

**LEGISLATIVE, RULES & GOVERNMENTAL OPERATIONS COMMITTEE**

**LEGISLATIVE AGENDA**

**FEBRUARY 23, 2023**

***Committee Members: Supervisors Strough, Conover, Frasier, Geraci, Thomas, Driscoll and Wild  
Chair of the Board shall serve as an Ex-Officio member when needed in accordance with  
Section C(4) of the Rules of the Board***

- I. Committee meeting called to order by Committee Chair
- II. Approval of minutes of prior Committee meeting - *January 24, 2023*
- III. Privilege of the Floor/Public Comment
- IV. Action Agenda/New Business Items:
  - 1) Review and approval of Warren County Computer Usage Policy and changes from January 24, 2023 meeting.
  - 2) Draft resolution authorizing and ratifying the actions of the Warren County Clerk in appointing members of the Supreme and County Clerk's Office as Special Court Clerks.
  - 3) Amend Resolution No. 338 of 2020 "*Approving the Warren County Policy Against Discrimination and Harassment which Replaces the Warren County Plan and Program on Workplace Harassment*"
- V. Discussion Items: None.
- VI. Referrals/Pending Items:

**LEGISLATIVE:**

  - 1) The matter of considering the creation a separate position, whose sole duty would be to address FOIL (*Freedom of Information Law*) requests would be worked on and brought back to Committee for discussion at a future meeting. (03.22.22) Update: It was determined this would be discussed the FOIL Officer position would be discussed at a later meeting once the Committee adopted an updated FOIL Policy. The County Attorney advised he would distribute a model policy at a later date with his recommendations. (08.23.22)
  - 2) Reimbursements to Supervisors for non-education related expenses. County Administrator and County Attorney to draft a listing of "official duties" for Supervisors to be presented for consideration at a future meeting. (05.17.22) Update: Additional information to be distributed relative to State law or regulations regarding reimbursements to elected officials at the next meeting. (08.23.22)
  - 3) Consideration of adding Juneteenth as an official County holiday. (05.17.22) Update: Information to be obtained regarding how other Counties were handling the holiday, as well as contact made to NYSAC on the subject for further discussion at the next Committee meeting. (08.23.22)
  - 4) County Attorney to make revisions to the proposed Warren County Computer Usage Policy and present the draft final version for review and approval at the next Committee meeting. (01.24.23)
- VII. Privilege of the Floor to discuss any additional items to come before the Committee
- VIII. Motion to adjourn

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***Attachments:***

- 1) *Computer Usage Policy draft (Action Agenda/New Business Item 1)*
- 2) *Proposed resolution authorizing and ratifying the actions of the Warren County Clerk in appointing members of the Supreme and County Clerk's Office as Special Court Clerks (Action Agenda/New Business Item 2)*
- 3) *Proposed amendment to Resolution No. 338 of 2020 - amending Warren County Policy Against Discrimination and Harassment (Action Agenda/New Business Item 3)*

# **WARREN COUNTY COMPUTER USAGE POLICY**

## **I. PURPOSE**

All computers, servers, cellular phones, storage devices, software, Internet connections, computer applications, voice mail systems, e-mail systems, and any other device used to connect to the County's computer network (collectively referred to as the "computer network") which are supplied by Warren County for use by County employees and agents and are owned and/or licensed by the County of Warren and made available to employees and agents at the sole and unilateral discretion and pleasure of the County of Warren. The County of Warren provides the computer network and access to the computer network for use by employees and agents solely for conducting and engaging in official County business activities only. No County employee or agent possesses any current or future rights in any data, information, programs or files created, modified, and/or stored on the computer network and all such data, information, programs, and files are and remain the sole legal property of the County of Warren.

As established by Board of Supervisors Resolution 409 of 2014, the County's computer network system and voice mail systems are intended for the business use of Warren County personnel and agents. Any use of the computer network by any other persons, unless specifically and expressly permitted by Warren County is unauthorized. All records (including email and voice mail and other messages) generated or stored on the computer network are County-owned records. The County reserves the right to access and disclose, at any time and for any purpose, all records sent over or stored in its computer and/or systems. The use of the County computer network constitutes that person's consent to the County's right to access and disclose data from the computer network.

