

# **GREENE COUNTY ADMINISTRATIVE MANUAL**

## **Most Recent Amendment:**

**Resolution No. 156-25**

**adopted May 21, 2025**



**UPDATES since adopted by Resolution No. 279-11**  
**on August 17, 2011:**

**This Administrative Manual was updated with the following Resolutions:**

<b>Resolution No. 14-12</b>	<b>adopted January 18, 2012</b>
<b>Resolution No. 125-12</b>	<b>adopted April 18, 2012</b>
<b>Resolution No. 15-13</b>	<b>adopted January 16, 2013</b>
<b>Resolution No. 273-13</b>	<b>adopted September 18, 2013</b>
<b>Resolution No. 182-14</b>	<b>adopted June 18, 2014</b>
<b>Resolution No. 363-14</b>	<b>adopted December 17, 2014</b>
<b>Resolution No. 235-15</b>	<b>adopted September 16, 2015</b>
<b>Resolution No. 255-15</b>	<b>adopted October 21, 2015</b>
<b>Resolution No. 95-16</b>	<b>adopted March 16, 2016</b>
<b>Resolution No. 192-16</b>	<b>adopted June 15, 2016</b>
<b>Resolution No. 266-16</b>	<b>adopted September 21, 2016</b>
<b>Resolution No. 267-16</b>	<b>adopted September 21, 2016</b>
<b>Resolution No. 361-16</b>	<b>adopted December 21, 2016</b>
<b>Resolution No. 97-17</b>	<b>adopted March 20, 2017</b>
<b>Resolution No. 143-17</b>	<b>adopted April 19, 2017</b>
<b>Resolution No. 209-17</b>	<b>adopted June 21, 2017</b>
<b>Resolution No. 83-18</b>	<b>adopted March 21, 2018</b>
<b>Resolution No. 184-18</b>	<b>adopted July 18, 2018</b>
<b>Resolution No. 268-18</b>	<b>adopted October 17, 2018</b>
<b>Resolution No. 288-18</b>	<b>adopted November 20, 2018</b>
<b>Resolution No. 42-20</b>	<b>adopted February 19, 2020</b>
<b>Resolution No. 171-20</b>	<b>adopted June 17, 2020</b>
<b>Resolution No. 307-20</b>	<b>adopted Nov. 18, 2020</b>
<b>Resolution No. 196-21</b>	<b>adopted Aug. 18, 2021</b>
<b>Resolution No. 16-22</b>	<b>adopted Jan. 19, 2022</b>
<b>Resolution No. 136-22</b>	<b>adopted April 20, 2022</b>
<b>Resolution No. 268-22</b>	<b>adopted Aug. 17, 2022</b>
<b>Resolution No. 416-22</b>	<b>adopted Dec. 14, 2022</b>
<b>Resolution No. 164-23</b>	<b>adopted May 17, 2023</b>
<b>Resolution No. 202-23</b>	<b>adopted June 21, 2023</b>
<b>Resolution No. 261-23</b>	<b>adopted August 16, 2023</b>
<b>Resolution No. 380-23</b>	<b>adopted December 20, 2023</b>
<b>Resolution No. 10-24</b>	<b>adopted January 17, 2024</b>
<b>Resolution No. 117-24</b>	<b>adopted March 20, 2024</b>
<b>Resolution No. 151-24</b>	<b>adopted April 17, 2024</b>
<b>Resolution No. 152-24</b>	<b>adopted April 17, 2024</b>
<b>Resolution No. 153-24</b>	<b>adopted April 17, 2024</b>
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**Resolution No. 362-24**  
**Resolution No. 156-25**

**adopted October 16, 2024**  
**adopted May 21, 2025**

## **Greene County Vision Statement**

**Greene County is a place where its residents enjoy economic growth in a setting which allows diverse business enterprises and the established natural and developed environments to prosper in harmony. Greene County values residents and families. The most vulnerable should be cared for respectfully and fairly and that the freedom of expression and privacy must be encouraged and protected. It is a place where people act as enlightened stewards of the land. All local governments, educational institutions, businesses, community organizations and places of worship join together to provide services which will improve the quality of life and overall well-being of all who live here or visit us.**

## **Greene County Mission Statement**

**The mission of Greene County is to meet the needs of our residents and our communities in the most cost-effective and direct methods available that support the vision. Greene County will engage in activities which are designed to protect and enhance the lives of the diverse population found in this County in ways that are compassionate, creative and ethical within the financial abilities of its residents.**

**To this end, the mission of the Greene County is to:**

- **Allocate fiscal resources consistent with our vision, goals, policies and community needs.**
- **Encourage open and honest communication.**
- **Initiate dialogue on the needs of the County.**
- **Welcome constructive input as to direction, initiatives and services.**
- **Enact policies that enhance the economic opportunity and well-being of all.**
- **Install policies that safeguard health, safety and rights.**
- **Use policies that prevent the need for more costly future services.**
- **Encourage and support programs that strengthen families and communities and that enhance our quality of life.**
- **Use a well-trained, diverse workforce of employees, qualified contractors and volunteers.**
- **We will provide adequate personnel, financial, facility and informational support to approved programs.**
- **We will produce a balanced budget that supports our vision, mission and goals.**
- **To carry out the mandates of state and federal governments.**
- **To act as a resource and partner for other local governments.**
- **To respond flexibly and responsibly, in a timely manner, to emerging needs and changing trends.**

GREENE COUNTY ADMINISTRATIVE MANUAL  
TABLE OF CONTENTS

	<u>Page No.</u>
<b>I. EMPLOYMENT</b>	
Appointment, Types of.....	I-1
County Positions, Categories of.....	I-2
Appointment Procedure (includes “holdovers”).....	I-3
Probationary Periods and Employee Performance Appraisals	I-8
Terminations.....	I-9
Lapses in County Service.....	I-10
Reclassification and Reallocation Review Process.....	I-11
Personnel Record Retention, Procedures for Review and Employment Reference and Verification Reply.....	I-13
Employee Performance Appraisals–Non-Managerial Employees	I-14
Employee Performance Appraisals–Managerial Employees And Confidential Employees.....	I-15
Corrective Action/Progressive Discipline.....	I-16
Employment of Relatives.....	I-17
Grievances.....	I-18
Equal Employment Opportunity Officer and Policy and Non-Discrimination Policy.....	I-19
Out-Of-Title Pay.....	I-20
Required forms for new positions and job specifications and reclassifying of existing positions.....	I-21
Transferring Between Departments and/or into a Supervisory or Management Position.....	I-22
Identification Badges, Keys, Swipe Cards, etc. and return of County Property.....	I-23
Licenses and Registrations.....	I-24
Interns.....	I-25
Rehired Retiree Rules.....	I-27
<b>II. HOURS OF WORK</b>	
Emergency Closings/County policy on closings.....	II-1
Office Hours.....	II-2
Overtime and Compensatory Time.....	II-3
Travel to Conferences and Seminars.....	II-4
Time and Attendance Records.....	II-5
Absences.....	II-6
Tardiness.....	II-8
<b>III. EMPLOYEE BENEFITS</b>	
Holidays.....	III-1
Leaves.....	III-2
Family Medical Leave.....	III-5
Retirement System.....	III-7
Tuition.....	III-8
Jury Duty.....	III-9
Military Duty Absence.....	III-10
Employee Recognition Program.....	III-13
Employee Suggestion Program.....	III-14
Training and Education.....	III-15
Health Insurance.....	III-16

GREENE COUNTY ADMINISTRATIVE MANUAL  
TABLE OF CONTENTS (continued)

<b>(III. EMPLOYEE BENEFITS – continued):</b>	<u>Page No.</u>
Employee Health Insurance Upon Disability Retirement Or Absence Due To Job-Related Injury (Workers’ compensation)	III-23
Continuation of Health Care Coverage (COBRA).....	III-24
Employee Parking.....	III-27
Flexible Spending Plan / Cafeteria Plan.....	III-28
Donation of Leave Time.....	III-29
Leave for Cancer Screening and Leave for Blood Donation.....	III-30
Allowance of Unused Sick Leave Under Section 41(j).....	III-31
Lactation Policy (Rights of Employees to Express Breast Milk in the Workplace).....	III-33
 <b>IV. INSURANCE</b>	
Incident/Accident Reports Involving County Employees.....	IV-1
Incidents/Accidents Involving County Vehicles.....	IV-2
Workers’ Compensation.....	IV-3
Workers’ Compensation – Settlement of Claims.....	IV-4
Unemployment Insurance.....	IV-5
Disability Claim Filing Procedure.....	IV-6
Claims or Suits Filed Against Greene County.....	IV-7
 <b>V. EMPLOYEE REIMBURSEMENTS</b>	
Travel.....	V-1
Travel Request/Reimbursement.....	V-2
Personal Automobile Reimbursement.....	V-3
Conferences, Meetings and Seminars.....	V-4
Meals and Lodging.....	V-5
 <b>VI. COUNTY EQUIPMENT AND PROPERTY</b>	
County Vehicles.....	VI-1
Vehicle Use Policy.....	VI-2
Disposal of Surplus Personal Property and Disposal of Vehicles.	VI-12
Use of Records and Files.....	VI-14
Office Space Allocation/Relocation of Office Space (non-structural alterations).....	VI-15
Structural Alterations to Buildings.....	VI-16
Equipment Inventory System.....	VI-18
Non-County Use of County Real Property.....	VI-19
Greene County Computer System and Phone and Fax System User Manual for Greene County Employees.....	VI-20
Work Area Policy for County Office Buildings.....	VI-27
Procedure For After-Hours Use of 411 Main St. Bldg, Catskill..	VI-29
Security Procedures for entering/exiting Greene County Mental Health Center in Cairo	VI-30
Service Procedures for I.T. Department.....	VI-31
Service Procedures for Buildings and Grounds Department.....	VI-32
County Website maintenance .....	VI-33

GREENE COUNTY ADMINISTRATIVE MANUAL  
TABLE OF CONTENTS (continued)

**VII. LEGISLATIVE ACTIONS REQUIRED**

Agreements and Contracts.....	VII-1
General Procedures.....	VII-2
Grant Applications.....	VII-3
Appointments to Advisory Councils, Committees and Boards....	VII-4

**VIII. REPORTS AND PLANS**

County Annual Report.....	VIII-1
Compliance with State Environmental Quality Review Act.....	VIII-2
Enacting the Fair Housing Plan.....	VIII-3
Prior Approval for any GIS/Website Projects, Contracts & Plans..	VIII-4
Corporate Compliance Plan.....	VIII-5

**IX. BUDGET**

Annual Preparation of Budget.....	IX-1
Budget Amendments and Transfers.....	IX-2
External Audits.....	IX-3

**X. HEALTH AND SAFETY**

Hazardous Materials/Right-to-Know.....	X-1
Smoking Policy.....	X-13
Drug Free Workplace.....	X-14
Drug Testing Policy.....	X-17
Workplace Violence Prevention Policy.....	X-18
Emergency Conditions-Chain of Command.....	X-20
Greene County Facilities Emergency Action Plan.....	X-21
Greene County Exposure Control Plan.....	X-31
Hepatitis B Vaccine Consent and Declination.....	X-32
Public Information Officer Appointment.....	X-33
Blood borne Pathogens Exposure Control Plan.....	X-34
Firearms in the Workplace Plan.....	X-35

**XI. GENERAL OFFICE PROCEDURES**

Political Campaigns.....	XI-1
Discriminatory Harassment Prevention Policy and Complaint Procedure	XI-2
Freedom of Information Requests.....	XI-8
Hatch Act Compliance.....	XI-9
Ethics.....	XI-12
Outside Employment.....	XI-13
Theft.....	XI-14
Serving Meals and Refreshments at Meetings.....	XI-15
Payroll Processing.....	XI-16
Employee Collective Bargaining Unit Elections.....	XI-17
Purchase of Goods or Services.....	XI-18
Computer and Software Purchases.....	XI-22
Requisitioning Supplies.....	XI-23
Voucher Processing.....	XI-24
Greene County Internet Security and Privacy Policy.....	XI-25
Greene County Website Terms and Conditions of Use and Privacy Policy.....	XI-28

GREENE COUNTY ADMINISTRATIVE MANUAL  
TABLE OF CONTENTS (continued):

**(XI. GENERAL OFFICE PROCEDURES – continued):**

HIPAA (Health Insurance Portability and Accountability Act)	XI-36
Contracts with Greene County re: liability insurance required	XI-37
Contracts with Greene County re: Worker’s Comp. required	XI-38
U.S. Flag and County Flag .....	XI-39
Use County Website for Advertisement of Bids/RFPs.....	XI-40
Use County Website for Legal and Public Notices.....	XI-41
Use of Legislative Letterhead/Stationery.....	XI-42
Solicitation .....	XI-43
Americans with Disabilities Act & Grievance Procedure.....	XI-44
Social Networking Policy.....	XI-45
Cell Phone Usage Policy.....	XI-47
Summary of Whistleblower Laws, Labor Law Section 740, Civil Service Law Section 75-b and New York State Finance Law Article XIII (New York False Claims Act)..	XI-50
Sexual Harassment Prevention Policy.....	XI-51
 <b>XII. LABOR CONTRACTS.....</b>	 <b>XII-1</b>
 <b>XIII. OTHER INFORMATION SOURCES.....</b>	 <b>XIII-1</b>

## I. EMPLOYMENT

## - Appointment, Types of-

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INFORMATION: Greene County employees are categorized according to the following types of appointment:

1. **Permanent–Appointment** – a regular appointment to a position in Greene County. The appointee receives all of the benefits of full appointment. To receive a permanent appointment, the full Civil Service examination/certification procedure must be followed.
2. **Temporary Appointment** – an appointment made for a particular program or project for a fixed period of time, usually for less than six months. Temporary appointments follow Civil Service procedures but do not usually require the full examination / certification process.
3. **Provisional Appointment** – an interim appointment to a position in Greene County.  
A provisional appointment is made when the Greene County Civil Service Commission does not have a certified list of eligibles for the position in question. The provisional appointee must qualify for the job and meet all Civil Service requirements. Once the appointee's name appears on the qualified Civil Service eligible list, the appointment may be made permanent, if appointee is reachable on the list. Provisional appointments should terminate two months after an appropriate eligible list has been established.
4. **Contractual Appointments** – there is no clear definition of an independent contractor. Generally, the distinction between employee and independent contractor status derive from the common law: whether the employer exercises control over the results produced or the means used to achieve the results. The distinction between an employee and an independent contractor is the difference between one who undertakes to achieve an agreed result and to accept the directions of his employer as to the manner in which the results shall be accomplished, and one who agrees to achieve a certain result but is not subject to the orders of the employer as to the means which are used.

## I. EMPLOYMENT

- County Positions, Categories of –

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INFORMATION: County positions are classified into five categories:

1. Competitive - Competitive appointments require a qualifying examination. Candidates are appointed by taking and passing an examination and by being one of the top three people willing to accept a position.
2. Non-Competitive - There is no examination process for noncompetitive positions. Candidates may be appointed if they meet the minimum qualifications for the position.
3. Labor - This class includes unskilled laborers. There is no examination required for labor class positions.
4. Exempt - Positions in the Exempt class are those for which competitive or non-competitive examinations are not practicable. Candidates are appointed to exempt positions by the appropriate governing body or County Administrator.
5. Unclassified - Elected officials, officials appointed by Greene County Legislature, officers and employees of the Board of Elections.

## I. EMPLOYMENT

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- Appointment Procedure -

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NOTE: All prospective hires receiving a conditional offer of employment will be subject to a physical, drug screen and background check, as the law allows. If a position requires a driver license, possession of a valid New York State driver license is required at time of appointment and this license must be maintained throughout employment. All County hires whose job requirements include possessing a valid driver license, must immediately report any changes in their driver license status to their Department Head. A change in license would include a suspended or revoked license.

PROCEDURE: The following steps must be taken before an appointment can be made:

A. Application for Employment

1. All applicants for positions in Greene County must complete a Greene County employment application, in addition to a Consent and Release for a background check, which can be obtained at the Human Resources Department. No potential employee will be considered for employment until these forms are complete and filed with the Human Resources Department.
2. Applicants for examinations will be referred to the Civil Service Department to complete the appropriate examination application form.

B. Authorization for Filling Vacancies

Authorization for filling vacancies will be through the County Administrator. All requests should be directed to the County Administrator on the prescribed Personnel Change Form, which can be obtained at the Human Resources Department.

1. Any Department Head who is interested in filling a vacancy or creating a new position is to inform the County Administrator by completing Step 1 of the Personnel Change Form.
2. The form is to include the name of the Department, the position to be filled and a statement of justification as to the need for filling the vacancy.
3. After Step I of the form is completed, the Department Head may discuss the request with the County Administrator.
4. After receiving written approval from the County Administrator to post, canvass and/or advertise the position or to promote, the Human Resources Department will take the appropriate steps to fill the vacancy, observing current labor agreements and Civil Service regulations.

## I. EMPLOYMENT

-Appointment Procedure (Continued) -

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C. Job Posting

1. Greene County's website is the County's official "bulletin board" and the primary location where all job vacancies will be posted.
2. Job vacancies will be posted on the County website for a minimum of five (5) business days.
3. The labor agreements address the topic of filling vacancies internally before hiring outside help.
4. In compliance with these labor agreements, the Human Resources Department will issue vacancy notices of bargaining unit positions to be posted pursuant to said agreements.
5. Copies of every job posting will be provided to every member of the Greene County Legislature.

D. Recruitment/Canvassing

All recruiting for vacant positions must be coordinated with the Human Resources Department.

## 1. Competitive Class Titles

- a. The Human Resources Department shall post the vacancy for a period of five (5) business days. If no eligible current employees apply for the position, the Civil Service Department shall canvass the existing eligible list.
- b. Upon completion of the canvassing process, the Department Head will receive a certification of names from the Civil Service Department of individuals willing to accept appointment.
- c. The **DEPARTMENT HEAD** has the responsibility of scheduling and conducting job interviews, and checking references prior to making a conditional offer of employment which is based on successfully passing a drug screen and background check.

## I. EMPLOYMENT

-Appointment Procedure (Continued) -

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- d. After the interviews have been completed, the Department Head will rank the candidates in order of preference and make a conditional offer of employment to his/her candidate of choice. Upon acceptance of the offer, the Department Head will indicate his/her hiring choice by completing Step 2 of the Personnel Change form and forwarding it to the County Administrator for written approval. Appointment authority will be vested with the respective Department Head with the concurrence of the County Administrator.

## 2. Labor/Non-competitive Class Titles

- a. The Human Resources Department will post the vacancy and accept all applications/resumes for each job posting.
- b. After the last file date, the Human Resources Department will review the applications/resumes in terms of qualifications and forward them to the Department Head.
- c. The Department Head has the responsibility of scheduling and conducting job interviews, and checking references prior to making a conditional offer of employment, which is based on successfully passing a drug screen and background check.
- d. After the interviews have been completed, the Department Head will rank the candidates in order of preference and make a conditional offer of employment to his/her candidate of choice. Upon acceptance of the offer, the Department Head will indicate his/her hiring choice by completing Step 2 of the Personnel Change form and forwarding it to the County Administrator for written approval. Appointment authority will be vested with the respective Department Head with the concurrence of the County Administrator.

## 3. Provisional Appointments

If a current eligible list does not exist, a provisional appointment can be made in accordance with the following:

- a. If a provisional appointment cannot be made internally, procedures similar to the non-competitive/labor class positions will be followed.
- b. If the applicable steps do not yield a qualified candidate for appointment, the Human Resources Department will initiate advertising options upon the request of the Department Head and with written approval of the County Administrator. (See Step I – Personnel Change form, which can be obtained at the Human Resources Department.)

## I. EMPLOYMENT

-Appointment Procedure (Continued) -

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E. Notice of Appointment

All new hires will receive written notice of their appointment.

1. All original appointments to positions in the classified service will be required to undergo a background investigation, which may include a fingerprint check, to determine suitability for employment. In addition, a candidate receiving a conditional offer of employment must successfully pass a drug screen and have a physical examination. Failure to meet the above standards may result in disqualification.
2. Upon successfully passing the drug screen and background check, the Human Resources Department will schedule an appointment with the candidate for orientation and completion of new hire paperwork.
3. The Human Resources Director will send a letter of appointment to the appointee. The letter shall state the job title, rate of pay, starting date and County Department.
4. The Department Head will send a letter of regret to the interviewees that were not selected.
5. A Greene County Civil Service Report of Personnel Change form (426) shall be completed by the Human Resources and Civil Service Departments and forwarded to the Department Head for signature. The Department Head should retain a copy, forward a copy to the Human Resources Department, and forward the original pink Form #426 to the Civil Service Department to be filed with the Greene County Civil Service Commission.
6. The County's labor unions will be notified by the Human Resources Department of new hires in their bargaining units in accordance with their respective collective bargaining agreements, and as required by law.
7. The Human Resources Department will provide the Treasurer's Office with the necessary information on all new hires.
8. The Department Head shall notify Information Technology regarding e-mail and phone requirements for all new hires, along with their start date. This request should be made at least one week before the start date for the new employee in order to guarantee timely completion.

I. EMPLOYMENT

-Appointment Procedure (Continued) –

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9. All new hires will start at the beginning of a pay period unless there is prior approval by the County Administrator.

G. Holdover of Legislative Appointments-

POLICY: For any employee who has not been reappointed prior to the expiration of their term, Greene County follows New York State Public Officers Law, Section 5.

## I. EMPLOYMENT

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-Probationary Periods and Employee Performance Appraisals-

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**POLICY:** In accordance with the Civil Service Rules for Greene County, every permanent appointment from an open-competitive list and every original appointment to a position in the non-competitive, exempt, or labor class must serve a probationary period.

**INFORMATION:** The probationary period begins at the date of appointment. Appointments become permanent when an employee satisfactorily completes the probationary period for a new hire, trainee, transfer or promotion. If performance is unsatisfactory, the employee may be terminated during this period. Please refer to the Greene County Civil Service Rules and/or the applicable Collective Bargaining Agreement for specifics.

**PROCEDURE:** Written performance appraisals are to be completed a minimum of two times during an employee's probationary period, preferably at the end of the first eight weeks and before the end of the probationary period. These evaluations are critical as the probationary period is the opportune time to provide both positive and negative feedback and address performance deficiencies,

Employee Performance Appraisal forms can be obtained from the Human Resources Department (HR). Printable and on-line versions of the forms are also available on County-Wide Share Point. It is the responsibility of each Department Head to have Appraisals completed annually for every new employee. HR will forward a Probationary Performance Evaluation Schedule form to the Department Head each time an employee is hired, promoted, or transferred. The Department Head is responsible for creating a schedule of probationary evaluations using this form. The Performance Appraisal is to be completed by the employee's immediate supervisor. The supervisor should schedule a conference with the employee to review and discuss the appraisal. The final appraisal is to be reviewed by the Department Head prior to submitting it to the HR Department for inclusion in the employee's personnel file. A copy of the fully signed performance appraisal form should be provided to the employee for their personal records.

## I. EMPLOYMENT

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- Terminations -

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**INFORMATION:** Resignations/Retirement: Every resignation/retirement of an employee must be in writing and goes into effect immediately upon presentation to the Department Head if no date is specified. However, two weeks' notice of resignation is the norm. Managerial staff is expected to provide thirty (30) days notice of resignation.

Dismissals: Employee dismissals will be completed in strict compliance with the appropriate sections of the collective bargaining unit contracts and Civil Service Law. Terminations for cause must be sufficiently documented to justify the cause. Questions about what constitutes "cause" should be resolved with the County Attorney, County Administrator and the Human Resources Department, before commencing termination actions.

**PROCEDURE:**

1. Letters of Resignations/Retirement should be directed to the appropriate Department Head, with a copy to the Human Resources Department.
2. Greene County Civil Service Commission form #426, Report of Personnel Change, (Greene County Form #4) can be obtained at the Human Resources Department and must be completed by the Human Resources and Civil Service Departments and must be filed with the Greene County Civil Service Commission.
3. Terminations of any sort require that a notice be sent from the Department Head to the Greene County Treasurer at least one week prior to the employee's last pay day. Notice should include the date of termination as well as a summary of leave credits available as of the date that the notice is being sent to the Greene County Treasurer for which the employee is to be paid.
4. For retirement benefit information, please see Section III-7 of this Administrative Manual.
5. Upon termination, resignation or retirement of an employee, a work order to change phone services and/or messages and to cancel e-mail accounts must be sent to Information Technology, listing the employee's name and phone extension, and instructions regarding the employee's e-mail account, auto reply message (if any), forwarding instructions and effective date.

I. EMPLOYMENT

- Lapses in County Service –

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**POLICY:** All employees of Greene County should be treated in a uniform manner in calculating employee benefits when lapses in service occur.

**PROCEDURE:** For purposes of calculating employee benefits that are based on duration of service, all employees who resign from Greene County employment and, after a period of time, return to Greene County employment shall have the date of employment calculated according to the following procedure:

<u>Lapse in Service *</u>	<u>Employment Date for Benefit Calculation Purposes</u>
Up to one (1) year	Original date of appointment
More than one (1) year	New appointment date

\*Amount of time between date of resignation and date of new appointment.

## I. EMPLOYMENT

- Reclassification and Reallocation Review Process -

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**POLICY:** All requests for title reclassification and/or reallocation must be submitted in writing from the Department Head to the Greene County Civil Service Commission accompanied by Civil Service form #220 'Job Position Classification Questionnaire', which can be obtained from the Human Resources Department.

**INFORMATION:** Definitions:

"REALLOCATION" means the assignment of a position to an appropriate class as determined by the duties, responsibilities and minimum qualification requirements of the position.

"RECLASSIFICATION" means the reallocation of a position from one class to another because of a permanent and material change of the duties of these positions.

**PROCEDURE:**

1. As outlined in the Greene County Civil Service Rules, any employee has the right to apply for a title reclassification and/or reallocation. Employees wishing a reclassification and/or reallocation of their job titles should submit the initial request in writing on Civil Service Form #220 'Job Position Classification Questionnaire' which can be obtained from the Human Resources Department, to their immediate supervisor and Department Head. The Department Head in turn will submit written recommendations with justification along with the suggested job title and grade level to the Greene County Civil Service Commission and the County Administrator.
2. Upon receiving the written request, the Executive Secretary to the Greene County Civil Service Commission will conduct a desk audit. The Executive Secretary will then review the Form #220 and analyze the information collected during the desk audit.
3. The request for reclassification and/or reallocation will be submitted to the Greene County Civil Service Commission. Department Heads and employees will have the right to appear before the Commission, if they so desire.

I. EMPLOYMENT

- Reclassification and Reallocation Review Process –  
-continued-

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4. Recommendations for reclassifying and/or reallocating titles will be vested with the Greene County Civil Service Commission. The Commission's written recommendations will be forwarded to the County Administrator for final decision, provided adequate funding currently exists. If the reallocation/reclassification requires more funding than is available, a resolution will be brought before the Greene County Legislature for their decision.
5. The Executive Secretary to the Greene County Civil Service Commission will meet and discuss with the appropriate collective bargaining agents each application for reclassification or reallocation.
6. The Department Head and the employee will receive written notice of the final decision.
7. All reclassified and/or reallocated titles will be brought before the appropriate committees as informational items.

## I. EMPLOYMENT

-Personnel Record Retention, Procedures for Review and  
Employment Reference and Verification Reply-

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**POLICY:** All County employee personnel records are to be retained in the County Human Resources Department. **There is only one official Personnel file and all original documents shall be maintained in the Human Resources Office.**

**INFORMATION:** To maintain strict confidentiality, Personnel records will be filed in locked cabinets. County employees will have access to their individual files and Department Heads will have access only to those files of employees (or a possible hire) under their administration and only in the performance of their official duties.

**PROCEDURE:** Upon presenting sufficient identification and by making an appointment, an employee is allowed to review their file at the Human Resources Department in the presence of a representative of the Human Resources Department. The Employee must sign and date a "Review of Records/Files" form, (Greene County Form #10) which can be obtained from the Human Resources Department, in order to review their file. Employees are not allowed to alter, add and/or remove any documents or remove their files from the Human Resources Department. Copies of specific documents may be made for the employee upon request.

Department Heads will have access only to those files of employees (or a possible hire) under their administration and only in the performance of their official duties. A Department Head is allowed to review a personnel file at the Human Resources Department in the presence of a representative of the Human Resources Department by making an appointment. Department Heads are not allowed to alter, add and/or remove any documents or remove any files from the Human Resources Department. Copies of specific documents may be made for the Department Head upon request.

Confidential information cannot be disclosed without a signed release, by the employee, granting permission to do so.

Employment references and verification: The Greene County Human Resources Department will reply to all requests for employment references and/or verification for past and present employees. It is the policy of Greene County to respond to all such requests by simply verifying dates of employment and job title. This does not apply to personal references.

## I. EMPLOYMENT

### -Employee Performance Appraisals – Non-Managerial Employees-

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**POLICY:** Employee Performance Appraisals are to be completed for all non-managerial employees on an annual basis, or as otherwise provided for by the employee's Collective Bargaining Agreement, using Greene County Form #6 which can be obtained from the Human Resources Department or the County-wide Share Point. Employee Performance Appraisals are to be completed more frequently during probationary periods. Please see Section I-8.

**INFORMATION:** The Human Resources Department has the responsibility of tracking all annual evaluation periods and notifying Department Heads of the due dates, in a timely manner. Department Heads have the responsibility of tracking all probationary evaluation periods. Please see Section I-8.

**PROCEDURE:** The annual evaluation period (or the period as otherwise provided for in the applicable Collective Bargaining Agreement) is based on the employee's anniversary date. Department Heads will be notified in writing by the Human Resources Department on a quarterly basis regarding which of their employees is due for an evaluation. Department Heads will be advised that the Employee Performance Appraisal form can be completed on-line and can be downloaded from the County-wide Share Point. Employee Performance Appraisals should be completed within 30 days of the employee's anniversary date by the employee's immediate supervisor.

A conference must be scheduled to review and discuss the Employee Performance Appraisal with the employee. It should also be reviewed by the Department Head. After the Employee Performance Appraisal has been signed by the employee, supervisor and Department Head, the employee will be provided with a photocopy of same.

All original Employee Performance Appraisals are to be forwarded to the Human Resources Department for placement in the employee's personnel file. All employees will have access to their personnel file and Employee Performance Appraisals. Please see Section I-13.

## I. EMPLOYMENT:

-Employee Performance Appraisals – Managerial and Confidential Employees-

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**POLICY:** Employee Performance Appraisals are to be completed for all managerial and confidential employees on an annual basis using Greene County Form #6 which can be obtained from the Human Resources Department or the County-wide Share Point. Employee Performance Appraisals are to be completed more frequently during probationary periods. Please see Section I-8.

**INFORMATION:** The County Administrator has the responsibility of conducting Employee Performance Appraisals on all Department Heads.

Department Heads have the responsibility of conducting Employee Performance Appraisals on their managerial and confidential employees.

**PROCEDURE:** The evaluation period is for one (1) year. The Human Resources Department will send out quarterly reminders to Department Heads based on their employees' anniversary dates.

Department Heads will be advised that the Employee Performance Appraisal Form can be completed on-line and can be downloaded from the County-wide Share Point. Employee Performance Appraisals should be completed within 30 days of the employee's anniversary date.

A conference must be scheduled with the evaluator and the employee to review and discuss the Employee Performance Appraisal. After the Employee Performance Appraisal has been signed by the employee and the Department Head or County Administrator, the employee will be provided with a photocopy of same.

All original Employee Performance Appraisals are to be forwarded to the Human Resources Department for placement in the employee's personnel file. All employees will have access to their personnel file and Employee Performance Appraisals. Please see Section I-13.

## I. EMPLOYMENT

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- Corrective Action/Progressive Discipline -

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**POLICY:** Greene County's disciplinary philosophy is to first correct or rehabilitate the troublesome behavior of an employee rather than the immediate imposition of discipline.

**INFORMATION:** Corrective Action may include, in no particular order, and are not limited to:

- Counseling Session using 'Employee Counseling Form' (Greene County Form #11, which can be obtained from the Human Resources Department)
- Written Reprimand
- Suspension (with or without pay)
- Demotion
- Termination
- Loss of leave accrual

**PROCEDURE:** Any counseling sessions must be written up on the Employee Counseling form, (Greene County Form #11, which can be obtained from the Human Resources Department). Department Heads wishing to take more punitive action should discuss the situation with the Human Resources Director and County Administrator prior to proceeding with formal disciplinary action.

Depending upon the severity of the offense, the Department Head may impose a harsher penalty for a first offense without any prior counseling.

All bargaining unit employees receive certain rights and protections through their respective collective bargaining agreements. The appropriate agreement should also be consulted prior to the imposition of discipline.

## I. EMPLOYMENT

- Employment of Relatives -

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**POLICY:** Greene County will avoid the practice or appearance of favoritism in hiring and the assignment of employees. Therefore, an employee's immediate relative will not be hired for or assigned to a position under the direct supervision of the current employee. This Policy shall also apply to transfers to different departments: an employee's immediate relative will not be allowed to / will be prohibited from transferring into a position under the direct supervision of the current employee.

**INFORMATION:** Any Greene County employee who has a relative(s) seeking employment and/or being processed for employment within Greene County should completely disengage himself/herself from any and all aspects of the hiring process. For the purposes of this item, an immediate relative is defined as a spouse, mother, father, brother, sister or child. This policy does not prohibit the hiring of an employee's immediate relative for a position which is not under the direct supervision of the current employee.

