

## *Public Works Agency*

# STEP 1: *POLICIES & Memorandums*

### Instructions:

- 1) Please read all attached policies and information thoroughly.
- 2) In *STEP 2* you will sign an acknowledgment that you have read, understand and will comply with all County of Ventura and Public Works Policies, so please make sure to read them carefully.

*If you have any questions about any of the policies, please contact the HR Representative, assisting with your on boarding. Thank you.*



# EMPLOYEE HANDBOOK

Welcome to the County of Ventura





# Welcome From the CEO



**Dr. Sevet Johnson**  
County Executive Officer



## Welcome to the County of Ventura!

We are excited to have you join our team. You were hired because you stood out from the crowd, and we believe you can contribute to achievement of the County's goals while also progressing in your career.

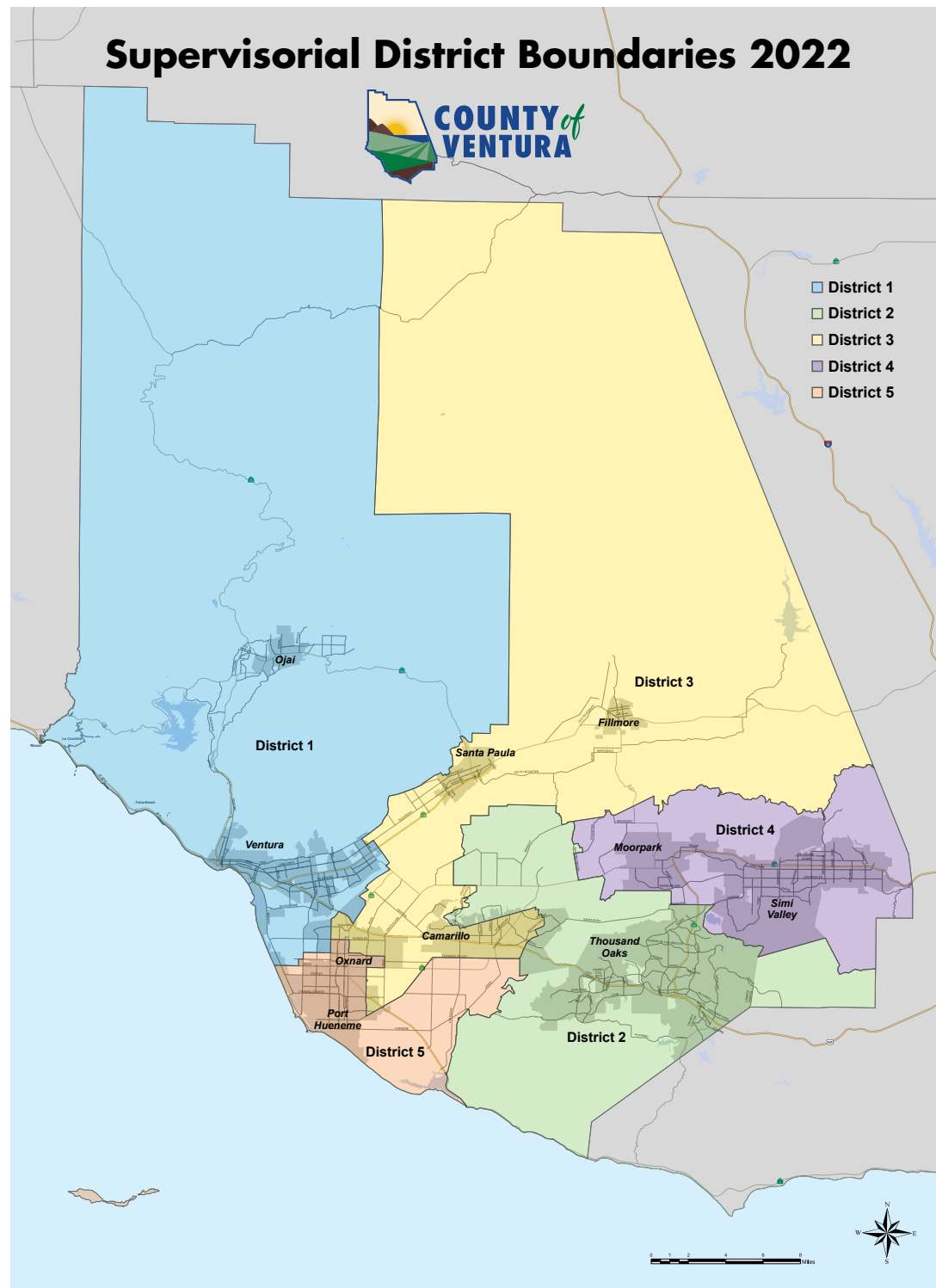
The County of Ventura is committed to distinctive quality and unequalled public and customer service in all aspects of our business in support of our community. As part of the County team, you will discover that you will be challenged to pursue excellence and that will become a truly rewarding aspect of your career. We look forward to having you expand your positive influence in our work together.



# Mission Statement

To provide superior public service and support so that all residents have the opportunity to improve their quality of life while enjoying the benefits of a safe, healthy, and vibrant community.





Ventura is California's eleventh largest county with approximately 800,000 residents. It has 1,851 square miles and includes the cities of Ventura, Santa Paula, Oxnard, Fillmore, Ojai, Port Hueneme, Thousand Oaks, Camarillo, Simi Valley, and Moorpark.

# Meet The Board of Supervisors



Supervisor  
Matt LaVere  
District 1



Supervisor  
Jeff Gorell  
District 2



Supervisor  
Kelly Long  
District 3



Supervisor  
Janice S. Parvin  
District 4



Supervisor  
Vianey Lopez  
District 5





The general information in this booklet is subject to change and shall not alter the Personnel Rules and Regulations, any Memorandum of Agreement, any County Resolution, Ordinance, or any Department or Agency rule(s).

**“Great things in business are never done by one person; they’re done by a team of people.”**

- Steve Jobs



# County of Ventura Agencies, Departments & Affiliated Organizations

Agricultural Commissioner  
Animal Services  
Air Pollution Control District  
Assessor's Office  
Auditor-Controller's Office  
Board of Supervisors  
Civil Service Commission  
Clerk-Recorder & Registrar of Voters  
County Counsel  
County Executive Office  
Department of Airports  
Department of Child Support Services  
District Attorney  
Fire Protection District  
General Services Agency  
Grand Jury  
Harbor Department  
Health Care Agency  
Human Resources

Human Services Agency  
Information Technology Services Department  
Medical Examiner's Office  
Probation Agency  
Public Defender  
Public Works Agency  
Resource Management Agency  
Sheriff's Office  
Treasurer-Tax Collector  
Ventura County Employees' Retirement Association  
Ventura County Library  
Ventura County Regional Energy Alliance  
Ventura Local Area Formation Commission



**COUNTY of VENTURA**



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# Overview



## GOVERNMENT SERVICE

Government employees have responsibilities and safeguards that other employees may not have. Our primary job is to serve the people. Each of us represents the County of Ventura and we each have a responsibility to courteously serve every member of the public who comes to us for services.

Most actions affecting us are controlled by the County's Civil Service Ordinance. "Civil Service" means that employment and promotional opportunities are competitive and based upon merit, efficiency, and fitness. The Board of Supervisors has created other rules that concern pay and benefits. Labor contracts negotiated by unions or associations with the County also apply to most employees. Though information in this handbook applies to most County employees, you may always ask your supervisor for clarification or contact the Human Resources Division or your agency/department HR unit for more specific information.

## CODE OF ETHICS

All County employees have an obligation to the people, elected officials, the County's Administration, and other employees, to work together to accomplish the County's goals. Employees are also obliged to report corruption, to not disclose confidential information, and to protect the County's property. Further, employees are to be impartial and are not to discriminate in providing service on the basis of race, color, national origin, religion, ancestry, medical condition, gender, sexual orientation, age (over 40), disability, military or veteran status, political affiliation, marital status, gender identity, and genetic information.

Finally, no employee may accept any fee, compensation, gift, payment of expenses, or any other thing of monetary value which may result in, or create the appearance of resulting in, the use of their office or employment for private gain, preferential treatment of any person, impeding governmental efficiency or economy, any loss of complete independence or impartiality, the making of a County decision outside official channels, or any adverse effect on the confidence of the public in the integrity of County government.





### DIVERSITY, EQUITY & INCLUSION (DEI)

The County of Ventura is committed to Diversity, Equity & Inclusion. The Office of Diversity, Equity & Inclusion focuses on the following:

- » Advancing racial equity in all aspects of County operations.
- » Developing and overseeing county-wide and agency/department level DEI Action Plans.
- » Providing guidance, education, and technical assistance to all departments/agencies as they develop sustainable methods to build DEI capacity and long-term sustainability.
- » Working to resolve issues rooted in bias and discrimination through research, education, and partnerships.
- » Building community partnerships and alliances to promote equity and inclusion within Ventura County and throughout the region in order to achieve equitable outcomes for all.

### NON-DISCRIMINATION ON THE BASIS OF DISABILITY

All persons with disabilities will be afforded equal access to all the County's employment, services, activities, and facilities. Adherence to this policy is a condition of employment for all employees. Violation of this policy will result in disciplinary action, up to and including dismissal.

### EQUAL OPPORTUNITY IN EMPLOYMENT

It is the policy of the County of Ventura to ensure equal employment opportunity to its employees and applicants. Employment decisions are made on the basis of fitness and merit without regard to race, color, religion, national origin, disability, sex, sexual orientation or age. The County of Ventura follows this policy in recruitment, hiring, promotion, compensation, benefits, transfers, assignments, tours of duty, shifts, layoffs, returns from layoff, demotions, terminations, training, educational leave, social and recreational programs, and use of County facilities. It is not the intent of this policy to permit or require the lowering of bona fide job requirements or qualification standards to give preference to any employee or applicant for employment. However, we will take positive affirmative measures in accordance with federal and state law to recruit persons from traditionally marginalized communities, including those with disabilities, to all levels of the County government. Any employee of the County of Ventura who fails to comply with this policy is subject to appropriate disciplinary action.

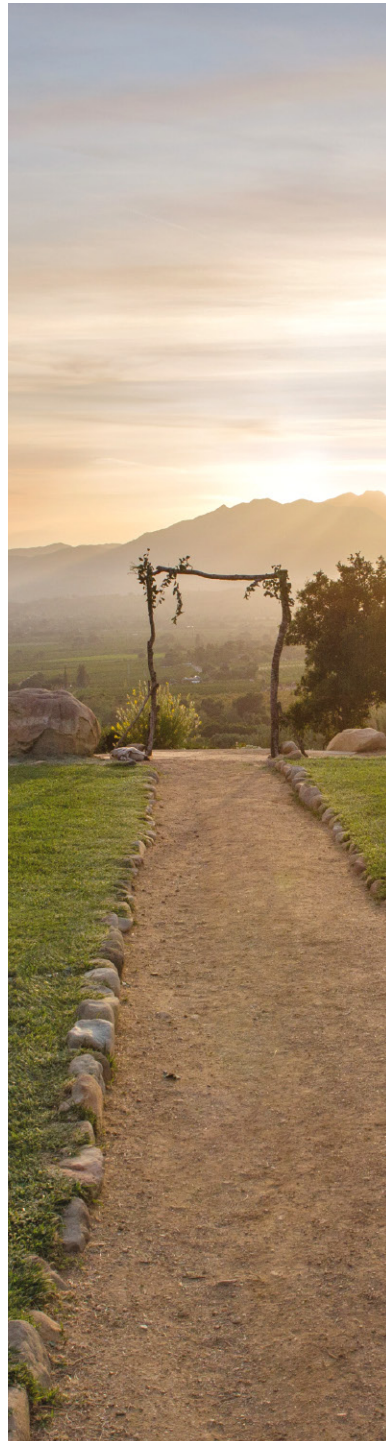
### DISCRIMINATION AND HARASSMENT PREVENTION

The County of Ventura intends to be impartial in the treatment of employees and job applicants without regard to race, color, national origin, religion, ancestry, medical condition, gender, sexual orientation, age (over 40), marital status, or disability. The workplace is to be free of racial, ethnic, sexual, and religious harassment. Discrimination Prevention training is required. Adherence to this policy is a condition of employment for all employees. Violation of this policy will result in disciplinary action up to and including dismissal. [\(Click for Harassment, Discrimination and Retaliation Policy.\)](#) [\(Click for Complaint Reporting Procedure.\)](#)





## SEXUAL HARASSMENT POLICY



Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that occurs under any one of three circumstances:

1. Submission is made, either explicitly or implicitly, a term or condition of employment.
2. Submission or rejection by an employee is used as a basis for employment decisions affecting the employee.
3. When the conduct unreasonably interferes with the affected person's work performance or creates an intimidating, hostile, or offensive work environment.

Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

For added clarification, sexual harassment includes, but is not limited to:

- » Offering employment benefits or gifts in exchange for sexual favors.
- » Making or threatening reprisals after a negative response to sexual advances.
- » Visual conduct: leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, or posters.
- » Verbal conduct: making or using derogatory comments, epithets, slurs, and jokes.
- » Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive, or obscene letters, notes, or invitations.
- » Physical conduct: touching, assault, impeding or blocking movement.

Any employee who believes they have been sexually harassed has the right to file a discrimination complaint with their supervisor, the departmental equal employment opportunity officer, department/agency head, or the County Executive Office. An investigation of all complaints will be undertaken immediately. Adherence to this policy is a condition of employment for all managers, supervisors, and employees. Any such employee who has violated this policy will be subject to appropriate disciplinary action up to and including dismissal. ([Click for Sexual Harassment Policy.](#))

## REASONABLE ACCOMMODATION POLICY



The County of Ventura is committed to providing reasonable accommodation as outlined by the provisions of the Americans with Disabilities Act of 1990 (ADA) and/or the California Civil Rights Department (CRD). As an employer, we are responsible for providing reasonable accommodations to the known physical or mental impairments of a qualified individual with a disability, unless to do so would impose an undue hardship on the operation of County business.

An individual with a disability must be qualified to perform the essential functions of the job with or without reasonable accommodations to be protected by the ADA and CRD. This means that the applicant or employee must:

Satisfy County job requirements for educational background, employment experience, skills, licenses, and any other qualification standards that are job related and, either with or without reasonable accommodation, be able to perform those tasks that are essential to the job.

Reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy the benefits and privileges of employment equal to those enjoyed by employees without disabilities. Reasonable accommodation may include:

- » Acquiring or modifying equipment or devices;
- » Job restructuring;
- » Part-time or modified work schedules;
- » Reassignment to a vacant position;
- » Adjusting or modifying examinations, training materials, or policies; and
- » Providing readers and interpreters.

Employees who are no longer able to resume their same jobs after a disability occurs will be considered for other job openings for which they are qualified and may be subject to a return-to-work program for County work they are able to perform, consistent with the provisions outlined in the ADA and CRD. The Human Resources Director will establish necessary procedures and monitor the provisions of reasonable accommodations to employees.



# GENERAL COUNTY RULES AND POLICIES

## ATTENDANCE & NOTIFICATION OF ABSENCE

Normal work hours vary between agencies/departments. Employees will be notified of the work hours required by their agency/department. If an employee does not work their scheduled hours, it may impact County benefits. An employee's actual schedule may vary if it helps the agency/department better serve the public. If an employee is "non-exempt," the supervisor will inform them of their regularly scheduled hours of work, the normal lunch period, and rest breaks. An employee can be disciplined for not working the hours they are scheduled. If an employee is "exempt," the work schedule generally will be between the hours of 8:00 a.m. and 5:00 p.m. However, a salaried employee may be required to work whatever hours are needed to complete the work expected of them.

Employees are required to notify their supervisors within 30 minutes after the start of the shift if they cannot work. The supervisor will tell the employee the specific notification procedure for the job. Regular attendance is an important part of job performance. Excessive absence may be grounds for disciplinary action, up to and including termination.

## COUNTY ID BADGE

To enhance security of County facilities, all County employees must display a County of Ventura ID badge while working on County premises. This also includes volunteers and vendors who are working unescorted in non-public access areas on County premises. Every employee, volunteer, or vendor requiring a County of Ventura ID badge must undergo a background investigation. If an ID badge is lost or stolen, immediately contact the appropriate agency/department HR representative or GSA for badge deactivation.

## DRESS CODE

The County of Ventura does not have a standard dress code. However, it is recommended that attire be in alignment with job duties, assignment, and location. Some departments require certain dress codes to be in alignment with job duties, assignments, and locations. Some departments require uniforms.

## DISCIPLINARY ACTION

The continuing employment of every permanent employee shall be contingent upon good behavior. Any such employee may be dismissed, demoted, suspended, have their pay reduced, or be demoted and suspended for any of the following: fraud in securing appointment, incompetency, inefficiency, inexcusable neglect of duty, physical or mental disability, insubordination, dishonesty, drunkenness on duty, intemperance, addiction to the use of narcotics or habit-forming drugs, inexcusable absence without leave, conviction of a felony or misdemeanor involving moral turpitude, immorality, discourteous treatment of the public or other employees, or improper political activity.



### DRUG-FREE WORKPLACE

All employees are required to sign a Substance Abuse Policy form as a condition of employment. The County will not tolerate substance abuse in the workplace and will take whatever steps are necessary to prevent it. Penalties that may be imposed on employees for on-the-job substance abuse include DEMOTION, SUSPENSION, REDUCTION IN PAY, AND DISMISSAL. [\(Click to view policy.\)](#)

### EMPLOYEE RIDESHARING & BIENNIAL SURVEY

It is the policy of the Board of Supervisors to educate County employees about the benefits of ridesharing, to encourage their use of ridesharing on a regular basis, and to assist them in meeting their rideshare desires. The Board of Supervisors encourages and supports employee ridesharing as a viable means to reduce air pollution within Ventura County. Employee ridesharing is supported through the following core elements: preferential carpool parking, bicycle lockers, and a guaranteed ride home.

As a County employee, you may be asked to complete a transportation survey every two years to comply with the Ventura County Air Pollution Control District's Transportation Outreach Program (Rule 211). The survey seeks to identify current commuting habits to spot trends and to assist in ongoing air pollution reduction efforts.



### EMPLOYEE TRANSFER WITHIN COUNTY SERVICES

The County of Ventura provides a means by which regular employees may transfer from one organizational unit to another within County Service. Upon approval of both appointing authorities concerned and the Human Resources Division, an employee in good standing may transfer from one agency/department to another in the same or similar classification.

### DISASTER SERVICE WORKER

When a disaster strikes of natural or manmade origin, County employees may be called upon to provide service to the community by assisting in emergency response efforts. This may require employees to work in other locations, different hours, and different positions. The intent of this policy is to ensure that all employees recognize their roles as essential workers. [\(Click to view policy.\)](#)

### FLEXIBLE WORK SCHEDULE PROGRAM

It is the policy of the Board of Supervisors to permit flexible work schedules with the prerequisite that staff coverage be sufficient to meet the operation and service requirements of the agency/department at all times. These schedules may include, but are not limited to, flextime, compressed work weeks (9/80 & 4/10), telework, part-time schedules, or job sharing.

### JURY/WITNESS DUTY

All employees who are summoned for jury duty, or as witnesses, shall notify their supervisors in writing at least one week prior to the date of the scheduled appearance. Employees who serve on jury duty for more than one day or serve as witnesses in a County action receive a check from the County for per diem payment for time served and mileage reimbursement. Jury Duty is considered a workday and no salary reductions shall be made for an employee serving on a jury.



**INTERNET/  
COMPUTER  
USAGE/  
TECHNOLOGY**

Employees are required to read and sign an Employee Technology Use Policy. This policy outlines employee responsibilities associated with the use of personal computers. Any violation of the agency/department's policy may result in disciplinary action. ([Click to view policy.](#))

**COUNTY INJURY  
& ILLNESS  
PREVENTION  
PROGRAM  
(CIIPP)**

It is the policy of the County of Ventura that no job is so important that it takes precedence over the health, safety, and welfare of County employees or the public they serve. All County employees are required to conduct business in a healthy and safe manner, while adhering to established regulations and County policies and procedures. The CIIPP provides the basic framework and reference guidelines necessary for County agencies to develop IIPP awareness on the part of all employees.

**LACTATION  
ACCOMMODATION**

Under California law, employees have a right to accommodation for their lactation needs. The County of Ventura supports this right and recognizes the many health, environmental, economic, and social benefits that result from breastfeeding babies. The County is a breastfeeding-friendly workplace that supports mothers/employees' choice to breastfeed. The County will provide adequate facilities and break times for breastfeeding and expressing milk. The WorkLife Program Manager and CEO-HR Benefits Division will assist employees with making arrangements at their worksites for appropriate lactation space and for reasonable break times for expressing breast milk.

**MAIL SERVICES**

The General Services Agency provides U.S. mail handling services and delivery of inter-office correspondence at the Government Center and certain outlying areas. Personal mail is not to be placed in the designated mail pickup bins for either U.S. mail or inter-office mail as only official County business mail will be processed by Mail Room personnel.

**OUTSIDE  
EMPLOYMENT**

County employees are obligated to provide information on any outside employment to their agency/department head for all regular outside employment and for all occasional outside employment that amounts to more than eight hours in any one week. The agency/department head may order an employee to cease outside work if it violates Article 19 of the Personnel Rules & Regulations. ([Click to access the Personnel Rules and Regulations.](#))

**OVERTIME**

It is the County's policy to avoid overtime whenever possible. Overtime may be worked when it is deemed necessary and approved in advance by the appointing authority. Overtime is paid according to the applicable Memorandum of Agreement (MOA), the Management, Confidential Clerical, and Other Unrepresented Employees Resolution, and in accordance with federal law. All non-exempt employees are hourly workers and will be paid for any authorized overtime worked.

**PAY DAY &  
DIRECT DEPOSIT**

County employees are paid bi-weekly, on Fridays. If you find an error on your paycheck, or if you have questions about your paycheck, contact your agency/department payroll clerk or the Auditor-Controller Payroll Section.

All employees of the County are required to enroll in and maintain direct deposit for the payment of their regular paychecks as a condition of employment. Enroll online with VCHRP or contact your agency/department payroll clerk.

