eligible PERA members are covered by short term disability insurance and disability retirement. Members may also take advantage of voluntary programs such as life insurance, a 401 (k) Plan and long-term care insurance. All employees contribute to the required pension plan through payroll deduction. Boulder County also makes a monthly contribution.

The Member Information Form and the PERA 401 (k) Authorization Form is available on the HR intranet site. Details regarding all PERA benefits and other PERA forms can be found on PERA's website.

NOTE: The outline above is furnished as general information only and is not intended as a complete description of benefits and plan exclusions.



SECTION V BENEFITS

NUMBER V.4 Benefits Mandated by State or Federal Legislation (July 21, 2011)

A. Social Security/Medicare

Social Security/Medicare or F.I.C.A. is a federal insurance program that provides retirement, health, and disability benefits. All employees contribute to this insurance through payroll deduction. Boulder County makes a matching contribution. Employees must have a Social Security Number or proof that they have applied for a number when they are hired.

B. Workers' Compensation

Boulder County employees are covered by the county's self-insured Workers' Compensation Program. The full cost of this Program is funded by the county. The Workers' Compensation Program is administered by Risk.

C. Unemployment Insurance

The county participates in and pays the premium to the State Employment Insurance Program.



SECTION V BENEFITS

NUMBER V.5 Leaves (January 1, 2016)

All requests for leaves of absence will be made in writing in advance of the leave. Medical and on-the-job injury leaves should be reported as soon as possible. All requests for leaves of absences, except medical and on-the-job injury leaves, require approval of the EO/DH or their designee. Regular approved leave with or without pay is to be reported to HR by submission of an employee timesheet. Note: All leave is paid for out of the office or department budget unless otherwise noted.

The kinds of leave granted are:

- A. Vacation Leave
- B. Holiday Leave
- C. Medical Leave
- D. On-the-Job Injury Leave
- E. Funeral Leave
- F. Jury Duty Leave
- G. Leave for Military Duty
- H. Family and Medical Leave
- I. Pandemic Illness
- J. Leave Without Pay (LWOP)
- K. Sabbatical Leave Without Pay (SWOP)
- L. Paid Parental Leave of Absence
- M. Domestic Abuse Victim's Leave
- N. Declared Emergency Victim Leave

A. Vacation Leave

1. Definition: Vacation leave is a benefit for all FTE/term county employees. Employees are encouraged to take their earned vacation each year.
2. Accrual:
 - a. Full-time FTE/term employees accrue vacation leave as follows:

- 1) For the first three (3) years of continuous service with the county in a benefits eligible position, employees earn eight (8) hours of vacation per month.
 - 2) After three (3) years of continuous service with the county in a benefits eligible position, employees earn ten (10) hours of vacation per month.
 - 3) After five (5) years of continuous service with the county in a benefits eligible position, employees accrue twelve (12) hours of vacation per month.
 - 4) After ten (10) years of continuous service with the county in a benefits eligible position, employees accrue fourteen (14) hours of vacation per month.
 - 5) After fifteen (15) years of continuous service with the county in a benefits eligible position, employees accrue sixteen (16) hours of vacation per month.
- b. Part-time FTE/term employees earn paid vacation monthly based on the percentage of hours worked. For example, an employee working 50% time will receive four (4) hours of vacation leave per month in his/her first three (3) years of employment.
- c. To accrue vacation for the initial month of employment, the employee must work at least 16 calendar days in the pay period must have paid time (hours worked, vacation, medical, etc.) recorded for more than half of the employee's scheduled hours in the pay period. Employees on short term disability and/or leave without pay for more than half of the employee's scheduled hours in that pay period do not accrue vacation during that pay period.
- d. The maximum amount of vacation time which an employee is allowed to accrue is 240 hours. When an employee reaches this limit, no additional vacation leave can be accrued. An employee must use vacation time prior to reaching his/her limit to avoid losing vacation leave. Part-time FTE's can accrue a percentage of the maximum allowed based on their time worked. For example, an employee working 50% time can accrue 120 hours.
- e. Introductory employees will accrue vacation during the introductory period and the time may be taken during the introductory period with the approval of the EO/DH or his/her designee.
3. Payment: Vacation leave is paid in the following manner:

- a. Vacation time off is paid at the same rate of pay as an individual is currently earning. Vacation leave will be reported and paid in minimum increments of fifteen (15) minutes.
 - b. If a holiday occurs during a vacation, no vacation is charged for the holiday.
 - c. Employees will be paid for all unused vacation upon termination at their current rate of pay. Employees who have been laid off will be paid for all unused vacation, unless their lay off is temporary, and they will be rehired within three (3) months. They may then notify HR in writing that they do not wish to be paid for their accrued vacation.
 - d. Scheduled vacation remains as vacation regardless of whether an illness or injury occurs during scheduled vacation leave. An exception can be made with EO/DH approval and documentation from a medical professional.
4. **Provisions:** Requests for vacation must be discussed with the EO/DH well in advance of an employee's vacation in order to permit proper scheduling of work within an office/department. All employees will formally notify their EO/DH or his or her designee at least two (2) weeks in advance of their intended departure. This provision can be waived at the discretion of the EO/DH.

B. Holiday Leave

The following holidays are official holidays for the employees of Boulder County subject to annual board resolution:

1. New Year's Day January 1
2. Martin Luther King's Birthday January (third Monday)
3. Presidents' Day February (third Monday)
4. Memorial Day May (last Monday)
5. Independence Day July 4
6. Labor Day September (first Monday)
7. General Election Day November (first Tuesday after the first Monday, even years)
8. Veterans' Day November 11
9. Thanksgiving Day November (fourth Thursday)
10. Friday after Thanksgiving
11. 1/2 Day Christmas Eve (beginning at noon, only if day falls on Monday - Thursday) -See explanation below *
12. Christmas Day December 25
13. 1/2 day New Year's Eve (beginning at noon, only if day

falls on Monday - Thursday) -See explanation below*
14. One (1) Floating Holiday - See explanation below*

* All full-time FTE employees, regardless of work schedule, will receive four hours of holiday leave Christmas Eve and New Year's Eve when these holidays fall on a Monday through Thursday. Part-time FTEs will be paid based on FTE percentage. For example, an employee working 50% time will receive two (2) hours of Holiday Leave for each holiday.

**The floating holiday may be scheduled and taken with the approval of the EO/DH. The floating holiday must be taken as a full day based on the employee's FTE percentage. For example, an employee working 50% time must take four (4) hours. Employees in their introductory period are not eligible to use the floating holiday. The floating holiday cannot be carried over into the following year and will not be paid at termination. The floating holiday must be taken no later than December 30th of each year by employees who are more than 50% FTE and no later than December 31st by employees who are 50% FTE. Each year's floating holiday hours are applied on January 1st in the accruals section of the BC Time timecard. Employees successfully completing their initial introductory period will receive the floating holiday based on their FTE at the end of the introductory period and every January 1st thereafter.

When a holiday falls on Sunday, the following Monday is a holiday and the county offices are closed. If a holiday falls on a Saturday, the previous Friday will be observed as the holiday, and the county offices are closed. If Christmas Eve or New Year's Eve falls on a Friday, Saturday, or Sunday, it will not be observed.

FTE/term employees are eligible for holiday pay. If an employee's first day of work falls on a county holiday, the employee will not be paid for the holiday. Employees on a Leave of Absence Without Pay are not eligible for holiday pay. Therefore, employees must either work their regularly scheduled day before the holiday or use paid leave for their regularly scheduled day before the holiday to receive holiday pay. For example, if the employee is regularly scheduled to work Monday through Friday and the holiday is on Monday, the employee must work on Friday or use paid leave for that day in order to receive holiday pay on the following Monday.

FTE/term employees who submit a resignation date following a paid holiday will receive the paid holiday only if they work the day after the holiday.

Working on a designated county holiday, except when required based on job duties, is strongly discouraged. Employees must obtain advance permission from their supervisor prior to working a holiday. If an employee receives permission to work the paid holiday and substitute another day off, the substituted day off must be taken within the same pay period. Employees will be limited to eight hours substitution.

C. Medical Leave

1. Definition: Medical leave is only used in the following circumstances:
 - a. When an employee is unable to work because of pregnancy, sickness, or injury.
 - b. When medical diagnosis or treatment is being received.
 - c. When an employee's attendance at work may jeopardize the health of others.
 - d. When an employee must care for a sick or injured relative or step relative. A relative is defined as a spouse, partner in a civil union or domestic partnership, parent, child, grandparent, grandchild, or other immediate relative residing in the household. Other immediate relative residing in the household includes sibling, cousin, aunt uncle, niece, and nephew. Caring for an in-law does not qualify for use of medical leave.

If applicable, Family and Medical Leave (FMLA) will run concurrently with medical leave as described in section H of this policy.

Employees may request to use their medical leave to attend to personal business. Up to sixteen (16) hours per year can be used for this purpose and requires approval of the EO/DH or his/her designee in advance of the request. Employees may not use medical leave for personal business during their initial introductory period.

Part-time FTE/term employees may use up to sixteen (16) hours of personal business each year based on the percentage of hours worked. For example, the employee working 50% time will be able to use eight (8) hours of medical leave as personal business per year.

FTE/term employees may use up to eight additional personal business hours of medical leave if in the prior year they use forty-eight (48) or fewer medical leave hours (an employee working 50% time can use no more than twenty-four (24) hours and would be eligible for four additional hours of personal business). The employee must be

employed the entire calendar year to receive the additional personal business day. Personal business hours must be used no later than December 31st each year. Each year's personal business hours are configured and applied on January 1st based on the medical usage in the prior year and will be populated in the accruals section of the BC Time timecard on January 1st. Employees successfully completing their initial introductory period will receive personal business hours based on their FTE at the end of the introductory period and every January 1st thereafter.

2. Accrual: Medical leave is accrued as follows:

- a. A full-time salaried FTE accrues eight hours of medical leave for each month employed. Part-time FTE/term employees accrue medical leave based on the percentage of time they work. For example, the employee working 50% time will receive four (4) hours in medical leave.
 - b. The maximum accrual for medical leave is 480 hours. Part-time can accrue a percentage of the maximum allowed based on their time worked. For example, an employee working 50% time can accrue 240 hours. Exception: Employees who had accrued more than 480 hours prior to January 1, 1984 and Human Services employees who exceeded the maximum as of January 1, 1998 are capped at the number of hours they had accrued up to that date.
 - c. FTE/term employees hired on or after June 1, 1987, and Human Services employees, will not be paid for unused hours at termination or retirement. Hours accrued over the maximum will not be reimbursed at the end of the year. Employees hired prior to June 1, 1987 must be reimbursed at the end of each year for any hours in excess of the maximum at 50% of the employee's normal pay rate per hour and will be paid at 100% of the employee's normal pay rate per hour for unused hours at termination or retirement.
 - d. To accrue medical leave for any given month, the employee must have paid time (hours worked, vacation, medical, etc.) recorded for at least 16 days in the pay period. Employees on short term disability and /or leave without pay for more than 16 days in that pay period do not accrue medical leave.
3. Payment: Medical leave is paid in the following manner:
- a. Medical leave is paid at the same rate of pay as an individual normally earns. Medical leave is reported and paid in minimum increments of 15 minutes.

- b. If a holiday occurs during medical leave, no medical leave is charged for the holiday.
- c. FTE/term employees hired on or after June 1, 1987, and Human Services employees, will accrue medical leave up to the maximum, but will not be paid for unused hours at termination or retirement.
- d. Employees hired prior to June 1, 1987, except Human Services employees, who retire from the county at age 62 or older, or with twenty years of service, will be paid 100% of all unused medical leave up to the maximum and 50% of all unused medical leave over the maximum.

4. Provisions

- a. In the event that more than three consecutive medical leave days are taken, or if other circumstances warrant, at the EO/DH's sole discretion, the EO/DH may require certification of the illness or injury from the employee's doctor.

Based upon the length and circumstances of a medical leave of absence, an employee may be requested to provide a physician's verification that he or she may safely return to work. Depending upon the injury or illness involved, the employee may be entitled to FMLA Leave under the provisions of the Family Medical Leave Act found in section H of this policy.

- b. An employee, whose physician and/or a physician selected by the county or by Workers' Compensation has determined that the employee cannot return to his/her previous work responsibilities, may be reassigned at the discretion of the EO/DH to other essential duties within the office/department or may be terminated.

D. On-the-Job Injury Leave

An on-the-job injury is an injury which results directly from the employment or conditions under which work was performed.

Workers' Compensation pays employee medical expenses for an on-the-job injury. Employees must report all accidents to their supervisors within twenty-four (24) hours. Boulder County will designate the clinic or doctor that will treat injuries. Failure to report an injury in the twenty-four (24) hour period or failure to seek treatment with the designated clinic or doctor can result in delay or denial of the Workers' Compensation claim. In the event of a serious injury, the employee

should be taken to the nearest medical facility that can provide emergency treatment. Follow-up treatment should be received at the designated clinic. See the [Workers' Compensation Policies and Procedures Policy](#) for additional information.

Employees will be assured continuation of regular pay for a job-related injury that renders them incapable of performing their normal job duties. Full salary will be paid by the county for injury leave for the first ninety (90) calendar days of injury for FTE'S/terms. Depending on the employee's medical status, s/he may be placed on leave or may be assigned alternate job duties. When an employee cannot return to normal job duties after ninety (90) days, Workers' Compensation payments will continue until the employee is either declared able to return to normal job duties or the employee reaches maximum medical improvement. After the first ninety (90) days, the amount of the compensation payments will be in accordance with state statutes which means two-thirds of the employee's average weekly wage, not to exceed a maximum of 80% of the state average weekly wage per week.

During the first ninety (90) days, injury leave payments are not deducted from an employee's medical leave or vacation accrual. Vacation time and medical leave are accrued during the injury leave. If a holiday occurs during injury leave, a day of injury leave will be charged for the holiday. The county continues all benefit payments and deductions during the injury leave. Family Medical Leave will run concurrently with on-the-job injury leave for eligible employees (see section H of this policy).

Full-time FTE/term and part-time FTE employees of Boulder County are eligible for injury leave. Temporary employees will be paid by Boulder County for the first three working days due to an injury. If after three working days the temporary employee is unable to return to work, s/he will not be eligible for Boulder County's injury leave, but will be covered under the state mandated Workers' Compensation Program, and if eligible, temporary employees will be covered by FMLA Leave, in section H of this policy.

E. Funeral Leave

At the discretion of the EO/DH, FTE county employees may take up to a maximum of twenty-four hours with pay for funeral leave in the event of the death of a relative or step-relative. A relative is defined as a spouse, partner in a civil union or domestic partnership, parent, child, grandparent, grandchild, sibling, cousin, aunt, uncle, niece or

nephew of the employee or of the employee's spouse or partner in a civil union or domestic partnership.

The amount of funeral leave is based on an employee's FTE percentage rather than work schedule.

Vacation or medical leave as personal business must be utilized by the employee if additional time off is requested.

F. Jury Duty Leave

FTE/term and temporary employees will not lose regular employment pay or time while serving on jury duty. If an employee receives compensation for jury duty, the employee must pay the amount of jury duty compensation to the county, minus mileage and meals reimbursement. Temporary hourly employees on jury duty will receive regular wages up to \$50 per day for any time that they were regularly scheduled to work. Time spent on jury duty is not considered "hours worked" and is not factored into the calculation of compensatory time or overtime.

G. Leave for Military Duty

Military leave applies only to full-time, part-time and term employees. Military leave does not apply to temporary employees when their employment is for a brief and nonrecurring period and when there is no reasonable expectation that such employment will continue indefinitely or for a significant period. Employees taking military leave exceeding thirty (30) days must notify their EO/DH at least two (2) weeks before departure.

Employees who are members of the Armed Forces Reserves or National Guard will be given fifteen (15) working days (120 hours) of paid military leave each fiscal year for military duty. Vacation time and medical leave will continue to accrue during this period.

Reservists on voluntary or involuntary federal active service (Title 10) or State voluntary or involuntary active service (Title 32) will be paid for the first fifteen (15) working days (120 hours) of active duty, unless they have already used the fifteen (15) days (120 hours) during the fiscal year and will have all rights under the Uniformed Services Employment and Reemployment Rights Act of 1994. While on Federal or State voluntary active duty, medical, dental, life, short term disability, and long-term disability insurance may be continued. For periods of up to thirty (30) days of active duty, the employee is required to only pay his/her share of the cost of such coverage. For

longer periods of active service, up to a maximum of four months, the employee is responsible for the entire premium.

For reservists who have been involuntarily called to federal active service (Title 10) in support of a contingent operation, the county will pay the entire premium for health and dental insurance for the employee and his or her dependents, if dependent coverage is in effect at the time of the involuntary call up for up to twenty-four (24) months. The county will pay the entire premium for life, short term disability, and long-term disability insurance for the employee for a maximum of four months.

For reservists who are involuntarily ordered to federal active service (Title 10) in support of a contingent operation, the county will pay the difference between the employee's military base pay and county salary if the military base pay is less for up to twenty-four (24) months. Differential military pay is not subject to FICA taxes. Vacation time and medical leave will not accrue when the reservist is on active duty.

In accordance with the Uniformed Services Employment and Reemployment Rights Act, a full time regular employee is required to report back to work for the first full regularly scheduled work period following active service of up to thirty (30) consecutive days; fourteen (14) days following active service of thirty-one (31) to 180 days; and 90 days following active service of 181 days or more (see chart below). If the employee's active service was less than 91 days, he/she will be reinstated to the same job held provided that he/she is still or can become qualified for the position held and provided that the employee meets all other requirements of the Act. For periods of active service of 91 days or more, the employee will be reinstated in a position comparable to his/her former position provided the employee meets all other requirements of the Act. Exempt employees under the Fair Labor Standards Act (FLSA) shall not have their pay docked in any manner that would be inconsistent with the FLSA salary test.

Days of Active Service	Return to Work Requirement
Up to 30 days	1 st full regularly scheduled work period following active service
31 days to 180 days	14 days following active service
181+ days	90 days following active service

H. Family and Medical Leave (FMLA)

For eligible employees Boulder County grants leaves of absence for the following reasons:

- Employee's serious health condition or pregnancy disability
- Father's/partner's attendance at birth of child
- Parent's care of child following birth
- Placement of a child with employee for adoption or foster care
- Serious health condition of employee's child under 18 years, or older child if disabled
- Serious health condition of employee's, spouse, domestic partner, or parent
- Military Family Leave

To be eligible for FMLA Leave under this section, an employee must be employed at least twelve (12) months and have worked at least 1,250 hours during the twelve (12) months preceding the commencement of leave.

Whenever possible, the employee must notify HR at least thirty (30) days prior to FMLA Leave. An employee who plans to take leave because of planned medical treatment must make an effort to schedule the treatment to reduce the disruption to the county, subject to the health care provider's approval. The employee's supervisor must submit the online FMLA notice to HR requesting the employee's leave and stating the reason for the leave, the starting date, and the planned date for return to work. The employee is responsible for contacting the Leave Management Administrator to request the leave and is responsible for providing the required documentation to the Leave Management Administrator to support the leave. Failure to do so may prevent making a determination regarding the request for leave. The employee is responsible for reporting absence(s) to the Leave Management Administrator for tracking purposes.

Employees requesting a leave for medical reasons are generally required to provide medical certification to the Leave Management Administrator county. Further medical verification may be required during the leave, depending upon the circumstances. 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 delayed. If appropriate documentation is not received to support the FMLA leave, the designation of FMLA leave will be removed. Failure to provide documentation to support a FMLA qualifying reason for leave of absence will result in an unapproved leave of absence which may be considered cause for disciplinary action described in the [Disciplinary Action Based on Cause Policy](#).

The maximum time allowed for FMLA Leave is a total of twelve (12) weeks in each rolling twelve (12) month period. An employee who exceeds the maximum allowable total may request Leave Without Pay in accordance with section J of this policy. FMLA also permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period, as provided below under military family leave entitlements. Although most leaves would be taken in a single block of time, intermittent leaves or reduced leave schedules also may be approved, if medically necessary. Leave due to qualifying exigencies may also be taken on an intermittent basis. Employees taking intermittent leave or reduced schedules may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

An employee will be required to provide a physician's verification that he or she may safely return to work if the employee is off work for more than seven (7) consecutive calendar days, regardless of schedule, for the employee's serious health condition which does not include pregnancy.

Boulder County continues medical insurance benefits for employees on FMLA Leave as it does with other employees. Employees must continue to pay their portion of any insurance premium while on leave. During any FMLA Leave that runs concurrently with the employee's own paid accruals, the employee's share of the premiums will be deducted from the employee's paycheck. During any FMLA Leave that does not run concurrently with the employee's own paid accruals, the employee shall pay the employee's share of the insurance premiums by submitting payment for the current month to HR before the end of that month. If payment is not received from the employee, insurance coverage will be canceled as of the last day of the month for which premiums were paid. If the employee is able, but does not return to work after the expiration of leave, the employee will be required to reimburse the county for payment of insurance premiums during the FMLA Leave.

As with other types of unpaid leaves, vacation and medical leave will not accrue during the unpaid FMLA leave nor are holidays granted on unpaid FMLA leave.

a. Use of medical leave/vacation leave/compensatory time during FMLA

FMLA will run concurrently with medical leave and/or vacation leave and/or compensatory time for eligible employees. Boulder

County has the right to substitute paid leave for unpaid leave when the employee has accrued paid leave. Medical leave, followed by medical personal business leave must be used prior to vacation and compensatory leave except for situations in which the employee will lose vacation leave due to reaching accrual limits.

b. Use of FMLA Leave during the On-the-Job Injury Leave

FMLA will run concurrently with on-the-job injury leave for eligible employees.

c. Use of FMLA Leave during Short Term Disability Leave

FMLA will run concurrently with approved short term disability for eligible employees.

Employees who return to work from a FMLA leave of absence will generally be returned to their same job or an equivalent position subject to the rules of FMLA. Upon exhaustion of FMLA, the employee may be terminated if he/she does not return to work, in accordance with the VII.8 Exhaustion of County Leaves of Absence.

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 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.”

I. Pandemic Illness

This policy only applies during a declared pandemic. It supplements but does not change existing county policies related to leaves of absence due to illness.

Employees diagnosed with influenza at their healthcare provider or employees who have influenza-like illness should remain at home for at least twenty-four (24) hours after fever is gone, without the use of fever-reducing medicine. However, the county wants to avoid a situation in which employees feel forced to come to work before they have fully recovered because they have exhausted all of their available leave time. In most cases, our benefit eligible employees will be able to utilize sick and vacation leave if they become ill.

For situations in which a benefit eligible employee does not have adequate leave:

1. Employees who are sick and have successfully completed their initial introductory period:
 - a. If possible, affected employees will be encouraged to work from home.
 - b. Affected employees will be required to utilize available sick leave, vacation leave, floating holiday, and compensatory time if they are unable to telecommute.
 - c. Employees who are diagnosed with a pandemic illness by a physician may apply for short term disability to receive compensation for the work absence. Please refer to the HR intranet site for a complete explanation of the short term disability policy.
 - d. Employees still in their introductory period will also be encouraged to work from home if possible. Absent that opportunity, the provision to borrow leave, as described below, will be applicable.
2. Employees who are not ill themselves:
 - a. Employees who are not ill themselves but are impacted by a school or daycare closure, or who must care for a sick family member in the home, may borrow up to a maximum of one (1) week of leave if they do not have adequate leave to cover the period of absence. For a full time FTE this equates to forty (40) hours. A .75 FTE could borrow a maximum of thirty-two

- (32) hours and a .50 FTE could borrow a maximum of twenty (20) hours.
- b. Employees will not be allowed to utilize future sick or vacation leave until the entire borrowed amount has been replenished. Vacation leave will be paid back first, with sick leave to follow if that has been depleted as well.
For instance, John has no leave time available. His accrual rate is eight (8) hours of sick leave and eight (8) hours of vacation leave each pay period. He borrows forty (40) hours of leave. John accrues eight (8) hours of sick and vacation leave the next pay period and his borrowed balance is reduced to twenty-four (24) hours. The following pay period he accrues eight (8) hours of each type of leave, and the remaining borrowed balance is eight (8) hours. At the end of the next pay period, John will have eight (8) hours vacation leave available, but no sick leave available.
 - c. If an employee requires an additional absence before the leave time is replenished, that absence will be counted as Leave Without Pay (LWOP). The EO/DH or their designees must grant Leave Without Pay in advance of the leave because it is discretionary.

Please note that the ability to borrow leave time only applies to benefit eligible employees. Affected employees who are not benefit eligible are encouraged to stay home in the above circumstances, and attempts will be made where possible to make up hours missed.

J. Leave Without Pay (LWOP)

An EO/DH may at his/her discretion, grant an employee leaves of absence for up to four months without pay for personal reasons, and for periods in excess of four (4) months with prior approval of HR, provided the employee uses all paid leave before starting LWOP, and the employee uses paid leave that accrues during the LWOP, if any, at the beginning of each succeeding pay period or as soon as it accrues. The maximum amount of LWOP available, generally four (4) months, shall be reduced by any time taken off for other paid and unpaid leaves during the prior 12-month period for which the LWOP is requested. LWOP is granted with assurance of reinstatement to the same pay range.

An employee must use all paid leave, including without limitation medical leave, vacation leave, job injury leave, compensatory time, floating, and approved short term disability leave before receiving

LWOP. An employee granted LWOP is entitled to continue medical, life, dental and long-term disability insurance for up to four months at his/her own expense and is responsible for submitting his/her own insurance premiums to HR. An employee taking a leave must contact HR before the leave begins to arrange for insurance coverage.

No vacation time or medical leave is accrued during LWOP, nor are there any holidays paid during this period.

K. Sabbatical Leave Without Pay (SWOP)

The BOCC recognizes that some employees may be interested in unpaid time off after exhausting vacation leave balances. Therefore, an EO/DH may at his/her discretion and considering business needs of the office/office, grant employees with five (5) or more years of continuous employment as an FTE, up to three months without pay for personal, non-medical reasons such as pursuing growth opportunities or extended vacations. The maximum amount of SWOP available, three months, shall be reduced by any time off taken for any other unpaid leave during the prior twelve (12) month period. All vacation leave must be exhausted prior to utilizing this leave. An employee may not have had any disciplinary action within one (1) year prior to application for SWOP to be eligible. The employee must complete a request for sabbatical, available on the HR intranet site, at least two months prior to the desired start date of the leave. This leave is not intended as medical leave. Employees are expected to remain employed with the county for a minimum of one year following utilization of this leave benefit.

Boulder County continues medical insurance benefits for employees on the county's medical plan during SWOP. Employees must continue to pay their portion of any and all applicable insurance premiums while on SWOP. The employee share will be paid by submitting payment for the current month to HR prior to the end of that month.

As with other types of unpaid leave, vacation and medical leave will not accrue during SWOP. Holidays are also not paid while on SWOP.

L. Paid Parental Leave of Absence

1. Parental Leave

A parental leave of absence of up to 160 hours following the birth, fost-adopt placement, legal adoption, or listing on the child's birth certificate as a parent under the Uniform Parentage Act ("UPA listing") of a domestic partner who is ineligible to adopt, of a child shall be granted to FTE's who have successfully

completed their initial introductory period. The county will provide up to 160 hours of pay for such leave. Part-time employees will be paid a percentage of the maximum allowed based on their time worked. For example, an employee working 50% time will be paid eighty (80) hours of pay.

2. Eligibility for Parental Leave

The employee must be an FTE who has successfully completed his/her initial introductory period. Eligibility for Parental Leave shall begin on the date of the birth of an employee's child, the placement of a child into the employee's custody through social services for fost-adopt or court proceedings for legal adoption, or upon commencement of proceedings for a UPA listing of a child under the age of eighteen. Documentation substantiating the fost-adopt arrangement, legal adoption, or UPA listing will be required in order to be eligible for Parental Leave.

3. Leave to be Taken Immediately Following Birth, Fost-Adopt Placement or Legal Adoption

Parental Leave following the birth of a child must be taken in full immediately after the birth. Parental Leave in the case of fost-adopt or adoption may be taken in full either at the time of the initial placement or at the time of legal adoption, and in the case of a UPA listing, at the commencement of proceedings seeking the listing. Parental leave is limited to one (1) leave per calendar year and one (1) leave per birth.