All collective bargaining unit contracts must be observed.

I. EMPLOYMENT

- Grievances -

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**POLICY:** Greene County aims to resolve employee complaints informally and at the lowest level with the appropriate supervisor. When informal resolution cannot be reached, Greene County will follow the formal grievance procedures outlined in the appropriate bargaining unit contracts.

**INFORMATION:**

1. Grievance - a complaint about a problem, real or imagined, concerning an action or omission by management. There are generally two types of grievances for collective bargaining unit members, contract and non-contract.
2. Contract Grievance - a dispute concerning the interpretation, application or claimed violation of a specific term or provision of a collective bargaining unit contract.
3. Non-Contract Grievance - any other dispute concerning a condition of employment which may arise between the parties shall be processed up to Step 2 of the grievance procedure, except those issues which there is a review procedure established by law.

**PROCEDURE:** Refer to the appropriate collective bargaining unit contract for specifics and timeframes.

I. EMPLOYMENT

-Equal Employment Opportunity Officer and Policy and Non-Discrimination Policy-

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INFORMATION: The Equal Employment Opportunity Officer for Greene County is the Human Resources Director.

POLICY: It is the policy of Greene County to ensure equal employment opportunity for all applicants and employees regarding all personnel-related matters, including, but not limited to, recruitment, hiring, placement, promotion, compensation, benefits and training. In all such activities, Greene County will not discriminate against any qualified person because of age, gender, marital status, race, creed, religion, color, national origin, citizenship, disability, veteran status, sexual orientation or any other category, protected by law. Greene County is committed to the principles of equal employment opportunity. It is the responsibility of all county officials and employees to support and follow this policy.

I. EMPLOYMENT

-Out-Of-Title Pay-

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- POLICY:** All out-of-title pay requests, approved by the Department Head, must be forwarded to the County Administrator for final approval on Greene County Form #12, which can be obtained from the County Administrator's Office. Out-of-title pay is only paid for the time an employee actually is performing the out-of-title duties and in accordance with the respective Collective Bargaining Unit Agreement.
- INFORMATION:** Under no circumstances should out-of-title pay be listed on the payroll certification before the County Administrator has approved it.
- PROCEDURE:** When requesting approval, the employee's regular job title, grade, step and hourly amount should be listed along with the job title, grade, step, hourly rate and number of hours out-of-title pay is being sought.

## I. EMPLOYMENT

- Required forms for new positions and job specifications  
and reclassifying of existing positions -

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**POLICY:** Before any position and job specification can be created and classified, or reclassified, the required form must be completed, pursuant to Greene County Civil Service Rule XXIII. Job specifications are not official until the adoption by the Greene County Civil Service Commission. No position should be filled until this has been done at the monthly meeting.

**INFORMATION:** A “New Position Duties Statement” Form #222, which can be obtained from the Human Resources Department, is required for the creation and classification of job specifications for new positions. A “Job Position Classification Questionnaire” Form #220 which can also be obtained from the Human Resources Department, is required for reclassifying positions.

**PROCEDURE:** A copy of Rule XXIII of the Greene County Civil Service Commission, together with instructional memos are attached to both “New Position Duties Statement” Form #222 and “Job Position Classification Questionnaire” Form #220, all of which can be obtained from the Human Resources Department.

When completing the “New Position Duties Statement” Form #222, which can be obtained from the Human Resources Department, a draft copy of the tentative specification may be attached to the form. However sections 3-7 must be completed.

When completing the “Job Classification Questionnaire” Form #220, which can be obtained from the Human Resources Department, the entire form must be completed.

## I. EMPLOYMENT

-Transferring Between Departments and/or into a  
Supervisory or Management Position-

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- POLICY:** An employee who is **considering** transferring from one Department to another and/or into a Supervisory or Management position **must** be made aware of any changes to their benefits if they accept the position.
- INFORMATION:** Occasionally a County employee may transfer to a different position within the County. Any such transfer WILL HAVE AN EFFECT on the employee's benefits. The Human Resources Department will be able to ascertain and advise the employee with regard to benefits such as seniority, etc.
- PROCEDURE:** It is the responsibility of the employee's Department Head and Supervisor to send the employee to the Human Resources Department **before** the employee can accept any new position or transfer in order for the employee to learn what the benefits of the new position will be.
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## I. EMPLOYMENT

- Identification Badges, Keys, Swipe Cards, etc.  
And Return of County Property-

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**POLICY:** All County employees are issued an Identification Badge and some are also issued various keys, swipe cards or other county property. County property is defined as any item issued to an employee or in his/her possession, which was purchased or owned by the County. Such items may include, but are not limited to: employee ID badges, keys, credit cards, cell phones, laptop computers and tools. These items are the property of Greene County and employees shall be responsible for their care and handling. The County reserves the right to charge an employee for any lost or damaged items.

**PROCEDURE:** County employees are required to visibly wear their Identification Badges at all times, so that other Greene County personnel, and the public, may determine who is an employee and who is a visitor.

**SEPARATION FROM EMPLOYMENT:** When leaving county employment, no matter what the reason, all keys, swipe cards, I.D. badges and any other county property, are to be returned by the employee to the employee's Department Head or designee prior to or on their last day of work, as follows:

1. The Department Head or designee will reclaim all County property in the employee's possession.
2. Each separating employee will complete a Return of County Property form (Greene County Form #14 which can be obtained from the Human Resources Department) and give it to the Department Head or designee for signature.
3. The Department Head will provide the employee with a copy of the fully executed form as a receipt, and will forward the original to the Human Resources Department where will be filed in the employee's personnel jacket.
4. The Department Head or designee will turn all keys and swipe cards over to the Buildings and Grounds Department, and will turn all identification badges over to the Human Resources Department for their files.
5. Department Heads or designees should always notify security in a timely manner whenever an employee leaves Greene County employment, no matter what the reason for the separation.

I. EMPLOYMENT

-Licenses and Registrations-

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POLICY: All employees who are required to be licensed and/or registered, including but not limited to nurses and attorneys, must keep their licenses and registrations current with no lapse occurring.

## I. EMPLOYMENT

## -Interns-

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- POLICY:** Greene County periodically utilizes interns for specific periods during a semester or when they are not in school. The purpose of this policy is to outline responsibilities and to ensure such student workers have a productive experience with the County.
- DEFINITION:** As defined in NYS Human Rights Law, “intern” refers to a person who performs work for an employer for the purpose of training under the following circumstances:
- A. The employer is not committed to hire the person performing the work at the conclusion of training period;
  - B. The employer and the person performing the work agree that the person performing the work is not entitled to wages for the work performed; and
  - C. The work performed:
    - 1. Provides or supplements training that may enhance the employability of the intern;
    - 2. Provides experience for the benefit of the person performing the work;
    - 3. Does not displace regular employees; and
    - 4. Is performed under the close supervision of existing staff.

**PROCEDURE:**

- A. Department Heads that wish to employ interns for specific assignments must submit a request, using the appropriate form which can be found on County Wide Sharepoint, in writing, to the County Administrator. The following information must be included in the request:
  - 1. Applicant name;
  - 2. Educational institution attending;
  - 3. Year in school;
  - 4. Expected graduation date;
  - 5. Summary of duties to be assigned;
  - 6. Hours of work;
  - 7. Worksite location; and
  - 8. Duration of the expected work.The written request must be routed to the County Administrator for review and approval, along with a copy of the student’s resume or job application.
- B. The County Administrator will notify the Department Head and Human Resources, in writing, that the individual has been approved for internship.
- C. Upon receiving written approval from the County Administrator, Department Heads must send a work order to the IT Department regarding any work station issues, including telephone and Internet capabilities, to ensure that the work station is fully operational prior to the intern’s start date. Department Heads must also contact the Sheriff’s Office to ascertain whether or not an ID badge will be required. Department Heads must also notify Security and the IT Department when an internship has concluded.

## I. EMPLOYMENT

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-Interns (Continued)-

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## PROCEDURE:

- D. An intern will be provided with an abbreviated orientation program, conducted by representatives from the hiring department, which highlights key aspects of the position the intern will be engaged in, as well as pertinent department and County policies which he or she will be expected to conform to during the specific term of employment.
- E. Due to short-term assignment of student workers, and in accordance with school/university reporting requirements for students, the Department Head will be solely responsible for providing all required reports and evaluations of the student worker's assignments and progress.

All Interns are protected by the County Discriminatory Harassment Prevention Policy in accordance with Section XI-2 of the Greene County Administrative Manual and all interns are protected by the County Sexual Harassment Prevention Policy in accordance with Section XI-52 of the Greene County Administrative Manual. It is the policy of the County of Greene to provide and maintain a work environment which is free from sexual harassment and discriminatory harassment. Sexual harassment and discriminatory harassment are unlawful and prohibited in each and every work environment and each and every situation which directly impacts the work environment.

In addition to the County Sexual Harassment and Discriminatory Harassment Policies, the following Greene County policies apply in full to all Greene County interns:

- Drug Free Workplace Policy
- Guidelines for Faxes, Phones, and Computer Use
- County Facilities Emergency Action Policy
- Social Networking Policy
- Workplace Violence Policy

Interns will be provided with copies of the applicable Greene County policies upon commencement of their internship with the County.

## I. EMPLOYMENT

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-Rehired Retiree Rules-

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**POLICY:** It is the policy of Greene County to allow for the rehiring of certain retired Greene County employees, as needed, subject to the procedures stated below.

**INFORMATION:** For more information, or clarification, please contact the Human Resources Department.

**PROCEDURE:** Any County employee who retires and then subsequently returns to County service on a fulltime, permanent part-time or temporary (per diem) basis must completely separate from employment with Greene County before being rehired. The retiree will be paid out for all benefit accruals in accordance with their respective collective bargaining agreement or management procedures at the time of retirement and will, thus, return to work with no leave accruals. Fulltime, permanent part-time and temporary (per diem) rehired retirees are considered new hires and must abide by County and/or Civil Service rules and policies in effect on the date of rehire and any subsequent rules and policies enacted and/or adopted.

Employees who retire and choose to return to County employment on a fulltime, permanent part-time or temporary (per diem) basis will start at the base salary for the position they are assuming. However, should Greene County request a retired employee to return on a fulltime, permanent part-time or temporary (per diem) basis, the County has the option to offer that employee a salary within the range of the base salary for the position they are assuming, up to the hourly rate they retired at.

Permanent part-time rehired retirees are eligible to work 21+ hours per week. Temporary (per diem) rehired retirees may not work more than 20 hours per week, nor more than 90 days or 720 hours in a calendar year. Rehired retirees are solely responsible to monitor their earnings to ensure compliance with Retirement and Social Security Law.

With regard to benefits, fulltime rehired retirees are benefit eligible, including time banks and holiday pay. Permanent part-time rehired retirees shall earn pro-rated benefits in accordance with their respective Collective Bargaining Agreement. Permanent part-time rehired retirees not covered by a Collective Bargaining Agreement are not benefit eligible. Temporary (per diem) rehired retirees are not benefit eligible. Retirees, including rehired retirees, are not eligible to participate in the dental plan.

All new employees, including rehired retirees, will be on a one (1) week lag payroll. Employees, including rehired retirees, on FMLA or Workers' Compensation Leave will not be subject to an additional week of lag upon their return to duty.

In addition, when an employee, including a rehired retiree, does not have enough accrued time of vacation, sick, personal or compensatory accrual time balances to cover the period of time between the due date for payroll certification (Thursday prior to payday) to the actual day of the next payday, the employee will be permanently placed on a one (1) week lag payroll.

## II. HOURS OF WORK

-Emergency Closings/County Policy on Closings-

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**POLICY:** Emergency closing of County Offices will occur only when authorized by the Chairman of the Greene County Legislature. Even during the winter when weather conditions change dramatically during the workday, Department Heads are not authorized to close offices prior to the normal closing time. **Other than County recognized holidays and emergency closings, Greene County will not close its offices for any reason unless approved by the Greene County Legislature.**

**PROCEDURE:** Employees are advised that radio stations WCTW (98.5 FM) and WRIP (97.9 FM) will be informed of all emergency closings of county offices.

Department Heads must check with the County Administrator about any emergency office closings. **Contact the Office of the Greene County Administrator for information regarding any closing.**

Greene County has activated an answering machine which will announce the closing of County Office Buildings due to emergencies or extreme weather conditions. The telephone number to call is: **719-3544.**

In the event the County closes one or more of its buildings, but not all buildings, as a result of circumstances beyond the County's control, only those employees directly affected by the closure shall be granted time off with pay.

Employees who do not report to work at all must charge the entire day to vacation or personal leave. Those employees who report but leave work before an official emergency office closing is declared must charge from the time of departure until 5:00 PM to vacation or personal leave.

II. HOURS OF WORK

-Office Hours-

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**POLICY:** All Greene County offices are expected to be open to the public at least 9:00 AM to 5:00 PM, with the exception of the Greene County Department of Motor Vehicles which is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

**INFORMATION:** The normal work weeks for all Greene County employees are defined by collective bargaining unit contracts. All County employees, unless exempted by contract, or as noted above, are obligated to observe the 9:00 AM to 5:00 PM office working hours and a one hour lunch period.

During summer months, County office hours for employees may be modified based on the applicable collective bargaining unit contract.

When employees are out because of sickness, they cannot work at home instead of charging sick time, except with the permission of the Department Head.

## II. HOURS OF WORK

-Overtime and Compensatory Time-

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**POLICY:** All county employees covered by a collective bargaining agreement that are entitled to overtime and that work overtime, shall be compensated in the same or following pay period in which the overtime is worked, depending on collective bargaining unit contract requirements and department budgetary limitations.

Managerial and Confidential exempt and non-exempt employees are not eligible for overtime between 35 and 40 hours, however, they can flex their hours within that pay period. Managerial and Confidential employees classified as exempt are not eligible for overtime under the Fair Labor Standards Act (FLSA) for hours worked in excess of 40 per week. Managerial and Confidential employees classified as non-exempt are overtime eligible for hours worked in excess of 40 per week at time-and-a-half their regular rate of pay. Managerial and Confidential employees are not eligible for compensatory time.

Employees are classified as exempt under the Fair Labor Standards Act based upon their job duties and the amount of salary they are paid. Employees will be notified of their classification by the Human Resources Department upon hire.

**INFORMATION:** Each department is responsible for the calculation and proper use of overtime. Departments should account for any variation of work schedules along with their normal accounting for employees' hours and use of various types of leaves. Department Heads may vary work schedules only if convenient to the department, subject to the approval of the County Administrator. In accordance with County policy II-5, all employees are required to use a Bi-Weekly Attendance Report Form (Greene County Form #16 which can be obtained from the County Administrator's Office) to maintain time and attendance records. Department Heads must submit their timesheets to the County Administrator.

With the exception of the Sheriff's Office, Child Protective Workers, Fire Control and the Highway Department, all overtime and compensatory time must be pre-approved by the Department Head and County Administrator.

For further details regarding overtime and compensatory time, please consult the appropriate Bargaining Unit Agreements.

**PROCEDURE:** Use Greene County Form #15, which can be obtained from the County Administrator's Office, for requests for overtime and compensatory time.

**NOTE:** Employees are not allowed overtime payments for union business such as negotiations. Members of negotiating teams are granted release time from work to participate in negotiations with the Department Head's permission.

**AMENDMENT:** During a Declared State of Emergency, Managerial and/or Confidential classified employees may be eligible for additional compensation, in the form of catastrophic incident pay, to be granted at the discretion of the Greene County Legislature. (Res. No. 171-20, adopted June 17, 2020.)

II. HOURS OF WORK

-Travel to Conferences and Seminars-

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**POLICY:** Time for travel to and from conferences and seminars which are covered under Section V. "Employee Reimbursements - Conferences, Meetings and Seminars" of the Greene County Administrative Manual shall be paid pursuant to the current requirements set forth in the Fair Labor Standards Act (FLSA), (Res. No. 153-24).

**INFORMATION:** When attending conferences and seminars that have been approved by the County Administrator or the County Legislature, employees are assumed to be working normal work hours. (Res. No. 153-24).

## II. HOURS OF WORK

-Time and Attendance Records-

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**POLICY:** It is the policy of Greene County to require a record of the work attendance for each employee.

**PROCEDURE:** All employees are required to use a Bi-Weekly Attendance Report form (Greene County Form #16 which can be obtained from the County Administrator's Office) which must be signed by the employee, to maintain time and attendance records. Employees should not sign the form before the end of the period unless leave was approved which will last through the end of the period. In such cases, they may sign and submit the form to their immediate supervisor on their last scheduled working day of the period. In addition, any request for use of leave time must be done on the "Authorization For Leave" form (Greene County Form #17) which can be obtained from the County Administrator's Office.

When an employee or a supervisor signs a time record, he or she is certifying that all entries and calculations on the form are legitimate and correct.

## II. HOURS OF WORK

-Absences-

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## PROCEDURE:

1. Absence Without Accruals

An employee who needs to be absent and does not have sufficient or appropriate time accruals to cover the absence, may be considered absent without accruals. This applies when an employee has obeyed the attendance rules by timely notification to his or her supervisor the reason for the absence. The supervisor is required to initiate a payroll deduction for leave in this category, but it is not considered misconduct. If absenteeism becomes excessive, disciplinary action may be warranted.

2. Absence Without Leave Authorization

An employee who is absent from work without leave authorization is committing an act of misconduct and, as such, may be subject to disciplinary action and/or an unsatisfactory performance rating. Such employees may not charge such absences to accruals. The supervisor is required to initiate a payroll deduction.

Employees are absent without leave authorization in the following situations:

- They are on unscheduled absence for a full day and fail to notify their supervisors within two hours of their official starting time, or two hours before, in the case of shift employees who provide essential services.
- They call to report unscheduled absence but the excuse is unacceptable.
- They leave early without permission.
- They fail to provide a Physician's Certificate as required under FMLA.
- They fail to provide a Physician's Certificate when required. A Physician's Certificate may be required when an employee is absent more than three consecutive days due to illness, unless stated otherwise in the Collective Bargaining Agreements. A Physician's Certificate is required every 4 weeks when someone is on extended sick leave, unless more frequent certificates are directed. A Physician's Certificate may be required for an employee prior to returning to work.

## II. HOURS OF WORK

-Absences (Continued) -

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6. Abuse of Leave Accruals

Supervisors should periodically review the attendance records of all employees whom they supervise. Supervisors have the right and the responsibility to be sure that accruals are being properly used. If there is reason to believe that the employee is misusing leave time, the supervisors have a right to verify how time was spent.

In some instances it may appear that an employee is frequently absent without advance approval for brief periods of time such as one or two days. The supervisor should ascertain the reasons for these absences and determine if the absences follow a pattern, such as being in conjunction with a weekend, holiday, regular day off or prior approved absence.

If the unscheduled absences are for emergency reasons, where vacation or personal leave are being charged, the reasons should be carefully reviewed with the employee. When the reasons appear to be an abuse of emergency leave privileges the employee should be so advised and the supervisor should decline to approve such absences in the future, for a reasonable period of time.

In cases where a supervisor determines solely by reviewing the employee's attendance record that the employee should be required to provide medical documentation, that requirement should follow counseling of the employee and should be in writing to the employee.

II. HOURS OF WORK

-Tardiness-

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**POLICY:** Greene County employees are required to be on time for work. Tardiness shall be dealt with as soon as possible.

**INFORMATION:** Tardiness is arrival for work after the official beginning of working hours, or return to work after the expiration of the time designated for lunch without approval of the supervisor.

**PROCEDURE:** Employees who are tardy will charge the total time per day in units no smaller than 15 minutes.

Charges will be made to compensatory time, vacation leave, or personal leave in that order. If these accruals are exhausted, pay deductions will be made at straight time.

Tardiness is a violation of work rules. A pattern of tardiness, even within these limits, may be grounds for disciplinary action.

## III. EMPLOYEE BENEFITS

-Holidays-

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**POLICY:** Holidays for each year are established by resolution of the Greene County Legislature coinciding, except as noted, with the holidays observed in New York State Government, and governed by the applicable collective bargaining unit contracts.

**INFORMATION:** In general, the following days are legal holidays:

New Year's Day	Labor Day
Dr. Martin Luther King Jr. Day	Columbus Day
Presidents' Day	Election Day
Memorial Day	Veterans' Day
Independence Day	Thanksgiving Day
Christmas Day	

All regular work days designated as holidays will ordinarily be allowed as days off. An employee required to work on a holiday will be monetarily compensated at the overtime rate.

An employee is required to be in full pay status for the entire day, on the day before and the day after a holiday to be entitled to holiday leave. The Supervisor is required to submit a payroll transaction to deduct the holiday as lost time.

Unless the County designates another day in its place, for holidays falling on a Sunday, the following Monday is designated as the day off; for holidays falling on a Saturday, the preceding Friday is designated as the day off.

## III. EMPLOYEE BENEFITS

-Leaves-

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**POLICY:** All employees may be entitled to vacation leave, sick leave, personal leave, bereavement leave and holidays pursuant to collective bargaining unit contracts. Department Heads, Managers and Management Confidential employees not covered by a collective bargaining unit contract may be entitled to vacation leave, sick leave, personal leave, bereavement leave and holidays as defined below.

**INFORMATION:** See the appropriate collective bargaining unit contract or county policy stated below for details as to the types and amounts of leave that are available to each employee.

**PROCEDURE:** Requests for the use of vacation and personal leave shall be made to the Department Head prior to the time when the leave is to be taken. All leaves shall be used in accord with the current collective bargaining unit contract, if applicable, and shall be used subject to Department Head approval. Any request for use of leave time must be done on the "Authorization For Leave" form (Greene County Form #17) which can be obtained from the County Administrator's Office.

As noted in II. HOURS OF WORK. Time and Attendance Records, each pay period, each employee shall file with the Department Head a record of the amount of time worked, as well as the amount of each type of leave used (the Bi-Weekly Attendance Report form, Greene County Form #16, which can be obtained from the County Administrator's Office, must be used).

The Department Head is responsible for the compilation of all totals and will report each usage of leave credits for each employee to the County Treasurer's Office on the Payroll Certification report. These reports are normally issued by the County Treasurer's Office on the Friday before each pay day; hence, usage of leave credits for the following week must be projected.

Each pay day, the County Treasurer's Office sends the Detail Payroll Register along with each Department's pay checks. These registers, similar in format to the Payroll Certification Reports, report for each employee the number of hours worked, the number of hours of each type of leave used and the amount paid. Each Department must ensure that its records and the Detail Payroll Register agree. If a discrepancy is noted, the discrepancy is to be reported to the County Treasurer's Office. Normally discrepancies are resolved by making adjustments on the following series of Payroll Certification Reports.

## III. EMPLOYEE BENEFITS

## -Leaves-

DEPARTMENT HEADS, MANAGERS and MANAGEMENT CONFIDENTIAL EMPLOYEES:

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**INFORMATION:** Department Heads, Managers and Management Confidential employees are entitled to leave pursuant to the Schedule below.

**PROCEDURE:** Department Heads shall request vacation and personal leave approvals directly from the County Administrator, on Greene County Form #17, "Authorization for Leave Form", which can be obtained from the County Administrator's Office. Managers and Management Confidential employees shall request vacation and personal leave approvals directly from their Department Head, on said Greene County Form #17, which can be obtained from the County Administrator's Office.

Department Heads, Managers and Management Confidential Employees are entitled to accrue leave time as specified in Section III Employee Benefits, Page III-4 (please see below).

## Leave Benefits for Less than Full-Time Employees:

- Part-time employees are eligible to accrue prorated leave and to observe holidays if they work at least 21 hours per week or more on a regularly scheduled basis.
- Full time temporary employees are eligible for leave accruals after the completion of four months of employment.
- Per diem or "casual" employees are not entitled to leave time. These employees work 20 hours or less per week, and may not work at total of more than 90 days or 720 hours in a calendar year.

Each employee shall be allowed five (5) days' Bereavement Leave for the death of an immediate family member: parents, brother, sister, child, spouse, grandparents, grandchild, mother and father-in-law, stepparents, stepchildren. In the event of the death of a spouse's grandparent, each employee shall be permitted three (3) days of Bereavement Leave.

For the purposes of a memorial service or burial, Bereavement Leave may be used even when the burial or memorial services is not within the five (5) or (3) days of death. Documentation to substantiate the memorial service or burial is to be provided to the County's Human Resources Department upon request. (Res. No. 151-24)

## III. EMPLOYEE BENEFITS

-Leaves-  
DEPARTMENT HEADS, MANAGERS and MANAGEMENT CONFIDENTIAL EMPLOYEES:  
-continued-

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**VACATION, SICK AND PERSONAL LEAVE  
FOR MANAGEMENT EMPLOYEES**

Management employees shall accrue these benefits at the maximum accrual rates specified in any union contract but in no event less than those in effect on January 1, 2011. Said accrual rates on January 18, 2012 and as amended are as follows:

VACATION HOURS ACCRUED BI-WEEKLY

Vacation credits may be accumulated to a maximum of thirty (30) days.

<u>YEARS OF SERVICE</u>	<u>70 HOUR EMPLOYEE</u>	<u>80 HOUR EMPLOYEE</u>
Date of employment to completion of 9 yrs. of service (15 days annually)	4.038440	4.6154
Beginning of 10 <sup>th</sup> yr. to completion of 14 <sup>th</sup> yr. of service (20 days annually)	5.384610	6.1538
Beginning of 15 <sup>th</sup> yr. to completion of employment (25 days annually)	6.730780	7.6923

SICK HOURS ACCRUED BI-WEEKLY

Accumulation: A full-time employee may accumulate sick leave credits to a maximum of two hundred (200) days.

4.038440	4.6154
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PERSONAL HOURS ACCRUED BI-WEEKLY

Personal Leave may be accumulated to a maximum of five (5) days.

5 days annually	1.346170	1.5385
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**Sell-Back of Unused Leave**

Unused sick leave, for up to a maximum of one hundred sixty (160) days, shall be paid at the rate of one-hundred percent (100%) upon the retirement, voluntary termination, or death of an employee who has at least five (5) years of continuous service with the County.

Unused sick leave shall not be paid upon an employee's termination for just cause. All employees will be prohibited from "burning off" unused sick leave prior to their retirement or other separation from service. Upon termination of service, any unused vacation leave credits or compensatory time, up to the maximum allowable number of accumulated days allowed, will be paid for at the regular rate of pay. Unused vacation leave credits or compensatory time shall not be paid upon an employee's termination for just cause. (Res. No. 151-24).

## III. EMPLOYEE BENEFITS

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-Family Medical Leave-

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**POLICY:** Greene County complies with the Family Medical Leave Act of 1993, and its amendments.

**INFORMATION:** Under the FAMILY MEDICAL LEAVE ACT, eligible Greene County employees are eligible for up to 12 weeks (60 days or 420 hours) of unpaid leave in a 12-month period for the reasons stated below. (Up to 26 weeks in a single 12-month period for FMLA Military Family Leave.) Covered employees are entitled to FMLA leave under the following conditions:

- Incapacity due to the employee's pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for an employee's spouse, child, or parent who has a serious medical condition;
- For a serious health condition that makes the employee unable to perform the essential functions of the employee's job;
- To care for a spouse, child, parent, or next of kin (nearest blood relative) who has a serious injury or illness incurred in the line of duty on active duty as a covered service member, or for injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces;
- For a qualifying exigency as related to the active duty or call to active duty of an employee's spouse, child or parent. This includes 1) Care for a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; or 2) Care for a covered veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Health benefits will be maintained during FMLA leave under the same conditions as if the employee continued to work. Employees that normally contribute toward the cost of their health insurance premiums will be required to continue those payments during Family/Medical Leave. Upon return to work, the employee will be reinstated to the same or an equivalent job, with the same pay, benefits and terms and conditions of employment prior to their leave.

FMLA leave granted to eligible employees will run concurrently with any leave covered by:

- the applicable Collective Bargaining Agreement;
- Disability and Workers' Compensation Leave
- any other applicable leave coverage.

Employees who are unable to return to work at the end of their leave, will need to request an extension. Any extension past twelve (12) weeks must be requested directly from their department head. The department head, in turn, will recommend whether or not the County Administrator should approve the request. Approval of six or more months will require the employee cover the full costs of his or her health/dental premiums.

## III. EMPLOYEE BENEFITS

-Family Medical Leave (continued)-

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**PROCEDURE:** Employees requesting FMLA leave should, in accordance with the County's practice of requiring notice for any type of leave, direct written requests simultaneously to the County Human Resources Director and the appropriate Department Head. If the need for the FMLA leave is foreseeable, the request is to be made at least 30 days in advance. If 30 days notice is not possible, then the employee must request the leave as soon as practicable.

Employees must return the completed medical certification prior to the beginning of the leave or within 15 calendar days after the County Human Resources Department's request. Eligibility for leave may be delayed without the medical verification. Based on the medical certification, the Human Resources Director makes the final determination on the employee's eligibility for FMLA leave.

The Human Resources Department will send written notification to the employee listing rights, duties and obligations under the FMLA. A copy of the same will be forwarded to the Department Head.

III. EMPLOYEE BENEFITS

-Retirement System-

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For more information and the necessary forms, contact the Human Resources Department.

**POLICY:** Greene County is a member of the New York State and Local Employees Retirement System.

**INFORMATION:** Employees of Greene County are eligible to retire based on age and/or years of credited member service. Benefits vary based on the plan, the specific retirement system tier and the years of service credit.

All new fulltime permanent employees are required to join the retirement system. Part-time, provisional and temporary (per diem) employees have the option of joining the system. The above is a greatly simplified explanation of the system. Further information should be obtained from the Greene County Human Resources Department or the New York State Employees Retirement System, Albany, New York 12225, (518) 474-7736.

**PROCEDURE:** Upon hiring, each employee completes a standard Retirement System form which is then forwarded to the Retirement System by the Human Resources Department.

## III. EMPLOYEE BENEFITS

-Tuition-

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**POLICY:** Full time permanent employees who have completed one year of service are entitled to tuition reimbursement for up to six (6) credits per year unless specified otherwise in their collective Bargaining Agreement.

**INFORMATION:** Tuition reimbursement means the actual cost for the course(s) being taken including lab fees, but not to include any other fees. The maximum reimbursement rate shall be the undergraduate and graduate tuition rates (or the equivalent) currently in effect at SUNY @ Albany for the semester in which you are applying. To qualify for the reimbursement, courses taken must be directly related to the improvement of the employee's work skills in the employee's current position.

**PROCEDURE:** Before registering for courses, the employee must secure tuition reimbursement approval signed by their Department Head after consultation with the County Administrator by using Tuition Request/Reimbursement Form (Greene County Form #18) which can be obtained from the County Administrator's Office. Department Heads are only required to obtain the approval of the County Administrator, by using said Greene County Form #18, which can be obtained from the County Administrator's Office. After completing the course, the employee must file a voucher (Greene County Form #26 which can be obtained from the County Administrator's Office) for reimbursement following normal procedures (See XI, GENERAL OFFICE PROCEDURES - Purchase of Goods and Services.) The voucher MUST be accompanied by a copy of the Tuition Request/Reimbursement Form which was originally approved.

A certificate, documenting the successful completion of the course, is required before reimbursement can be made.

Employees who leave the employment of the County within one year of completing the course work will be asked to refund any reimbursements received during the previous 12 month period.

## III. EMPLOYEE BENEFITS

-Jury Duty-

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**POLICY:** All employees of Greene County are required to participate as concerned citizens in the judicial process. As an incentive, Greene County will provide time off while its employees serve on jury duty.

**PROCEDURE:** Requests for special jury duty time off shall be made to the Department Head as soon as notice of being drawn as juror is received. Assuming the employee agrees to turn over to Greene County any jury duty pay received, the Department Head shall include all time spent on jury duty as "Regular Time" when completing the Biweekly Attendance Report form (Greene County Form #16, which can be obtained from the County Administrator's Office) Payroll Certification. In order for an employee to receive this regular time, the employee must immediately provide a copy of the jury duty summons to their Department Head. The Department Head will provide a copy of the jury duty summons to both the Director of Human Resources and the Greene County Treasurer. If there is compensation paid by any Court system to the employee, it must be turned over to the Treasurer's Office. Employees must return to work immediately after being dismissed from jury duty. Dismissed employees who fail to return to work will be considered absent without leave authorization (See II. HOURS OF WORK Absences).

## III. EMPLOYEE BENEFITS

## -Military Duty Absence-

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MEMORANDUM FROM HR DIRECTOR N. MAGGIO TO ALL DEPARTMENT HEADS, 3-4-21:

This memorandum serves as notification of a directive from the Chairman of the Greene County Legislature and the County Administrator of an immediate change to payment for military leave for Greene County employees currently covered by the Administrative Manual and **not** covered by a collective bargaining agreement. **For employees covered by a collective bargaining unit, the collective bargaining agreement language will control when the language of the Administrative Manual and the collective bargaining agreement conflict regarding military leave.**

The current Administrative Manual policy for military leave, with reference to section 242(5) of NYS Military Law provides Greene County employees with “his/her salary or other compensation as such public officer or employee for any and all periods of absence while engaged in the performance of ordered military duty, and while going to and returning from such duty, not exceeding a total of thirty days (30) or twenty-two (22) working days, whichever is greater, in any one calendar year and not exceeding thirty (30) days or twenty-two (22) working days, whichever is greater, in any one continuous period of such absence...” the Administrative Manual goes on to state, “Upon the expiration of the periods specified in Military Law Section 242(5), any Greene County Employee who is called into military service on behalf of the country, on initial active duty, training, inactive duty training or full-time National Guard duty, shall be paid their full salary and benefits minus the gross amount paid to them for their military service during the period of their military service.”