**PERFORMANCE  
APPRAISAL**

In addition to the daily informal evaluation of job performance by the supervisor, they will formally evaluate County employees' performance at least once per year for purposes of determining potential eligibility for merit salary increases. This formal evaluation is in writing and is made a permanent part of an employee's personnel record. The evaluation should be based on performance compared to established, job-related criteria.





## POLITICAL ACTIVITIES

County employees are prohibited from participating in political activities during working hours or while in a County uniform. County employees also cannot ask for contributions for political purposes from other employees. If a County employee runs for a County political office, they must take a leave of absence unless the Civil Service Commission excuses them from this requirement.

## PROBATIONARY PERIOD

Depending on the position, County employees generally serve a 1,040 or up to 2,080 work hours probationary period. While serving probation, the probationary period may be extended at any point, and a termination during this time cannot be appealed. If the probationary period is satisfactorily completed, a County employee may attain regular "permanent" or "Civil Service" status. This will depend on the Memorandum of Agreement (MOA) or Management Resolution covering an employee's position. [\(Click to view MOAs and Management Resolution.\)](#)

## RESPECTFUL WORKPLACE

The County of Ventura is dedicated to maintaining a respectful workplace. It is the County's policy that employees, supervisors, managers, and officials maintain a working environment that encourages mutual respect and promotes civil and congenial relationships. The County's policy, as embodied in the Personnel Rules and Regulations and Memoranda of Agreement with the various employee representatives, also prohibits discourteous treatment of the public or other employees. The purpose of this policy is to communicate to all employees that discourteous treatment of fellow employees or the public is inappropriate workplace behavior.

## REST PERIODS ("BREAKS")

Each County of Ventura employee is allowed 15-minute rest periods in both the first half and second half of the workday when such breaks do not interfere with County business or public safety. It is the responsibility of the agency/department head to designate the time of rest periods and to determine whether the employee should leave the workstation area. It is intended that the 15-minute period be the total time spent away from a workstation. Therefore, rest periods are not cumulative and are not designed for employees to use rest periods to arrive to work late, leave work early, or extend lunch/meal periods.



## SALARY INCREASES

Normally, new County employees start at the beginning of the salary range and are eligible for an increase after six months of satisfactory service. Thereafter, employees are usually eligible for merit increases at yearly intervals until they reach the top of the salary range, provided their performance merits such increases. Additional salary increases may also be negotiated through the collective bargaining process. This will depend on the applicable Memorandum of Agreement or Management Resolution covering the position. [\(Click to view MOAs and Management Resolution.\)](#)

## SMOKING POLICY

The County adopted a "Smoking Policy," effective September 1, 1987, that forbids smoking in all County buildings and vehicles—including employee personal vehicles (whether parked or moving on County property). Smoking is also prohibited within twenty (20) feet of the doors to County buildings. Smoking is permitted outside and external to County buildings, and in areas where it is established that no secondhand smoke hazard will occur. A violation of the smoking policy may be cause for imposition of disciplinary action upon County employees.

## TIME OFF TO VOTE

If an employee has insufficient time outside of working hours to vote at a statewide election, California law allows employees to take up to two hours off to vote, without loss of pay. Time off must be requested a minimum of one week in advance and be approved by the supervisor.

## WHISTLEBLOWING

Employees are encouraged to report any gross mismanagement or significant waste of funds, abuse of authority, or a substantial and specific danger to public health and safety. Such reports should be sent to the agency or department head, Board of Supervisors, Grand Jury, or appropriate union representative. State law protects "whistleblowers" from retaliation or coercion if they speak out against such violations.

### Employee Fraud Hotline

- Report significant violations of County policy, fraud, waste and misuse of County Resources **(805) 644.6019**

### Employee Misconduct Hotline

- Report instances of discourteous or inappropriate workplace behavior **(800) 684.6523**



# GENERAL BENEFITS INFORMATION



## BEREAVEMENT LEAVE

Depending on the MOA or Management Resolution covering the position, an employee may be allowed to take off up to 3 days without loss of pay because of a death in the immediate family and may also be entitled to use accrued leave balances to supplement the bereavement leave.

Immediate family is: husband, wife, parent, brother, sister, child, stepchild, grandchild, grandparent, great-grandchildren, great-grandparents, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, or stepparent of an employee.

The agency/department head or deputy director may grant an absence of one working day because of the death of any other person to whom the employee may be reasonably deemed to owe respect.

## DEFERRED COMPENSATION

In addition to the pension plans described under Retirement Programs, the County offers employees optional methods of building retirement savings. The Deferred Compensation Program provides employees with the opportunity to participate in both a 401(k) Plan and a 457 Plan. Contributions to these plans are taken as pretax salary reductions, and earnings grow tax deferred. Ask the agency/department personnel representative for an information packet. For additional information, please contact Deferred Compensation Program staff at (805) 654-2620. ([Click to view Deferred Compensation.](#))

## EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP), located near the Government Center, offers employees and family members confidential mental health assistance at no cost. This service provides up to five visits with an EAP licensed counselor for each eligible person. Counselors are available to help employees and family members who may be in crisis or who wish to have an opportunity to explore solutions to personal problems affecting their lives. These include, but are not limited to, marital or family conflicts, drug or alcohol abuse, loss of a loved one, work-related problems, or other emotional problems brought about by the stresses of daily living. In an emergency, an EAP representative is available 24 hours per day via telephone at (805) 654-4327. When appropriate, employees and family members are linked to other community resources or referred to qualified professionals for additional assistance.

Although participation is voluntary, supervisors often suggest the EAP when they become aware of an employee in need, or it appears that the employee's personal problems are affecting them at work. Ask your agency personnel representative for more information. ([Click to view Employee Assistance Program.](#))



## EMPLOYEE HEALTH SERVICES

Located in the Hall of Administration at the Government Center, the Health Center is staffed by a nurse practitioner, nurse, and support staff. Employee Health Services (EHS) is open from 8:00 a.m. to 5:00 p.m., Monday through Friday. The Center is not a substitute for a medical plan primary care provider, and visits to a lab, pharmacy or specialist must be paid through your particular medical plan. County employees are not charged for EHS visits. Some of the EHS services provided are routine medical checkups for minor illnesses to help employees avoid absence from work, such as: emergency first aid; preventive health care, screening, and tests; health education; and pregnancy tests.

## FLEXIBLE BENEFITS PROGRAM

Most regular employees are eligible for the Flexible Benefits Program. This program allows employees to select a benefits package that best suits their individual and family needs. Every eligible employee is given a dollar amount, depending on their bargaining unit, to "buy" the benefits they want. If that amount is not enough for all the benefits they select, they add to it through pretax salary reduction. Selection choices include medical plans, a dental plan, a vision plan, spending accounts for family health care and dependent care expenses, and a cash back option that returns unspent dollars to the employee's salary. More detailed information is available at a New Employee Orientation meeting, or by reading the Benefit Plans Handbook. [\(Click to access the Benefits webpage.\)](#)

## PAID HOLIDAYS

Most employees receive the following paid holidays:

» New Year's Day	» Labor Day
» Martin Luther King Jr. Day	» Veterans Day
» Presidents' Day	» Thanksgiving Day
» Memorial Day	» Day After Thanksgiving
» Juneteenth	» Christmas Day
» Independence Day	

Most employees also receive a "floating holiday" credited on January 1 of each year. These hours are added to their bank of time and are to be used at the employee's discretion (with supervisory approval) anytime between January 1 and March 1 of the following year (15-month period). If not used during that time, the floating holiday hours are forfeited.

## LEARNING & ORGANIZATIONAL DEVELOPMENT

The office of Learning and Organizational Development facilitates delivery of mandatory courses and collaborates with County agencies/departments to identify other training needs. In addition, the Learning and Organizational Development team has a catalog of classes available to employees for self-enrollment. The courses focus on enhancing employees' professional development and building skillsets. The office is located within the County Executive Office, HR Division.

Learning and Organizational Development Mission:

"To provide a robust learning and organizational infrastructure in order to develop an engaged, skilled, and effective County of Ventura workforce."

## MANDATORY TRAINING

- » New Employee Orientation - Taken one time.
- » Sexual Harassment/Non-Discrimination Prevention - Required every two years.
- » Developing Cultural Competency & Inclusion - Required every two years.
- » Workplace Security Awareness - Required every two years.

## LEAVE OF ABSENCE

With department approval, County employees may receive leave without pay for up to one year for an extended illness, maternity/childcare, travel, education, or training.

The County offers leaves with extended medical benefits for up to 12 weeks per year for employees who qualify for a medical/pregnancy leave under a collective bargaining agreement or qualify for a family or medical leave under the Family and Medical Leave Act (FMLA)/California Family Rights Act (CFRA). FMLA/CFRA leave. These are available for the birth or placement of a child, the care of a spouse, child, or parent with a serious health condition, or for an employee's own serious health condition. In addition to maternity/pregnancy leave, an employee may take up to three months of leave to care for their newborn. FMLA/CFRA applies if an employee has worked for the County for a total of at least one year and 1250 hours in the most recent 12 months.

## MILITARY LEAVE

Military leave is allowed in accordance with California and federal law, any provisions listed in the current Memorandums of Agreement, Resolutions, or any edict issued by the Board of Supervisors.



### RETIREMENT PLANS

County employees are covered under one or more pension plans:

- » Regular full-time employees are members of the Ventura County Employees' Retirement Association (VCERA) plan. VCERA provides retirees with a monthly pension benefit.
- » Regular full-time employees, except Safety Members, are also covered under the Old-Age, Survivors, and Disability Insurance portion of Social Security.

Part-time and extra-help employees not covered by VCERA are members of the Ventura County Supplemental Retirement Plan (457), administered through Fidelity (800-343-0860).

Pension plan participation is not voluntary, with the exception of elected officials. Employees contribute a portion of their salary to these plans through payroll deduction. The County may pick up a portion of the VCERA contribution as outlined under the applicable MOA or Management Resolution.

### VACATION, SICK & ANNUAL LEAVE

Vacation, Sick, and Annual Leave benefits can vary according to the current MOA or Management Resolution covering an employee's position. Ask the agency/department HR representative or immediate supervisor for specific information. ([Click to view MOAs and Management Resolution.](#))

### WELLNESS PROGRAM

The Wellness Program helps regular County employees, and their spouses or registered domestic partners, develop and maintain healthy lifestyles through Wellness Profile assessments, health counseling, health club discounts, and more. The program's primary objective is to help reduce personal health risks before serious health problems occur. Classes are offered on a wide variety of topics. County employees receive regular emails with Wellness Program Information. For additional information, call the Wellness Program at (805) 654-2628. Participants have reported a significant amount of success in establishing healthier lifestyles and increasing productivity. ([Click to access the Wellness Program.](#))



### WORKERS' COMPENSATION

All County of Ventura employees are provided coverage for Workers' Compensation. Benefits are provided in compliance with the California Labor Code for injuries or illnesses that occur in the course and scope of employment. Employees are to report all injuries to the immediate supervisor. Agencies/departments are to develop reporting procedures to comply with this policy. Failure to timely report claims may result in delays in receiving benefits and can result in disciplinary action. Agencies/departments are required to report Workers' Compensation claims to Risk Management or the County's third-party claims administrator within one working day of notice of the injury/illness. Each work location shall post the Workers' Compensation poster and list of recommended treatment centers.

### THE WORK NUMBER

The Work Number offers employees the ability to quickly provide proof of employment and income verification. The service can be used when buying a home or car, renting an apartment, establishing credit, or applying for a loan. ([link to the Work Number.](#))

<p><b>MISSION</b></p> <p>To support the Board and our inspired workforce in meeting the needs of our community through excellent service.</p>	<p><b>VISION</b></p> <p>Trusted Partner Distinguished Service Inspired Employees</p>	<p><b>VALUES</b></p> <p>Excellence Openness Integrity Passion Teamwork Optimism</p>
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# ADDITIONAL INFORMATION

## CAFETERIA & COFFEE SHOP

There is a full-service cafeteria in the Hall of Justice at the Government Center. Hot meals, grilled and cold sandwiches, and a salad bar are available. In the Hall of Administration at the Government Center, there is a coffee shop that sells snack foods and sandwiches. There are also cafeterias located at the Ventura County Medical Center and the Santa Paula Hospital.

## CHANGE IN PERSONAL DATA

Employees who change names, addresses, or phone numbers, should report the changes to their agency/department HR representative so it can be updated in the payroll system. Payroll will notify health plans. For name changes, provide the County with an updated Social Security card with the correct name. Any changes in family status that affect benefits, or a dependent's eligibility for benefits, should also be reported. Examples of changes in family status include marriage, divorce, or birth of a new child. Notify the Human Resources Division within 31 days of any changes needed. The agency/department HR representative can provide the needed forms. ([For more information, click here to access the Benefits webpage](#)).

## CREDIT UNION

All regular County employees are eligible for membership in the Ventura County Credit Union (VCCU). To join, you must apply in person. The Credit Union is located at 6026 Telephone Road, across the street from the Government Center. The telephone number is (805) 477-4000. There are VCCU branch offices in Camarillo, Simi Valley, Moorpark, and Thousand Oaks. There are also automated teller machines between the Hall of Justice and the Hall of Administration, and at the Ventura County Medical Center.

## EMERGENCY ASSISTANCE FUND

Through the Emergency Assistance Fund, County employees can assist fellow County employees, retirees, and their qualifying survivors, who are having severe financial hardships resulting from death, illness, accident, or loss of property due to casualty.

County employees may donate hours of vacation or annual leave by donating hours to a specific person through the Designated Recipient Fund or to the Undesignated Recipient Trust Fund. Agency/department HR representatives have the information and forms.

## EMPLOYEE ORGANIZATIONS (UNIONS)

The County recognizes eleven employee organizations that represent County employees. A union representative may contact County employees during the first weeks of employment. The following is a list of the recognized unions:

- » California Nurses Association (CNA)
- » Criminal Justice Attorneys' Association of Ventura County (CJAAVC)
- » International Union of Operating Engineers (IUOE)
- » Service Employees International Union (SEIU)
- » Specialized Peace Officers' Association of Ventura County (SPOAVC)
- » Union of American Physicians and Dentists (UAPD)
- » Ventura County Deputy Sheriffs' Association (VCDSA)
- » Ventura County Professional Firefighters' Association (VCPFA)
- » Ventura County Professional Peace Officers' Association (VCPPOA)
- » Ventura County Sheriff's Correctional Officers' Association (VCSCOA)

An employee's classification determines the union that will represent them. Those employees appointed to a classification that is not represented by one of the above unions will be covered by the Management, Confidential Clerical, and Other Unrepresented Employees' Resolution.

## IN SUMMARY

This Employee Handbook only summarizes some of the benefits, terms, and conditions of employment with the County of Ventura. For information not covered in this handbook or further clarification, contact the agency/department HR representative, the personnel representative, the immediate supervisor, or the County Human Resources Division at (805) 654-2639.

Finally, here are some of the resources that provide information regarding terms and conditions that affect County employees.

- » Memorandum of Agreement (union agreement) ([Click to view MOAs](#).)
- » Management, Confidential Clerical, or Other Unrepresented Employees Resolution ([Click to view Management Resolution](#).)
- » County of Ventura Personnel Rules and Regulations ([Click to view Personnel Rules and Regulations](#).)
- » County of Ventura Administrative Manual ([Click to view Administration Forms and Policies](#).)

Be a Part of  
Something  
Amazing!






**COUNTY** *of* **VENTURA**





**VCPWA Policy, Procedure & Standards Manual**

<b>Chapter:</b> PWA Information Technology		<b>Chapter Number:</b>	
<b>Policy/Procedure (<u>Underline One</u>):</b>		<b>Departments:</b> <input checked="" type="checkbox"/> CS <input checked="" type="checkbox"/> ES <input checked="" type="checkbox"/> RT <input checked="" type="checkbox"/> WP <input checked="" type="checkbox"/> WS	<b>Policy Number:</b>
<b>Adopted:</b> 9/29/2021	<b>Reviewed:</b> 9/29/2021	<b>Revised:</b>	<b>Version Number:</b> <b>1.2</b>
<b>Approved By:</b> Jeff Pratt, Agency Director	<b>Date:</b> 9/29/2021	<b>Signature:</b>  9/30/21	

**Departments/Staff Affected**

All Public Works Agency staff.

**Policy**

The Ventura County Public Works Agency (PWA) relies on information technologies to support the delivery of services and resources to citizens and to conduct its administrative and operational functions. The purpose of this document is to ensure technology is integrated into the Agency in alignment with its Mission, Vision and Values and the County Strategic Plan. In addition, it is critical that the Agency ensure the appropriate business use of information technology resources and to manage information technology acquisition and support costs.

The PWA Information Technologies Division (IT) is charged with ensuring this document meets Agency requirements, complies with County IT Services and County policy, and that PWA employees understand their responsibilities in the proper use of County provided technologies.



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## **1. Roles and Responsibilities**

### **a. PWA Information Technologies**

Under the direction of the Agency Directors, PWA IT is charged with oversight of the Agency's technology strategy and employment by providing information technology business alignment, strategy, and guidance to all PWA Departments regarding all aspects of information technologies. The IT Manager receives guidance and direction from key Agency decision makers and works with departments and IT Services to ensure that vision is executed.

### **b. GIS Oversight Committee**

The PWA GIS Oversight Committee is made up of Agency GIS professionals and meets at least quarterly to discuss GIS efforts and programs throughout the Agency to align the Agency's GIS strategy with that of ITSD and the County.

### **c. PWA Technology Team and Departmental Representatives**

The PWA Technology Team is made up of Agency representatives and meets at least quarterly to promote an IT governance structure designed to align the Agency's IT strategy with its business strategy. These individuals typically fulfill these roles as a collateral duty and help ensure technology needs/requests from their department are in accordance with technology policies and standards.

### **d. PWA Web Committee**

The PWA Web Committee is made up of Agency representatives and meets quarterly with the responsibility to administer and maintain PWA internet and intranet sites.

### **e. Information Technology Services Department (ITSD)**

PWA relies upon County IT for desktop support, application development (to include GIS services) and support, file and application server support, and network (both data and voice) support.

### **f. Electronic Equipment Inventory Representatives**

Each PWA department will identify staff to serve as Inventory Representatives. These individuals are at the management level and typically fulfill these roles as a collateral duty and are responsible for ensuring technology inventory control of resources within their department.

## **2. Annual Technology Compliance**

Upon initial hire and on an annual basis, employees are to review PWA and County IT policies and will be required to sign an annual Technology Compliance Form. This process is initiated and maintained by PWA IT. If an employee refuses to sign the Compliance Form the matter will be escalated to PWA Human Resources and/or the Agency Director.

All policies are subject to amendment. Please refer to the Public Works Agency Shared Folder ([PWA Standards and Templates](#)) for the official, most recent version.



### **3. User Network Account Maintenance**

PWA IT is responsible for network and email user account maintenance, to include licensing. With that, it is critical PWA staff inform PWA IT of any user changes to include new hires, leave of absence, termination, information changes, transfers, etc. To effectively track and manage these requests, a form and system has been developed, which typically is completed by the requesting department.

The form, as well as instructions for completing a request, can be found at:

<https://countyofventuraca.sharepoint.com/sites/PWA/Lists/PWA%20Technology%20User%20Form/AllItems.aspx>

#### **a. Shared Accounts**

Shared accounts (often called service accounts) are allowed by rare exception and are subject to approval by the PWA IT Manager. There are times when a shared account is used to provide authentication for a specific service and has therefore been rigidly secured.

#### **b. Password Requirements**

Network passwords are currently set to a minimum of 8 characters, will require a change every 90 days and are subject to automatic lockout after 5 failed attempts. Users are to keep their account information, specifically passwords, secured to their own person and are not to provide those accounts to anyone, to include supervisors or managers.

### **4. Technology Support and Service**

#### **a. Desktop Support**

To obtain desktop support, contact the IT Service Desk at 805-658-HELP or [it.servicedesk@ventura.org](mailto:it.servicedesk@ventura.org). Desktop support is considered “Break Fix” (immediate problem or system failure) and is part of the contract PWA has with IT Services. This may include, password resets, network issues, application failures, security updates and patching, installs, etc. An Incident (INC) will be assigned which is used to track and monitor the issue to completion. If an issue requires escalation, oversight or is a sensitive matter, coordinate with PWA IT.

#### **b. Service Requests**

Services may be required of IT Services that are outside of the scope of desktop support, to include application development or enhancements, web page creation, server hosting, etc. These services are typically provided at a cost. PWA staff are directed to coordinate these types of service requests through PWA IT to ensure that requested services are in keeping with the overall PWA technology vision.



**c. Application Development and Support**

Due to the varied nature of tools and applications, some systems and needs are beyond the scope of ITSD's capabilities. In those cases, it is incumbent upon the requesting department to work with PWA IT to ensure the systems and/or applications are consistent with Agency technology efforts and guidance for enterprise support. If contract support is required PWA IT will facilitate.

**d. GIS Support and Development**

PWA contracts with ITSD to leverage enterprise GIS resources to provide geospatial technologies to the Agency. PWA IT will partner with Agency GIS subject matter experts, the PWA GIS Oversight Committee and ITSD GIS staff to ensure that all technologies, methods, software, and implementations are consistent with the County's GIS vision.

## **5. Technology Standards**

PWA IT is committed to fiscal responsibility and ensuring that the appropriate technology is assigned to the appropriate employee. Non-standard or additional peripherals, appliances and devices are to be routed through PWA IT and the appropriate Department Director for approval. Through the acquisition of enterprise class hardware and long-term warranties, the intention is to ensure consistent and functional technology platforms with a planned lifecycle.

**a. Computer Hardware**

Computer hardware is to comply with County standards to facilitate networking and system integration, to provide for effective training and support, and to be consistent with County and ITSD standards and guidelines. Hardware standards are continually being evaluated, are presented to the Directors, and enforced by PWA IT. To ensure the PWA workforce is prepared for continuity of operations in extreme situations, efforts are being made to standardize on mobility. Following is a standard workstation setup:

- Microsoft Surface Laptop or Pro; or
- HP Small Form Factor PC; or
- HP Mini PC; and
- Dual 24" monitors; and
- Wireless keyboard and mouse combo; and
- Logitech H800 Bluetooth headphones (optional); or
- HP Printer (with management approval)

**b. Computer Software (premise and cloud based)**

The county's Business Technology Committee (BTC) is responsible for establishing approved software standards. Any software requirements outside of these standards may be subject to ITSD and/or ITC approval.