4. Relationship to Other Leaves

Parental Leave runs concurrently with Family and Medical Leave and short term disability for eligible employees. For birth mothers, Parental Leave must be taken immediately following the birth of the child and any available medical leave shall be taken after the Parental Leave is exhausted. Parental Leave will run concurrently with FMLA and short term disability.

5. Benefits and Accrued Time

The county will continue insurance benefits for an employee on Parental Leave. Vacation, holidays and medical leave will continue to accrue while employees are on Parental Leave.

M. Domestic Violence Victim's Leave

A paid leave of up to three working days is available to those eligible employees who are victims of the following statutorily defined events:

- Domestic violence or abuse
- Stalking
- Sexual Assault, or
- A crime found by a court on the record to include an act of domestic violence.

1. Eligibility for Leave

The employee may request up to three working days off in any 12-month period. The employee must use the leave for one (1) or more of the following reasons:

- a. Seeking a civil restraining order to prevent domestic violence
- b. Obtaining medical care or mental health counseling or both for him/herself or his or her children to address physical or psychological injuries arising from the act or crime
- c. Making his or her home secure from the perpetrator or seeking new housing to escape the perpetrator
- d. Seeking legal assistance to address the issues and attending and preparing for court-related proceedings arising from the act or crime.

2. Procedure for Requesting Leave

Employee must notify his or her supervisor of the need for leave a week in advance except in cases of imminent danger to the health or safety of the employee and/or his or her children.

One (1) of the following documents must be provided to the supervisor at the time of leave or as soon after as possible:

- a. Verification of a police report indicating the employee was a victim of domestic violence.
- b. A copy of a restraining order from the county protecting the employee from the perpetrator.
- c. Verification from a medical professional or counselor that the employee is or was undergoing treatment for physical or mental injuries for abuse resulting from an act of domestic violence.

HR must be notified immediately by the supervisor of a request for leave as well as issuance of a civil restraining order.

N. Declared Emergency Victim Leave

A paid leave of up to the maximum equivalent of 40 hours depending on FTE status is available to those eligible employees who are victims of a declared emergency.

1. Eligibility for Leave

The employee may request up to a maximum equivalent of 40 hours of leave time depending on FTE status in any consecutive 12-month period following the declared emergency. The employee must use the leave for one (1) or more of the following reasons:

- a. Obtaining medical care or mental health counseling, or both, for the employee and their immediate family to

- address physical or psychological injuries arising from the declared emergency.
 - b. Making the employee's permanent residence secure from the damages incurred from the declared emergency.
 - c. Seeking legal or other assistance related to the issues arising from the declared emergency.
2. Procedure for Requesting Leave
- The employee must notify their supervisor of the need for leave a week in advance, except in cases of imminent danger to the health or safety of the employee and/or their immediate family. Verification of proof of address indicating the employee was a victim of such declared emergency may be required.
- HR must be notified immediately by the supervisor of the request for Declared Emergency Victim leave.



SECTION VI DISCIPLINE AND COMPLAINT

NUMBER VI.1 General Policy (November 1, 2004)

The county encourages the use of the progressive disciplinary process. It is designed to be constructive and to promote employee success. It gives employees the information necessary to understand what aspect of work performance or behavior is unacceptable, identifies the improvements that are expected and provides the opportunity for employees to demonstrate the expected improvements. The progressive discipline process may be bypassed in certain circumstances or for supervisors and managers. Generally, however, the county will use the progressive disciplinary process.



SECTION VI DISCIPLINE AND COMPLAINT

NUMBER VI.2 Coverage (July 1, 2010)

All county employees are subject to the provision of these procedures with the exception of the following:

- Employees serving at the pleasure of the Elected Officials
- Public Health Administrator
- Employees in the offices of Elected Officials who have not accepted and endorsed the Boulder County Personnel and Policy Manual
- Introductory Employees
- Term Employees
- Temporary Employees

These employees may be dismissed without cause and should be so notified at the time of hire. Dismissals of introductory, term, and temporary employees must be reviewed by HR and approved by the EO/DH.



SECTION VI DISCIPLINE AND COMPLAINT

NUMBER VI.3 Disciplinary Actions to be Based on Cause (July 1, 2015)

All disciplinary actions shall be based on cause. Examples of actions by employees that may be considered cause include, but are not limited to, the following:

- Incompetence or inefficiency in performance of job duties
- Deliberate or careless conduct endangering the safety or well-being of fellow employees or the public
- Deliberate abusive language or unbecoming conduct toward the public or fellow employees
- Abusive treatment and/or disrespect of another including, but not limited to, physical or verbal confrontations, insults, sabotage, excessive gossiping/spreading rumors, and threats
- Negligent or willful damage or waste of public property
- Unauthorized use or theft of county property
- Insubordination or refusal to comply with lawful orders or regulations.
- Being under the influence of intoxicants or non-prescribed drugs so as to affect the performance of duties
- Unexcused absence, unapproved leave of absence, including for failure to provide documentation to support FMLA leave or failure to return from leave of absence including FMLA leave
- Conviction or admission of a serious crime such as a felony or crime of moral turpitude
- Accepting bribes in the course of county work or deliberate misuse of county funds
- Habitual tardiness or absenteeism
- Any behavior that adversely impacts the efficiency or effectiveness of county functions
- Any condition, event or change in status that renders an employee ineligible for his or her employment pursuant to federal, state or local laws, rules or regulations
- Posting inaccurate or inappropriate content on county websites
- Violation of a county policy
- Dishonesty, cheating, fraud, deceit, and breach of trust

- Failure to immediately report to one's EO/DH a conviction that impacts the employee's ability to perform a function or functions of his/her position or failure to immediately report a driving violation covered by the [Use of Vehicles Policy](#).



SECTION VI DISCIPLINE AND COMPLAINT

NUMBER VI.4 Disciplinary Actions and Procedures (July 1, 2015)

The following disciplinary actions are possible: written reprimands; suspension without pay; reduction of pay; demotions; disciplinary movement of an employee to a different position; or dismissals. Supervisors designated by EO/DH may impose written reprimands.

The EO/DH may impose suspensions without pay, reduction of pay, demotions, disciplinary movement of an employee to a different position, or dismissals.

Dismissals, to be final, require the approval of the BOCC, other EO/DH or the Public Health Administrator, as appropriate.

A. Progressive Discipline

The progressive discipline procedure shall include two written reprimands prior to dismissal except in certain egregious circumstances, in such case progressive discipline may be bypassed. In certain circumstances an employee may also receive a suspension without pay, a demotion, a reduction in pay, or disciplinary movement to a different position. Please refer to the sections below describing these additional disciplinary actions.

1. First Written Reprimand

The supervisor will meet with the employee to identify and discuss the existing problem and to advise the employee of the need for improvement. The focus of this discussion is to describe the problem and encourage the employee to improve his/her behavior. A record of the date of this written reprimand and the topic discussed shall be made by the supervisor, signed by the employee to acknowledge the discussion took place, and placed in the employee's personnel file in HR. The employee must be provided the opportunity at this time to add his/her opinions and comments to the reprimand. Refusal of the employee to meet on this subject, sign the document or acknowledge the discussion took place does not invalidate this step or procedure.

The time frame for improvement before issuing a second written reprimand is left to the discretion of the supervisor. However, thirty days should be used as a guideline with more or less time being given depending on the nature of the problem.

2. Second Written Reprimand

If the problem continues, or if another problem with the employee develops, the supervisor will have a second discussion with the employee and prepare a second written reprimand. The reprimand will describe the problem or problems, the reasons a second reprimand became necessary, what improvement is expected and what disciplinary actions the supervisor will take if there is no improvement. The employee must be provided the opportunity at this time to add his/her opinions and comments to the reprimand. The reprimand will be signed by the supervisor and the employee to acknowledge receipt. Refusal of the employee to sign the reprimand does not affect these procedures or the validity of the action. The reprimand will be placed in the employee's personnel file in HR. When the disciplinary problem is resolved, the supervisor may state that fact in a memo signed both by himself/herself and the employee and place a copy in the employee's personnel file in HR.

3. Suspension With Pay

An employee may be suspended with pay, or placed on leave, when the EO/DH requires time to investigate charges against an employee prior to making any disciplinary decision regarding that employee. While on leave, the employee shall remain available during normal working hours to respond to any inquiries of EO/DH or her/his designee. A department payroll coordinator will add a pay code to the employee timecard indicating this leave with, NE Paid Special Circumstance for non-exempt employees or Exempt Paid Special Circumstance for exempt employees with a comment and note.

4. Suspension Without Pay

An employee may be suspended without pay as described in a. or b. below. The suspension must be based on cause as described in the [Disciplinary Actions Based on Cause Policy:](#)

a. Suspension For Disciplinary Action.

Disciplinary suspension for up to eighty (80) hours, taken in whole day increments based on work schedule, may be used at any point in the progressive disciplinary process when the EO/DH believes it is necessary to apprise the employee of the seriousness of a problem/infraction. Exempt employees under

the Fair Labor Standards Act (FLSA) shall not have their pay docked in any manner that would be inconsistent with the FLSA.

b. Suspension Pending Criminal Offense.

Employees may be suspended if they are arrested, charged, or implicated in criminal offenses or activities which may adversely affect the efficiency or effectiveness of the employee's job or county functions. This suspension may be for an indefinite period.

Whenever a suspension without pay is being considered, the suspending authority must first consult with HR. Before any such suspension without pay is imposed, a pre-disciplinary hearing ([Disciplinary Actions and Procedures Policy](#)) must be held.

Whenever a suspension pursuant to Subsections a. or b. above is imposed, written notice of the suspension must be given or mailed to the employee stating the reasons for suspension, its duration, and the right to appeal to the Hearing Officer ([Appeals Policy](#)). The notice must be given or mailed to the employee within two working days of the suspension. HR must approve the notice before it is given to an employee.

c. Reinstatement Following Suspension

Employees may be reinstated with back wages. The payment of back wages will not be more than the employee would have received had s/he not been suspended. The BOCC, other EO/DH, or the Public Health Administrator, will determine the amount of back wages paid upon reinstatement after consultation with HR and the CA.

5. Reduction of Pay

An EO/DH may reduce an employee's pay or demote an employee to a lower classification in conjunction with a first reprimand or at any point in the progressive disciplinary process thereafter. Any action described in this paragraph shall be based on cause as described in the

[Disciplinary Actions to be Based on Cause Policy](#).

When any reduction in pay takes place, the employee's rate of pay must fall within the assigned pay range of the job classification. Prior to making a decision to reduce pay or demote, the EO/DH must consult with HR. The employee will be afforded a pre-disciplinary hearing pursuant to the [Disciplinary Actions Policy and Procedures Policy](#). If the EO/DH then determines that a reduction in pay and/or demotion is appropriate, a written explanation of the decision shall be provided to the employee, and the employee shall be informed of the right to appeal to the Hearing Officer (see the [Appeals Policy](#)).

Nothing in this section shall be construed to require the EO/DH to reduce pay or demote prior to dismissal.

6. Procedures and Dismissal

a. Pre-Disciplinary Hearing

Prior to any decision to suspend without pay, reduce pay, demote, or dismiss any employee covered by [Section VI, Discipline and Complaint](#), the employee shall have an opportunity to be heard. The EO/DH shall provide to the employee written or oral advance notice of the hearing and the charges against the employee. At the hearing, the EO/DH will present an explanation of the evidence of cause, and the employee shall have an opportunity to explain his/her version of the situation. The employee's explanation may be oral or written, and may include documents that the employee wants the EO/DH to consider. This is an informal meeting and does not include witnesses or submission of exhibits. The employee has the right to have representation at the pre-disciplinary hearing, and the employee shall notify the EO/DH of the representative's attendance prior to the hearing. This procedure is not intended to be a full hearing, but rather is intended to provide a preliminary basis for disciplinary actions that affect the pay or job of county employees so that such decisions are made in an accurate and efficient manner. This procedure is in addition to any other meetings conducted as part of the progressive discipline procedure.

b. Dismissal

After consultation with HR, an EO/DH may dismiss an employee under the following circumstances:

1. An employee may be dismissed as a final step in the progressive discipline process.
2. An employee may be dismissed if in the opinion of the EO/DH the employee's performance deficiencies and/or problem behavior is so serious that dismissal without prior discipline is warranted.
3. Supervisors or managers may be dismissed without prior disciplinary measures. Supervisors and managers are held to a higher standard in the execution of their job because they supervise other employees, are expected to exercise significant judgment and discretion, and their actions and decisions have a substantial impact upon the manner in which the county carries out its mission. The use of prior progressive disciplinary action does not affect the

county's right to by-pass further progressive discipline and proceed to dismissal.

4. An employee who is, or has become, unauthorized or ineligible for employment as provided under the Immigration and Nationality Act and the Immigration Reform and Control Act of 1986 may be dismissed without prior or lesser disciplinary measures.

All dismissals must be for cause as listed in the [Disciplinary Actions to be Based on Cause Policy](#).

The procedures described below shall apply to all dismissals.

HR must be notified of all proposed dismissals in advance. The employee must be given a pre-disciplinary hearing (See the [Disciplinary Actions and Procedures Policy](#)). If the EO/DH then determines that dismissal is appropriate, the employee shall be informed of the reason for the dismissal (verbally or in writing if time permits) and of the right to appeal to the Review Board. In any case, written notice of the dismissal and right to appeal shall be given or mailed to the employee within two days of the dismissal decision by the EO/DH. All dismissals must be approved either by the BOCC, other EO/DH or the Public Health Administrator, as appropriate, before they become final.



SECTION VI DISCIPLINE AND COMPLAINT

NUMBER VI.5 Appeals (June 27, 2013)

A. Policy

It is the policy of Boulder County to provide an impartial hearing to employees who wish to appeal certain management decisions.

Disciplinary decisions involving suspensions without pay, reductions in pay, or demotions, may be made to a Hearing Officer as described in the [Disciplinary Actions and Procedures Policy](#). Appeals of dismissals may be made to a Review Board, as described in section C below. Layoff decisions cannot be appealed.

B. Appeals to Hearing Officer

Employees, who wish to appeal a preliminary decision of suspension without pay, demotion, or reduction in pay, must notify their EO/DH in writing of their intention to appeal the decision within ten (10) working days of receipt of the decision. The request for a hearing shall include the name, address, and telephone number of the employee; the action complained of; and shall set forth with particularity each and every one of the grounds upon which the appeal is based. The Administrative Services Director shall sit as a Hearing Officer for the appeal. In the event that the employee requesting an appeal is employed by Administrative Services, another department head, selected by the BOCC, shall sit as the Hearing Officer for the appeal.

The Hearing Officer shall not conduct a pre-hearing investigation or talk with the EO/DH or appealing employee about the case. Any hearing to be held pursuant to this section shall commence not less than seven (7) nor more than fourteen (14) calendar days from the date the request for a hearing is received by HR, unless extended for good cause by the HR Manager. HR will notify all parties concerned of the time and place of the hearing. In the event an extension is granted at the request of the employee, s/he will not be eligible for back pay for the period of the extension, should back pay otherwise be awarded. If, however, an extension is granted at the initiation of the EO/DH or HR, and the employee is subsequently awarded back pay, the award may include the period of the extension. The object of expediting the review procedure is

to avoid all possible delays for the benefit of the appealing employee and the office/department.

The appeal to the Hearing Officer will be an informal meeting, generally lasting no more than four hours. The employee's entire personnel file shall be provided to the Hearing Officer by the HR Manager and shall automatically become a part of the hearing record. The procedures at the hearing will be informal, while still allowing all parties to present their cases completely. The employee may present his/her own case or may have legal counsel of the employee's own choosing at the employee's own expense. In the event an employee is represented by an attorney, notice of such representation must be submitted to the County Attorney's office at least five working days prior to the hearing so the County Attorney can be prepared to represent the EO/DH. A recording and/or notes of the proceedings will be made. No later than two working days prior to the hearing, the employee and the EO/DH may each submit written statements from themselves, witnesses, and other relevant statements and documents to the Hearing Officer for consideration, with a copy to the other party. Both parties may also make oral presentations. The EO/DH may choose to have one of the employee's supervisors appear at the hearing, instead of the EO/DH. Both parties have the right to present their case by oral and documentary evidence, to submit rebuttal evidence, and to conduct cross-examination. The Hearing Officer may ask questions of both parties.

Upon completion of the process, a written report of the fact-findings, recommendations, and a decision of the Hearing Officer will be prepared within ten (10) days of the hearing. A copy will be distributed to the appealing employee, the appealing employee's supervisor and EO/DH, and HR. The Hearing Officer's decision represents the official disposition of the appeal and is a final decision. If the final decision reverses the action, the employee will remain in the position s/he held before action was taken, with equal pay and grade, and with back pay in the amount which the employee's pay was reduced during the appeal procedure, except for any extensions of the hearing requested by the employee.

This is not a hearing under the Administrative Procedures Act or arbitration pursuant to the rules of the American Arbitration Society.

C. Appeals to Review Board

Employees who wish to appeal a dismissal may request a Review Board Hearing.

1. Composition of the Review Board

The Review Board shall consist of three (3) members as follows:

- a. One (1) county employee chosen by the appealing employee from within those offices or departments which are subject to the provisions of this manual, but not from his/her own office/department.
 - b. One (1) county employee chosen by the EO/DH who imposed the disciplinary action, but not from his/her office/department.
 - c. A person with labor relations and/or legal background, who is not a county employee, to sit as a presiding member.
 - d. If either party fails to select a representative to the Review Board by the time set by the HR Manager, the HR Manager shall select a county employee to serve as that party's representative on the Review Board.
 - e. The Review Board members shall not conduct their own pre-hearing investigations or talk about the case with the EO/DH or employee who selected them. Discussions, if any, prior to the hearing should be limited to discussions with the presiding member as to procedural matters and the method of conducting the hearing. It shall be grounds for either side to disqualify the other's choice as a Review Board member, should it be determined during the course of the hearing the Review Board member has had independent discussions or gathered independent facts prior to the findings being announced. If a Review Board member is disqualified, another shall be chosen by the HR Manager.
2. Procedure

To assure equitable treatment and provide an impartial hearing, the following Review Board procedures are used:

- a. An employee who wishes to appeal a dismissal must notify his/her EO/DH in writing within ten (10) working days of the date of the disciplinary decision. The request for a hearing shall be in writing and shall include the name, address and telephone number of the employee, the action complained of, and shall set forth with particularity each and every one of the grounds upon which the appeal is based. A copy of this notification must also be sent to the HR Manager by the appealing employee.
- b. Any hearing to be held pursuant to this section shall commence not less than ten (10) nor more than thirty (30) calendar days from the date the request for a hearing is received by the HR Manager, unless extended for good cause by the HR Manager. At least five (5) days before the date of the hearing HR will notify all parties concerned of the time and place of the hearing. In the event an extension is granted at the request of a disciplined employee, s/he will not be eligible for back pay for the period of the extension should back pay otherwise be awarded. If,

however, an extension is granted at the initiation of the HR Manager and the employee is subsequently awarded back pay, the award may include the period of the extension as determined by the hearing board. The object of expediting the review procedure is to avoid all possible delays for the benefit of the appealing employee and the office/department.

- c. At least ten (10) days before the hearing, the county shall provide a copy of the employee's Notice of Termination and attachments to the Review Board.

The employee's entire personnel file shall be provided to the Review Board on the date of the hearing by the HR Manager and shall automatically become a part of the hearing record. The county shall provide the employee with a copy of the employee's entire personnel file at least ten (10) days before the hearing date. In addition, at least ten (10) days before the hearing date, the parties shall exchange lists of all witnesses they intend to call at the Review Board hearing and any documents, other than documents in the personnel file, they intend to submit at the Review Board hearing. New witnesses or exhibits may be added only if the need to do so was not reasonably foreseeable at the time the original lists were provided, and then only if it would not prejudice other parties or necessitate a delay of the hearing, as determined by the discretion of the Review Board. In addition to the recording of the hearing, any and all documents provided to the parties before the hearing will become the official record of the hearing.

The presiding member of the Review Board shall have the right to conduct a pre-hearing conference. At the pre-hearing conference, the presiding member of the Review Board may discuss with the employee and the EO/DH any procedural issues, evidentiary issues, scheduling matters, or other matters, and make decisions on those issues. The pre-hearing conference is intended to resolve issues, so that the parties can present their cases in the most effective and efficient way possible.

Ordinarily, Review Board hearings shall be conducted in one (1) day with the county's presentation taking no more than four (4) hours and the employee's presentation taking no more than four (4) hours. Any employee or EO/DH, who desires more time to present his/her case, must submit a written request to the HR Manager explaining the reasons additional time is needed at least five (5) days in advance of the hearing. The Review Board

may extend the hearing beyond one (1) day, if essential for either party to present its case. To the extent possible, any Review Board hearing that is scheduled for more than one (1) day shall be scheduled on consecutive days. It is the responsibility of the presiding member of the Review Board's to refuse to allow repetitive or irrelevant testimony regardless of allowable time limits.

The Review Board shall conduct a de novo review of the decision being appealed. It is the county's burden to show, by a preponderance of the evidence, that the disciplinary action was appropriate. However, if the employee alleges discrimination or other improper motivation by the county, it is the employee's burden to show, by a preponderance of the evidence, that the disciplinary action was not taken in good faith.

The procedures at the hearing will be informal while still allowing all parties to present their cases completely, subject to the above rules. The Colorado Rules of Evidence shall not apply, and evidence shall be accepted in the sound discretion of the Review Board. Both parties shall have the right to make an opening statement to the Review Board, to present their case by oral and documentary evidence, to submit rebuttal evidence and to ask questions of each party's witnesses. Members of the Review Board shall also have the right to ask questions of the parties and the witnesses. All witnesses shall be placed under oath by the presiding Review Board member. The employee may present his/her own case or may have legal counsel of the employee's own choosing at the employee's own expense. In the event an employee is represented by an attorney, notice of such representation must be submitted to the HR Manager at least ten (10) working days prior to the hearing. If the employee is disabled by being unable to read and/or communicate, the HR Manager will arrange for an interpreter or transcriptionist. The Review Board should exclude repetitive or irrelevant evidence and make other evidentiary and procedural rulings during the course of the hearing.

This is not a hearing under the Administrative Procedures Act or arbitration pursuant to the rules of the American Arbitration Society.

A recording and/or notes of the proceedings will be made.

If the final decision reverses the dismissal, the employee will be placed in a similar position of equal pay and grade and with back pay in the amount that the employee's pay was reduced during the appeal procedure, except for any extensions of the Review Board hearing requested by the employee.

- d. The Review Board will not formulate any policy, but may interpret policies in accordance with the provisions of the Boulder County Personnel and Policy Manual.
- e. A majority vote of the Review Board shall represent the official decision of the Review Board.
- f. Upon completion of the Review Board process, a written report of the fact-findings, recommendations, and a decision of the Review Board will be prepared. A copy will be distributed to the appealing employee, the appealing employee's supervisor and EO/DH, and the HR Manager.
- g. The Review Board's decision represents the final disposition of the appeal.



SECTION VI DISCIPLINE AND COMPLAINT

NUMBER VI.6 Complaints (July 1, 2010)

A. Policy

It is the policy of Boulder County to provide a good working environment for all employees. This is achieved by developing and maintaining a cooperative working relationship among employees, based on mutual respect and understanding. Boulder County recognizes the need to allow employees the opportunity to call attention to work-related matters which are troubling them and which they feel need correction.

B. Definition of a Complaint

A complaint is defined as a difference of opinion between an employee and a co-worker, his/her supervisor or higher authority within a work situation concerning a stated county policy, practice or rule. Specifically excluded from this complaint policy are:

1. Complaints concerning communications relating to an employee's performance, including the results of job performance evaluations.
2. Complaints concerning job classification.
3. Complaints concerning pay rates.
4. Complaints concerning layoffs (see the [Appeals Policy](#)).
5. Complaints concerning movement of an employee to a different position.
6. Complaints concerning discipline, including reprimands, suspensions without pay, reductions of pay, demotions, or dismissals.
7. Complaints concerning discrimination, harassment or retaliation. (See the [Equal Opportunity and Unlawful Discrimination Policy](#) for procedures.)

C. Procedure

An employee with a complaint shall complete the employee complaint form (online under the Employee Relations tab or the HR site), identifying his/her concern(s), providing a specific description of the complaint, and what s/he thinks should be done to resolve the issue. The complaint form will first be given by the employee to the employee's immediate supervisor. A copy of the complaint must be sent to the HR Manager by

the employee. The supervisor will attempt to provide a written response to the employee's complaint within 5 (five) business days. If the employee is not satisfied with the response from his/her immediate supervisor or does not receive a timely response, the employee may deliver the complaint with the immediate supervisor's response to the supervisor's manager. The employee may forward the complaint and responses from all intermediate supervisors to each succeeding supervisor, up to and including the EO/DH. Each supervisor will attempt to answer the employee's complaint within 5 (five) business days.

The written decision of the EO/DH is final.

D. Discipline

Nothing in this policy will limit the county's ability to initiate or continue discipline proceedings against an employee who has filed a complaint.

E. The HR Manager may determine that an employee's submitted complaint should be responded to and resolved in another manner or process outside of the Complaint process as described here. The employee will be notified by the HR Manager of that decision when the complaint is filed and copied to HR.



SECTION VII SEPARATION FROM COUNTY SERVICE

NUMBER VII.1 General Policy

The following provisions concern employee departure from county employment. They apply to all instances, except for dismissals for disciplinary reasons.



SECTION VII SEPARATION FROM COUNTY SERVICE

NUMBER VII.2 Retirement (July 23, 2009)

Employees participate in two mandatory retirement programs.

- Colorado PERA
- Social Security

In addition to the mandatory pension plan, Colorado PERA offers members a voluntary 401(k) plan with varied investment options and additional pretax retirement savings.



SECTION VII SEPARATION FROM COUNTY SERVICE

NUMBER VII.3 Termination of Employment (July 23, 2009)

Full-time FTE's are expected to give at least ten working days' notice and other employees at least four days' notice prior to the effective date of their resignation. This notice must be in writing to the EO/DH or if verbal, documented in writing with a copy sent to HR.

All terminating employees must contact HR to be informed of termination benefits, including continuation of insurance and retirement options.

"Last day worked" is defined as the last day the employee is physically on the job. The employee will receive a termination warrant through the last day actually worked, which includes unused vacation time and accrued comp time, and employees hired as FTE's prior to June 1, 1987, except Human Services employees, will be paid 100% of unused medical leave. Holidays occurring after the last day actually worked will not be paid. Accrued leave cannot be used after the last day worked.

Employees who are terminating employment with Boulder County will receive their final paycheck in the form of a paper check, regardless of whether they had direct deposit in effect prior to the termination month. The final paycheck will be mailed to the employee's home address.



SECTION VII SEPARATION FROM COUNTY SERVICE

NUMBER VII.4 Layoff (July 1, 2010)

These procedures are intended as directives from the BOCC to its staff only concerning how to approach layoff decisions. These provisions are not intended to create and do not create any rights to county employees affected by layoff decisions. Failure to comply with these procedures shall not result in the invalidation of any layoff decision. The BOCC is the final authority regarding the proper interpretation of these provisions.

Layoffs or reductions in force within county offices/departments for both general-funded and grant-funded employees are permitted in the following circumstances: 1) Changes in office/department mission or scope of work which render current staffing levels excessive; 2) insufficiency of funds necessary to sustain current levels of operation; 3) When a reduction in staffing levels will make the county more efficient.

Offices/departments will not reduce staff by layoff, unless one (1) or more conditions are met as documented by the EO/Dh or by the Public Health Administrator and the Board of Health as appropriate. A revised staffing plan clearly indicating alterations in work assignments as a result of the layoff must be part of the required documentation.