Pursuant to the directive noted above, for employees covered by the Administrative Manual and **not** covered by a collective bargaining agreement, upon the expiration of the periods specified in Military Law Section 242(5), any Greene County Employee who is called into military service on behalf of the country, on initial active duty, training, inactive duty training or full-time National Guard duty, **shall be paid his/her salary or other compensation as such public officer or employee for an additional period of six months.** Upon expiration of this additional six-month period, any Greene County employee who is called into military service on behalf of the country, on initial active duty, training, inactive duty training or full-time National Guard duty, shall be paid their full salary and benefits minus the gross amount paid to them by the federal government for their military service during the period of their military service.

**This change is to take effect immediately.** (date of Memo: March 4, 2021)

## III. EMPLOYEE BENEFITS

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-Military Duty Absence (continued)-

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**POLICY:** Greene County encourages its employees to comply with their military duty obligations.

**INFORMATION:** Compensation: Every public officer or employee shall be paid his/her salary or other compensation as such public officer or employee for any and all periods of absence while engaged in the performance of ordered military duty, and while going to and returning from such duty, not exceeding a total of thirty days (30) or twenty-two (22) working days, whichever is greater, in any one calendar year and not exceeding thirty (30) days or twenty-two (22) working days, whichever is greater, in any one continuous period of such absence pursuant to Military Law Section 242(5).

Employees may use accrued vacation, personal or compensation time (not sick) after the expiration of the period referred to in Military Law Section 242(5) of either thirty (30) or twenty-two (22) days in lieu of the payment of salary provisions of Resolution No. 350-08. In other words, rather than accept lag pay for time spent in the military service, employees may charge the time spent away from county jobs to vacation, personal or compensation time and be paid in full at the next pay period.

Upon the expiration of the periods specified in Military Law Section 242(5), any Greene County employee who is called into military service on behalf of the country, on initial active duty, training, inactive duty training or full-time National Guard duty, shall be paid their full salary and benefits minus the gross amount paid to them for their military service during the period of their military service.

Employees shall only be paid by the County upon receipt of proof of valid military orders requiring their participation in military active or inactive duty or training and a pay stub showing how much said employee was paid for his/her service by the military.

Leave of Absence – Each officer or employee called upon shall be deemed to have a leave of absence for the duration of his/her military duty. The officer or employee shall be reinstated to his/her position upon making application for reinstatement within 90 days of termination of the military duty.

Substitutes – The employee's position shall be considered temporarily vacant and shall be filled only when the public interest so requires. Any appointment to fill a vacancy shall be deemed a substitute appointment and shall not exceed the leave of absence of the incumbent.

Pension – Officer or employee may elect, while on military duty, to pay retirement contributions. They can be paid at any time while on leave or up to five (5) years after. If the officer or employee pays retirement periodically while on leave (as if he/she were here) there is no interruption of continuous employment.

There are no disabilities or death benefit while on military duty.

Pay Upon Return – Officer or employee is entitled to return at the same pay rate plus any raises or increments that occurred while he/she was away.

## III. EMPLOYEE BENEFITS

-Military Duty Absence (Continued) -

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Eligible Lists – If employee is reached for certification while on military duty, his/her name is placed on a special eligible list in the order of his/her original standing, if officer or employee so requests.

**INFORMATION:** Service and Efficiency Rating. Officer or employee shall be credited with the average of the efficiency rating received for the three periods immediately prior to his/her absence. For purposes of seniority, the military absence shall be counted as service in the position. Probationary periods continue to run during the absence.

Preferred Lists. If an employee's position is abolished while he/she is away, his/her name is placed on a preferred list. Section 243(12) deals with military re-employment lists when a position is abolished.

Employees Appointed for a Definite Term or Exempt Employees. Officer or employee gets a leave of absence until the end of his/her term.

Certificates As to Service. Military provides these as prima facie evidence of the service time.

Vacation, Personal and Sick Time. No time is lost but vacation and leave time does not continue to accrue during the absence. If an officer or employee has vacation time presently accrued and credited, he/she may request to be paid that vacation time as it would be paid during absence from work, or it may remain and be paid upon return.

Medical Insurance. The officer or employee called up will have military medical coverage immediately. His/her dependent(s) will have military medical coverage 30 days after the call-up. We have had some advice that military medical family coverage begins the day the officer or employee is called up. If there is a 30 day gap, County coverage for families will continue at least for the 30 day period, or until military medical coverage begins.

## III. EMPLOYEE BENEFITS

-Employee Recognition Programs-

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**POLICY:** It is the policy of the Greene County Legislature to honor employees who have consistently maintained a standard of excellence in the performance of their duties. This is accomplished through the Employee of the Year Award, Greene County Service Awards and the Chairman's Award.

**INFORMATION:** Any current employee who meets one of the following criteria is eligible to be nominated as the Employee of the Year:

- continued highly effective job performance,
- the accomplishment of a single project or task that is clearly beyond expected levels of performance, or
- commitment to improving human relationships in the agency, through interagency programs or participation in community efforts.

**PROCEDURE:** Any Department Head can submit a nomination. The person submitting the nomination must provide enough detail about the outstanding performance to allow evaluation against other submissions.

The County Administrator appoints an Ad Hoc Committee for the purpose of reviewing the nominations, and the Chairman of the Greene County Legislature also reviews the nominations.

Greene County Service Awards are presented for the completion of ten, fifteen, twenty, twenty-five, thirty, thirty-five and forty years of service.

The Chairman's Award is intended to recognize an individual or individuals for meritorious duty well above their usual, every-day tasks. Unlike the Employee of the Year, who maintains a high standard of excellence throughout the year, the Chairman's Award may be presented to someone for a single event.

## III. EMPLOYEE BENEFITS

-Employee Suggestion Program-

---

**POLICY:** All Greene County employees are being given the opportunity to make suggestions for improvements. The eligible ideas must directly contribute to the economy or efficiency of the county; the effectiveness and performance of the county government functions; improve office procedures, forms or methods; save time and materials or propose a new way to reduce costs and ways to improve service.

**INFORMATION:** A County employee with an idea/suggestion that the Suggestion Review Committee judges as very useful will receive a suggestion plaque with their name on it and the year it was acknowledged at a regular monthly meeting of the Greene County Legislature. The Greene County Administrator will review the savings generated by the suggestion throughout the year and determine the size of the monetary award the employee may receive at an Annual Employee Recognition ceremony the following year. The Suggestion Award winners will have their photo in the County newsletter.

**PROCEDURE:** Suggestion Forms (Greene County Form #19) can be obtained from the County Administrator's Office or on the County website. The two-page form is to be completed and dropped in the locked Suggestion Box in the Deputy's office on the first floor of 411 Main Street in Catskill. The Suggestion Box is checked every day by a Legislative staff member, who opens them, keeps the original suggestion and gives a copy of each suggestion to each member of the Suggestion Review Committee WITHOUT the name of the employee who made the suggestion on the form. The Suggestion Review Committee does not know the name of any employee who submits a suggestion until after the Review Committee has determined that the suggestion deserves recognition. The Suggestion Review Committee meets once a month to go over any suggestions received and then a letter is composed by the Review Committee and sent to the employee notifying them whether or not the suggestion will be investigated further or if it merits recognition by the Legislature.

The monetary award for all winning suggestions can range from \$50.00 to \$500.00 depending on the savings generated by the implementation of the suggestion. All suggestions recognized by the Greene County Legislature, whether implemented or not, will receive the minimum financial incentive. All other suggestions will receive 10% of their generated savings up to a maximum incentive of \$500.00. All financial incentives will be given in the form of a gift card.

## III. EMPLOYEE BENEFITS

-Training and Education-

---

**POLICY:** The Greene County Legislature encourages all employees to continually upgrade their skills and abilities.

**INFORMATION:** It is the responsibility of an employee's immediate supervisor to identify the employee's training needs; facilitate the employee's participation in the training and development programs necessary to increase the employee's abilities and job performance; and encourage employees to implement new learnings at the work place.

**PROCEDURE:** When an employee requests approval for training which will take place during work hours, be it in person or virtual, and will either take place outside of Greene County or will cost a fee, the supervisor must decide whether the absence during those hours is permissible. All requests must be made in writing, approved first by the Department Head and the County Administrator.

Normal work hours, including .if appropriate *flex* hours, should be used if the course is required by Greene County or the supervisor.

In considering the employee's request to attend a training course, the supervisor will also consider the needs and priorities of the program area and the impact of the employee's absence on the unit's workload.

If a supervisor disapproves an employee's attendance at a training program for other-than-workload reasons, the employee may choose to use leave accruals. In such a case the guidelines for such use included in this Manual would apply.

If an employee is mandated / required to attend a training program which will require personal travel, then the travel time provisions of Section II-4 apply.

## III. EMPLOYEE BENEFITS

-Health Insurance-

**ANY AMENDMENTS WILL APPEAR FIRST IN THIS SECTION:**


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4/17/24: Resolution No. 152-24 added the following paragraph:

**FUTURE RETIREES:**

ANY GREENE COUNTY EMPLOYEE OR OFFICER, **AFTER REACHING THE NEW YORK STATE RETIREMENT SYSTEM RETIREMENT AGE**, WHO HAS BEEN EMPLOYED FOR AN UNINTERRUPTED PERIOD OF NO LESS THAN TEN (10) YEARS IMMEDIATELY PRIOR TO RETIREMENT FROM GREENE COUNTY EMPLOYMENT, SHALL BE ELIGIBLE TO PARTICIPATE IN AND RECEIVE GREENE COUNTY RETIREE HEALTH INSURANCE BENEFITS AT THE RETIRING QUALIFIED EMPLOYEE'S SOLE COST AND EXPENSE (GREENE COUNTY'S MONTHLY PREMIUM COST **PLUS** THE QUALIFIED EMPLOYEE'S MONTHLY PREMIUM COST). (Res. No. 152-24).

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4/17/24 Resolution No. 152-24 added the following paragraph:

**Dependent Spouse Employee Retiree Health Insurance**

Notwithstanding anything to the contrary contained herein, any Greene County employee(s) who is/was a covered dependent under his/her spouse's Greene County employee health insurance policy and whose primary insured spouse qualified for and/or receives Greene County retiree health insurance, shall qualify for and be eligible to receive Greene County retiree health insurance benefits after reaching the New York State Retirement System retirement age and after ten (10) years or more of uninterrupted service to Greene County immediately prior to retirement from Greene County employment and absent any subsequent County reemployment, if predeceased by their retiree eligible spouse.

The above referenced dependent spouse retiree health insurance benefits are not applicable to dependents of the survivor spouse, including and without limitation, new spouses and/or stepchildren.(Res. No. 152-24).

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11/20/18: Resolution No. 288-18 amended "Future Retirees' Health Insurance" as follows:

**For retirements effective January 1, 2019 or later:**

1. Health insurance eligible Greene County retirees and their eligible dependents, who are **less than 65 years of age** or who are, otherwise, **not eligible for Medicare** at the time of the employee's retirement, will be qualified for participation in the same type or similar type of health insurance plan upon retirement as they had while actively working. This does not guarantee their health insurance plan will not change during the course of their retirement.

2. Health insurance eligible Greene County retirees and their eligible dependents, who are **65 years of age or older**, or who are otherwise **Medicare eligible** at the time of the employee's retirement, will be qualified for participation in whatever health insurance plan the County is offering retirees 65 and over at that time of their retirement. This does not guarantee their health insurance plan will not change over the course of their retirement.

Note: Health Insurance eligible Teamsters retirees and their eligible dependents will continue to be eligible to participate in the above plans upon their retirement, as applicable. This language, and its intent, will be incorporated into the appropriate sections of the Administrative Manual.

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**-Health Insurance AMENDMENT-**

**POLICY:** Resolution No. 241-07, adopted by the Greene County Legislature on July 18<sup>th</sup>, 2007, which sets forth with specificity health insurance benefits provided by the County, was amended by Resolution No. 13-09, adopted January 21, 2009.

III. EMPLOYEE BENEFITS

-Health Insurance (Continued)-

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**INFORMATION:** In furtherance of the Legislature's ongoing objective to offer its employees affordable health insurance coverage, yet continue to be fiscally responsible to all County taxpayers, the Greene County Legislature now requires certain new employees to contribute a nominal percentage towards the costs of their health insurance coverage.

**PROCEDURE:** All new Greene County management, confidential and elected employees newly hired on or after January 21, 2009 shall be required to contribute fifteen (15%) percent to their health insurance costs.

All new Greene County management, confidential and elected employees newly hired on or after September 19, 2013 shall be required to contribute twenty (20%) percent to their health insurance costs.

Effective January 17, 2013, all Greene County employees in a bargaining unit position that are currently contributing towards the cost of their health insurance, will continue paying that same health insurance contribution rate if they move to a management or confidential position within Greene County.

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9/21/16: Resolution No. 241-07, the Health Insurance Resolution, which is hereafter set forth on the next five pages, was amended by Resolution No. 266-16 dated September 21, 2016 and those amendments were incorporated directly into the following five pages.

Amendments: 11/20/18 Res. No. 288-18; 9-21-16 Res. No. 266-16; 1/21/09 Res. No. 13-09.

## III. EMPLOYEE BENEFITS

-Health Insurance (Continued)-

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**POLICY:** The County wishes to set forth with specificity health insurance benefits provided by the County for current employees, spouses and eligible dependents; newly hired employees, spouses and eligible dependents (newly hired being defined as having an initial employment date with Greene County of August 1, 2007 or after); and currently retired employees, spouses and eligible dependents.

**INFORMATION:** It is the stated intent and purpose of the Legislature to in no way diminish or impair the voluntary health insurance coverage currently provided to retirees and to be provided to all current employees at retirement which is defined as in accordance with current New York State Retirement System requirements. It is also the intent of the Legislature to provide retiree health insurance coverage to employees employed on or after August 1, 2007 in a fiscally prudent manner comprised primarily of a sliding scale of contributions by affected employees based on years of service.

**PROCEDURE:** The following eligibility requirements for participation in said Greene County Health Insurance Plan be and hereby are adopted:

CURRENT EMPLOYEES HIRED BEFORE AUGUST 1, 2007:

- I. To codify the County's current practice, all full or part-time, exempt, confidential employees (other than per diem) or elected employees have the option of participating in the Greene County Health Insurance Plan, including "buy out". All full or part time Union employees have the option of participating in the Greene County Health Insurance Plan as set forth hereinabove in accordance with currently negotiated respective bargaining agreements provisions regarding health insurance eligibility including co-payments of premiums and "buy out" provisions of the contracts.
- II. To codify the County's current practice, all eligible employees of Greene County as identified in number "1" above employed before August 1, 2007 and who leave County employment in accordance with the eligibility requirements as set forth by the New York State Employees Retirement System are eligible for continued coverage by Greene County under the then existing Greene County Health Insurance Plan including applicable premium co-payments if made by employee during employment, provided that said employees have been employed by Greene County for a minimum of ten (10) years consecutive service with eligibility for Greene County Health Insurance Plan benefits. If qualified for New York State Disability retirement, employees are also eligible for continued coverage in accordance with the specifications set forth hereinabove.

## III. EMPLOYEE BENEFITS

-Health Insurance (continued)-

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- III. An employee who does not meet the minimum eligibility requirements outlined above for health insurance benefits at the time of employment may later acquire eligibility by virtue of a change in employment status. In such cases the date on which the employment status changes will be considered the date of first eligibility for enrollment and the first date of service to be credited towards the ten (10) year minimum period to receive retiree health insurance benefits.
- IV. Current employees who have completed ten (10) years of consecutive employment with Greene County during which ten (10) years they have been receiving benefits pursuant to the Greene County Health Insurance Plan but leave said employment for any reason other than termination shall be accorded vested rights status in retiree health insurance benefits. The vesting is contingent upon the employee continuing to pay one hundred (100%) percent for his/her and eligible dependents health insurance as such is offered through Greene County to its current and future employees for the entire period of time between leaving County employment as a vested County employee and attaining retirement age eligibility as set forth by the New York State Employees Retirement System.
- V. Current employees who have completed fifteen (15) years of consecutive employment with Greene County receiving benefits pursuant to the Greene County Health Insurance Plan but leave said employment for any reason other than termination shall be accorded vested rights status in retiree health insurance benefits. The vesting is contingent upon the employee continuing to pay one hundred (100%) percent for his/her and eligible dependents health insurance as such is offered through Greene County to its current and future employees for the entire period of time between leaving County employment as a vested County employee and attaining retirement age eligibility as set forth by the New York State Employees Retirement System if said period of time is greater than sixty (60) months. If said period of time before attaining retirement age eligibility as set forth by the New York State Employees Retirement System is less than 60 months from the date of leaving County employment then the employee is not obligated to continue paying for health insurance coverage through the Greene County Health Insurance Plan but has the option to continue to participate at the employee's sole expense. If the employee has alternate or interim insurance coverage or chooses not to obtain health insurance coverage then the vested employee may elect to receive coverage under the Greene County Health Insurance Plan upon retirement in accordance with the New York State Employees Retirement System at no cost to the employee except the co-payment of premiums.
- VI. In the event that a husband and wife are both employees of Greene County, upon retirement of the last spouse who has met the minimum eligibility requirements for participation in the Greene County Retiree Health Insurance plan.

## III. EMPLOYEE BENEFITS

-Health Insurance (continued)-

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as set forth in this resolution, only one primary insured may participate in the Greene County Health Insurance Plan. The spouse and the eligible dependents will be covered by the primary insured. No dual coverage will be allowed for spouses who were both employed by the County and both meet the minimum criteria. However, in the event of the death of the primary insured spouse, the other covered spouse and eligible dependents will be eligible for retiree health insurance in accordance with the provisions of this Resolution as the retired employee and continue to receive benefits under the Greene County Insurance Plan for retirees until his/her death.

RETIRED EMPLOYEES:

1. Employees who have retired from Greene County and were participants in the Greene County Health Insurance Plan as such existed during their employment and retire in accordance with the requirements of the New York State Employees Retirement System (or at age 65 when eligible for Medicare if not participating in the New York State Employees Retirement System) will receive continued health insurance coverage for the employee and his/her spouse for the life of the covered employee as such health insurance coverage and plans are offered by Greene County to its current or future employees.

FUTURE EMPLOYEES:

1. Greene County employees who are hired on or after August 1, 2007 shall be entitled to retiree health insurance benefits in accordance with the following:

-Individuals retiring with twenty (20) years of consecutively credited service with the New York State Retirement System and twenty (20) years of consecutive employment with the County shall receive Health Insurance coverage for themselves, spouses and eligible dependents paid at the rate of fifty percent (50%) County payment, fifty percent (50%) Retiree payment.

-All future employees referred to in paragraph "1" hereinabove shall receive a two percent (2%) per year increase in the amount of the percentage of insurance costs paid by the County up to a maximum of seventy (70%) percent contribution by the County. For example, an individual retiring with twenty-one (21) years of consecutive credited service with the New York State Retirement System and twenty-one (21) years of consecutive employment with the County shall receive health insurance coverage for themselves, their spouses and eligible dependents paid at the rate of fifty-two percent (52%) County payment and forty-eight percent (48%) retiree payment. This percentage increase in costs covered by the County shall become effective on the employees anniversary date of employment each year.

## III. EMPLOYEE BENEFITS

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-Health Insurance (continued) -

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2. Any exempt employee who has health insurance coverage as a dependent provided by another Greene County employee as primary insured, shall not have the option of a "buy out" or payment in lieu of acceptance of these benefits.
3. Future employee's health insurance enrollment status for retiree health insurance benefits shall be frozen as of the date of the employee's retirement or separation from service if vested. Additional or substitute dependent insureds (i.e. spouses or children) may only be added at the employee's sole expense.

CURRENT, RETIRED AND FUTURE EMPLOYEES:

The following provisions are equally applicable to all individuals referenced in this resolution regardless of their date of hire or retirement:

(a) (1) Full-time Employees: For the purpose of this resolution a full-time employee shall be defined as an employee employed by the Employer, who works a full work week.

(A) (2) Part-time Employees: A part-time employee is one who is employed for a 12-month period who works 21 hours or more per week, but less than a full work week. (Upon completion of each 3-month period, the number of hours worked in said completed 3-month period shall determine the definition of a part-time employee).

(a) (3) Per-Diem Employees: A per-diem employee is an employee covered by this resolution who is employed on an as needed basis and works 20 hours per week or less. A per-diem employee shall not work more than two and one-half (2½) workdays in a workweek for more than three (3) weeks in any thirteen (13) week period.

(b) The surviving spouse and any eligible dependents of a covered employee shall be afforded the opportunity to continue the health insurance coverage provided by the County to the deceased employee at his/her sole expense.

(c) All provisions of federal and state law regarding coordination of benefits, availability of coverage and Medicare shall be fully complied with.

(d) All Greene County employees who have retired or who will retire who are eligible for participation in the Greene County Health Insurance Plan after retirement must enroll in Medicare Part B as a condition precedent to receiving health insurance benefits after retirement from Greene County.

III. EMPLOYEE BENEFITS

-Health Insurance (continued) -

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- (e) No dual coverage will be provided for spouses who retire in accordance with the provisions of this resolution (see "Current Employees Hired Before August 1, 2007", paragraph "5").
- (f) The Greene County Health Insurance Plan as it applies to retirees will comply with the Older Worker's Benefit Protection Act ("OWBPA") (1990) and the Age Discrimination and Employment Act ("ADEA") 29 USCS §622 et seq.

## III. EMPLOYEE BENEFITS

-EMPLOYEE HEALTH INSURANCE UPON DISABILITY RETIREMENT OR  
ABSENCE DUE TO JOB-RELATED INJURY (WORKERS' COMPENSATION)-

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## POLICY:

1. If an individual is approved for **disability retirement**, the employee and his/her covered dependents are eligible for Greene County retiree health insurance coverage as follows:
  - A. The employee must have been eligible for and receiving either health insurance benefits or a buy-out at the time of the incident leading to the permanent disability.
    - a) If an employee is disabled due to a **non-work related injury**, the employee and his/her eligible dependents are entitled to retiree health insurance benefits at any age, but only after the requisite number of service years have been attained (e.g., employed prior to August 1, 2007 with 10 consecutive years, employed after August 1, 2007 with 20 consecutive years, etc.).
    - b) If an employee is permanently disabled due to a **work-related injury**, the employee is entitled to retiree health insurance benefits regardless of age or length of service.
2. If an employee is claiming a work-related injury, upon filing a **workers' compensation claim** the employee and his/her covered dependents are eligible for Greene County health insurance coverage as follows:
  - A. The employee must have been eligible for and receiving either health insurance benefits or a buy-out at the time of the work-related incident.
    - a) An employee who goes out on a medical leave due to a **work-related injury** and is, therefore, entitled to workers' compensation benefits, shall continue to be covered as an employee under Greene County's medical insurance policies for a period of six months from the date the employee stops working.
    - b) At the end of the six month period the employee and his/her eligible dependents will be offered continuation of their health insurance benefits under COBRA. Under COBRA the employee must pay the full premium for health insurance coverage.
    - c) If an employee is later approved for disability retirement due to his/her work-related injury, the employee is entitled to retiree health insurance benefits regardless of age or length of service.

## III. EMPLOYEE BENEFITS

## -Continuation of Health Care Coverage (COBRA)-

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**POLICY:** Greene County complies with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) mandates which offers employees and their families the opportunity for a temporary extension of health care at group rates when coverage under a plan would otherwise end.

**INFORMATION:** The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to Greene County employees that would otherwise lose their group health coverage. It can also become available to other members of their family who are covered under the Greene County Health Insurance Plan when they would otherwise lose their group health coverage.

COBRA continuation coverage is a continuation of Plan coverage when coverage would otherwise end because of a life event known as a “qualifying event.” After a qualifying event, COBRA continuation coverage must be offered to each person who is a “qualified beneficiary.” An employee, their spouse, and their dependent children could become qualified beneficiaries if coverage under the Plan is lost because of the qualifying event. **Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage, plus a 2% administrative fee.**

An employee will become a qualified beneficiary *if they lose their coverage* under the Plan because either one of the following qualifying events happens:

- Their hours of employment are reduced, or
- Their employment ends for any reason other than your gross misconduct.

A spouse of an employee will become a qualified beneficiary *if they lose their coverage* under the Plan because any of the following qualifying events happens:

- Their spouse dies;
- Their spouse’s hours of employment are reduced;
- Their spouse’s employment ends for any reason other than his or her gross misconduct;
- Their spouse becomes entitled to Medicare benefits (under Part A, Part B, or both); or
- They become divorced or legally separated from their spouse.

## III. EMPLOYEE BENEFITS

-Continuation of Health Care Coverage (COBRA)-  
(continued)

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An employee's dependent children will become qualified beneficiaries *if they lose coverage* under the Plan because any of the following qualifying events happens:

- The parent-employee dies;
- The parent-employee's hours of employment are reduced;
- The parent-employee's employment ends for any reason other than his or her gross misconduct;
- The parent-employee becomes entitled to Medicare benefits (Part A, Part B, or both);
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the plan as a "dependent child."

Sometimes, filing a proceeding in bankruptcy under title 11 of the United States Code can be a qualifying event. If a proceeding in bankruptcy is filed with respect to Greene County and that bankruptcy results in the loss of coverage of any retired employee covered under the Plan, the retired employee will become a qualified beneficiary with respect to the bankruptcy. The retired employee's spouse, surviving spouse, and dependent children will also become qualified beneficiaries if bankruptcy results in the loss of their coverage under the Plan.

The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, commencement of a proceeding in bankruptcy with respect to the employer, or the employee becoming entitled to Medicare benefits (under Part A, Part B, or both), the employer must notify the Plan Administrator of the qualifying event.

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), the employee must notify the Greene County Human Resources Department within 60 days after the qualifying event occurs.

Once the Human Resources Department receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage on behalf of their spouses, and parents may elect COBRA continuation coverage on behalf of their children.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, the employee's becoming entitled to Medicare benefits (under Part A, Part B, or both), your divorce or legal separation, or a dependent child's losing eligibility as a dependent child, COBRA continuation coverage lasts for up to a total of 36 months. When the qualifying event is the end of employment or reduction of the employee's hours of employment, and the employee became entitled to Medicare benefits less than 18 months before the qualifying event, COBRA continuation coverage for qualified beneficiaries other than the employee

## III. EMPLOYEE BENEFITS

-Continuation of Health Care Coverage (COBRA)-  
(continued)

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lasts until 36 months after the date of Medicare entitlement. For example, if a covered employee becomes entitled to Medicare 8 months before the date on which his employment terminates, COBRA continuation coverage for his spouse and children can last up to 36 months after the date of Medicare entitlement, which is equal to 28 months after the date of the qualifying event (36 months minus 8 months). Otherwise, when the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage generally lasts for only up to a total of 18 months. **(Note: NYS Law extends the federal COBRA benefit for health insurance to 36 months upon termination of employment. The NYS extension does not apply to vision and dental.)** There are two other ways in which this 18-month period of COBRA continuation coverage can be extended.

**Disability extension of 18-month period of continuation coverage**

If an employee or anyone in the employee's family covered under the Plan is determined by the Social Security Administration to be disabled and the employee or family member notifies the Greene County Human Resources Department in a timely fashion, the employee and his/her entire family may be entitled to receive up to an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months. The disability would have to have started at some time before the 60th day of COBRA continuation coverage and must last at least until the end of the 18-month period of continuation coverage.

**Second qualifying event extension of 18-month period of continuation coverage**

If a family experiences another qualifying event while receiving 18 months of COBRA continuation coverage, the spouse and dependent children can get up to 18 additional months of COBRA continuation coverage, for a maximum of 36 months, if notice of the second qualifying event is properly given to the Human Resources Department. This extension may be available to the spouse and any dependent children receiving continuation coverage if the employee or former employee dies, becomes entitled to Medicare benefits (under Part A, Part B, or both), or gets divorced or legally separated, or if the dependent child stops being eligible under the Plan as a dependent child, but only if the event would have caused the spouse or dependent child to lose coverage under the Plan had the first qualifying event not occurred.

**Contact Information**

Questions concerning COBRA continuation coverage should be directed to the Greene County Human Resources Department. For more information about health insurance options available through a health insurance marketplace, visit [www.healthcare.gov](http://www.healthcare.gov).

## III. EMPLOYEE BENEFITS

## -Employee Parking-

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KEY:	Parking Lot A	is	Lower Water Street Lot (Tax Map ID No. 156.78-2-40)
	Parking Lot B	is	Upper Water Street Lot (Tax Map ID Nos. 156.70-5-20 and 156.78-2-38)
	Parking Lot C	is	465 Main Street (formerly DSS, now Records Management.) (Tax Map ID No. 156.70-2-12)
	Parking Lot D	is	the old Armory Parking Lot (Tax Map ID Nos. 156.78-5-2, 4, 5, 18, 19)
	Parking Lot E	is	Former First Niagara Bank's Lot (Tax Map ID No. 156.78-5-17)
	Parking Lot F	is	on Water Street, by Crossroads in Catskill
	Parking Lot G	is	the Athens Senior Citizen's Center in Athens

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**POLICY:** The following are Rules and Regulations of the Greene County Superintendent of Buildings and Grounds regarding Local Law No. 1 of 2006.

**PROCEDURE:** Employees are allowed to park in all of the above lots as available, EXCEPT Parking Lot B, Upper Water Street Lot. Only employees who have handicapped parking permits are authorized to park in Lot B.

I also wanted to remind you that all County employees are prohibited from parking on either side of Clarke Street (the dead-end street which runs along the right side of the Courthouse) Also, parking along Main Street and/or at any metered parking spots will not be allowed. In addition, the only employees who may park in the upper lot at 411 Main Street are those with handicapped parking permits. Please leave the upper lot open for visiting residents and the handicapped. Also:

1. All County fleet cars are to be parked in the lower parking area of the parking lot located at the Buildings and Grounds Department, 90 Allen Street in Catskill.
2. No overnight parking without special permission of Buildings and Grounds.
3. County employees may also use the Municipal parking lot.

III. EMPLOYEE BENEFITS

-Flexible Spending Plan / Cafeteria Plan-

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**POLICY:** Eligible Greene County employees are offered the opportunity to participate in a Cafeteria Plan / Flexible Spending Plan.

**PROCEDURE:** Contact the Human Resources Department for information and enrollment.

## III. EMPLOYEE BENEFITS

-Donation of Leave Time-

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- POLICY:** Donations of leave time (vacation or sick) will only be considered if the employee requesting donations has exhausted or is in immediate risk of exhausting ALL of their existing accrued time, including sick, vacation and personal time; AND
- each request for leave time will only be posted for five work days; AND
  - the maximum donation of leave time to any one employee as a result of a five-day posting is ten (10) days; any donations above the ten (10) days maximum will be returned to the employee(s) donating time; AND
  - if the employee should request additional leave time, that request must be approved by the County Administrator and will follow the above two rules; AND
  - At the option of the employee and the employee's Department Head, requests for donation of leave time can be opened to other employees in two separate ways: request for leave time donation can be made to only the employee's Department; or request for leave time donations can be made to all county employees; AND
  - sick time can only be donated by employees who have been employed for five years or more; vacation time can be donated at any time; AND
  - leave time can only be donated from members of the union that the employee belongs to. However, managerial employees not represented by any Bargaining Unit who wish to donate sick and/or vacation time may request permission to do so by writing to the County Administrator.
  - Donors must have at least 35 hours of accrued time remaining on the books after they make a donation. Donors with 35 hours of accruals or less will be placed on a lag.
- Donated time cannot be cashed out by the recipient when they retire or leave county employment, nor can the donated time be returned to the employee who originally donated it.
- NOTE:** All donations of vacation time to the recipient shall be converted solely into sick time for use by the recipient.
- PROCEDURE:** Notwithstanding the terms of each Union's Collective Bargaining Agreement, the employee in need of leave time should simultaneously notify their own Department Head and the Head of their own Union. The Head of the Union will then request written authorization from the County Administrator to collect donations of leave time on behalf of the employee. Upon approval of the County Administrator, the Head of the Union will distribute a memo and a Leave Donation form (Greene County Form #40 which can be obtained from representatives of the various Unions), for a period of five work days, to all bargaining unit members requesting donations of sick and/or vacation time and asking that the forms be turned in to the Treasurer's Department. The Treasurer's Department will only credit the employee with up to ten (10) days of leave time from that one posting. Should the employee receive more than ten (10) days of leave time from that five-day posting, the Treasurer's Department will return the excess donations to the donor(s).

**Note:** **The donation of personal time is not allowed.**

## III. EMPLOYEE BENEFITS

-Leave for Cancer Screening  
and Leave for Blood Donation-

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## POLICY:

**Leave for Cancer Screening:**

1. Effective March 18, 2018, in accordance with NYS Civil Service Law Section 159-b, as amended, County employees shall be entitled to a leave of absence, not to exceed four (4) hours on an annual basis, for any type of cancer screening, including screenings for prostate and/or breast cancer.
2. The entire period of the leave of absence granted pursuant to the above shall be **PAID** leave and ***shall not be charged*** against any other leave the employee is otherwise entitled to.
3. The four (4) hour annual entitlement is inclusive of travel time to and from the appointment and any subsequent follow-up visits.
4. Any time taken in excess of the four (4) hour annual entitlement is chargeable to available leave credits.