While our direct connection to the internet offers a cornucopia of potential benefits in performing our day-to-day work activities, it also opens the door to significant risks to our data and systems if we do not follow appropriate security measures and discipline while interacting with our computer systems. As presented in greater detail below, security may require that computers with sensitive data or applications, shall not connect to the internet, have restricted access to the internet, or that certain officers and employees must be prevented from using certain Internet features like file transfers. The overriding principle is that computer security is everyone's first concern. An officer or employee may be held accountable for any breaches of the security measures set forth by this policy, or for violating confidentiality requirements through the unauthorized release of County-owned computer information and data.

Certain terms used this policy should be understood in their customary usage and be read to include the broadest possible meaning and to include their related concepts:

- "Computer network" means All computers, servers, cellular phones, storage devices, software, Internet connections, computer applications, voice mail systems, e-mail systems, and any other device used to connect to the County's computer network
- "Document" covers just about any kind of file that can be read on a computer screen as if it were a printed page and includes any electronically stored data, including HTML files read on an Internet browser, any file meant to be accessed by a word processing or desk-

top publishing program or its viewer, or the files prepared for the Adobe Acrobat reader and other electronic publishing tools.

- “Data” means any information, knowledge, facts, concepts or instructions which is processed on a computer network and includes data in any form, whether readable by a computer or a human and wherever stored on the County’s computer network.
- “Graphics” includes photographs, pictures, animations, movies, or drawings.
- “Display” includes monitors, flat-panel active or passive matrix displays, monochrome LCDs, projectors, televisions and virtual-reality tools.

The County will provide Internet access to those employees who demonstrate a legitimate business need. County employees and agents granted computer access, email access and/or Internet access as part of their employment shall be provided with a copy of this policy and shall acknowledge receipt of this policy and the requirement to know the contents of the policy while employed by the County.

## **II. INTERNET POLICY PROVISIONS**

### **A) Management and Administration**

1. The County has software and systems in place that monitor and record all Internet usage. We want you to be aware that our security systems have the potential to record (for each and every user) each World Wide Web site visit, social media usage, email messages, and each file transfer into and out of our internal networks. The County reserves the right to record all such activity which occurs upon the County computer systems and the right to review such activity and data at any time, as provided for by this policy. No employee possesses, or should possess any expectation of privacy as to his or her computer network activity and usage while using the County’s computer network. Periodic review of computer network activity will analyze usage patterns by employees to ensure that the County computer network is used by employees to maintaining the highest levels of productivity, and security.

2. The County reserves the right to inspect any and all files downloaded from any source, to include the Internet, which are stored on the County’s computer network in order to assure compliance with this policy.

3. Since a wide variety of materials may be deemed offensive by co-workers, vendors, suppliers or members of the general public, it is a violation of County policy to store, view, print or redistribute any document or graphic file that is not directly related to the user’s job or the County’s business activities

4. The receipt, storage, or display of any visual depiction of nudity<sup>1</sup> on the County’s computer network is strictly prohibited, unless required for the performance of the employee’s official duty (i.e. law enforcement officers assigned to the Sheriff’s Office). In addition, no visual depiction of nudity, to include pornography or sexually explicit conduct shall be archived, stored, distributed, edited or recorded using the County’s computer network, unless required for the performance of the employee’s official duty.

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<sup>1</sup> As the term is defined by Penal Law section 235.20(2) to mean the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernably turgid state.

5. The County actively uses software to identify Internet sites which host or maintain inappropriate and/or sexually explicit visual depictions. The County may block access from within our computer network to all such sites identified by the County. The failure of the County to identify and block access to an Internet site which contains inappropriate and/or sexually explicit material does not permit or condone an employee from accessing such sites while using the County's computer network. If an employee accidentally connects to a website that contains inappropriate and/or sexually explicit material, you must disconnect immediately from that website.

6. This County's computer network shall not be used to violate the laws and regulations of the United States, or any other nation, or the laws and regulations of any state, city, province or other local jurisdiction. Use of the County's computer network for any illegal activity is grounds for disciplinary action, to include possible termination. The County shall cooperate with and comply with all reasonable requests from law enforcement agencies relating to an investigation and/or lawfully-issued subpoena.