Staff subject to an approved layoff will be those determined by EO/DH to be least essential to sustaining optimum levels of operation. Whenever fewer than all employees within a particular job classification series (e.g., Administrative Technician) or a program area are being laid off, the following order for determining layoffs will apply in identifying "least essential" personnel within each job classification series: 1) Temporary employees; 2) Introductory employees; 3) term employees and 4) FTE'S.

An FTE being laid off will receive a thirty-day notice prior to the actual layoff date, unless the layoff is of a temporary nature (one month or less) due to a cause that could not be foreseen.

A layoff is not a disciplinary action or dismissal, and an employee cannot file a complaint or an appeal concerning the layoff.

FTE'S who have been laid off from county service will be eligible for rehire under the following provisions:

- If within 120 days from the date of layoff an opening of the same classification becomes available within the same office/department from which the person was laid off and the person laid off is fully qualified for the opening, that person will be offered the position. If more than one (1) person was laid off, the rehire will be in reverse order of layoff. If all persons were laid off on the same date, the criteria for layoff will be used as the criteria for rehire. If the laid off employee declines the position he/she may be eligible for other openings of the same classification.
- Employees laid off from county service have, for a period of 120 days from the date of layoff, county employee preference for positions within other county offices/departments, provided they meet the minimum qualifications for the opening that exists.
- Laid off employees who return to work within 120 days will continue to accrue medical and vacation benefits at the rate in effect at the time of the layoff.

All employees laid off must contact HR to be informed of termination benefits, including continuation of insurance and retirement options.



SECTION VII SEPARATION FROM COUNTY SERVICE

NUMBER VII.5 Death of an Employee

In the event of the death of an employee, the final check will be made payable to the estate of the employee and mailed to his/her recorded place of residence.



SECTION VII SEPARATION FROM COUNTY SERVICE

NUMBER VII.6 Return of County Property (July 21, 2011)

Any employee leaving county service for any reason must return all county property s/he has. It is the responsibility of the EO/DH or his/her designee to see that all terminating employees have checked in all county property, such as identification cards, badges, uniforms, keys, tools, cameras, manuals, etc.



SECTION VII SEPARATION FROM COUNTY SERVICE
NUMBER VII.7 Exhaustion of County Leaves of Absence (June 27, 2013)

When an employee exhausts all available county leaves of absence and is still absent, a pre-termination hearing will be set pending termination.



SECTION VIII EMPLOYEE DEVELOPMENT

NUMBER VIII.1 General Policy

Boulder County recognizes that the employees are its most valuable resource and, therefore, provides programs for employee development.



SECTION VIII EMPLOYEE DEVELOPMENT

NUMBER VIII.2 Performance Standards and Appraisals

Each employee will have written performance standards developed for his/her position. Each employee will have his/her performance reviewed during his/her introductory period and at least annually thereafter by means of a written performance appraisal based on these standards and other relevant job performance indicators. Procedures for development of the performance standards and conduct of the performance appraisal will be the responsibility of each office/department with technical assistance available from HR to achieve some level of consistency throughout the county. The performance appraisal must be both written and verbal allowing for communication between the employee and his/her supervisor. The employee will be allowed to add comments to the written appraisal that will be entered into the employee's personnel file.



SECTION VIII EMPLOYEE DEVELOPMENT

NUMBER VIII.3 Categories of Training (June 27, 2013)

A. Required Training

Employees may be required to take training as a condition of employment. Generally, the training is financially supported in full by the office/department requiring it, and the employee receives regular compensation for the training hours.

Exceptions to this policy are determined by Elected Officials; however, Fair Labor Standards Act guidelines must be met.

All county supervisors are required to obtain the Supervisory Skills Certificate within their first two years of employment of a supervisor. Supervisors may be given up to three (3) years to meet this requirement if approved by their EO/DH. All certified supervisors are required to attend a Supervisory Refresher course annually following completion of the Supervisory Skills Certificate coursework.

B. Developmental Training

Developmental training is intended to improve performance, capabilities and morale of participating employees so that a higher degree of service is delivered to the residents of Boulder County.

HR sponsors developmental training courses throughout the year that are open to county employees within the county personnel system contingent on approval of EO/DH. These courses are offered at no cost to the county offices/departments or employees.

Individual offices/departments may also sponsor and financially support developmental training opportunities for their employees.

C. Employee-Initiated Training

An employee who wishes to take training not provided for by the county may request support from his/her EO/DH and/or the tuition reimbursement program that is administered through HR. This support may or may not be provided.

Please contact HR for detailed information on training and the assistance available.



SECTION VIII EMPLOYEE DEVELOPMENT

NUMBER VIII.4 Employee Recognition Programs (September 24, 2015)

It is the policy of the BOCC to recognize employees in the following six recognition programs:

A. John P. (Jack) Murphy Circle of Honor

Established in 1984, the Jack Murphy Circle of Honor recognizes FTE employees who have worked for Boulder County part-time or full-time continuously as an FTE for at least eighteen (18) years. Eighteen years is how long Jack Murphy was County Commissioner, and it is generally felt that Commissioner Murphy set the standard for public service.

1. BOCC staff receives a list from HR of all employees who have achieved eighteen (18) years of continuous service as an FTE and who have not been disciplined for at least three years prior to becoming a Circle of Honor recipient. For the purposes of this program only, employees who have had breaks in service of less than twenty-four (24) months and return to work as an FTE will be considered to have continuous service, minus the time not employed as an FTE.
2. Honorees are invited to an awards ceremony held annually. A plaque and a check are presented to the honoree by his or her EO/DH. Each honoree receives a bonus for a full-time employee equal to \$1,000, or a percent of \$1,000 proportionate to employee's part-time status with a minimum bonus of \$500 for all employees whose status is at least half-time. The eligibility determination and bonus amount will be based on the employee's status on September 15th each year.

Names of the honorees are engraved on a large plaque that hangs in the BOCC office.

B. Employee-of-the-Month

1. Anyone may nominate a fellow employee for Employee-of-the-Month. Nomination letters must include:
 - a. Nominee's name, office/department, and job title.
 - b. General reason for the nomination.

- c. Specific examples of the nominee's performance and accomplishments.
 - d. Statement of why his/her work is considered outstanding (how does it benefit the office/department, the public, co-workers, the county, etc.).
 - e. Signature of supervisor, administrative division manager (if applicable), and EO/DH.
- 2. Only one (1) person may be nominated for each letter submitted. Employees who have been nominated but were not chosen for that month will automatically be re-nominated for a maximum of three (3) months.
- 3. The Recognition Committee will be made up of four (4) department heads and/or elected officials. A tie vote will go to the human resources manager for decision. The committee will select the recipient based on the following criteria. A nominee does not have to meet all of them to be considered, but must meet some:
 - a. The nominee's job performance demonstrates skill, effectiveness, thoughtfulness, initiative, or perseverance beyond what is normally expected.
 - b. The nominee's performance clearly benefits the public, the county, and/or fellow workers.
 - c. The nominee's actions indicate a special concern for the welfare of others.
 - d. The nominee performed in a special manner without assurance or expectation of personal financial reward.
 - e. The nominee demonstrates continued exceptional performance and efforts beyond the requirements of the job.
 - f. The employee performed exceptionally in an emergency situation involving the safety or welfare of the public.
 - g. The employee discovered cost saving measures that improved efficiency.
- 4. Once a nomination is approved, the nominee will be notified and the notification will be placed in his/her personnel file.
- 5. Awards are presented to the Employee-of-the-Month by the Commissioners at a Regular Agenda Meeting. Awards presented are: A check for \$500, a certificate, and a Boulder County lapel pin.
- 6. The employee's picture and accompanying article are displayed in each of the major county building locations: The Courthouse Complex, the Louisville Annex, the North Broadway Complex, the Longmont buildings (the St. Vrain Complex and the

Courthouse Annex), the Clerk & Recorder's Boulder site and the Justice Center.

- C. On-the-Spot Cash Reward Program: A division manager/supervisor, subject to EO/DH approval, may award an On-the-Spot Bonus to recognize a specific performance. The award may be given to an individual or a team. The cash value may be between \$25 and \$250, and will be received by the employee in a subsequent paycheck. In a situation in which an employee exhibits sustained extraordinary performance for a specific time frame in response to a declared emergency or disaster above what is normally expected, the award may be up to \$500 per employee per situation.
- D. On-the-Spot Non-Monetary Recognition Rewards: Managers, supervisors, fellow employees, subject to EO/DH approval, may recognize a notable performance incident with an on-the-spot non-monetary reward. The awards may be given to either an individual or a team. The value coupon may be between \$10 and \$30.
 - 1. Per IRS regulations, these rewards are taxable to the employee. Therefore, the amount awarded should be reported to payroll for inclusion as gross wages.
- E. Pinnacle Awards: This program recognizes employee work teams for projects and programs that exemplify the county's mission and value statements. Entries are encouraged from all offices/departments for programs substantially completed between October 1 and September 30 of the prior year. The BOCC will judge each application based on how well it meets criteria identified on that year's application form. The number of winners is at the discretion of the BOCC, as is the prize amount. Winners will be featured in internal county communications. The public information staff also will work to place stories in the local media related to the winning entries.
- F. Employee Recognition Time-Off Bonus Hours: Managers, supervisors, subject to EO/DH approval, may award time-off bonus hours in recognition of a specific and/or notable performance. The awards may be given to an individual or a team. Please see below for time-off bonus hour parameters.

Hours		
1	Can be used in place of the on-the-spot bonus program.	Recognize a staff person's willingness to help other staff for a short period of time.
4	Can be used in place of the on-the-spot bonus program.	Recognize excellent work done within a staff person's

		job description.
8	Can be used in place of the on-the-spot cash reward.	Recognize excellent work done outside a staff person's job description.

1. The time-off bonus hours must be used within the pay period the time off was awarded or the staff person loses them.
 - a. The time off must be scheduled and approved in advance by the supervisor/manager and the EO/DH.
 - b. The tracking will be performed internally by the supervisor/manager who awarded the time off.
 - c. Any unused time-off bonus hours cannot be accrued or paid out at termination.
2. The hour(s) used must be reported on the staff person's regular time sheet as paid recognition leave.

Non-Exempt staff: The paid time-off recognition leave would not be considered work time under the FLSA and therefore will not be included in the forty hours per week for the purposes of overtime calculation.

- a. A supervisor/manager cannot award more than a cumulative total of 8 hours per staff person per calendar year.



SECTION IX HEALTH AND WELLNESS

NUMBER IX.1 Drug and Alcohol Testing for Employees with Commercial Drivers Licenses (May 1, 1997)

In order to comply with the Hazardous Materials Transportation Act of 1987 and its implementing regulations (Section 43-6-108(1) C.R.S., 8 CCR 1507-9) and the Federal Motor Carrier Safety Regulations and Appendix E, Schedule II through V, the county adopts the following policy concerning drug and alcohol testing which shall be distributed to all county Employees who are required to possess a commercial driver's license.

- A. County employees, who are subject to federal or state drug testing requirements, shall be informed of the drug testing requirements by their supervisors and provided a copy of this policy.
- B. Employees who are subject to this policy, shall be tested for controlled substances as defined in 49 CFR Part 40 (marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP)) and for alcohol.
- C. The employees subject to this policy shall be subject to random, reasonable suspicion and post-accident testing.
 1. Random testing shall be conducted annually or on such other schedule prescribed by the State of Colorado or the United States Department of Transportation.
 2. Reasonable suspicion testing shall be permitted based on specific, contemporaneous, articulate observations concerning the appearance, behavior, speech or body odors of the driver, or any additional criterion set forth in the Federal Motor Carrier Safety Regulations.
 3. Post-accident testing is required after any accident in which there is loss of human life, or a moving traffic violation is received by the employee.
- D. Testing shall be conducted at a facility designated by the county. All employees subject to this policy shall be given the opportunity to report the use of prescription and over-the-counter drug use to the county and shall have the right to request a portion of the specimen to

be retested, at the employee's expense, at a licensed laboratory chosen by the employee.

- E. Controlled Substances. An employee who tests positive for controlled substances, as set forth in the Federal Motor Carrier Safety Regulations, will be scheduled for a pre-disciplinary hearing and may be subject to immediate termination without lesser disciplinary measures.
- F. Alcohol. An employee who tests positive for alcohol will be scheduled for a pre-disciplinary hearing and may be subject to immediate termination without lesser disciplinary measures.
- G. If the employee refuses to follow any disciplinary conditions for continued employment, employment with the county will be terminated. All terminations shall comply with the procedural requirements of the Boulder County Personnel and Policy Manual.
- H. Any employee who refuses to submit to a drug or alcohol test shall be terminated, following procedural requirements of the Boulder County Personnel and Policy Manual.
- I. Leave time taken for rehabilitation shall conform to current Boulder County policies.
- J. Upon return to work, the employee will be subject to drug testing at any time for a period, not to exceed sixty (60) months.
- K. Any employee failing an alcohol test after completing a rehabilitation program may be subject to immediate termination. All terminations shall comply with the procedural requirements of the Boulder County Personnel and Policy Manual.
- L. All drug testing information shall be maintained by the county in confidential medical files, which shall be separate from personnel files.



SECTION IX HEALTH AND WELLNESS
NUMBER IX.2 Drug and Alcohol Testing Applicable to All County Employees (June 27, 2013)

A. The county has a vital interest in maintaining safe, healthful and efficient working conditions for its employees. Being under the influence of drugs or alcohol on the job may pose serious safety and health risks not only to the user but to all those who work with the user. The use of a legal or illegal drug or use of alcohol in the workplace may also pose unacceptable risks to safe, healthful and efficient operations.

B. Employees are prohibited from

1. Being under the influence or impaired by alcohol or marijuana while in the workplace or while performing county business.
2. Being under the influence or impaired by an illegal drug or abusing prescription drugs that have not been prescribed for the employee by a physician while in the workplace or while performing county business.
3. Being impaired by prescription drugs while in the workplace or while performing county business.

C. Procedures for Management and Supervisors

1. Reasonable Suspicion Testing

If a supervisor suspects that an individual is at work and under the influence of alcohol and/or drugs, the supervisor should notify the HR Manager to seek authorization to test the employee. The supervisor will be granted permission to test the employee if sufficient objective indicators exist to indicate the employee may be under the influence of drugs and/or alcohol. Objective indicators raising a reasonable suspicion that the employee is under the influence of alcohol and/or drugs may include, but are not limited to, slurred speech, uneven gait, impaired mental functions, extremely dilated pupils, smell of alcohol, and evidence of drugs and/or alcohol about the employee's person or in the employee's work vicinity.

Employees may be required to submit to blood or urine or other alcohol or drug screening where there is reasonable suspicion that the employee is under the influence of or impaired by alcohol or drugs in the workplace.

The employee must always be escorted to the screening site by HR. In no event shall the employee be authorized to drive to the screening site. Testing shall be conducted at a facility designated by the county.

All employees subject to this policy shall be given the opportunity to report the use of prescription and over-the-counter drug use to the county and shall have the right to request a portion of the specimen to be retested, at the employee's expense, at a licensed laboratory chosen by the employee.

2. See the [Drug and Alcohol Testing for Employees with Commercial Drivers Licenses Policy](#) for employees subject to the Hazardous Materials Transportation Act of 1987 and the Federal Motor Carrier Safety Regulations.

D. Disciplinary Action

Violation of this policy, including refusal to submit to drug or alcohol testing, may result in disciplinary action, up to and including dismissal, even for a first offense.

E. Rehabilitation Time

Leave time taken for rehabilitation shall conform to current Boulder County Personnel and Policy manual.

F. Confidentiality

All drug testing information shall be maintained by the county in confidential medical files in HR, which shall be separate from personnel files.

Note: Employees who are under the age of 18 are exempt from this policy.



SECTION X COLLABORATION

NUMBER X.1 Critical Incident Response Team (July 1, 2010)

The BOCC encourages all Boulder County employees and departments to collaborate with each other when possible in order to enhance Boulder County Government's ability to provide the best in public service.

A. Critical Incident Response Team ("CIRT")

The BOCC believes that it is essential that Boulder County employees from all offices/departments work together in responding to incidents that compromise the ability of any office/department to provide public service at the highest level. To facilitate collaboration between offices/departments in responding to Critical Incidents (i.e. incidents that are not life or limb emergency and are not within the scope of Boulder County's Emergency Operations Plan, but nonetheless impair one or several offices/departments' ability to provide the highest level of public service), the BOCC will create and maintain a CIRT, comprised of department heads and/or supervisory personnel who have the requisite skills to coordinate effective and strategic responses to Critical Incidents.

B. In the event that one office/department experiences what it believes to be a Critical Incident for which assistance from outside the office/department would be helpful, the following procedures will apply.

1. The EO/DH of the affected office/department will inform the CIRT.
2. The CIRT will convene, either in person, by telephone, or other electronic means, and discuss whether the incident can be resolved expeditiously and with only a minimal amount of additional labor or strategic assistance. If so, the CIRT will either handle the issue directly or seek input from those whose skills are required.
3. If the CIRT believes that there is a Critical Incident that requires an extraordinary amount of resources to address, it will expeditiously seek a declaration by the BOCC that there is a Critical Incident.

C. If the BOCC declares that there is a Critical Incident, the following procedures shall apply:

- a. All offices/departments are to make it a priority to assist the affected office/department including, but not limited to, lending personnel who possess the requisite skills sought by the CIRT on a temporary basis to assist the affected office/department to resolve the critical incident.
- b. The affected office/department will work with the CIRT to identify what types of skill sets are required in order to assist with response to the Critical Incident. With the assistance and support of EO/DH, the CIRT will coordinate scheduling of employees from other office/departments to assist the affected office/department, including accounting for which employees have worked which hours, for which purposes, at which location.
- c. No employee shall be compelled to work for an office/department other than his or her regularly scheduled office/department; any participation in a response to a Critical Incident by a Boulder County employee shall be voluntary.
- d. Except in very unusual circumstances where it is found by the CIRT to be unavoidable, employees working for the affected office/department instead of their usual office/departments shall not incur overtime or compensatory time. To the extent possible, employees participating in a response to a Critical Incident shall not work more totals hours than their usual schedule during a pay period.
- e. If the CIRT has determined it is necessary that non-exempt Boulder County employees who have agreed to participate in response to a Critical Incident incur overtime, the BOCC shall pay the additional cost.
- f. If response to a Critical Incident requires the expenditure of funds other than payroll expenses, the BOCC shall pay those costs.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.1 Subsidization of Grant Programs by Boulder County

(January 2, 1992)

It is the policy of the BOCC that grant programs (those programs or office/departments administered by Boulder County and subsidized by or existing because of the allocation of federal or state funds) be self-sufficient and not subsidized by county funds. Exceptions to this policy are to be requested in the form of a request form for waiver of charges by the Grants section of the Finance.

The Finance is responsible for fiscal administration of grants. EO/DH are responsible for the program administration of grants allocated to their office/department and are responsible for monitoring this policy.

^A NOTE: The Grants Section does not assist in the preparation of the grant, only in administering the funds.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.2 Independent Contractors (July 1, 2015)

It is the policy of the BOCC that any independent contractors hired by Boulder County will have met the criteria set forth by the federal government and the State of Colorado.

Boulder County's insurance requirements, appropriate for the type of work being done, must be met.

It will be the responsibility of each office/department proposing to hire an independent contractor to apply the tests contained in the Internal Revenue Regulations for "Determining Worker Status," as well as the tests in C.R.S. 8-70-115. A copy of the IRS regulations can be obtained from the Internal Revenue Service (Publication 1779). All Colorado Revised Statutes are kept in the County Attorney's Office.

It will be the responsibility of each office/department proposing to hire an independent contractor to ask whether the contractor is a PERA participant or retiree, including form Boulder County. HR and Finance are to be notified if the contractor is a PERA participant or retiree.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.3 Payment Authorization (June 27, 2013)

It is the policy of the BOCC that all payment documents and backup documentation submitted for payment must contain an authorized signature (either hand written or electronic ID) and a second signature, initials, or electronic ID. No one may authorize payment to him/herself.

A. EO/DH must authorize a person (persons) in their office/department to approve payments by filling out and signing an Authorized Signature/User ID form.

1. Documentation showing both approvals must be submitted to Accounts Payable.
2. The EO/DH can assign any other employee to be the second signer to approve supplier invoices (written signature or initials) or invoice registers. The person acting as the "second signature" must understand that they are attesting to the validity of the payment.
3. The Accounts Payable staff will verify that invoices have two (2) approvals.

B. Employee Reimbursement

Work related expenses are encouraged to be authorized and paid for by county check, EFT or employee issued procurement card.

Employee reimbursements require a detailed receipt and should only be requested under the following conditions:

1. The employee does not have or does not have access to a county issued procurement card.
2. The vendor with whom the purchase is being made is unable to invoice the county.
3. Any extenuating circumstance under \$4,999 deemed permissible by the employees EO/DH.
4. Reimbursement requests exceeding \$4,999 require county purchasing policy compliance and BOCC approval.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.4 Chargebacks for Internal Services (June 27, 2013)

It is the policy of the BOCC that Boulder County will not participate in a full chargeback accounting system for internal services and purchase of supplies. However, offices/departments will be charged the actual costs of providing specified internal services and purchasing supplies, as determined by the office/department providing the service.

Those internal services that will be charged out to user offices/departments are:

- Printing services
- Postage
- Special equipment and furniture moving requests (overtime expenses only)
- Installation of unbudgeted computing equipment
- Vehicle maintenance
- Pool car expenses
- Special remodeling
- Any service requested during the budget year for which the office/department providing the service was not budgeted
- Fuel



SECTION XI FINANCE/BUDGET/PURCHASING
NUMBER XI.5 Capitalization Threshold for Financial Statement
Reporting Purposes Only (July 1, 2015)

The capitalization threshold for financial statement reporting purposes only is set at \$5,000 for equipment.

The capitalization threshold for buildings, land improvements, and infrastructure is set at \$50,000.

The capitalization threshold for purchased or internally developed software is set at \$100,000.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.6 Fiscal Policies (July 21, 2011)

It is the policy of the BOCC that the long-standing principles, as outlined herein, will be followed by all county offices and departments. These principles have guided the county in the past and allowed it to maintain its financial stability even during downturns in the economy.

A. Accounting, Auditing, and Financial Reporting

1. An independent audit will be performed annually in accordance with state law.
2. Boulder County's accounting system shall be maintained in conformance with the Generally Accepted Accounting Principles (GAAP) established by the National Council on Governmental Accounting and with the goal of obtaining an unqualified opinion from the independent auditor.
3. Boulder County will produce annual financial reports in accordance with GAAP, and the provisions contained in the Governmental Accounting Standards Board (GASB) Statements No. 34, No. 37, No. 39, No. 39, No. 41, and GASB Interpretation No. 6, along with any other authoritative standards for state and local government, and as outlined in Governmental Accounting, Auditing, and Financial Reporting (GAAFR).
4. Each office/department will conduct a physical inventory of all its capital assets annually (see the [Responsibility for and Disposal of County Property Policy](#)).
5. The Financial Services Division is responsible for enforcing the county's fiscal accounting, auditing, and financial reporting policies.

B. Operating Budget Policies

1. In compliance with the State of Colorado (CRS 29-1-103(2)), Boulder County will adopt a balanced budget annually. No budget adopted shall provide for expenditures in excess of available revenues and beginning fund balances.
2. Services that directly contribute to the mission statement of Boulder County will receive first priority for funding.

3. Boulder County will avoid budgetary procedures that balance current expenditures at the expense of meeting future year expenses (e.g., postponing expenditures).
4. Boulder County will maintain a budgetary control system to ensure adherence to the budget and will make timely reports available to management that compare actual revenues and expenditures to budgeted amounts.
5. Boulder County will encourage technology and capital investment programs that are cost-effective and will control the growth of operating costs.
6. Supplemental requests for funding will be heard by the BOCC on an as-needed basis.

C. Debt Policies

1. Boulder County will confine long-term borrowing to capital improvements. The payback period will not exceed the useful life of the project.
2. There will be no lease purchase without BOCC approval (see the [Purchasing Policies and Procedures Policy](#)).
3. Debt will not be used to fund current operating expenses.
4. Total general obligation debt may not exceed one-and-one-half percent of assessed valuation of a County per Sec.30.26.301 C.R.S., 1973.

D. Unrestricted Fund Balance Budget Policies

1. Boulder County will maintain an emergency reserve (contingency fund) in an amount equal to three percent of fiscal year spending in accordance with the provisions of Article X, Section 20 of the State Constitution (Tabor Amendment).

Boulder County will budget a year-end unrestricted General Fund balance of no less than two months of the adopted General Fund operating expenditure budget. The amount of the contingency emergency reserve that is set aside to satisfy the TABOR requirement (reference #1 Reserve Policy) shall be a part of this calculation of unrestricted General Fund balance.

- a. The Social Services Fund balance will be no less than two months of the adopted operating expenditure budget.
- b. The Road & Bridge Fund balance and the Capital Expenditure Fund balance will be budgeted depending on the cash flow requirement of the projects.
- c. The remaining property tax funds (Developmental Disabilities, Health and Human Services and Temporary Safety Net) will maintain minimal fund balances.

- d. Enterprise Funds (Recycling Center and Eldorado Springs LID) will maintain a fund balance that is adequate to supply working capital that best fits the conditions of each fund.
- e. All other funds will maintain sufficient fund balances to ensure adequate resources for future operations.

The BOCC can adjust the minimum level of fund balances at its discretion, to allow the county flexibility during a time of economic downturn. This policy of allowing the fund balance to fluctuate is necessary because of the two year property tax assessment cycle that influences our property tax revenue changes. Fund balance may be used to mitigate property tax fluctuations for no more than four years in cases where the revenue is forecasted to recover in that time frame.

The unrestricted fund balance in the General Fund will provide stability and fiscal health for the county. Adequate fund balances reflect well to credit agencies to attain desirable bond ratings that will keep the cost of government borrowing low.

Unrestricted fund balances help to mitigate the following factors:

- Volatility of revenues and fluctuations of expenditures
- Significant one-time outlays and extreme events
- Commitments and assignments for a specific purpose

2. If the unrestricted fund balances fall below the minimum levels, then fund balance replenishment will become a financial management priority. It is important to replenish unrestricted fund balances in a timely manner. Sources for replenishment could include non-recurring revenues and year-end surpluses. Ongoing operating expenses shall be controlled to match the ongoing revenues and not depend on fund balance usage for the long term. Budgeting a structural deficit is not consistent with a sustainable fiscal policy.

E. Investment Policies

1. Disbursement, collection, and deposit of all funds will be managed to ensure maximum cash availability for investment purposes while meeting Boulder County's cash flow requirements.
2. Boulder County will obtain the best possible return on all cash investments within the limits of state law, local policies, and prudent investment practices.

F. Capital Outlay Policy

1. Items, not dollars, are approved for each office/department by the BOCC during the budget process. Major changes in specifications cannot be made unless an office/department chooses to pay the added cost.
2. Approved items for the General Fund are budgeted in a central budget called Capital Outlay, not in the requesting office/department's budget. Cost savings revert to the fund balance at year-end.