**Leave for Blood Donation:**

1. In accordance with Section 202-j of NYS Labor Law, County employees are entitled to a leave of absence of up to three (3) hours on an annual basis for the purpose of donating blood.
2. Leave taken for off-premises blood donation is **UNPAID** leave.
3. Leave taken by employees for donation leave alternatives (e.g., blood drives held during work hours at least twice annually at a convenient time and place set by the employer) shall be **PAID** leave given without requiring the use of accumulated leave time.

## PROCEDURE:

Leave for cancer screening and for blood donation must be taken between January 1<sup>st</sup> and December 31<sup>st</sup> and does not accrue from year to year, nor is it payable upon separation from the County. Requests for use of leave time must be in writing, are subject to department head approval, and shall be used in accordance with the current applicable collective bargaining agreements.

## III. EMPLOYEE BENEFITS

-ALLOWANCE OF UNUSED SICK LEAVE UNDER SECTION 41(j)-

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**INFORMATION:** By Resolution Nos. 561-10 and 562-10, the Greene County Legislature elected to provide the additional pension benefits of Section 41-j (an allowance of unused sick leave credits) of the Retirement and Social Security Law, as presently or thereafter amended, with the effective date being January 1, 2011.

**POLICY AND PROCEDURE:** Subdivision (j) of Section 41 and Subdivision (j) of Section 341 of the Retirement and Social Security Law allows a participating employer to elect to provide additional service credit toward retirement for its employees who are entitled to accumulate sick leave.

1. The additional service credit is available only for those members who are included in a plan established by law, rule, regulation, written order or written policy that provides for the regular earning and accumulation of sick leave.
2. The maximum additional service credit allowed under subdivision (j) for ERS members Tiers 1-5 is one hundred sixty-five (165) days. The additional service credit is applied on a 260 annual workday basis (165 days divided by 260 days = .63 years of additional service credit and 100 days divided by 260 days = .38 years of additional service credit). The maximum additional service credit allowed under subdivision (j) for ERS member Tier 6 is one hundred (100) days unless a collective bargaining agreement (CBA) was in effect on April 1, 2012, and the CBA contains language regarding sick leave credit at retirement. Members who join the ERS while the CBA is in effect can be credited with up to 165 days. Members who join after their CBA has expired will be credited with 100 days.
3. Members who receive a *full cash payment* from Greene County at the time of retirement for their sick leave accruals are not eligible to also receive retirement service credit for those accruals. However, members may opt to be paid for their accumulated sick time at retirement up to the maximum allowed in accordance with their respective Collective Bargaining Agreement, and then apply any balance *in full days* toward retirement service credit up to the 165-day or 100-day maximum, as applicable.
4. Cash payments for unused sick leave cannot be considered in the calculation of a member's final average salary.
5. Unused and unpaid sick leave up to the maximum allowable may be added to credited service and used in the benefit calculation. The additional credit *cannot* be used to meet eligibility requirements for retirement or for an improved benefit.
6. This benefit is for eligible Greene County employees retiring on or after January 1, 2011 and cannot be applied retroactively.
7. This benefit applies to all tiers of membership in the NYS Retirement System.
8. Members interested in exchanging sick time for retirement service credit must file an application, (Greene County Form #20, which can be obtained at the Human Resources Department) with the Greene County Human Resources Department concurrent with filing their application for retirement with the NYS Retirement System. The application

III EMPLOYEE BENEFITS

-ALLOWANCE OF UNUSED SICK LEAVE UNDER SECTION 41(j)-  
-continued-

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for service credit must clearly state the number of full days the member wants to exchange for service credit up to the 165-day or 100 day maximum, as applicable.

8. Participation in this program is voluntary on an individual basis.
9. Questions concerning this program should be directed to the Greene County Human Resources Department.

### III. EMPLOYEE BENEFITS

#### -Lactation Policy (Rights of Employees to Express Breast Milk in the Workplace)-

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#### **GREENE COUNTY POLICY ON THE RIGHTS OF EMPLOYEES TO EXPRESS BREAST MILK IN THE WORKPLACE - Adopted August 16, 2023 Amended May 15, 2024 to become effective June 19<sup>th</sup>, 2024**

##### **I. POLICY STATEMENT**

It is Greene County's policy to comply with the Fair Labor Standards Act (FLSA) and Section 206-c of the New York State Labor Law requiring all employers in New York to give all employees the right to express breast milk in the workplace. Greene County will provide a paid break time of 30 minutes and appropriate facilities to accommodate an employee's request to express breast for a nursing child for up to three years following the birth of the child.

##### **II. PROCEDURE**

###### **A. USING BREAK TIME FOR BREAST MILK EXPRESSION**

Greene County will provide a 30-minute paid break time for employees to express breast milk. In addition, employees will be permitted to use existing paid break time or mealtime for time in excess of 30 minutes to express breast milk. This time will be provided for up to three years following the birth of your child. The number of breaks an employee will need to express breast milk is unique to each employee and Greene County will provide reasonable break times based on the individual. Greene County will not discriminate in any way against an employee who chooses to express breast milk in the workplace.

Paid breaks provided for the expression of breast milk will be 30 minutes. However, if the designated lactation room where such a break will be taken is not close to an employee's workstation, an employee will be allowed to take a reasonably longer break. Employees may also opt to take shorter breaks.

Employees who work remotely have the same rights to paid time off for the purpose of expressing breast milk, as all other employees who perform their work in-person.

###### **B. MAKING A REQUEST TO EXPRESS BREAST MILK AT WORK**

Employees wishing to request a room or other location to express breast milk in the workplace should do so by submitting a written request to the Human Resources Director and such employee's department head, generally before returning to the workplace if the employee is on leave. This advance notice is to allow the Human Resources Director to schedule use of an appropriate location and the department head the time to adjust schedules if needed. The Human Resources Director will respond to this request for a room or other location to express breast milk in writing within five business days.

Greene County will notify all employees in writing through email or printed memo when a room or other location has been designated for breast milk expression.

##### **III. LACTATION ROOM REQUIREMENTS**

In addition to providing the necessary time during the workday, Greene County will provide a private room or alternative location for the purpose of breast milk expression. The space provided for breast milk expression cannot be a restroom or toilet stall. The room or other location must:

- Be close to an employee's work area
- Provide good natural or artificial light
- Be private - both shielded from view and free from intrusion
- Have accessible, clean running water nearby
- Have an electrical outlet (if the workplace is supplied with electricity)
- Include a chair
- Provide a desk, small table, desk, counter or other flat surface

There does not need to be a separate space for every nursing employee. Greene County may dedicate a single room or other location for breast milk expression. Should there be more than one employee at a time needing access to a lactation room, an employer may dedicate a centralized location to be used by all employees. Any space provided for breast milk expression must be close to the work area of the employee(s) using the space. The space must be in walking distance, and the distance to the location should not significantly extend an employee's needed break time.

### III. EMPLOYEE BENEFITS

#### -Lactation Policy (Rights of Employees to Express Breast Milk in the Workplace-continued)-

Employees located in the County Office Building at 411 Main Street, Catskill, NY will have use of a dedicated lactation room in the Human Resources Department, Suite 339. All Greene County Departments located at satellite sites will establish a dedicated lactation room or space, approved by the Human Resources Director who will be responsible for making sure the room meets the needs of the employees. If there is not a separate room or space available for lactation, a department may use a vacant office or other available room on a temporary basis, as approved by the Human Resources Director. This room must not be accessible to the public or other employees while an employee is using it for breast milk expression. As a last resort, an available cubicle may be used for breast milk expression, as approved by the Human Resources Director. A cubicle can only be used if it is fully enclosed with a partition and is not otherwise accessible to the public or other employees while being used for breast milk expression. The cubicle walls must be at least seven feet tall to insure the employee's privacy.

To ensure privacy, if the lactation room has a window, it must be covered with a curtain, blind or other covering. In addition, the lactation space should have a door equipped with a functional lock. If this is not possible (such as in the case of a fully enclosed cubicle), as a last resort, a department must utilize a sign advising the space is in use and not accessible to other employees or the public.

If the workplace has a refrigerator, employees must be allowed to use it to store breast milk. However, Greene County is not responsible for ensuring the safekeeping of expressed milk stored in any refrigerator in the workplace. Employees are required to store all expressed milk in closed containers and bring milk home each evening.

The space designated for expressing breast milk must be maintained and clean at all times. If a department can demonstrate undue hardship in providing a space with the above requirements, the department must still provide a room or other location - other than a restroom or toilet stall - that is in close proximity to the work area where an employee can express breast milk in privacy, that meets as many of the requirements as possible. Undue hardship is defined in the statute as "causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business." However, a department may not deny an employee the right to express breast milk in the workplace due to difficulty in finding a location.

### IV. GREENE COUNTY HUMAN RESOURCES

An employee should contact the Human Resources Director if there is any indication of noncompliance, or any other issues related to the employee's rights as outlined in this Policy. Filing a complaint with Greene County in no way deprives the employee of the right to file a complaint with the US Department of Labor or the New York State Department of Labor's Division of Labor Standards Office.

### V. NEW YORK STATE DEPARTMENT OF LABOR RESOURCES

If an employee believes that they are experiencing retaliation for expressing breast milk in the workplace, or that their employer is in violation of this policy and they are not, they should contact the New York State Department of Labor's Division of Labor Standards. Call **1-888-52-LABOR**, email **LSAsk@labor.ny.gov**, or visit the nearest Labor Standards office to personally file a complaint. A list of offices is available at **dol.ny.gov/location/contact-division-labor-standards**. *Complaints are confidential.*

### VI. FEDERAL RESOURCES

The federal PUMP Act went into effect in 2023, expanding protections for almost all employees expressing breast milk at work. Under the PUMP Act, any covered workers not provided with breaks and adequate space for up to a year after the birth of a child are able to file a complaint with the U.S. Department of Labor or file a lawsuit against their employers. For more information, please visit **dol.gov/agencies/whd/pump-at-work**;

## IV. INSURANCE

-Incident/Accident Reports Involving County Employees-

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- POLICY:** All employees of Greene County and all property of Greene County are insured.
- All incidents/accidents involving employees on Greene County property must be reported immediately.
- INFORMATION:** The County carries a variety of insurance policies that provide coverage to the County and its employees for acts undertaken in the faithful performance of their job-related duties. There is no insurance coverage for activities not within the reasonable scope of an employee's job-related duties. There is no insurance coverage for willful or malicious wrongdoing by any County employee. Specific questions by employees on various insurance coverages should be directed to the County Attorney as insurance coverage varies from year to year.
- If an employee uses his or her personal vehicle for transportation during working hours, for County business, and an incident/accident occurs, the individual's insurance is primary in all cases. Additional insurance is automatically provided up to \$1,000,000. This DOES NOT cover collision; ONLY Liability; Property Damage and Bodily Injury!!
- PROCEDURE:** The Department Head or designee is to be informed of all incidents/accidents involving employees on Greene County business. Immediately after the incident/accident (in no case later than 24 hours) the Department Head shall complete the Greene County Incident/Accident Report form (Greene County Form # 21 which can be obtained at the Human Resources Department) and forward to the Greene County Attorney with copy to the Human Resources Director and to the County Administrator, with the County Administrator distributing at his discretion. If there are any questions or if Incident/Accident Reports cannot be completed in a timely manner, contact the Greene County Attorney.

## IV. INSURANCE

-Incidents/Accidents Involving County Vehicles-

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**POLICY:** It is the policy of the County that any incident/accident involving a County vehicle be reported to the Greene County Attorney immediately. In the event that the Greene County Attorney is unavailable, the County Administrator shall be notified immediately. The driver of the vehicle is responsible for notifying the police or other authorities. Written notification will be supplied to the Greene County Attorney within 48 hours of the incident/accident.

Any disabled County vehicle is to be towed to the closest County Highway facility, if possible.

At least 2 repair estimates will be obtained by the Greene County Garage Manager.

Non-repairable vehicles will be disposed of according to County excess and surplus property and disposal of vehicles procedures, upon recommendation of the County Garage Manager and approval by the County Administrator.

**PROCEDURE:** Department Heads will be responsible for observance of these procedures and for notifying employees who use County vehicles and for explaining these procedures to each employee.

ALL DRIVERS ARE TO BE INFORMED THAT THE FOLLOWING PROCEDURE MUST BE FOLLOWED:

1. DO NOT ACCEPT LIABILITY ON BEHALF OF THE COUNTY UNDER ANY CIRCUMSTANCE! This will be determined by the insurance carrier.
2. Only exchange pertinent information and obtain a police report of accident.
3. Report the incident/accident to Greene County Attorney as soon as possible by phone or in person.
4. Submit an Incident/Accident Report, Greene County Form #21, which can be obtained at the Human Resources Department, to the County Attorney, Human Resources Director and County Administrator and include a driver's statement, the police accident report, and details of the county vehicle involved in the accident. (This includes the VIN, plate number, driver's name, year and make of vehicle.)
5. The County Administrator shall be advised of all incidents, accidents and/or any potential claims against the County.

## IV. INSURANCE

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-Workers' Compensation-

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**POLICY:** In the event of an on-the-job accident, incident, injury or illness to an employee of Greene County, the employee must **immediately** notify their Department Head or the Department Head's designee.

In accordance with a change in OSHA reporting requirements implemented on January 1, 2015, employers must report:

-All work-related fatalities **within 8 hours**

-All work-related inpatient hospitalizations, all amputations and all losses of an eye **within 24 hours.**

The Department Head or designee must immediately report the incident to the Greene County Dispatch Center. The Dispatch Center will then immediately contact the County Administrator. The County Administrator will report all incidents to: **New York Public Employee Safety and Health (PESH) Bureau**, W. Averell Harriman, State Office Building - 12, Room 158, Albany, NY 12240 // Phone: (518) 457-1263 // Fax: (518) 457-5545

**PROCEDURE:** All Workers' Compensation forms may be obtained from the Human Resources Dept.

1. The Department Head (or designee) together with the employee, must fill out a "Greene County Incident/Accident Report" form (Greene County Form #21) which is also then submitted by the Department Head (or designee) to the Human Resources Department.
2. The employee's Department Head (or designee) must complete an Accident Notification form for injuries that **require NO treatment beyond first aid and/or for which there is NO lost time.** A C3 Employee Claim form is NOT required to be completed in these situations.
3. The C2F form replaces the C2 form (Greene County form #23). This form is to be filled out by the Department Head (or designee) when an employee is injured **and receives medical attention and/or loses time from work.** An employee **MUST** complete a C3 form to report an injury in these situations.
4. The Human Resources Department will then submit the C2F form and any other forms to the County's Third Party Workers' Compensation Administrator, with a copy of only Form #21 to the County Administrator's Office, within five (5) days after the accident/incident has been reported.
5. The completed forms will be on file in the Human Resources Department and all correspondence will be handled by the Human Resources Department.
6. Requests from the Workers' Compensation Board or the Administrator for additional information will be forwarded to the Human Resources Department where the existing file will be updated and the additional information will be forwarded to the County's Third Party Workers' Compensation Administrator.

It is the intent of this policy for Greene County to have a single point of entry for all workers' compensation claims, that being the Human Resources Department. Department Heads and employees should not contact or submit any forms directly to the County's Third Party Workers' Compensation Administrator. All questions and paperwork should be directed to the Human Resources Department.

**All Greene County volunteers are covered by the county's workers' compensation policy. Notification of any Workers' Compensation event must be made in a prompt manner to the employee's supervisor and the Greene County Safety Officer.**

IV. INSURANCE

-Worker's Compensation-SETTLEMENT OF CLAIMS

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- POLICY:** Employees shall not resolve any liability claim with any other party or insurance company without the written approval of the office of the County Attorney and the Worker's Compensation Insurance Third Party Administrator.
- INFORMATION:** The County provides workers compensation coverage for employees injured on the job. The county requires that any settlement, compromise or discontinuance of a liability action for which the injuries are covered by workers compensation be done only with the written consent of both the county attorney and the workers compensation insurance carrier. Should the liability action be settled, compromised or discontinued without both written consents, an employee's claim to compensation coverage for medical injuries and treatment will be prejudiced and workers compensation benefits may be denied.
- PROCEDURE:** If an employee is involved in any kind of incident/accident while on the job, the employee shall not resolve any liability claim with any other party or insurance company without the written approval of the County Attorney and the County's Worker's Compensation Insurance Third Party Administrator.

IV. INSURANCE

-Unemployment Insurance-

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POLICY and  
PROCEDURE:

All Unemployment Insurance matters should be directed to the Human Resources Department, who will coordinate with the Office of the County Treasurer.

## IV. INSURANCE

-Disability Claim Filing Procedure-

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**POLICY:** Greene County provides New York State Disability Insurance for its employees.

**PROCEDURE:** Disabled employees are to contact the Human Resources Department to file a claim under the County's Disability Insurance. The Teamsters should contact their union representative.

The claims are to be made on the appropriate Federal Form #DB-450 (Greene County Form #24, which can be obtained from the Human Resources Department.)

It is the employee's responsibility to initiate any claim and to obtain the necessary information used in the determination of the claim. The employee will obtain the form from the Human Resources Department and will first have their Health Care Provider complete the appropriate section of the form. Next the employee will complete the Claimant's section of the form and then provide the form to the Human Resources Department, who will complete the employer's section and submit the completed form.

At the time of initial application, employees must affirm on an employer provided Disability Benefit Time Form, Greene County Form #25, which can be obtained from the Human Resources Department, the option of choosing disability payments supplemented by accrued sick time or straight disability. If employee chooses to supplement disability, employer form, Greene County Form #25, which can be obtained from the Human Resources Department, should be forwarded to his/her department.

There is a seven (7) day waiting period. Employees are eligible to receive benefits on the eighth (8) day of disability. All claims should be filed with the Carrier within 30 days of the disability.

IV. INSURANCE

-Claims or Suits Filed Against Greene County-

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**POLICY:** The County Attorney is the primary contact for all Claims or Suits filed against Greene County. All County agencies, departments and/or employees must direct all insurance matters, Notice of Claims, Subpoenas, Summons and Complaints, Affidavits, Letters of Claim, and any and all records pertaining to such to the County Attorney.

**PROCEDURE:** It is the responsibility of the County Attorney to work closely with the administrators for Greene County's liability insurance. The liability insurance administrators direct the handling of each claim or suit. The County Attorney will act as each Department's liaison with the liability insurance administrator.

## V. EMPLOYEE REIMBURSEMENTS

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-Travel-

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**POLICY:** It is Greene County's policy to monitor and exercise economy in the approval of travel expenses as well as to insure the proper reimbursement to employees for travel expenses incurred as official Greene County representatives. Reimbursement for ordinary travel expenses of meals and mileage within the 8 counties of Greene, Columbia, Albany, Ulster, Delaware, Dutchess, Rensselaer and Schoharie does not require prior approval.

**INFORMATION:** Travel Notification: Any employee traveling outside of the following counties: Greene, Columbia, Albany, Ulster, Delaware, Dutchess, Rensselaer and Schoharie Counties on County business is to notify his/her Department Head who will inform the County Administrator in writing at least 48 hours in advance. The purpose of this requirement is to provide documentation for liability purposes to protect both Greene County and its employees when traveling.

An employee must be on official business at a distance of more than 50 miles from the Catskill Thruway Exit to be eligible for lodging.

An employee who incurs travel expenses in the performance of his official duties within 50 miles of the Catskill Thruway Exit (i.e. parking, mileage, tolls) may claim reimbursement for such expenses subject to other requirements included in this Administrative Manual.

**PROCEDURE:** Prior to undertaking travel outside of Greene, Columbia, Albany, Ulster, Delaware, Dutchess, Rensselaer and Schoharie Counties, employees must obtain approval from the Department Head and the County Administrator at least 48 hours in advance of such travel, except in an emergency situation, by using Travel Request / Reimbursement Form (Greene County Form #26, which can be obtained from the County Administrator's Office.)

Employees shall provide themselves with sufficient funds for all expenses. Subsequent to the trip, the employee will be reimbursed for the actual and necessary expenses which were incurred in the performance of official duties. Eligibility for this reimbursement and actual rates of reimbursement are specified in the Employee Reimbursements section of this manual.

All travel outside of Greene, Columbia, Albany, Ulster, Delaware, Dutchess, Rensselaer and Schoharie Counties, other than routine county business, and all expenses related to the trip, must be preapproved by the Department Head and the County Administrator.

Receipts: Original receipts are mandatory. If a receipt contains erroneous information, it is not to be altered. The receipt should be attached to a written explanation of the error.

**All requests for travel reimbursements are required to be submitted within sixty (60) days after the expense is incurred, pursuant to IRS Rule 26 CFR 1.62-2(g)(2)(i).**

## V. EMPLOYEE REIMBURSEMENT

## - Travel Request / Reimbursement –

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**POLICY:** Greene County will provide transportation, whenever possible, for employees who must travel. When transportation cannot be provided it is Greene County's policy to reimburse travelers' necessary and appropriate transportation expenses. Reimbursement for ordinary travel expenses of meals and mileage within the 8 counties of Greene, Columbia, Albany, Ulster, Delaware, Dutchess, Rensselaer and Schoharie does not require prior approval.

**INFORMATION:** Travelers are expected to use the most efficient and cost-effective mode of transportation to reach their travel destination. Travel should be by the most direct route possible. It is the travelers' responsibility to use the most economic mode of transportation possible in each travel situation; to complete necessary applications, request forms, trip logs, etc.; and to operate vehicles in accordance with all vehicle and traffic laws.

**PROCEDURE:** Reimbursements are to be claimed on a monthly basis using two forms:

1. The "Travel Request/Reimbursement" form, Greene County Form #26 and
2. a voucher, Greene County Form #27, both of which can be obtained at the County Administrator's Office.

The Travel Request/Reimbursement form must list all reimbursable expenses, including meal costs, the cost of tolls and parking expenses, related meeting expenses, and personal automobile reimbursement. All "Travel Request/Reimbursement" forms and payment vouchers must be verified by the Department Head as to which meal reimbursement is being requested (breakfast, lunch or dinner), approved by the Department Head and are subject to audit by the Deputy Budget Officer before payment can be made. Meals will be reimbursed at the approved rate per meal – receipts are not needed.

**All requests for travel reimbursements are required to be submitted within sixty (60) days after the expense is incurred, pursuant to IRS Rule 26 CFR 1.62-2(g)(2)(i).**

**NOTE:** Expenses for parking violations and other motor vehicle violations are not eligible for reimbursement.

## V. EMPLOYEE REIMBURSEMENTS

## - Personal Automobile Reimbursement –

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- POLICY:** The County shall pay a mileage allowance for employees required to use their own vehicles on County business. The amount of the allowance will be the amount currently allowed under IRS guidelines. Reimbursement for ordinary travel expenses of meals and mileage within the 8 counties of Greene, Columbia, Albany, Ulster, Delaware, Dutchess, Rensselaer and Schoharie does not require prior approval.
- INFORMATION:** Employees using their own vehicles while on County business are entitled to reimbursement subject to the approval of the Department Head and the County Administrator. Expense reimbursement shall be made according to actual business mileage driven, plus tolls and parking expenses. Mileage is to be calculated from “portal-to-portal”. “Portal-to-portal” shall mean the employee is reimbursed mileage from the employee’s home to the training, meeting, or temporary alternative work site and back to the employee’s home or primary work location. Such mileage claims must include an itemized deduction of the employee’s regular commute from their home to their regular place of work. With the exception of evening meetings held at the employee’s place of work in which they are required to return to a work site after the close of regular business hours, employees are not entitled to mileage reimbursement from home to their regular place of work or vice versa. (Res. No. 153-24).
- PROCEDURE:** Reimbursements are to be claimed on a monthly basis using two forms:
1. The “Travel Request/Reimbursement” form, Greene County Form #26 and
  2. A voucher, Greene County Form #27, both of which can be obtained at the County Administrator’s Office.
- The Travel Request/Reimbursement form must list all reimbursable expenses, including meal costs, the cost of tolls and parking expenses, related meeting expenses, and personal automobile reimbursement with the Greene County Legislature. For each trip, provide the following:
- Date, destination(s), brief description of purpose, miles traveled, amount of mileage reimbursement.
- All “Travel Request/Reimbursement” forms and payment vouchers must be clearly itemized, approved by the Department Head and are subject to audit by the Deputy Budget Officer before payment can be made. **All requests for travel reimbursements are required to be submitted within sixty (60) days after the expense is incurred, pursuant to IRS Rule 26 CFR 1.62-2(g)(2)(i).**

## V. EMPLOYEE REIMBURSEMENTS

## - Conferences, Meetings and Seminars –

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**POLICY:** In order for any Greene County official or employee to attend any meeting, conference or seminar, that requires a registration fee, be it in person or virtual, it is necessary to obtain prior approval from the County Administrator. Conference and Seminar attendance outside of New York State requires additional approval by resolution of the County Legislature. Reimbursement for ordinary travel expenses of meals and mileage within the 8 counties of Greene, Columbia, Albany, Ulster, Delaware, Dutchess, Rensselaer and Schoharie does not require prior approval. (Res. No. 153-24)

**INFORMATION:** Normally, all expenses associated with attendance are reimbursable to the employee. Cost of meals, registration, fees, etc. that are established as part of the conference, seminar or meeting are reimbursed at the conference/seminar/meeting rate, only if they are included in the overall registration fee. Costs of other meals, as well as automobile reimbursement, are allowed at the normal County rates. The County does not reimburse for taxes or gratuities, nor will the County reimburse expenses incurred by persons other than the Greene County official or employee.

**PROCEDURE:** Department Heads first will approve attendance at all conferences and seminars. They will determine who shall be delegated to attend and shall present a request with all pertinent information relating to dates, places, costs within budget, and travelers, in writing to the County Administrator within a reasonable time frame prior to the date of the meeting, conference or seminar. The County Administrator will reply in writing, approving or disapproving the request.

Requests for attendance at out-of-state conferences/seminars/meetings must receive additional approval of the County Legislature by resolution; therefore, these requests, with all pertinent information, must be submitted to the County Administrator well in advance of the event.

Reimbursements are to be claimed on a monthly basis using two forms:

1. The “Travel Request/Reimbursement” form, Greene County Form #26 and
2. a voucher, Greene County Form #27, both of which can be obtained from the County Administrator’s Office.
3. The Travel Request/Reimbursement form must list all reimbursable expenses, including meal costs, the cost of tolls and parking expenses, related meeting expenses, and personal automobile reimbursement. All “Travel Request/Reimbursement” forms and payment vouchers must be verified by the Department Head as to which meal reimbursement is being requested (breakfast, lunch, or dinner), approved by the Department Head and are subject to audit by the Deputy Budget Officer before payment can be made. Meals will be reimbursed at the approved rate per meal – receipts are not needed.

**All requests for travel reimbursements are required to be submitted within sixty (60) days after the expense is incurred, pursuant to IRS Rule 26 CFR 1.62-2(g)(2)(i).**

## V. EMPLOYEE REIMBURSEMENTS

## - Meals and Lodging –

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**POLICY:** The County will reimburse for preapproved, travel related expenses incurred while engaged on County business. Reimbursement for ordinary travel expenses of meals and mileage within the 8 counties of Greene, Columbia, Albany, Ulster, Delaware, Dutchess, Rensselaer and Schoharie does not require prior approval.

**INFORMATION:** With the exception of meal costs which are included in a seminar or conference registration fee, reimbursement is allowed for meals when employees are engaged in County business within Greene County only when specifically approved in advance by the Department Head. Reimbursement for both meals AND personal automobile use is allowed when employees are engaged in County business outside of Greene County.

Maximum meal reimbursements for all business conducted outside of New York City are: \$10.00 for breakfast, \$15.00 for lunch and \$25.00 for dinner. The maximum meal allowance for reimbursement for all business conducted within New York City is the total amount of Fifty (\$50.00) Dollars per day. (Res. No. 151-24)

Reimbursement for lodging within a 50 mile radius of the Catskill Thruway Exit is NOT allowed.

**PROCEDURE:** Reimbursements are to be claimed on a monthly basis using two forms:

1. The “Travel Request/Reimbursement” form, Greene County Form #26; and
2. A voucher, Greene County Form #27, both of which can be obtained from the County Administrator’s Office.
3. The Travel Request/Reimbursement form must list all reimbursable expenses, including meal costs, the cost of tolls and parking expenses, related meeting expenses, and personal automobile reimbursement. All “Travel Request/Reimbursement” forms and payment vouchers must be verified by the Department Head as to which meal reimbursement is being requested (breakfast, lunch or dinner), approved by the Department Head and are subject to audit by the Deputy Budget Officer before payment can be made. Meals will be reimbursed at the approved rate per meal – receipts are not needed.

**All requests for travel reimbursements are required to be submitted within sixty (60) days after the expense is incurred, pursuant to IRS Rule 26 CFR 1.62-2(g)(2)(i).**

## VI. COUNTY EQUIPMENT AND PROPERTY

## - County Vehicles –

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**POLICY:** When travel is required of County employees, County vehicles should be utilized to the maximum extent; use of personal vehicles is to be limited to those times when County vehicles are not available. Each department which has County vehicles assigned to it is responsible for scheduling proper maintenance.

**INFORMATION:** County vehicles, of course, are not to be used for personal purposes.

However, the County vehicle may be driven to and from home when attending an evening meeting on County business. County vehicles **permanently** assigned **must be done** by the Greene County Legislature.

**PROCEDURE:** Records of each use of the County vehicle must be maintained by each Department. Recording must include dates, mileage, origination point, destination points, purpose of the trip and identification of the vehicle used. Please Vehicle Log Form (Greene County Form #28, which can be obtained from any Department Head.)

Unless specific authorization is made to the contrary, all County vehicles are to be garaged (or parked) overnight on Greene County property. Specific authorization should be requested from the County Administrator. All County vehicles, with the exception of Child Welfare and Protection vehicles and Adult Services vehicles (both in the Social Services Department); plus certain vehicles in the Sheriff's Department, as well as Probation Department vehicles, must display the County Seal or other County identification on both sides of the vehicle.

All County vehicles shall participate in the Department of Highway-operated gasoline distribution system. Other sources of gasoline are authorized only when the vehicle(s) is used out-of-County. Use of corporate credit cards for gas and other services is limited to out-of-County occurrences unless in the case of an emergency. **All requests for travel reimbursements are required to be submitted within sixty (60) days after the expense is incurred, pursuant to IRS Rule 26 CFR 1.62-2(g)(2)(i).**

Regular and routine maintenance shall be performed by the Greene County Highway Department. All departments shall request maintenance and repair services from the Superintendent of Highways or his designee. In the event the Highway Department is unable to accommodate the request, the County Garage Manager shall determine the appropriate service facility for the vehicle. The County Garage Manager should make every effort to have the vehicle serviced in Greene County. Vehicles which are under warranty are to be repaired by the dealer until the warranty expires.

## VI. COUNTY EQUIPMENT AND PROPERTY

## -Vehicle Use Policy-

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It is the purpose of this document to define the general policy of the County of Greene regarding the assignment, control, proper use and maintenance of county owned vehicles and equipment that are driven by employees. The intent of this document is to notify each operator of the responsibilities that are inherent with the assignment of vehicles and equipment for their use.

**I. GENERAL POLICY**

Each department head is responsible for seeing that any County employee that has an occasion to use a County vehicle or equipment receives a copy of this policy, and that they sign an acknowledgment of receipt. One copy of the receipt must go to the Human Resources office. Each Department Head will follow-up on the cars under their jurisdiction and be responsible for their use and care.

**II. MOTOR VEHICLE ASSIGNMENTS**

A. Rules - Assignments of vehicles will be made by the County Administrator and department head in accordance with this policy. Please use County Vehicle Assignment Request Form, (Greene County Form #36), which can be obtained from any Department Head.

1. Any County employee desiring to use a County-owned vehicle for transportation to or from his residence must demonstrate a genuine governmental need in a written request to his/her department head for such use. In the event a County employee does not prepare such a request, and if the department head is of the opinion that such a request shall be made, the department head is authorized to initiate such request in lieu of the request from the County employee.
2. Such employee's department head must certify such request as being accurate and approve the same or deny such request.
3. All requests approved by the department head must be forwarded to the County Administrator.
4. The County Administrator may disapprove any request if the County Administrator determines that such request is not sufficiently justified.
5. No County-owned vehicle shall be assigned to a County employee for use between work and such employee's residence unless such employee has complied with and received the approval as required herein.
6. Every County vehicle shall be accounted for by license plate, County employee responsible and reason for its use.
7. All County vehicles shall be maintained in a secure storage area when such vehicles are not in use by County employees.