7. Employees using the County's computer network shall be aware of laws involving copyright protections, trademarks, libel, and public speech control laws of all agencies in which this County maintains a business presence to avoid County liability from an inadvertent violation of such laws.

8. Employees may download software for direct business use, only after Department Head approval and approval by the Director of Information Technology. The employee and Department Head shall arrange to have such software properly licensed and registered to the County. Any software or files downloaded from the Internet to the County's computer network becomes the property of the County. Any such files or software shall be used only in ways that are consistent with their licenses or copyrights, and for official County business.

9. The County's computer network shall be used for county business only. Prohibited downloads and nefarious uses include but are not limited to: knowingly downloading or distributing pirated software or data; deliberately propagating any virus, worm, Trojan Horse, trap-door program code; crypto-mining; circumventing systems intended to protect the privacy or security of any computer network user; and using the County's computer network to disable or overload any computer system or network, to include the County's.

10. No employee or agent shall use the County's computer network to conduct any form of gambling.

11. Employees and agents shall not use the County's computer network to download entertainment software or games.

12. County employees and agents shall identify themselves honestly, accurately and completely (including one's County affiliation and function when requested) when using the County's computer network, to include, setting up accounts on outside computer systems, unless required for the performance of the employee's official duty (i.e. law enforcement officers assigned to the Sheriff's Office).

13. The County owns all data and material created and posted by a County employee and agent to any forum, social media or World Wide Web page in the course of their official duties. The County shall own and possess all legal rights to copyright, trademark, license and control the use and distribution of such data and material.

14. Employees and agents shall not upload any software owned by the County or licensed to the County, without the prior written approval of the employee's Department Head, the written approval of the Department Head responsible for such software, and the Director of

Information Technology.

15. Any on-line presence (i.e. social media page for business purposes) must first be approved by the Department Head, Director of Information Technology, County Administrator and the Oversight Committee for the employee's department. Content posted shall require access and oversight by the Department Head and the Director of Information Technology, or other persons designated by the Director.

16. Employees and agents are reminded that social media is a public forum where it is inappropriate to reveal confidential County information. Employees and agents releasing protected information via social media - whether or not the release was inadvertent - may be subject to disciplinary action, to include termination of employment, as stated by County policies and procedures.

17. Use of the County's computer network to violate County policies or commit criminal acts or non-criminal violations, such as misuse of County resources, sexual harassment, and misappropriation or theft of County property are strictly prohibited by this policy and other related County policies.

18. E-mail is a strategic business tool to facilitate communication between County employees, other State and local municipal employees, County vendors, customers, business, and members of the general public. Warren County's e-mail systems are the exclusive property of the County and are owned by the County or licensed from third-party vendors. E-mail systems and the data created are the sole and exclusive property of the County. and are intended to be used for official County business. All messages sent or received via e-mail are County property. It is against County policy to use e-mail for any unlawful endeavor.

## **B) Technical**

1. User ID's and passwords help maintain individual accountability for Internet resource usage. Any employee who obtains a password or ID for an Internet resource must keep that password confidential. County policy prohibits the sharing of user ID's or passwords obtained for access to Internet sites.

2. Employees and agents should schedule communications-intensive operations such as large file transfers, video downloads, and the like for off-peak times and only after approval from Director of Information Technology.

3. Mass emailing (other than email groups created for business purposes) should not be done from a county email address. If there is a business-related need for mass emails, the Information Technology department should be consulted as to identify an appropriate third-party service.

## **C) Security**

1. The County has installed a variety of firewalls, proxies, Internet address screening programs and other security systems to assure the safety and security of the County's networks. Any employee or agent who attempts to disable, defeat or circumvent any County security facility (for example, by utilizing a personal VPN) will be subject to immediate disciplinary action.

2. No employee or agent shall transfer any sensitive computer network data outside the County's computer network without Department Head approval, and only for official business purposes within the scope of the employee's duties and responsibilities. No elected officer, appointed officer, or Department Head shall transfer any sensitive computer network data outside the County's computer network unless for official business purposes. All transfers of sensitive

County computer network data outside the County's computer network shall be encrypted prior to distribution, whether sent by way of the Internet or upon other physical storage devices.