G. Budget Policy

1. Vehicle Replacement. Refer to the [Fleet Management and Maintenance Policy](#) for vehicle replacement guidelines.
2. FTE salary base for the subsequent budget year may be no greater than the sum of the amount approved for permanent salaries (funded at 97%) and the merit pool for the current year.
 - a. All permanent wage line items are funded at 97% of the total needed per the personnel schedules (see the [Fiscal Policies Policy](#)).
 - b. Turnover savings at the end of the year are returned to the fund balance before the adoption of the new budget. All vacant positions will be reviewed by HR to assure that the job is properly classified before it is refilled. Managers will be expected to examine the need for the position before refilling. Vacant positions will be filled at entry level unless the BOCC approves a higher salary based on qualifications and experience.
3. Personal Service budgeted dollars are restricted to personal service usage. Transfers to or from Personal Service line items must have prior approval of the BOCC.
4. All operating budgets are established at a percentage of the previous year's budget. The BOCC evaluates and determines the appropriate percentage each year at the beginning of the new year budget process.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.7 Vacancy Savings Policy (July 1, 2015)

It is the policy of the BOCC that in the General Fund and in the Social Services Fund all permanent wage budgets be set at 97% of dollars needed, per the personnel schedules/Salary Budget Report as of December 1, for the following budget year. It is anticipated that employee turnover will generate 3% vacancy savings during the year. The 3% vacancy savings is budgeted separately in the General Fund and in the Social Services Fund to cover the following expenses for employees that are paid from these funds:

- A. Should a General Fund or Social Services Fund office/department need budget dollars in addition to the 97% amount, they may access a pool to supplement permanent wage budgets if:
 1. It can be demonstrated that the vacancy savings were not adequate to make up the 3% salary shortfall.
Offices/departments are not required to keep positions open to make up the shortfall.
 2. Recruitment has been done in accordance with written, established procedures, and pay has been established within county policy guidelines.
 3. Procedure for transfers from the 3% pool
 - a. For offices/departments that are over budget, the Budget Office and HR will determine the amount eligible to be paid from the pool and will pay those amounts from the pool.
 - b. If the amount eligible to be paid from the pool is insufficient to cover the estimated shortfall, the office/department will be notified and asked to prepare a Request for Budget Adjustment Form for processing, which may require either a transfer of budget dollars from the Operating Budget, or a request for supplemental funding.
- B. The pool is used to pay medical and vacation leave balances at employee termination.
- C. The pool is used for annual payment for medical leave accrual over the cap for the eligible employees.

- D. The pool is used for payroll accrual at year end. This covers the working days between 12/26 and 12/31 which is usually four (4) working days.
- E. The following types of payroll expenditures are not eligible to be paid from the pool:
 1. Reclassification costs.
 2. Payment for accrued compensatory time at termination.
 3. Payment of overlapping salaries for a single position.
 4. The amount over entry level paid to any employee hired during the year unless approved by HR or BOCC.



SECTION XI FINANCE/BUDGET/PURCHASING NUMBER XI.8 Fund Accounting (June 24, 2014)

It is the policy of the BOCC that the accounts of Boulder County be organized on the basis of funds and account groups, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, deferred inflows and outflows, liabilities, fund equity, revenues, expenses, and expenditures.

In accordance with GAAP (generally accepted accounting principles), the county will maintain the minimum number of funds needed for sound financial administration. The county will maintain a General Fund and any other funds as prescribed by state statute or other legal requirements as required by GAAP, or as considered necessary to ensure appropriate accounting and reporting of financial activity.

The modified accrual basis of accounting is used for all governmental fund types. Accounting for activities under these different bases of accounting varies, particularly in regards to recognition of revenues such as property taxes. Accounting practices will be designed to comply with GAAP and state law as it pertains to local governments.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.9 Budget Amendment Policy and Procedure (April 9, 1998)

It is the policy of the BOCC that budget appropriations may only be adjusted for certain reasons and according to specific criteria, which are listed below:

- A. Budget appropriations may be adjusted due to one or more of the following reasons:
 1. Appropriation Transfers: The transfer of budgeted monies from an appropriation to a different appropriation, either within a fund or between funds.
 2. Supplemental Appropriations From Additional Revenue: During the fiscal year, unanticipated and unbudgeted revenues are received from sources other than the local government property tax mill levy, or the beginning fund balance is in excess of the budgeted beginning fund balance.
 3. Contingency (Emergency Reserve) Transfers: In cases of declared emergency, the BOCC may authorize transfers from the emergency reserve in accordance with Article X, Section 20 of the Constitution of the State of Colorado, commonly known as Tabor. The reserve must be maintained at an amount equal to 3 percent of fiscal year spending.
 4. Revenue Shortfalls: If actual revenues are less than budgeted revenues, the BOCC will determine how or if appropriations are reduced.
- B. Criteria for adjustment to appropriations:
 1. Transfers
One appropriation unit is identified as having an insufficient budget, while another appropriation unit is identified as having an excess budget.
 2. Supplements From Unanticipated Revenue or Fund Balance
 - a. A policy, law, statute, or court ruling becomes effective which mandates expenditures that were neither anticipated nor budgeted.
 - b. An expenditure essential to the operation of a county office/department was neither anticipated nor budgeted.

- c. Revenue is received that is designated for a particular purpose that was neither anticipated nor budgeted.

3. Supplements From the Contingency Fund (Emergency Reserve)

The situation must be a BOCC declared emergency defined as:

- a. Caused by an act of God.
- b. Caused by a public enemy.
- c. Some other catastrophic occurrence which could not have been reasonably foreseen at the time of adoption of the budget.

C. Procedure for requesting a budget appropriation adjustment

1. The office/department requesting adjustment must identify which of the following is the cause of its request:
 - a. A situation that is beyond control of the organization which may result in over expenditure of the budget.
 - b. A mandate to implement a new program or expand a current program that is not budgeted.
 - c. A need to replace an essential piece of equipment.
 - d. Has received unbudgeted revenue that is designated for a specific purpose.
2. The office/department prepares an analysis of the entire appropriation to determine if there would be savings in other areas of the appropriation that could cover the anticipated expense.
 - a. If there are funds available for transfer, that request is made on the Request for Budget Adjustment Form.
 - b. If budgeted dollars need to be supplemented with additional funds, that request is also made on the Request for Budget Adjustment Form.
3. Budget staff reviews the request to verify that the request meets the criteria for adjustment, evaluates the analysis of the appropriation, schedules a hearing on the BOCC Business Meeting agenda, and forwards a recommendation to the BOCC and to the requesting office/department.
4. The BOCC takes action to approve/deny the request and instructs Budget staff to prepare a resolution to adjust the appropriation as indicated.
5. A resolution to adjust the budgeted appropriation is prepared and advertised in compliance with the State of Colorado budget law. The budget staff schedules a hearing on the BOCC agenda. The BOCC approves or denies the resolution.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.10 Budget Fiscal Control (April 9, 1998)

It is state law and the policy of the BOCC that no contracts may be made or liability against Boulder County be created by any county official or department head that would cause the legally adopted fiscal year appropriation to be exceeded.

- A. The expense budgets for each cost center are established by line item detail (account codes), which are summarized by account categories. Examples of account categories are:
 1. Supplies
 2. Purchased Services
- B. The cost center budgets are summarized into office/department budgets and appropriations are established for personnel expenses and operating expenses.
 1. Examples of cost centers are:
 - a. HR
 - b. Finance
 2. The office/department budget into which the cost centers listed above are summarized is:
 - a. Administrative Services
 - b. Monitoring and control of the appropriations is a shared responsibility. EO/DH, their authorized representatives, and Budget Office staff are responsible for reviewing the budgets and expenditures on a regular basis and taking action as needed.
 - c. Financial system controls are in place that prevents any office/department from overspending its appropriation. It is the responsibility of the Budget Office staff to report any problems it finds directly to the office/department involved and to the BOCC.
 - d. All requests for appropriation changes for whatever reason are reviewed by Budget staff and approved by the BOCC.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.11 Revenue Policies (January 2, 1992)

The following items are revenue policies of the BOCC:

- A. Boulder County will maintain a diversified and stable revenue base, to the extent it has legal authority to do so, to protect it from short-term revenue shortfalls.
- B. Boulder County will follow an aggressive policy of collecting revenues.
- C. Boulder County will generally establish all user charges and fees, over which it has discretion, at a level related to the full cost (operating, direct, indirect, and capital) of providing the service. Boulder County will review the charges/fees annually.
- D. Boulder County will consider all revenues to be general-purpose revenues to provide maximum fiscal flexibility. The two exceptions are when revenue targeting is legally required or when a revenue source has been established for the sole purpose of providing a specific program or project, as in the case of a federal or a state grant or the employee health and dental pool.
- E. Boulder County will aggressively pursue revenue-raising strategies, with the exception of the property tax.
- F. Boulder County will discourage the use of intergovernmental grant assistance for routine operational programs. Such grant assistance may be used for special projects, provided such special projects have a specified starting and ending date and do not expand a service in such a way that additional local funds will be required to continue part or all of the services once the grant assistance is no longer available.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.12 Purchasing Policies and Procedures (July 1, 2015)

It is the policy of the BOCC that all purchases and commitments to purchase from budgeted funds shall be made in compliance with the Local Government Budget Law of Colorado.

Boulder County Purchasing (hereinafter referred to as Purchasing) shall endeavor to satisfy the goals of the county within the framework of the procedures described in detail in the sections that follow. Purchasing shall exercise its discretion in making purchases where quality as well as price and service is involved.

It is not the intent of this policy to cover every possible situation. Questions arising from the use of this manual or in the handling of situations not covered herein should be directed to Purchasing.

A. Authority of Purchasing

Purchasing is hereby designated as agent for the BOCC, under the supervision of the Administrative Services Director, to carry out the acquisition of goods and services needed by all offices/departments of the Boulder County government.

1. All purchases or commitments to purchase services or goods costing \$25,000 or more are made by Purchasing.
2. Only Purchasing is authorized to initiate, conduct, or conclude negotiations with a supplier for services or goods costing \$25,000 or more. It is recognized that other offices/departments may need to make contact with suppliers for preliminary technical discussions and to secure technical information. No commitment may be made during such contacts unless the goods or services will total less than \$25,000. An exception to this is in the event of a declared Emergency/Disaster. At such time and within the time decided upon by the BOCC, EO/DH purchasing and contract limits will be increased to under \$150,000.
3. Purchasing will ensure that outside sales and engineering representatives, who call on Boulder County, are referred to

others in the county for technical consultation when appropriate.

B. Duties of Purchasing

1. Develop county purchasing policies, programs, and procedures for the negotiation and procurement of goods and services.
2. Procure for the county, at the best economic and sustainable advantage, all requested goods and services of the highest quality necessary to reliably accomplish the function or service which is required.
3. Consolidate and standardize purchases of like kind and quality to obtain the maximum economic benefits.
4. Provide savings through the use of a competitive bidding process wherever possible.
5. Ensure fair and equal treatment of vendors and county offices/departments in the procurement process.
6. Require vendors/suppliers to fulfill all terms and conditions of contracts and purchase orders, negotiate such terms and conditions when required, and inspect deliveries as required.
7. Secure all applicable federal and state tax exemptions on purchases or contracts made through Purchasing.
8. Ensure that requests for unbudgeted capital outlay items costing \$5,000 or more are presented to the BOCC for approval prior to purchase. (The foregoing paragraph does not apply to capital purchases made with grant funds, providing the purchase has been approved by the grantor agency.)
9. Prepare and maintain Purchasing Policies and Procedures and recommend revisions as necessary.

C. Conflict of Interest

While establishing and maintaining satisfactory supplier relationships, the acceptance or solicitation of entertainment, loans, gifts, or special considerations by any county employee will not be permitted.

No employee, officer, or agent of the county shall participate in selection or in the award or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when; 1) the employee, officer, or agent, 2) any member of his immediate family, 3) his or her partner, or 4) an organization which employs, or is about to employ, any of the foregoing; has a financial, personal or other interest in the firm selected for award.

Furthermore, an organizational conflict of interest exists when a person or business entity has or would be perceived as having an

unfair competitive advantage because of activities or relationships with any of the entities listed in section C of this policy.

It shall be deemed a violation of the provisions of this manual for any employee, officer or agent, any member of his immediate family, his or her partner, or an organization which employs, or is about to employ, any of the foregoing to:

1. Sell goods and/or services, regardless of the amount between \$0 - \$24,999, to any office/department without participating in a competitive quote process solicited by the County. Only if the quote received is considered the lowest, most reasonable price will a purchase be approved.
2. Seek, accept, obtain, or provide, directly from or to any individual, partnership, association, corporation, or other business entity or representative thereof, conducting or seeking to conduct business with Boulder County, loans (except with banks or other financial institutions), services, payments, entertainment and travel, vacation or personal trips, any gift, or money in any amount.
3. Knowingly exaggerate requirements for the purpose of temporarily enjoying a better price.
4. Knowingly underestimate requirement or deny the existence of a requirement to avoid doing business with a particular supplier.
5. Knowingly misrepresent competitors' prices, quality, or services to obtain concessions.
6. Assist a vendor in preparing a Bid, Request for Proposal, Quote or SOQ or to share procurement-sensitive information related to a competitive procurement with potential responders without providing it to all potential responders through an addendum process. Procurement-sensitive information includes, but is not limited to Requirements, Specifications, Statements of Work or Evaluation Criteria.
7. Participate in the evaluation or recommendation of a solicitation process if a vendor would be perceived as having an unfair competitive advantage because of activities or relationships with a member of the evaluation team or decision maker.

Any employee found in violation of the provisions of this section will be subject to the procedures outlined in [Section VI](#).

No transaction, to include, but not limited to, sales, purchases, or transfers of real or personal property, will be made for or from an employee or Elected Official or their immediate families, nor will orders

be given to any firm in which s/he holds a responsible position or significant financial interest, without the approval of the BOCC. In requesting approval for a transaction of this nature, the requestor should discuss the nature of the relationship involved, along with describing the transaction and related dollar amounts. Under Financial Accounting Standards Board Statement No. 57, *Related Party Disclosures*, transactions of this nature may need to be disclosed in the county's Comprehensive Annual Financial Report.

D. Cooperative Purchasing

Purchasing may participate in joint bidding with other public agencies or use existing contracts or bids awarded with cooperative language or through any nationally recognized cooperative, the State of Colorado or GSA (when applicable), if it is deemed in the best interest of Boulder County.

E. Lease Purchasing

1. A lease purchase, if approved by the BOCC, may be used to provide equipment such as heavy road equipment, telephone systems, or computer equipment or office equipment.
2. The item(s) being purchased must be procured in a competitive manner and in accordance with the guidelines for formal bidding, informal bidding, or sole source purchasing.
3. At the time the decision is made or the bid is awarded, Purchasing will request a motion from the BOCC to negotiate the terms of the lease purchase agreement, including the rate for base rental interest component and length of term, vendor, leasing company or other lessor. A letter of intent to lease the item will be obtained from the lessor. All lease purchases will be formalized by written agreement, which will provide that the lease purchase is subject to annual appropriation.
4. The lease purchase contract will be prepared by Purchasing and the County Attorney for the lessor's signature. After the agreement has been approved and signed, the original will be sent to the lessor, to be returned marked "paid" after the final payment is made.
5. All lease purchases will comply with the provisions of C.R.S. 29-1-103 and 104, and C.R.S. 30-11-104, as amended.
6. When the cost of any lease is expected to exceed \$25,000, the lease must be negotiated through a competitive manner in accordance with formal bidding guidelines; except in the event of a declared emergency/disaster, at such time the limit will be modified to \$150,000 before requiring this type of negotiated

bidding. This exception is subject to BOCC timelines and discretion.

F. Authorization Requirements

The following transactions require the approval or review of the authority indicated prior to the contract routing process which includes routing to the CA Office, Risk, Finance, BOCC (routing to BOCC usually is only required if \$25,000 or over):

Transaction	Approval/Review
Contracts & agreements for Computer Services/Computer Equipment	EO/DH & IT Manager
Contracts & agreements for building leases/rentals & leasehold improvements (not open space related)	EO/DH & BCBS Manager
Contracts & agreements for moving/remodeling	EO/DH & BCBS Manager
Contracts & agreements for legal fees	EO/DH & CA
Contracts and agreements under \$25,000, other than listed above	EO/DH
Contracts and agreements \$25,000 and over, other than listed above	EO/DH
Contracts and agreements for administration of Property, Casualty and Workers' Compensation for Self-Insured and Self-Administered Insurance Program with the exception of the annual insurance renewal premium	Risk Manager

The following transactions require the prior approval or review of the authority indicated:

Transaction	Approval/Review
Sale, trade, or disposal of material or equipment valued under \$5,000	Purchasing
Donation of any vehicle	Purchasing & BOCC

Sale, trade, or disposal of material or equipment valued at \$5,000 & over	Purchasing & BOCC
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G. Contracts

See Contracts Policy and Procedure Policy.

H. Minimum Insurance Requirements

Minimum insurance requirements must be met by vendors contracting with Boulder County.

The minimum insurance requirements can be obtained in Purchasing or in the Risk Management Division.

I. Office Supplies & Paper

Office supplies may be ordered by the office/department online or by Purchase Order directly from its chosen vendor. Contact Purchasing for a list of contracted vendor(s) for office supplies.

The procurement of office supplies, including compostable food service items, rechargeable items, and miscellaneous office supply items should be identified with the “green recycled content symbol” whenever possible. Compostable food service item products and/or their packaging should note compliance with ASTM D6400 or ASTM D6868 standards, or feature a “COMPOSTABLE” logo including the names, Biodegradable Products Institute and the US Composting Council. Such products have met specifications for full biodegradability with no plastic, or other residues, left behind.

1. Neon, fluorescent, astrobrite and dark-colored paper: These types of paper shall not be purchased except for public safety uses. Kraft/goldenrod (orange) colored interoffice mailing envelopes shall not be purchased.
2. Paper for Copying & Printing: Recognizing that price differentials no longer exist between different grades of post-consumer recycled content paper, and that there is a beneficial state award for 100% post-consumer recycled content paper, all purchases of paper shall be white or pastel colored and contain 100% post-consumer recycled content.
3. Other Office Paper Products: (legal pads, notebooks, calendars, file folders, envelopes) shall be purchased with the highest post-consumer recycled content available.
 - a. Printing Paper: For print jobs, the highest post-consumer recycled content paper available shall be used. If post-consumer recycled content paper is unavailable then paper

used will be either: The highest pre-consumer recycled content available or a specialty paper from renewable source such as sugar cane/kenaf, or harvested from a source certified by the Forest Stewardship Council (FSC certified). This policy also applies to outside printing services with the exception of election ballot printing.

4. Bottled/Dispensed Water

Where alternatives such as tap water are available, the purchase of bottled water for county-sponsored meetings and events and use of bottled water dispensers in county buildings is discouraged. Filtered tap water may be obtained through faucet filters or water filtration systems that provide cooled and/or heated tap water. Pre-planned alternatives to bottled water are encouraged, e.g., pitcher of water from tap. Exceptions may be made at the discretion of an EO/DH or designee, if the use of bottled water is thought to be the best alternative for a particular situation.

5. Materials prohibited from purchase for county business

The following materials will not be purchased by offices/departments for county business

- a. Styrofoam single use cups
- b. Meals in Styrofoam clam shell containers
- c. Non-compostable plastic utensils
- d. Non-compostable, single use disposable cups

J. Landscape Products

In congruence with State of Colorado purchasing policies, all landscaping, including, but not limited to, new construction, renovations, operations and maintenance by Boulder County agencies and institutions, including workers and contractors providing landscaping services, shall employ sustainable landscape management techniques for design, construction and maintenance whenever possible, including, but not limited to, storm-water control, integrated pest management, grass recycling, drip irrigation, composting, and procurement and use of mulch and compost.

Compost purchases for all non-agricultural uses must be from facilities fully permitted by the Colorado Department of Public Health and Environment or appropriate state agency, show the U.S. Composting Council "Seal of Testing Assurance," and, when cost-competitive, giving preference for mulch and compost materials produced within Boulder County. Second-level preference will be given to materials produced from Colorado-generated plant debris (including harvested beetle-kill where available) and/or food and agricultural waste

programs. Additional compost purchase guidance, including recommendations for agricultural applications, is available in the 2008 document "Compost / Soil Amendment Classifications" produced by the Rocky Mountain Organics Council and Colorado Association for Recycling.

K. Environmentally Preferable

The county requires the procurement of specific supply items as outlined in section J and encourages the procurement and use of all other environmentally preferable products. "Environmentally preferable" means products that have a lesser or reduced adverse effect on human health and the environment when compared with competing products that serve the same purpose.

Product comparisons should consider life cycle factors such as: The availability of any raw materials used in the product being purchased and the availability, use, production, safe operation, maintenance, packaging, distribution, disposal, or recyclability of the product being purchased. Examples include the following: A material or product which is durable, repairable, reusable, or recyclable; has minimum packaging, toxic content or chemical hazard potential; is resource or energy efficient in any or all phases of its manufacture, use and disposal; or, in its use or disposal, minimizes or eliminates the county's potential environmental liability. Purchasing will strive to procure such products that are suitable for use, where availability, quality and budget constraints allow.

Boulder County promotes the purchase/leasing of energy efficient, materials efficient, and reduced toxic level products where availability, quality and budget constraints allow. Whenever possible, electronic equipment, such as appliances, computers, water coolers, etc., should meet ENERGY STAR specifications for energy efficiency with power management features enabled.

Whenever possible, products and equipment should be specified to include post-consumer recycled content materials. Products should be packaged and delivered with a minimum amount of recycled packaging that adequately protects the product, but is not excessive.

L. Procurement Cards

Cardholders are authorized and issued procurement cards through their EO/DH and are responsible for following purchasing policy.

1. Cardholders and office/department liaisons are responsible for following participant's responsibilities listed in the Boulder County Cardholder's Manual.
2. Certain transactions, such as personal purchases, cash or cash type transactions, split purchases, return for cash or personal credit, and over use of the transactions exceptions form, are prohibited and may result in termination.
3. Cardholders are responsible for their cards and will be required to submit receipts for all purchases.
4. Cardholders are required to submit their cards to their EO/DH liaison the same day of termination.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.13 Bids/RFPs/Quotes Policies and Procedures (July 1, 2015)

A. Informal Bid Procedure

The informal bid procedure is used in those instances where the value of goods or services is expected to be less than \$25,000. It is used to speed delivery and to reduce administrative costs. EO/DH may initiate and conclude purchases, or they may request that Purchasing do so.

The following policies apply:

Purchases from \$1 - \$4,999: Purchases within this range may be made without requisitions, phone quotes or written quotes; except as otherwise specified in Policy XI.12 C.1.; however offices/departments are expected to obtain materials/services at competitive prices.

Telephone, written or formal bids are required when the cumulative costs of an item exceed \$4,999.

Purchases from \$5,000 - \$14,999: A minimum of three telephone or written quotes documented or attached on either a requisition for purchase order or on an invoice payment request.

Purchases from \$15,000 - \$24,999: A minimum of three written quotes (fax and email quotes allowed) must be requested by user office/department and submitted on either a requisition for purchase order or on an invoice payment request.

Purchases of \$25,000 or above must be conducted through a formal bid process as outlined in Section B or through a waiver or exemption as defined in section G and H and must be documented on a requisition for purchase order. All county EO/DH shall specify environmentally preferable supplies, services, or construction whenever cost effective and to the extent practical.

The Waiver Process and Exceptions described in Sections H and I also apply to the Informal Bid Procedure for purchases under \$25,000.

Requests for waivers under \$25,000 can be routed to Purchasing and must have EO/DH approval attached.

Purchases of software have different requirements due to the need to maintain proof of licensing. For software policies see [policy XVI.4](#), Software Licensing, Media & Documentation.

B. Formal Bid Procedure

1. The formal bid procedure shall be used to request exact price quotations or proposals (in the case of a Request for Proposal [RFP]) from vendors, in an open and competitive manner, when the cost of the goods, services, or cumulative costs, meets or exceeds \$25,000 (twenty-five thousand dollars). The user office/department shall supply Purchasing with the following information (where applicable) to be included in the bid or RFP:
 - a. Specifications, scope of work, or project description.
 - b. Time schedule for project services and a deadline for selection, if applicable.
 - c. Vendors list (if applicable).
 - d. Any special expertise or unusual services required.
 - e. Selection criteria/evaluation team.
 - f. Request for specific qualifications.
 - g. Request for relevant experience and references.
 - h. Request for project work schedule (including man-hour allocations).
 - i. Request for résumés of assigned personnel.
 - j. Request for a fee or schedule of hourly rates.
 - k. Requirements and amount of bid security (if applicable).
Bid security may be required at the discretion of the EO/DH where the bid is expected to exceed \$50,000; Purchasing and the user office/department may require a bid under the \$50,000 amount to have security, if it is in the best interest of the county. Bid security must be in the form of a bond or cashier's check, in the amount equal to 5 percent of the amount bid, unless otherwise stipulated in the instructions to the bidder.
 - l. Requirement for and amount of the performance bond and/or the labor and material payment bonds or other acceptable surety (if applicable). Per C.R.S. 38-26-106, such bonds are required for construction/public works projects over \$50,000. The combined bonds, if required, must be in an amount equal to 100 percent of the price specified in the contract. At the discretion of the EO/DH in consultation with the CA and Finance, the combined bonds,

- if required, may be lowered to state statute limits (C.R.S. 30-11-109), as amended.
- m. Any additional information pertinent to the bid or RFP.
- n. Necessity of a pre-bid/proposal conference or walk-through. If an office/department requests a pre-bid/proposal conference, those requirements must be included in the bid/RFP documents. (The purpose of the pre-bid/proposal conference is to clarify any questions the prospective bidders may have regarding the bid/RFP.)

The terms and conditions for bid documents shall include information on the county's policy to purchase environmentally preferable supplies, services, or construction, where practical.

NOTE: Using direct vendor involvement in the preparation of specifications is discouraged.

2. A Request for Qualifications (RFQ) may be issued prior to soliciting bids or proposals to pre-qualify vendors. This requires the following steps by Purchasing:

Advertise in the Public Notices of the official county newspaper, and/or any other media including electronic media, requesting qualifications (i.e. résumés, experience on projects of a similar nature) from appropriate vendors.

3. A Solicitation of Qualifications (SOQ) may be used to prepare a pre-qualified list of vendors to provide on-call, continuing services on an as-needed basis.

In order to promote fair and open competition and to obtain the best value for the county, all pre-qualified contractors who hold a Continuing Services contract with the county shall be given the opportunity to informally quote and compete against each other for work as it arises. Offices and departments shall select a minimum of 3 pre-qualified contractors per area of expertise unless waived by their EO/DH and purchasing.

The following information will be solicited by Purchasing and evaluated by the requested office/department:

- a. Description of products and services required.
- b. Any special expertise or unusual services required.
- c. Request for specific qualifications.
- d. Request for relevant experience and references.
- e. Request for résumés of assigned personnel.

- f. Request for a fee or schedule of hourly rates.
 - g. Any additional or value-added information pertinent to the SOQ.
4. Purchasing shall prepare and/or approve for conformance with County procedures all bids and RFP's. Prospective bidders will be contacted through a 3rd party bid/RFP notification process administered by Rocky Mountain E-procurement Systems (RMEPS). Wherever possible, a minimum of ten (10) vendors shall be contacted. If less than ten (10) vendors are available, the Bid or RFP shall be posted to RMEPS, the county website or advertised in the public notice section of an official county newspaper. Bidding shall be open and unrestricted; however, Boulder County shall not be obligated to solicit bids/RFPs from every supplier for every recruitment.
5. Formal invitations to bid and RFP's may be advertised on the Internet or in the Public Notices of the official county newspaper or any other publication, depending on which is deemed most effective for a particular bid proposal. If fewer than ten (10) known vendors exist for a bid/RFP, all known vendors will be notified of the bid/RFP, and newspaper-advertising requirements will be waived. Per C.R.S. 30-11-109, bids for stationery and fine paper are required to be advertised in the official county newspaper under the heading of "stationary proposals", along with any other method of advertising allowed under this section. Such advertisements shall include, but not be limited to, the following:
 - a. A general description of required commodity or service.
 - b. Location to obtain required bid documents.
 - c. Cost of bid documents (if applicable).
6. Purchasing shall mail, advertise or post to RMEPS all bids/RFP's to prospective vendors, and make available bid/RFP forms, and, where applicable, blueprints, plans, and Purchasing's designee.
7. All bids/RFPs shall be received in an office designated by Purchasing. All bids/RFP's shall be:
 - a. Submitted with the time and date recorded by the Purchasing office on or before the due date and time of the solicitation.
 - b. Purchasing shall identify on a case by case basis the method in which formal solicitations shall be received, i.e., electronic, facsimile, sealed envelope.
 - c. Identified by bid/RFP number.
 - d. Include all documentation as required in the bid/RFP.
 - e. Time and date stamped, as received, by Purchasing. Electronic submissions will be recorded by the time and

date the submission is received in the proper county email box listed in the Bid/RFP. Sole responsibility rests with the offer or to see that their Bid/RFP is received on time at the stated location. Any bids/RFP's received after specified time and date will be returned or filed in the bid/RFP folder.