A complete list of ITSD approved software can be obtained at:

<http://vcportal.ventura.org/VCWEB/policies/docs/Computer%20Arch%20Standards%20Revised%202015%202003.pdf>. Given these restrictions, software standards are continually being evaluated by PWA IT.

**c. Cellular Equipment**

PWA IT negotiates with cellular providers for both plan and equipment agreements to achieve optimal service and pricing. Given these restrictions, cellular devices, plans, and standards are continually being evaluated through the Tech Team, approved by the Directors and enforced by PWA IT. Following are standard cellular items:

- Apple iPhone SE 2020 with Device Enrollment Plan (DEP)
- Apple iPad 8<sup>th</sup> Generation 128gb with Device Enrollment Plan (DEP)
- Devices will be protected with MaaS 360 Mobile Device Protection (MDM)
- Carrier services will be provided by Verizon Wireless

**d. All Other Equipment**

To ensure security and interoperability, all devices, and technologies outside the scope of this document are to be evaluated by PWA IT and ITSD prior to acquisition and deployment.

**e. Equipment Lifecycles**

To maximize equipment life, ensure responsible use of county resources, and take full advantage of manufacturer warranties, the following hardware lifecycles are established:

- Desktop PCs: 6 years
- Surface Laptops: 4 years
- Desktop Monitors: 12 years
- iPhones: 3 years
- iPads: 6 years
- Desktop Printers: 10 years

**6. INTERNET USE**

The County of Ventura provides internet resources for conducting official County business. While limited personal use is permitted per County policy, these resources are subject to monitoring and reports of excessive or inappropriate use are provided to management monthly. Per County policy, some sites or content may be blocked by the County’s Security Team. With justification, access may be granted – contact PWA IT for more information.

All policies are subject to amendment. Please refer to the Public Works Agency Shared Folder ([PWA Standards and Templates](#)) for the official, most recent version.



## 7. CELLULAR/MOBILE DEVICE USE POLICY

### a. **Device Assignment**

Mobile devices will be provided to staff whose job functions routinely require access to County email, calendars, databases, information, and data outside of the office or beyond normal working hours. Acquisition, assignment, and use will be governed by this policy and established guidance received by the Agency Director.

### b. **Appropriate Use**

In accordance with County policy, mobile device usage is entrusted to staff and will be governed by managers and supervisors. To protect the County, controls are in place to ensure appropriate use. Limited personal use (as defined by the Employee Technology Use Policy) of voice, data and texting is permissible; however, this is subject to management and director oversight. County devices are discoverable and there may be no differentiation between personal and County use. This is important to consider during litigation or discovery.

### c. **Mobile Device Management (MDM)**

To ensure controls are in place to protect County employees and resources, all mobile devices are to be enrolled in the MDM system. This system has controls in place to monitor and prohibit unauthorized use, app installation, content, etc. on County devices. MDM software is tamper-proof and cannot be uninstalled by a user.

### d. **Mobile Device Encryption**

Per County policy, all mobile computing devices (laptops, Windows tablets, etc) are to be encrypted with Symantec Full Disk Encryption or Windows BitLocker. This service is managed by County IT Services who will provide periodic compliance reports to PWA IT. Adhering to this policy is critical, especially in the event a device becomes lost or stolen.

### e. **DUO Authentication**

Two-factor authentication is used to provide for increased scrutiny of user authentication while outside of the County network. Already standard for VPN authentication, this is being extended to Office 365 and VCHRP access and will become the norm for all County users.

## 8. County Wi-Fi

The County of Ventura offers separate Wi-Fi networks available to employees, business partners and citizens. These three distinct networks are available in most County facilities and serve different purposes and therefore have separate controls in place to regulate and ensure appropriate use. If an employee attempts to connect to an unauthorized network from a county owned device, the device will be blacklisted and dropped from all county wireless networks. To have a device unblocked or for any other Wi-Fi related questions, contact PWA IT for further information.

All policies are subject to amendment. Please refer to the Public Works Agency Shared Folder ([PWA Standards and Templates](#)) for the official, most recent version.



To summarize the available wireless networks:

**VCWiFi** – Employee access while using county owned devices; to include laptops, some desktops, county issued phones and wireless devices. Access requests are to be submitted and approved at: <http://vcweb/requests/wirelessform.aspx>

**NCWiFi** – This network is intended for business partners such as consultants, visitors, contractors, etc. This is NOT to be used by employees from county owned devices. Access to this network by employees from personal devices may be subject to manager or director approval.

**VC Public** – This is an open network for citizens to use while in select county common areas. This is NOT to be used by employees or from county owned devices.

### **9. Remote Access (VPN)**

To enable remote access by mobile users, the County of Ventura can provide users with VPN capability. Access to the VPN requires DUO two factor authentication which requires the user to provide a PIN in addition to their password. Instructions will be provided to users requesting VPN access. Contact PWA IT for more information.

### **10. Personal Device Usage**

The Public Works Agency is committed to investing in appropriate technology for all staff. To reduce Agency liability and to ensure equipment is used within the expectations of the Agency, the use of personal technology equipment should be avoided by all staff and actively discouraged by leadership. Examples of technology equipment may include cell phones, laptops, tablets, cameras, audio visual equipment, drones, etc. Personal devices that are connected to County resources may be discoverable and there may be no differentiation between personal and County use.

If given approval to utilize personal equipment, users must be aware that when an email profile is created on their smart device, it creates a connection to the Office 365 enterprise infrastructure. Upon departure from County service (dismissal, retirement, termination, etc.), IT Services will initiate a data wipe command to the personal device, which removes the email profile loaded on the device. Users are encouraged to consider this before connecting their personal device to the infrastructure.

### **11. Internet and Intranet Site Maintenance and Support**

The PWA Web Committee has overall responsibility to administer and maintain all PWA internet sites. While this committee is responsible for developing direction and guidance of web resources, the PWA IT Manager has ultimate responsibility for execution and implementation. If a requirement falls outside the scope or capabilities of PWA staff, IT Services will be contracted to assist.

All policies are subject to amendment. Please refer to the Public Works Agency Shared Folder ([PWA Standards and Templates](#)) for the official, most recent version.



## **12. Technology Acquisition**

PWA IT will work with departments to make sure they understand upcoming technology refreshes so budgets can be planned appropriately. Ultimately it is the responsibility of departments and sections to budget in accordance with established technology standards.

Proposals for all new computer hardware, software or major enhancements to existing systems are to adhere to PWA standards and must be submitted through the Agency's chain of command. Depending on the cost or scale of the technology, additional County approval processes may be required. The PWA IT Manager will work with the PWA Tech Team, ITSD and the originating department to analyze technical requirements and develop proposals.

The above guidelines are applicable for all technology acquisitions or enhancements to include server hardware, virtual computing, database technologies, web languages, GIS licensing and product development, cellular device integration, security protocols, application development, software, services, etc.

## **13. Technology Inventory**

PWA IT is responsible for the accurate accounting and inventory of PWA technology assets throughout the Agency. In doing so, PWA IT will work with Departments to assign staff at the management level that will act as an Inventory Representative for their department.

An Electronic System Inventory Database (ESIDB) is used to manage the inventory and can be found at: <http://pwainventory/mainpage.aspx>. Changes in inventory assignments, to include disposal and lost/stolen reports are to be routed through departmental Inventory Representative(s). PWA IT will conduct inventory process training with staff and will conduct an annual technology inventory.

## **14. Reporting Lost, Stolen or Missing Equipment**

Public Works Agency employees are often deployed in the field, often in rugged or hazardous conditions. Electronic devices in use by PWA staff are centrally managed by IT which provides the ability to remotely lock, wipe, locate or manage devices. If equipment becomes lost or stolen it is critical that staff immediately inform the PWA IT Manager. The purpose of this is to first protect County data, and second to attempt to recover the asset. Once PWA IT is notified:

- Senior management will be notified to mitigate potential county data exposure,
- Encryption validation and device management will be confirmed,
- Efforts will be made to restrict or eliminate access to data,
- Attempts will be made to locate and render the device inoperable,
- If the device is damaged or permanently lost, a replacement device will be ordered.

To protect the County and the Agency it is critical that employees notify PWA IT immediately after a loss has been discovered.

All policies are subject to amendment. Please refer to the Public Works Agency Shared Folder ([PWA Standards and Templates](#)) for the official, most recent version.



# COUNTY OF VENTURA

## EMPLOYEE TECHNOLOGY USE POLICY



APRIL 11, 2007



**COUNTY OF VENTURA**

**EMPLOYEE TECHNOLOGY USE POLICY**

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# **EMPLOYEE TECHNOLOGY USE POLICY**

## **INTRODUCTION**

All of the technological tools furnished to County employees are public property, subject to the dominion and control of the County. Employees have no right or expectation of privacy in those tools, which may be inspected by County representatives without notice.

This policy establishes privileges and additional responsibilities for employees. It recognizes employees as responsible individuals who are the key to making government more responsive to its citizens. It allows employees to use County office equipment for non-government purposes when such use involves minimal additional expense to the government, is performed on the employee's non-work time, does not interfere with the mission or operations of a department or agency and does not violate standards of ethical conduct.

County employees should be provided with a professional supportive work environment. They should be given the tools needed to effectively carry out their assigned responsibilities. Allowing limited personal use of these tools helps to enhance the quality of the workplace and helps the County retain highly qualified and skilled workers. The use of modern information technology has raised new opportunities for its use by employees to live their lives more efficiently in balance with the overriding imperative that taxpayers receive the maximum benefit for their tax dollars.

County business partners, contractors, or other individuals who utilize or access County-owned technology pursuant to County prior approval shall be required to sign and abide by the terms and conditions contained within this and all referenced County technology policies.

## **1. EMPLOYEE RESPONSIBILITIES**

- A. Computer password(s) will be protected. Computer password(s) should not be shared with anyone unless there is a legitimate business requirement. Password(s) should be changed frequently. It is generally recommended to not write down passwords. However, if you must write down a password to document or remember it, do so in a secure manner. For example, do not write down passwords and post them on your monitor, under your keyboard, or in your work area. But, a password kept in your wallet would generally be secure.
- B. Access to computer systems, data, and networks: Employees may access data or other information for which they have been authorized in the normal performance of their job duties. Privacy of clients and co-workers should be respected by not sharing information unless required for business purposes. The only authorized method for remote access to the County computing network is through the equipment and security software provided by the Information Technology Services



## **EMPLOYEE TECHNOLOGY USE POLICY**

Department. Knowledge of these resources, and employee use, should be in conformance with the County's policies for Internet Access, E-Mail, and Network Access.

- C. Only legally acquired and licensed computer software may be used. There is a significant financial liability to the County if computer software that has not been legally obtained is used on County-owned equipment. The documentation provided with the software should be checked to see if it was legally acquired before copies are made for others. Generally, copies of software should be made for back-up purposes only.
- D. Use of non-County-owned software must be authorized. There is a potential for introducing a virus into a County-owned system, and possibly even Countywide, whenever outside software is used. If there is a need to use an outside software program for business purposes, permission should be obtained from the department head or his/her designee.
- E. Access and use of the County's computer systems, data, and networks shall be done only through a combination of a duly assigned login or username and computer password. This combination of a duly assigned login or username and computer password, when utilized to access software applications that automate or create official County records or business transactions, constitutes an electronic or digital signature. Use of an electronic or digital signature shall have the same force and effect as a manual signature.

## **2. "LIMITED PERSONAL USE" OF COUNTY OFFICE EQUIPMENT**

- A. Employees are authorized limited personal use of County office equipment. This personal use must not result in loss of employee productivity or interference with official duties. Moreover, such use should incur only minimal additional expense to the County in areas such as:
  - Communications infrastructure costs; e.g., telephone charges, telecommunications traffic, etc.
  - Use of consumables in limited amounts; e.g., paper, ink, toner, etc.
  - General wear and tear on equipment
  - Data storage on storage devices
  - Transmission impacts with moderate e-mail message sizes, such as e-mail with small attachments

## EMPLOYEE TECHNOLOGY USE POLICY

- B. Minimal additional expense means that the employee's use of County office equipment is limited to those situations where the County is already providing equipment or services and the employee's use of such equipment or services will not result in any additional expense to the County, or the use will result in only normal wear and tear or the use of small amounts of electricity, ink, toner, or paper. Examples of minimal additional expenses include making a few photocopies, using a computer printer to print a few pages of material, making occasional brief personal phone calls (within agency policy), infrequently sending personal e-mail messages, and limited use of the Internet for personal reasons.
- C. Employees are expected to conduct themselves professionally in the workplace and to refrain from using County office equipment for activities that are inappropriate. Unless required in the performance of an individual's job duties, inappropriate personal use of County office equipment includes:
- Any personal use that could cause congestion, delay, or disruption of services to any government system or equipment. For example, greeting cards, video, sound or other large file attachments can degrade the performance of the entire network. "Push" technology on the Internet and other continuous data streams would also degrade the performance of the entire network and be an inappropriate use.
  - Using the County systems as a staging ground or platform to gain unauthorized access to other systems.
  - The creation, copying, transmission or retransmission of chain letters or other unauthorized mass mailings regardless of the subject matter.
  - Using County office equipment for activities that are illegal, inappropriate, or offensive to fellow employees or the public. Such activities include, but are not limited to, hate speech, or material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation.
  - The creation, download, viewing, storage, copying, or transmission of sexually explicit or sexually oriented materials.
  - The creation, download, viewing, storage, copying, or transmission of materials related to illegal gambling, illegal weapons, terrorist activities, and any other illegal activities or activities otherwise prohibited.
  - Use for commercial purposes or in support of "for-profit" activities or in support of other outside employment or business activity (e.g., consulting for pay, sales or administration of business transactions, sale of goods or services).



## EMPLOYEE TECHNOLOGY USE POLICY

- Engaging in any outside fund-raising activity, endorsing any product or service, participating in any lobbying activity, or engaging in any prohibited partisan political activity. State law makes it clear that a person improperly expending public funds for political purposes is personally liable to repay such funds. (*Stanson v. Mott* (1976) 17 Cal.3d 206.)
  - Use for posting agency information to external newsgroups, bulletin boards or other public forums without authorization. This includes any use that could create the perception that the communication was made in one's official capacity as a County employee (unless appropriate approval has been obtained) or uses at odds with the agency's mission or positions.
  - Any use that could generate more than minimal additional expense to the County.
  - The unauthorized acquisition, use, reproduction, transmission, or distribution of any controlled information, including computer software and data, that includes privacy information, copyrighted, trade marked or material with other intellectual property rights (beyond fair use), proprietary data, or export controlled software or data.
- D. It is the responsibility of employees to ensure that they are not giving the false impression that they are acting in an official capacity when they are using County office equipment for non-government purposes. If there is expectation that such a personal use could be interpreted to represent an agency, then an adequate disclaimer must be used. One acceptable disclaimer is – *"The contents of this message are mine personally and do not reflect any position of the County or my agency."*
- E. Limited personal use is to occur only during an employee's non-work time, such as before or after scheduled work hours, lunch periods, weekends, or holidays.
- F. The types of equipment that may be used by employees for limited personal use include the following: personal computers and related peripheral equipment and software, library resources, telephones, facsimile machines, photocopiers, office supplies, Internet connectivity and access to Internet services, and e-mail.
- G. Use of County-owned cellular telephones, or other wireless telecommunication devices, shall be consistent with, and is governed by, the County's Cellular Telephone Acquisition and Use Policy.

# **EMPLOYEE TECHNOLOGY USE POLICY**

## **3. DEPARTMENT RESPONSIBILITIES**

- A. Ensure that their employees read and understand this policy, as well as the County's policies governing Internet, Network, Cellular Telephone, and E-Mail system access and use.
- B. All County employees using County technology covered by this policy, must sign this policy upon initial hire and on a reoccurring basis upon material changes to this policy, as recommended by the County Information Technology Committee and approved by the County Executive Officer. Such signature affirms their understanding, acceptance and adherence to this and the referenced policies on Internet, Network, Cellular Telephone, and E-Mail system access and use.

## **4. MONITORING AND RETENTION**

County employees do not have a right, nor should they have an expectation, of privacy while using any County information technology at any time. Ventura County retains the right to examine, retain, or limit the use of all electronic storage media, data files, logs, voice and data network transmissions, and programs used on County-owned computers and other information processing technological equipment. In addition, by using this technology, employees' consent to monitoring, recording, and data retention requirements is implied with or without cause. However, the County recognizes that certain agencies have a duty of confidentiality imposed by law. For those agencies, in the event that data or data files must be accessed, confidentiality will be maintained.

Monitoring shall only be authorized by the County Executive Officer, the head of the affected agency/department, or by a person specifically designated by the head of the affected agency/department

## **5. POLICY CHANGES AND EMPLOYEE DISCIPLINE**

This Technology Use Policy is intended as a starting point and may be modified by individual agency or department heads to include additional restrictions. This policy is subject to conditions and limitations which may be imposed by the County Counsel whenever the County Counsel determines that any use of the County's technological tools covered by this policy is subject to applicable state or federal laws and regulations concerning electronically stored information. Any violation of this Technology Use Policy may result in disciplinary action.



# COUNTY OF VENTURA

## ELECTRONIC MAIL POLICY



BOARD APPROVED MARCH 7, 1995

REVISED OCTOBER 1, 2008

**COUNTY OF VENTURA**

**ELECTRONIC MAIL POLICY**

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## **ELECTRONIC MAIL POLICY**

### **USE FOR BUSINESS PURPOSES**

The electronic mail (e-mail) system is provided to employees at the County's expense to assist them in carrying out County business. The e-mail system permits employees to communicate with each other internally and with selected outside individuals and organizations. The e-mail system is to be used for business-related purposes to transmit business information. Personal use of the e-mail system must be in compliance with the County's Employee Technology Use Policy. Agency/department heads are responsible for enforcing these policies for their respective departments.

### **PROHIBITED USE OF E-MAIL FOR PUBLIC RECORDS**

County staff are not to use County e-mail for communications which constitute public record. Any communications received by County staff in the course of normal business which constitute a public record are to be reduced to hard copies and the e-mail version deleted.

Although it is possible for County e-mail to constitute a public record, Section 6254 provides the following exemption as reads in part as follows:

"(a) Preliminary drafts, notes, or interagency memoranda that are not retained by the public agency in the ordinary course of business..."

Therefore, to prevent the need to disclose County e-mail as public record, County e-mail is to be used only to communicate such preliminary drafts, notes, or interagency memoranda that are not retained by the public agency in the ordinary course of business.

Government Code section 6252 defines public records and reads in part as follows:

"(e) 'Public records' includes any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency..."

"(f) 'Writing' means handwriting, typewriting, printing, Photostatting, photographing, and every other means of recording upon any form of communications or representation, including letters, words, pictures, sounds or symbols or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched card, discs, drums, and other documents."

# **ELECTRONIC MAIL POLICY**

## **RETENTION**

E-mail is to be retained in electronic form for no more than two years from the date of creation or receipt. This limitation is to be enforced through automatic, electronic means, and individual agencies and departments are encouraged to further abbreviate this two-year period to as short a time as possible. This E-mail retention and limitation policy may be temporarily suspended, wholly or partially, or modified by the County Counsel whenever the County Counsel determines that E-mail may be or is the subject of litigation disclosure of electronically stored information (ESI) pursuant to Federal Rules of Civil Procedure Rule 26 or other laws.

All unsolicited, non-business e-mail received by County staff is to be deleted immediately.

## **PRIVACY**

Ventura County management reserves the right to review an employee's electronic mail at any time to ensure the proper use of County resources or to comply with rules requiring disclosure of ESI. Improper uses include the use of electronic mail for any non-County business. No user of the County electronic mail system should have an expectation of privacy in its use.

The County of Ventura has the capability to review, copy, and delete any messages sent, received, or stored on the e-mail system. The County reserves the right to access, review, copy, or delete all messages for any purpose and to disclose them to any party it deems appropriate or as required by applicable state or federal law. However, the County recognizes that certain agencies have a duty of confidentiality imposed by law. For those agencies, in the event that e-mail must be accessed, confidentiality will be maintained.

## **E-MAIL CONTENT AND ETIQUETTE**

County e-mail is not to include content which may be deemed harassing, sexual, offensive, or otherwise inappropriate.

E-mail messages may be read by someone other than the addressee you send them to and may possibly be disclosed to outside parties. Accordingly, care is to be taken to ensure that messages are courteous, professional, and businesslike.



## **ELECTRONIC MAIL POLICY**

### **FORWARDING OF E-MAIL**

GroupWise mailboxes should not be set up to automatically forward e-mail messages to an external mailbox. Automatic Forwarding poses a security risk for the County as messages that travel over the Internet are clear-text and subject to eavesdropping by anyone.

### **E-MAIL MESSAGE SIZE LIMITATIONS**

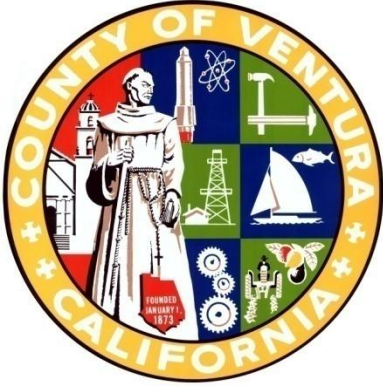
Messages with large attachments delay e-mail delivery for the entire County. To prevent problems related to e-mail with large attachments, a limit of 50 Mega Bytes is required on County business related incoming/outgoing Internet mail. Non-County business related attachments of the same or lesser size that are known to slow down e-mail delivery may be dropped altogether.

### **ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS**

Some of the messages sent, received, or stored on the County e-mail system will constitute confidential, privileged communications between the County and either its inside or outside attorneys. Upon receipt of a message either from or to counsel, do not forward it or its contents to others inside the County without counsel's authorization. Never forward such messages or their contents to any outsiders.

### **COUNTYWIDE E-MAIL BROADCASTS**

County e-mail exists for the purpose of conducting the business of the County. County e-mail shall not be used to announce, advertise, or otherwise promulgate any event, cause, organization, or activity that is not an official County of Ventura function or program. Any use of the e-mail system to promulgate a legitimate event Countywide must be requested by the agency/department head and approved by the County Executive Office.