3. Computers that use their own modems to create independent data connections sidestep our network security mechanisms. An individual computer's private connection to any outside computer can be used by an attacker to compromise any County network to which that computer is attached. That is why any computer used for independent dial-up or leased-line connections to any outside computer or network must be physically isolated from the County's internal networks.

4. Only those Internet services and functions with documented business purposes for this County will be enabled at the Internet firewall.

5. No employee is permitted to connect to the County's computer network from an outside source, such as Webmail or Virtual Private Networks (VPN), unless:

- The connection is authorized by the Department Head and the IT Department; and
- The connection is established using the two-factor authentication ("2FA"); and
- Only County-approved devices shall be used to connect to the VPN (no personally owned devices); and
- Any exceptions to these requirements may be made under exceptional circumstances, and on a case-by-case basis with the pre-approval of the Department Head and IT Department (i.e. County-wide emergency requiring increased access through non-County approved devices).

### **III. PASSWORD REQUIREMENTS**

1. All passwords used by County officers and employees to access County network, data or information systems must be kept secure. As such the following specific criteria must be met for every password:

- a. Passwords are not to be written down or stored in an unencrypted form;
- b. Temporary passwords must be changed upon first use;
- c. Passwords must be a minimum of 8 characters in length; and
- d. Passwords must also meet the following requirements;
  - i. They do not contain all or part of the user's account name or common word; and
  - ii. Passwords must contain characters from each of the following 3 categories:
    - 1) English uppercase characters (A through Z);
    - 2) English lowercase characters (a through z); and
    - 3) Base 10 digits (0 through 9).

2. County officers and employees shall only access the County's computer network by use of their individually-assigned password.

3. No County officer or employee shall share their password to access the computer network with any non-employee or member of the general public.

4. No County officer or employee shall share their password to access the computer network with any County officer or employee, to include their supervisor, department head, or any

member of the IT Department.

5. Under no circumstances shall any County officer or employee request from another officer or employee their password to access the computer network. Specifically, no supervisor, department head, or member of the IT Department shall request from any County officer or employee their password for accessing the computer network.

#### **IV. ACCESS TO COMPUTER NETWORK DATA**

- A) County employees may access data from the computer network which is necessary for the employee to perform the official business of the County within their assigned duties and responsibilities, as determined by the employee's Department Head or County Administrator. Accessing County data from the computer network, to include emails, for any non-official business purpose, to include accessing County data outside the scope of an employee's assigned duties and responsibilities is strictly prohibited and may result in disciplinary action.
- B) The Director of the Information Technology Department, or the designee from within the IT Department, shall be the only County officers or employees authorized to access email archives when authorized by this policy.
- C) All requests to access email archives shall be in written form to the Director of IT, or his designee.
- D) For official business purposes only, the County Administrator may approve a written request from a County Department Head seeking access to data from the computer network, to include current emails and archived emails, for any employee under their Department's supervision.
- E) For official business purposes only, the County Administrator, Director of Human Resources or County Attorney may direct the Director of Information Technology to search, retrieve and provide data from the computer network, to include archived emails, for any County employee, except an elected officer, by name or other unique method of identification (i.e. email address, employee identification number, etc.), and such request shall be in writing and state the business purpose for which the data is required, with the request copied to the non-requesting officers (i.e. County Administrator, Director of Human Resources or County Attorney).
- F) The County Administrator and County Attorney may submit a joint request for data from the computer network using the name or other unique method of identification for a specific elected County officer by use of the following procedure:
  - 1. Provide a written request to the Director of Information Technology, with a copy to the elected County officer, for computer network data which states the specific business purpose for which the data is required (i.e. personnel matters, lawsuit discovery disclosures, administrative complaint and investigation, investigation by Board of Ethics, etc.);
  - 2. This procedure for obtaining computer network data for a specific County elected officer shall not apply to IT-assisted searches for data using keywords which are not an elected officer's name or other individual method of identification (i.e. email address, employee identification number, etc.).
  - 3. This procedure for accessing computer network data for a County elected officer shall not apply to requests from the County Record Access Officer seeking to

comply with the requirements of Public Officer Law, Article 6, Freedom of Information Law.