8. Purchasing will not be held responsible in any way for any bids/RFP's received late due to mail delivery, traffic, weather, etc.

C. Bid/RFP Opening Procedure

1. All bids/RFP's received on time will be opened publicly by the Purchasing Agent or a designated representative at the time, date, and location specified in the bid document. Bidders are invited, but not required, to attend the opening.
2. At the time indicated for bid opening, Purchasing will announce that time has arrived for the bid opening, and bid submissions are closed. No bids will be accepted after this announcement.
3. Before the bids are opened, bidders will be asked if there are any present who wish to withdraw their bid. A bidder may then withdraw from bidding if s/he wishes. Bidders will then be asked if there are any present who wish to modify their bid, only with respect to signing a forgotten document or correcting similar clerical errors, and informed that they may then do so. Bidders may not use this time to complete a bid, make an outside call to a subcontractor, or any other similar change. A bidder wishing to modify a bid shall state the nature of the modification (correction of mathematical error, etc.) before being allowed to open the envelope and make such modification. Bids turned back to the bidder for modification will not be allowed to be removed from the location of the bid opening.
4. The bids/RFPs shall then be opened in the order in which they were received.
 - a. The bids shall be read aloud, stating:
 - 1) The name of the vendor
 - 2) Receipt of all addenda
 - 3) Inclusion of required documentation
 - 4) Security, qualification statement, etc.
 - 5) Product identification
 - 6) Delivery
 - 7) Exceptions to specifications
 - 8) Price

- b. In the case of an RFP, only the name of the firm shall be mentioned. All other information contained in the proposal shall not be disclosed until after the award is made by the BOCC.
 - c. A tabulation of all bids/RFPs shall be filed in Purchasing and, with the exception of RFP's, will be made available for public inspection.
 - d. In the case of an obvious error by a bidder, the bidder is required to explain the nature of the error and request, in writing, that the bid be withdrawn with approval of Purchasing.
 - e. Bids/RFPs received shall be reviewed and evaluated by the evaluation team, if applicable, or by the user office/department and Purchasing. In determining the lowest, most responsible bid, or best bid, the following shall be considered:
 - 1) The ability of the bidder to perform the contract or provide the goods and services within the time specified.
 - 2) The reputation, experience, and efficiency of the bidder.
 - 3) The comparative quality of the goods and services bid.
 - 4) The bidder's past performance in compliance with laws and ordinances relating to the bidder's service.
 - 5) The sufficiency of the financial resources of the bidder to perform the contract or provide the goods and services.
 - 6) The ability of the bidder to provide future maintenance and service.
 - 7) The quality and responsiveness of the bid/RFP
 - 8) The quality of the bidder's past performance on contracts with Boulder County or on projects of a similar nature outside the county.
 - 9) The price of goods or services.
 - 10) The quality, availability, and adaptability of the goods and services to the particular use required.
5. Prior to choosing a vendor using the bid process, interviews may be conducted with bidders. Bidders may be asked to clarify their bids. No additional information will be accepted that materially alters the submitted bid after the deadline for submission. There will be no negotiation with a bidder before an award is made by the BOCC.

6. Prior to choosing a vendor using the RFP process, interviews may be conducted with the proposers for clarification of their proposals. After the evaluation committee has ranked the candidate firms, the authorized representative of the user(s) office/department shall meet or confer with the top-ranked firm to agree to finalize the scope of work and the contract amount for the proposed services. Purchasing may attend this meeting. If an agreement cannot be reached, the firm is notified that discussions are closed, and discussions are opened with the firm considered next best qualified. This process continues until an acceptable firm is selected, or a decision is made to modify the project and start the process all over again.

D. BID/RFP Evaluation Guidelines

This is intended to offer guidance when a formal solicitation is being evaluated.

1. Fairness and Integrity. All evaluations shall be conducted in an impartial, objective, and professional manner and the same level of effort shall be extended to the evaluation of each vendor's proposal.
2. Understanding of the Project. Each member of the evaluation committee shall obtain a comprehensive understanding of the project including, but not limited to, familiarity with the requirements and specifications contained in the solicitation. Each member shall obtain a copy of the solicitation from Purchasing upon publication of the solicitation.
3. Attendance. Committee members shall attend all meetings of the committee, including interviews with the proposers, if conducted, and shall participate in off-site visits, if scheduled. Additionally, committee members shall not discuss an evaluation with one another unless all members are present or subcommittees are formed. Committee members may also be requested to attend a pre-proposal conference with potential vendors.
4. Confidentiality
 - a. Committee members shall not communicate with individuals other than their supervisor, an EO/DH or others as directed by their manager, outside of the evaluation committee on the nature or content of written proposals, product demonstrations, interviews, evaluation proceedings, deliberations of an evaluation panel, or individual opinions about the proposers or the project being evaluated.
 - b. Committee members shall not communicate with proposers about a project outside of any scheduled and sanctioned evaluation activity, without the knowledge and approval of Purchasing. If any member of an evaluation committee has any reason to contact one or more proposers participating in a formal solicitation, even if the matter is not directly or indirectly related to this project, the nature and reason of the contact with

the firm shall be reported to Purchasing who will determine if that activity poses a conflict with the person's participation on the committee.

5. **Conflicts of Interest.** Individuals may not participate as a member of a committee if the member or a relative, or step-relative, of said member has a personal interest in any company that may submit a proposal or if it could be perceived that the member can offer an unfair advantage to one company over another. Should a conflict of interest which meets these criteria be identified during an evaluation, the Purchasing Agent shall be notified immediately, and the member shall step down from the committee. A relative is defined as a spouse, partner in a civil union or domestic partnership, parent, child, grandparent, grandchild, sibling, cousin, aunt, uncle, niece and nephew of the employee or of the employee's spouse or partner in a civil union or domestic partnership.

E. Bid/RFP Award Procedure

1. Once a decision has been made, a written recommendation will be prepared by Purchasing with the following information (where applicable):
 - a. Requesting office/department
 - b. Bid/RFP number
 - c. Opening date
 - d. Number of vendors
 - e. Evaluation team
 - f. List of bid returns (includes name of vendor and bid price, where applicable)
 - g. Recommendation by evaluation team
 - h. Signature of Purchasing Agent and EO/DH
2. This recommendation and additional information shall be sent by Purchasing to the BOCC for its selection and award at a Business Meeting. It is recommended that a representative from the user office/department and Purchasing attend the Business Meeting.
3. The BOCC reserves the right to reject any or all bids and to accept any portion of bid or all times bid, if deemed in the best interest of Boulder County.
4. After the award by the BOCC, Purchasing will notify all bidders or plan holders by mail of the decision of the BOCC. Purchasing will return the bid bonds of the unsuccessful bidders, if applicable. The successful bidder must enter into a contract, if applicable, within ten (10) working days of the notice of award, unless stated otherwise in the bid/RFP. Failure to do so may result in the loss of the bid security.

5. After the contract is signed by the BOCC, the user office/department shall initiate the requisition for purchase.

F. Appeals Process

1. Vendors may appeal the bid award decision of the BOCC by filing a letter of appeal with the Purchasing Agent within ten (10) calendar days of official notification of bid/RFP award.
2. The Purchasing Agent and the bidding office/department will draft a written response to the letter of appeal. The vendor's letter, along with the bidding office's/department's and Purchasing's response, will be sent to the BOCC for its review.
3. The BOCC may, at its sole discretion, permit the vendor to address its appeal in a business meeting, or may make a decision based upon the written appeal and response. In the event the BOCC schedules the matter for a business meeting, it will notify the vendor in writing of the date and time of such meeting.

G. Contractor Evaluation Form

1. The BOCC shall require a performance evaluation form to be completed regarding the performance of each contractor and/or consultant awarded a public works bid in the amount of \$50,000 or more. The completed form shall be submitted to the Finance with the request for publication of Notice of Final Settlement.
2. This information shall be maintained on file in the Finance for reference purposes in future project awards. Further, it shall be open for review by the subject firm who may tender any observations felt to be appropriate as a matter of public record in such files.

H. Waiver Process (Bids/RFP's)

1. The bid or RFP process may be waived by the BOCC under the following conditions:
 - a. Where the process may cause undue delay or hardship for an office/department.
 - b. Where the item or service being bid is a sole source item as determined by purchasing.
 - c. Such other circumstances as the BOCC may decide are in the best interest of the county, including but not limited to Requests for Funding (RFF), a less formal procedure that is not required to meet all of the criteria of the formal RFP procedure outlined in this Section. In the case a Request for Funding is used to make funding decisions, county

Purchasing shall ensure that the RFF completely and adequately describes any requirements and limits pertaining to the application.

- d. If the BOCC declares an Emergency or Disaster the competitive and formal bid requirement may be temporarily waived as deemed necessary by the BOCC, if the product or service is needed to provide for the safety of life, limb, health, and/or property.
2. All requests for waivers to the bid, RFP, or competitive process \$25,000 must follow the following guidelines:
 - a. The request must first be sent to Purchasing for its review and recommendation. Purchasing will send its recommendation with the request for waiver to the BOCC, who will make the final decision.
3. The waiver of the bid or RFP procedure shall be recorded in the minutes of the BOCC with full details.
 - a. Requests to waive the informal quotes process for purchases can be directed to Purchasing for approval with EO/DH approval.

I. Exceptions (NOTE: These exceptions do not apply when the bidding process was waived.)

1. Bids are not required under the following conditions:
 - a. Where a bid for the item or equivalent item has been awarded by Boulder County within the last twelve months.
 - b. Where a Solicitation for Qualifications (SOQ) that is not project specific has been awarded by Boulder County within the last twelve months.
 - c. Where a bid for the item, or an equivalent item, has been awarded by the State of Colorado or another public agency within the last twelve (12) months. See Policy XI.12. D.
 - d. Where a provision exists in the contract for a "rollover" of said contract, contingent upon appropriation of funds by the BOCC.
 - e. Where another government has at least 50 percent interest in the project, and there is a joint agreement to use the selection procedures of that agency.
 - f. Where sole source maintenance support contracts have been initially approved by the BOCC and are funded each year.
 - g. Where emergency circumstances require proceeding without taking the time necessary to comply with the bid process, when approved by the EO/DH, or, in the case of a declared disaster or emergency event involving the

Boulder County Sheriff's Emergency Management Team, the event commander. In all cases where this exception is utilized, Purchasing shall be notified in writing within five (5) working days of the purchase.



**SECTION XI FINANCE/BUDGET/PURCHASING
NUMBER XI.14 Unbudgeted Capital Outlay Policy (June 24, 2014)**

All items purchased for \$10,000 or more will require BOCC approval.

All unbudgeted computer-related items that exceed \$500.00 must be reviewed and approved by IT prior to purchase. Approval will be based on compatibility and necessity.

If a new unbudgeted personal computer (PC) or printer is purchased that replaces an existing PC or printer, the old PC or printer must be surplused to IT.

This policy does not apply to capital purchases made with grant funds, providing the purchase has been approved by the grantor agency, or is emergency replacement of essential equipment.

All purchasing and fixed asset policies will still apply.

Proposed Procedures:

For purchase requests requiring Board approval, a written request addressed to the BOCC should be sent to the Budget Office and Purchasing detailing the item to be purchased, amount of purchase, the cost center to be charged, and proper justification that purchasing policies will be complied with. Upon approval from Budget and Purchasing, the request will be forwarded to the BOCC.



SECTION XI FINANCE/BUDGET/PURCHASING

NUMBER XI.15 Sponsorship Policy (July 1, 2010)

A sponsor is defined as any business or organization that makes a financial, volunteer, or in-kind contribution to the county to underwrite or support a county event or program, and receives promotion and/or access in return.

Terms of sponsorship must be outlined in a written agreement by the office/department entering into the agreement and should include sponsorship duration and financial considerations.

Upon acceptance of the written agreement, use of sponsor logos may be used on county materials and media at the discretion of the office/department entering into the sponsorship agreement. This includes, but is not limited to, placement of logos on the county website, including a hyperlink from the logo to the website of the sponsor organization. Any hyperlinks must follow the county website linkage policy.



SECTION XII CONTRACTS AND AGENDA ITEMS

NUMBER XII.1 Contract Policy and Procedure (July 1, 2015)

It is the policy of the BOCC to retain the power to contractually bind Boulder County for contracts \$25,000 or over. An exception to this limit will be made in the event that life, safety and/or health are at risk and the BOCC has declared an Emergency or Disaster. This limit will be increased to under \$150,000 in such circumstances and will end by BOCC determination.

- A. The BOCC has delegated the power to contractually bind the county to EO/DH or their designees, if the contract or change order:
 1. Is (aggregate) under \$25,000, or under \$150,000 in the event that the BOCC has declared an Emergency or Disaster);
 2. Provides for completion within one year (12 months) and contains a provision regarding appropriation of funds;
 3. Does not involve extraordinary liability potential or ultra-hazardous activities;
 4. Does not assume liability for another office/department or agree to indemnify another party.
 5. Has been routed and reviewed through the CA Office, Risk Management Division and Finance.
 6. Has been reviewed by HR if the contracting party is a current employee or a PERA retiree conducting business with the county as an independent contractor whether in an individual capacity or through an affiliated party and is, either working directly as an individual or indirectly as an agent, owner or employee of the contracting agency, if a party to the contract. See Colorado PERA publication "Working after Retirement" located on PERA's website.

When an EO/DH contractually binds Boulder County, s/he is responsible for seeing that all commitments assumed by Boulder County are met.

Contracts shall be defined as any contract for goods or services including, but not limited to, agreements, purchase orders (P.O.),

leases, Memorandum of Understandings (MOU), Intergovernmental Agreements (IGA), or change orders.

B. Procedures for contracts which must be approved by the BOCC (\$25,000 or over; unless there is a Declared Emergency or Disaster and then the BOCC approval is raised to \$150,000 or over). Follow the procedures for electronic signature software (ESS) as found on the Contract Routing website (preferred) or if necessary, route manually. If manually routing:

1. Fill out a contract cover sheet attach at least two (2) originals of the completed contract, which have been signed by the vendor, except when the county is receiving funds, in which case the Commissioners may sign first.
2. Attach proof of insurance (if insurance is required by the contract).
3. Route for signatures to the EO/DH, the County Attorney's office, Risk Management and Finance.
4. Route to HR if the contracting party is a current employee or a PERA retiree conducting business with the county as an independent contractor whether in an individual capacity or through an affiliated party and is either working directly as an individual or indirectly as an agent, owner or employee of the contracting agency, is a priority to the contract. See Colorado PERA publication "Working after Retirement" located on PERA's website.
5. The BOCC staff schedules the contract on a Business Meeting.
6. After the contract is approved, BOCC staff scans the original contract into the county's Content Management system, and keeps an original on file. Any other originals are sent to the originating office/department.

C. Procedures for contracts which do not need to be approved by the BOCC (under \$25,000) unless a declared Emergency or Disaster and then EO/DH approval limit is under \$150,000):

1. For contracts under \$5,000, an EO/DH may sign the contract without filling out and circulating a Contract Cover Sheet if the contract is in a county approved standardized format that has not been altered except as to the parties, the date, the amount of the contract, and a description of the subject of the contract.
2. All contracts, regardless of amount, should be routed to and reviewed by Risk Management before execution for insurance requirement verification.

3. For contracts under \$5,000 that do not qualify for the exception in [policy XII.1.C.1](#) and for all other contracts between \$5,000 and \$49,999 procedure as stated above.

D. Contract Administration

1. All contract terms shall be for no more than twelve (12) months with a maximum of four (4) additional twelve (12) month renewals unless otherwise approved by the EO/DH or BOCC, as appropriate.
2. In order to promote fair and open competition and to obtain the best value for the county, all pre-qualified contractors who hold a Continuing Services contract with the county shall be given the opportunity to informally quote and compete against each other for work as it arises. Offices and departments shall select a minimum of three (3) pre-qualified contractors per area of expertise unless waived by their EO/DH and Purchasing.
3. Following the award and/or the execution of an agreement, it shall be the responsibility of the appropriate office/department to administer the contract and oversee the performance of the contractor, and to ensure that such performance is in compliance with the applicable bid/RFP/contract documents, including the collection of all applicable performance and payment bonds or other acceptable surety, insurance, payment withholding and notice of final settlement requests prior to final payment.
4. Any contract costs that exceed 10% of the amount of the contract must be re-approved at the appropriate level. If aggregate costs equal or exceed \$25,000 (unless a Declared Emergency or Disaster and then exceed limit is extended to \$150,000), an addendum to the contract must be approved by the BOCC. Otherwise, for amounts under \$25,000 an addendum to the contract can be approved by the EO/DH or designee.



SECTION XII CONTRACTS AND AGENDA ITEMS

NUMBER XII.2 Procedures Pertaining to Agenda and Business Meeting Materials (June 1, 2002)

It is the policy of the BOCC that the following procedures shall be observed concerning Regular Agenda and Business Meeting materials to be considered and acted upon by the BOCC:

A. Regular Agenda Meeting

1. All Regular Agenda items are to be submitted to the BOCC staff no later than noon one week prior to the scheduled hearing or discussion.
2. Regular Agenda materials must contain the following information:
 - a. Specific action requested.
 - b. Actual amount of funding being requested (if applicable) and a signature from the Budget Office, showing that they are aware of and approve the finding request.
3. At least five (5) copies (including the original) of all agenda materials must be submitted: One for each Commissioner, one for the record, and one for the CA or the Finance, whichever is appropriate. If the news media has expressed interest in the matter, you may be asked to provide additional copies for the reporters' use.
4. Agendas will be firmly established by 4 p.m. the meeting day prior. Any matter of extreme urgency must be cleared with a Commissioner or the BOCC Deputy.

B. Business Meeting

The Business Meeting portion of the BOCC Regular Agenda is reserved for items requiring discussion of five minutes or less. If you expect more time to be necessary to resolve the question, please ask for time on the BOCC Regular Agenda. The Business Meeting is divided into three sections (see sample agenda following this section):

1. Items Requiring No Motion (Section I): Items which are only to be noted for the record and require no action.

2. Items Requiring Approval by Motion or Consensus (Section II): There are four routing business items which require no discussion, have been through the contract review process, or have been identified as "routine," but still require BOCC action/signature.
3. Items Requiring Discussion (Section III): These items may involve discussion and further direction from the BOCC. Section III items shall be handled as follows:
 - a. Items shall be scheduled ahead of time with the BOCC Deputy or by submitting a written request by noon of the meeting day prior to the scheduled Business Meeting item. When an item is submitted in writing, it will automatically be scheduled.
 - b. At least five (5) copies (including the original) of all written materials must be submitted: One for each Commissioner, one for the record, and one for the County Attorney or Finance, whichever is appropriate. If the news media has expressed interest in the matter, you may be asked to provide additional copies for the reporters' use.
4. All other Business Meeting materials are to be received by the BOCC staff by noon of the meeting day prior to the scheduled Business Meeting item.

NOTE: In situations where the BOCC meeting schedule has been changed, the requirement shall be that Business Meeting materials may be submitted by noon two working days prior to the scheduled item. Regular Agenda Meeting items must still be submitted at least one week in advance.

- C. All Regular Agenda and Business Meeting materials must be stamped with the date and time of the scheduled discussion.

It is the responsibility of all offices/departments of the county to comply with these procedures as adopted by the BOCC. Otherwise, items which require BOCC approval may be delayed because of the need to cancel or reschedule to a later time due to lack of adequate time for the BOCC to review materials.

The BOCC Deputy shall have the authority to cancel such Regular Agenda items, if materials are not submitted by the stated deadlines.



SECTION XII CONTRACTS AND AGENDA ITEMS

NUMBER XII.3 Procedures Pertaining to Public Hearings (September 30, 2008)

As public hearings are official civil proceedings, it is the policy of the BOCC that the following procedures shall be observed for all hearings before the Board in order to facilitate an orderly, respectful and fair discussion where all points of view may be heard:

A. Presiding officer

The Chair of the BOCC shall preside at the public hearing; in the absence of the Chair, the Vice Chair shall preside and assume the authorities granted to the Chair in this policy.

B. General format

Public hearings will generally follow a similar format. Changes may be made at the discretion of the Chair of the BOCC.

1. Convening and introduction by the Chair.
2. Commissioners record their site visit impressions or any ex parte communications (if applicable).
3. Staff presentation of up to 20 minutes, followed by any questions the Board has for staff.
4. Applicant presentation (if applicable) of up to 20 minutes, followed by any questions the Board has for the applicant.
5. Public hearing.
6. Chair closes the public hearing. No further public testimony is taken.
7. Staff response to issues raised during the public hearing.
8. Applicant response to issues raised during the public hearing (if applicable)
9. Commissioners' discussion and decision.
10. Adjournment

C. Rules of conduct

1. It is inappropriate to cheer, boo, hiss, talk, cry out or applaud. Members of the public are not expected to agree on all issues

but must make an effort to respect the process so that all viewpoints are heard.

2. Cell phones and PDAs must be turned off completely during public hearings, as they interfere with the audio system.
3. Firearms and other weapons are prohibited from the County Courthouse.
4. The waving or posting of signs, banners or other materials in the hearing room is not allowed.
5. So that everyone can hear the proceedings, side conversations must be taken outside of the hearing room.
6. The use of profanity, threatening or abusive language is not allowed.
7. All presenters must speak directly into the microphones provided in order to assure a fully audible recording of the hearing.
8. The placement of electronic recording devices and cameras, including but not limited to audio recorders, video cameras, still cameras, motion picture cameras or microphones, may be regulated by the Chair so as to avoid interference with the orderly conduct of the hearing.
9. No animals are permitted in the hearing room, with the exception of service dogs.

D. Addressing the Board

1. Anyone presenting to the BOCC must be identified for the public record.
 - a. A county staff member must state his or her name, job title and the office/department he/she represents.
 - b. Everyone else must state his or her name and address for the record, unless otherwise determined by the BOCC. Presenters under the age of 18 are not required to state an address but are asked to provide a town of residence instead.
 - c. Testimony will not be taken from those who refuse to identify themselves or give their addresses.
2. Presenters are asked to speak directly to the BOCC and not address members of the audience during the presentation.

E. Public Hearing

1. Comments are generally limited to three minutes, unless otherwise determined by the BOCC.
2. Presenters may pool time, at three minutes per person, so long as everyone who is pooling time is present at the time of the presentation.

3. Any organized groups or individuals pooling time are the first to speak.
4. Speaking order, after group presentations, is determined by a sign-up sheet or at the Chair's discretion
5. The presentations will be timed, so that the presenter knows when time is running out.
6. The presentation time does not include any questions from the Board and the time it takes to answer them. Commissioners will attempt to hold their questions until the presentation is finished. If a question is asked during the presentation, the timer will be stopped and restarted after the question has been answered.
7. If the presenter exceeds the allotted time, the Chair may interrupt and end the presentation, at the Chair's discretion.
8. Once everyone has had the chance to speak, the Chair may open the hearing for additional comments from those who have previously presented, at the Chair's discretion.

F. Presentation of Materials

The presentation of written materials to be entered into the public record is encouraged.

1. Generally, staff materials must be submitted to the BOCC one week prior to the scheduled hearing date. See county [policy XII.2](#) for more information.
2. Members of the public are encouraged to provide written materials as far in advance of the hearing as possible, in order to provide all the Commissioners sufficient time to read the materials prior to the hearing.
 - a. Materials may be submitted via mail to BOCC, P.O. Box 471, Boulder, CO 80306.
 - b. Materials may also be submitted via email to Commissioners@BoulderCounty.org.
3. All written materials submitted up to and during the hearing will be kept in perpetuity as part of the public record for the hearing.

G. Accommodation

Individuals needing translation or disability assistance are asked to contact the Commissioners' Office at 303-441-3500 at least 24 hours in advance of the hearing so that appropriate accommodations may be made.

H. Possible Sanctions

Disruption of a public hearing or meeting by audience members will not be tolerated. At the discretion of the Chair, the hearing or meeting may be suspended. In addition, individuals who violate the provisions of this policy may be subject to removal (forcibly, if necessary) from the public hearing and/or the County Courthouse and, depending on the seriousness of the violation, may be prosecuted under state law. Any person who has been forcibly removed from a public hearing will not be allowed to attend another such hearing before the BOCC for a minimum of six (6) months, and then only after signing an agreement to abide by these rules in all future appearances, subject to arrest for trespass if a violation occurs. Any such person, during their period of debarment from public hearings, may nonetheless submit written materials regarding any matter coming before the BOCC for a public hearing.



SECTION XIII VEHICLE POLICIES

NUMBER XIII.1 Fleet Management and Maintenance (July 1, 2015)

It is the policy of the BOCC that the county shall operate the most reliable, sustainable, efficient, safe, cost-effective fleet possible. This policy is intended to provide guidelines for Transportation Department, Fleet Services Division & Sheriff's Office in, specifying, purchasing, accepting delivery on vehicles/equipment, and all other offices/departments requesting and/or operating equipment. When equipment breaks down or requires high levels of maintenance, it has consequences beyond parts and labor. Unreliable equipment impacts the work program, resulting in lost labor, delayed or unaccomplished tasks, unsafe conditions, reduced public credibility, and lost opportunities.

A. Reliability

1. The county shall purchase reliable equipment based on objective surveys and reports, county data, fleet experience, and other credible sources.
2. The county shall incorporate life-cycle costs into vehicle and equipment purchasing evaluations, as appropriate.
3. All county equipment shall receive timely preventive maintenance. When contacted, operators must make their vehicles available for maintenance or face possible fuel restrictions (for non-emergency equipment).

B. Sustainability

Fuel efficiency and reduced emissions shall be of significant consideration in equipment purchases and in accordance with the county's environmentally preferable purchasing policy, [policy XI.12.T](#). Equipment sharing between offices/departments is essential to reduce fleet size, eliminate underutilized vehicles, and promote the best use of scarce resources. Pools consisting of vehicles and heavy equipment will help achieve these goals while maintaining operational efficiency and addressing user needs.

1. Cost-effective hybrids, ultra-low emission vehicles, and fuel-efficient vehicles shall be evaluated to see if they can practically fit into our fleet.
2. Pools shall be created or expanded to provide a central source for historically underutilized equipment and offer loaners for vehicles getting service.
3. Accurate meter readings are vital in scheduling preventive maintenance and tracking our sustainability efforts through fuel efficiency reports. Employees fueling at county facilities must enter correct information into the fueling system, including meter readings, PIN, and fuel type. The correct fuel key must be used for the vehicle.

C. Standardization

The county shall standardize equipment, as appropriate, within each classification to assure low inventory costs, training costs, and to take advantage of quantity purchasing discounts.

- D. It is the policy of the BOCC to contain the size and cost of maintaining vehicles belonging to Boulder County and to ensure the availability of good quality county-owned on and off road vehicles/equipment and trailers. On and off road vehicles/equipment and trailers or any item with a value of \$5,000 or greater that requires licensing or vehicles and equipment that will be managed and maintained by Fleet Services that will have a direct impact on Fleet Services Operating Budget must be reviewed and approved by the Fleet Manager prior to obtaining purchasing approvals.

1. Purchase of New Fleet Vehicles/Equipment: The Fleet Manager, in collaboration with individual offices/departments requesting to purchase new or replacement vehicles/trailers or other equipment that will be maintained by Fleet shall cooperatively specify equipment, match it to the task, and insure appropriateness for the job consistent with the expected usage and the other goals of the county identified above. The Fleet Manager and requesting offices/department shall review requested options. By eliminating unessential options, the county can more fully fund equipment replacement and avoid associated maintenance costs. Options will be limited to those that are practical, mission critical, safety related, or provide additional return on the investment at time of disposal.
2. Replacement Equipment: The Budget Office and the Fleet Services Division of the Transportation Department shall review all requests for replacement of vehicles/equipment using the following minimum criteria to initially identify vehicles/equipment to be evaluated for

replacement. Offices and departments may also request additional vehicles/equipment be included in the review process.