# CELLULAR DEVICES

County Executive Office

Information Technology Services

## Ventura County Cellular Device Policy





Document Information and Version Page

<b>Document Name:</b> Ventura County Cellular Device Policy	<b>Document Number:</b> CSP-001
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1.1	11/08/2011	Typographical correction on page 5



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## **I. PURPOSE**

This policy specifies the proper acquisition and use of cellular devices and works in concert with the County's Employee Technology Use Policy. The policy's flexibility enables agencies and departments to leverage the right tools in order to provide the best service to our community while minimizing associated costs.

## **II. COUNTY OWNED CELLULAR DEVICE ISSUANCE CRITERIA**

Individual agency/ department directors are responsible for determining the business need and authorizing issuance of County-owned cellular device. Such determination is not to be based on position or title within the organization and the justification should be consistent with one or more of the following criteria:

1. Emergency Services/First Responders – the County employee requires immediate direct communications in order to provide for the safety of citizens, County employees, or County assets.
2. 24x7 Accessibility– the nature of the County employee's work assignment requires frequent, immediate direct communications or access to time sensitive information to conduct County business on a 24x7 schedule and use of a cellular device would be more cost effective and productive than alternative methods of communication.
3. Frequent Field Work - the nature of the County employee's work assignment requires frequent travel to remote work areas to conduct County business and use of a cellular device would provide a cost effective and productive method of communication.
4. Pooled Cellular Device – Employees may share cellular devices that are not assigned to a specific employee on an as needed basis. Pooled cellular devices can be made available by the department at the director's discretion. Pooled device use must still be justified using criteria #1 thru #3.

### Personal Cell/Smart Phone Use

If an employee's data and/or phone usage is less than 30 minutes per month on a County-owned cellular device and it is not necessary for the employee to have access to County email and



calendar, department directors are encouraged to have the employee utilize their personal cellular device.

Employees whose needs are consistent with the above guidelines but choose to use their personal cellular device rather than be provided a County cellular device to conduct County business may be approved for reimbursement of their County business usage. This reimbursement will be the indicated value of the County business call minutes on the bill. The employee will be required to provide a copy of their detailed billing in order to receive such reimbursement. The County reserves the right to deny reimbursement where it is determined that there was not a justified business need or where it is determined that there was a more economical means of communication (i.e., land-line telephone). Employees choosing to use their personally owned cellular device and want to sync these devices to the County email system must have the approval of their agency/department director.

Data usage on personal cellular devices will not be reimbursed due to the difficulty in identifying personal vs business use.

### **III. CELLULAR DEVICE USAGE**

County-owned cellular devices are to be used primarily for County business and in a manner consistent with the County Employee Technology Use Policy. Personal cellular device use reimbursement is governed by Category II, “County-Owned Cellular Device Issuance and Justification” of this policy and takes precedence over that specified within the County Employee Technology Use Policy.

In order to better ensure the safety of our employees and citizens, cellular device use while driving on duty, driving any County-owned vehicle, or conducting County business on a personally owned cellular device will be limited as follows:

- A. Receiving telephone calls is acceptable while actively driving if the phone or vehicle is equipped with a “hands free” system (e.g. Bluetooth). Cell/smart phone calls may be initiated if they are equipped with a voice activated dialing function. Otherwise, drivers conducting County business or using County vehicles shall pull over to the side of the road at a safe location, stop the vehicle, and then operate the cellular device.
- B. Drivers, while actively driving on County business or using County owned vehicles, are not to use any functionality on their cellular devices (e.g. calendaring, Internet, sending or reading received text or email messages).





- C. It is recognized that public safety officials and uniformed officers receive advanced defensive driving training. Therefore, the use of cellular and other electronic communication devices by public safety officials and uniformed officers is dictated by the urgency required at any moment, as long as such use is within the boundaries defined by their defensive driving training.
- D. Cellular device based Global Positioning System (GPS) may be utilized on County provided telephones to enhance employee safety.

County of Ventura agencies and departments may adopt additional work rules concerning the use of cellular device technology during work hours, and employees must fully comply with individual work rules governing cellular device use.

#### **IV. CELLULAR DEVICE ACQUISITION**

Agencies and departments may select a service provider and service plan of their choice that provides the best service coverage for their location(s) that is the most cost effective from among those vendors authorized by the General Services Agency, Procurement Services. This information may be obtained by phone (654-3750) or from the "Price Agreements" page of the Procurement Services website.

Phone selection should be consistent with acquiring the least expensive phone meeting the business needs of the employee's job function. All cellular devices ((e.g. phone, iPad, etc.) costing in excess of \$300 dollars, including accessories, require additional approval of the County Executive Officer or their appointed designee.

Employees who want to move from having a County-owned cellular device to a personally-owned cellular device and wish to keep their existing equipment, may purchase their County-owned cellular equipment on a two year depreciation schedule based on the original purchase price. If the equipment was provided to the County by the service provider at no cost the County may choose to transfer the asset immediately to the Employee(s).

Service plan selection is to be consistent with acquiring the least expensive pooled minutes service plan or per minute rates required to address the business needs of the organization and employee.

Employees issued County-owned cellular devices are responsible for safeguarding the County asset and may be responsible for the replacement cost of the device if it is lost or destroyed due to neglect by the employee. Employees are required to immediately surrender their County-owned cellular device at the request of the agency/department director or upon discontinuing employment with the County.



## **V. PERSONAL USE REIMBURSEMENT**

County-owned cellular devices are to be used primarily for County business. Agency/department directors must have a reimbursement policy that at a minimum provides for the following level of reimbursement for personal cellular device use:

Personal calls should result in no additional cost to the County. If additional costs over the base monthly plan amount occur and personal use minutes have been incurred, the employee is to reimburse the County for the amount the bill exceeds the monthly base plan rate or the total indicated value of the personal call minutes listed on the bill, whichever is less. All long distance, roaming, or other special charges associated with personal usage are also to be reimbursed by the employee.

Employees are strongly encouraged to abstain from downloading personal use applications to County-owned cellular devices.

Employees who download personal application(s) to their County-owned cellular device will be solely responsible for the application cost, support, and maintenance.

## **VI. CELLULAR DEVICE REPORTING AND SUBSCRIPTION PLAN REVIEWS**

A. Annual inventory and revalidation of cellular phone assignment.

Individual agency/department directors are responsible for conducting an annual inventory and revalidation of issuance criteria for all cellular phones issued by the agency/department. This annual inventory and revalidation will be as of December 31<sup>st</sup> of each year and will be provided to the County Executive Office by January 31<sup>st</sup> of the following year. The inventory and revalidation will utilize a standardized spreadsheet format containing the following information for each cellular device.

- Budget Unit
- Device number (telephone number)
- Employee Name or "pool"
- Device Type (cellular phone, Smartphone, Ipad or wireless air card)
- Issuance Criteria (1: First responder, 2: 24x7 Accessibility, 3: Frequent Field Work or 4: Pool)





**B. Aggregate Reporting.**

For aggregate reporting purposes The County of Ventura will work with each wireless carrier to establish a master account and sub account view of all County owned cellular devices. All agency/department cellular sub accounts are to fall under this master County account. This master account view will be used by IT Services to generate centralized reporting of the number of devices, type of device, usage and costs by agency/department. The master account view will not include access to individual call records. Access to the call record information will be restricted to the agency/department director or their designates.

**C. Periodic Plan Reviews.**

Agency/department directors are encouraged to work with IT Services or their wireless carrier to perform annual reviews on the department's cellular bills to match usage with optimal rate plans to ensure cost containment on a per device basis.

COUNTY OF VENTURA  
DRUG AND ALCOHOL POLICY

FOR

SAFETY-SENSITIVE EMPLOYEES



Effective January 1, 1995, the County of Ventura must comply with the United States Department of Transportation regulations implementing the federal Omnibus Transportation Employee Testing Act of 1991. Specifically, the County must comply with the regulations of the Federal Motor Carrier Safety Administration (FMCSA). The Federal Aviation Administration (FAA) and the United States Coast Guard (USCG) have also issued drug and alcohol testing regulations. Where applicable to the County, the requirements of those regulations are reflected in this Policy. Adoption of this Policy is one of the County's obligations under the regulations. This Policy sets forth the rights and obligations of covered employees. If you are an employee covered by these new requirements, you should familiarize yourself with the provisions of this Policy **BECAUSE COMPLIANCE WITH THIS POLICY IS A CONDITION OF YOUR EMPLOYMENT.**

**A. EMPLOYEE QUESTIONS:**

The regulations require that employers designate a person to answer employee questions about drug and alcohol testing. Employees shall refer any questions regarding his/her rights and obligations under the new regulations to the Personnel Officer or designee for each department.

**B. COVERED EMPLOYEES:**

Overall, the regulations cover drivers of commercial motor vehicles as defined in Section C below. A driver is any person who operates a commercial motor vehicle on a full-time, casual, intermittent or occasional basis. The County employees listed in a separate addendum to this Policy may be required to drive commercial motor vehicles, at least on an occasional basis. Therefore, each employee listed in the addendum (and applicants for such positions) is considered to be a "covered employee" subject to the provisions of this Policy. For purposes of pre-employment testing, the term "driver" includes persons applying for employment in a position requiring the driving of a commercial motor vehicle on at least an occasional basis.

The Director, Human Resources (or designee) may add or delete employee names from the list of covered employees based upon his or her determination that an employee's job duties mandate coverage under this Policy. The Director, Human Resources shall promptly notify any affected employee in writing that his or her name will be added to or deleted from the list of covered employees. The determination of the Director, Human Resources shall be final and binding.

### C. COVERED COMMERCIAL VEHICLES

The regulations cover drivers of the following commercial motor vehicles:

1. A vehicle with a gross combination weight of at least 26,001 pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
2. A vehicle with a gross vehicle weight of at least 26,001 pounds;
3. A vehicle designed to transport 16 or more passengers, including the driver; or
4. A vehicle used to transport those hazardous materials found in the Hazardous Materials Transportation Act.

### D. SAFETY-SENSITIVE FUNCTIONS:

The performance of any of the following on-duty functions by a covered employee in connection with that employee's operation, or scheduled operation, of a commercial motor vehicle is considered to be a safety-sensitive function:

1. All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty;
2. All time inspecting equipment such as brakes, steering mechanism, lights, tires, horn, windshield wipers, mirrors or coupling devices or otherwise inspecting, servicing, or conditioning any commercial motor vehicle;
3. All driving time;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in sleeper berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
6. All time spent performing driver requirements relating to accidents; or

7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

E. CONTROLLED SUBSTANCES:

For purposes of the federal regulations and this Policy, controlled substances mean marijuana, cocaine, opioids, amphetamines and phencyclidine. Covered employees are required to inform their supervisor of any therapeutic drug use prohibited by this policy (includes both prescribed and over-the-counter medications for treating specific ailments which contain alcohol or any of the controlled substances.) Covered employees are responsible for obtaining information from their physicians for any prescribed medication they are taking that may impact their ability to drive, and they must report such use to their supervisors.

F. PROHIBITED CONDUCT:

Covered employees may not be under the influence or in possession of controlled substances or alcohol during any work hours. Further, the regulations specifically prohibit certain conduct while performing and prior to performing safety-sensitive functions. Covered employees are prohibited from:

1. Reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration level of 0.04 percent or greater;
2. Performing a safety-sensitive function within four hours after using alcohol;
3. Being on duty or operating a vehicle described in Section C, above, while possessing alcohol or controlled substances;
4. Using alcohol or controlled substances while performing a safety-sensitive function;
5. Reporting for duty or remaining on duty requiring the performance of safety-sensitive functions when the employee used any controlled substances, except if the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a vehicle;



6. Reporting for duty or remaining on duty requiring the performance of safety-sensitive functions if the employee tests positive for controlled substances; or
7. Refusing to submit to any alcohol or controlled substances test required by this Policy. A covered employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.04 percent or greater on an alcohol test or tested positively on a controlled substances test.

In addition to the above prohibitions, employees are reminded of their obligations under the Federal Drug Free Workplace Act of 1988. All employees covered by this Policy have previously been provided with a copy of the County's Drug Free Workplace Statement and have signed an acknowledgement that they have read the Statement and agreed to comply with it.

G. CIRCUMSTANCES UNDER WHICH DRUG AND ALCOHOL TESTING WILL BE IMPOSED ON COVERED EMPLOYEES:

1. Pre-Employment Testing:

All applicants (whether by initial application or in connection with a transfer, promotion, or demotion) for positions involving the performance of safety-sensitive functions will be required to submit to pre-employment/pre-duty drug testing. Applicants will not be hired for, or transferred, promoted, or demoted to, a safety-sensitive position if they do not pass the test. A pre-employment alcohol test is not required by this policy.

2. Post-Accident Testing:

Post-accident drug and alcohol testing will be conducted on employees following an accident where the employee's performance cannot be discounted as a contributing factor.

The decision as to whether or not to test the employee will be left to a supervisory or management employee. The presumption is for testing. The only reason an employee will not be tested following an accident is if a determination is made that the employee's performance could not have been a contributing factor. If a fatality occurs, the employee **must** be tested irrespective of whether his/her involvement may be discounted. Post-accident alcohol tests shall be administered within two hours following an accident, and no test may be administered after eight hours.

A post-accident drug test shall be conducted within 32 hours following the accident. Documentation on the need for testing will be completed by the supervisor identifying the reason for the test with a copy provided to the employee. Tests not completed within the prescribed time frame will need to have documentation citing the reason for the failure to test.

According to the regulations and this Policy, post-accident tests are conducted after accidents where there has been a fatality. Also required when the employee receives a citation in one of the following situations:

- There has been disabling damage to a vehicle and it requires tow-away; or
- If there is bodily injury that requires treatment away from the scene of the accident.

The following table notes when a post-accident test is required to be conducted:

Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
Human fatality	YES	YES
	NO	YES
Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO
Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

3. Random Testing:

Covered employees will be subject to random alcohol and drug testing as follows:

A random alcohol test will be administered just prior to the employee performing a safety-sensitive function (i.e., driving,) while the employee is performing a safety-sensitive function, or just after the employee has stopped performing a safety-sensitive function. As of January 1, 2016, the County will subject at least 10 percent of the total number of covered employees to random alcohol testing per year.

A random drug test will be administered to at least 25 percent of the total number of covered employees per year. A covered employee may be subjected to drug testing even on a day in which the employee is not expected to perform a safety-sensitive function. Because all covered employees are part of the random selection for each test, some employees may be tested more than once in a year, while others are not tested at all.

On the date an employee is selected for random drug/alcohol testing, his/her supervisor will ensure his/her duties are covered. The employee will receive a written notice at some point during his/her shift indicating the time he/she is to report to the test location.



4. Reasonable Suspicion Testing:

Covered employees are also required to submit to an alcohol or drug test when a supervisor, trained in accordance with the regulations at 49CFR 382, has reasonable suspicion to believe the employee is under the influence of alcohol or controlled substances. The observation must be based on short term indicators, such as blurry eyes, slurring, or alcohol on the breath. The supervisor may not rely on long-term signs, such as absenteeism or tardiness, to support the need for a reasonable suspicion test.

The reasonable suspicion alcohol test will be administered within two hours of the observation. If not, the employer must provide written documentation as to why the test was not promptly conducted. No test may be administered after eight hours following the observation.

To ensure that supervisors are trained to make reasonable suspicion determinations, supervisors vested with the authority to demand a reasonable suspicion drug and alcohol test will attend at least one hour of training on alcohol misuse and at least one hour of training on controlled substances use. The training will cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

The need for a reasonable suspicion test will be documented by the supervisor with a copy provided to the employee. The supervisor shall advise the employee of his/her right to have a union representative present prior to the testing if a representative is available within a reasonable time (within one hour.)

5. Return to Duty/Follow-up Testing:

A covered employee who has violated any of the prohibitions of this Policy (see Section E) must submit to a return to duty test before he/she may be returned to a position requiring the performance of safety-sensitive functions. The test result must indicate an alcohol concentration of less than 0.02 percent or a verified negative result on a controlled substances test. In addition, because studies have shown that the relapse rate is highest during the first year of recovery, the employee will be subject to follow-up testing which is separate from the random testing obligation. The employee will be subject to at least six unannounced drug/alcohol tests during the first year back to the safety-sensitive position following the violation.

## H. PROCEDURES TO BE USED FOR DETECTION OF DRUGS AND ALCOHOL:

### 1. Alcohol Testing:

Alcohol testing will be conducted by using an evidential breath testing (EBT) device approved by the National Highway Traffic Safety Administration.

A screening test will be conducted first. If the result is an alcohol concentration level of less than 0.02 percent, the test is considered a negative test. If the alcohol concentration level is 0.02 percent or more, a second confirmation test will be conducted.

The procedures that will be utilized for alcohol testing are attached hereto as Appendix A.

### 2. Drug Testing:

The procedures that will be utilized for collection and testing of the specimen are attached hereto as Appendix A.

## I. REFUSAL TO SUBMIT TO AN ALCOHOL AND/OR DRUG TEST:

As set forth in Section F.7 above, a covered employee who refuses to submit to any required drug/alcohol testing will be treated in the same manner as an employee who tested positive.

A refusal to submit to an alcohol or controlled substances test required by this Policy includes, but is not limited to, the following:

- a. A refusal to provide a urine sample for a drug test;
- b. An inability to provide a urine sample without a valid medical explanation;
- c. A refusal to complete and sign the breath alcohol testing form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test;
- d. An inability to provide breath or to provide an adequate amount of breath without a valid medical explanation;
- e. Tampering with or attempting to adulterate the urine specimen or collection procedure;

- f. Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested;
- g. Leaving the scene of an accident without authorization from a supervisor or manager (who shall determine whether to send the employee for a post-accident drug and/or alcohol test), unless the employee has a valid reason for not obtaining such authorization; or
- h. Consuming alcohol during the eight hours immediately following an accident, unless the employee has been informed that his/her actions have been discounted as a contributing factor, or if the employee has been tested.

J. CONSEQUENCES FOR EMPLOYEES FOUND TO HAVE ALCOHOL CONCENTRATION LEVELS OF 0.02 PERCENT OR GREATER BUT LESS THAN 0.04 PERCENT:

An employee whose alcohol test indicates an alcohol concentration level between 0.02 percent and 0.039 percent will be removed from his or her safety-sensitive position for at least twenty-four hours. Such an employee may be subject to discipline up to and including termination. The County will then retest the employee. Before the employee may be returned to his/her safety sensitive position, the employee's alcohol concentration must indicate a concentration below 0.02 percent.

K. CONSEQUENCES OF FAILING AN ALCOHOL AND/OR DRUG TEST:

A positive result from a drug or alcohol test may result in disciplinary action, up to and including termination, in accordance with the County's existing disciplinary rules and procedures.

If a covered employee is not terminated, the employee:

1. Must be removed from performing any safety-sensitive function;
2. Must submit to an examination by a substance abuse professional (SAP.) Upon a determination by the substance abuse professional, the employee may be required to undergo treatment to cure his/her alcohol or drug abuse. The County is not required to pay for this treatment;
3. May not be returned to his/her former safety-sensitive position until released by the SAP and the employee submits to a return-to-duty



controlled substance and/or alcohol test (depending on which test the employee failed) which indicates an alcohol concentration level of less than 0.02 percent or a negative result on a controlled substance test;

4. Will be required to submit to unannounced follow-up testing after he/she has been returned to his/her safety-sensitive position. See Section G.5., above.

L. INFORMATION CONCERNING THE EFFECTS OF ALCOHOL AND CONTROLLED SUBSTANCES AND AVAILABLE METHODS OF INTERVENTION:

Information on the effects of alcohol and the various controlled substances which are tested for under this Policy are available from the County of Ventura Employee Assistance Program (EAP.) The EAP is also available for employees seeking help with alcohol and/or controlled substance abuse. For information about the Employee Assistance Program please contact their office at 654-5138.

M. CONFIDENTIALITY PROCEDURES FOR INTERNAL CONTROL

Laboratory reports or test results shall not appear in an employee's general personnel file. The Human Resources Division will keep under their control information of this nature in a separate, secured confidential medical file, access to which will be limited to those individuals with a "need-to-know" as defined by Federal regulation. Supervisors, managers, and other staff with such knowledge are not to discuss or disclose the results of any employee's drug/alcohol tests with other employees, except under approved reasons as delineated by County policy.

The Director, Human Resources may disclose reports or test results to County management on a strictly need-to-know basis, any DOT or State agency with regulatory authority over the County or its drivers, the National Transportation Safety Board when investigating and accident, the "decision maker" in legal proceeding, and to the tested employee upon request. Disclosures, without employee consent, may also occur in accordance with Federal regulations.

Employees' confidentiality is also protected in regard to disclosure by supervisors of any over-the-counter or prescription medications, when the employee has notified the supervisor of such use as mandated by this policy. Supervisors, managers, and other staff who violate this confidentiality policy may be subjected to disciplinary action up to and including termination.

## APPENDIX A

### TESTING PROCEDURES

All testing will be coordinated by a qualified vendor certified to conduct alcohol and drug tests in accordance with guidelines as required by 49 CFR 40, using the following procedures. Specimen collection and analysis will be conducted at the employee's work site, a secured County facility, or at a certified laboratory.

#### A. ALCOHOL TESTING PROCEDURES

1. The employee arrives at the testing site.
2. If the employee does not arrive at the designated time for testing, the supervisor or designee will be notified for appropriate action.
3. The employee must present to the Breath Alcohol Technician (BAT) a photo ID for identity verification. If unable to verify the employee's identity the BAT will notify the employee's supervisor to establish a positive identification. If this is not possible, the test is terminated.
4. The employee being tested may request to view the ID/certification of the BAT prior to testing.
5. After the employee's identity has verified, Step 1 of the U.S. Department of Transportation (DOT) Breath Alcohol Testing form will be completed by the BAT.
6. The employee will sign and date the DOT Breath Alcohol Testing form in Step 2. If the employee refuses to sign the form, it is regarded as a refusal to take the test. An employee who refuses to take the test will be treated in the same manner as an employee having an alcohol concentration level of 0.04 percent or greater.
7. An employee may be given an initial test for alcohol by a BAT using either a saliva test kit or an evidential breath testing (EBT) device. The saliva test may be also administered by a trained County supervisor. If the initial test results are negative, a DOT Breath Alcohol Testing form will be completed, noting the results, and a copy given to the employee.