B. Procedure

Assignments will be designated as one of the following types by the County Administrator based on the recommendation of each department head:

1. Twenty-four hour use assignment - Authorizes an individual employee to utilize a vehicle for all legitimate County purposes, as well as for personal business within the County of Greene. An individual holding this assignment may also transport personal guests within the County of Greene only. Vehicles

## VI. COUNTY EQUIPMENT AND PROPERTY

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-Vehicle Use Policy (continued)-

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may only be assigned for 24 hour use when the employee and vehicle meet one or more of the following requirements:

- a. The employee's job requires that he/she be on a 24 hour crisis call; or
  - b. The employee is only able to respond to the crisis with the use of a specially equipped County vehicle.
2. Commuter Use Assignment - Authorizes an individual employee to utilize a vehicle for County business and conveyance between his/her home and work site. An individual holding this assignment **may not** transport personal guests in this vehicle. Reasonable stops for personal business may be made provided that they lie between work sites or work site and their residence. Vehicles will be considered for assignment for commuter use when the employee and the vehicle meet one or more of the following requirements:
- a. Frequent attendance at a business function for the County outside of normal working hours where compensatory time off is not granted or overtime is not paid; or
  - b. Frequent "call-ins" to respond to emergency situations based on the technical skills or supervisory status of the employee; or
  - c. Vehicle carries radio and other specialized equipment frequently needed to respond to emergencies; or
  - d. Frequent beginning and ending of work tour at different sites other than one specific location where the supervisor can document significant benefits to the County of Greene.

**NOTE:** Internal Revenue Service (IRS) regulations stipulate that (in nearly all cases), the commuting and any other allowable personal use of a county-owned vehicle, is a taxable fringe benefit. Benefited employees are considered to have received noncash compensation for their personal use of vehicles classified as 24-hour use and/or commuter use vehicles. Compensation is computed by the County Treasurer who interprets and enforces the IRS regulations. Questions regarding the taxable fringe benefit issue should be brought to the Treasurer's attention.

3. Departmental Pool Assignment - Authorizes any one group of employees within a department or agency to use the vehicle during working hours and for County business. An individual holding this assignment may make reasonable short stops for personal business provided they lay enroute between work sites. The vehicle will not be used for commuting purposes.

The assignment of vehicles to an individual employee for 24-hour or commuter use shall be as follows:

- a. The department head shall not permit an employee to operate a County vehicle until that employee has:
  - Been provided with a copy of the Motor Vehicle Rules and Regulations;

## VI. COUNTY EQUIPMENT AND PROPERTY

-Vehicle Use Policy (continued)-

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- Acknowledged in writing that he/she has received and read the Motor Vehicle Rules and Regulations; and
- Acknowledged in writing the assignment designation which he/she has received.

## III. MOTOR VEHICLE USE

## A. Rules

1. Department heads are responsible to ensure that their employees operate County vehicles in a proper, courteous and safe manner.
2. Employees using County vehicles are expected to drive and maintain vehicles in a safe, alert and courteous manner.
3. With the exception of twenty-four hour use assignees, County vehicles are to be used on County business only, and to the limitation of the individual's prior prescribed assignment.

***Any employee other than a 24 hour use assignee using a vehicle on personal business outside the scope of his/her assignment, will be subject to disciplinary action.***

## B. Regulations

1. With the exception of 24 hour use assignees, County vehicles will be used to transport passengers, business associates (i.e. sales persons, contractors), County and municipal employees and materials on official County business only. It shall not be used to transport family members (i.e. spouse to work or children to day care, etc.).
2. Commuter use and individual departmental pool assigned vehicles may be used during lunch hour by the assigned individual for the purpose of getting from the job site to a nearby restaurant and back as prescribed.
3. ***No person who operates a County vehicle shall drink alcoholic beverages or be under the influence of alcoholic beverages before or while operating a County vehicle.***
4. ***No person who operates a County vehicle shall use or be under the influence of controlled substances while operating a County vehicle.***
5. ***Persons using prescribed or over the counter drugs that may affect their driving ability shall not drive County vehicles.***
6. The use of personal radios or tape players that impairs normal hearing for the safe operation of a vehicle is strictly prohibited.
7. All County employees assigned vehicles on a 24 hour or commuter use basis are responsible for parking in a safe and secure location overnight.
8. It is the responsibility of the County employee who has been assigned a county vehicle to keep the inside of said vehicle clean at all times and the County employee must thoroughly check the inside of the vehicle prior to returning it.

## VI. COUNTY EQUIPMENT AND PROPERTY

## -Vehicle Use Policy (continued)-

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9. Should an employee who is assigned a County vehicle on a 24 hour or commuter use basis be on annual leave, sick leave or military leave of more than two (2) days, the vehicle shall be left at the place of work or at the appropriate garage for the period he/she is on leave, or assigned to the person fulfilling the employee's duties.
  10. An operator of a County vehicle shall not leave it unattended without stopping the engine, setting the brake, locking the ignition, removing the keys and locking the doors.
  11. All persons who drive County vehicles must have a valid New York State Driver's License that allows them to operate the vehicle they are using. All County employees must immediately report any changes in their driver's license status to their Department Head. In addition, annual review of employees' DMV records may be performed and if points are disclosed, the employee may be required to attend remedial classes. If at any time any employee's New York State driving privileges are suspended and/or revoked, for any period of time, that employee shall be immediately suspended from driving any vehicle, county owned or otherwise, for county purposes until such time as the employee's New York State driving privileges are fully restored, without conditions and/or limitations. A change in license would include a suspended or revoked license.
  12. A person operating a County vehicle is responsible for compliance with the Vehicle and Traffic Laws of the jurisdiction the vehicle is being operated and for the satisfaction of all moving and parking violations. Any tickets or fines incurred will be paid by the operator using the vehicle at the time of the infractions. Should the employee be charged with any violations, or if property damage or injury has occurred, the employee shall contact the department head or the Chief Administrative Officer *immediately*, so steps can be taken to insure proper representation of the employee at any hearing held as a result of such charges. ***In such cases, the employee shall make no statements or admissions prior to consultation with the County Attorney.***

## C. Accident Reporting (refer to glove box packet).

1. An Incident/Accident report form (Greene County Form #21 which can be obtained from the Human Resources Department) must be filed for all accidents involving County vehicles regardless of seriousness or fault.
2. The department head shall be notified in such event as to the nature of the accident and the extent of the damage.
3. ***WARNING – If an accident occurs while the employee is using a County vehicle outside of the scope of his/her vehicle assignment designation in violation of any of the rules and regulations set forth in the Motor Vehicle Rules and Regulations, such employee may be personally liable for any damage to property or injury to any person occurring as a result of such use of the vehicle.***

Should the County of Greene be obligated to make any payments as a result of an employee misconduct accident, or be made a party to any lawsuit as a result of such accident, the employee may be required to indemnify the County of Greene for any payment the County will be obligated to make as a result of such

## VI. COUNTY EQUIPMENT AND PROPERTY

-Vehicle Use Policy (continued)-

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accident, and such employee may be made a party to any lawsuit resulting from such accident.

4. Safety precautions that must be adhered to include, but are not limited to the following:
  - a. Seatbelts must be used when the vehicle is in operation.
  - b. When it is necessary to work from the vehicle while stopped in traffic, all flashers, dome lights, beacon lights and other warning devices must be used.
  - c. When a County vehicle is being used in a way that is not normal, i.e. while flushing in center of street, plowing snow, spreading salt, etc., all flashers, beacon lights and other warning devices must be used.
  - d. No radar detection devices shall be used in or on a County vehicle.
  - e. No key should be left in the ignition of the vehicle except when left for service with the Greene County Garage Manager at the Highway Department.
5. Operating instructions include the following in the event of vehicle breakdowns:
  - a. During regular work hours, the driver should contact the Greene County Garage Manager at the Highway Department and describe the problem. The phone number of the Highway Department should be prominently displayed in the vehicle.
  - b. All operators will fill the vehicle with fuel at an approved County location whenever the tank is  $\frac{1}{4}$  full or less.
  - c. Vehicle will be parked in a safe and proper manner.
  - d. Reckless use, deliberate abuse or sabotage of County vehicles or equipment is prohibited, and will subject the operator to disciplinary actions.

**IV. VEHICLE DOCUMENTATION**

- A. No employee shall operate a County vehicle unless it contains all required vehicle documentation.
- B. Each County vehicle shall contain the following documentation:
  1. Vehicle registration form;
  2. Insurance card;
  3. Blank report of Motor Vehicle Accident form (New York State MV-104 form);
  4. Accident, breakdown and emergency instructions.
- C. If any of the above documents are not in the county vehicle, this should be immediately brought to the attention of the County Administrator.

## VI. COUNTY EQUIPMENT AND PROPERTY

## -Vehicle Use Policy (continued)-

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V. USE OF CELL PHONES WHILE OPERATING A MOTOR VEHICLE

- A. The County expects the user to the assigned vehicle to pull to the side of the road for cell phone usage while acting in furtherance of their duties as an employee of the County.
- B. New York's Vehicle and Traffic Law Section 1225-c prohibits the use of a cell phone while driving except in emergency situations or when the driver utilizes a hands-free device.
- C. All County employees who use cell phones, whether municipally owned or not, must comply with any and all State laws regulating the use of cell phones while operating a motor vehicle.
- D. If it is learned that an employee misused the cell phone in violation of State law, discipline will attach or cell phone use will cease.
- E. County employees will be held to a standard regarding the use of the cell phone that respects the State law as it currently stands or is implemented in the future.

## VI. MOTOR VEHICLE MAINTENANCE

## A. Rules

- 1. The Greene County Garage Manager at the Highway Department is responsible for the performance of vehicle maintenance.
- 2. The Highway Department is responsible for providing the departments with a schedule of maintenance.
- 3. Department heads are responsible for insuring that vehicles driven by them or their employees comply with the schedule of maintenance provided by the Highway Department.

## B. Regulations

- 1. Gas and oil for all County vehicles shall be obtained only from County facilities. Employees will ***not*** be reimbursed for gas or oil purchased from private garages, except when the vehicle has been authorized for an official trip outside the County, or in cases of emergency subject to departmental procedure.
- 2. If an employee notices, while operating a County vehicle, that it is in need of repair, he/she is responsible for reporting this to the County Garage Manager at the Highway Department. If a vehicle is ***deemed unsafe***, the employee ***shall not*** operate the vehicle and shall immediately notify the department head.
- 3. Marking of County vehicles will be as follows:
  - a. All County-owned vehicles should be permanently marked, with the exception of the vehicles assigned to the Sheriff, Undersheriff, Investigators and vehicles used in undercover work.
  - b. The format of marking of the general service vehicles is as follows:
    - Both front doors are to be marked with the County seal in the form of a decal.

## VI. COUNTY EQUIPMENT AND PROPERTY

## -Vehicle Use Policy (continued)-

- 
- A number will also be issued and applied to the vehicle. Special additional markings can be approved by the Highway Department.
  - Marked Sheriff Department vehicles shall have markings as authorized by the Sheriff.
- c. No personal accessories or emblems are to be attached to **any** County vehicle.
  - d. The County seal shall not be placed on any vehicle not owned by or leased to the County.

## VII. TAXABLE VALUE REGULATIONS

The Internal Revenue Service requires the County to include in an employee's gross income the value of a County-provided vehicle, unless certain requirements can be satisfied. One of the exceptions is based on the type of vehicle. Use of a vehicle may be excluded if a vehicle, "by reason of its nature or design, is not likely to be used more than a de minimis amount for personal purposes". The IRS provides a well-defined list, which would include the following County vehicles:

Bucket Trucks	Tractor
Flatbed Trucks	Dump Trucks
Forklift	Passenger bus with a 20 passenger capacity

***Excepted are:******Clearly marked police or fire vehicles***

A police or fire vehicle is a vehicle, owned or leased by a governmental unit, or any agency or instrumentality thereof, that is required to be used for commuting by a police officer or firefighter who, when not on a regular shift, is on call at all times, provided that any personal use (other than commuting) of the vehicle outside the limit of the police officer's arrest powers or the firefighter's obligation to respond to an emergency is prohibited by such governmental unit. A police or fire vehicle is clearly marked, if through painted insignia or words, it is readily apparent that the vehicle is a police or fire vehicle. A marking on a license plate is not a clear marking for purposes of this paragraph.

***Also excepted are:******Unmarked law enforcement vehicles – in general.***

The substantiation requirements of Section 274(d) and this Section do not apply to officially authorized uses of an unmarked vehicle by a "law enforcement officer". To qualify for this exception, any personal use must be authorized by the Federal, State, County, or local governmental agency or department that owns or leases the vehicle and employs the officer, and must be incident to law enforcement functions, such as being able to report directly from home to a stakeout or surveillance site, or to an emergency situation. Use of an unmarked vehicle for vacation or recreation trips cannot qualify as an authorized use.

## VI. COUNTY EQUIPMENT AND PROPERTY

## -Vehicle Use Policy (continued)-

***Also excepted are:******Qualified specialized utility repair truck.***

The terms “qualified specialized utility repair truck” means any truck (not including a van or pickup truck ) specifically designed and used to carry heavy tools, testing equipment or parts if –

1. The shelves, racks, or other permanent interior construction which has been installed to carry and store such heavy items is such that it is unlikely that the truck will be used more than a de Minimis amount for personal purposes; and
2. The employer requires the employee to drive the truck home in order to be able to respond in emergency situations for purposes of restoring or maintaining electricity, gas, telephone, water, sewer, or steam utility services.

## VIII. GREENE COUNTY TAX VALUATION

## A. Rules

Using these IRS rules, vehicles assigned to the following positions, ***if used in accordance with IRS regulations and the County rule covering their assignment***, will be considered exempt from tax consideration.

1. ***Investigators***
2. ***Animal Control Officer***
3. ***Emergency Management Director***

All other employees which have been assigned a vehicle in the “24 hour or commuter use” category must have the taxable value added to the employee’s gross earnings. The IRS provides three (3) options in addressing valuation and taxation of employee provided vehicles.

1. ***Auto Lease Valuation Rule:*** Affects only “Contract Employees.” For municipal purposes, IRS defines “Elected Officials” as control employees. Calculation is based on an IRS “Lease Value Table”.
2. ***Cents Per Mile Valuation Rule:*** Calculation is based on the IRS standard mileage rate for all personal miles (including commuting miles) driver.
3. ***Community Valuation Rule:*** The value of commuting use is \$3.00 per round trip commuter.

## B. Procedure

The County desires to provide the fairest tax option available to employees in accordance with the existing law, and therefore, has adopted the following valuation policy:

1. ***Auto Lease Valuation Rule:*** Applies only to control employees (elected officials).
2. ***Cents per Mile Valuation Rule:*** Applies to employees who travel an average of 10 miles or less for round trip commutes.

## VI. COUNTY EQUIPMENT AND PROPERTY

## -Vehicle Use Policy (continued)-

- 
3. ***Commuting Valuation Rule:*** Applies to employees who travel more than an average of 10 miles per round trip commutes.

**Employees who have been assigned vehicles requiring taxable value consideration must submit a taxable benefit worksheet semi-annually to the County Treasurer's Office.**

**APPENDIX A****24 Hour Use Assignment\* (License Plate Number)**

Sheriff  
Undersheriff  
Jail Superintendent  
Emergency Services Director  
Highway Superintendent  
Deputy Highway Superintendent

**Commuter Use Assignment\***

Investigators

***Note: Investigators assigned to be "on call" shall be considered as if they had a 24 hour use assignment for the time they are actually "on call".***

Superintendent of Buildings & Grounds – seasonal approval  
Work Experience Crew Leader  
Work Experience Crew Leader  
Weights & Measures

**Departmental Pool Assignment – All vehicles not listed above**

**\*This assignment list may only be changed by the County Administrator.**

**DRIVER DISQUALIFICATION GUIDELINES**

The following will result in immediate disqualification of a candidate for hire or employee being considered for promotion/transfer for a position which requires the incumbent to drive a County vehicle as an essential function of the position:

- DWI or driving while ability impaired, alcohol and/or drugs (DWAI) or any similar offense in any neighboring state; ex. DUI, within the three (3) year period preceding the date of application for hire, promotion or transfer
- Driving under the influence of a controlled substance within the three (3) year period preceding the date of application for hire, promotion or transfer
- Three (3) or more traffic violations or infractions (excluding parking) in the three (3) year period preceding the date of application for hire, promotion or transfer

## VI. COUNTY EQUIPMENT AND PROPERTY

-Vehicle Use Policy (continued)-

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An employee operating a county vehicle will be disqualified from their position or any position which requires the employee to drive a County vehicle as an essential function of their position for any of the following for a minimum period of three years. Additionally, such employee may be subject to disciplinary action up to and including termination and criminal prosecution.

- Driving while impaired (DWI)
- Driving while ability impaired, alcohol and/or drugs (DWAI) or any similar offense in any neighboring state; ex. DUI
- Driving while under the influence of a controlled substance
- Suspension, revocation or cancellation of driver's license
- Homicide by vehicle, including, but not limited to negligent homicide or involuntary manslaughter
- Driving without a license or while license suspended or revoked
- Hit and run
- Failure to notify the County of a suspended, revoked or cancelled license by the end of the business day following the notification
- Three (3) or more traffic violations or infractions (excluding parking) in a three year period
- If at any time any employee's New York State driving privileges are suspended and/or revoked, for any period of time, that employee shall be immediately suspended from driving any vehicle, county owned or otherwise, for county purposes until such time as the employee's New York State driving privileges are fully restored, without conditions and/or limitations.

## VI. COUNTY EQUIPMENT AND PROPERTY

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-Disposal of Surplus Personal Property and Disposal of Vehicles-

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**POLICY:** Before any item can be sold, a Disposal of Surplus Personal Property form, (Greene County Form #29, which can be obtained from the County Administrator's Office) must be completed and approved by the County Administrator. This form must then be submitted to the Department Head who will dispose of the property as determined by the County Administrator. You will be notified – normally within ten days – whether or not the request has been approved. Once approved, this form must be copied to the Treasurer, to the Department Head and to the Information Technology Department, who will post any item(s) for sale on the County's website. It should also be copied to the Garage Manager, if appropriate.

**PROCEDURE:** The sale or disposition of county property no longer necessary for public use, together with the application of the proceeds thereof, shall be accomplished as follows:

1. All items for sale, regardless of estimated value, will be posted/ advertised on the County's website (by the Information Technology Department).
2. Items valued at \$99.99 or less may be sold at private sale to any interested person by the Department Head, with prior approval of the County Administrator.
3. Items valued between \$100 and \$9,999.99 shall be made available to the public for purchase with prior approval by the County Administrator. Items that have a value of greater than \$100. and less than \$10,000. shall be offered for sale on the County's website to the highest bidder, the terms of which will be disclosed at the time of sale.
4. Any item of \$10,000 or more estimated value must receive Legislature approval before disposal.
5. The proceeds of the sale of surplus miscellaneous items shall be deposited with the Greene County Treasurer to the appropriate fund.
6. Any surplus computer and peripheral equipment cannot be sold without the prior approval of Information Technology. Information Technology must process any such equipment prior to the sale to assure no confidential data is released and no license agreements are violated by the sale of said equipment.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Disposal of Surplus Personal Property and Disposal of Vehicles-  
(Continued)

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**DISPOSAL OF VEHICLES**

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PROCEDURE:     -A Disposal of Vehicles form must be used and may be obtained on County-wide sharepoint or at the County Administrator's office.

                      -Please note that the Department Head should obtain an Evaluation and Recommendation on the vehicle from the Greene County Garage Manager, attach that to the form, then submit this form to the County Administrator for consideration.

                      -If it is decided that a vehicle should be distributed to another County Department for a second life, the distribution should coincide with the retirement of an existing vehicle from that Department, in order to prevent vehicle inventory "creep".

1. Direct Obsolescence:

Department Head recommends to County Administrator on a "Disposal of Surplus Vehicle" form to retire a piece of equipment based on functional obsolescence, higher maintenance cost, age, mileage and/or other matters (please list).

-Consideration will be given to use the vehicle as a trade-in, if a new vehicle is to be purchased in replacement.

-Retired vehicles may also be inventoried with other County vehicles and included in the annual vehicle auction or may be included in another County's auction, with the approval of the County Administrator.

-It may also be determined that the most appropriate action would be to immediately place the item on an e-commerce type website (e-bay, Craig's list) if it meant immediate sale and receipt of inventory value.

-Should said form be approved by the County Administrator, copies must be provided to the Department Head who requested same, the Treasurer, the Deputy Budget Officer, to the Information Technology Department and to the Garage Manager.

2. Retirement of Department of Social Services Vehicles:

The Greene County Department of Social Services will retain their vehicles for five (5) years. With that in mind, these vehicles may still be in useable condition and may be reinvented and redistributed to other County Departments for a second life. The Garage Manager will provide an evaluation to determine if a DSS vehicle is worthy of re-distribution within the County. (The evaluation will be submitted to the prospective Department taking this vehicle, to be sure they want it).

3. Retirement of Front End Police/Emergency Vehicles:

If it is decided that this type of a vehicle should be distributed to another County Department for a second life, these types of vehicles should first be offered to Detectives or the Probation Department, which will allow for some of the equipment installed on or in the vehicle to remain intact and not be cannibalized.

VI. COUNTY EQUIPMENT AND PROPERTY

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-Use of Records and Files-

**POLICY:** All files and records compiled by County employees relating to any aspect of County business are the property of Greene County and are to be used only in accord with the following record and file procedures.

**INFORMATION:** The term “files and records” shall include any and all information including but not limited to paper, computer disks, tapes and CD’s and any other form of electronic storage.

**PROCEDURE:** Use “Review of Records/Files Form” (Greene County Form #10, which can be obtained from the Human Resources Department.) All county files and records are to remain in the appropriate County office with jurisdiction within the office to be determined by the Department Head. If files and records are used outside of the office with the approval of the Department Head, they are to be returned to the appropriate file location when the employee returns to the office.

All medical, clinical, and social service records are regulated by a variety of federal and state confidentiality and release of information regulations. Therefore, these records are to remain in the appropriate County office in a locked file cabinet or a locked file room unless needed for patient/client visits or other consultation which takes place outside of the office. In the event that records or files are taken from the office, they are to be returned when the employee removing the records or files returns to the office. In no instance shall medical, clinical, and social service records be removed from Greene County without specific Department Head approval.

Under no circumstances can this information be shared with unauthorized personnel.

Anyone wishing access to records and files classified as confidential shall secure written consent from the subject, client or patient before said records are released. The written consent shall specify what type of records may be accessed, i.e.: health only, employment only, all records, etc. Only the Department Head where the records and files are maintained shall authorize release of these records and files. Other than records which are routinely open to the general public, any requests by the general public for files pertaining to county business shall be referred to the Greene County Freedom of Information Officer, pursuant to Section XI-8.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Office Space Allocation/Relocation of Office Space  
(non-structural alterations)-

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**POLICY:** All assignments of office space will be made by the County Administrator.

**PROCEDURE:** All requests for changes in office and ancillary space not requiring structural alterations are to be made by the Department Head involved. The Department Head should submit a memorandum to the County Administrator explaining the change and the compelling reasons requiring the change. The memorandum must spell out all actions that will be required by the Department itself, by the Buildings and Grounds Department, by the Information Technology Department, other agencies or organizations and by any private entities (contractors, telephone company, etc.). The memorandum will detail all costs of the change as well as the impacts that will be caused by the change to the extent possible. The Department Head must obtain approval from the County Administrator prior to engaging any outside consultants. Any move that will require relocation of phones, computers and/or peripheral computer equipment will require sufficient notice to Information Technology to allow for planning and coordinating the move(s).

The County Administrator will review the proposal and may discuss the County Administrator's recommendations with the appropriate Committees.

## VI. COUNTY EQUIPMENT AND PROPERTY

## -Structural Alterations to Buildings –

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**POLICY:** All requests for structural alterations are to be made by the Department Head involved to the County Administrator. For structural alterations to any county buildings, it is believed that the services of a professional (engineer, architect, consultant, etc.) will be needed in order to provide plans. Prior to engaging the services of any outside professionals, the Department Head must obtain the approval of the County Administrator for said professional services

**PROCEDURE:****A. Initiating the Project**

All requests for structural alterations are to be made by the Department Head involved to the County Administrator. The Department Head's request shall include a plan prepared by the Department Head, without the services of a professional, detailing what structural alterations should be made. Prior to submitting this plan to the County Administrator for approval, the Department Head should submit the request to the Superintendent of Buildings and Grounds and the Director of Information Technology, who will each review the request and will spell out all actions that will be required by the department itself, by any County Departments, by other agencies or organizations and by any private entities (contractors, telephone company, etc.). The request will detail, to the greatest extent possible, all costs of the structural alterations as well as the impacts that will be caused. Upon approval by the County Administrator, the

Superintendent of Buildings and Grounds may then engage the services of a professional to provide adequate plans for the structural alterations, following established guidelines regarding soliciting estimates and/or bids.

**B. Types of Projects****1. Projects under \$35,000.**

If the project is of limited scope and the Superintendent of Buildings and Grounds decides that the alteration can be accomplished for less than \$35,000 the Superintendent of Buildings and Grounds will direct the appropriate County staff and/or subcontractors to undertake the alteration, subject to appropriation of funds.

**2. Projects greater than \$35,000.**

The Superintendent of Buildings and Grounds will follow General Municipal Law Section 103 for the alteration. Upon Buildings and Grounds Committee approval as well as the full Legislature, the Superintendent of Buildings and Grounds shall award the work to the most responsive and responsible contractor.

## VI. COUNTY EQUIPMENT AND PROPERTY

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-Structural Alterations to Buildings (Continued)-

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C. Inspections

The Superintendent of Buildings and Grounds is charged with the responsibility of inspecting work done by private contractors before final payment is made.

D. General Municipal Law

All procurement of goods and/or services shall be governed by Section 103 of the General Municipal Law of the State of New York, the County Purchasing Policies and any other applicable statute(s).

Currently all contracts for public work involving an expenditure of \$35,000 and all purchase contracts involving an expenditure of more than \$10,000 shall be awarded in accordance with the bid requirements of Section 103 of the General Municipal Law and county purchasing procedures.

Generally, although not defined by Section 103 of the General Municipal Law, the term “public work” refers to construction while “purchase contract” refers to expenditures for equipment, goods and services. In any instance where there is unclear definition as to whether a project is a public work or purchase contract, the County Attorney will render the final opinion.

E. Bids

Projects involving expenditures of less than those required to be bid need the approval of the County Administrator. For any projects requiring bids, the Legislature will authorize bids for building alterations as well as approve and/or cause bid specifications to be generated.

New York State Finance Law mandates a right of first refusal to certain State organizations that provide services by handicapped or disabled individuals. If a service is included in the list of preferred source offerings established by OGS under the Finance law, a specific service group has the right to bypass the bidding process and be awarded the bid provided that their price is no more than 15% in excess of the lowest responsible bid.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Equipment Inventory System-

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**POLICY:** Greene County will maintain a complete inventory of all County owned and leased equipment, property and vehicles. The Greene County Treasurer will maintain this complete inventory. The Director of the Greene County Information Technology Department will maintain a complete inventory of all County owned and leased computers, electronic equipment and components.

**INFORMATION:** Items which need to be inventoried include equipment, vehicles, tools, furnishings, etc. with an individual value of \$1,000. or more. An inventory of all county-owned and leased computers and electronics will be kept by the Director of Information Technology.

**PROCEDURE:** For all County purchases or leases of items with an individual value of \$1,000 or more (with the exception of electronics and their components), the Greene County Treasurer will collect all pertinent data from said item and add that data to an asset inventory list; assign an asset Identification Number to each item; apply an Identification sticker to each item; complete the Inventory Data Sheets (Greene County Form #30, which can be obtained from the Treasurer's office) and send a copy of the Data Sheet to the Department who purchased/leased the equipment.

For all County purchases or leases of electronic items and their components the Director of Information Technology will purchase/lease the item; collect all pertinent data from said item and add that data to an asset inventory list; assign an asset Identification Number to each item; apply an Identification sticker to each item; complete the Inventory Data Sheets (Greene County Form #30, which can be obtained from the Treasurer's office) and send a copy of the Data Sheet to the Department who purchased/leased the equipment. This list will be copied from the Director of Information Technology to the Greene County Treasurer on a quarterly basis, in order for the Greene County Treasurer to have a master list of all inventory leased and purchased by the county.

For all purchases or leases of items with an individual value of \$5,000 or more, the above procedures apply and in addition, the Greene County Treasurer will book same as a fixed asset.

For purchase, lease or completion of all buildings, roads, bridges or culverts with an individual value of \$100,000 or more, the Greene County Treasurer will book these as a fixed asset, at the recommendation of auditors.

Department Heads must be sure to complete and submit a Disposal of Surplus Personal Property form, (Greene County Form #29, which can be obtained from the County Administrator's Office) whenever disposing of any equipment or property from their Department.

Each department shall review its inventory at least once each year.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Non-County Use of County Real Property-

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**INFORMATION:** Department Heads must assure themselves that the requirements of the 1997 Greene County Code of Ethics are met before County property is used for a private or other non-County purpose.

**POLICY/**

**PROCEDURE:** All requests for use of County property, including parking lots, for a private or other non-county purpose must be made using a form entitled “Request For Use of County Parking Lots and Facilities” which can be obtained from County-Wide Share Point. The completed form must be submitted to the County Administrator, and include satisfactory proof of insurance, naming the user as the “named insured” and naming the County of Greene as an “additional insured”. If the request is approved, the County Administrator will provide the Planning Department, the Buildings and Grounds Department and any other appropriate county department with a copy of said approval.

All requests for use of County property for county purposes will follow the above procedure, with the exception of providing proof of insurance.

No soliciting is allowed on any county property without approval from the County Administrator.

Use of Greene County Courthouse: All requests for use of the Courthouse must be made in writing to the County Administrator, and include satisfactory proof of insurance, naming the user as the “named insured” and naming the County of Greene as an “additional insured”. The County Administrator will then contact the Office of Court Administration for their approval of the request for use of the Courthouse. If the OCA approves the request, the County Administrator will provide the Buildings and Grounds Department and any other appropriate county department with a copy of said approval.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Greene County Computer System and Phone and Fax System:  
User Manual for Greene County Employees-

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## INTRODUCTION:

The purpose of this policy is to establish simple guidelines that govern the use of County Computer System and Phone and Fax System by all Greene County Employees. This also includes Power Management Procedures for Computer Use, based on the NYS Audit performed in July 2008.

The policy applies to:

- Greene County and Non-County Employees who are authorized to access the County Computer System and Phone and Fax System.
- Personal computers and any other computer peripherals on the wide area network that are owned, leased and operated by Greene County.
- Data files, software applications and e-mail used in the course of County business.
- Internet Access.
- Phone System including voice mail and fax.

When used in this policy the term “systems” is defined as the County Computer System all computer hardware, software applications, data files and all-electronic communications, phone and fax systems, network equipment owned, leased and operated by the County of Greene in the State of New York.

All employees who have access to the “systems” MUST be familiar with the contents of this manual and comply with the guidelines. Failure to do so may constitute a violation of New York State Law and County policy and could result in disciplinary action.

Support for County systems is provided by the Greene County Information Technology Department.

The County encourages the use of the Internet, e-mail and phone and fax systems in order to make communication more efficient and effective. However, Internet service, e-mail and the phone and fax systems are County property and they are to be used only to facilitate County business. Every employee has a responsibility to maintain and enhance the County’s public image and to use County e-mail, Internet access and phone and fax systems in a productive manner. The County has established the following guidelines for using e-mail, the Internet and the phone and fax systems. Any unauthorized or improper use of e-mail, the Internet or the phone systems is not acceptable and will not be permitted.

A violation of this policy is a form of misconduct and will subject an employee to disciplinary actions.

**Acceptable Use of the Systems**

It is acceptable to use the “systems”:

- For official agency business authorized by a department head.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Greene County Computer System and Phone and Fax System:  
User Manual for Greene County Employees (Continued)-

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- To transmit and receive materials or correspondence from another agency over the network.
- For authorized distribution of County data and information.
- To connect to the Internet for the efficient exchange of information and the completion of assigned responsibilities.

**Unacceptable Use of the Systems**

The County e-mail, Internet access-and phone systems may not be used for transmitting, retrieving or storing any communications of a discriminatory or harassing nature or materials that are obscene or pornographic. Harassment of any kind is prohibited. The County's anti-harassment policy applies in full to e-mail, Internet use and phone and fax systems. Employees do not have a personal privacy right regarding any matter created, received, stored or sent from or on the County e-mail, Internet computers or the phone systems and are responsible for maintaining documents subject to FOIL.

It is not acceptable to use the "systems":

- For activities unrelated to department assignments and/or correspondence.
- For any illegal purpose.
- To transmit threatening, obscene or harassing materials or correspondence.
- For unauthorized distribution of County data and information
- For private purposes such as marketing or business transactions.
- For solicitation of religious or political causes.
- For private advertising of products or services.
- For any activity to foster personal gain.
- To install and play games on the system.
- To view pornography on the system.
- For transmitting or forwarding messages with derogatory or inflammatory remarks about an individual or an individual's race, age, disability, religion, national origin, physical attributes or sexual orientation.
- For sending abusive profane or offensive language.
- For any violation of state, federal or local law.

**System Security**

The security of the "systems" is the responsibility of *all* employees. Every employee with access to the "systems" must be very sensitive to the issue of security. Individual departments and building servers contain highly confidential and sensitive information that is not available to the public and which must be carefully guarded against unauthorized access.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Greene County Computer System and Phone and Fax System:  
User Manual for Greene County Employees (Continued)-

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The County reserves the right to routinely monitor how employees use e-mail, the Internet and the phone systems. The County will monitor computer use for the management of the County's gateway to the Internet. All messages created, sent or received over the County's e-mail, Internet or phone systems are the County's property and should not be considered private information. The County reserves the right to access and monitor every message and file on the County's e-mail, Internet or phone systems. Despite the existence of any passwords, employees should not assume that any electronic communication is private. Highly confidential information or data should be transmitted in other ways (by fax or mail).