Vehicle/Equipment Type	YRS OR MILEAGE/HOURS	
Car & Vans	10	120,000 M
Cars, Sheriff's Patrol	10	100,000 M
Pickups	10	85,000 M
SUV's	12	100,000 M
Single Axle Dump	12	200,000 M
Tandem Axle Dump	12	250,000 M
Semi-Tractor	12	250,000 M
4x4 Plow Truck	16	150,000 M
Street Sweeper	5	6,000 H

Each vehicle identified using the above criteria will be specifically evaluated to determine the optimal time for replacement based on the following factors: initial purchase price, operational costs, fuel efficiency, condition, depreciation, residual value, downtime and utilization. An in-depth list of all county vehicle/equipment Targeted Replacement Cycles is available at Fleet Services upon request.

3. Fleet Services Division will prepare a list of vehicles meeting the replacement criteria and distribute to the user office/department for review and comment.
4. The Fleet Manager will convene a vehicle/equipment user group with representatives from all departments with vehicles/equipment targeted for replacement including the Purchasing Division, Budget Department, Administrative Services Department, and Sheriff's Office to develop recommended replacement priorities to the BOCC.

E. Used Vehicles/(Ghost Fleet)

Fleet Services is responsible for establishing methods and procedures to manage the used vehicle fleet with the goal of ensuring Boulder County Fleet is adequate, safe, and right sized for all departments served.

F. Vehicle Transfer

1. Vehicles may not be transferred between county offices/departments without the review of the Transportation Fleet Services Division staff and Purchasing staff.
2. Any vehicle requiring repairs at the time it is transferred to the vehicle pool shall be repaired, and the cost charged back to the transferring office/department or as agreed upon by the receiving department.

G. Accident Damage

Prompt repair of all body damage is required, subject to review and recommendation of the Fleet Manager and Risk Manager as appropriate and in accordance with Risk Management policy.

H. Use of County Equipment During a Declared Emergency/Disaster

All employees who utilize county equipment or vehicles must use pre-approved tracking forms which meet FEMA standards to track mileage and project-related usage.



SECTION XIII VEHICLE POLICIES

NUMBER XIII.2 Use of County Vehicle Pool (June 27, 2013)

It is the policy of the BOCC to maintain and make available to the employees and volunteers a pool of county vehicles for use on county business.

- A. Employees and volunteers using a pool vehicle must meet all criteria set forth within this policy and particularly those set forth in Policy [XIII.1](#).
- B. The Administrative Services Director shall manage the vehicle pool. The following procedures shall apply for use of a pool vehicle:
 1. Reservation: Vehicles must be reserved. Reservations are made by calling the administering division.
 2. Eligibility to use pool vehicle: The Risk Management Division maintains a list of employees who have met the requirements for use of a county vehicle outlined in [policy II.29](#). Risk Management periodically forwards a copy of this list to the administering division. Any employee who needs to drive a pool vehicle must be on this list.
 3. Charges: Offices/departments will be charged monthly for use of the pool vehicles, as follows:
 - a. Mileage shall be paid at the rate determined by the BOCC.
 - b. Major repairs or insurance deductibles incurred as a result of damage by employee.The above charges will be billed automatically, similar to charges for printing and telephone services.
 4. Reimbursement: If an employee is unable to obtain fuel for the vehicle at a county authorized source per [policy II.30](#) (i.e. if they are traveling outside of Boulder County and need additional fuel), they should purchase fuel and submit a fuel receipt to Administrative Services and receive reimbursement.
 5. Commuting: Commuting is not allowed in pool vehicles.
- C. The Budget Office and the Fleet Services Division shall make recommendations to the BOCC with the advice of the Fleet

Replacement Committee through its monitoring of the vehicle pool concerning the following:

1. When vehicles should be replaced or surplused.
2. The type of replacement vehicle, and
3. Which vehicles should be assigned or transferred to the pool.



SECTION XIII VEHICLE POLICIES

NUMBER XIII.3 Color and Markings for County Vehicles (June 27, 2013)

It is the policy of the BOCC to establish a uniform county image, part of which is represented by markings and color schemes of official county vehicles.

- A. The BOCC is responsible for any changes to this policy.
- B. The Fleet Manager is responsible for enforcing this policy upon receipt of requests for new or replacement vehicles.
- C. Color. All official vehicles of Boulder County are to be ordered in white, except as described below:
 1. Sheriff's Office: Shall be ordered in compliance with policies established by the Sheriff of Boulder County.
 2. Road Maintenance Division: Will continue to use white and black.
 3. Parks and Open Space Department: Green or white.
- D. Markings
 1. County Logo as a vehicle marking: On new vehicles with county plates, the county logo shall also be used as an official marking. The logo is to measure twelve (12) inches in diameter and shall be of white background with dark green for the dark areas.
 2. Markings on Sheriff's and Road Maintenance vehicles: Shall not be changed, but will remain as they are under the current policies of the Sheriff's Office and the Road Maintenance Division.
- E. The Purchasing section of the Finance shall be responsible for monitoring the county vehicle orders to ensure that the proper colors and markings are in place.
- F. License Plates: In accordance with State Department of Motor Vehicle regulations, all county vehicles shall bear Boulder County license

plates and logo unless regular plates are specifically authorized by the BOCC.



SECTION XIII VEHICLE POLICIES

NUMBER XIII.4 Fleet Standards (July 1, 2006)

It is the policy of the BOCC that the county shall operate the most reliable, sustainable, efficient, safe, cost-effective fleet possible. This policy is intended to provide guidelines for employees requesting, specifying, purchasing, accepting delivery on, and/or operating equipment. The following procedures shall take effect immediately:

A. Reliability

When equipment breaks down or requires high levels of maintenance, it has consequences beyond parts and labor. Unreliable equipment impacts the work program, resulting in lost labor, delayed or unaccomplished tasks, unsafe conditions, reduced public credibility, and lost opportunities.

1. The county shall purchase reliable equipment based on objective surveys and reports, county data, fleet experience, and other credible sources.
2. The county shall incorporate life-cycle costs into vehicle and equipment purchasing evaluations, as appropriate.
3. All county equipment shall receive timely preventive maintenance. When contacted, operators must make their vehicles available for maintenance or face possible fuel restrictions (for non-emergency equipment).

B. Sustainability

Fuel efficiency and reduced emissions shall be of significant consideration in equipment purchases and in accordance with the county's environmentally preferable purchasing policy, [policy XI.12.T](#). Equipment sharing between offices/departments is essential to reduce fleet size, eliminate underutilized vehicles, and promote the best use of scarce resources. Pools consisting of vehicles and heavy equipment will help achieve these goals while maintaining operational efficiency and addressing user needs.

1. Cost-effective hybrids, ultra-low emission vehicles, and fuel-efficient vehicles shall be evaluated to see if they can practically fit into our fleet.

2. Pools shall be created or expanded to provide a central source for historically underutilized equipment and offer loaners for vehicles getting service.
3. Accurate meter readings are vital in scheduling preventive maintenance and tracking our sustainability efforts through fuel efficiency reports. Employees fueling at county facilities must enter correct information into the fueling system, including meter readings, PIN, and fuel type. The correct fuel key must be used for the vehicle.

C. Standardization

The county shall standardize equipment, as appropriate, within each classification to assure low inventory costs, training costs, and to take advantage of quantity purchasing discounts.

D. Specifications

1. Fleet Management shall properly specify equipment, match it to the task, and insure appropriateness for the job.
2. Fleet Management and Purchasing shall review options. By eliminating unessential options, we can more fully fund equipment replacement and avoid associated maintenance costs. Options will be limited to those that are practical, mission critical, or safety related.



SECTION XIII VEHICLE POLICIES

NUMBER XIII.5 Use of RTD Transit Pass and Regional Vanpool (July 1, 2015)

It is the policy of the BOCC that Boulder County actively support the use of transit by its employees by providing assistance with both annual and/or monthly bus passes to the extent permitted by state and federal law and by our contract with the Regional Transportation District (RTD).

- A. All full-time, part-time, and term employees shall be issued an annual bus pass (Eco Pass), in accordance with RTD policy on pass distribution.
 1. Only Full-Time/Term (FTEs) and Part-Time/Term (FTEs) employees are eligible.
 2. Independent contractors, interns, volunteers, seasonal, Youth Corps, temporary, and senior tax workers are not eligible for the annual pass.
 3. Eco Passes are not transferable and must be returned at the end of employment. Each employee is responsible for the use of his or her pass. EO/DH are responsible for the collection and return of Eco Passes at time of employees' termination.
- B. Employees who are not eligible for the county's Eco Pass program are encouraged to purchase monthly transit passes to reduce both the environmental and financial cost of commuting.
 1. Hourly employees who purchase monthly bus passes will be provided with vouchers to be used for a discount on the bus pass purchases. The voucher amount will be set for regional and express bus passes and for local bus passes by the County Transportation Department on an annual basis. Employees should contact Transportation at x3900 for current voucher amounts.
 2. Hourly employees are only eligible to receive vouchers during months they are employed by Boulder County.
 3. Vouchers are considered a pre-tax benefit by the IRS and can only be used for the purchase of monthly passes for use by that employee. Use of the voucher is the responsibility of the

employee and any misuse of the benefit will result in that employee becoming ineligible for the program.

- C. Employees who are unable to use the bus system due to the location of either their home or work location are encouraged to participate in a vanpool program.
 - 1. County employees who sign up for a vanpool program will have their monthly vanpool bill paid for by the county in exchange for signing up for a monthly payroll deduction.
 - 2. County employees are only eligible to have their vanpool paid during months they are employed by Boulder County.
 - 3. The difference between the actual cost of the vanpool and the payroll deduction charged to the employee is considered a pre-tax benefit by the IRS.



SECTION XIII VEHICLE POLICIES

NUMBER XIII.6 Vehicle and Equipment Idling (July 1, 2008)

It is the policy of the BOCC that engine idling of powered vehicles and equipment owned, rented, or operated by any Boulder County office/department is limited to five (5) minutes per event, with the following exceptions:

- A. Engine idling in excess of five (5) minutes is permitted during law enforcement, emergency, and traffic control operations, or at any time when engine operation is necessary to power overhead warning lights and/or other safety devices.
- B. Engine idling in excess of five (5) minutes is permitted at startup, if necessary to ensure safe operation of the vehicle or equipment, as in buildup of air pressure to safe levels or warming fluids to safe operating temperatures.
- C. Engine idling in excess of five (5) minutes is permitted at any time deemed necessary for the safety of employees or the public or when necessary to avoid damage to vehicle or equipment components.



SECTION XIV INTERNAL SERVICES

NUMBER XIV.1 Furniture and Equipment Moving Services/Procedures (June 24, 2014)

It is the policy of the BOCC that moving of furniture and equipment should be scheduled according to specific procedures.

- A. EO/DH must request moving services at least ten (10) working days prior to the intended move by submitting a standard Work Requisition Order by email to FMRequest for BCBS.
- B. BCBS, if time and resources allow, will schedule the services as overtime. The office/department requesting the services shall be charged for the services rendered at the current overtime rate.
- C. If lack of time and/or resources of BCBS staff render internal moving services unfeasible, BCBS will promptly notify the office/department requesting the service, to advise that in-house moving service are not available. The EO/DH must then contract with a licensed moving services provider. BCBS and Security must be notified, in advance, of this arrangement.
- D. IT requires a Service Request three (3) to five (5) working days in advance to move computer equipment (including telephones, networked copiers and printers). The following information must be included to ensure that all appropriate systems are accurate for employee safety in the event of an emergency (e.g. 9-1-1 database should match phone to location).
 1. Current location
 2. New location
 3. Name
 4. Department
 5. Phone number(s)
 6. Asset tag number

E. This policy does not apply to those circumstances where equipment and furniture moves are included in the scope and budget of a funded Capital Improvement Project. In those cases, the project management staff of BCBS will assist with the acquisition of moving services.



SECTION XIV INTERNAL SERVICES

NUMBER XIV.2 Mailing and Printing Services (June 27, 2013)

It is the policy of the BOCC that, when feasible, in-house mailing and printing services shall be used by offices/departments, except when the printing job is beyond the capability of the IT Mailing and Printing Division, and/or the deadline cannot be met because of work already scheduled. In these cases, the printing services may be taken to a private vendor.

Boulder County printing services are available to all county offices/departments, all cities and towns located in Boulder County, and any non-profit agencies funded by Boulder County or any non-profit agency, group, or board that a Boulder County employee participates in on behalf of the county.



SECTION XIV INTERNAL SERVICES

NUMBER XIV.3 Printed Communications Standards (July 1, 2008)

It is the policy of the BOCC to maintain a consistent image through the adherence to specific guidelines related to the design and production of the county's logo, color scheme, font choices and signage.

A. Stationery Package

1. The stationery package used by all appointed offices/departments shall conform to the following standards:
 - a. Stationery color: White
 - b. Paper: Must meet or exceed applicable Purchasing sustainability standards.
 - c. Fonts, ink color, paper size, and logo use: As determined by the Boulder County Style Guide (latest edition).
2. Only the following items are allowed to be shown on the letterhead:
 - a. Office/department name and division name, if applicable
 - b. Physical location(s)
 - c. County home page website address:
www.BoulderCounty.org
 - d. Telephone numbers(s)
 - e. Fax number(s)
3. No Department Head's name or title shall be printed as part of the letterhead.
4. County Commissioners' names shall appear at the bottom of the letterhead for appointed offices/departments.
5. Elected Officials may use this style of letterhead at their discretion.

B. Publications and Other Printed Communications

1. The IT Printing and Mailing Division shall be responsible for monitoring and enforcing the consistency of all printed material that is produced in its shop (including stationery), according to the guidelines established in the Boulder County Style Guide (latest edition).

2. BCBS is responsible for design, fabrication, and installation of signage of county buildings and offices/departments, except where the Parks and Open Space Department has jurisdiction.

C. Other Responsibilities

1. The Public Information Group will be responsible for updating the Boulder County Style Guide on an annual basis. The Style Guide will determine printed communications elements, such as fonts and font styles, colors, and use of logos for the county.



SECTION XIV INTERNAL SERVICES

NUMBER XIV.4 Energy Conservation (July 23, 2009)

Per county Resolution 2005-137 – Adopting a Sustainable Energy Path for Boulder County, the following policy is adopted by the BOCC to promote energy efficiency:

- A. Occupied-space temperature will comply with the guidelines of ASHRAE (American Society of Heating, Refrigeration and Air-Conditioning) Application Handbook for Office Buildings, as follows:
 1. Winter interior temperature between 68 and 72 degrees
 2. Summer interior temperature between 70 and 74 degrees
- B. Unoccupied-space temperatures: To save energy, ASHRAE and the Association of Energy Engineers recommend setting back temperatures when buildings are unoccupied. The following unoccupied-space temperatures will be used:
 1. Winter interior unoccupied temperature between 60 and 64 degrees.
 2. Summer interior unoccupied temperature between 78 and 82 degrees.
 3. Unoccupied is defined as weekends, and weekdays from 8:00pm to 6:00am.
- C. Off-hour events or meetings are to be scheduled with BCBS well in advance, so that building space temperatures can be adjusted to accommodate needs.
- D. Only personal air conditioners, space heaters and fans that have been approved by BCBS are permitted in county buildings, and only when office temperatures are outside the parameters described in paragraph 1.
 1. User procedures are as follows:
 - a. Notify BCBS prior to the installation of these items.
 - b. Purchase and comply with the item specifications provided by BCBS.
 - c. Agree to locate the item for optimum effectiveness, as determined by BCBS.

- E. Covering, obstructing or adjusting ceiling wall and floor grilles, vents, or heating and air conditioning registers or diffusers is not allowed.
- F. Office space electrical devices are to be turned off nightly, or when not in use. Typical electrical devices include task lighting, office lights, computers, printers, and copiers.
- G. Lights are to be turned off in all unoccupied spaces when not in use, such as restrooms, conference rooms, storage rooms, and file rooms.
- H. Light fixtures using Halogen lamps are not allowed in county buildings.
- I. Refrigerators and microwaves that are available as shared items in kitchens, break rooms or other common areas are not allowed in individual office space.
- J. Televisions, VCR or DVD players are not allowed in individual office space unless required as part of the job description.
- K. Smart Strips are recommended for use by county employees on all appliances.



SECTION XIV INTERNAL SERVICES

NUMBER XIV.5 Zero Waste and Healthy Menu Meetings and Events

(July 1, 2015)

- A. Zero waste meetings and events:** "zero waste" meetings and events are meetings and events that create virtually no waste through:
 - 1. Using reusable, compostable or recyclable food services items.
 - 2. Providing access to and requiring use of convenient composting and recycling collection containers and services.
 - 3. Educating attendees on proper recycling and composting practices.
- B. Healthy meetings and events:**
 - 1. "healthy" meetings and events are meetings and events that support healthy eating through:
 - a. Increasing the availability of healthy options, such as whole grains, fruits, and vegetables.
 - b. Ensuring that tap water is available at all meetings and events. When possible, provide filtered tap water.
 - c. Ensuring that dietary restrictions are considered when purchasing food.
- C. Zero waste meetings and events will be conducted as follows:**
 - 1. All meetings and events serving food and/or drinks (catered or otherwise) in county-owned or leased buildings, and leased buildings that have zero waste collection in place, will be conducted as zero waste meetings. A resource list is available of pre-qualified zero waste caterers that can be used for pre-planned catered meetings.
 - 2. All county-sponsored meetings and events serving food and/or drinks (catered or otherwise) in private buildings or facilities (or in leased buildings that have not been converted to the zero waste collection system) must also be conducted as zero waste meetings. A resource list is available of pre-qualified zero waste caterers that can be used for pre-planned catered meetings.
 - 3. All events for which Boulder County issues a permit on county property (i.e. courthouse lawn, fairgrounds, parking lots, etc.)

must be conducted as zero waste events when food and or drinks are served. Supporting policies for use of these facilities can be found in [policy 1.9](#), County Grounds and/or Buildings and in policies of the Boulder County fairgrounds, and for special events occurring on county roadways.

4. For catered events, food and/or drinks must be supplied in reusable (durable), compostable, or recyclable containers, served on reusable or compostable dinnerware, and eaten using reusable or compostable silverware and napkins. For non-catered events, county staff is encouraged to seek zero waste and healthy food options. Purchase of non-recyclable/ non-compostable take-out pastry, deli and snack trays by county staff is discouraged.
5. Leased county-owned buildings and property will contain this policy language or similar encouragement of zero-waste events in any contractual agreements and the contracts may include fines for non-compliance.
6. Contracts and permits for meetings and events organized or held on county property by entities other than county staff contain this policy language or similar encouragement of zero waste events. Contracts, including catering contracts, may be worded to require zero waste services, meetings and events and to include fines for non-compliance.

D. Healthy meetings and events will be conducted as follows:

1. All meetings and events where Boulder County employees, interns, and volunteers will be using Boulder County funding (including grants and contracts funding) to provide food and beverages to staff, clients, guests, and the public will be conducted as healthy meetings and events. This policy does not apply to individual client meetings that are held outside of Boulder County offices.
2. All meetings that provide food and/or drinks must meet the following requirements:
 - a. Include at least one serving of fruits or vegetables.
 - b. Ensure that tap water is available. Filtered water should be provided whenever possible.
 - c. Provide a healthy option (e.g. fresh fruit) whenever you are providing desserts. Sugary desserts can be provided, as long as healthy options are also offered. If possible, cut the sugary dessert servings in half.
 - d. Do not purchase any sugar-sweetened drinks. This includes sodas, energy drinks, sport drinks, juices less than 100% fruit juice, and sweetened tea/coffee drinks. Permitted beverages

include water, 100% fruit and vegetable juices, unsweetened coffee and tea, carbonated water with no added caloric sweeteners, low-fat and non-fat milk, and other non-calorically sweetened beverages (such as stevia).

3. It is recommended that staff incorporate the following to meetings when food and/or drinks are provided whenever possible:
 - a. Serve whole grain products whenever possible
 - b. Serve all salad dressings and condiments on the side whenever possible. If it is not possible, ask the salads be lightly dressed.
 - c. It is recommended that staff consider potential dietary restrictions (e.g. vegetarian, vegan, and gluten intolerant) of the meeting participants. Whenever possible, poll the participants in advance of the meeting so you can accommodate their special dietary preferences.
- E. Resources designed to assist offices/departments to comply with this policy can be found on InsideBC. They include a list of pre-qualified catering companies that offer zero waste and healthy catering services, a how-to guide on how to set up a zero waste meeting and announce zero waste options to attendees, guidelines for hosting meetings or event, a list of county-owned and leased buildings, and other guidelines and tips. Also see policy II.31, Zero Waste and policy 1.9, Use of County Grounds and/or Buildings, and separate policies maintained by Parks and Open Space for fairgrounds use and by Transportation Department for use of county roads and rights of way.
- F. The EO/DH are responsible for:
 1. Ensuring all meetings conform to this policy.
 2. That meeting attendees are sufficiently aware of zero waste meeting requirements and correctly use collection containers provided.
 3. That staff purchasing are sufficiently aware of healthy meeting requirements.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.1 Safety Policy Statement (January 2, 1992)

It is the policy of the BOCC that a safe environment is provided for the employees and citizens of Boulder County. In keeping with this policy, a formal safety program has been established which includes safety committees, proper claims reporting procedures, general safety rules, and safety training programs. It is requested that each office/department implement and support this safety program.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.2 Safety Committees (January 2, 1992)

It is the policy of the BOCC to support the formation of office/department safety committees in an effort to promote safety throughout Boulder County.

The purpose of these safety committees will include, but not be limited to:

- Creating and maintaining an active interesting safety issues, including ergonomics.
- Providing an effective means for the communication of safety issues.
- Reviewing safety issues and recommending appropriate actions to address these issues.
- Developing recommendations for improvement of the safety program.
- Providing input on safety training needs and reviewing such programs for county employees.

Each office/department that chooses to have a safety committee will be responsible for the selection of employees to serve on that committee. Membership will be on a volunteer basis and be for a specified time period. The rotation of committee members will be at one-year intervals. The selection of members will attempt to provide a broad representation of supervisors and employees. The Risk Manager is available to serve in an advisory capacity on these committees.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.3 Safety Inspections (January 2, 1992)

A safety inspection is one of the principle means of locating accident hazards and determining what preventive measures are necessary to prevent accidents or injuries. Therefore, it is the policy of the BOCC that offices/departments conduct safety inspections on at least a semi-annual basis. Any unsafe conditions should be immediately corrected. If the unsafe conditions need to be corrected by BCBS, a Work Requisition Order should be completed and follow-up should be done to assure correction of the condition.

Every office/department should develop a safety inspection program. An office/department supervisor or a designated employee should conduct safety inspections on a scheduled basis. The frequency of this safety inspection will vary depending on the office/department's size and the scope of its operations. However, in all cases, a safety inspection should be done at least on a semi-annual basis. Risk Management has developed a Safety Inspection Report Form to assist offices/departments in conducting safety inspection.

Risk Management is also available to assist offices/departments in training personnel to conduct these safety inspections.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.4 Safety Training Program (January 2, 1992)

The BOCC recognizes the importance of safety training programs to the overall success of Boulder County's Safety and Risk Management Program. In an effort to create a safer working environment for employees, safety training programs are encouraged and supported by the BOCC.

Individual offices/departments are responsible for scheduling of safety training programs for their employees. Requests for safety training should be directed to Risk. The Risk Manager will contact the appropriate servicing agency to obtain training materials and/or assistance. The Risk Manager or a loss prevention representative will conduct the training programs. A designated employee from an office/department may be trained to conduct future safety training activities.

There are numerous sources of safety materials available to offices/departments. Safety material can be obtained from Boulder County's third-party claims administrators, the National Safety Council, the Colorado Safety Association, Colorado State Patrol, and Federal agencies such as O.S.H.A. and M.S.H.A. Examples of subjects available for safety training programs are:

- Conducting safety inspections
- Office ergonomics
- Hazard recognition training
- Defensive driving
- Snow plow training for professionals
- Employee orientation on safety
- Back injury prevention programs
- Prevention of slips and falls
- Office safety

There are also numerous other subjects available. Offices/departments are encouraged to contact Risk to discuss specific needs.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.5 Workers' Compensation Policies and Procedures (June 27, 2013)

It is the policy of the BOCC that all offices/departments follow the Workers' Compensation policies and procedures set forth herein.

- A. An employee is to report all accidents or activities resulting in personal injury to his/her supervisor prior to the end of the shift in which the accident or activity occurred. This can include a minor first-aid case, an injury that requires professional medical attention, or an injury that results in time lost from work.
- B. Workers' Compensation Injury Report. This form needs to be completed by the injured employee and the supervisor within 24 hours of the accident or onset of the work related illness. When possible, this form should be completed prior to any medical treatment being rendered. Both sections ask for suggestions as to how this type of accident can be prevented from occurring in the future. The completed form should then be sent to Risk Management.
- C. Treatment. Supervisors will direct employees who are injured on the job to one of the designated providers listed on the employee's procedure card (see D, below) or on the list attached below the green "Workers' Compensation Act Notice to Employees" posted on bulletin boards throughout the county. Under no circumstances shall a supervisor authorize medical care to the employee's personal physician.
- D. Procedure Card. A wallet-sized procedure card has been distributed to all employees outlining claims reporting procedures, listing the designated medical service providers (including their addresses, phone numbers, and hours of operation) and the designated trauma centers/emergency rooms (after-hours hospitals). All new employees receive a card at orientation. If an office/department wishes to keep additional procedure cards on hand, contact Risk Management.

- E. Unauthorized Medical Expenses. Failure to follow these procedures may result in medical bills from unauthorized physicians becoming the employee's responsibility. Referrals will only be made by the physicians at one of the designated medical service providers, and only with an authorization from Risk Management. If an employee feels that s/he is not improving with the treatment, this should be discussed with the attending physician and/or Risk Management.
- F. Time Off. Any time taken off from work due to an on-the-job injury must be authorized by a designated physician, approved by the immediate supervisor, and reported to Risk Management within 24 hours. The injured employee should endeavor to make all appointments with the physician, physical therapist, or other health care providers outside of the regular work hours. Any exception should be approved by the employee's supervisor.
- G. Modified Duty Program. The modified duty program provides the county the flexibility to determine whether a modified duty assignment will enable an employee who has sustained an accidental injury or occupational illness to continue to work or return to work, in a capacity less than full duty. The supervisor is responsible for assisting the Risk Management Division in determining whether the placement of the employee into an appropriate job either at his/her usual place of employment or another area within the county is appropriate. If the county offers a modified duty assignment to the employee, and the assignment is approved by the designated physician treating the employee, the employee must accept the modified duty assignment. Failure to work a modified duty position, once approved by the designated physician, may render the employee ineligible for lost time wage benefits, including workers' compensation payments and on-the-job injury leave. Employees who refuse modified duty assignments may also be subject to disciplinary action. Nothing in this provision shall guarantee an employee the right to a modified duty assignment. The county has the sole discretion to determine whether a modified duty assignment is available and appropriate for the employee.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.6 Losses (July 1, 2003)

It is the policy of the BOCC that all occurrences of damage to or loss of county property, including potential claims against the county, be reported immediately. It is also the policy of the BOCC that thorough inquiries of the circumstances of the damage/loss are conducted in accordance with this policy. Individual offices/departments are responsible for the first \$1,000 of any loss (with the possible exception of damages caused by third party; see Section F of this policy).

A. Vehicle Damage

1. **Vehicle Accident Reporting Kit.** The glove compartment of every county vehicle contains a Vehicle Accident Reporting Kit. When involved in an accident the employee must follow the instructions contained within (Actions at Vehicle Accident Scene). The employee should notify his/her supervisor and the responsible law enforcement agency (a police department in a municipality or the Colorado State Patrol outside of cities) immediately.
2. The employee shall remain at the scene of the accident until the arrival of investigating officers, unless given permission to leave the scene by a police dispatcher, or there are compelling reasons to depart (i.e., injuries).
3. The employee must provide investigating officers with the necessary information and complete the required paperwork. The employee's supervisor or other representative of the employee's office/department may also respond to the scene to investigate the accident.
4. **Vehicle Accident Report.** This two-page report (which can be found in the Vehicle Accident Reporting Kit or can be obtained from Risk Management) should be completed fully. The form is to be reviewed and signed by the employee's supervisor. The completed Vehicle Accident Report is to be forwarded to Risk Management within 24 hours.
5. If the county vehicle is inoperable as a result of the accident, the county employee should contact Fleet Services for

assistance and contact Risk Management immediately. Damages to county vehicles exceeding \$1,500 may be inspected by a claims adjuster.