If the initial test indicates an alcohol concentration level of 0.02 percent or greater, a confirmation test must be conducted by a BAT using an EBT device. The following procedures will be used for the confirmation test:

- a. The BAT will explain that a confirmation test is required.

- b. The employee must remain in the room under observation of the BAT for a 15-minute waiting period. During this period the employee may not eat, drink, or put any object or substance into his/her mouth.
- c. The confirmation test will be conducted at least 15 minutes but no longer than 20 minutes after the completion of the initial test.
- d. The employee and the BAT shall read the sequential test number displayed on the EBT device used for the test.
- e. Under observation by the BAT, the employee will open an individually sealed mouthpiece and attach it to the EBT device according to instructions.
- f. The employee will blow forcefully into the mouthpiece for at least six seconds or until the EBT device indicates that an adequate amount of breath has been obtained.
- g. Once the test is completed the BAT will complete Step 3 of the DOT Breath Alcohol Testing form.
- h. The employee will sign Step 4 of the DOT Breath Alcohol Testing form stating that the test results information on the form matches that indicated on, or printed by, the EBT device and that the employee must not perform safety-sensitive duties or operate heavy equipment if the results indicate an alcohol concentration level of 0.02 percent or greater.
- i. If the test results indicate an alcohol level of less than 0.02 percent the test is complete. A copy of the DOT Breath Alcohol Testing form will be given to the employee, a copy forwarded to the supervisor, and the original retained by the BAT.
- j. If the results of the confirmation test are different from the results of an initial test conducted with the same EBT device, the confirmation test results will be considered the accurate results.
- k. If the results of the confirmation test indicate an alcohol concentration level equal to or greater than 0.02 percent, the BAT will contact the employee's supervisor for further instructions before releasing the employee from the test site.
- l. Employee's with a test result indicating an alcohol concentration level equal to or greater than 0.02 percent are not to drive or engage in any safety-sensitive duties until directed otherwise by their supervisor and in accordance with this policy.
- m. All test results will be transmitted in conformance with confidentiality procedures described in this policy.



## B. DRUG TESTING PROCEDURES

1. The urine specimen will be split into two bottles labeled as “primary” and “split” specimen. Both bottles will be sent to the laboratory;
2. The urine sample will be tested for the presence of the following: marijuana, cocaine, opioids, amphetamines, and phencyclidine;
3. If the test is positive for one or more of these drugs, a confirmation test will be performed using gas chromatography/mass spectrometry analysis;
4. All drug test results will be reviewed and interpreted by a physician before they are reported to the employee and then to the County; and
5. With all positive drug tests, the physician (a.k.a. medical review officer (MRO)) will first contact the employee to determine if there is an alternative medical explanation for the positive test result. If documentation is provided and the MRO determines that there was a legitimate medical use for the prohibited drug, the test result may be reported to the County as “negative.”
6. If the urinalysis of the primary specimen tests positive for the presence of illegal, controlled substances, the employee has the right to request that the split specimen be analyzed by a different certified laboratory. This request must be made within 72 hours after notification of such positive results. Cost of the split specimen analysis must be paid by the employee.

## SUBSTANCE ABUSE PROFESSIONAL (SAP)

Under the Department of Transportation (DOT) regulations, the Substance Abuse Professional (SAP) was established as the professional responsible for evaluating, referring and monitoring any individual involved in an effort towards rehabilitation. Given the Employee Assistant Program's (EAP) established role within the County as an assessment and referral agency, it has assumed the responsibilities of the SAP under the DOT regulations.

The regulation established a standard qualification for a SAP which would be applicable within all states and which allowed for an emphasis in clinical knowledge and experience in the diagnosis and treatment of substance abuse. Under the regulation a "Substance Abuse Professional" means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission), with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug related disorders. Federal register 59(31):7316-7317.

### EVALUATION

The SAP is to evaluate an employee who has been tested positive for alcohol and drugs to determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substance use. Federal Register 59(31):7514. If the assessment results in the SAP determining that a drug problem exists, a rehabilitation plan is recommended. This plan can incorporate any number of the levels of care available in the treatment of the individual's problem.

The evaluation and recommendations remain separate from any disciplinary action which may take place, up to and including termination. The regulations require a referral to the SAP regardless of actions taken by the employer.

### NO REFERRAL REQUIRED

Following an evaluation, the SAP may determine that there is not condition of chemical dependency for which rehabilitation is necessary. Despite the absence of a rehabilitation plan, the SAP can still recommend continued unannounced testing. However, such a procedure is not required.

### REFERRAL TO TREATMENT

If the SAP recommendation upon assessment is rehabilitation for an alcohol or drug problem, the SAP must prescribe a specific rehabilitation plan. It is not the obligation of the employer to support the rehabilitation plan or pay for it. The regulation enables the employer to terminate any employee who tests positive regardless of SAP recommendations.

If rehabilitation is supported by the employer and there is an interest in returning the

employee to active duty, the employee can elect to adhere to the recommendation of the SAP as a means of saving his job.

The DOT regulations clearly outline several guidelines for appropriate referral. The SAP cannot refer an individual to the SAP's own private practice or to a person or organization in which the SAP has a financial interest. The SAP can refer an employee to a public agency, to the employer's contract provider of alcohol and drug treatment services, to the sole source of therapeutic services under the employer's health benefit or to the sole source of therapeutic services reasonable accessible to the employee.

#### RETURN TO DUTY TESTING

It is the SAP's responsibility to inform the employer as to whether the employee has properly followed the requirements of rehabilitation. However, at this point, a return to duty test must be conducted to enable the employee to return to work. It is the employer who decides after consultation with the SAP and Medical Review Officer (MRO) as to returning the employee to a safety-sensitive position.

The SAP can recommend both alcohol and controlled substance testing even if the original positive was for one or the other. Under the regulations, the employer has the authority to enforce the recommendations of the SAP in requiring return to duty tests.

#### FOLLOW-UP TESTING

The SAP is required to prescribe a minimum of six unannounced follow up tests over a 12 month period. However, the SAP has the discretion to increase the frequency of testing. The SAP can then choose to discontinue testing following the first six mandated tests or can elect to continue a follow-up testing and monitoring schedule.

In addition, the SAP has the authority to monitor the progress of the employee for a period of 60 months (five years) from the date the employee returns to work, including the continuance of testing throughout that period.



## REHABILITATION

DOT rules do not *require* rehabilitation. The opportunity for rehabilitation is subject to the conditions established in the County's Drug and Alcohol Workplace policy. An employee's willingness to accept the opportunity for evaluation and rehabilitation does not impact or supersede the County's ability to implement disciplinary action. An employee who has admitted to drug or alcohol use and participates in the evaluation process will be provided recommendations for rehabilitation regardless of the level of disciplinary action imposed including termination.

### WHEN REHABILITATION IS RECOMMENDED

Some level of rehabilitation will be recommended in any instance where there is an assessed symptom of chemical dependency. In rare instances, where the SAP determines that no chemical dependency exists, and rehabilitation may not be necessary. However, the employee will continue to be subject to the other conditions of the County's Drug and Alcohol Workplace Policy.

### REHABILITATION AGREEMENT

Prior to the initiation of rehabilitation, the SAP will offer recommendations to the employee regarding treatment needs. A rehabilitation agreement will be generated which will outline the specifics of the treatment expectations. As rehabilitation is considered an ongoing long term process, the agreement will incorporate both a set of expectations to be met prior to the employee's return to work or "pre-return to work agreement" as well as requirements which will be required after the employee is considered to be fit to return to work or "after care agreement".

### ABSENCE FROM WORK

When rehabilitation is recommended, and the workplace has indicated that the employee is expected to return to work following rehabilitation, some time away from work may be necessary, particularly in the early phases of treatment. During such an absence the employee is on unpaid status but able to draw from any accrued compensatory time such as vacation time, sick time, or annual leave.

In some instances, the employee may be allowed to return to work while continuing to participate in rehabilitation (a return to work test will be required). The reason for this flexibility is that the level of treatment required may vary.

### LEVELS OF CARE

The EAP representative functioning as the Substance Abuse Professional (SAP) under the DOT regulations will have the capability of providing referrals for specific levels of care. The primary goal of the rehabilitation recommendation is providing a placement option that is considered the most appropriate and effective level of care based on the employee's level of severity, health, and level of functioning. Multiple levels of treatment may be introduced. An employee could begin treatment at an intensive level

but move to less intensive levels when appropriate. For example, an employee severely dependent on alcohol may require medical detoxification and a long term stay in a rehabilitation facility, followed by residential participation in a half-way house. All levels of treatment will be considered part of a continuum of options available to assist the employee. The SAP will continue to support the least restrictive level of care which will successfully accomplish the treatment needs of the employee.

The following serve as examples of the different levels of care which may be incorporated in a rehabilitation plan.

- LEVEL I      Mutual Self Help Recovery Groups
  - 12-Step support groups such as Alcoholic Anonymous, Narcotics Anonymous, Cocaine Anonymous, etc.
  - Non-12 Step programs such as Rational Recovery, Secular Organizations for Sobriety
  
- LEVEL II     Outpatient Treatment
  - Outpatient Detoxification
  - Individual and Family Outpatient Treatment
  
- LEVEL III    Structured Non-residential Treatment
  - Structured Intensive Outpatient Treatment Program (IOP)
  - Day Treatment/Partial Hospitalization
  
- LEVEL III    Residential Rehabilitation
  - Social Model (non-medical) Residential Treatment
  - Medically Monitored Inpatient Treatment
  
- LEVEL IV    Acute Care Hospitalization
  - Medically Managed Intensive Inpatient Treatment
  - Medically Managed Detoxification

#### COMPLETION OF REHABILITATION

Following the completion of the SAP's recommended treatment program, the SAP can then advise the employer that the employee has complied with the pre-return to work component of the rehabilitation agreement. The employer then decides whether or not to return the employee to a safety-sensitive position and as to whether a return-to-duty test will be initiated. The additional aftercare components of the rehabilitation agreement as well as mandatory follow-up drug testing will be a continued part of the employee's rehabilitation.

## APPENDIX B

### FMSCA COMMERCIAL DRIVER'S LICENSE DRUG AND ALCOHOL CLEARINGHOUSE

Effective January 6, 2020, the County of Ventura must utilize the Federal Motor Carrier Safety Administration (FMCSA) Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse). The Clearinghouse is a secure online database that will give employers, the FMCSA, State Driver Licensing Agencies (SDLAs), and State law enforcement personnel real-time information about commercial driver's license holders' drug and alcohol program violations. This enables employers to identify drivers who commit a drug and alcohol program violation while working for one employer, but who fail to subsequently inform another employer (as required by current regulations). The Clearinghouse will contain the following records:

1. A verified positive, adulterated, or substituted drug test result
2. An alcohol confirmation test with a concentration of 0.04 or higher
3. A refusal to submit to a drug or alcohol test
4. An employer's report of actual knowledge of
  - a. On duty alcohol use
  - b. Alcohol use within four hours of performing a safety-sensitive function
  - c. Alcohol use within eight hours of an accident, or until completing a post-accident alcohol test, whichever occurs first
  - d. Prohibited drug use while on duty
5. SAP's report of the successful completion of the return-to-duty process
6. A negative return-to-duty test
7. A report of completion of follow-up testing

Employers are required to conduct pre-employment and annual queries for all drivers subject to drug and alcohol testing under 49 CFR Part 382. No employer may query the Clearinghouse to determine whether a record exists for any particular driver without first obtaining the driver's written or electronic consent. The type of consent required depends on the type of query:

- Limited Query  
Requires a general written consent.  
A limited query allows an employer to determine if an individual driver's Clearinghouse record has any information about resolved or unresolved drug and alcohol program violations, but does not release any specific violation information contained in the driver's Clearinghouse record.
- Full Query  
Requires an electronic consent in the Clearinghouse.  
A full query allows the employer to view detailed information about any drug and alcohol program violations in a driver's Clearinghouse record. An employer must obtain the driver's electronic consent in the Clearinghouse prior to the release of detailed violation information during the full query.



Driver violation records will be available in the Clearinghouse for five years from the date of the violation determination, or until the violation is resolved through the successful completion of the return-to-duty (RTD) process and follow-up testing plan, whichever is later.

## PRE-EMPLOYMENT (PRE-DUTY)

Employers must conduct a pre-employment (pre-duty) query for a prospective employee in the Clearinghouse prior to allowing the employee to perform safety-sensitive functions, such as operating a commercial motor vehicle. Because a pre-employment query is a full query, the driver must register with the Clearinghouse and provide electronic consent for the employer to conduct the query. Employers will be notified if there is a change to a driver's Clearinghouse record within 30 days of a pre-employment query being conducted.

## ANNUAL QUERIES

Employers must conduct annual limited queries in the Clearinghouse for all currently employed CDL drivers subject to regulations at 49 CFR 382. If a limited query indicates that records were found in the Clearinghouse for the queried driver, the employer must conduct a full query to obtain the detailed program violation information. Because it is a full query, the driver must register with the Clearinghouse (if not already registered) and provide electronic consent for the employer to conduct the query. Refusal to provide consent will result in removal from safety-sensitive functions.

## CLEARINGHOUSE REGISTRATION

Clearinghouse registration is available at <https://clearinghouse.fmcsa.dot.gov/register>.

Once registered, drivers will be able to view their own driver record electronically as well as provide electronic consent to release detailed drug and alcohol program violation information to a current or prospective employer.

The Clearinghouse will notify the driver using the method indicated during the driver's Clearinghouse registration, either by mail or email, any time information about the driver is added, revised, or removed. If the driver has not yet registered for the Clearinghouse, these notifications will be sent by mail using the address associated with the driver's commercial driver's license (CDL).

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>HUMAN RESOURCES DIVISION CHAPTER VIII (A) Employment and Recruitment</b>
Originating Agency: CEO	Last Issued/Revised  2018	<u>Policy No. Chapter VIII (A) - 24</u>  SUBSTANCE ABUSE POLICY
Policy Change Requires:	<input checked="" type="checkbox"/> Board of Supervisors Approval <input type="checkbox"/> CEO Approval	
Forms Change Requires:	<input checked="" type="checkbox"/> CEO Approval	

**POLICY**

In 1989, the County Board of Supervisors approved a substance abuse policy to maintain a drug-free workplace in accordance with the federal Drug-Free Workplace Act. In compliance with the Act, it is the policy of the County of Ventura that employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance." Nor may they be under the influence of alcohol while on County time.

**GUIDELINES:**

To ensure compliance with the Drug-Free Workplace Act, the County will not tolerate the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance inside or outside of the workplace and will take whatever steps are necessary to address any violations. Section 1345-1.4.13.1 of the County’s Civil Service Ordinance and Section 2105 of the County’s Personnel Rules and Regulations list "...drunkenness on duty, intemperance, addiction to use of narcotics or habit-forming drugs... or other failure of good behavior, or acts which are incompatible with or inimical to the public service" as causes for the imposition of economically impacting disciplinary action. Drug or substance abuse violations (to include alcohol and prescription medications) under the County of Ventura’s Civil Service Ordinance and Section 2105 of the County’s Personnel Rules and Regulations will be considered grounds for a demotion, suspension, reduction in pay, or dismissal.

The County’s concern is that employees are in a condition to perform their duties safely and efficiently in the interest of their fellow workers and the public, as well as themselves. Furthermore, the County must ensure it remains in compliance with Federal law. Therefore, all employees shall be required, as a condition of employment, to:

- 1) Comply with County policy and federal law and not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in or outside of the workplace;
- 2) Not be under the influence of drugs or alcohol while on County time. If an employee is taking prescribed medications that may alter or impair their function while at work, they

- must report that fact to their management before reporting to work.
- 3) Notify County Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such convictions; and
  - 4) If so convicted, participate satisfactorily in an appropriate substance abuse assistance or rehabilitation program, as an alternative to or in addition to appropriate disciplinary action, at the option of the County.

The County encourages employees who may have a substance abuse problem to seek confidential assistance from the Employee Assistance Program. While the County is supportive of those who seek help voluntarily, it will be firm in identifying and disciplining those who continue to engage in activities prohibited by this policy.



*Random Alcohol and/or Drug Testing Procedures for Commercial Drivers*

<b>PUBLIC WORKS AGENCY</b>	<b>STANDARDS MANUAL</b>
Department: All	Subject: Random Alcohol and/or Drug Testing Procedures for Commercial Drivers
Last Issued: August 16, 2016	Forms (if any): All subjected employees are required to read and sign these procedures. Additionally, Attachments 1 or 2 will be provided to selected employees as provided for in these procedures.
Last Revised: August 16, 2016	

**POLICY**

To assure the integrity of the random drug and alcohol testing requirements mandated by the U.S. Department of Transportation (DOT) the following procedures apply to all employees holding commercial driver licenses who are assigned to safety sensitive functions and required to participate in the DOT random drug and alcohol testing program. Generally, random testing will occur one of two ways. The first, "on-site" collection, is when the vendor, Addiction Medicine Consultants (AMC), sends a technician to the work site to administer collection of specimens. The second, "off-site" collection, is when AMC provides a list of employee names selected for random testing at one of the AMC-approved labs.

**PROCEDURE**

**ON-SITE COLLECTION**

- On the day AMC arrives for testing, the Operations Manager or Superintendent shall provide the list of randomly selected employees to their immediate supervisor.
- The immediate supervisor shall complete the "Random Alcohol and/or Drug Testing Notice/Instructions for On-Site Collection" (Attachment 1) with employee name and testing date and will hand deliver the completed form to the selected employees with instructions to immediately report to the designated testing area (i.e., locker room/restroom).

## *Random Alcohol and/or Drug Testing Procedures for Commercial Drivers*

- A PWA Representative, a PWA Manager or his/her designee, will be responsible for monitoring the “overflow” area and the movement of employees from the “overflow” area and the locker room/restroom or vice versa and will remain available until the last employee has completed testing.
- A designated Superintendent or Supervisor (to be determined by Transportation, Water & Sanitation, and/or Watershed Protection District O&M Management) will act as the “in charge” supervisor and will be responsible for overseeing the testing process and will be the official contact for the PWA Representative. In the event of non-availability of a PWA Representative, the in-charge supervisor shall be responsible for monitoring the movement of the employees waiting to be tested.
- Employees who are unable to produce a specimen at the time they report to the testing area are to remain in the locker room/restroom. In the event of overcrowding in the locker room/restroom, employees will assemble in a designated secured “overflow” area (this could be a crew room or a conference room) as directed by their immediate supervisor. There will be only one “overflow” area that will house all PWA employees regardless of what PWA department they are assigned to. All PWA employees assigned to the “overflow” area will immediately proceed to that area and shall remain there until such time that space becomes available in the locker room/restroom or they are able to produce a specimen, whichever occurs first.
- To limit the need for employees to leave the “overflow” area, water will be made available for fluid intake. Employees selected for testing will be permitted to leave the “overflow” area only to report to the locker room/restroom for testing.
- The PWA Representative will immediately notify the “in-charge” supervisor of any non-compliant employees.
- After returning to the testing area, employees shall remain within the locker room and restroom area until released by the technician.
- Upon completion of testing, individuals shall immediately report to their supervisor (in person, via radio or cell phone), as previously instructed.

**OFF SITE / LAB COLLECTION**

- AMC will provide a list of randomly selected employees for testing to each Superintendent or Supervisor.
- The immediate supervisor shall complete the “Random Alcohol and/or Drug Testing Notice/Instructions for Offsite/Lab Collection” (Attachment 2) with employee name, testing date, and clinic name and location, and will hand deliver the completed form to the employees to be tested with instructions on how to proceed to the testing clinic.
- Unless operational needs prohibit it, a Responsible Staff Member (Superintendent, Supervisor or other designated employee) will accompany the selected employee(s) to the approved testing clinic and ensure that the employee(s) check-in at the lab.
- When a Responsible Staff Member is unable to accompany the selected employee(s), the employee(s) will be instructed to report to the designated approved clinic within an expected time frame (to be determined based on distance and driving conditions).
- The Responsible Staff Member will then accompany the selected employee(s) to a County vehicle and note and record the odometer reading of the vehicle. The employee(s) will then to be instructed to report immediately and directly to the testing clinic.
- The selected employee(s) shall proceed directly to the testing clinic and remain within the designated clinic lab until released by clinic staff at the completion of testing.
- Individuals shall report immediately to the work station assigned to them for that day by their supervisor upon completion of the test or relay any delays to the supervisor or appropriate dispatcher.
- Upon arrival at the work station, the crew leader or supervisor will immediately record the odometer reading of the vehicle.

**REFUSAL TO TEST**

The following acts/omissions are considered 'refusals to test' and/or cause for the imposition of discipline, up to and including dismissal:

- Failure to accept the completed testing and instructions form
- Failure to appear at a collection site when directed to report or unreasonable delay in arriving at the site
- Failure to remain at the collection site until released
- Refusal or failure to provide a urine specimen (unless verification of a medical condition which would preclude providing a urine specimen is provided) within three (3) hours
- Failure to permit a monitored or observed urine collection
- Failure or refusal to take an additional drug test the employer or collector has directed
- Tampering with or attempting to adulterate the urine specimen or collection procedure
- Failure to provide breath or to provide an adequate amount of breath without a valid medical explanation
- Refusal to complete and sign the breath alcohol testing form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test

READ ONLY - YOU WILL COMPLETE IN STEP 2

Print Name

READ ONLY - YOU WILL SIGN IN STEP 2

Date

I acknowledge having read and received a copy of this standard

Approved: \_\_\_\_\_

  
Public Works Agency Director

8/16/16

Date



**RANDOM ALCOHOL AND/OR DRUG TESTING NOTICE/INSTRUCTIONS FOR ON-SITE COLLECTION**

Employee name: DO NOT COMPLETE - EXHIBIT ONLY,

Your name has been randomly selected for the alcohol and/or drug testing being conducted on \_\_\_\_\_, 20\_\_ (today's date).