G) For official business purposes only, the Personnel, Administration and Higher Education Committee (Personnel Committee) may upon majority vote approve the request from any County Supervisor to direct the Director of Information Technology to access data from the computer network, to include archived emails, which are generated by the following appointed County officers: County Administrator, Clerk of the Board of Supervisors, County Attorney, County Auditor, County Personnel Officer, County Public Defender and County Purchasing Agent, or generated by any employee of those Departments, upon the following procedure:

1. During an executive session for the Personnel Committee, the County Supervisor presents the reasons and basis for the request and the Committee approves the request by majority vote.
2. The Chair of the Personnel Committee shall submit a written request to the Director of Information Technology for computer network data based upon the name or other unique method of identification for a specified appointed County officer, and/or member of their department, stating the specific business purpose for which the data is required;
3. The Chair of the Personnel Committee shall provide a copy of the written request to the County Administrator, Director Human Resources and County Attorney, except that no notice shall be provided to an appointed County officer if they are the employee whose computer network data is requested.
4. If the computer network data being requested is for the District Attorney, Public Defender or any employees for those departments, then the Director of Information Technology shall provide an initial release of such computer network data to the County Attorney for a confidential legal review to identify and remove attorney-client communications, privileged work product, or confidential information contained in the data, prior to release to the Chair of the Personnel Committee.
5. If the written request seeks computer network data for the County Attorney or any employees for that department, then the Director of Information Technology shall provide an initial release of such computer network data to the County's retained outside legal counsel for labor relations to complete a confidential legal review to identify and remove attorney-client communications, privileged work product, or confidential information contained in the data, prior to release to the Chair of the Personnel Committee.
6. If the computer network data of the Director of Human Resources, or its employees is being requested by the Chair of the Personnel Committee, then the Director of Information Technology shall first release the data to the County Attorney for a confidential review of the data to ensure there is no release of Health Insurance Portability and Accountability Act (hereafter, "HIPAA") protected data, data protected under New York's Personal Privacy Protection Law, or other confidential information and data related to any investigations and/or actions taken under section 75 of the Civil Service Laws, Warren County Workplace Violence Prevention Plan and Program, or the Policy Against Discrimination and Harassment for Warren County, prior to release to the Chair of the Personnel Committee.

- H) Unauthorized access to the County's computer network and data by an employee or agent is strictly prohibited and may result in disciplinary action, to include discipline up to and including termination of employment for an employee, and public censure if an elected official.
- I) Nothing in this policy restricts or limits access to the County's computer network data and obligation to comply with a lawfully issued Court-ordered search warrant, lawfully issued and served subpoena *duces tecum*, or the request of a Records Access Officer or a FOIL Appeals Officer when responding to a FOIL request or FOIL appeal.

## **V. VIOLATIONS OF COMPUTER USAGE POLICY**

1. Every County officer and employee shall receive a copy of the computer usage policy and complete the attached acknowledgement within thirty (30) days of the effective date for the policy.

2. Prior to any newly elected, appointed or hired County officer or employee receiving access to the County computer network they shall sign the acknowledgement attached to this policy and provide it to Human Resources in care of the IT Department.

3. Violations of the Computer Usage Policy may result in the filing of a criminal complaint against an employee, and disciplinary action against the offending non-elected County officer or employee, which may include: reprimand, fine not exceeding \$100 to be deducted from the salary of the employee; suspension without pay for a period not exceeding two months; demotion in grade and title; or dismissal from employment.

4. Violations of the Computer Usage Policy may result in the filing of a criminal complaint against the elected officer, and disciplinary action, which may include any lawful action provided under Public Officers Law, or by rule or resolution of the Board of Supervisors.

[REMAINDER OF PAGE INTENTIONALLY OMITTED]

**ACKNOWLEDGEMENT OF WARREN COUNTY COMPUTER USAGE POLICY**

I have received and reviewed a complete written copy of Warren County’s Computer Usage Policy, effective \_\_\_\_\_, \_\_, 2023, per Board of Supervisors Resolution \_\_\_ of 2023 (hereafter, “Computer Policy”). I fully understand and acknowledge the terms of this Computer Policy and shall abide by each any every requirement stated by the Computer Policy.