**System Access**

User Identifications (or user names) and passwords are initially assigned and added to the systems by the Greene County Information Technology staff. Department Heads should contact the Information Technology Office to add and remove employees from the network.

**Rules for Electronic Communication**

Each employee is responsible for the content of all text, audio or images that he or she places on or sends over the County's e-mail, Internet or phone or fax systems. Employees may not hide their identities or represent that any e-mail or other electronic communications were sent from someone else or someone from another company. Employees must include their name in all messages communicated on the County's e-mail, Internet or phone or fax systems.

Any messages or information sent by an employee to another individual outside the County via County e-mail, Internet or phone or fax systems (including bulletin boards, online services or Internet sites) are statements that reflect on the County. Despite personal "disclaimers" in electronic messages, any statements may be tied to the County.

All communications sent by employees via the County e-mail, Internet or phone or fax systems must comply with all County policies and may not disclose any confidential or proprietary County information.

If employees receive unsolicited e-mail from outside the County that appears to violate this policy, the employee must notify his or her supervisor immediately. Similarly, if any employee accidentally accesses any inappropriate web site in the normal course of

## VI. COUNTY EQUIPMENT AND PROPERTY

-Greene County Computer System and Phone and Fax System:  
User Manual for Greene County Employees (Continued)-

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business, the employee must notify his or her supervisor immediately. The supervisor will notify Information Technology.

**Use of Passwords**

- UNDER NO CIRCUMSTANCE SHALL ANOTHER PERSON BE GIVEN YOUR PASSWORD OR VOICE MAIL CODE except your Department Head who will keep your password and voice mail code confidential.
- DO NOT USE WORDS, NAMES OR NICKNAMES that are easily associated with you when you select a password. The best passwords are a sequence of letters and numbers that are selected at random and have no meaning whatsoever.
- Passwords should be a minimum of 5 characters.
- DO NOT RECORD your password on or around your workstation, inside your desk drawer, on a desk calendar, etc. if the password is initially difficult to remember, record it in your wallet or other secure location for reference.
- User identification (or user name) and password is always entered in *lower* case.

If you have trouble logging on to your system, contact the Information Technology department.

When the security of the systems is breached, it is almost invariably because an employee did not guard his or her password or used a password that could be easily guessed by acquaintances, co-workers and friends. The security of the systems depends primarily upon the way the systems are used and how seriously individual operators guard access codes.

**System Integrity**

To ensure the integrity of the systems, Information Technology asks for your cooperation to comply with the following guidelines.

- DO NOT LEAVE YOUR WORKSTATION LOGGED ON AND UNATTENDED.
- YOU MUST LOG OFF when you are finished with a session unless your computer is adequately protected with time out software.
- DO NOT PURCHASE OR INSTALL Hardware, software and/or communication lines, specialized software until Information Technology has approved its compatibility with the “systems” and you have received authorization by the Information Technology Department.
- All games on your personal computer must be immediately deleted.
- Surge strips and power protectors should be left on at all times.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Greene County Computer System and Phone and Fax System:  
User Manual for Greene County Employees (Continued)-

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- Personal computers should be left powered on Monday through Friday. Log off your computer, turn off your monitor and any other peripherals (such as printers) but DO NOT power down your computer. On Friday, and on the last workday preceding a holiday, log off the “systems” completely and fully shut down and power off the personal computer.
- DO NOT TOUCH ANY OF THE NETWORKING HARDWARE such as routers, switches, hubs and network servers.
- EMPLOYEES ARE RESPONSIBLE FOR REASONABLY SAFEGUARDING EQUIPMENT assigned to them as individuals or as part of a group. Problems with computer equipment and/or software should be reported to the Information Technology Department.
- INSTANT MESSAGING IS STRICTLY PROHIBITED - Instant messaging circumvents many of the virus and security procedures put in place, compromising not only the individual computer but the entire network.
- Shared peripherals require both personal computers be powered on. For an example, if a printer is attached to the local port of a personal computer, that computer must be powered on so other personal computers can print to that printer.
- All County computers should be set-up to hibernate after a certain amount of time by the Information Technology Department for power saving measures.

**System Back-up**

System “back-up”, in its simplest sense, means maintaining an updated copy of County data including software applications and system configurations that reside on the server. The purpose of maintaining back-ups is to guard against potential loss of data and software programs due to a variety of reasons. These include (but are not limited to) equipment failure, accidental deletion or modification of files or some other catastrophic event.

The Information Technology Department will “back-up” all data files, system configuration and software applications existing on the system network servers. Information Technology will maintain three months back-up of data files, system configuration and software applications.

*Information Technology, however, does not have the capability of saving data located on the hard drives in your individual personal computer. Since your local hard drives will not be backed up, all data files and applications must be kept on the server. This will ensure that the County data files are protected under a systematized back-up plan.*

**Article 156 NYS Penal Law**

The County computer system is a governmental computer system protected from unauthorized access by Article 156 of the New York State Penal Law. The New York The following table describes the current computer-related crimes:

## VI. COUNTY EQUIPMENT AND PROPERTY

-Greene County Computer System and Phone and Fax System:  
User Manual for Greene County Employees (Continued)-

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State Penal Law establishes criminal sanctions for the illegal use of computer systems.  
The following table describes the current computer-related crimes:

SECTION	DESCRIPTION	DEGREE OF CRIME
§ 156.05	Unauthorized Use of a Computer	Class A Misdemeanor
§ 156.10	Computer Trespass	Class E Felony
§ 156.20	Computer Tampering 4th Degree	Class A Misdemeanor
§ 156.25	Computer Tampering 3rd Degree	Class E Felony
§ 156.26	Computer Tampering 2nd Degree	Class D Felony
§ 156.27	Computer Tampering 1st Degree	Class C Felony
§ 156.30	Unlawful Duplication of Computer Material	Class E Felony
§ 156.35	Criminal Possession of Computer Material	Class E Felony

In addition to department charges, a County employee as well as a non-County employee could face criminal charges for illegally accessing the systems, deleting computer material (all of which is County property), or duplicating or taking County-owned software or criminal use of County hardware or software.

**INTERNET AND E-MAIL POLICY**

Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq.), there are NO provisions provided by the County for sending or receiving private or confidential electronic communications. System administrators have access to all mail and user access requests and may revoke this access if improper usage is suspected or reported. The agency reserves the right to deny Internet access and/or remove a user from the wide area network.

As with other computer data, any use of e-mail and Internet access or phone system will be subject to review by supervisory staff. While supervisory staff will not routinely monitor an individual's e-mail or Internet access or voice mail, its use is considered a way of enhancing departmental communication with other Greene County agencies, as well as other local, state and federal governments. As such, all departmental communications are subject to supervisory authority and review, especially when an employee is absent from work.

Department Heads and the Information Technology staff reserves the right to access a user's e-mail and voice mail:

- For a legitimate business purpose (i.e. the need to access information when an employee is absent). (Department Head)
- To diagnose and resolve technical problems involving the system hardware, software, etc. (Information Technology Staff)
- To investigate possible misuse of e-mail or voice mail when a reasonable suspicion of abuse exists in conjunction with an approved investigation.
- To comply with the NYS Freedom of Information Law.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Greene County Computer System and Phone and Fax System:  
User Manual for Greene County Employees (Continued)-

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**Greene County Rights**

- The County reserves the right to change its policies and rules at any time, and makes no warranties (expressed or implied) with respect to Internet or phone services. Specifically, the County assumes no responsibilities for:
- The content of any advice or information received by a user outside Greene County Information Services Department or any costs or charges incurred as a result of seeking or accepting such advice;
- Any costs, liabilities or damages caused by the way the user chooses to use his/her agency Internet access or voice mail;
- Any consequences of service interruptions or changes even if these disruptions arise from circumstances under the control of the County. The County's Internet services and phone systems are provided on an as is, as available basis.
- Since all data stored in the system is County property, County supervisors and other appropriate agency staff may inspect, screen or view files. Use of equipment may be monitored.

I have read and understand and agree to comply with Greene County Computer and Phone System and Fax System User Manual for Greene County Employees.

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Signature

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Print Name

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Date

## VI. COUNTY EQUIPMENT AND PROPERTY

-Work Area Policy for County Office Buildings-

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**POLICY:** In order to maintain a professional looking workspace, a Greene County Office Buildings “Work Area Policy” has been developed.

**INFORMATION:** It is the desire of the Greene County Legislature that this “Work Area Policy” be incorporated into the existing Greene County Administrative Manual.

**PROCEDURE:** Greene County Office Buildings, Work Area Policy.

To maintain a professional looking workspace, all employees are required to comply with the following provisions of this policy.

- Please help maintain the buildings in a clean and professional manner.
- There is no pinning, stapling, thumb tacking or taping of any posters, papers or pictures to any of the walls in the offices, hallways, waiting areas, doors, bathrooms and the elevator. Tastefully framed pictures, artwork or educational information is allowed.
- Employees may use pushpins to post memos, notes, awards or diplomas on the inside fabric area of workstations that they are assigned to on a permanent basis. Nothing is to be posted on the outside of workstations.
- Small pictures may be displayed as long as they are framed or pinned to the inside fabric of your workstation and maintain a professional appearance.
- Plants may be displayed in permanently assigned workstations or offices but are to be well cared for.
- Nothing is to be taped to the surface of the workstations.
- No decorations will be placed on windows or window frames.
- Nothing is to be posted or furniture moved into the hallways without the approval of the County Administrator.
- No individual refrigerators, microwaves, coffeemakers, hot plates or space heaters are allowed.
- When bringing in food for lunch, bring it already prepared and in need of heating only.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Work Area Policy for County Office Buildings-  
(continued)

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- There will be no open beverage containers when walking through the buildings. You must use a container with a cover.
- If you spill something or drop something, please wipe or pick it up. This includes the bathrooms.
- All employees are asked to be extra careful when entering the premises during inclement weather or when performing any fieldwork to avoid tracking mud or dirt into the facilities. Please make every effort to prevent this. Highway garages are excluded.
- The County is not responsible for lost or stolen goods improperly secured. Please store all personal items in a safe manner.
- No music is to be played in common work or public areas, unless all employees freely consent.
- Greene County prohibits smoking, e-cigarettes and the use of tobacco in all of its buildings and vehicles and upon real property owned or leased by Greene County. (See “Smoking Policy”).
- Employee parking will be designated.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Procedure for after-hours use of 411 Main Street, Catskill-

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**POLICY:** For security reasons, the following procedure must be followed whenever a Department wishes to hold a meeting in the county office building, 411 Main Street, Catskill New York on weekends, holidays, before or after regular business hours:

**PROCEDURE:** -Permission to use the 411 Main Street building in Catskill before or after hours must first be obtained in writing from the County Administrator. To the best of your ability, try to hold any after-hours meetings at the same time other Departments may be having them, in order to save on overtime costs for security.

-Advise the Sheriff's Department and the Buildings and Grounds Department, in writing, of the date, the floor, room number, the time your meeting will start, the estimated time your meeting will end and the approximate number of attendees. Buildings and Grounds will make sure the Water Street doors are open and the Sheriff's Department will provide security for your meeting. Please allow sufficient notice to be given to the Sheriff's Department in order to schedule security personnel.

-Please notify everyone who will be attending the meeting of the following:

1. The only entranceway to the new county office building that will be open for these types of meetings will be the Water Street entrance.
2. Everyone who arrives for the meeting **MUST** stop at the security desk and sign in.
3. Everyone who leaves the meeting **MUST** stop at the security desk to sign out.

If your scheduled meeting should be cancelled or postponed, please contact both the Buildings and Grounds Department and the Sheriff's Department as soon as possible.

In the event your meeting does not require security to be present (all meetings where any members of the public are invited are required to have security), then please follow the above procedures with only the Buildings and Grounds Department.

## VI. COUNTY EQUIPMENT AND PROPERTY

-Security Procedures for entering/exiting Greene County Mental Health Center in Cairo

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- POLICY: For security reasons, the following procedures MUST be followed at all times, including before, during and after regular business hours, weekends and holidays:
- PROCEDURES:
1. A deputy/security MUST be present for anyone, other than Greene County employees, to enter this building, including clients, visitors, salespeople and the public.
  2. No public access is permitted to this building without a deputy/security on duty.
  3. The only entrance and exit to be used by anyone other than Greene County employees is: Front Entrance on the east side of the building and the Handicapped Ramp Entrance.
  4. Everyone MUST stop at the security desk and ALL CLIENTS must also stop at the reception desk.
  5. All visitors *and all clients* MUST stop at the security desk to sign out when leaving the building.
  6. Prior to the deputy/security leaving the building at any time, the deputy/security will check all offices to be sure only Greene County employees remain.

VI. COUNTY EQUIPMENT AND PROPERTY

-Service Procedures for Information Technology Department-

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**POLICY:** An electronic work order must be submitted for all computer and electronic office equipment service requests.

**INFORMATION:** The Information Technology Director will immediately assess the need and determine if the service is covered by warranty or service agreement and how to best provide the service using internal resources or outside vendors. The Information Technology Director will then contact an outside vendor or arrange for internal resources to address the service request.

**PROCEDURE:** Please use the electronic Work Order which can be found on WEB EOC. Complete the form and submit to the I.T. Department. Work orders should not be addressed to any one individual. In addition, all phone calls/e-mails/faxes relating to work orders should not be addressed to any one individual, but rather the main numbers for the I.T. Department should be used.

VI. COUNTY EQUIPMENT AND PROPERTY

-Service Procedures for Buildings and Grounds Department-

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POLICY: An electronic work order must be submitted for all service requests.

PROCEDURE: Please use the electronic Work Order which can be found on WEB EOC. Complete the form and submit to the Buildings and Grounds Department.

VI. COUNTY EQUIPMENT AND PROPERTY

-Greene County Website maintenance-

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POLICY: Every Department Head will assign one employee in their Department the responsibility to maintain and update their departmental information on the County's website, performed either by said employee if access authorized, or performed through the I.T. Department. This includes timely updates of upcoming events, as well as the deletion of old information in a timely manner.

## VII. LEGISLATIVE ACTIONS REQUIRED

-Agreements and Contracts -

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**POLICY:** All agreements and contracts which cite the County of Greene as a party must be approved by the Greene County Legislature.

**INFORMATION:** The Legislature will normally authorize the Chairman of the Greene County Legislature or another official by resolution, to enter into the agreement or contract.

**PROCEDURE:** The Department Head informs the appropriate Committee of the County Legislature about a proposal that requires County participation in an agreement or contract. After Committee comment (and/or presentation by the Department Head), the Legislature authorizes the Chairman, or the official, to enter into an agreement or contract. After the Department Head and the County Attorney review the final agreement or contract, the Chairman or other official, will sign binding the County to the terms of the commitment.

Letters of Agreement which continue an existing program or arrangement are to be forwarded to the County Administrator at least two months prior to the effective date of the agreement. The County Administrator will return the agreement to the Department for final signature.

For Memorandums of Agreement and Memorandums of Understanding, Resolutions are suggested but not required. However, all Memorandums of Understanding and Memorandums of Agreement must be approved as to form by the County Attorney, prior to signature by the county.

The Commissioner of the Greene County Department of Social Services, as well as the Greene County Sheriff, must sign various annual reoccurring mandated / court-ordered contracts and / or Memorandums of Agreement in a timely manner in order for there to be no interruption in the services they are required to provide. With this in mind, annual resolutions will be prepared, separately authorizing the Social Services Commissioner and the Sheriff to sign these mandated / court-ordered contracts and / or Memorandums of Agreement, contingent upon these contracts and / or agreements being first reviewed and approved by the Greene County Attorney and each of these contracts being provided for in the annual budget of that department.

## VII. LEGISLATIVE ACTIONS REQUIRED

-General Procedures –

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**POLICY:** All matters relating to Greene County policies must be resolved by the Greene County Legislature. Administrative and day-to-day operational matters are to be resolved at the Department level or by the County Administrator.

**INFORMATION:** A wide variety of policy matters are to be resolved by the Greene County Legislature. The following incomplete list serves as an example. Whenever in doubt, check with the Clerk of the Greene County Legislature.

- The Greene County Legislature is responsible for:

1. Adoption of any amendments to the County Budget.
2. Creating new positions.
3. Resolutions establishing or amending any County policy.
4. Payment of all bills (through the monthly audit).
5. Agreements and Contracts
6. Additions, deletions and amendments to the Greene County Administrative Manual

**PROCEDURE:**

A. Actions of the Legislature:

The above Legislature actions are made by formal resolution. Resolutions are passed at virtually every meeting of the Greene County Legislature. Departments wishing the Legislature to take any of the above actions should:

1. Discuss the issue with the County Administrator.
2. Secure the approval of the appropriate Committee of the County Legislature. Be sure the Clerk of the Legislature has a copy of the proposed resolution four days before the Committee's meeting.

B. Administrative Actions:

Administrative and day-to-day operational policies including letters of support are developed by the individual Department. Such policies and letters of support should be discussed with and/or reviewed by the County Administrator prior to implementation.

VII. LEGISLATIVE ACTIONS REQUIRED

-Grant Applications -

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POLICY: All grants that require the financial involvement of Greene County should be reviewed by the Greene County Legislature before the application for the grant is filed.

PROCEDURE: Prior to the filing of any grant application, the applicant for the grant shall present the following information to the County Administrator in writing:

1. The type of grant or program;
2. A description in sufficient manner to be able to evaluate the program;
3. The person responsible for operating the program;
4. The cost of the program plus the County's and the grantor's share;
5. The person responsible for the documentation, reports, reimbursement applications and any other necessary documentation concerning the program.
6. A written statement of justification must be included in all grant application requests.

Formal notices of grant approvals must be filed with the County Administrator as soon as possible after receipt.

Should any grant authorize the purchase of goods, services, supplies, materials, or equipment, the policies listed in this manual for the purchase of those items must be followed.

## VII. LEGISLATIVE ACTIONS REQUIRED

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-Appointments to Advisory Councils, Committees and Boards –

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**POLICY:** When the Greene County Legislature or Chairman of the Legislature makes formal appointments to the County's various advisory councils, committees or boards, such appointees will be personally known or introduced to the Legislature or Chairman of the Legislature, or provided with credentials, before such appointment is made.

**POLICY**

(County Employees): When any employee is appointed to non-County government advisory councils, committees or boards, said appointee shall serve at his or her own convenience and expense except as pointed out below. The only exception to this policy is when a County Employee is appointed to an advisory council, committee or board as a representative of a County Department with the full concurrence of the Department Head and County Legislature.

**INFORMATION:** Appointments shall be made for such a term as prescribed in the Legislative resolution or local law which established the involved advisory council, committee or board; any revocations of appointments shall also conform to such resolution or local law. Greene County generally provides no remuneration for service on advisory bodies, however, expenses may be reimbursed depending on the procedures of the advisory body involved.

**INFORMATION**

(County Employees): Prior to attendance at day meetings of any of the County's various advisory councils, committees or boards during work hours, County employees shall notify the Department Head and request appropriate leave time, if required or formal approval if leave time is not required.

**PROCEDURE:**

Department Heads are to forward the names of the nominees to the Greene County Legislature for review first at the monthly Legislative Caucus and second, at the monthly meeting of the committee having jurisdiction. Be sure to allow sufficient time between nomination and appointment to allow the Legislature time to complete its review.

VIII. REPORTS AND PLANS

- County Annual Report -

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**POLICY:** All Department Heads and the Heads of any Bureau or Organization receiving financial support from Greene County shall make an Annual Report of their respective Departments, Bureaus or Organizations during the preceding fiscal year. (Rule 45, Greene County Legislature Rules of Order)

**INFORMATION:** Annual Reports should include all important agency activities while being as brief as possible and should not contain any names, identifying or confidential information, as Annual Reports are considered public information and will eventually be placed on the County's website.

**PROCEDURE:** One electronic copy of each Annual Report shall be submitted to the Clerk of the Legislature, via e-mail to [tsciavillo@greencountyny.gov](mailto:tsciavillo@greencountyny.gov). The Clerk of the Legislature or the County Administrator's Office is responsible for placing the Annual Reports on the county's website.

All annual reports must be filed in this manner not later than April 1<sup>st</sup> of each year.

## VIII. REPORTS AND PLANS

- Compliance with State Environmental Quality Review Act-

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- POLICY:** Each Department of Greene County Government which directly undertakes an “Action” or approves or funds an “Action”, must comply with NYS Environmental Quality Review Act (SEQRA, pronounced “seeker”) which became effective November 1, 1978.
- INFORMATION:** SEQRA establishes a process to help government and the public protect and improve the state’s environment. It requires that environmental factors be considered along with social and economic considerations in government decision making. In Greene County, the Greene County Economic Development, Tourism and Planning Department has been designated as the lead agency to assure that Greene County properly complies with this state law.
- PROCEDURE:** First, determine if SEQRA applies, i.e. is the project an “Action” under SEQRA? If it is an “Action” and if it is one that will have a significant effect on the environment, file an Environmental Assessment with the Greene County Planning Department. Definitions of what is an “Action” and copies of the Environmental Assessment forms are available from the Greene County Economic Development, Tourism and Planning Department. The Greene County Economic Development, Tourism and Planning Department will review each Environmental Assessment and render an advisory opinion as to whether a full scale Environmental Impact Statement is required. If an Environmental Impact Statement is required, the Greene County Economic Development, Tourism and Planning Department will help you prepare and file it with the appropriate agencies. If no Environmental Impact Statement is required, the Greene County Economic Development, Tourism and Planning Department will provide you with a sample statement of “No Significant Impact”.

VIII. REPORTS AND PLANS

-Enacting The Fair Housing Plan-

- 
- POLICY:** Greene County participates in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Program, and said program requires each participating community to take specific affirmative actions to further fair housing.
- INFORMATION:** The Greene County Economic Development, Tourism and Planning Department has prepared a fair housing plan and said plan has been deemed acceptable by HUD.
- PROCEDURE:** The Greene County Economic Development, Tourism and Planning Director is designated as Greene County's Fair Housing Officer to be responsible for implementing this plan. The Fair Housing Officer is hereby charged with those responsibilities spelled out in the Greene County Fair Housing Plan. This plan and related documents shall be posted in Greene County office buildings and the Economic Development, Tourism and Planning Director shall advertise the plan annually in the local media.

VIII. REPORTS AND PLANS:

- Prior Approval for any GIS/Website Projects, Contracts & Plans -

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**POLICY:** Department Heads must obtain approval for all projects, plans and/or contracts having to do with GIS or the County website, from the County Administrator and the Director of Information Technology.

Approval must be obtained PRIOR to submitting a proposed Resolution to the Greene County Legislature for approval.

**INFORMATION:** This process will assure both compatibility and proper Quality Assurance and Quality Control of any data produced.

**PROCEDURE:** Contact the County Administrator and the Director of Information Technology.

## VIII. REPORTS AND PLANS:

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- CORPORATE COMPLIANCE PLAN -

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**POLICY:** Greene County is committed to preserving the programs and services that are provided and it is critical that all employees understand the need for strict compliance to the requirements of the Corporate Compliance Program and applicable laws and to be aware of the criminal and civil liability that could result from noncompliance.

**INFORMATION:** Over recent years, a growing reliance on a claims-based system has become apparent among health care agencies. In 2006, the New York State Office of Medicaid Inspector General (OMIG) was established in order to improve and preserve the integrity of the Medicaid program by working closely with State agencies, as well as federal and local government agencies, to coordinate all fraud, waste and abuse control activities. Under Social Service Law Section 363-d, all Medicaid providers are required to develop and implement Corporate Compliance programs intended to eliminate fraud, waste and abuse with their own agencies.

**PROCEDURE:** Employees who are a part of a department which receives Medicaid funds have the obligation to adhere to all the components contained within the Compliance Plan. Each participating agency will designate a compliance officer, provide the appropriate training, maintain records, conduct audits and investigations and make reports as required by the Office of the Medicaid Inspector General. Employees are required to adhere to the code of conduct contained within the full Corporate Compliance Plan.

The full Corporate Compliance Plan is available in the office of the Greene County Attorney.

## IX. BUDGET

## -Annual Preparation of Budget –

- 
- POLICY:** Tentative Budget: The Budget Officer shall, on or before the 1st day of November, submit a copy of the Tentative Budget to each member of the Finance Committee. The Finance Committee is hereby designated to receive and study the Tentative Budget. The Finance Committee shall hold such meetings thereon as it may determine, and may require any officer or employee of the County or the Head of any County department, bureau, office, board or commission, or of any organization receiving financial aid from the County, to appear before the Committee for the purpose of furnishing any information required by the Committee in its consideration of the Tentative Budget. After such consideration, the Committee shall approve such Tentative Budget as originally prepared or with such amendments or changes therein as the Committee may determine, and shall submit such Tentative Budget to the Legislature not later than the second Monday of November of each year. Adoption of Budget: The meeting for the adoption of the Budget, making appropriations therefore, and for the levying of taxes for all County and Town purposes prescribed by law shall be held no later than December 20th.
- INFORMATION:** To implement the above policies, and to assume proper preparation, review and deliberation on the County's revenues and expenditures, all departments must begin early and set aside adequate time to prepare realistic budgets. Department Heads should begin their internal budget preparations by July.
- PROCEDURE:** All departments must adhere to the following Budget Timetable:
- July 1 - Departments prepare budget requests and estimates of revenues.
  - July 15 - Department's submit requests to County Administrator.
  - August & September - County Administrator reviews Department requests.
  - End of September - County Administrator submits preliminary department budgets to Budget Officer.
  - October - County Administrator and Budget Officer conduct line item reviews (Department Heads may take part in review, if necessary).
  - November 1 - Final Tentative Budget is submitted to Finance Committee
  - Second Monday of November - Tentative Budget submitted to Legislature.
  - Between the 2nd Monday of November and Budget adoption - Public Hearing.
  - No later than December 20 - Budget adopted.

IX. BUDGET

-Budget Amendments and Transfers-

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**POLICY:** Every Amendment to the Greene County Budget and every transfer of funds must be reviewed by the appropriate Committee of the County Legislature before formal action by the County Legislature.

**PROCEDURE:** Department Heads must submit a narrative explanation to the Chairman of the Committee of the County Legislature which oversees the Department along with the amendment or transfer request. Copies of this information must be sent to the Budget Officer, the Deputy Budget Officer and the County Administrator as well.

## IX. BUDGET

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-External Audits –

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**POLICY:** It is the policy of Greene County to respond to all external audits in a constructive and timely manner. External audits are viewed as a method to improve departmental controls and as an opportunity to obtain new ideas to resolve problems and to prevent potential problems.

**PROCEDURE:** The County Treasurer is responsible for financial audits and shall:

1. Act as contact liaison between the external auditor and Department Heads, to facilitate problem solving.
2. Ensure that Greene County responds in a timely, constructive and comprehensive manner to external audits.
3. Ensure that responses are distributed to appropriate governmental officials.
4. Issue the final response to draft reports and for issuing all follow-up reports.

Department Heads are responsible to draft timely and appropriate responses to audit findings.

## X. HEALTH AND SAFETY

## - Hazardous Materials! Right-to-Know -

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**POLICY:** Greene County will purchase and use the least hazardous materials available for their intended applications. Further, Greene County requires that containers be labeled, that Safety Data Sheets (SDS) be available and that training be made available.

**PROCEDURE:**1. Container Labeling

- a. The Safety Officer or his designee will verify that all containers received for use are:
  - (1) clearly labeled to content(s), including chemical identify;
  - (2) note any appropriate hazard warnings;
  - (3) list the name and address of the manufacturer, importer, or distributor.
- b. The Safety Officer or his designee will ensure that all secondary containers are labeled to show the same information as listed on the manufacturer's label. The Safety Officer or his designee will refer to the appropriate SDS to verify label information. Immediate use containers, small containers into which materials are used on the same shift, do not require labeling.
- c. An alternative labeling system may be used only if the generic label and/or tag identifies the substance, trade name, and/or chemical name and its hazard warning (i.e. acid, corrosive, etc.).

2. Safety Data Sheets (SDS)

Prepare an inventory list of chemicals in the workplace.

- a. The Safety Officer or his designee is responsible for obtaining and maintaining the SDS for Greene County and will review incoming data sheets for new and significant safety and health information and will see that necessary information is passed on to the employees.
- b. A list and copy of all SDS for chemicals will be maintained in a "Master File" kept at the Safety Officer's Office in a YELLOW 3-Ring Binder labeled SDS.
- c. Each sub-station or department of Greene County will have YELLOW 3-ring binder containing a copy of the SDS sheets of that department.

3. Training

- a. The Safety Officer or his designee is responsible for the employee training program(s).
- b. The Safety Officer or his designee will ensure that all the safety aspects required, are carried out prior to working with the hazardous materials.

## X. HEALTH AND SAFETY

## - Hazardous Materials! Right-to-Know (Continued) –

- 
- c. Yearly training sessions will be conducted for all employees to ensure their welfare.
  - d. Record keeping of training and verifying employee attendance at training sessions.
  - e. The following topics will be taught:
    - (1) Review of the H.C.S.
    - (2) List all chemicals in the work place.
    - (3) Location and availability of the Haz. Com. Program.
    - (4) Physical and health effects of the product.
    - (5) Methods to detect the hazard (i.e. smoke, smell, etc.).
    - (6) How to prevent the exposure by use of P.P.E.
    - (7) Steps Greene County has taken to lessen/prevent exposure.
    - (8) How to read labels.
    - (9) Location of the plan and the SDS.

4. Hazardous Non-Routine Tasks

- a. Periodically employees are required to perform non-routine tasks such as emergency repairs, etc., at which time the supervisor will be given and he/she will give to the employees:
  - (1) All necessary requirements pertaining to the hazardous material(s) being used.
  - (2) All safety measures required when working with those materials.

5. Outside Contractors

- a. Contractors will be required to notify the Greene County Department that they are working for when working with hazardous materials.
- b. Will supply the Safety Officer or his designee with the necessary SDS materials.
- c. The Greene County Safety Officer or his designee, will supply any information pertaining to hazardous materials that they may come into contact with at the location where work is being done.

## X. HEALTH AND SAFETY

## - Hazardous Materials! Right-to-Know (continued) -

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6. Hazardous Materials List

- a. The Safety Officer or his designee will update, collate and maintain these lists.
- b. If no SDS sheet is provided, the Safety Officer or his designee will contact the manufacturer and request that one be sent and if not sent, then the Safety Officer will contact the State Department of Labor.
- c. The Master SDS will be kept at the Safety office of Greene County.

7. Additional Information

Further information on this written program, the Hazard Communication Standard and applicable SDS's are available at the Safety office of Greene County.

**NEW YORK STATE DEPARTMENT OF LABOR  
"WHAT TO DO"  
(HAZARD COMMUNICATION)**

**STEP 1  
DETERMINE WHO IS RESPONSIBLE FOR  
IMPLEMENTING THESE LAW IN YOUR WORKPLACE**

DEPARTMENT: Occupational Safety & Health

TITLE: Safety Officer

**STEP 2  
MAKE A LIST OF ALL CHEMICALS (MATERIALS)  
IN THE WORKPLACE (IDENTIFY FROM PRODUCT LABEL)**

Examples of types of chemicals commonly found –

Small and large cans and bottles, bags, boxes, containers, cylinders, drums, tanks, bulk, tank cars-

Paints, glues, solvents, strippers, welding material, welding rods, cleaning materials (sanitary), flammable materials, combustible liquids, explosives, powders, dust, metals, compressed gases, acids, bases (caustics), oils, abrasives, "chemicals", gases, pesticides.

## X. HEALTH AND SAFETY

- Hazardous Materials! Right-to-Know (continued) -

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**STEP 3****ADD TO THE LIST CHEMICALS PRODUCED IN YOUR WORKPLACE**

Examples of such are:

- Carbon monoxide from lift trucks, etc.
- Welding fumes
- Wood dust
- Hydrogen cyanide where cyanide plating is done.

**STEP 4****OBTAIN CURRENT SAFETY DATA SHEETS (SDS)  
FROM SUPPLIERS FOR ALL CHEMICALS**

- If a material is not hazardous, the supplier must provide a statement to that effect.
- Consumer use exemption: An SDS is not needed for products whose use results in a duration and frequency of exposure which is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended.
- Generic SDS for chemicals produced in the workplace must also be obtained.

On line sources include:

<http://www.ilpi.com.msds>

<http://www.csoa-llc.com/free-msds-search>

**STEP 5****DETERMINE WHICH CHEMICALS ARE HAZARDOUS**

- A Safety Data Sheet tells you if a chemical is hazardous.
- Hazardous chemicals are designated as health and/or physical hazards.
- Chemicals which are health hazards are those which are potential cancer producers, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, chemicals which damage the liver, kidneys, nervous system, blood, lungs, skin, and eyes or mucous membranes.
- Chemicals which are physical hazards are combustible liquids, compressed gases, explosives, flammables, organic peroxides, oxidizers, pyrophoric materials, and unstable or water reactive materials are considered physical hazards.