Upon receipt of this notice you are directed to:

1. Proceed immediately and directly to the testing area and report in with the technician.
2. In the event of overcrowding in the testing area or if you are unable to produce a specimen, you are to immediately report to the designated "overflow" area and report in with the PWA Representative or the "in-charge" superintendent/supervisor.
3. You are to stay in the "overflow" area until there is room in the testing area or you are able to produce a specimen, whichever occurs first.
4. You are to notify the PWA Representative or the "in-charge" superintendent/supervisor when leaving the "overflow" area to report to the testing area.
5. You are to proceed immediately and directly to the testing area once leaving the "overflow" area.
6. Once in the testing area, you are to stay there until released by the technician upon completion of the test.
7. Upon completion of testing, you are to immediately report to your supervisor (in person, via radio or cell phone), as previously instructed.

**RANDOM ALCOHOL AND/OR DRUG TESTING NOTICE/INSTRUCTIONS FOR OFF-SITE/ LAB COLLECTION**

Employee name: DO NOT COMPLETE - EXHIBIT ONLY,

Your name has been randomly selected for alcohol and/or drug testing being conducted on \_\_\_\_\_, 20\_\_\_\_ (today's date) at the \_\_\_\_\_ (testing clinic) located at \_\_\_\_\_ (address).

Upon receipt of this notice you are directed to:

1. Accompany a Responsible Staff Member (RSM) to the testing clinic location identified above and remain at the designated clinic area until released by the clinic staff at the completion of testing. At completion of testing, the RSM will provide additional instructions regarding transportation to your work station.
2. In the event a RSM is unavailable to accompany you to the testing clinic, you are instructed to accompany the RSM to your County vehicle where the RSM will record the odometer reading of the vehicle.
3. Proceed immediately and directly to the testing clinic which is located approximately \_\_\_\_\_ miles from here and based on current driving conditions you are expected to arrive at the testing clinic within \_\_\_\_\_ minutes/hours (circle one).
4. Remain at the designated clinic area until released by clinic staff at the completion of testing.
5. Upon completion of testing, you are to report immediately to the work station assigned to you for the day or relay any delays to your supervisor or appropriate dispatcher.
6. Upon arrival at the work station you are to immediately have a crew leader or supervisor record the odometer reading on your vehicle.

## *Random Alcohol and/or Drug Testing Procedures for Commercial Drivers*

### **Quick Reference Sheet**

*Per Public Works Agency Standards*

### **Random Alcohol and/or Drug Testing Procedure for Commercial Drivers**

Work day prior to testing: the Health and Safety Manager notifies the Operations Manager and/or Superintendents with the names selected by AMC for testing.

Day of testing: the Operations Manager/Superintendent provides the list of randomly selected employees to the PW supervisors.

#### **On-Site Test:**

- Supervisor hands the completed "Random Alcohol and or Drug Testing Notice for Onsite Collection" to the selected employees.
- Supervisor informs the selected employees that they are being drug tested and to report immediately to the testing area with the Random Alcohol and/or Drug Testing Notice.

#### **Off-Site/Lab Test:**

- Supervisor hands the completed "Random Alcohol and or Drug Testing Notice for Lab/Offsite Collection" to the selected employees.
- Supervisor informs the selected employees that they are being drug tested, and gives instructions regarding the designated clinic, and means of travel.

<b>PUBLIC WORKS AGENCY</b>	<b>STANDARDS MANUAL</b>
Department: All	Subject: PWA Driving Standard
Last Issued: May 12, 2005	Forms (if any): N/A
Last Revised: November 29, 2007	

### **APPLICABILITY**

This standard applies to all Public Works Agency (PWA) employees who drive on County business. It supplements the Driving Policies promulgated in the County Administrative Manual and the County's Drug and Alcohol Policy for Safety-Sensitive Employees.

### **DRIVER REQUIREMENTS**

All drivers must be appropriately licensed and hold the necessary endorsement(s) for the type of vehicle driven.

### **REVIEW OF DRIVING RECORD**

In accordance with Administrative Manual, the Agency Head or his representative is responsible for verifying that proper licenses are in order prior to authorizing any person to utilize either a County or personal vehicle for County business. This determination includes a confidential and periodic review of the employee's State of California Department of Motor Vehicles driving record to evaluate the employee's suitability to safely and responsibly drive on County business will be made by the department to which the employee is assigned, in consultation with the Central Service Department.

### **EMPLOYEES UNQUALIFIED TO DRIVE COUNTY VEHICLES**

An employee will be prohibited from driving a County vehicle when that employee's driving record for the past three years indicates a conviction for any of the following:

1. A Major Penal Code (VC) violation, including, but not limited to, assault or murder with a motor vehicle.
2. A Major Penal Code (VC) violation such as:
  - a. Reckless driving where bodily injury or property damage occurred (VC Sec. 23104)
  - b. Hit-and-run causing property damage, injury, or death (VC Sec.20002)
  - c. Manslaughter involving a vehicle (VC Sec. 13350.5)



- d. Evading a peace officer in a vehicle which results in injury or death (VC Sec. 2800.3)
- e. Illegal transport of explosives (VC Sec. 31618)

Consideration will be given to prohibiting an employee from driving a County vehicle when that employee's driving record for the past (3) years includes conviction of the following:

1. Driving while under the influence of alcohol or drugs (VC Sec. 23152). Employees with two or more convictions within (7) years are subject to termination.
2. Any combination yielding more than four (4) of the following:
  - a. Moving violation convictions (per driving record)
  - b. Chargeable accidents (per law enforcement reports)
3. Employees subject to the County's Drug and Alcohol Policy for Safety-Sensitive Employees will be prohibited from driving and operating County vehicles and may be subject to discipline, up to and including dismissal, in accordance with that policy.

### **SUSPENSION OF COUNTY DRIVING PRIVILEGES**

If an employee is prohibited from driving a County vehicle, the employee will be subject to any of the following:

1. If the employee's position requires a driver license and use of a County vehicle, the employee may be considered for other funded positions available in the PWA wherein use of a County vehicle is not required. An employee must qualify for the new position and the rate of pay cannot exceed the most current rate published in the County of Ventura Classification and Salary Listing for the new position. In no case will the rate of pay be higher than that which the employee was earning prior to the new assignment, and management must approve the move to the new position.
2. If the employee's position requires a driver license but does not require use of a County vehicle, the employee may be allowed to use a personal vehicle to perform required job duties. In these cases, the use of a personal vehicle will require management approval and the employee will have to comply with specified conditions including, but not limited to, the following:
  - a. Carrying specified liability and collision insurance limits on the personal vehicle.
  - b. Naming the County of Ventura and the dependent special districts as additional insured on the employee's insurance policy.
  - c. Requiring the insurance provider to notify PWA of any coverage changes on the policy within a specified time period.

- d. If the employee's classification requires a driver license and neither section V.A. or V.B. (above) is feasible, continuation of County employment will be evaluated by management and appropriate action imposed, up to and including termination from County employment.
- e. If the employee's classification does not require a driver license or driving is not an essential duty the employee will be prohibited from driving on County business until such time as the driving record indicates otherwise.

**DISCIPLINARY ACTION**

The provisions of this standard do not preclude management from imposing disciplinary or corrective action as provided for in the applicable Memorandum of Agreement, Management Resolution, Personnel Rules and Regulations, or Drug and Alcohol Policy for Safety-Sensitive Employees.

Approved: \_\_\_\_\_

  
Public Works Agency Director

5/10/11

\_\_\_\_\_ Date

<b>PUBLIC WORKS AGENCY</b>	<b>STANDARDS MANUAL</b>
Department: All	Subject: PWA Incident Response Reporting Guidelines
Last Issued : July 2017	Forms (if any): N/A
Last Revised: N/A	

## **STANDARD**

1. **Purpose.** The purpose of the PWA Incident Response Reporting Guidelines is to standardize reporting expectations and guidelines when events occur that need to be briefed through the Department Director level up to Agency Director level and beyond, if warranted.
2. **Scope.** The scope of these guidelines includes all Public Works divisions and employees who are involved with any incident that occurs within the jurisdiction of the Public Works Agency. Events may be internal within the agency workplace to employees, equipment, facilities, etc. Incidents can happen externally where residents or private property are involved.
3. **Incident Category Guidelines.** This document will provide guidelines for determining the severity of an incident but is not prescriptive in nature. If in doubt – make the call. Provide as much information as possible and follow up once the situation returns to normal.
  - a. **HIGH** - Examples of highly important and urgent situations: Loss of life, loss of property, major damage to property, vehicle collisions with injuries, employee hospitalized due to a work-related incident, physical altercations, and/or contacts by or with a County Supervisor or the County Executive Officer.
  - b. **MEDIUM** – Examples of items that are important but not urgent: Employee injured but not hospitalized, minor damage to property, contacts by the press, complaint by the public, and/or complaint/discussion from other Agency’s management.
  - c. **LOW** – Examples of items that need to be reported but are not urgent: Minor damage to County vehicle (no injuries), when a safety report needs to be submitted, lost/stolen/missing County property of low value.
4. **Incident Response Communication Guidelines.** The speed of communication is key to keeping all supervisors informed when incidents occur. The initial call will start a series of responses based on the severity of the incident. The sooner contact can be made the sooner action will be taken to help or resolve the issue. The following are recommendations for contacting supervisors based on the severity of the incident:
  - a. **HIGH** – phone call within 10 minutes or as soon as feasible of the occurrence. Follow-up email within 1 hour of the phone call. Include the what, who, when, where, why, how, and follow-up actions as needed.
  - b. **MEDIUM** – email/call within 24 hours of the incident that includes the details of the event.

- c. **LOW** – email to your supervisor within 48 hours describing what happened and what actions are required for follow-up.
- 5. **Roles and Responsibilities.** Within the Public Works Agency, the Agency Director, Department Directors, Division Heads, Supervisors and the Accident Review Council are responsible to ensure all employees understand the incident reporting guidelines are reviewed on an annual basis.
- 6. **Training.** Each PWA department shall distribute these guidelines to its staff and provide training in the implementation of the procedures on an as-needed basis and annually.

Approved: \_\_\_\_\_

  
Public Works Agency Director

7/25/17  
Date



COUNTY OF VENTURA  
PUBLIC WORKS AGENCY

Memorandum

May 1, 2011

TO: All Public Works Agency Employees

FROM: Jeff Pratt, Director

SUBJECT: CONVICTION OF DRIVING UNDER THE INFLUENCE (DUI)

The State of California has very strict laws regarding driving under the influence of drugs or alcohol. California Vehicle Code (CVC) §23152(a) states: *"It is unlawful for any person who is under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug, to drive a vehicle."*

For Class C (non-commercial) drivers, the first conviction for violation of CVC §23152(a) may result in imprisonment, a fine and suspension of driving privileges for 30 days followed by restrictions being placed on the driver license. In addition to this, under the provisions of CVC §13353, commercial drivers (Class A and B licenses) convicted of a CVC §23152 violation in any vehicle will be disqualified from operating commercial vehicles for up to one (1) year. With a suspended license or disqualification from commercial driving, an employee does not meet the minimum employment standards if possessing a valid driver license (commercial or non-commercial) is required for the job. In such cases, the employee may be terminated from County employment or kept off work until the driving privileges are restored.

The extended absence of any employee for any reason introduces inefficiencies and increases the workload of coworkers who must fill the void. After a first conviction for DUI, an employee who is a non-commercial driver and must drive in the course of employment will be denied vacation, annual leave, or comp time requests to cover the time driving privileges are suspended and/or will be subjected to disciplinary action, up to and including termination for failure to meet employment standards. A second conviction will be treated much more harshly, including much stronger consideration for termination.

Employees who are required to drive commercial vehicles and who are disqualified from commercial driving due to a DUI conviction will be subject to discipline up to and including termination for failure to meet employment standards.

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>BUILDINGS AND FACILITIES CHAPTER IV (A) Operations</b>
Originating Agency: Public Health	Last Issued/Revised  2018	<u>Policy No. Chapter IV (A) - 8</u>  SMOKING AND USE OF TOBACCO PRODUCTS, MARIJUANA AND ELECTRONIC SMOKING DEVICES INCLUDING VAPING ON COUNTY PROPERTY AND IN COUNTY BUILDINGS AND VEHICLES
Policy Change Requires:	<input checked="" type="checkbox"/> Board of Supervisors Approval <input type="checkbox"/> CEO Approval	
Forms Change Requires:	<input checked="" type="checkbox"/> CEO Approval	

## **POLICY**

Effective February 10, 2017, the Board of Supervisors adopted the Ventura County Comprehensive Smoke-Free Ordinance (Ordinance) governing smoking and related matters throughout the unincorporated areas of the County and in all County vehicles and buildings owned, leased or controlled by the County and on all County campuses.

The Board of Supervisors is committed to the good health and well-being of County employees and residents. Smoke-free air is an important component of a healthy community and a healthy work environment. Furthermore, the Board of Supervisors is committed to:

- Protecting the public's health, safety and general welfare by providing a smoke-free environment in public and private places where nonsmokers may be exposed to secondhand smoke; and
- Promoting smoke-free air recognizing that the need to breathe smoke-free air has priority over the desire to smoke.

In recognition of the health hazards of passive smoke to nonsmokers, pursuant to the Ordinance, smoking and the use of tobacco products, including marijuana, are prohibited in all vehicles leased, owned, or operated by the County or any district governed by the Board of Supervisors. Further, smoking and the use of tobacco products, including marijuana, are prohibited in all enclosed areas and unenclosed areas of a County campus, except in designated smoking areas. Pursuant to state law, the use of marijuana, including medicinal marijuana, is prohibited in public places, including designated smoking areas.

## **PROCEDURES**

### **I. APPLICABILITY**

With respect to County campuses and County vehicles, the Ordinance applies to all County employees and to all non-employees, including, but not limited to, visitors, vendors and volunteers.

## II. DEFINITIONS

- A. **Designated smoking area** means a designated portion of an unenclosed area on property owned, leased or maintained by the County or any district governed by the Board of Supervisors where smoking may be allowed. Any such area will be designated with signs clearly reading "Designated Smoking Area."
- B. **Smoking** means inhaling, exhaling, burning, or carrying any ignited, heated, or activated cigar, cigarette, cigarillo, pipe, hookah, electronic smoking device, or any plant product intended for human inhalation including, but not limited, to marijuana.
- C. **Tobacco product** means any product containing, made, or derived from marijuana, tobacco or nicotine that is intended for human consumption, whether smoked, heated, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, pipe tobacco, chewing tobacco and any electronic smoking device. This definition includes medicinal marijuana.
- D. **County campus** means enclosed and unenclosed areas under the legal control of the County, including property that is owned, leased or maintained by the County or any district governed by the Board of Supervisors.

## III. RESPONSIBILITIES

- A. The General Services Agency shall ensure that signs clearly identify any designated smoking area and shall provide for disposal of waste in the area.
- B. All County agencies shall make available information on smoking cessation programs and serve as agents of the Board of Supervisors to implement the Ordinance.
- C. All County agencies shall assist in regulatory compliance with this policy and serve as agents of the Board of Supervisors to implement this policy.
- D. All managers and supervisors shall ensure implementation of, and compliance with, this policy with respect to the facilities, grounds, parking lots and employees they supervise.
- E. The director of the Public Health Department or the County Executive Officer will evaluate and approve any designated smoking area on any County campus.

## IV. ARRANGEMENT FOR SMOKERS

- A. The Public Health Department provides a smoking cessation program for County employees and the public, free of charge. The Call it Quits Program can be reached at 805-201-7867.
- B. Supervisors shall not coerce or compel employees to attend smoking cessation programs.
- C. Employees can use their regularly scheduled breaks to smoke in any designated smoking area or where permitted off of the County campus.

## V. COMPLIANCE

Compliance with the provisions of the Ordinance on County campuses and in County vehicles is mandatory for all County employees and all non-employees, including, but not limited to, visitors, vendors and volunteers, with no exceptions.

## VI. ENFORCEMENT

- A. Each incident of smoking or use of a tobacco product in violation of the Ordinance is an infraction subject to a warning for a first violation and then punishable by a fine of \$50 for a second violation within one year, a fine of \$100 for a third violation within one year, and a fine of \$200 for a fourth or subsequent violation occurring within one year.
- B. Employees who violate the Ordinance may be subject to disciplinary action. Supervisors are encouraged to consult with the Human Resources Division for advice and assistance prior to initiating disciplinary action resulting from a violation of the Ordinance.
- C. Enforcement of the Ordinance is at the sole discretion of the County.

## VII. NOTICE

- A. The public, employees and visitors will be informed of the Ordinance through a variety of communication methods. These include signage, internet and community education.
- B. On County campuses, the Ordinance will be communicated through smoke-free signs posted at all property entrances and throughout the facilities and through employee and visitor education.
- C. Employees are expected to be good neighbors and refrain from using tobacco products on the property of nearby businesses and residences.

## VIII. ACCOUNTABILITY

County employees are not required to enforce the Ordinance in the event they encounter a violation, but they are encouraged to educate the public and co-workers about the Ordinance. County managers are required to support the enforcement of the Ordinance.

### QUESTIONS:

Any questions regarding the interpretation or enforcement of this policy or the Ordinance can be directed to the Public Health Department, via email at [callitquits@ventura.org](mailto:callitquits@ventura.org) or by calling 805-201-7867.



<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>HUMAN RESOURCES CHAPTER VIII (A) Employment &amp; Recruitment</b>
Originating Agency: GSA	Last Issued/Revised  2018	<u>Policy No. Chapter VIII (A) -18</u>  COUNTY EMPLOYEES AS DISASTER SERVICE WORKERS
Policy Change Requires:	<input type="checkbox"/> Board of Supervisors Approval <input checked="" type="checkbox"/> CEO Approval	
Forms Change Requires:	<input checked="" type="checkbox"/> CEO Approval	

## **POLICY**

When a disaster strikes of natural or manmade origin, Ventura County employees may be called upon to provide service to the community by assisting in emergency response efforts. This may require employees to work in other locations, different hours, and out of class. The intent of this policy is to ensure that all employees recognize their role as essential workers.

## **PROCEDURES**

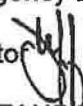
In the event of a local proclamation or a state and/or federal declaration of an emergency, all public employees, whether in technical specialties or not, are considered *essential* and are deemed disaster service workers. As such, employees:

- a. Are provided the immunities, protections, and benefits as provided in the California Emergency Services Act and the Master Mutual Aid Agreement (California Labor Code, division 4, chapter 1, section 3211.92).
- b. Must remain on their jobs until authorized to leave.
- c. May be required to remain on their jobs after their shift ends.
- d. Are expected to report to their normal work locations if at all possible. If not possible, they may report to the labor pool area in the County facility nearest their home to assist or establish contact with their departments and obtain instructions.
- e. May be reassigned to other departments or other facilities or to do work that they do not normally perform.
- f. May be asked to cancel vacations that were approved before the disaster occurred.
- g. May be pre-identified, trained, and deployed to disaster areas, with the concurrence of their supervisors or managers.
- h. May be required to show a disaster service worker identification decal to enter into certain work areas. Attaching a disaster service worker identification decal to back of the employee's County of Ventura identification badge will facilitate access. A decal can be obtained from GSA, Security. For additional information, please contact 654-3816.

COUNTY OF VENTURA  
PUBLIC WORKS AGENCY

Memorandum

August 29, 2014

TO: Public Works Agency Employees  
FROM: Jeff Pratt, Director   
SUBJECT: FAIR LABOR STANDARDS ACT (FLSA)

This memo briefly discusses the Fair Labor Standards Act (FLSA) and establishes some guidelines on how it works in the Public Works Agency.

The FLSA was enacted by Congress in 1983 to guarantee employees certain minimum wages and overtime compensation standards. The Act establishes that, depending upon job responsibilities and rates of pay, some employees are exempt from the overtime provisions (that is, they are not entitled to overtime pay for more than 40 hours worked in a workweek). This exemption status is important as employers must take certain steps to ensure compliance with the Act for those employees who are not exempt (employees who receive time and a half overtime pay when they work more than 40 hours in a workweek).

Unless approved otherwise by the supervisor in writing, the start of the work week is automatically set at 12:01 a.m. Sunday. Per FLSA definitions, a work week (or work period) for general employees is a fixed and regularly occurring period within 168 consecutive hours – seven consecutive 24-hour periods. If non-exempt employees work more than 40 hours in the work week, they are entitled to overtime compensation. Non-exempt (or hourly) employees require prior approval of the supervisor or manager before working overtime. This does not apply to exempt employees.

A potential problem regarding the application of FLSA involves a non-exempt employee's presence in the workplace during non-working hours. The problem arises whenever a non-exempt employee works overtime without permission. The County could still be liable for overtime pay on the basis the supervisor was or should have been made aware of the fact. In that regard, non-exempt employees are to perform no County work during off hours, including lunch, without the prior written approval of the supervisor. This does not prohibit employees from being at the work station or work site when that is more convenient, but to emphasize my prior statement, non-exempt employees must not conduct any County business outside scheduled working hours without prior permission. The same restriction applies to work at home (including reading, writing, and sending work-related email messages) by non-exempt employees –they must have prior approval.

If you have questions, please discuss them with your supervisor.

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>FINANCIAL MANAGEMENT CHAPTER VII (B) Property Control</b>
Originating Agency: Auditor- Controller	Last Issued/Revised  2018	<u>Policy No. Chapter VII (B) - 11</u>  ACCEPTANCE OF GIFTS, REBATES AND OTHER ITEMS OF VALUE
Policy Change Requires:	<input type="checkbox"/> Board of Supervisors Approval	
	<input type="checkbox"/> CEO Approval	
Forms Change Requires:	<input type="checkbox"/> CEO Approval	

### **POLICY**

1. The goal underlying California's gift rules is to prevent either the perception or the reality of gifts influencing public officials' actions. This is because public agency actions should always promote the public's interests, as opposed to narrow personal interests.
2. Employees are prohibited from directly or indirectly soliciting or accepting any gift, kickback, rebate, loan, gratuity, or favor for personal gain from any individual, corporation or group. Exceptions include where the gift is unrelated to the employee's duties and/or position and there is no evidence at the time the gift is made that the employee participates in the type of governmental decisions that may have a reasonably foreseeable material financial effect on the source of the gift.
3. Both consumable (i.e. food and beverage) and non-consumable mementos (i.e., pens, cups, etc.) of a County business event may be accepted by an employee if the value does not exceed \$50 from any single source, per calendar year.
4. Any item not falling into the description in number three above must be returned, within 30 days, or if the donor is unknown, such gift or gratuity shall be forwarded with a statement of circumstances to the County Purchasing Agent. A copy of the statement should also be sent to the Auditor-Controller's Office. The County Purchasing Agent shall donate such gift or gratuity to a 501(c)(3) charitable organization, without claiming the donation as a tax deduction, and obtain a receipt. A copy of the receipt should then be sent to the Auditor-Controller's Office.
5. If at any time state laws or regulations regarding limitations on gifts become more restrictive than this administrative policy, the current law will govern.