6. The employee must provide to his/her supervisor a copy of any traffic summons issued to the employee.
 7. Any damage to a county vehicle must be reported to Risk Management upon discovery, regardless of fault or cause at which time arrangements for repairs to damaged county vehicles will be determined by Fleet Services. A \$1,000 office/department deductible applies per incident or occurrence and is not cumulative (refer to D.1 of this section) and will be charged back to the individual office/department.
 8. Non-Reported Vehicle Damage: If non-reported damage is noted by Fleet Services, Fleet Services will notify Risk Management. Risk Management will contact the office/department responsible for the vehicle to determine whether the damage is due to one or more previous accidents/incidents. When Risk Management and the office/department have determined the proximate cause of the damage, Risk Management will notify Fleet Services.
- B. General Liability, Damage to County Buildings or Contents, and Crime Losses Such as Burglary or Theft. Employees must complete the Loss Report (available from Risk Management). This report must be signed by the EO/DH or by a supervisor. The completed form should be forwarded to Risk Management within 24 hours.
- C. Accident Review the procedures for accident review and final disposition are the responsibility and prerogative of each EO/DH. As a result of the review, any disciplinary action is the responsibility of the EO/DH.
- D. Payment of Losses
1. Any loss under \$1,000 should be reported to Risk Management, but should be paid for by the respective office/department.
 2. Losses over \$1,000, but under \$1,500, will not require an inspection of the property; however, two estimates should be obtained. Repair work should be done by the vendor of the lower estimate. The estimates and the original invoice should be forwarded to Risk Management.
 3. Losses over \$1,500 may require an inspection of the property before any repairs can be done. The office/department can obtain two estimates while waiting for the inspection.

4. Risk Management will pay the entire amount directly to the vendor. The first \$1,000 will be charged back to the office/department. If the office/department has already paid the vendor, Risk Management will reimburse the office/department, less the first \$1,000.
- E. Damage to a Third Party
- When Boulder County is responsible for damage to a third party, Risk Management will reimburse the third party (or vendors who have provided service to the third party) upon receiving the proper reports from the third party. The first \$1,000 will be charged back to the responsible office/department by way of Intra-County Requisition.
- F. Damages Caused by a Third Party. When damages to county property, including vehicles, are caused in whole or in part by a third party, Risk Management will aggressively pursue subrogation.
1. Risk Management will pay the entire cost to repair or replace damaged county property, unless it is determined that a percentage of the fault lies with the county. In that case, the office/department will be charged for that percentage of the first \$1,000.
 2. In the event there is not a possibility of subrogation, the office/department will be charged for the first \$1,000 of the loss.
 3. All revenues from subrogation will be recorded into the appropriate revenue account.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.7 Hazardous Material Safety Policy (June 1, 2002)

It is the policy of the BOCC to support the County Hazardous Materials Safety Committee and the standards specified in this policy to promote safe use of hazardous chemicals and to minimize the health and environmental impact from the use of hazardous chemicals throughout Boulder County.

A. Oversight by the Boulder County Risk Manager

The Boulder County Risk Manager, as chair of the Hazardous Materials Safety Committee, can authorize and/or conduct an inspection of any county facility regarding hazardous materials and compliance with this policy.

B. Hazardous Materials Safety Committee

1. **Committee Structure.** The committee shall be approved by the heads of each office/department within Boulder County. Employees will be chosen based on their roles as user, purchaser of hazardous materials, manager, or trainer.
2. **Committee Objectives.** The committee will assist the Risk Manager in implementing the Hazardous Materials Safety Standards set forth in this policy. Committee objectives shall include, but are not limited to, the following:
 - a. County employees are educated regarding the hazards of chemicals with which they work.
 - b. Purchasers use guidelines to evaluate and minimize the purchase of hazardous chemicals.
 - c. Each office/department minimizes its chemical inventory.
 - d. Offices/departments use safe storage practices.
 - e. Offices/departments recycle and deposit hazardous wastes in accordance with federal and state regulations.
 - f. Offices/departments maintain the correct hazardous waste generator status and maintain all necessary documentation.
3. **Committee Responsibilities and Activities.** The committee's responsibilities and activities shall include, but are not limited to, the following:

- a. Meet on an annual basis.
 - b. Review and evaluate Department Hazardous Materials Safety Progress Reports.
 - c. Review and update, as necessary, Hazardous Materials Safety Standards and all other associated policies and programs.
 - d. Provide and review guidelines developed by the Health Department for the selection of alternative chemicals with the lowest toxicity and environmental impact.
- C. Hazardous Materials Safety Standards. All offices/departments that use hazardous chemicals are required to meet the minimum standards listed below for providing information and training to employees concerning hazardous chemicals to which they are potentially exposed.
1. Hazard Communication Standard
 - a. Perform an annual hazardous chemical inventory. Maintain a list of chemicals that is available to employees.
 - b. Prepare and implement a written Hazard Communication Plan that describes procedures in place and persons responsible for maintaining the chemical inventory and Material Safety Data Sheets (MSDSs), training employees, and labeling containers.
 - c. Maintain a MSDS on every hazardous chemical used.
 - d. Update MSDSs annually.
 - e. Conduct annual training on the procurement, handling, use, and storage of hazardous chemicals.
 - f. Ensure that all containers are properly labeled.
 2. Hazardous Material Personal Protective Equipment (PPE) Standard
 - a. The existing Safety and Risk Management Policy XIV.6 regarding Personal Protective Equipment will continue to be in effect.
 - b. All feasible engineering controls and work practices will be put in place to minimize hazards and reduce the reliance of PPE.
 - c. Pursuant to this policy, managers and supervisors will determine and document the appropriate PPE required for a particular work situation.
 - d. When managers and supervisors determine that a work situation requires PPE, employees will be trained regarding why PPE is necessary, when to use it, and in its proper use and care.

- e. When PPE is required, all affected employees will be responsible for using it correctly and consistently.
 - f. For all county work where a respirator is required, a written Respiratory Protection Program will be prepared by that division, which includes:
 - 1) Respirator selection procedure
 - 2) Medical evaluations (before fit-testing)
 - 3) Fit-testing procedures for tight-fitting respirators
 - 4) Procedures and training for routine use and emergency situations
 - 5) Procedures for cleaning, disinfecting, storing, inspecting, repairing, discarding, and maintaining respirators
 - 6) Procedure for evaluating effectiveness of the program
 - 7) Procedure for determining cartridge replacement frequency
3. Pollution Prevention (P2) and Waste Minimization Standard
- a. Offices/departments will use P2 and substitution of less hazardous chemicals as the preferred way to reduce risk to employees and to reduce generation of hazardous waste.
 - b. Purchasers in each office/department will be responsible for reviewing MSDS before purchasing products to verify that the products meet guidelines developed by the Hazardous Materials Safety Committee.
 - c. Offices/departments will establish a system for minimizing chemical inventories.
 - d. Office/department will conduct an annual assessment of P2 accomplishments and establish goals for the coming year. This information will be included in the annual Hazardous Materials Safety Progress Report to the Risk Manager.
4. Hazardous Waste Management Standard
- a. Offices/departments will dispose of hazardous waste as required by accumulation time limits applicable to their waste generator status, or at least on an annual basis.
 - b. Office/departments will comply with all applicable generation, storage, transportation, treatment, and disposal requirements of the Resource Conservation Division and Recovery Act (RCRA), CFR, Title 40, Parts 260-273, and Department of Transportation regulations, which include:
 - 1) Using a permitted hazardous waste transporter
 - 2) Shipping hazardous wastes to State- or EPA-authorized facilities

- 3) Using Uniform Hazardous Waste Manifests to ensure "cradle-to-grave" tracking of waste disposal
- 4) Filing exemption reports if the manifest signed by the final destination facility is not received within 60 days
- 5) Keeping manifests on file for at least three years

D. Reporting by County Offices/Departments

Each office/department will complete a Hazardous Materials Safety Progress Report in the format provided by the Risk Manager on an annual basis.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.8 Settlement Authority (June 27, 2013)

It is the policy of the BOCC to delegate authority to the Risk Manager for limited settlement authority on claims brought against the county. The settlement authority limit for the Risk Manager shall be for no more than \$250,000. The Risk Manager will confer with the Administrative Services Director on all settlement issues. In addition, the Risk Manager will also coordinate with the CA Office for settlement on all liability claims within this limit and/or any claim involving litigation. Further, the CA Office is authorized to investigate and respond to notices of claims filed pursuant to C.R.S. §24-10-109 and may advise the BOCC on claims in executive session.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.9 Electronic Waste Policy (June 24, 2014)

It is the policy of the BOCC to support the County Electronic Waste Steering Committee and the standards specified in this policy to promote responsible recycling or end-of-life disposal of all electronics waste.

A. Oversight by the Boulder County Risk Manager

The Boulder County Risk Manager, as chair of the Electronics Waste Committee, can authorize and/or conduct and inspect any county facility regarding storage, collection and recycling of electronics waste.

B. Electronics Waste Steering Committee

1. **Committee Structure**. The committee shall be approved by the EO/DH of each office/department within Boulder County. Employees will be chosen based on their role as user and purchaser of electronic equipment, collector of the equipment, and their role as manager or trainer.
2. **Committee Objectives**. The committee will assist the Risk Manager in overseeing the Electronics Waste Collection Program set forth in this policy. Committee objectives shall include, but are not limited to, the following:
 - a. Educate county employees regarding proper electronic waste disposal methods.
 - b. Educate purchasers about using guidelines to minimize the amount of electronics waste.
 - c. Require office/departments to collect and store their respective electronics waste, and then recycle it in a timely manner.
 - d. Require proper recycling and/or disposal of electronics waste in accordance with state regulations.
3. **Committee Responsibilities and Activities**. The committee's responsibilities and activities shall include, but are not limited to, the following:
 - a. Meet on an annual basis.

- b. Review and evaluate the county's in-house electronics waste recycling program managed by the Resource Conservation Division, and its use by offices/departments.
 - c. Review other arrangements being used for recycling or reuse of county electronic waste.
 - d. Review and update, as necessary, Electronics Waste Policy and associated programs.
 - e. Prepare guidelines for the purchase of electronics equipment to minimize toxicity and facilitate recycling.
 4. Electronics Waste Recycling and Disposal. Each office/department is responsible for:
 - a. Destruction and/or removal of any sensitive information on any electronic equipment prior to recycling and/or disposal.
 - b. Using a contractor that has been approved by the County Purchasing Agent to collect electronic equipment for recycling or disposal.
- C. Purchasing of Electronic Equipment
- Offices/departments and all individual purchasers of electronic equipment have the responsibility to ensure that:
1. All purchasers use guidelines provided by the Electronic Waste Steering Committee to evaluate and minimize the purchase of electronic equipment that result in waste.
 2. All equipment vendors are asked for information on the toxicity of products, recycling potential, and manufacturer take-back options, prior to purchase.
 3. Evaluation and comparison of the toxicity, recycling potential and take-back options of products are completed prior to purchase.



SECTION XV SAFETY & RISK MANAGEMENT POLICIES

NUMBER XV.10 Indoor Air Quality (July 22, 2010)

In response to recommendations by an independent environmental hygienist, it is the policy of the BOCC that all employees will cooperate to maintain reasonably good indoor air quality by following these guidelines.

- A. Covering, obstructing or adjusting ceiling wall and floor grilles, vents or heating and air conditioning registers or diffusers is not allowed.
- B. The following personal equipment is prohibited unless approved by BCBS:
 - a. Portable air cleaners
 - b. Portable humidifiers
- C. No artificial scents will be placed in any Boulder County building, including office, common areas, and kitchen areas. These include but are not limited to, sprays, mists, sticks, oils, candles, essential oils, incense and plug in air fresheners. The only exception to this is in restrooms, where hand held spray may be used, only as needed.
- D. Reasonable housekeeping by office workers shall be maintained to minimize the negative effect of paper dust on air quality. Paper should be stored in filing cabinets or file storage boxes. Storage should allow sufficient room to not interfere with custodian's ability to vacuum.
- E. Indoor Air Quality concerns by employees will be addressed once the online IAQ form is completed. This form is available on the Public Health InsideBC page.

A review by BCBS staff of the affected work area for compliance with these guidelines is a standard practice when responding to an indoor air quality complaint.



SECTION XVI INFORMATION TECHNOLOGY

NUMBER XVI.1 Electronic Media (June 24, 2014)

Boulder County provides employees with various electronic media resources that can enhance communications with external entities, provide a wealth of information, support research, and assist employees with the completion of their assigned duties.

This policy sets forth the county's position regarding the proper use, access retention, monitoring, and disclosure of all electronic media created or received by county employees.

A. Electronic Media

1. Electronic media are any internal or external electronic record transmission, voice mail, electronic mail message, text message, instant message, electronically created or scanned document, record stored or accessed on Boulder County's digital storage devices.
 - a. Digital storage devices include, but are not limited to, local or centralized disk storage units, voice mail systems, digital tapes, CDs/DVDs, flash drives, or any other county-provided smartphone/device used to digitally record an equivalent paper record.
2. Electronic media belong to Boulder County and are intended to be used for authorized and legitimate purposes relating to the county's activities.

B. Privacy

1. Employees should be advised to assume that all electronic media could be accessed by someone other than the intended recipient, since confidentiality cannot be guaranteed. Boulder County expressly reserves the right to monitor, access, investigate, disclose, and use communications composed, sent, or received through county electronic media, at any time, with or without notice.
 - a. Individual passwords and confidential labels do not restrict county access to any electronic media. If an employee is

absent or otherwise unavailable, or an employee's absence or unavailability is expected, that employee's supervisor may require the employee to disclose his or her password to the appropriate level of management, or a supervisor or manager of that employee may request that the password be changed so that county work can be processed in the employee's absence. This is to be considered a legitimate request and will be honored.

2. The county shall monitor its electronic media, checking for particular words or patterns of activity, in order to verify system security and employee compliance with this policy and the [Electronic Mail Policy](#) and [Internet and Intranet Policy](#). Indications of illegal activities or violations of any of these policies shall be reported immediately to an employee's supervisor.

C. Compliance with the Colorado Open Records Act

1. As a political subdivision of the State of Colorado, Boulder County and its employees are subject to the Colorado Open Records Act. Correspondence of an employee in the form of electronic mail may be a public record under the Act and may be subject to public inspection under section 24-72-203 of the Colorado Open Records Act.
 - a. The Act requires that all "public records" as defined in the Act be available for inspection and copying by any member of the public upon request.

D. Public Records

1. What is a Public Record? Public records include all writings made, maintained, or kept by Boulder County for use in the exercise of functions required or authorized by law or administrative rule or involving the expenditure of public funds. This includes, but is not limited to, all documents in any form related to the county's operations, maintenance, capital projects, and actions by Committees and/or the Board of Directors. Public records do not include information unrelated to the activities of the county, such as personal electronic mail or trade magazines and literature.
2. Under the Act, email is considered "correspondence" and as such may be a public record and may be subject to public inspection under C.R.S.24-72-203. However, when necessary or when consultation is required, public records request for

information shall not be released without prior EO/DH approval in consultation with the County Attorney's office.

- a. Upon receipt of an inspection/copying demand, email records will be reviewed and made available to the requesting party, subject to certain limitations.
 - 1) Generally, email which is marked "personal" in the "subject" field will not be reviewed to determine its status as a public record in the absence of an allegation that it is inappropriately so designated. However, if such an allegation is made, management will review even messages marked "personal" to make a determination of its status as a public record.
 - 2) Messages not marked "personal" in the "subject" field will routinely be opened for determination of public record status upon receipt of a public records act demand.
- b. Note also that email of certain types or content is exempt from the mandatory disclosure rules, and in some circumstances such email must not be released to third parties. The following are examples of communications and information that are exempt from the Act. Please note that this list is not exhaustive. For more information concerning exempt records, please contact the County Attorney's Office:
 - 1) Certain communications to and from Elected Officials
 - 2) Legal advice
 - 3) Law enforcement investigations
 - 4) Employment tests and results
 - 5) Real estate appraisals
 - 6) Medical, psychological or sociological data or reports on individuals persons
 - 7) Personnel files
 - 8) Letters of reference
 - 9) Trade secrets
 - 10) Privileged information and confidential financial or commercial information supplied by a third party
 - 11) Addresses, phone numbers and personal financial information received from customers/clients
 - 12) Any other information, the disclosure of which would harm the public interest, upon determination of same by the district court.

E. Litigation Holds

Federal Rules of Civil Procedure 37(f) provides: "Absent exceptional circumstances, a court may not impose sanctions under these rules for failing to provide electronically stored information lost as a result of the routine, good-faith operation of an electronic information system."

1. Boulder County's electronic information system deletes electronically stored information every 365 days. In order to ensure good faith compliance with discovery obligations contained in the Federal Rules of Civil Procedure, Boulder County's document retention/destruction policy is amended to include a procedure to suspend the policy for certain electronically stored information relevant to reasonably anticipated litigation.
 - a. When litigation is reasonably anticipated, an EO/DH must notify the CA office and IT to suspend the electronically stored information deletion policy and take reasonable steps to preserve and collect electronically stored information relevant to the litigation.
 - b. The CA will notify IT and the EO/DH to suspend the electronically stored information deletion policy.
 - c. IT will take reasonable steps to preserve and collect electronically stored information relevant to reasonably anticipated litigation.

F. Records Management

1. It is the responsibility of each office/department to ensure all Boulder County public records created, received, or maintained using any form of electronic media including but not limited to electronic mail, text messages, instant messages or the internet shall be indexed and managed in accordance with the county's established records management practices and procedures.
2. It is the responsibility of each office/department to determine which documents created by any form of electronic media including, but not limited to, electronic mail, text messages, instant messages, or the internet shall be maintained as records.
3. It is the responsibility of each office/department to ensure the disposition of electronic public records and their system documentation are scheduled in accordance with the county's Records Retention and Disposition Schedule. Information on the county's current retention and disposition can be obtained from the IT Records Management Division.

4. Refer to the [Records Management Policy](#) for additional information.



SECTION XVI INFORMATION TECHNOLOGY

NUMBER XVI.2 Internet & Intranet (July 1, 2015)

A. Introduction

Boulder County's Vision for e-Government calls for the delivery of all information and services through two portals, the Boulder County Intranet Site (for county employees) or the Boulder County Internet Site (for residents and county stakeholders). A key to managing Boulder County websites is a set of Intranet/Internet development standards. This policy includes guidelines/criteria for linking to external websites.

B. Purpose of Internet/Intranet Standards

The purpose of establishing Intranet/Internet standards is to provide an environment where best practices and uniform procedures will be followed by Boulder County employees related to the creation and maintenance of content on the county's intranet and internet sites. These standards encompass all activities associated with building, using, and maintaining these two websites.

Most of these standards will apply to both the Intranet and the Internet. Whenever there is a difference between the two, the differences will be documented.

C. Audience

Nearly all county employees will have some interaction with the county's websites. Many employees will be responsible for maintaining the sites. These responsibilities will include creating content, storing content, designing e-forms, developing Web applications of varying sizes, maintaining the server hardware and network, maintaining security, providing user support, etc. Any employee who has involvement beyond being a user should be familiar with these standards.

D. Administration of Web Standards

A Boulder County Web Standards Guide will be created for the Internet site to set standards for the web and create consistency across the county website.

Boulder County Web standards and guidelines are created and approved by the Boulder County web governance committee. The web governance committee will monitor compliance and make necessary changes to the standards. The standards and guidelines are posted on the county's intranet site and all employees with responsibility for website maintenance are expected to follow the standards. All new content will be expected to meet the standards. Existing content will be expected to meet the standards as they are updated, modified, or replaced. The EO/DH and ultimately the BOCC approves the vision, goals, objectives, and significant changes to the information architecture of the Boulder County website.

E. Privacy Statement

1. Purpose. The purpose of the statement is to inform users of this site with regard to the collection and use of personally identifiable information.

2. Definition of Personally Identifiable Information.

For the purposes of this statement "personally identifiable information" means any information relating to an identified or identifiable individual who is the subject of the information.

3. Personally Identifiable Information on Casual Visitors Not Collected and Retained. Residents do not have to provide personal information to visit Boulder County's internet portal to read, download, or print information. Government agencies may request personally identifiable information from a resident in order to provide specific requested services. Boulder County will not request an individual's Social Security number over the Internet unless it is required by federal law or is essential to the provision of the requested service. Any information collected for that purpose would be only that which is necessary to provide those services, and will be handled as it would be on an in-person visit to a government office.

4. Some Unidentifiable Information Routinely Collected.

In order to provide new services, design a more customer friendly site and facilitate access to it, Boulder County uses statistical analysis of traffic on the site. Information that is not personally identifiable, such as IP (Internet Protocol) address, browser types and versions, mobile device information (e.g., device identifier, mobile operating system, etc.), page

accessed, geographic location, time of visit, referring site, application, or service is collected and used for this purpose. The site does not attempt to associate this data with information that is personally identifiable.

5. Personally Identifiable Information Available on Governmental Websites. Access to personally identifiable information in public records, at state and local levels of government in the state of Colorado, is controlled by C.R.S. §24-72-201 et seq. Information that is not confidential and is available during an in-person visit to a government office may be posted for electronic access through Boulder County's website.
6. Use of Constituent Email Addresses. Email addresses obtained as a result of a request to the county site will not be sold or given to other private companies for marketing purposes. Email or other information requests sent to the county website may be maintained in order to respond to the request or to forward the request to the appropriate office/department. Individuals may be able to receive updates on issues important to them, but only if they choose to "opt in" to that specific service. By "opting in" to one such service, they do not "opt in" to other services. Should they subsequently choose not to receive such informational updates via email, they can remove themselves at any time.
7. Data Security and Quality. Boulder County is committed to security and accuracy of personally identifiable data that is either available from or collected by governmental websites, and has taken reasonable precautions to protect personally identifiable information from loss, misuse or alteration. Any third parties responsible for this information are committed to the same principles, and also are required by contract to follow the same policies and guidelines as Boulder County in protecting this information. Unless otherwise prohibited by state or federal law, rule or regulation, the individual has the right to have personally identifiable information that is inaccurate corrected.

F. Non-County Websites

Various websites may be linked through the Boulder County internet portal. The links that appear on this website are solely for the information of a reader of the page. Boulder County does not endorse any particular viewpoint that appears on any website that appears as a link on this page. Boulder County makes every reasonable effort to assure that it does not link directly to websites that contain obscene, libelous, or otherwise objectionable material. If objectionable material

is encounter on this page or on any linked page, please notify the Webmaster of this site immediately.

G. Online Profiling

Online Profiling is the practice of aggregating information about a web visitor's preferences and interests, gathered primarily by tracking their movements online and using the resulting citizen profiles to create targeted content on websites. Boulder County does not conduct or participate in online profiling.

H. Content Pushing

Content pushing is the automatic delivery of applications and information to users and includes the use of broadcast email. Such services will be provided only with the prior authorization of the citizen on an opt-in basis for each specific service. Members of the public must be able to remove themselves from that service at any time via the Web. Opting in for one service does not constitute opting in for all services. In order to opt in, the citizen must be informed exactly what service they are requesting, what information is required in order to provide that service, and how to subsequently remove themselves from that service, should they choose to do so.

I. Advertising

All forms of public advertising are prohibited on the county website.

J. Standard Disclaimers

Boulder County expects that its website information is accurate, that online transactions are secure, and that all material aspects of the site function properly. However, Boulder County makes no warranties whatsoever in relation to the site and users rely upon it at their own risk. Boulder County specifically disclaims the warranties of merchantability and fitness for a particular purpose.

K. Altering Forms

Warning

Unauthorized attempts to upload information or change information on this website, including unauthorized alterations to the wording of any online forms available on the site, are strictly prohibited. Alteration of the wording of downloadable or online forms renders the forms invalid. Unauthorized interference with the operations and functions of this website, by electronic or other means, is strictly prohibited. Any attempt to use any information, feature, or other aspect of the site to engage in criminal conduct will be vigorously prosecuted. Any unlawful actions may be subject to criminal prosecution under the Computer

Fraud and Abuse Act of 1986, and other criminal laws, and may also result in civil liability.

L. Internet Policy

Internet access, provided by Boulder County to employees, shall be governed by the following policy:

1. Employee access to and use of the Internet, using Boulder County's network and computers, is a privilege, not a right.
2. Employee access to the Internet shall be granted only upon the request of an EO/DH. Requests for Internet software, passwords, and electronic mail accounts shall be processed by IT.
3. Internet resources (such as electronic mail, file transfer, Web, browsing, social media, and related tools) shall be used only for information or communications related to Boulder County's activities, unless advance permission has been obtained from an employee's supervisor to use the Internet for other purposes. Refer to the [Electronic Mail Policy](#), [Social Media Policy](#), and [Electronic Media Policy](#) for additional information.
4. Internet sessions may be monitored at the request of an EO/DH. IT may be required to monitor usage through its normal monitoring for security or policy purposes.
5. Employees shall not use the Internet or other Boulder County network or computers to gain unauthorized access to remote systems owned by other companies or entities.
6. Employees shall not reproduce copyrighted materials obtained from the Internet, such as third party software, without the express written permission of the owner or the proper license.
7. Employees shall not willfully introduce computer viruses or other disruptive/destructive programs into Boulder County's network or any external network. It is the responsibility of each individual using the Internet to ensure all information downloaded from a remote network has been checked for viruses and is virus-free.
8. Employees shall not use the Boulder County Internet for commercial purposes.
9. Employees shall not use the Boulder County Internet for personal product advertisements or political/religious lobbying.
10. Employees shall not distribute material on the Boulder County Internet that is protected by trade secret or is under confidential agreements.
11. Employees shall not access or transmit threatening, obscene, or vulgar material on the Boulder County Internet.

12. Boulder County recognizes the use of rich content (audio, video, images, etc.), and the streaming of said content, is now part of regular work processes; however, Boulder County reserves the right to block inappropriate and entertainment focused websites to ensure the high performance of Boulder County's computer network.

M. Linkage Policy

This policy is to identify the criteria by which Boulder County provides links to external websites. The county's primary purpose for linking to external websites is for the county to provide information to the public regarding services available to the public from county government, as well as information regarding services available to the public from other governmental agencies and private organizations in partnership with the county.