## X. HEALTH AND SAFETY

- Hazardous Materials! Right-to-Know (continued) -

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**STEP 6****INSURE THAT ALL CONTAINERS ARE PROPERLY LABELED, TAGGED OR MARKED.**

- Proper labels should indicate:
  - a. Identity of hazardous chemicals.
  - b. Appropriate hazard, i.e., the specific organ affected (may cause lung damage. Irritates skin. Causes dizziness).
  - c. Name and address of the chemical manufacturer, importer, or other responsible party.

**STEP 7****PREPARE A WRITTEN HAZARD COMMUNICATION PROGRAM****HAZARD COMMUNICATION PROGRAM****For****GREENE COUNTY**

**NOTE:** The written program must include the specific methods that are used to achieve compliance with the requirements of the Hazard Communication Standard (29 CFR 1910.1200). The specific methods described in this sample written program are for illustrative purposes, and other effective methods may be substituted to satisfy local needs or practices.

**I. GENERAL**

The purpose of this instruction is to ensure that Greene County is in compliance with the OSHA Hazard Communication Standard (HCS) 29 CFR 1910.1200.

The Safety Officer is the overall coordinator of the facility program.

In general, each employee in the facility will be apprised of the substance of the HCS, the hazardous properties of chemicals they work with, and measures to take to protect themselves from these chemicals.

**II. LIST OF HAZARDOUS CHEMICALS**

The Safety Officer will maintain a list of all hazardous chemicals used in the facility, and update the list as necessary, such as when new chemical products are received. The list will be made to correspond to the Product Name on the Safety Data Sheets and the order in which they are organized. This list also serves as an index for the Safety Data Sheets and is attached to this program and kept on the bulletin board in the Office/Break Room.

**NOTE:** The written program is **NOT** complete without the list of hazardous chemicals used in the facility.

## X. HEALTH AND SAFETY

- Hazardous Materials! Right-to-Know (continued) -

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III. **SAFETY DATA SHEETS (SDS)**

The **Safety Officer** will maintain a SDS for every substance on the list of hazardous chemicals on the bulletin board in the Office/Break Room. SDS will be organized to correspond with the chemical list so they can be located quickly. SDS will be readily available to all employees.

The **Safety Officer** is responsible for acquiring SDS from the manufacturer, distributor or importer and ensuring that they are updated. The Safety Officer will review each SDS for accuracy and completeness and will consult with the supplier or manufacturer if additional research is necessary. Information on the standardized 16-section SDS format is provided in the attached fact sheet. All new procurements for the facility must be cleared by the Safety Officer. Whenever possible, the least hazardous substance will be procured after careful review of the SDS for each product.

SDS that meet the requirements of the HCS must be fully completed and received at the facility either prior to, or at the time of receipt of the first shipment of any potentially hazardous chemical purchased from a vendor. It may be necessary to discontinue procurement from vendors failing to provide approved SDS in a timely manner.

IV. **LABELS AND OTHER FORMS OF WARNING**

The **Safety Officer** is designated to ensure that all hazardous chemicals in the facility are properly labeled. Labels should list at least the product identity, appropriate hazard warnings, and the name and address of the manufacturer, importer or other responsible party. Labels on containers shipped after December 1, 2015 must conform to the updated label requirements, which are detailed in the attached fact sheets. The **Safety Officer** will refer to the corresponding SDS to verify label information. Immediate use containers, small containers into which materials are drained for use on that shift by the employee drawing the material, do not require labeling. To meet the labeling requirements of HCS for other in-house containers, refer to the label supplied by the manufacturer. All labels for in-house containers will be approved by the **Safety Officer** prior to their use.

The **Safety Officer** will check on a monthly basis to ensure that all containers in the facility are labeled and that the labels are up-to-date.

V. **TRAINING**

Each employee who works with or is potentially exposed to hazardous chemicals will receive initial training on the HCS and the safe use of those hazardous chemicals. Additional training will be provided for employees whenever a new hazard is introduced into their work areas. Hazardous chemical training will be conducted by the Safety Officer using this program, a variety of additional training materials, and assistance from PESH, workers compensation insurance providers, or other available sources. A copy of material used will be kept with the training records.

## X. HEALTH AND SAFETY

- Hazardous Materials! Right-to-Know (continued) -

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The training will emphasize these elements:

- A summary of the standard and this written program;
- Hazardous chemical properties including visual appearance and odor and methods that can be used to detect the presence or release of hazardous chemicals;
- Physical and health hazards associated with potential exposure to workplace chemicals;
- Procedures to protect against hazards, e.g., personal protective equipment, work practices, and emergency procedures;
- Hazardous chemical spill and leak procedures; and
- An explanation of the labels received on shipped containers and the workplace labeling system used by their employer; and the SDS, including their location, and the order of information and how employees can obtain and use the appropriate hazard information. (Refer to attached fact sheets)

The Safety Officer will monitor and maintain records of employee training.

VI. **CONTRACTOR EMPLOYERS**

The Safety Officer will advise outside contractors of any chemical hazards which may be encountered in the normal course of their work on the premises.

VII. **NON-ROUTINE TASKS**

When contemplating a non-routine task (e.g., boiler repair), the Safety Officer will assess the operation, review the SDS of any newly involved chemical products, and will ensure that employees are informed of chemical hazards associated with the performance of these tasks and appropriate protective measures. This will be accomplished by a meeting with affected employees before such work begins.

VIII. **ADDITIONAL INFORMATION**

Further information on this written program, the hazard communication standard, and applicable Safety Data Sheets is available from the Safety Officer, (518) 719-3297.

- Hazardous Materials! Right-to-Know (continued) -

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## Safety Data Sheets

The Hazard Communication Standard (HCS) requires chemical manufacturers, distributors, or importers to provide Safety Data Sheets (SDSs) (formerly known as Material Safety Data Sheets or MSDSs) to communicate the hazards of hazardous chemical products. As of June 1, 2015, the HCS will require new SDSs to be in a uniform format, and include the section numbers, the headings, and associated information under the headings below:

**Section 1, Identification** includes product identifier; manufacturer or distributor name, address, phone number; emergency phone number; recommended use; restrictions on use.

**Section 2, Hazard(s) identification** includes all hazards regarding the chemical; required label elements.

**Section 3, Composition/information on ingredients** includes information on chemical ingredients; trade secret claims.

**Section 4, First-aid measures** includes important symptoms/effects, acute, delayed; required treatment.

**Section 5, Fire-fighting measures** lists suitable extinguishing techniques, equipment; chemical hazards from fire.

**Section 6, Accidental release measures** lists emergency procedures; protective equipment; proper methods of containment and cleanup.

**Section 7, Handling and storage** lists precautions for safe handling and storage, including incompatibilities.

**Section 8, Exposure controls/personal protection** lists OSHA's Permissible Exposure Limits (PELs); Threshold Limit Values (TLVs); appropriate engineering controls; personal protective equipment (PPE).

**Section 9, Physical and chemical properties** lists the chemical's characteristics.

**Section 10, Stability and reactivity** lists chemical stability and possibility of hazardous reactions.

**Section 11, Toxicological information** includes routes of exposure; related symptoms, acute and chronic effects; numerical measures of toxicity.

Section 12, Ecological information\*

Section 13, Disposal considerations\*

Section 14, Transport information\*

Section 15, Regulatory information\*

**Section 16, Other information**, includes the date of preparation or last revision.

\*Note: Since other Agencies regulate this information, OSHA will not be enforcing Sections 12 through 15(29 CFR 1910.1200(g)(2)).










**Employers must ensure that SDSs are readily accessible to employees.**

See Appendix D of 1910.1200 for a detailed description of SDS contents.

## X. HEALTH AND SAFETY

- Hazardous Materials! Right-to-Know (continued) -

## Pictograms

<p><b>Health Hazard</b></p>  <ul style="list-style-type: none"> <li>▪ Carcinogen</li> <li>▪ Mutagenicity</li> <li>▪ Reproductive Toxicity</li> <li>▪ Respiratory Sensitizer</li> <li>▪ Target Organ Toxicity</li> <li>▪ Aspiration Toxicity</li> </ul>	<p><b>Flame</b></p>  <ul style="list-style-type: none"> <li>▪ Flammables</li> <li>▪ Pyrophorics</li> <li>▪ Self-Heating</li> <li>▪ Emits Flammable Gas</li> <li>▪ Self-Reactives</li> <li>▪ Organic Peroxides</li> </ul>	<p><b>Exclamation Mark</b></p>  <ul style="list-style-type: none"> <li>▪ Irritant (skin and eye)</li> <li>▪ Skin Sensitizer</li> <li>▪ Acute Toxicity</li> <li>▪ Narcotic Effects</li> <li>▪ Respiratory Tract Irritant</li> <li>▪ Hazardous to Ozone Layer (Non-Mandatory)</li> </ul>
<p><b>Gas Cylinder</b></p>  <ul style="list-style-type: none"> <li>▪ Gases Under Pressure</li> </ul>	<p><b>Corrosion</b></p>  <ul style="list-style-type: none"> <li>▪ Skin Corrosion/Burns</li> <li>▪ Eye Damage</li> <li>▪ Corrosive to Metals</li> </ul>	<p><b>Exploding Bomb</b></p>  <ul style="list-style-type: none"> <li>▪ Explosives</li> <li>▪ Self-Reactives</li> <li>▪ Organic Peroxides</li> </ul>
<p><b>Flame Over Circle</b></p>  <ul style="list-style-type: none"> <li>▪ Oxidizers</li> </ul>	<p><b>Environment (Non-Mandatory)</b></p>  <ul style="list-style-type: none"> <li>▪ Aquatic Toxicity</li> </ul>	<p><b>Skull and Crossbones</b></p>  <ul style="list-style-type: none"> <li>▪ Acute Toxicity (fatal or toxic)</li> </ul>

## X. HEALTH AND SAFETY

- Hazardous Materials! Right-to-Know (continued) -

## Sample Label

**Product Identifier****CODE** \_\_\_\_\_**Product Name** \_\_\_\_\_**Supplier Identification****Company Name** \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Postal Code \_\_\_\_\_ Country \_\_\_\_\_

Emergency Phone Number \_\_\_\_\_

**Precautionary Statements**

Keep container tightly closed. Store in cool, well ventilated place that is locked.

Keep away from heat/sparks/open flame. No smoking.

Only use non-sparking tools.

Use explosion-proof electrical equipment.

Take precautionary measure against static discharge.

Ground and bond container and receiving equipment.

Do not breathe vapors.

Wear Protective gloves.

Do not eat, drink or smoke when using this product.

Wash hands thoroughly after handling.

Dispose of in accordance with local, regional, national, international regulations as specified.

**Hazard Pictograms****Signal Word****Danger****Hazard Statement****Highly flammable liquid and vapor.****May cause liver and kidney damage.****Supplemental Information****Directions for use**\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fill weight: \_\_\_\_\_ Lot Number \_\_\_\_\_

Gross weight: \_\_\_\_\_ Fill Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

**In Case of Fire:** use dry chemical (BC) or Carbon dioxide (CO<sub>2</sub>) fire extinguisher to extinguish.**First Aid**

If exposed call Poison Center.

If on skin (on hair): Take off immediately any contaminated clothing. Rinse skin with water.

- Hazardous Materials! Right-to-Know (continued) -

[illegible]

X. HEALTH AND SAFETY

- Hazardous Materials! Right-to-Know (continued) -

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**STEP 8**  
**TRAIN THE EMPLOYEES ABOUT THE HAZARDOUS CHEMICALS**  
**WITH WHICH THEY WORK OR TO WHICH THEY MAY BE EXPOSED**

\*The worker should be able to verbally recall the following basic information about each hazardous material, in simple language:

\*Use the SDS for training.

E M P L O Y E E   R E C A L  
**HAZARD COMMUNICATION**

1. Requirements of the information training section.
2. What hazardous chemical(s) the worker is/or may be exposed to during normal use or in a foreseeable emergency.
3. Where is this chemical present?
4. Effect on the body.
5. Detection.
6. Protection.
7. Written programs and SDS.

X. HEALTH AND SAFETY

-Smoking Policy-

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- POLICY:** In accordance with New York State Law, Greene County prohibits smoking in all of its buildings and vehicles and Greene County also prohibits the use of electronic cigarettes a/k/a e-cigarettes and tobacco use in all of its buildings and vehicles as well. In addition, Greene County also prohibits smoking, the use of e-cigarettes and the use of tobacco upon all real property owned or leased by Greene County. "Use of tobacco" or "tobacco use" shall mean the burning of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco, and chewing, holding in the mouth and/or expectorating of chewing tobacco, or any other matter or substance which contains tobacco. "Electronic cigarettes" also referred to as "e-cigarettes" means an electronic device that delivers vapors for inhalation; electronic cigarettes shall include any refill, cartridge, and any other component of an electronic cigarette and shall also include battery powered devices that allow consumption of nicotine by way of a vaporized solution. Electronic cigarettes shall not include any product approved by the Food and Drug Administration for sale as a drug or medical device.
- INFORMATION:** The Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking in public and work places to protect employees and the public from secondhand smoke. In addition, Greene County wishes to expand upon this by prohibiting smoking, e-cigarettes and the use of tobacco upon real property owned or leased by Greene County.
- PROCEDURE:** Greene County shall abide by New York State Law and shall expand upon this by prohibiting smoking, e-cigarettes and the use of tobacco upon real property owned or leased by Greene County.
- Vehicles are considered by New York State Law to be public places and therefore smoking is strictly prohibited and Greene County prohibits the use of e-cigarettes and tobacco in vehicles as well.
- There are no breaks allowed for Greene County employees for smoking, the use of e-cigarettes or tobacco use.

X. HEALTH AND SAFETY

- Drug Free Workplace -

**INFORMATION:** Since March 18, 1989 the provisions of the Drug Free Workplace Act of 1988 have been effective requiring that recipients of federal grants certify that they will insure a “Drug Free Workplace” in order to retain and remain eligible for federal grants. It has been recommended Greene County formally adopt, by resolution, and implement a Drug Free Workplace policy as prescribed by the Office of the New York State Comptroller.

Therefore Greene County, as a recipient of federal grants, hereby complies with the requirements of the Drug Free Workplace Act by adopting the following policy.

**POLICY:** It is the policy of the County of Greene that: the unlawful manufacture, distribution, possession, or use of a controlled substance is prohibited on the job or at the workplace. Employees may be subject to civil, criminal and disciplinary penalties, including dismissal from employment, for failure to observe this policy. (All terms in this policy shall have the meaning and definition as set forth in the Drug Free Workplace Act.)

**PROCEDURE:** Dangers of Drug Abuse in the Workplace: (Information obtained from NYS Division of Alcoholism and Alcohol Abuse pamphlet titled Alcohol and Drugs on the Job.) Employees with chemical dependence problems have a major impact on productivity, staff morale, and labor/management relations. Their hidden illness is responsible for:

A. Declining Performance

1. Poor concentration
2. Confusion in following directions
3. Noticeable change in the quality of work
4. Inability to meet deadlines
5. Errors in judgment affecting the health and safety of others

B. Increased Costs

1. Five times the average sick and accident benefits
2. Higher job turnover, replacement and training costs
3. Greater workers’ compensation and health insurance payments
4. Three to five times more on-the-job accidents
5. Unemployment claims

C. Absenteeism and Tardiness

1. Double the normal rate
2. Repeatedly being late for work and often leaving early
3. Extended lunch hours
4. Frequent illness and accidents both on and off the job

## X. HEALTH AND SAFETY

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- Drug Free Workplace (Continued) -

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## D. Damaged Relationships

1. Emotional outbursts, overreaction to criticism, mood swings, complaints from coworkers, associates and the public often leading to damaged, relations.

2. County's Policy of Maintaining a Drug Free Workplace

It is the stated policy of the County to maintain a drug-free workplace as required by the Drug Free Workplace Act by prohibiting the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace of the County of Greene.

3. Availability of Drug Counseling and Rehabilitation

At present, the available drug counseling and rehabilitation programs located within the County of Greene are provided by Twin County Recovery Services, Inc.

An Employee Assistance Program (EAP) is also available to help employees resolve a myriad of problems, or to make referrals to community resources, as necessary. Call the Human Resources Department for more information. (Effective 1/1/17).

4. SANCTIONS

Employees who violate the County's policy of maintaining a drug free workplace could be subject to criminal, civil and disciplinary penalties, including dismissal from employment.

## SCOPE OF POLICY

All employees of the County of Greene, including those engaged in the performance of federal grants, shall be given a copy of the County's policy.

## EMPLOYEE RESPONSIBILITY

All employees are hereby notified that as a condition of employment, employees are required to:

1. Abide by the terms of this policy;
2. Notify the Human Resources Office of any criminal drug statute convictions for a violation occurring in the workplace no later than five days after the employee's conviction.

X. HEALTH AND SAFETY

- Drug Free Workplace (Continued) -

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COUNTY RESPONSIBILITY

The County must notify the granting agency within ten days after receiving notice from an employee of such a conviction or otherwise receiving actual notice of such conviction.

Within 30 days after receiving notice of such an employee's conviction the County shall either:

1. Take appropriate personnel action against such employee up to and including termination from employment; or
2. Require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

The County shall make a good faith effort to continue to maintain a drug-free workplace through the implementation of the requirements contained in the Drug Free Workplace Act.

If there are any questions regarding this policy, please contact the Human Resources Office.

X. HEALTH AND SAFETY

- Drug Testing Policy -

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Applicants or eligibles for original appointment to positions in the classified service in Greene County Government that receive a conditional offer of employment must successfully pass a drug screen and a background check.

**INFORMATION:** In addition, all regular full time and part-time managerial and confidential staff are subject to random drug testing, and certain Greene County Departments also perform random drug testing. In addition, Greene County may also perform reasonable suspicion drug testing in all Departments.

**POLICY:** It is the policy of the County of Greene that the unlawful manufacture, distribution, possession, or use of a controlled substance is prohibited on the job or at the workplace. Employees may be subject to civil, criminal and disciplinary penalties, including termination from employment, for failure to observe this policy.

**PROCEDURE:** There shall be random testing performed on the employees of the Greene County Sheriff's Office in accordance with applicable and covered collective bargaining agreements.

Highway Department employees shall also be tested randomly, as mandated by law.

All CDL drivers are subject to random drug testing.

Managerial and confidential staff are subject to random drug testing.

All employees of Greene County are subject to reasonable suspicion drug testing.

All candidates for hire that have received a conditional offer of employment must successfully pass a drug screen.

All employees covered by a union should check their collective bargaining agreement regarding drug testing language and requirements.

## X. HEALTH AND SAFETY

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-Workplace Violence Prevention Policy-

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**POLICY:** Greene County will not tolerate workplace violence in any form.

**INFORMATION:** In 2006 the New York State Legislature signed into law an amendment of New York State Labor Law, specifically Section 27(b) which created a new obligation for public employers to develop and implement plans to prevent workplace violence; said law became effective on March 4, 2007.

**PROCEDURE:** The Greene County Legislature adopted a Workplace Violence Prevention Program by Resolution No. 211-08 on May 21, 2008. The policy and forms are available in the Human Resources Department. Greene County provides Workplace Violence Prevention training to all employees annually.

**GREENE COUNTY WORKPLACE VIOLENCE PREVENTION PROGRAM POLICY STATEMENT:**

Greene County is committed to providing its employees (defined as civil service, contractual, department heads, appointed and elected officials) with a work environment that is safe, secure and free of harassment, threats, intimidation and violence. "Violence" includes, but is not limited to, physically harming another, fighting, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. The County also considers the safety of its residents, vendors, contractors, and the general public (collectively referred to as "visitors") to be of paramount importance and strives to provide them the same type of protections while on County property. The County will not tolerate any acts of violence and will take all reasonable and practical measures to prevent violence and protect employees and visitors from acts of violence. This includes but is not limited to threatening or violent actions by:

1. Employees directed against other employees or County property.
2. Employees directed against visitors.
3. Visitors directed against County employees or County property or facilities.
4. Individuals who are conducting County business at an off-property location.

Employees are prohibited from possessing firearms or weapons of any kind while on County premises; at work sites, in County vehicles while conducting business for the County; or at any other location during working hours or while representing the County, regardless of whether the person is licensed to carry the weapon. Weapons include, but are not limited to, guns, knives, explosives and other items with the potential to inflict harm. The only exceptions are law enforcement personnel, security personnel and employees authorized by job description. If any employee has knowledge of another employee's possession of a weapon, that knowledge should be reported to a supervisor or Department Head as soon as possible. Any and all incidents of workplace violence must be promptly reported in accordance with the reporting procedure. All Level I, *Disruptive behavior* incidents, must be reported, in writing within 48 hours of occurrence using the Workplace Violence Incident Report Form. All Level II, *Aggressive threatening Behavior* and all Level III, *Assault(s)*, must be reported immediately using the Workplace Violence Incident Report Form, once the incident has abated. Enforcement of this policy will be accomplished through the implementation of a Workplace Violence Prevention Program, and by complying with the requirements of the NYS Workplace Violence Prevention Act, as set forth in NYS Labor Law, Section 27-b. A copy of the County's program is available by contacting the County Attorney. A general review of this program will be conducted annually, at the time of a reported workplace violent incident, or if there is a change in operations or physical structure of any building. Violations of this policy may result in appropriate remedial, disciplinary, and/or legal action, according

## X. HEALTH AND SAFETY

## - Workplace Violence Prevention Policy (continued) -

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to the circumstances and will comply with all state laws and with all applicable collective bargaining agreements. An employee will not be subject to criticism, reprisal, retaliation, demotion, discrimination, disciplinary action, or other adverse employment action for making a good faith report of acts pursuant to this program. No Greene County official or employee shall engage in gossip and/or rumors which may negatively affect the work or personal life of another Greene County employee. This Workplace Violence Prevention Program policy statement will be posted where notices to employees are normally displayed. In addition, a copy of the Greene County Workplace Violence Prevention Program Manual is available on the County Wide Share Point: My Computer/County Wide Share Point/County Policy Documents/Greene County Workplace Violence Prevention Program.

X. HEALTH AND SAFETY

-Emergency Conditions-Chain of Command-

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**POLICY:** The New York State Executive Law Article 2B Section 24 provides that in the case of a natural or man-made disaster, the Chairman of the Legislature of the County of Greene has the responsibility for the execution and implementation of the provisions of the Executive Law relating to the County.

**INFORMATION:** Said law requires the Legislative Chairman to exercise the responsibility for utilization of all existing county resources and the services available through existing county offices, departments, boards or commissions. Said law also requires the Chairman of the Greene County Legislature by order to establish and direct County agencies and public officers to perform specific duties to execute and implement the relevant emergency management provisions of Article 2B in conjunction with the responsibility for the management and performance of essential functions during a natural or man-made disaster or during periods of training.

**PROCEDURE:** In the event that the Chairman of the Greene County Legislature is unavailable or unable to act in accordance with his/her duties under New York State Executive Law Article 2B, that in his/her absence, the County Administrator for the County of Greene shall assume these duties and execute them until such time as the Legislative Chairman is available or able to act.

In the event that the Chairman of the Legislature and the County Administrator are unavailable or unable to act in the case of an emergency involving all or part of the County of Greene, the Director of Emergency Services for the County of Greene shall undertake the responsibilities for the execution and implementation of the provisions of the law until such time as either the County Administrator or the Chairman of the Greene County Legislature is available to assume said duties.

## X. HEALTH AND SAFETY

## Greene County Facilities Emergency Action Plan

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**POLICY:** There may be times Greene County facilities will have to utilize an Emergency Action Plan. The following procedures are to be implemented.

**INFORMATION:** The purpose of this general order is to establish the policy and procedures for any Emergency that may occur at one of Greene County facilities.

**PROCEDURE:** The procedure is generic in that it is intended to be applicable to all County facilities. THIS PROCEDURE IS A GENERAL GUIDE FOR EMERGENCIES THAT MAY OCCUR AT COUNTY FACILITIES. ALL REAL LIFE SITUATIONS DIFFER AND EMPLOYEES NEED TO PAY VERY CLOSE ATTENTION TO ANY ANNOUNCEMENT AND/OR INSTRUCTIONS DURING AN EMERGENCY.

**EMERGENCY ACTION PLAN  
29 CFR 1910.38  
WRITTEN PROGRAM**

**I. POLICY**

This Emergency Action Plan is intended to provide guidelines on general evacuation and means of egress along with inclement weather procedures that will help provide protection against injury to our employees and customers, damage to property, and disruption of business operations. All employees are to become familiar with the provisions of this plan in an effort to make their responses automatic in the event of a possible fire or other emergency requiring evacuation.

**II. EMERGENCY EVACUATION**

**A. Fire and Emergency Evacuation**

- a) The first employee aware of a fire in the building is to alert other occupants by activating the fire alarm system. If building is not equipped with alarm system, occupants should be alerted by the County staff member(s) in charge of specific building.
- b) If you are in the vicinity of the fire when it is discovered, do not attempt to extinguish it unless you have been trained in the proper use of a portable fire extinguisher, the fire is very small in size, and it can be easily controlled without placing yourself or other building occupants in danger. Remember, the primary concern of our business is not the loss of property, but the safety of our employees and customers.
- c) In the event of a fire or emergency that requires evacuation of the building, each employee is to immediately leave the building by the nearest available exit. **DO NOT USE THE ELEVATORS.** Follow your Emergency Evacuation Maps and Procedures that relate to your department. A call to the fire department is to be made by dialing 911, preferably this shall be made outside from an available cellular phone, or neighboring business by dialing 911 immediately after evacuating the building.
- d) The Department Head or designee is responsible for evacuating any members of the public who are in their department at the time of the evacuation and shall check restrooms and meeting rooms to ensure all employees have evacuated the building.

## X. HEALTH AND SAFETY

## Greene County Facilities Emergency Action Plan

- e) In event that a person has limited mobility and cannot be safely evacuated, that person should, if possible, be moved to an exterior enclosed stairwell. The Department Head or designee will advise emergency personnel of the person's location.
- f) County Administration office will be notified at (518) 719-3270.

**B. Chemical Spills (Train Derailment)**

- a) If a large spill occurs that requires evacuation, follow the procedures identified by emergency personnel (Emergency Management, Fire Department, and Police Department). Be aware that prior to evacuation, special procedures may need to be followed. This may include turning off electrical power to the building. Once the spill has been cleaned up, employees will be notified of procedures to follow for returning to work. This will be conducted via telephone and/or radio. If the building sustains damage, restoration procedures will be addressed by Maintenance and Administration.

**C. Hazardous Material Spills**

Spills of hazardous material substances can occur at any place and at any time.

*a) If Inside*

1. Avoid direct or indirect contact with the substance.
2. Evacuate the building if the situation requires. If shelter-in-place is the best reaction, appropriate measures need to be taken to shut off the HVAC system and close all windows and doors.
3. Contact a member of management who will initiate the (911) Notification System.
4. If spilled material is known, attempt to locate Safety Data Sheet (SDS) for product.

*b) If Outside*

1. Move upwind and uphill from the spill.
2. Contact a member of management who will initiate the (911) Notification System.

**III. PROCEDURE****Inclement Weather Procedures****A. High Winds/Flooding**

- a) Preparations for the hazard are to be made within each department to protect employees from injury and to safeguard building & property. Depending on the hazard, preparations may include: backing up computers, storing critical documents, removing equipment/paper from areas known to flood, boarding up windows, and sending employees home before the weather becomes too serious.
- b) Once the emergency passes, employees will be notified of procedures to follow for returning to work. This will be conducted via telephone, email, and/or radio. If the building sustains damage, restoration procedures will be addressed by Maintenance and Administration.

**B. Severe Weather Key Terms**

As issued by the National Weather Service, the following are key terms in regards to severe weather:

## X. HEALTH AND SAFETY

## Greene County Facilities Emergency Action Plan

a) Weather "Watch"

1. Weather conditions are favorable for severe weather to develop during the next 24-36 hours. No severe weather currently exists within Greene County; therefore, no action other than preparation is required at this time.

b) Weather "Warning"

1. Weather conditions have produced, or soon will produce, severe weather within Greene County. Immediate action should be taken to protect life and property.

c) Severe Thunderstorm "Warning"

1. If outside, return to building for protection and shelter.
2. If inside, stay away from windows in case high gusty winds occur with the storm, which may cause windows to break.

d) Winter Storm "Warning"

1. Issuance of a winter storm warning indicates some form of frozen precipitation (snow, sleet, freezing rain, etc.) is occurring, or will soon occur, within Greene County which will provide significant accumulation of frozen precipitation.
2. Remain indoors. County Administration will make decision in regards to closings.

**IV. ACTIVATION OF EMERGENCY EVACUATION**

- 1.) All employees are to become familiar with their building floor plans to know the best means of egress in an emergency and where they are located on the buildings floors. All employees and other occupants of the county buildings shall evacuate the building immediately upon notification of the fire. Also, all occupants shall report to the appropriate assembly locations so that a head count can be completed.

- a. **Persons with visual impairments-** Tell the person the nature of the emergency and offer to guide him/her. As you walk, tell the person where you are and advise of any obstacles. Offer your arm as guidance. Do not grasp his/her arm.
- b. **Persons with hearing impairments-** Write a note telling what the emergency is and the nearest evacuation route/safe area. Tap the person on the shoulder or turn the light switch on and off to gain attention. Then indicate through gestures or in writing what is happening and what to do. Escort the person.
- c. **Persons with limited mobility -** If the person has limited mobility and cannot be safely evacuated, that person should, if possible, be moved to an exterior enclosed stairwell. If the building has a designated area of refuge they should be taken there. The Department Head or designee should advise emergency personnel of the person's location. If the person cannot be moved, then the Department Head or designee should contact 911 and advise them of the situation and location. If an employee observes a person unable to evacuate, please advise emergency personnel as you evacuate building.

A. Activation of Alarm/Notification of Emergency Personnela) Building equipped with a fire alarm system

1. Activation of alarm will be completed by use of the nearest pull station. This will also automatically alert emergency response personnel.

## X. HEALTH AND SAFETY

## Greene County Facilities Emergency Action Plan

## b) Building not equipped with a fire alarm system

1. The county staff member(s) in charge of specific buildings will verbally notify all occupants as quickly as possible.
2. Emergency personnel must be contacted manually by calling 911. Preferably this shall be done from outside of the building. All restrooms will be checked to ensure any individuals inside will be aware of the fire.

B. All Clear

- a) Employees may return to the building only when an “ALL CLEAR” signal from the designee is given.

C. False Alarms

- a) Regard each alarm as if it was real since you will not know at the time of activation whether or not an alarm is false. Follow the above procedures.

D. Inspections and Record Keeping

- a) Extinguishing systems, fire detection systems, and alarm systems will be inspected.
- b) Records shall be maintained with Buildings & Grounds Department.

E. Lockdown Procedures

- a) Notify all personnel to LOCKDOWN.

The need for a lockdown will be communicated by the County Administrator, Department Head or designee to the staff via email message, phone page, text message, or phone call. Use a designated runner only as a last resort.

- b) Contact off-site emergency services personnel (911).
- c) Lock all windows and doors. Turn off lights and close blinds. **DO NOT UNLOCK DOORS. LAW ENFORCEMENT WILL DO SO.**
- d) If the fire alarm goes off during a lockdown, do not evacuate the building. You will be given verbal instructions if there is a fire.
- e) Avoid confrontation with the intruder before law enforcement arrives.
- f) One employee should document all actions taken, noting time of action or decision and record the names of the people being sheltered in the room.
- g) Make a list of any known persons being held hostage.
- h) Provide access for law enforcement when they arrive. Provide information and assistance to law enforcement as requested.
- i) If the situation warrants, the immediate area and/or building should be evacuated when possible. Do not use the fire alarm system to evacuate the building in this situation.
- j) Access to the crime scene should be limited to those in authority.
- k) Provide an “ALL CLEAR” verbal signal to all staff once law enforcement indicates that the situation is under control.

F. Procedures to Account for all Employees & Members of the Public

- a) Once outside the building, all employees are to assemble in the pre-designated location where a head-count is to be made by each Department Head or designee to ensure all assigned employees have safely exited the building. Each department is accountable for their own employees and for any members of the public within their department. Any member of the public within the department will be treated the same as an employee with regard to accountability.

## X. HEALTH AND SAFETY

## Greene County Facilities Emergency Action Plan

- b) Department Head or designee will provide information to the Fire Department relative to location, size, type of fire, and any missing individuals of the building.

V. **ARMED OR DANGEROUS PERSON AND OTHER POLICE EMERGENCIES**

- A. Contact off-site emergency response personnel (911) and provide the following information:
  - a) Location of the incident.
  - b) Type of incident.
  - c) Number of injured (if known).
  - d) Number and location of intruders (if known).
  - e) Describe the intruders and weapons (if known).
- B. Immediately begin lockdown procedures.
- C. Remain in lockdown until an "ALL CLEAR" is given or until directed to another location by law enforcement.

VI. **GAS LEAKS**

Gas leaks are identified by an odor similar to rotten eggs. If a gas leak is detected, the following steps should be taken:

*A. If Inside*

- 1. Evacuate the areas/building as quickly as possible to the pre-determined high point remote from the building using basic evacuation procedures.
- 2. Do not turn on or off any electrical device including light switches.
- 3. Contact a member of management who will initiate the (911) Notification System.

*B. If Outside*

- 1. Move upwind of gas odor.
- 2. Turn off all engines in the area.
- 3. Contact a member of management who will initiate the (911) Notification System.