**County of Ventura  
Public Works Agency**

**MEMORANDUM**

Date: June 10/2019

To: All Public Works Agency Employees  
From: Jeff Pratt, Director

Subject: **COMPLAINT RESOLUTION PROCESS**

The County of Ventura and the Public Works Agency are committed to providing employees with a work environment that is free from discrimination, harassment, and retaliation. Every PWA employee has the right to equal employment opportunities in hiring, promotion, pay, and other employment practices. In addition, each employee is entitled to an environment free from racial, sexual, or cultural harassment or hostility. If and when these situations exist, employees have the right to have complaints fairly and thoroughly investigated with any problems corrected without fear or retaliation.

The County of Ventura has established an Employee Complaint Resolution Process that supports the County's Equal Employment Opportunity Policy. This process was established to assist employees who believe they have experienced some form of discrimination or harassment based on their race, color, national origin, religion, sex, marital status, age, ancestry, medical condition, sexual orientation, or disability.

The attached brochure outlines the County's Employee Complaint Resolution Process. If a County employee has a concern or a complaint regarding illegal discrimination, harassment or retaliation, s/he should first attempt to address the issue following the steps outlined in the Employee Complaint Resolution Process. If any steps results in "no action" or the issue is not addressed, the employee may proceed to the next step.

Using the County's Employee Complaint Resolution Process does not preclude one from later filing a complaint of discrimination with the State's Department of Fair Employment and Housing, the federal government's Equal Employment Opportunity Commission, or from exercising those employee rights outlined in the respective Memorandum of Agreement or Management Resolution. As a matter of County practice, the Public Works Agency welcomes any opportunity to address its employees' complaints at the lowest possible level.

The Agency's EEO Coordinators, Joan Araujo (654-2084) and Emily Veldkamp (654-2405), are available to discuss any questions, comments, or related complaints.

**Attachment**


cc: Joan Araujo, Director, PWA Central Services  
Emily Veldkamp, Staff/Services Manager III  
Human Resources Division





**Ventura County Public Works Agency**  
 800 South Victoria Avenue  
 Ventura, CA 93003  
 (805) 654-2018

**VCPWA Policy, Procedure & Standards Manual**

<b>Chapter:</b> Employment and Recruitment		<b>Chapter Number:</b>	
<b><u>Policy/Procedure (Underline One):</u></b> Leave of Absence Policy		<b>Departments:</b> <input checked="" type="checkbox"/> CS <input checked="" type="checkbox"/> ES <input checked="" type="checkbox"/> RT <input checked="" type="checkbox"/> WP <input checked="" type="checkbox"/> WS	<b>Policy Number:</b>
<b>Adopted:</b> 6/28/2022	<b>Reviewed:</b> 6/28/2022	<b>Revised:</b> Click or tap to enter a date.	<b>Version Number:</b> 001
<b>Approved By:</b> Jeff Pratt Agency Director	<b>Date:</b> 6/28/2022	<b>Signature:</b> 	

**Departments/Staff Affected**

All departments, all staff.

**Policy**

**Policy Statement**

The Public Works Agency (PWA) will adhere to all mandated Agency, County, and State regulations, and maximize efficiencies by centralizing the coordination of the Leave of Absence (LOA) request and approval process within the PWA Human Resources (PWA HR) office. The policy applies to all regular employees who are absent for a period of over three (3) consecutive workdays unless the absence is due to a pre-approved vacation.

**Leave of Absence Definition**

The County of Ventura Personnel Rules & Regulations defines a LOA as, "An authorized absence from duties with or without pay." The County's Absence Management Program applies to all employees. Employees must apply for a leave for any absence of more than three workdays unless the absence is due to a pre-approved vacation.

If an employee is absent from work without authorization for three days or two consecutive twenty-four-hour work shifts, the County may, without any notice, deem that employee has voluntarily abandoned his/her job under Article 22, Section 2203 of the County of Ventura's Personnel Rules & Regulations.

*All policies are subject to amendment. Please refer to the Public Works Agency Shared Folder ([PWA Standards and Templates](#)) for the official current version.*

## **Procedures**

### **Requesting a Leave of Absence**

1. It is the employee's responsibility to contact their immediate supervisor and the PWA Leave Coordinator as soon as possible after learning of the need for a LOA, or medically caused absence of more than three (3) days consecutive workdays.
2. The Leave Coordinator will provide the employee with a LOA packet and may meet in person or by telephone to discuss and review the LOA process.
3. Upon receipt of the packet, the employee must complete and submit the required forms to the Leave Coordinator **prior** to the first day of leave.
4. If the LOA is scheduled, or extends, for a period that is longer than thirty days, the following process will be followed:
  - a. The employee's County equipment (cell phone, laptop, etc.) will be collected by the employee's manager or the Leave Coordinator who will deliver it to PWA IT.
  - b. PWA IT will update ESIDB with possession of equipment, storing it securely.
  - c. PWA IT will suspend billing of cell phone.
  - d. PWA IT will disable email, DUO and network accounts.
  - e. Employee's manager may request having access to employee's email or setting an out-of-office reply.
  - f. Some exceptions may apply, on a case-by-case basis.

### **Intermittent Leave of Absence:**

The above procedures also apply to any request for Intermittent Leave of Absence.

### **Request for Extension of Leave of Absence**

1. If the employee is unable to return to work on the date approved in the original Request for LOA, an extension must be requested.
2. To request an extension, the employee must notify their immediate supervisor and Leave Coordinator by phone or e-mail as soon as the need is known. The employee must also complete and submit the required leave extension documents to the Leave Coordinator prior to the original return from leave date.

### **Approval of Leave of Absence (new or extension)**

1. The Leave Coordinator will review and assess submitted documents and eligibility factors.

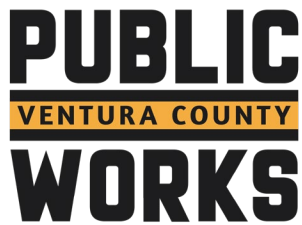
- A. If the factors are within the Leave Coordinator's authorization authority, the Leave Coordinator will authorize the LOA and notify the employee's supervisor, manager, and/or designated contact.
- B. If the factors are outside of the Leave Coordinator's authorization, the request will be referred to CEO/HR or to the employee's department. Personal Leave requests will be reviewed on a case-by-case basis and require approval by the Department Director.

**Returning to Work after a Leave of Absence**

- 1. An employee returning to work must provide the Leave Coordinator with a completed Return to Work form **prior** to reporting to work or within 1 hour of the return.
- 2. The Leave Coordinator will review the form and determine the disposition for the return to work. If work restrictions are indicated, the Leave Coordinator will notify the manager and PWA HR to discuss possible accommodations.
- 3. The manager will contact PWA IT Services for the activation of computer accounts.
- 4. The manager/supervisor must contact the Leave Coordinator to confirm the employees' return to work.

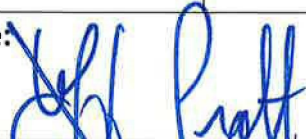
**Returning to Work after a Non-Medical Leave of Absence**

- 1. An employee returning to work will report directly to their work site if the LOA was due to illness or injury of an immediate family member, death of a family member, military, personal, or educational need.
- 2. The manager/supervisor **must** contact the Leave Coordinator to confirm the employees' return to work.



Ventura County Public Works Agency  
 800 South Victoria Avenue  
 Ventura, CA 93003  
 805.654.2018

**VCPWA Policy, Procedure & Standards Manual**

<b>Chapter:</b> Employment and Recruitment		<b>Chapter Number:</b>	
<b>Policy/Procedure (<u>Underline One</u>):</b> Telework		<b>Departments:</b> <input checked="" type="checkbox"/> CS <input checked="" type="checkbox"/> ES <input checked="" type="checkbox"/> RT <input checked="" type="checkbox"/> WP <input checked="" type="checkbox"/> WS	<b>Policy Number:</b>
<b>Adopted:</b> 6/1/2022	<b>Reviewed:</b> 6/1/2022	<b>Revised:</b> 6/1/2022	<b>Version Number:</b> 001
<b>Approved By:</b> Jeff Pratt Agency Director	<b>Date:</b> 6/1/2022	<b>Signature:</b> 	

**Departments/Staff Affected**

All Departments, All Staff.

**Policy**

The VCPWA has adopted a voluntary hybrid Telework Policy. This policy is in conjunction with the County of Ventura Employee Telework Program and supporting documents.

[https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_County\\_of\\_Ventura\\_Employee\\_Telework\\_Program\\_Package.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_County_of_Ventura_Employee_Telework_Program_Package.pdf)

Employee Telework Program Agreement  
[https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_Employee\\_Telework\\_Program\\_Agreement.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_Employee_Telework_Program_Agreement.pdf)

Employee Telework Program Supervisor’s Checklist  
[https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_County\\_of\\_Ventura\\_Employee\\_Telework\\_Program\\_Supervisors\\_Checklist.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_County_of_Ventura_Employee_Telework_Program_Supervisors_Checklist.pdf)

Telework Location Safety Checklist [https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_County\\_of\\_Ventura\\_Employee\\_Telework\\_Program\\_Location\\_Safety\\_Checklist.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_County_of_Ventura_Employee_Telework_Program_Location_Safety_Checklist.pdf)

Employee Security User Agreement for Teleworking

*All policies are subject to amendment. Please refer to the Public Works Agency Shared Folder ([PWA Standards and Templates](#)) for the official current version.*



[https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_County\\_of\\_Ventura\\_Employee\\_Security\\_User\\_Agreement\\_for\\_Teleworking.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_County_of_Ventura_Employee_Security_User_Agreement_for_Teleworking.pdf)

Employee Telework Program Assignments and Deliverables

[https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_County\\_of\\_Ventura\\_Employee\\_Telework\\_Program\\_Assignments\\_&\\_Deliverables.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_County_of_Ventura_Employee_Telework_Program_Assignments_&_Deliverables.pdf)

Employee Telework Daily Task Report

[https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_County\\_of\\_Ventura\\_Employee\\_Telework\\_Program\\_Daily\\_Task\\_Report.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_County_of_Ventura_Employee_Telework_Program_Daily_Task_Report.pdf)

Termination of Employee Telework Program Agreement

[https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_County\\_of\\_Ventura\\_Termination\\_of\\_Employee\\_Telework\\_Program\\_Agreement.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_County_of_Ventura_Termination_of_Employee_Telework_Program_Agreement.pdf)

Ergonomics for Telecommuters

[https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01\\_Ergonomics\\_for\\_Telecommuters.pdf](https://vcportal.ventura.org/VCWEB/policies/docs/2022-04-01_Ergonomics_for_Telecommuters.pdf)

The Public Works Agency recognizes the benefit and potential need for Teleworking. With adherence to the following criteria and approval by the Department Director, Telework may be approved on a long-term basis to allow for the scheduling of in-person versus remote work. Telework is a voluntary privilege and may be revoked.

- Staff working a traditional 8-hour schedule, one Telework day per week may be approved.
- Staff working a 9/80 schedule, one Telework day on the five-day work week may be approved.
- Job duties must be compatible with Telework.
- Employees that have received formal discipline are not eligible for Telework. Telework options may be reviewed one-year after formal discipline.
- To ensure a comprehensive orientation program Telework may be approved after the completion of one-year of PWA employment.
- Telework must be auditable, with check in and out required.
- Partial Telework days may be approved by the Department Director on an individual basis.
- Public interface cannot be impacted.

- Telework must be recorded on the staff member's Outlook calendar by way of creating an all-day meeting on each scheduled Telework date. Within the appointment Right click; go to "Show As"; select "Working Elsewhere".
- Days of the week eligible for Telework are Tuesday, Wednesday, or Thursday.
- If Teleworking, "Telework" is to be noted in the Comments in VCHRP when entering payroll.
- Must have full audio-visual capabilities in remote work location.
- PWA may provide a laptop or Surface which can be utilized for Teleworking but is not guaranteed.
- No additional hardware will be provided by PWA.
- Changes in work schedule must occur at the start of a pay period.
- During Telework days phones must be forwarded and answered in real time.
- All County of Ventura Telework forms must be completed prior to the commencement of Telework.
- Telework can be revoked at any time.

Temporary Telework arrangements for COVID exposure or diagnosis will be handled on an individual basis with no change to the formal work schedule.

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>INTRODUCTION CHAPTER I</b>
Originating Agency: CEO	Last Issued/Revised  2024	<u>Policy No. Chapter I – 3</u>  CODE OF ETHICS
Policy Change Requires:	<input checked="" type="checkbox"/> Board of Supervisors Approval <input type="checkbox"/> CEO Approval	
Forms Change Requires:	<input type="checkbox"/> CEO Approval	

## **POLICY**

Article 25 of the County of Ventura Personnel Rules and Regulations establishes a code of ethics for all employees. This policy expands on that Code of Ethics and applies to all County employees, regardless of position or title.

### **PURPOSE**

To establish standards of conduct and to delineate the ethical responsibilities of the public service for the guidance of all employees.

### **ETHICAL RESPONSIBILITIES**

Each employee has multiple ethical obligations to the citizens, to the people's elected representatives, to fellow employees, and to the administration of the County of Ventura, including but not limited to the following:

- To treat members of the public and fellow employees respectfully, fairly, and honestly at all times;
- To perform duties in compliance with all federal, State, and local laws, and avoid any involvement in illegal, unethical, or improper conduct;
- To create a work environment that promotes open and honest communications, and encourages raising ethical concerns without fear of retribution or retaliation;
- To assume responsibility for knowing, understanding, and having a practical working knowledge of the laws and regulations applicable to the job at hand;
- To cooperate in accomplishing the County's goals;
- To expose corruption wherever discovered;
- To refrain from disclosing any confidential information in violation of law;
- To preserve and safeguard the County's assets;
- To uphold these principles at all times, ever conscious that every position in the public office is a position of public trust; and

- To comply with County policies against discrimination, harassment, and retaliation.

#### ANTI-NEPOTISM

The County is committed to an equal employment opportunity workforce. The County discourages managers and supervisors from becoming romantically involved with any subordinate employees in their chain-of-command. The County further discourages family members from directly supervising another family member or occupying a position that has influence over a family member's employment, transfer or promotion, salary consideration or other management or personnel considerations. For purposes of this policy, a family member is defined as a spouse, registered domestic partner, son or daughter, sibling, grandparent, grandchild, or any other person with such a close bond as to suggest conflict in the employment relationship. This policy is intended to avoid misunderstandings, complaints of favoritism, and other similar issues that may arise from such relationships. Any questions or concerns about this policy should be directed to Human Resources.

#### ACCEPTANCE OF GRATUITIES

No employee shall accept any fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of resulting in, the use of public office for private gain; preferential treatment of any person, impeding governmental efficiency or economy; any loss of complete independence or impartiality; the making of a County decision outside official channels; or any adverse effect on the confidence of the public in the integrity of County government. Any suspected violation of this policy should be reported as provided in the following section.

#### REPORTING VIOLATIONS OF THIS POLICY

If an employee becomes aware of a possible violation of this policy, that employee must report the possible violation as soon as possible, either by informing the employee's direct County manager or supervisor, agency/department head, or Human Resources representative, or by contacting either of the following hotlines:

**Employee Fraud Hotline:** The Employee Fraud Hotline provides employees and citizens with a way to report possible incidents of wrongdoing related to fraud, waste, and abuse in Ventura County government. Complaints reported to the Employee Fraud Hotline are evaluated by the Auditor-Controller's Office to determine if further action is needed and/or if the matter needs to be referred to other County agencies/departments for resolution. The Employee Fraud Hotline can be reached by telephone at 805-644-6019 or by email at [Fraud.Hotline@ventura.org](mailto:Fraud.Hotline@ventura.org) (please note that email is not confidential).

**Employee Misconduct Hotline:** To report any other violations of this policy, an employee may contact the Employee Misconduct Hotline by telephone at 800-684-6523. Complaints reported to the Employee Misconduct Hotline are reported to the Human Resources Director and/or their designee for determination if further action is needed. Please refer to the Whistleblower Policy, Number Policy No. Chapter VIII (A) – 15.

#### CROSS REFERENCES:

**ETHICS TRAINING** – See Chapter VII (C) – 2, *Expense Reimbursement and Stipend Policy for Members of County Boards, Committees and Commissions; Ethics Training Policy*

**GIFTS** – See Chapter VII (B) – 11, *Acceptance of Gifts, Rebates and Other Items of Value*

**REPORTING MISCONDUCT:** *Whistleblower Policy, Number Policy No. Chapter VIII (A) – 15*

*Chapter VIII (A) -02 Equal Employment Opportunity Plan*



<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>HUMAN RESOURCES CHAPTER VIII (A) Employment &amp; Recruitment</b>
Originating Agency: CEO-HR	Last Issued/Revised  2024	<u>Policy No. Chapter VIII (A) - 2</u>  EQUAL EMPLOYMENT OPPORTUNITY PLAN
Policy Change Requires:	<input checked="" type="checkbox"/> Board of Supervisors Approval <input type="checkbox"/> CEO Approval	
Forms Change Requires:	<input checked="" type="checkbox"/> CEO Approval	

**POLICY**

It is the policy of the County of Ventura to assure equal employment opportunity to its employees and applicants for employment on the basis of fitness and merit, without regard to sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race (inclusive of traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), religious creed (including religious dress and grooming practices), color, gender (including gender identity and gender expression), reproductive health decision making, national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code section 12801.9), ancestry, physical disability (including HIV and AIDS), mental disability, medical condition (cancer and genetic characteristics), genetic information, marital status, registered domestic partner status, age (40 and over), sexual orientation, military and veteran status, request for Family and Medical Care Leave, or any other basis protected by federal, state or local law or ordinance or regulation. The County will follow this policy in recruitment, hiring, and promotion into all classifications and with respect to matters of compensation, benefits, transfers, assignments, tours of duty, shifts, layoffs, returns from layoff, demotions, terminations, training, education, leave, social and recreational programs, and use of County facilities. The County's policies and California and Federal law prohibit harassment, discrimination, and retaliation based on any of these characteristics, as well as the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics.

It is not the intent of this policy to permit or require the lowering of bona fide job requirements or qualification standards to give preference to any employee or applicant for employment.

Any employee of the County who fails to comply with this policy will be subject to appropriate disciplinary action, up to and including termination of employment.

**PROCEDURE**

Dissemination

A copy of this Equal Employment Opportunity Plan (EEOP) is publicly available online at <https://hr.ventura.org/equal-employment-opportunity>. Human Resources will also review the utilization reports on a bi-annual basis to identify problems and develop strategies to resolve under-utilization wherever possible. For those departments that have federally funded programs, a copy of portions of the EEOP will be posted on appropriate bulletin boards and employees will be advised of the location of those postings. County

managers will continue to receive appropriate training in diversity issues and to assist them in eliminating any biases.

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>HUMAN RESOURCES CHAPTER VIII (A) Employment &amp; Recruitment</b>
Originating Agency: CEO-HR	Last Issued/Revised 2024	<u>Policy No. Chapter VIII (A) - 23</u>  Harassment, Discrimination and Retaliation Prevention Policy
Policy Change Requires:	<input checked="" type="checkbox"/> Board of Supervisors Approval <input type="checkbox"/> CEO Approval	
Forms Change Requires:	<input checked="" type="checkbox"/> CEO Approval	

**POLICY**

The County of Ventura (“the County”) is committed to providing a work environment free of discrimination, harassment, and retaliation based upon race, religious creed (including all aspects of religious beliefs, observance or practice, including religious dress and grooming practice), color, national origin, ancestry, physical or mental disability (including HIV and AIDS), legally protected medical condition (such as cancer and genetic characteristics), genetic information, marital status, registered domestic partner status, sex (including pregnancy, childbirth, and breastfeeding, or related medical conditions), reproductive health decision-making (including an employee's decision to use or access a particular drug, device, product or medical service for reproductive health), gender (including gender identity and gender expression), age (40 years and over), military/veteran status, sexual orientation, request for family care leave, or any other basis protected by federal, state, or local law or ordinance or regulation. All such conduct violates County of Ventura policy.

All such harassment, discrimination or retaliation based on protected characteristics is unlawful. The County of Ventura's harassment, discrimination and retaliation policy applies to all persons involved in the operation of the County and prohibits unlawful harassment, discrimination, or retaliation by any employee of the County, including supervisors and managers, as well as vendors and customers. It also prohibits unlawful harassment, discrimination, or retaliation based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. The County specifically prohibits such persons from engaging in conduct violating the California Fair Employment and Housing Act or this policy. The County also prohibits retaliation for complaining about discrimination or harassment, as further discussed below. Any employee of the County of Ventura who fails to comply with this policy is subject to appropriate disciplinary action up to and including termination.

Please see the County of Ventura's Sexual Harassment Policy for a description of what constitutes sexual harassment, including examples.

The County also prohibits abusive conduct. Abusive conduct means conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a

person's work performance. A single act will not constitute abusive conduct, unless especially severe and egregious.

## **HARASSERS CAN BE HELD PERSONALLY LIABLE**

If you, as an employee, are found to have engaged in harassment, or if you as a manager or supervisor know about the conduct and condone or ratify it, you may be personally liable for monetary damages. The County reserves the right **not** to defend the claim against you pursuant to Government Code § 995.2 nor pay damages assessed against you personally.

### **All employees are required to undergo harassment prevention training as required by applicable law.**

The Human Resources Division of the County Executive Office will ensure all new employees are trained in discrimination and harassment prevention as required by applicable law. For more information about this training requirement, visit <https://www.calcivilrights.ca.gov/shpt>.