1. Boulder County provides links to other organizations through both its public website (www.BoulderCounty.org) and its Intranet website (InsideBC). These links are provided for additional information as a service to our customers and employees. These external links are provided to further the purposes of Boulder County and not as a benefit to the linked site.
 - a. Boulder County is not responsible for availability of external resources, the content of these websites, or for any links the websites may contain. The inclusion of external links does not mean that Boulder County endorses, warrants, or accepts responsibility for the content or uses of such websites.
 - b. Boulder County is not responsible for the availability of these outside resources or their contents, nor does it endorse, nor is it responsible for any of the contents, advertising, products or other materials on such sites.
 - c. Under no circumstances shall Boulder County be held responsible or liable, directly or indirectly, for any loss or damages caused or alleged to have been caused by use of or reliance on any content, goods or services available on such sites, or as a result of use of any information users provide to such sites.
 - d. Boulder County may provide links to nonprofit and private partners, co-sponsors, affiliates and coordinating agencies and groups with which we will cooperate in delivering specific services. Boulder County is not bound to provide links to competing or similar groups under any circumstances. Providing cooperative or example links in

the context of specific events or programs is not intended to affect competitive advantage in normal commercial enterprise or endorse political affiliation or intent in civic, religious or other community organizations.

e. Acceptable external links from the county's public website:

- 1) Any government agency. A government agency is one that receives funding through the collection of taxes and provides services within the taxing area;
- 2) Any software sites necessary to view information or run programs associated with the functionality of the site. A good example of this is a link to the "Adobe Acrobat Reader" download site to allow visitors to view files stored in this format;
- 3) Any organizations with which Boulder County contracts to provide essential services. For many reasons, Boulder County has elected to contract with private entities to provide some services the county would otherwise need to provide;
- 4) Any organizations with which Boulder County contracts for non-essential services, if the service is provided by no other competing organization in the state of Colorado. An example of this is the Colorado Office of Resource and Referral Agencies, a non-profit organization that provides a unique child care referral service;
- 5) Any businesses or non-profit organizations that have received county certification provided the department that provides certification has an existing certification policy that has been reviewed and approved by the CA Office;
- 6) Any businesses or non-profit organizations that have received grant funds from Boulder County provided the department that grants the funds has an existing grant policy that has been reviewed and approved by the CA Office
- 7) Any businesses or organizations that provide inspection services required by county ordinance;
- 8) Any businesses or non-profit organizations that sponsor county activities, programs or events, provided the department that receives the sponsorship has an existing sponsorship policy that has been reviewed and approved by the CA Office. (For example, the City of Boulder recruits sponsors for some Parks and Recreation programs);

- 9) Any city-sponsored Chamber of Commerce organization within Boulder County.
 - 10) An organization's website that primarily provides public safety, natural disaster, or weather information that affects Boulder County;
 - 11) An organization's website that primarily provides public transportation-related information (For example, RTD);
 - 12) Professional associations to which Boulder County pays membership dues for its employees;
 - 13) Non-profit organizations' websites, where the governing body or sponsoring elected official has determined by written policy that said website(s) furthers the express public policy objectives of the governing body and/or elected official;
 - 14) Public educational institutions;
 - 15) Local hospitals;
 - 16) Utility companies that serve Boulder County residents;
 - 17) Local newspapers;
 - 18) Internet mapping services (such as Google maps);
- f. Links shall not be made to websites whose primary purpose is serving a specific candidate for elected office, or websites whose primary purpose is supporting or seeking to defeat any specific candidate for elective office or ballot proposal. Boulder County prohibits links to blogs, social media sites, or websites maintained by a candidate, a political committee, a political party or party unit, a principal campaign committee, or a state committee.
- g. Acceptable external links from the county's Intranet site:
- 1) All acceptable links noted in section 1e.
 - 2) Links that provide a common service or benefit to all county employees. (An example of this type of site would be a link to review the current status of the county's 401K investments in PERA).
- h. The linkage disclaimer applies to all links to third party sites even where Boulder County posts or maintains information, or where payments through a third party site are required. Examples include:
- 1) Partnership websites where Boulder County staff manages the content together with partners such as EnergySmart, Partners for a Clean Environment, etc.
 - 2) Social media sites like Facebook or Twitter

- 3) Video sites like YouTube
- 4) Sharing sites like Flickr and Picasa
- 5) Links to sites that are required to complete a transaction such as:
 - a) Payment service sites like PayPal
 - b) Registration service sites like SuperSaas
 - c) Note: When using a third-party service to collect personal data or process payment information, the user must check a box acknowledging that Boulder County is using a third-party service before being able to proceed. There must also be a link to the disclaimer.
2. Disclaimers for Public Website and Intranet: Boulder County shall provide at the bottom of every page on the public website a link to the following link policy disclaimer:

"The Boulder County website, www.BoulderCounty.org and any domain names that point to sites therein are provided as a public service. Boulder County makes no representations, guarantees, or warranties as to the accuracy, completeness, currency, or suitability of the information provided via the website. Boulder County specifically disclaims any and all liability for any claims or damages that may result from providing the site or the information it contains, including any websites maintained by third parties and linked to the county's website. The responsibility for content rests with the organizations that are providing the information. The inclusion of links from these sites does not imply endorsement by Boulder County. Specific questions regarding any content should be directed to the appropriate organization. Boulder County makes no effort to independently verify, and does not exert editorial control over, information on pages outside of the county's website. Boulder County does not endorse any of the products, vendors, consultants, or documentation referenced in this website. Any mention of vendors, products, or services is for informational purposes only."
3. Linking to Boulder County website is permitted under limited conditions. If you link to this site, you may not portray any person or subject in a false or misleading light. You must also refrain from creating frames, or using other visual altering tools, around the Boulder County. Lastly, you may not imply that Boulder County is endorsing your product or services.
4. Boulder County shall provide a similar disclaimer at the bottom of the InsideBC homepage.

5. EO/DH are ultimately responsible for the public information disseminated from their departments and offices and thus should be aware of what external links are published on their websites. The web governance committee will monitor county websites on a regular basis for compliance with this policy, immediately remove any inappropriate links and notify the department or office of the policy violation.
6. Employees who violate this policy are subject to disciplinary action, including revocation of access to the county's website and other action deemed appropriate by the employee's supervisor, up to and including termination of employment.



SECTION XVI INFORMATION TECHNOLOGY

NUMBER XVI.3 Software Licensing Management Policy (June 24, 2014)

A. Purpose

This policy is intended to advise offices and departments on the proper, legal use of computer software and provide effective strategies and tactics for managing software license assets.

According to applicable copyright law, individuals and/or the county involved in the installation and operation of unlicensed software can be subject to civil damages and criminal penalties, including fines and imprisonment. Boulder County does not condone the illegal duplication, installation or operation of software.

B. Software Licensing

1. EO/DH are responsible to designate a manager, business analyst or other designee to approve all PC software orders, including purchases for individual use and/or software downloaded from the Internet. The designee will be responsible to ensure that all software purchases (including license, media and documentation) are properly maintained.
2. All software will be purchased through Purchasing with the approval of the EO/DH or his/her designee. Software will not be acquired through individual/county purchasing credit cards, office supply, petty cash or personal expense budgets.
 - a. All Microsoft and Adobe software must be purchased from the current IT approved and/or state contracted vendor.
 - b. Special circumstances such as on-line only purchases may require purchasing with a county PCard. Check with Purchasing or IT if you have any questions about proper license tracking.
3. All software installed or run on Boulder County equipment must be licensed with a proof of purchase available for audit verification. IT, offices/departments must maintain centralized documentation, including software license agreements and serial numbers, relating to software purchases.

4. EO/DH or their designee are responsible to prevent the installation of illegal/unlicensed copies of software on any Boulder County owned/operated computer system.
5. Third party copyrighted software, code and/or information, that Boulder County does not have specific approval to store and/or use, must not be stored on/or copied to any Boulder County system or network.
6. Boulder County employees and/or EO/DH who discover unlicensed software on individual/departmental computer equipment must take the following actions immediately: purchase the appropriate license, remove the software or consult with IT to resolve the problem.
7. Evaluation PC software copies will not be used in production systems.
 - a. If a software evaluation copy is downloaded from the Web, the software must be removed from the desktop at the end of the evaluation period. Should you decide to order the product, you must go through the established purchasing process noted above.
8. IT will conduct an annual computer software inventory and provide reports to offices/departments to allow them to review and update licenses as appropriate. Offices/departments are responsible for matching inventory records with purchase records to assure that all software is appropriately licensed. To achieve compliance, departments will need to either purchase a license for or discontinue using each unlicensed application identified. Each department will sign the inventory confirming that licenses have been identified for all software running in that department and return to IT within 60 days.
 - a. IT will manage Microsoft Office software licenses as part of the enterprise software package, but may require offices/departments to purchase software for computers that are not county standard or funded by county budget.
9. IT can only perform software inventories on computers that are regularly connected to the network and meet county standards. Departments that choose to use non-standard equipment or below-standard software will need to inventory their own equipment and provide separate assurance of compliance. Departments will also need to inventory software on all computers not regularly connected to the network including standalone PCs, laptops, notebooks, hand held computers, iPads and county equipment installed at off-site locations.

C. Software License Distribution and Use

1. EO/DH or designee must maintain an electronic inventory of all software and must include the following elements. An inventory providing software and hardware asset details for a minimum of 80% of the workstations and servers will be required.
 - a. Manufacturer contact
 - b. Software product list, including version numbers
 - c. Quantity
 - d. License agreement numbers, Original Equipment Manufacturer (OEM), retail package serial numbers, maintenance, support and/or software assurance details and expiration dates, including contract expiration dates.
 - e. Purchase date, source and original cost, if available
 - f. Business purpose of the software
 - g. Business Analyst (BA) or other licenses administrator who is on file and authorized with the publisher to make changes if appropriate
 - h. Location of source code or source media as appropriate
2. All proof of license, media, serial numbers and associated documentation should be securely stored, with access granted only to appropriate designee for the office/department. Media must be returned promptly to the secure storage location once the install has been completed and will not leave the premises at any time. Serial numbers will not be shared with any staff not authorized to complete installations.

D. Definitions

1. **Freeware.** Software for which a license is provided without charge. Distribution is permitted but it cannot be modified and the source code is not available. Frequently the license is provided to select groups (home users, educational users, etc.) although some freeware is available to anyone. Free software, as compared with "freeware", is a matter of the user's freedom to run, copy, distribute, study, change or improve and not necessarily tied to the cost of the software.
2. **Free Software.** Refers to software distributed in source form, which can be freely modified and redistributed. It does not refer to zero-cost software.
3. **Open source.** Refers to the fact that the source code of "Free software" is open to and for the world to take, modify and reuse. The distribution terms for "Open Source" are more stringent than for "Free Software".
4. **Public Domain software.** Software that is not copyrighted.
5. **Shareware:** software for which a temporary license is provided without charge to use for evaluating the software. Virtually all

such temporary licenses expire after a fixed period of time after which a standard license must be purchased.

6. **Media.** Includes all forms of storage devices. Boulder County's preference for all purchased media is to obtain one master copy and one backup copy of all PC software. CD's would be the preferred media type for all PC software.
7. **Upgrade Licenses.** Upgrade PC software that is purchased based on the possession of an existing purchased full license. You must have proof of purchase for the full license before you can purchase a software upgrade
8. **License.** A paper or electronic version of a contract/license. Media is not a license.
9. **Contracts.** In many cases you will have a contract associated with a software purchase. The primary difference is that a contract has been executed and signed.
10. **Named User.** A PC software license, which is restricted to one user ID that cannot be shared by many people using the same ID.
11. **Concurrent User.** License that is located on a server, which can be shared. Number of active users at any time cannot exceed the number of concurrent licenses.
12. **Client License.** License associated with one PC.
13. **Master Copy.** One copy of each software component must be identified as the master copy. The master copy must be filed according to the procedures outlined below.
14. **Back-Up Copy.** A working copy or second copy of the software. A copy that does not need to be checked in or out and does not need to be stored under the procedures noted below. The back-up copy should be your working copy or a copy you store at an alternate site for disaster recovery.
15. **Desktop Software.** Any type of software that is loaded on a PC desktop or laptop. PC desktop software is different than Windows server, Unix or Linux software.



SECTION XVI INFORMATION TECHNOLOGY

NUMBER XVI.4 County Records Management Policy (June 24, 2014)

It is the policy of the BOCC to control the lifespan of records generated, retained, and stored and disposed of, through use of a records retention policy based on state or federal statutes, or as directed by the CA. As such, the BOCC has authorized the County Records Manager to create and maintain a countywide document retention and storage schedule.

A. Records Retention Schedule

1. The IT Records Management section (hereafter referred to as Records Management) is responsible for the development and ongoing maintenance of a records retention and storage schedules for all county documents. These schedules will be developed and maintained through an annual records inventory within each office/department.
2. It is the responsibility of the office/department to determine if there are State or Federal statutes that govern document retention within each office/department. Documents may not be retained for less time than required by statute.
3. The final records retention schedule will be sent to the Colorado State Archives and Colorado State Attorney General for approval after it is finalized by the County Records Manager, the CA, and the office/department.
4. Records retention schedules are effective for all records, regardless of format.
5. Offices/departments may receive a copy of their retention schedule by contacting Records Management.
6. Offices/departments that do not have a retention schedule should contact Records Management to begin the process of establishing a schedule.

B. Definition of Records

1. A record is recorded information, regardless of medium or characteristics, made or received by Boulder County in

- pursuance of legal obligations or in the transaction of business (policy, legal, fiscal, historical or research of enduring value).
2. Active records are records being used regularly within the office/department. These records are the responsibility of the office/department. Active records may be in any format: physical, analog, or digital.
 3. Inactive records are records that the office/department is no longer using on a day-to-day basis, and which are transferred to the custody of Records Management. Inactive records may be in any format: physical, analog, or digital.
 4. IT encourages all employees to store electronically created records in controlled backed-up areas such as N: drives, G: drives, SharePoint or Enterprise Content Management systems.
 5. Any item created, received or stored in any format which is determined to have no administrative, policy, legal, fiscal, historical or research value as defined above, shall be determined to be a non-record. Non-records are not subject to the County's retention schedules.
 6. It is the responsibility of the Elected Official/Department Head or his/her designee, in cooperation with the County Records Manager and the County Attorney, to determine which records are to be declared as records and which are to be declared as non-records.
 7. In no instance shall retention of records be determined by format.

C. Records Format Definitions

1. Digital records are any record as defined above created, received or stored in electronic format, including but not limited to word processing documents, spreadsheets, databases, scanned documents, internet, intranet, electronic mail messages, text messages, instant messages, digital audio or digital video files.
2. Analog records are any record as defined above created in a non-digital, non-paper format, including video tapes, audio tapes and microfilm.
3. Physical records are any record as defined above which can be accessed without any viewing or listening equipment such as paper or photographs.

D. Records Storage

1. All paper records sent to Records Management must be part of an identified Records Series as determined by the office/department's records retention schedule.

2. If the originating office/department requests records to be stored longer than required by their approved retention schedule, the office/department may be charged reasonable and appropriate storage fees.
3. All physical records being sent to Records Management for storage must be packed in archive boxes - 15" wide x 12" deep x 10" high and must be covered with a lid. All boxes must be at least double walled on all sides.
4. Archival boxes can be provided to the office/department by Records Management at no cost, or may be purchased by the office/department from any office supply source. Archive boxes provided by Records Management are only for records to be returned for storage and cannot be utilized for any other purpose.
5. Files within each box and each group of boxes must be in order (alphabetic, numeric, chronological or other), as determined by the records inventory.
6. No single box of records may contain records from more than one calendar or fiscal year.
7. Boxes may contain more than one record series, but all record series within a single box must have identical retention periods.
8. Each box to be transferred must be listed individually on a Records Transfer Form provided by Records Management. The Transfer Form documents the records that are being relocated to off-site storage. The form is available on the Records Management page on the county intranet. This form must show the office/department, box number, records series, and contents of box.
9. Markings on boxes should be minimal. Best practice is to include only a reference to the Transfer form and Service Request number. All required labeling will be applied by Records Management.
10. All transferred records enter the custodianship of the IT Records Manager.
11. All boxes are stored off-site at a county contracted records storage facility.

E. File/Box Pick-ups, Returns, and/or Delivery

1. Individual file(s) and/or entire file box(es) will be pulled and returned as requested to the originating department within five business days of receipt of the service request.
2. Individual files are returned via Inter-County mail.
3. Boxes will be delivered to the originating department within ten (10) business days of request, or may be picked up at Records

Management, Downtown Courthouse Complex, East wing. Depending on the size of a pickup, Records Management, at its sole discretion and expense, may arrange to have the boxes picked up by the Records storage vendor.

4. If an EO/DH needs files/boxes more quickly than defined above, arrangements for quicker delivery can be made. Records Management may charge the requesting office/department any associated rush order fees charged by the storage vendor.
5. With the exception of rush orders, Records Management pays for all storage, retrieval and transportation charges incurred from the storage vendor.
6. No files will be released to anyone other than a representative of the originating EO/DH. At the time of release, the files again enter the custodianship of the originating office/department.
7. When the Elected Office/Department no longer needs the file or box requested, it should be returned to Records Management. At that time, the Records Manager again becomes custodian of the file or box.

F. Requesting Services

Office/department representatives are required to submit an IT Service Request with the transfer form (if appropriate), to arrange for services. Services include but are not limited to: pickup of boxes, requests for storage boxes, request for files and/or entire boxes to be pulled or returned to storage, development of records retention schedules, etc.

G. Records Disposition

1. The County Records Manager has the authority to dispose of records that have passed their scheduled retention period.
2. Disposition will be by the most appropriate method, to be determined by the County Records Manager.
3. Prior to records disposal, the IT Records Manager will provide a list of records which have passed scheduled retention to the originating office/department.
4. No records will be destroyed without written approval of the EO/DH or division manager. However, Records Management reserves the right to charge the office/department for the storage of records which the EO/DH or division manager does not release for destruction.



SECTION XVI INFORMATION TECHNOLOGY

NUMBER XVI.5 HIPAA Security Policy (July 1, 2010)

Boulder County HIPAA electronic Protected Health Information (ePHI) Security Policy: The following security policy is adopted to ensure that Boulder County complies fully with all federal and state security protection laws and regulations. Protection of electronic protected health information (ePHI) is of paramount importance to this organization. Violations of any of these provisions will result in severe disciplinary action up to and including possible termination of employment and possible referral for criminal prosecution.

A. Assigning Privacy and Security Responsibilities

Specific individuals within our workforce are assigned the responsibility of implementing and maintaining the HIPAA Privacy and Security Rule's requirements.

1. These individuals will be provided sufficient resources and authority to fulfill their responsibilities.

B. Risk Analysis

A risk analysis has been completed and is periodically updated to assess potential risks and vulnerabilities to the confidentiality, integrity and availability of ePHI.

1. The risk analysis includes a review of the critical nature of ePHI and related applications or business processes, with a subsequent ranking or prioritization (criticality analysis).

C. Risk Management

Security measures are in place and maintained sufficient to reduce risks and vulnerabilities to reasonably appropriate level to:

1. Ensure the confidentiality, integrity and availability of all ePHI Boulder County creates, receives, maintains, or transmits.
2. Protect against any reasonably anticipated threats or hazards to the security or integrity of ePHI.
3. Protect against any reasonably anticipated uses or disclosures of ePHI that is not permitted by HIPAA or applicable state law.

4. Ensure that all appropriate members of the workforce are aware of these requirements and comply with them

D. Sanctions

Sanctions will be applied to appropriate workforce members who fail to comply with the security policies and procedures.

E. Information System Activity Review

Information system activity records, such as security incident tracking reports, are regularly reviewed.

F. Supervision

An authorized, knowledgeable person must supervise maintenance personnel whenever work is being done on a system that contains or processes ePHI.

1. Access authorization for maintenance personnel must be set appropriately for the jobs assigned to each.

G. Personnel Clearance

Personnel must be cleared before access to ePHI is allowed.

H. Training and Awareness

All appropriate employees in HR, IT, the CA Office will receive training in security awareness and in the security procedures to be followed during the performance of their duties. Annual reminders and training will be provided to the workforce.

I. Protection from Malicious Software

Procedures will be implemented and maintained for detecting, reporting, and guarding against malicious software. All appropriate members of the workforce will be periodically reminded and trained regarding this policy.

J. Log in Monitoring

Log in attempts and discrepancies will be monitored to the extent practicable.

K. Security Incident

All security incidents (suspected or actual) will be documented in writing.

1. These incidents will be promptly investigated and harmful effects or violations will be mitigated to the extent practicable.
2. All responses and follow up actions will be documented.

L. Contingency Plans

A contingency plan is in place and is to be maintained. The contingency plan includes:

1. Procedures for data backup.
2. Procedures for disaster recovery, including restoration of data, and emergency mode operations.
3. A procedure to allow facility access in support of restoration of lost data and to support emergency mode operations in the event of an emergency.
 - a. Access control will include procedures for emergency access to ePHI.

M. Testing

1. All security controls and measures in place are to be periodically tested to ensure proper functioning.
2. All procedures adopted to protect the confidentiality, integrity and availability of information and information services are to be tested to ensure that important security considerations have not been overlooked.
3. Contingency plans and related measures will be periodically tested to ensure proper functioning and to maintain readiness in the event of an emergency.

N. Evaluation

A periodic technical and non-technical evaluation will be conducted to audit the effectiveness of the security controls and measures in place in consideration of environmental or operational changes.

O. Audit

Audit controls are in place to record and examine the activity of all information systems that contain or use ePHI.

1. This organization will maintain procedures to protect ePHI from improper alteration or destruction and to routinely authenticate that ePHI retains its integrity (including but not limited to version control, read only privileges).

P. Authentication

All information system users are to be authenticated before access to information processing resources is allowed.

1. Each user must have his/her own system account.
2. Passwords must never be shared.

Q. Authorization and Termination

Authority to access ePHI is to be granted or supervision is to be provided to users who will work with ePHI.

1. When these users no longer require their access or are terminated, all authorization will cease, including the revocation and deletion of passwords, user ID's and system privileges.

R. Access to Protected Health Information

1. All access control mechanisms must be configured to allow access only to the information and information processing functions needed by each employee or contractor to perform their assigned duties.
2. Proper procedures must be followed whenever access to health information is authorized, established or modified.
3. Records of access authorizations must be maintained.
4. Access will be granted and maintained to the extent possible at a system level, role or job function (and application software) level, and workstation or device level.
5. Access control will include unique name/and or numbers to identify and track user identity.
6. Access control will include automatic log offs for unattended computer sessions and applicable encryption of ePHI (including system level encryption for stored data).

S. Device and Media Access Control

Reusable media, such as tapes, zip disks or diskettes, or hardware that contains ePHI must be securely erased or otherwise destroyed before being discarded to prevent unauthorized access to ePHI.

1. This policy extends to media that will be re-used by another party.
2. The receipt and removal of all hardware and media containing ePHI is to be safeguarded.

T. Physical Access Control

1. Physical access to electronic information systems (including diagnostic equipment that maintains ePHI) is limited to those properly authorized.
2. Appropriate safeguards are to be in place to protect these systems, and the ePHI they contain, from tampering, theft or destruction.
3. Visitors in areas where ePHI is kept, used, or maintained must sign in and are to be verified and monitored.
4. Any repairs or modifications to the facility that could compromise security are to be reviewed and supervised.

U. Workstation Use Guidelines

1. Workstations are to be positioned in such a manner as to avoid accidental, unauthorized exposure of health information.
2. Displays are to be locked when unattended.
3. Access to workstations is to be restricted to authorized users.
4. This workstation policy extends to desktop computers, laptop computers, PDA's, electronic diagnostic equipment, and all storage media connected to or stored in the immediate environment.

V. Secure Data Transmission

1. Data communications that contain ePHI must be encrypted or transmitted using a secure transmission protocol if they traverse public networks such as the Internet.
2. All data transmission methods must incorporate data integrity and authentication controls.

W. Configuration Management

1. Proper procedures must be followed for the installation or removal of all hardware devices or software programs.
2. The hardware/software inventory must be kept current.
3. The configuration must be documented in sufficient detail to be rebuilt in the case of an emergency.

X. Business Associates

Business associates must be contractually bound to protect ePHI, as required in applicable federal regulations.

1. Business associates who violate their agreement will be dealt with first by an attempt to correct the problem, and, if that fails, by termination of the agreement and discontinuation of services by the business associate.
 - a. Any business associate whose agreement cannot be terminated, and who has not corrected the violation, will be reported to the Secretary of the Department of Health and Human Services.

Y. Document Retention, Availability and Currency

It is the policy of Boulder County that these policies and all related procedures be retained for 6 years from the date of their creation or the date when they were last in effect, whichever is later.

1. This documentation will be made available to those persons responsible for implementing the related procedures.

2. This documentation and policy will be kept current in response to relevant environmental or operational changes or changes in law.



SECTION XVI INFORMATION TECHNOLOGY

NUMBER XVI.6 Mobile Device Policy (December 11, 2012)

Mobile devices, including smart phones and tablets, provide quick response and communication, creating a virtual office environment that provides Boulder County and its employee's efficient response to daily work related tasks. In an effort to address the significant operating expense and additional security concerns of having Boulder County employees use mobile devices as a workplace tool, Boulder County as an organization has adopted and enforces this policy.

A. Scope

Every employee who uses a Boulder County owned or personal mobile device for county business is subject to the terms of the county's Mobile Device Policy. This includes every employee, contractor, temporary worker, and volunteer.

B. Objective

It is Boulder County's intent through this policy to enable effective use of mobile devices, monitor, control, and maintain mobile device assets, to facilitate a cost-controlling environment, and to provide an information, communication, and technology framework that reduces the risk of loss or theft of organization data and mobile devices.

C. Eligibility

1. All employees are eligible for mobile device access to email, contacts and calendar, at the discretion of the employee's EODH.
2. Access to email, contacts and calendar is supported by IT.
3. Boulder County supports Blackberry or any device that supports Exchange Active Sync (e.g. iOS iPhones and iPads, Android Smart Phones and Tablets).
4. Requests to connect to email, contacts and calendar are handled via IT Service Request. Users must agree to this policy when the service request is entered, and attach the signed form to the service request.

D. Security

The use of a mobile device in connection with Boulder County business is a privilege granted to employees, through approval of their

management. Boulder County reserves the right to revoke this privilege in the event that a user does not abide by the policies and procedures set forth below.

The following policies are aimed at protecting the integrity of Boulder County data and ensuring it remains safe and secure under Boulder County control. Please note that there may be limited exceptions to these policies because of device limitations between vendors. These exceptions will be documented by IT for each affected employee.

All employees subject to this policy must comply with the following requirements:

1. "Whole device" password must be used to secure the mobile device.
2. The password must be a minimum of four characters, and must contain at least one letter or number (except on devices that cannot accept alphanumeric passwords).
3. A new password must not be one of the previous four passwords.
4. Device must be set to lock after a maximum of 15 minutes of inactivity.
5. Device may be reset remotely if it is reported lost or stolen, Boulder County terminates employment, IT detects a data/policy breach or virus; or if device password is typed incorrectly eight consecutive times.
6. Employee is responsible for routinely backing up the device, so that the risk of losing personal applications or data is minimized.
7. Boulder County is not liable for the loss of personal applications or data, whether directly or indirectly resulting from the usage of company apps or data, and/or the wiping of such apps or data, or the whole device.
8. In addition to the above security settings, device must be used in an ethical manner. Using device in ways not designed or intended by the manufacturer is not allowed. Compromised devices will not be permitted to connect to the network.
9. Boulder County requires all mobile device users to conform to acceptable use guidelines as outlined in the Personnel and Policy Manual.
10. Lost or stolen devices must be reported immediately to IT.
11. Suspicion of device becoming infected with malware or a virus must report immediately to IT.

E. Personal Mobile Device

A personal mobile device can be connected to the Boulder County infrastructure but the employee is personally responsible for the device and carrier service costs. Users of personal mobile devices may be eligible for expense reimbursement for hardware or carrier services as determined by the users office/department. Users must agree to all terms and conditions in this policy to be allowed access to Boulder County mobile device services.

Employees who purchase a device that does not confirm to IT's standard approved device list may not be eligible to have the devices added to the servers. Before purchasing a new mobile device, please refer to the mobile device support website to review the list of devices currently supported by IT. Users of personal mobile devices are not permitted to connect to Boulder County infrastructure without signed approval on the Boulder County Mobile Device Consent form.

Furthermore, in the event of a security breach or technical issue, Boulder County and IT reserve the right to disable or disconnect some or all services without prior notification, as well as to add or remove applications necessary for the purpose of protecting or maintaining Boulder County services.

F. Privacy Expectations

1. County Provided Mobile Device

Boulder County employees do not have a right, nor should they have an expectation, of privacy while using county provided devices at any time, including accessing the Internet and using e-mail and voice communications. To the extent that employees wish that their private activities remain private, they should avoid using the county provided device for limited personal use. By acceptance of the government provided device, employees imply their consent to disclosing and/or monitoring of device usage, including the contents of any files or information maintained or passed-through that device.

2. Personal Mobile Device

Boulder County will respect the privacy of a personal device and will only request access to the device by technicians to implement security controls, as outlined above, or to respond to legitimate discovery requests arising out of administrative, civil, or criminal proceedings (applicable only if the user downloads government email/attachments/documents to their personal device) . This differs from policy for county-provided equipment/services, where county employees do not have the right, nor should they have the expectation, of privacy while

using county equipment or services. While access to the personal device itself is restricted, Boulder County Policy regarding the use/access of government e-mail and other government system/service remains in effect.