I acknowledge and accept that the County’s security software will record data I create, modify, store and transmit on the County’s computer network, as well as the Internet address/IP address of any Internet site that I visit and will keep a record of all network activity in which I transmit or receive any kind of data.

I acknowledge and accept that any message or data I send or receive, to include but not limited to emails and text messages on the County’s computer network, will be recorded and stored in an archival system and may be access by authorized County officers, employees or agents for use by County management.

I acknowledge and accept that violations of the Computer Policy may result in disciplinary action or even criminal prosecution under State or Federal criminal laws.

I acknowledge and agree that any use of County owned, leased or licensed computer equipment and/or software for Internet access constitutes consent to the County’s monitoring, recording and inspection of all data, to include but not limited to downloaded files, e-mails, and text messages, as set forth in this policy.

Failure to sign and return this policy to IT will result in immediate denial of all access to the County computer network.

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**Signed**

**Date**

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**Print Name**

**Department**

Return original signed form to Human Resources and provide .pdf copy to IT Department.

# Warren County Board of Supervisors

## RESOLUTION NO. OF 2023

**Resolution introduced by Supervisors Strough, Conover, Frasier, Geraci, Thomas, Driscoll and Wild**

**AUTHORIZING AND RATIFYING THE ACTIONS OF THE WARREN COUNTY CLERK  
TO APPOINT MEMBERS OF THE SUPREME AND COUNTY CLERK'S OFFICE  
AS SPECIAL COURT CLERKS**

WHEREAS, in accordance with Section 527 of the New York County Law, the Warren County Board of Supervisors shall authorize the appointment of one or more Special Court Clerks by the Warren County Clerk, Pamela J. Vogel, as necessary for the courts of record sitting in Warren County to function properly, and

WHEREAS, Special Court Clerks shall have the same powers and duties as the County Clerk for the transaction of business at court sessions attended by them, and

WHEREAS, the Personnel, Administration & Higher Education Committee has approved a request to authorize Pamela J. Vogel, Warren County Clerk, to appoint Sheila Kent, Scott Fitzsimmons, Lisa Relyea and Ingrid Edwards as Special Court Clerks, effective January 1, 2020 for the term of office for which the Warren County Clerk is elected, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the appointment of Sheila Kent, Scott Fitzsimmons, Lisa Relyea and Ingrid Edwards as Special Court Clerks, effective January 1, 2020 for the term of office for which the Warren County Clerk is elected, and be it further

RESOLVED, that the actions of the Warren County Clerk, Pamela J. Vogel be, and hereby are, ratified with regard to appointing Special Court Clerks prior to January 1, 2020.

# ***RESOLUTION REQUEST FORM NO. 20***

## ***MISCELLANEOUS***

***\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.***

**DEPARTMENT NAME: COUNTY ATTORNEY'S OFFICE**

**DATE: February 17, 2023**

(a) Purpose of Request: **To amend Resolution 338 of 2020 entitled "APPROVING THE WARREN COUNTY POLICY AGAINST DISCRIMINATION AND HARASSMENT WHICH REPLACES THE WARREN COUNTY PLAN AND PROGRAM ON WORKPLACE HARASSMENT"**

(b) Details: **Modify as follows:**

**DELETE last two words of the first sentence of Section 1(A), to wit: "OR VISITORS.";**

**ADD language to Section 1(A) definition of "employees" to clarify that member of general public is not an "employee" under policy; and**

**ADD language to Section 4(A)(2) which clarifies that "only employees shall be permitted to file Complaints." This refers back to the clearer definition of an "Employee" excluding members of the general public.**

(c) Previous Resolution Number: **338 of 2020**

(d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount: **Not Applicable**

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

## WARREN COUNTY POLICY AGAINST DISCRIMINATION AND HARASSMENT

### SECTION 1: PURPOSE

Warren County believes in the dignity of the individual and recognizes the rights of all people to equal employment opportunities in the workplace. In this regard, Warren County, (hereinafter “County”), is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subject to harassment or discrimination in the workplace. It is our County’s policy to provide an employment environment free from harassment for any reason and discrimination based on race, color, gender, religion, religious creed, sex, familial or marital status, age, national origin or ancestry, physical or mental disability, genetic information/predisposition or carrier status, military or veteran status, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender, pregnancy (including childbirth and related medical conditions, and including medical conditions related to lactation), citizenship, domestic violence victim status or any other characteristic protected by applicable federal, state or local law.