## **COMPLAINT PROCESS**

**You are strongly encouraged to report claims of discrimination, harassment, or retaliation.** If you believe that you have been the subject of harassment, discrimination, retaliation or other prohibited conduct, bring your complaint to your direct County manager or supervisor so that the incident can be promptly investigated and addressed. You may be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory. Employees and officials may also report discrimination, harassment, or retaliation to their department personnel officer, department head, the Human Resources Director, or the Employee Misconduct Hotline at 1-800-684-6523. Agency/department managers and supervisors must refer all complaints involving discrimination, harassment, retaliation, or other prohibited conduct to Human Resources.

The County of Ventura encourages all employees to report any incidents of discrimination, harassment, retaliation, or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

**An investigation will be conducted.** The County of Ventura will immediately undertake a fair, timely, and thorough investigation of allegations of misconduct under this policy, in accordance with all legal requirements. Complaints will receive a timely response, will be investigated in an impartial and timely manner by qualified personnel, will be documented and tracked for reasonable progress, and will be closed in a timely manner. The investigation will provide all parties appropriate due process and will reach reasonable conclusions based on the evidence collected. The County of Ventura will maintain confidentiality to the extent possible, but cannot promise complete confidentiality, because the County of Ventura's duty to investigate and take appropriate corrective action may require the disclosure of certain information.

**Appropriate action will be taken.** If the County of Ventura determines that discrimination, harassment, retaliation, or other prohibited conduct has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the County of Ventura to be responsible for discrimination, harassment, retaliation, or other prohibited conduct may be subject to appropriate disciplinary action in accordance with existing County rules, policies, and procedures, up to and including termination.



The County of Ventura will not retaliate against you for filing a complaint or participating in an investigation, and will not tolerate or permit retaliation by management, employees, or co-workers.

You also should be aware that the Federal Equal Employment Opportunity Commission and the California Civil Rights Department investigate and prosecute complaints of prohibited discrimination, harassment, and retaliation in employment. If you think you have been harassed or discriminated against, or that you have been retaliated against for resisting or complaining, or participating in an investigation, you may file a complaint with the appropriate agency.

- California Civil Rights Department (CRD) at 1-800-884-1684 or by visiting <https://civildrights.ca.gov/contactus/>
- U.S. Equal Employment Opportunity Commission (EEOC) at 800-669-4000 or by visiting <https://www.eeoc.gov/contact-eeoc/>.

If you wish to pursue filing with these agencies, you should contact them directly to obtain further information about their processes and time limits.

### **PROTECTION AGAINST RETALIATION**

County of Ventura policy and the law forbid retaliation against any employee who opposes harassment, discrimination, or retaliation, exercises rights under civil rights laws or who files a complaint, testifies, assists, or participates in any manner in an investigation, proceeding, or hearing conducted by the County of Ventura, the California Civil Rights Department, or the U.S. Equal Employment Opportunity Commission. Prohibited retaliation includes, but is not limited to, implementing an adverse employment action as a direct result of the employee's or official's opposition to harassment, discrimination, or retaliation, exercise of rights under civil rights laws, or filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing conducted by the County, the Civil Rights Department or the Equal Employment Opportunity Commission regarding workplace violence. This policy does not prohibit adverse employment actions that are unrelated to the above.

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>HUMAN RESOURCES DIVISION CHAPTER VIII (A) Employment and Recruitment</b>
Originating Agency: CEO-HR	Last Issued/Revised  2024	<u>Policy No. Chapter VIII (A) - 19</u>  RESPECTFUL WORKPLACE POLICY
Policy Change Requires:		<input type="checkbox"/> Board of Supervisors Approval
Forms Change Requires:		<input checked="" type="checkbox"/> CEO Approval
		<input checked="" type="checkbox"/> CEO Approval

## **POLICY**

The County of Ventura (“the County”) is dedicated to maintaining a respectful workplace. The County's Code of Ethics Policy (*Policy No. Chapter I-3*), Workplace Violence Policy (*Policy No. Chapter IV(B)-3*), Sexual Harassment Policy (*Policy No. Chapter VIII (A)-3*), Harassment, Discrimination, and Retaliation Policy (*Policy No. Chapter VIII (A)-23*) and this Policy establish behavioral and workplace standards to support a culture of mutual respect. It is the County’s policy that employees, supervisors, managers, and officials maintain a working environment that encourages and promotes civil and congenial relationships. The County’s policy, as embodied in the Personnel Rules and Regulations and Memoranda of Agreement with the various employee representatives, also prohibits discourteous treatment of the public or other employees. The purpose of this policy is to communicate to all employees that disrespectful or discourteous treatment of fellow employees is inappropriate workplace behavior.

In implementing this policy, the rights of free speech and association shall be accommodated in a manner consistent with the intent of this policy. Further, nothing in this policy is intended to interfere with, coerce or restrain any employee from exercising their rights under any State or Federal labor law.

## **GUIDELINES**

It is the intent of the County of Ventura that all employees enjoy a positive, respectful, and productive work environment free from behavior, actions, or language constituting a violation of this Respectful Workplace Policy. Every employee is expected to treat each other with respect, and disrespectful behavior will not be tolerated.

### **Respectful Behavior**

*Disrespectful behavior does not include:*

- Managers directing or controlling how work is done, as managers have a responsibility to monitor workflow and give feedback on performance provided it is conducted in a respectful and professional manner.

- Miscommunication, disagreements, or situations of conflict where the behavior remains respectful between all individuals.

### **Discourteous or Disrespectful Behavior**

The following descriptions of discourteous or disrespectful behavior, actions, or language, as perceived by a reasonable person, are examples of conduct that constitutes a violation of this Respectful Workplace Policy:

- Repeated infliction of verbal or written abuse such as the use of derogatory remarks, epithets or insults that are intended to be or perceived to be demeaning, berating, humiliating, threatening, bullying, offensive, insulting, slanderous, or malicious.
- Using obscenities, either verbally or by gestures.
- Use of personal insults or offensive nicknames.
- Encouraging others to disregard legitimate directives, instructions, or other guidance from supervisors, managers, or officials.
- Unwelcome physical contact, physical abuse, or threats of abuse to an individual or an individual's property, for instance defacing or marking up an individual's property.
- Acts to undermine or interfere with an employee's work performance.
- Use of this policy to make knowingly false complaints.

It is not the purpose of this policy to address every situation, but merely to make each employee aware of the general scope and application of respect in our workplace. Discourteous or disrespectful behavior may or may not be intentional and unintentionally discourteous or disrespectful behavior may still violate this policy.

### **EXPECTATIONS**

#### **Managers and Supervisors**

In accordance with this policy, managers and supervisors are expected to lead by example and maintain a respectful, professional, and productive workplace. Managers or Supervisors who observe or otherwise become aware of disrespectful behavior, are expected to take appropriate and immediate corrective and preventive action to ensure a respectful and supportive workplace environment for all employees.

#### **Human Resources**

The Director of Human Resources, or the Director's designee, will provide avenues for resolution and support for those individuals who experience disrespectful behavior and will otherwise enforce this policy.

Employees found to have participated in actions constituting a violation of this policy may be subject to disciplinary action up to and including termination.

## **CONTACT INFORMATION**

Each employee is encouraged to first contact their supervisor or manager to report discourteous treatment if appropriate. Alternate resources to contact are: the employee's human resources unit, agency/department head, assigned CEO-HR Analyst, County Human Resources, or the Human Resources Director. As a final resource, an employee may contact the Employee Misconduct Hotline at 1-800-684-6523.

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>HUMAN RESOURCES CHAPTER VIII (A) Employment &amp; Recruitment</b>
Originating Agency: CEO-HR	Last Issued/Revised  2024	<u>Policy No. Chapter VIII (A) - 3</u>  SEXUAL HARASSMENT POLICY
Policy Change Requires:	<input checked="" type="checkbox"/> Board of Supervisors Approval <input type="checkbox"/> CEO Approval	
Forms Change Requires:	<input checked="" type="checkbox"/> CEO Approval	

**POLICY**

1. It is illegal and against the policies of the County of Ventura (the “County”) for any official or employee to sexually harass another person.
  
2. All County officials and employees will preserve a workplace free of sexual harassment. Sexual harassment is any harassment based on someone's sex, sexual orientation, or gender. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and any other offensive conduct of a sexual nature when:
  - A. Submission to the advance, request, or conduct is made, either implicitly or explicitly, a term or condition of employment; or
  - B. Submission or rejection of the advance, request, or conduct is used as the basis for an employment decision (including but not limited to tangible job benefits, promotion, retention, performance appraisal.); or
  - C. The advance, request, or conduct unreasonably interferes with the affected person’s work performance by creating an intimidating, hostile, or offensive work environment.
  
3. Sexual harassment directed at another person is not protected speech under the First Amendment. The County will not tolerate any form of sexual harassment, regardless of whether it is:
  - A. Verbal (for example, epithets, derogatory statements, slurs, sexually related comments or jokes, unwelcome sexual advances, or requests for sexual favors);
  - B. Physical (for example, assault, inappropriate physical contact, or impeding or blocking movements);
  - C. Visual (for example, displaying sexually suggestive posters, cartoons, or drawings, sending inappropriate adult-themed gifts, leering, or making sexual gestures); or
  - D. Online (for example, derogatory statements or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc., which are directed toward a County employee and could cause a hostile work environment).



## **PREVENTION**

1. Creating a workplace that is free of sexual harassment requires that all persons adhere to the terms of this Policy. The County expects that all department managers and supervisors will take all reasonable steps necessary to prevent sexual harassment from occurring and develop methods to sensitize employees on this issue.
2. All employees and officials are required to undergo harassment prevention training as required by applicable law.

## **COMPLAINT PROCESS**

### **Complaint**

1. Employees and officials are strongly encouraged to report any instance of sexual harassment as soon as possible to their direct County manager or supervisor so that the incident can be promptly investigated and addressed. Employees and officials may also report sexual harassment to their agency/department personnel officer, agency/department head, CEO-HR Analysts, the Human Resources Director, or the Employee Misconduct Hotline at (800) 684-6523.
2. Agency/department managers and supervisors must report all known incidents to Human Resources when they receive a complaint, observe harassing conduct, or have reasonable grounds to believe that an investigation might be warranted.
3. No person is required to report sexual harassment or other inappropriate conduct to the person engaging in or causing the sexual harassment.

### **Investigation**

1. The County investigates all complaints of sexual harassment. All complaints will receive timely response and qualified personnel will undertake a fair, timely, and thorough investigation of the allegations, in accordance with all legal requirements. All complaints will be documented and tracked for reasonable progress and will be closed in a timely manner. The investigation will provide all parties appropriate due process and will reach reasonable conclusions based on the evidence collected.
2. Over the course of the investigation, the County will maintain confidentiality to the extent possible. The County cannot promise complete confidentiality because the County's duty to investigate and take appropriate corrective action may require the disclosure of certain information.

### **Corrective Action**

1. Any employee or official determined by the County to be responsible for sexual harassment, retaliation, or other prohibited conduct will be subject to appropriate disciplinary action, up to and including termination.
2. Employees and officials who engage in sexual harassment, as well as managers or supervisors who know about the conduct and condone or ratify it may be personally liable for monetary damages. The

County reserves the right **not** to defend the claim against you pursuant to Government Code § 995.2 nor pay damages assessed against any employee or official.

### **Protections Against Retaliation**

1. The County will not retaliate against any employee or official for filing a complaint or participating in an investigation, and will not tolerate or permit retaliation by management, employees, co-workers, or other officials.
2. The County strictly prohibits retaliation against any employee or official who opposes sexual harassment or who files a complaint, testifies, assists, or participates in any manner in an investigation, proceeding or hearing conducted by the County, the Civil Rights Department or the Equal Employment Opportunity Commission. Prohibited retaliation includes, but is not limited to, implementing an adverse employment action as a direct result of the employee's or official's filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing conducted by the County, the Civil Rights Department or the Equal Employment Opportunity Commission regarding workplace violence. This policy does not prohibit adverse employment actions that are unrelated to the above.

### **Other Resources**

Independent from the County's internal complaint process, employees and officials who believe they have been sexually harassed or retaliated against for resisting or complaining, or participating in an investigation may file a complaint with the appropriate agency listed below. Employees or officials who wish to pursue filing with these agencies should contact them directly to obtain further information about their processes and time limits.

- State of California Civil Rights Department (CRD) at 1-800-884-1684  
<https://calcivilrights.ca.gov/contactus/>
- U.S. Equal Employment Opportunity Commission (EEOC) at 1-800-669-4000  
<https://www.eeoc.gov/contact-eeoc/>

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>HUMAN RESOURCES CHAPTER VIII (A) Employment &amp; Recruitment</b>
Originating Agency: CEO-HR	Last Issued/Revised  2024	<u>Policy No. Chapter VIII (A) - 15</u>  WHISTLEBLOWER POLICY
Policy Change Requires:	<input type="checkbox"/> Board of Supervisors Approval <input checked="" type="checkbox"/> CEO Approval	
Forms Change Requires:	<input checked="" type="checkbox"/> CEO Approval	

## **POLICY**

This policy prohibits retaliation against County of Ventura employees to the full extent of California Labor Code section 1102.5 and any other applicable laws. As such, this policy is intended to protect any County employee who engages in good-faith disclosure of alleged wrongful conduct to a public body (including a government or law enforcement agency), to a person with authority over the employee, to another employee who has authority to investigate, discover, or correct the violation or noncompliance, or to a designated County official. No adverse personnel action will be taken against a County employee in retaliation for a disclosure of information the employee reasonably believes evidences: (1) a violation of any law; (2) mismanagement involving a gross waste of monies; or (3) an abuse of authority (items 1, 2, and 3 are collectively referred to herein as “alleged wrongful conduct”). This policy also protects any County employee who the County reasonably believes may disclose any of the above information, even if the employee has not done so.

If an adverse personnel action is taken against a County employee in retaliation for the employee’s good faith disclosure of information to a public body or to a designated County official concerning alleged wrongful conduct, then the adverse personnel action will be reversed.

Any supervisory or managerial employee who is found to have retaliated against a County employee for disclosure of alleged wrongful conduct to a public body or to a designated County official, as described in the first paragraph above, shall be subject to discipline up to and including termination, in accordance with existing County rules, policies, and procedures.

Additional information on the County’s whistleblower protections can be found in the California Whistleblower Protection Act Poster.

## **PROCEDURE**

Making a Disclosure - In order to allow the County an opportunity to review alleged wrongful conduct and to take necessary corrective action, employees have various methods by which they can report alleged wrongful conduct. Specifically, an employee can make a complaint by:

- Informing their immediate supervisor (or, if the complaint is about their immediate supervisor, the next-level supervisor);

- Informing any member of Human Resources; or
- Contacting the County's employee hotlines. For incidents of misconduct or discourteous treatment, the employee may call the County's internal complaint hotline at 1-800-684-6523. If an employee wishes to remain anonymous, they should utilize the hotline. The employee may also call the Employee Fraud Hotline for reports of fraud, waste, or abuse at (805) 644-6019 or non-confidentially by e-mail at [Fraud.Hotline@ventura.org](mailto:Fraud.Hotline@ventura.org).

The employee may also contact external reporting agencies including, but not limited to, the California Civil Rights Department by phone at 1-800-884-1684 or online at <https://calcivilrights.ca.gov> and/or the U.S. Equal Employment Opportunity Commission by phone at 1-800-669-4000 or online at <https://www.eeoc.gov/contact-eeoc/>.

#### Investigation of Alleged Wrongful Conduct

The Human Resources Director, or the Human Resources Director's designee, will write down the allegations of misconduct, conduct or initiate an appropriate investigation into the allegations, and either take necessary corrective action or recommend that necessary corrective action be taken. At the conclusion of the investigation, the County will notify the employee who made the disclosure and other affected employees in writing of the determination and will retain a copy of the notification.

With respect to complaints reported to the Employee Fraud Hotline, the Auditor-Controller's Office will assess the complaint and determine whether to investigate the issue or whether to refer the complaint to other County agencies/departments for investigation. The Auditor-Controller's Office will limit disclosure of information about complaints received and investigations conducted by or based on referral by the Auditor-Controller's Office as provided by California Government Code section 53087.6.

False Allegations of Misconduct - Any County employee who knowingly makes false allegations of misconduct to a public body or designated County official may be subject to discipline, up to and including termination of employment, in accordance with County rules, policies, and procedures.

<b>COUNTY OF VENTURA</b>	<b>2018 ADMINISTRATIVE POLICY MANUAL</b>	<b>BUILDINGS AND FACILITIES CHAPTER IV (B) Security</b>
Originating Agency: CEO-HR	Last Issued/Revised  2024	<u>Policy No. Chapter IV (B) -3</u>  WORKPLACE VIOLENCE POLICY
Policy Change Requires:	<input type="checkbox"/> Board of Supervisors Approval <input checked="" type="checkbox"/> CEO Approval	
Forms Change Requires:	<input checked="" type="checkbox"/> CEO Approval	

**PURPOSE AND COMMITMENT**

1. The County of Ventura is dedicated to the prevention of all levels of violence and is committed to protecting the safety and welfare of its employees, applicants, customers, clients, and visitors in the workplace. The County does not tolerate acts of workplace violence committed by or against employees, applicants, customers, clients, or visitors.
  
2. This Policy is intended to prevent all forms of workplace violence. For purposes of this policy, "workplace violence" is defined as any unlawful use of physical force, harassment, or intimidation, or abuse of power or authority, where the impact is to control by causing pain, fear or hurt. To that end, the County is committed to:
  - Reducing the potential for violence in and around the workplace;
  - Reducing the negative consequences for those employees who experience or encounter violence in their personal or work lives;
  - Fostering a work environment within Ventura County government in which its officials, managers, supervisors, and employees treat each other, their customers and clients with courtesy, dignity, and respect; and
  - Preparing the workforce to manage events of potential violence.
  
3. The County Executive Office will seek to reduce workplace violence and increase prevention efforts by:
  - Creating and implementing systems of accountability for persons who commit acts of violence in the workplace; and
  - Providing appropriate and timely resolution and support to employees and officials who experience workplace violence; and
  - Initiating both legal and disciplinary action for employees and officials who are found to have violated this Policy; and



- Providing all employees and officials training on workplace violence including active shooter and de-escalation; and
  - Providing adequate access to information and education resources for employees and their families who experience workplace violence; and
  - Creating and implementing specific guidelines and expectations for the reporting of violent or potentially violent circumstances in the workplace; and
  - Making recommendations to the Board of Supervisors for additional procedures that address violence in the workplace and its consequences when appropriate; and
  - Developing a long-range plan to provide a physical environment that lessens the potential for violence but remains conducive to serving the public; and
  - Evaluating progress in achieving the goals of this policy.
4. As part of its commitment, and in compliance with California law, the County is developing Workplace Violence Prevention Plans ("WVPP") for each agency and department. County employees will be required to comply with all of the County's procedures and guidelines within the relevant WVPP. Failure to follow the County's procedures and guidelines may result in disciplinary action. This policy will be updated to incorporate the WVPPs once they are completed.

### **Reporting Workplace Violence**

1. Employees and officials are strongly encouraged to report any threat of workplace violence as soon as possible to any County manager or supervisor so that the incident can be promptly investigated and addressed. Employees and officials may also report workplace violence to the agency/department personnel officer, agency/department head, CEO-HR Analysts, or the Human Resources Director.
2. Agency/ Department managers and supervisors must report all known incidents to Human Resources when they receive a complaint, observe conduct which violates this Policy, or have reasonable grounds to believe that an investigation might be warranted.
3. No person is required to report workplace violence, threats of workplace violence or other inappropriate conduct to the person engaging in or causing the workplace violence.

### **Investigation**

1. If a threat of violence is immediate and/or life threatening, call Emergency Response "911."
2. The County investigates all complaints of workplace violence and threats of violence. All complaints will receive timely response and qualified personnel will undertake a fair, timely, and thorough investigation of the allegations, in accordance with all legal requirements. All complaints will be documented and tracked for reasonable progress and will be closed in a timely manner. The investigation will provide all parties appropriate due process and will reach reasonable conclusions based on the evidence collected.

3. Over the course of the investigation, the County will maintain confidentiality to the extent possible. The County cannot promise complete confidentiality because the County's duty to investigate and take appropriate corrective action may require the disclosure of certain information.
4. Failure to perform a timely and appropriate investigation may result in disciplinary action up to and including dismissal.

### **Victims of Workplace Violence**

1. Any employee or officer who is the target of an act or threat of violence may be referred to the Employee Assistance Program or other support services.
2. Employees who are victims of workplace violence also may be eligible for leave for related issues.

### **Corrective Action**

1. Any employee or official found to have engaged in workplace violence, made a credible threat of violence, or otherwise engaged in conduct prohibited by this Policy will be subject to appropriate disciplinary action up to and including termination. For purposes of this policy, a "credible threat of violence" means a knowing and willful statement or course of conduct that would place a reasonable person in fear for their safety, or the safety of their immediate family, and that serves no legitimate purpose, in accordance with California Code of Civil Procedure section 527.8. Such "credible threats of violence" are not protected by the First Amendment.
2. Depending on the nature of the violence or threat of violence, corrective action may also include, but is not limited to:
  - Immediately removing any person engaging in prohibited conduct from County property by proper authorities;
  - Seeking a restraining order or other appropriate legal action;
  - Scheduling a medical examination to determine fitness for duty; and
  - Referring the employee to the Employee Assistance Program or a health care/medical provider.

### **Protections Against Retaliation**

1. The County strictly prohibits retaliation against any employee or official who files a complaint, testifies, assists or participates in any manner in an investigation, proceeding or hearing conducted by the County, the Civil Rights Department or the Equal Employment Opportunity Commission regarding workplace violence. Prohibited retaliation includes, but is not limited to, implementing an adverse employment action as a direct result of the employee's or official's filing a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing conducted by the County, the Civil Rights Department or the Equal Employment Opportunity

Commission regarding workplace violence. This policy does not prohibit adverse employment actions that are unrelated to the above.

**Trainings**

1. Employees and officials receive a copy of this policy upon hire and upon taking office. Training on the policy will occur within 6 months of hire or taking office and every two years thereafter.