A. **Scope of Policy** This Policy applies to all County employees and all personnel in a contractual or other business relationship with the County including, for example, applicants, temporary or leased employees, interns (whether paid or unpaid), independent contractors, vendors, consultants, volunteers ~~or visitors~~. In the remainder of this Policy, the term “employees” refers to this collective group and does not cover or include members of the general public. This Policy applies with equal force on County property as well as at County-sponsored events, programs, and activities that take place off County premises.

B. **Policy Objectives** By adopting and publishing this Policy, it is the intention of the County’s governing body to:

- (1) Notify employees about the types of conduct that constitute harassment and discrimination prohibited by this Policy;
- (2) Inform employees about the complaint procedures that enable any employee who believes they are the victim of harassment or discrimination to submit a complaint which will be investigated;
- (3) Clearly advise all supervisory staff, managers, and employees that harassment and discrimination is strictly prohibited; and
- (4) Notify all employees that the County has appointed Compliance Officers who are specifically designated to receive complaints and ensure compliance with this Policy.

NOTE: The names and office location of each Compliance Officer designated to receive and investigate complaints are listed below in Section 11 of this Policy. Any change in the designated Compliance Officers shall be distributed in writing to all current employees and shall be posted.

Any employee who feels discriminated against or harassed should report that conduct so that any violation of this Policy can be corrected promptly. Any harassing conduct, even if a single incident, can be addressed under this Policy.

**SECTION 3: POLICY**

The County prohibits harassment and discrimination for any reason and will not tolerate any form of unlawful discrimination or harassment. The County will take all steps necessary to prevent and stop the occurrence of unlawful discrimination and/or harassment, including sexual harassment, in the workplace.

All employees, including but not limited to, County officials and supervisory personnel, are responsible for ensuring a work environment free from harassment and discrimination. All employees will be held responsible and accountable for avoiding or eliminating inappropriate conduct that may give rise to a claim of harassment or discrimination. Employees are encouraged to report violations to a supervisor, manager, or one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy. Officials, managers and supervisors must take immediate and appropriate corrective action when suspected instances of harassment and/or discrimination come to their attention to assure compliance with this Policy as well as report the suspected misconduct to the Municipality's designated Compliance Officers. Furthermore, if any employee believes that any member of management has violated this policy or has not properly responded to and/or handled a report or concerns about discrimination or harassment, the employee should immediately contact one of the designated Compliance Officers.

Each employee is assured pursuant to *Section 6* of this Policy, that retaliation against an individual who makes a complaint or report under this Policy is absolutely prohibited and constitutes, in and of itself, a violation of this Policy. Employees who engage in retaliation against any employee for making a good faith complaint of harassment or discrimination, or for opposing in good faith any practices forbidden by applicable anti-discrimination laws or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws, shall be subject to discipline, up to and including termination of employment. Any employee who believes he/she has been retaliated against in violation of this policy should report violations to one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy.

Any questions regarding the scope or application of this Policy should be directed to one of the Compliance Officers listed in *Section 11* of this Policy.

**SECTION 4: POLICY ENFORCEMENT**

**A. Complaint Procedure for Employees**

**1. Notification Procedure**

Prompt reporting of complaints or concerns is encouraged so that timely and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of prohibited discrimination and/or harassment is encouraged and essential, regardless of the offender's identity or position. An employee or other individual who feels aggrieved because of harassment or discrimination should contact his or her supervisor, Department Head or a Compliance Officer. Likewise, anyone who witnesses or becomes aware of instances of harassment or discrimination should report such behavior to his or her supervisor, Department Head or a Compliance Officer.

**2. Making a Complaint**

**Only employees shall be permitted to file Complaints.** Complaints ***shall be*** accepted verbally and in writing. All employees are ***strongly*** encouraged to use the County's "Complaint of Alleged Discrimination" form. A copy of this form is attached to this Policy.