VII. **BOMB THREAT PROCEDURES**

- A. Record the telephone number located on the caller identification screen.
- B. Obtain as much information as possible from the caller (bomb location, detonation time, group taking responsibility, reason, etc.). Record this information on the Bomb Threat Information Sheet (Attachment B).
- C. Immediately contact the County Administration office at (518) 719 - 3270.
- D. Contact a member of management who will initiate the (911) Notification System.
- E. If a suspicious package or item is observed, **DO NOT TOUCH**.
- F. Do not utilize any mobile communications device.
- G. Employees will be instructed on when and how to evacuate.
- H. Employees may re-enter the building only when an "ALL CLEAR" is given by the designee.

VIII. **EXPLOSION**

- A. Evacuate the building as quickly as possible.
- B. If things are falling around you, get under a desk or table until falling stops.
- C. If you become trapped in debris:
  - a) Do not light a match.
  - b) Do not move about or stir up dust.
  - c) Cover mouth with handkerchief or cloth.

## X. HEALTH AND SAFETY

Greene County Facilities Emergency Action Plan

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- d) Rhythmically tap on a pipe or wall to alert rescuers of your location.
- e) Shout only as a last resort when you think someone can hear you.

**IX. POWER OUTAGE PROCEDURES**

- A. Ensure that all equipment is in OFF mode.
- B. If there is sufficient lighting but power is out, continue working and contact supervisor and maintenance immediately.
- C. If there is a need to evacuate the building a member of management will inform you.
  - a) Evacuation procedures as outlined in the EAP should be followed.

**X. SERIOUS MEDICAL EMERGENCIES/INJURIES**

- A. Contact off-site emergency response personnel (911). If possible, have the following information:
  - a) Location of the incident or the injured parties.
  - b) Nature of the injury, cause, and severity.
  - c) Victim's age and name, if possible.
  - d) Any medical information known.
- B. Contact emergency response staff in the building (if applicable).
- C. Locate the nearest first aid kit.
- D. Remain calm and composed; hysteria is contagious.
- E. Keep all non-essential personnel away from the scene.
- F. Do not move the injured person unless they are in a life-threatening environment.
- G. Have staff meet emergency responders and lead them to the emergency.

**XI. EMPLOYEE TRAINING**

- A. Provisions of the Emergency Action Plan will be reviewed with all assigned employees:
  - a) When the plan is developed,
  - b) Upon initial employee hire or assignment,
  - c) When an employee's designated actions per the plan change, or
  - d) When the plan is updated or changed.
- B. Records of this training shall be maintained showing the review date, employee name, and person conducting the review.
- C. A copy of the written plan is kept on the premises and is available for review.
- D. Each receptionist shall be provided with a quick reference guide and emergency numbers shall be posted in those locations.
- E. The Undersheriff (518) 943-3300, Director of Emergency Services (518) 622-3643 or Safety Officer (518) 719-3297 may be contacted by employees who need more information about the plan or an explanation of their duties under the plan.

## X. HEALTH AND SAFETY

## Greene County Facilities Emergency Action Plan

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ATTACHMENT "A"  
GREENE COUNTY OFFICE BUILDING EMERGENCY PROTOCOL

Shelter In Place:

- ☐ Whether you are advised in person by a member of Security or Law Enforcement OR it is announced over the PA System - "SHELTER IN PLACE" means you immediately turn off the lights, lock your office door and find a safe place to hide within your office. Stay away from the windows, remain quiet, and silence your cell phone.
- ☐ Remain in your office until the door is opened by a member of Law Enforcement. **DO NOT OPEN THE DOOR FOR ANY REASON.** You may not be advised that it is not a drill. You may not be given any reasoning as to the cause for the shelter in place order.
- ☐ If you are in the hallway or a room that cannot be secured when the "Shelter in Place" is announced, enter the nearest available office/room that can be secured and do so following the protocol above.

Evacuation:

- ☐ Whether you are advised in person by a member of Security or Law Enforcement OR it is announced over the PA System - "EMERGENCY EVACUATION" means you immediately exit the building with your necessary personal items. You may not be advised that it is not a drill. You may not be given any reasoning for the cause of evacuation.
- ☐ Plan to not be able to re-enter the building for at least the remainder of the day.
- ☐ If you leave the building for break, lunch or to go out to the field to perform your work functions (DSS, CPS, Probation, Public Health, etc.), take all necessary personal items with you in case you cannot enter the building upon your return.
- ☐ If you work in an agency that must remain operational (DSS for example) at a satellite location, contact your supervisor after you exit the building to find out where you will be going.

Fire Drill:

- ☐ Exit the building with all your necessary personal items (Coat, keys, and purse) and go to the designated meeting area for your department.
- ☐ Though you will be advised that it is a drill, you should practice as you would should a true emergency arise.

Lock Out:

- ☐ Whether you are advised in person by a member of Security or Law Enforcement OR it is announced over the PA System - "LOCK OUT" means all entry/exit doors to the building will be locked... No entry or exit will be permitted for staff or general public.
- ☐ Continue normal activities within the building until lock out advisory is lifted. You may not be advised that it is not a drill. You may not be given any reasoning for the cause of the lock out.

\*\*Please Refer to County Policies for Further Details.\*\*

\*\*\*Absent the word "drill" from any incident, you must treat it as an actual emergency\*\*\*

X. HEALTH AND SAFETY

Greene County Facilities Emergency Action Plan

ATTACHMENT "B"

BOMB THREAT INFORMATION FORM

If a bomb threat is received by telephone, the individual receiving the telephone call should attempt to:

- Ø Keep the caller on the line as long as possible.
- ☐ Make a plan to establish some dialog: "could you repeat that please?" "I'm having trouble hearing you. Tell me that again." "What did you say?"
- ☐ Listen very closely. Record as much information as possible, including:

Time call received: \_\_\_\_\_

Location of the device: \_\_\_\_\_

Expected time of detonation: \_\_\_\_\_

Reason or motive for the bomb: \_\_\_\_\_

Any background noise on call: \_\_\_\_\_

Anything about how the bomb works: \_\_\_\_\_

Name of caller or person placing bomb: \_\_\_\_\_

Attitude of caller: \_\_\_\_\_

Approximate age of caller: \_\_\_\_\_

Any accent or peculiarity of caller: \_\_\_\_\_

Approximate age of caller: \_\_\_\_\_

Was the caller convincing/did the caller sound serious? \_\_\_\_\_

- ☐ Was the voice familiar?

Use any trace option such as recording equipment, or caller ID. If time permits, ask who they are.

## X. HEALTH AND SAFETY

## Greene County Facilities Emergency Action Plan

ATTACHMENT “C”ACTIVE SHOOTER EVENT (QUICK REFERENCE GUIDE)

An active shooter is an individual actively engaged in killing or attempting to kill people in a populated area.

- \* Victims are selected at random.
- \* Event is unpredictable and evolves quickly.
- \* Knowing what to do can save lives.

When an Active Shooter is in your vicinity, you must be prepared both mentally and physically to deal with the situation. **(You have three options :)**

**1) RUN**

- \* Have an escape route and plan in mind.
- \* Leave your belongings behind.
- \* Evacuate regardless of whether others agree to follow.
- \* Help others escape, if possible.
- \* Do not attempt to move the wounded.
- \* Prevent others from entering an area where the active shooter may be.
- \* Keep your hands visible.
- \* Call 911 when you are safe.

**2) HIDE**

- \* Hide in an area out of the shooter's view.
- \* Lock door or block entry to your hiding place.
- \* Silence your cell phone (including vibrate mode) and remain quiet.

**3) FIGHT**

- \* Fight as a last resort and only when your life is in imminent danger.
- \* Attempt to incapacitate the shooter.
- \* Act with as much physical aggression as possible.
- \* Improvise weapons or throw items at the active shooter.
- \* Commit to your actions...your life depends on it.

The first officers to arrive on the scene will not stop to help the injured. Expect rescue teams to follow initial officers. These rescue teams will treat and remove the injured.

Once you have reached a safe location, you likely will be held in that area by law enforcement until the situation is under control and all witnesses have been identified and questioned. Do not leave the area until law enforcement authorities have instructed you to do so.

**WHEN LAW ENFORCEMENT ARRIVES:**

- \* Remain calm and follow instructions.
- \* Drop items in your hands (e.g., bags, jackets).
- \* Raise hands and spread fingers.
- \* Keep hands visible at all times.
- \* Avoid quick movements towards officers, such as holding on to them for safety.
- \* Avoid pointing, screaming or yelling.
- \* Do not ask questions when evacuating.

## X. HEALTH AND SAFETY

## Greene County Facilities Emergency Action Plan

**INFORMATION TO PROVIDE TO 911 OPERATORS:**

- \* Location of the active shooter.
- \* Number of shooters.
- \* Physical description of shooters.
- \* Number and type of weapons shooter has.
- \* Number of potential victims at location.

For questions or additional assistance contact: Greene County Sheriff's (518) 943-3300

**Greene County Emergency Action Plan****GREENE COUNTY EMERGENCY EVACUATION PROCEDURE**

**\*\*IMPORTANT: IN CASE OF FIRE, DO NOT USE ELEVATOR\*\***

<u>DEPT.</u>	<u>BUILDING</u>	<u>FLOOR</u>	<u>LOCATION</u>
--------------	-----------------	--------------	-----------------

SUPERVISOR

TEL:

DEPT. HEAD

TEL:

DEPTS. APPOINTED REPRESENTATIVE

TEL:

\*THE SIGNAL TO EVACUATE THE BUILDING WILL BE AUTHORIZED BY MANAGEMENT.

THE **PRIMARY** EXIT IS:

CONGREGATION POINT:

THE **SECONDARY** EXIT IS:

CONGREGATION POINT:

RESPONSIBLE TO ENSURE ALL ARE EVACUATED:

ALTERNATE:

RESPONSIBLE FOR LADIES ROOM:

RESPONSIBLE FOR SPECIAL EVACUATION NEEDS:

\*SPECIAL INSTRUCTIONS

\*DEPT. PERSONNEL WILL PROCEED IN AN ORDERLY MANNER TOWARD THE PRIMARY EXIT OR TOWARD THE SECONDARY EXIT IF THE PRIMARY EXIT IS BLOCKED.

\*PROCEED THROUGH THE EXIT OPENING TO THE CONGREGATION POINT LISTED ABOVE. SOME EMERGENCY CONDITIONS MAY EXIST WHERE MANAGEMENT WILL DIRECT YOU TO ANOTHER LOCATION THAT IS SAFE.

\*ALL PERSONNEL IN THE IMMEDIATE AREA MUST FOLLOW THE BUILDING EVACUATION PROCEDURE FOR THAT AREA.

\*THE CONGREGATION POINT WILL BE USED FOR FURTHER INSTRUCTIONS FROM MANAGEMENT.

J.P. FARRELL, JR.

DATE

Res. No. 42-20 2/19/20

X. HEALTH AND SAFETY

-Greene County Exposure Control Plan-

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**POLICY:** In order to be in compliance with OSHA Regulations 1910.1030 regarding Bloodborne Pathogens, the Greene County Legislature adopted Resolution No. 255-92 on August 19, 1992 which established a Greene County Bloodborne Pathogens Committee to be responsible for designing and maintaining an Exposure Control Plan.

**INFORMATION:** The Greene County Bloodborne Pathogens Committee has on-going review of the Exposure Control Plan at the quarterly meetings.

**PROCEDURE:** The Greene County Legislature, by Resolution No. 453-07, adopted December 19, 2007, accepted the Exposure Control Plan.

X. HEALTH AND SAFETY

-Hepatitis B Vaccine Consent and Declination-

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**POLICY:** Any Greene County employees who may be at risk of accidental occupational exposure to Bloodborne pathogens or other potentially infectious materials in the course of their work will complete the “Hepatitis B Vaccine Consent and Declination” form, which can be obtained from the Human Resources Department.

**INFORMATION:** If the Department Head is unsure if any employees are at risk, or if they have any questions regarding the vaccine, they should contact Public Health.

**PROCEDURE:** The “Hepatitis B Vaccine Consent/Declination” form will be given out at the New Hire Orientation appointment with Human Resources prior to the first day of employment. It may also be used for current employees who have previously declined the vaccine but decide they want it at a later date. These same employees will also be required to participate in annual Blood borne pathogens training. The cost of the vaccine series will be billed by Public Health to either the employee’s County insurance or charged back to the employee’s Department.

After the vaccine series has been completed, the employee will need to follow-up within 1-2 months, with either Public Health or their primary care provider, for a Hepatitis B antibody blood test to prove immunity. If result shows non-immunity, the vaccine series must be repeated with another post-series blood test to reassess immunity status. If after two (2) Hepatitis B series are given and immunity status is still not shown, no further action will be taken and it will be noted in the employee’s medical file in Human Resources.

X. HEALTH AND SAFETY

-Public Information Officer, Appointment-

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POLICY: The County Administrator or his/her designee is designated as the Public Information Officer for Greene County.

## X. HEALTH AND SAFETY

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-Blood borne Pathogens Exposure Control Plan-

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The following Greene County Departments have employees who are at-risk for occupational blood borne pathogens exposure:

- Buildings and Grounds
- Family Planning
- Mental Health
- Probation
- Public Health
- Sheriff's Office/Jail
- Social Services
- Solid Waste

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact [which involves piercing of the skin] with blood or other potentially infectious materials that may result from the performance of an employee's duties.

Training will be provided on hire and annually to employees of the above noted departments.

When an occupational exposure has occurred, the following steps should be performed:

1. Notify immediate supervisor.
2. Make arrangements to seek medical attention.
3. Bring or have Supervisor fax "Memo to Medical Personnel" and be sure the medical provider completes the form "Follow-up for Exposure to Blood or Other Potentially Infectious Material."
4. Complete the following forms\* with Supervisor:
  - a. "Exposure Incident Report" – both sides
  - b. "Documentation and Identification of Source Individual".

\*Forms in the Exposure Packet are located within each department listed above, at the Human Resources Department, as well as on the County Sharepoint under: **County Forms/Blood borne Pathogen Forms.**

Medical Evaluation

All county employees with an occupational blood borne pathogen exposure, **must** seek a medical evaluation but cannot be directed where to be seen. Please note: all Emergency Departments have full blood borne pathogen post-exposure protocols in place.

When medical attention is obtained;

- The circumstances regarding the exposure incident will need to be explained.
- If physically injured, that injury will be treated.
- Blood may be drawn to assess Hepatitis B or other immunity status.
  - o Some of these tests will require a signed consent.

If the exposure source is known, the employee's supervisor shall request that the source individual have lab work performed to assess their Hepatitis B or other immunity status.

The Medical provider:

- Will advise employee of any risks, possible medical conditions, treatments surrounding the exposure, instruction and any necessary follow-up.

- Must complete the "Follow-up For Exposure to Blood or Other Potentially Infectious Material" form and **return it to the employee**, who must forward it to Human Resources by the next business day.

Res. No. 42-20 dated 2-19-20

X. HEALTH AND SAFETY

-Firearms in the Workplace Plan-

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The only individuals who may carry a firearm, concealed or otherwise, onto any Greene County real property and/or into any Greene County building are members of the New York State Police, the Greene County Sheriff's Department and/or members of any Town or Village police department located within the geographic boundaries of Greene County.

Any of the above referenced law enforcement personnel must be duly certified and licensed to carry any such weapon onto Greene County premises.

Additionally, only Greene County employees expressly authorized by job description and duly certified and licensed may carry a firearm into and/or upon the Greene County workplace.

Any violation of this policy shall be cause for immediate termination of employment as relates to Greene County employees, and all violations of this policy shall be referred to appropriate law enforcement for prosecution to the fullest extent allowable by law.

XI. GENERAL OFFICE PROCEDURES

- Political Campaigns –

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**POLICY:** No political campaign material or activities will be allowed inside any Greene County facilities.

**PROCEDURE:** All employees are requested to report any political fundraising or campaign activities to the County Administrator.

## XI. GENERAL OFFICE PROCEDURES

**-DISCRIMINATORY HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURE-**

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**I. POLICY STATEMENT:** It is the policy of Greene County to provide and maintain a work environment which is free from unlawful discrimination based on sex (with or without sexual conduct, and including gender identity, gender expression or transgender status), race, color, religion, national origin, age, disability, genetic information or predisposing genetic characteristic, marital status, familial status, military status, domestic violence victim status, and any other class protected by law. Harassment based on these protected characteristics (collectively referred to as “discriminatory harassment”) is a form of unlawful discrimination and is prohibited in each and every work environment and each and every situation which directly impacts the work environment.

Sexual harassment is covered separately under Greene County’s Sexual Harassment Prevention Policy. Refer to Greene County’s Sexual Harassment Prevention Policy, available at the Greene County Human Resources Department, on the Greene County Employee Information Website, or on the County SharePoint.

Greene County will take appropriate steps to prevent and correct unlawful discriminatory harassment and discrimination as defined by federal, state and local law (if applicable.) This includes federal laws such as Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and the Genetic Information Non-Discrimination Act, as well as the New York State Human Rights Law. Greene County considers discrimination, discriminatory harassment and other conduct prohibited by this Policy to be a form of employee misconduct and considers this type of misconduct to be a serious offense which will not be tolerated. Allegations of discrimination and discriminatory harassment will be investigated thoroughly and, if substantiated, will be met with appropriate corrective and/or disciplinary action commensurate with the seriousness of the offense(s), and in accordance with the parameters of applicable collective bargaining agreements and/or state law.

Retaliation against any individual making a discrimination or harassment complaint or assisting in the investigation of such a complaint is forbidden. Retaliation is a serious violation of this policy which may result in disciplinary action.

**II. SCOPE**

**A. Who is covered by this Policy?** This policy applies to all applicants, employees, interns (paid or unpaid), volunteers, contractors, and other non-employees conducting business with Greene County.

**B. What does this Policy prohibit?** This policy prohibits discriminatory harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager, or by someone not directly connected to Greene County (e.g., an outside vendor, consultant, other non-employee or citizen).

**C. Where can discrimination or discriminatory harassment occur?** Conduct prohibited by this Policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

**D.** All information gathered during an investigation of a complaint will be handled in a confidential manner, to the extent possible.

**E.** This Policy does not preclude the filing of discrimination, discriminatory harassment or retaliation complaints with the New York State Division of Human Rights (DHR), the Federal Equal Employment Opportunity Commission (EEOC), or the pursuing of any other remedies as permitted by law.

**III. DEFINITIONS OF PROHIBITED CONDUCT****A. Discrimination**

Discrimination on the basis of any protected characteristic is prohibited. Discrimination includes any adverse employment action (termination, failure to hire, demotion, failure to promote, etc.) taken on the basis of sex (with or without sexual conduct, and including gender identity, gender expression or transgender status), race, color, religion, national origin, age, disability, genetic information or predisposing genetic characteristic, marital status, familial status, military status, domestic violence victim status, and any other class protected by law.

XI. GENERAL OFFICE PROCEDURES

-DISCRIMINATORY HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURE-

**B. Discriminatory Harassment:** Harassment on the basis of any protected characteristic is prohibited.

Under this policy, prohibited discriminatory harassment is verbal or physical conduct that is offensive to or shows hostility or aversion toward an individual because of a protected class or characteristic, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

**NOTE: Sexual harassment, including harassment on the basis of sex (including gender identity or transgender status) and sexual orientation is covered separately under the Greene County Sexual Harassment Prevention Policy.** Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace (including through e-mail) of written or graphic material that denigrates or shows hostility or aversion toward an individual or group, based on an individual's protected class.

**C. Retaliation**

Retaliation against any individual for making a discriminatory or any harassment complaint or assisting in the investigation of such a complaint is prohibited by law and under this Policy. Unlawful retaliation can be any adverse employment action, including being discharged, disciplined, discriminated against, or any action that would keep or discourage anyone covered by this Policy from coming forward to make or support a claim of discrimination or discriminatory harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Any employee, intern, volunteer, and non-employee who believes they have been subjected to retaliation should report this conduct in accordance with the same reporting procedures as are outlined below. These complaints of retaliation will be investigated in accordance with the same procedures utilized and described below. Individuals also may file complaints of retaliation with the federal or state enforcement agencies (EEOC or New York State Division of Human Rights.)

Any individual found to have engaged in retaliation as defined in this Policy may be subject to disciplinary action up to and including termination, and/or other corrective or remedial action as necessary and permitted by an applicable collective bargaining agreement or state law.

**D. Other Unacceptable Conduct**

This policy also prohibits conduct of one employee toward another that may not rise to the level of discriminatory harassment in violation of the law, but nonetheless creates a degree of hostility or intimidation that adversely affects the work environment. Teasing, ridicule, and other conduct intended to annoy, personally attack, belittle or embarrass another individual is inappropriate and also unacceptable in the workplace. Therefore, Greene County encourages the use of its complaint procedure by employees who believe they have been subject to inappropriate conduct by another employee, even if such conduct may not be harassment or discrimination per se. Greene County endeavors to create an environment in which employees may feel free to raise concerns and are confident that those concerns will be addressed.

**IV. REPORTING PROCEDURES AND RESPONSIBILITIES**

**A. Reporting Procedures**

**Preventing harassment is everyone's responsibility.** If an employee, intern, volunteer, or non-employee who witnesses or is subjected to a situation which he/she believes constitutes discriminatory harassment in violation of this Policy, Greene County recommends that the person confront the harasser directly and advise the harasser that his/her behavior is not welcomed and will not be tolerated.

If an employee, intern, volunteer or non-employee who witnesses or is subjected to a situation which he/she believes constitutes discrimination or discriminatory harassment, he/she should file a complaint with the Discriminatory Harassment Compliance Officer as set forth below. Anyone who witnesses or becomes aware of potential instances of discrimination or harassment should also report such behavior to the Discriminatory Harassment Compliance Officer.

## XI. GENERAL OFFICE PROCEDURES

**-DISCRIMINATORY HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURE-**

**Discriminatory Harassment Compliance Officer:** Greene County Human Resources Director, or designee. In the event the Discriminatory Harassment Compliance Officer is the subject of the complaint, complaints are to be made to the Greene County Administrator.

Although encouraged, note that neither this Policy nor state or federal law requires that an individual tell an alleged harasser to stop his/her actions. Failure to do so does not preclude the individual from filing a complaint of discriminatory harassment. Individuals should feel free to keep written records of any actions which may constitute harassment, including time, date, location, names of others involved, witnesses (if any), and who said or did what to whom.

Complaints may be made verbally or in writing. **If made verbally, the complaint must be reduced to writing by the individual to whom it was reported.** The written report must be given to the Discriminatory Harassment Compliance Officer. A form for submission of a written complaint is attached to this Policy, and all employees, interns, volunteers, and non-employees conducting business in the workplace are encouraged to use this complaint form. Individuals who are reporting discrimination or harassment on behalf of other employees, interns, volunteers or non-employees should use the complaint form and note that it is submitted on another person's behalf.

**B. Employee Responsibilities**

All employees, interns and volunteers are responsible for refraining from discrimination, discriminatory harassment or retaliation in the workplace. Anyone who witnesses discrimination, discriminatory harassment or retaliation may notify the person responsible that their behavior is inappropriate, and in any and all events, should notify the Discriminatory Harassment Compliance Officer.

**C. Supervisory Responsibilities**

**All Greene County managerial and supervisory personnel shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from discrimination, discriminatory harassment, and retaliation. Failure of a manager or supervisor to comply with this responsibility may result in disciplinary action.**

**All managerial and supervisory personnel who receive complaints of, observe directly, or otherwise become aware of or suspect that discrimination, discriminatory harassment or retaliation is occurring, will be responsible for immediately forwarding such complaints, in writing, to the Discriminatory Harassment Compliance Officer.**

Supervisors and managers will be subject to discipline (or other remedial or appropriate action) for failing to report suspected discriminatory harassment or otherwise knowingly allowing the harassment to continue. Supervisors and managers will also be subjected to discipline (or other remedial or appropriate action) if found to have engaged in discrimination, discriminatory harassment, or retaliation.

**D. Employer Responsibilities**

Greene County will conduct periodic training on the issues surrounding discrimination, discriminatory harassment, its effects and its appearances, and the role and responsibility of employees and managerial/supervisory personnel in preventing incidents of discrimination and harassment.

Greene County will also distribute this Policy to all employees, interns and volunteers, and ensure that it is distributed to new employees as they are hired.

**V. INVESTIGATION AND RESPONSE PROCEDURES**

All discrimination and discriminatory harassment complaints will be investigated. The Greene County Attorney's Office, or their designee, will conduct a prompt and thorough investigation commencing immediately and completed as soon as possible. The investigation will be confidential to the greatest extent possible. Any employee, volunteer, intern or non-employee may be required to cooperate, as needed, in an investigation of suspected discriminatory harassment. As further set forth herein, Greene County will not tolerate retaliation against those who file complaints, support another's complaint, or participate in the investigation of a complaint.

**XI. GENERAL OFFICE PROCEDURES****-DISCRIMINATORY HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURE-**

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The nature and extent of an investigation may vary on a case by case basis dependent upon the circumstances and extent of the allegations. Generally, investigations should be conducted in accordance with the following steps:

- ☐ Upon receipt of complaint, the County Attorney's Office, or their designee, will conduct an immediate review of the allegations, and take interim actions, as appropriate. If the complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form or other write up of the complaint based on the oral reporting.
- ☐ If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- ☐ Request and review all relevant documents, including all electronic communications.
- ☐ Interview all parties involved, including any relevant witnesses.
- ☐ Create (at a minimum) written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - A report of recommendation(s) for final resolution of the complaint, together with any recommendations for corrective or remedial actions to be taken.
- ☐ Keep the written documentation and associated documents in the employer's records.

Once the investigation is completed, the Discriminatory Harassment Compliance Officer, or designee, will make a Final Determination based upon the findings of the County Attorney's Office, or their designee, as to whether the Policy has been violated.

The Discriminatory Harassment Compliance Officer, or designee, shall promptly notify the complainant of the Final Determination, and also inform the complainant of their right to file a complaint or charge with the DHR or EEOC, or in an appropriate court.

If a complaint of discriminatory harassment, other harassment, or retaliation is determined to be founded, Greene County will take disciplinary and/or corrective action in accordance with the provisions of an applicable collective bargaining agreement and/or state law. The Discriminatory Harassment Compliance Officer will oversee the implementation of any corrective or remedial actions deemed necessary, in collaboration with the appointing authority and/or County Administrator.

If disciplinary charges are filed against an employee on the grounds that Greene County has determined the employee is guilty of discrimination, discriminatory harassment or retaliation, the accused employee may exercise his/her rights through the disciplinary procedure provided for in his/her collective bargaining agreement, or state law, if applicable.

**VI. FALSE REPORTS**

Reporting of a false complaint is a serious act. In the event it is found that an individual bringing the complaint has knowingly made false allegations, the Greene County may take appropriate remedial action and/or disciplinary action in accordance with the provisions of an applicable collective bargaining agreement and/or state law.

XI. GENERAL OFFICE PROCEDURES

-DISCRIMINATORY HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURE-

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**GREENE COUNTY DISCRIMINATORY HARASSMENT PREVENTION  
COMPLAINT FORM**

**~ Submit to Discriminatory Harassment Compliance Officer (Human Resources Director) or  
Designee ~**

This form may be used to file a charge of discriminatory harassment which is a form of discrimination prohibited by federal law, the New York State Human Rights Law, and Greene County Policy.

Filing this complaint form with Greene County in no way deprives you of the right to file a complaint with the US Equal Employment Opportunity Commission, New York State Division of Human Rights, and/or the Federal/State courts.

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(PLEASE PRINT OR TYPE)

1. Name \_\_\_\_\_  
 Phone Number \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Mailing Address (if different from residence) \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

2. Department \_\_\_\_\_

3. Have you filed this charge with a Federal, State or local government agency?  
 YES/NO: \_\_\_\_\_ When \_\_\_\_\_ Where \_\_\_\_\_  
 (Month/Day/Year)

Have you instituted a suit or court action on this charge?  
 YES/NO: \_\_\_\_\_ When \_\_\_\_\_ Where \_\_\_\_\_  
 (Month/Day/Year)

(AN AFFIRMATIVE REPLY TO THIS QUESTION WILL IN NO WAY STOP A REVIEW OF  
YOUR COMPLAINT)

4. Alleged Discrimination Occurred on or about:

Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_ Time: \_\_\_\_\_

Is this alleged discrimination continuing: YES \_\_\_\_\_ NO \_\_\_\_\_

Describe the alleged act of harassment. **Use additional sheets if necessary.**

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XI. GENERAL OFFICE PROCEDURES

-DISCRIMINATORY HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURE-

(COMPLAINT FORM, CONTINUED)

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5. Indicate the name(s) of the alleged harasser(s):

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6. State the name(s) of any potential witness(es):

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7. I swear or affirm that I have read the above related facts and that the statements are true and correct to the best of my knowledge, information and belief.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

**INFORMATION PROVIDED HEREIN WILL BE CONFIDENTIALLY MAINTAINED**

XI. GENERAL OFFICE PROCEDURES

-Freedom of Information Requests -

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- POLICY:** All Freedom of Information requests must be submitted to the Greene County Attorney. The Greene County Attorney is the Freedom of Information Officer for Greene County.
- PROCEDURE:** Direct all requests for information to the Greene County Attorney's Office. The Greene County Attorney will handle all requests and will assure that all requests are handled pursuant to Public Officers and other applicable law(s).
- NOTICE:** Pursuant to and in compliance with N.Y. Public Officer Law §87(6), Greene County employees shall be notified, in writing, whenever the office of the County Attorney receives a Freedom of Information request seeking disclosure of a County employee's disciplinary record.

- Hatch Act Compliance –

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POLICY:	It is Greene County's policy to comply with the federal Hatch Act, which prohibits certain political activities.
PROCEDURE:	<p>The Hatch Act restricts the political activity of individuals principally employed by state or local executive agencies and who work in connection with programs financed in whole or in part by federal loans or grants. Usually, employment with a state or local agency constitutes the principal employment of the employee in question. However, when an employee holds two or more jobs, principal employment is generally deemed to be that job which accounts for the most work time and the most earned income. The following list offers examples of the types of programs which frequently receive financial assistance from the federal government: public health, public welfare, housing, urban renewal and area redevelopment, employment security, labor and industry training, public works, conservation, agricultural, civil defense, transportation, anti-poverty, and law enforcement programs. Hatch Act provisions also apply to employees of private, nonprofit organizations that plan, develop and coordinate federal Head Start or Community Service Block Grant programs. State and local employees subject to the Hatch Act continue to be covered while on annual leave, sick leave, leave without pay, administrative leave, or furlough.</p> <p>Hatch Act: Who is not covered? Hatch Act provisions do not apply to:</p> <ol style="list-style-type: none"><li>1. Individuals who exercise no functions in connection with federally financed activities; or</li><li>2. Individuals employed by educational or research institutions, establishments, or agencies which are supported in whole or in part by state or political subdivisions thereof, or by recognized religious, philanthropic or cultural organizations (e.g., administrators, teachers).</li></ol> <p>The law also exempts certain specified employees from the prohibition on candidacy for elective office. These exemptions include:</p> <ol style="list-style-type: none"><li>1. The governor or lieutenant governor of a state, or an individual authorized by law to act as governor;</li><li>2. The mayor of a city;</li><li>3. A duly elected head of an executive department of a state or municipality who is not classified under a state or municipal merit or civil service system; and</li><li>4. An individual holding public elective office. This exemption applies only when the elective office is the position which would otherwise subject the employee to the restriction of the Hatch Act.</li></ol> <p>Hatch Act: Examples of Permitted Activities: Employees <u>may</u>**, for example:</p> <ul style="list-style-type: none"><li>• Register and vote as they choose</li><li>• Assist in voter registration drives</li><li>• Express opinions about candidates and issues</li><li>• Contribute money to political organizations</li><li>• Attend political fundraising functions</li></ul>

## XI. GENERAL OFFICE PROCEDURES

## - Hatch Act Compliance (Continued) –

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- Attend and be active at political rallies and meetings
  - Join and be active members of a political party or club
  - Sign and circulate nominating petitions
  - Campaign for or against referendum questions, constitutional amendments and/or municipal ordinances
  - Campaign for or against candidates in partisan elections
  - Make campaign speeches for candidates in partisan elections
  - Distribute campaign literature in partisan elections
  - Campaign for and hold office in political clubs or parties
  - Volunteer to work on a partisan political campaign
  - Participate in any activity not specifically prohibited by law or regulation.

**\*\*While engaging in these activities employees must be acting in their personal capacity, not their official capacity. For example, they should not identify their official title when engaging in any of these activities. A note of caution – an employee's conduct is also subject to the laws of the state and the regulations of the employing agency. Prohibitions of the Hatch Act are not affected by state or local laws.**

Hatch Act: Prohibited Activities: Covered state and local employees **may not**:

- Be candidates for public office in a partisan election;
- Use official authority or influence to interfere with or affect the results of an election or nomination; or
- Directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization agency, or person for political purposes.

State and local employees subject to the Hatch Act should note that an election is partisan if any candidate is to be nominated or elected as representing a political party, for example, the Democratic or Republic Party.

OSC's Role (Hatch Act)

Advisory Opinions

The U.S. Office of Special Counsel (OSC) is authorized pursuant to 5U.S.C. Section 1212(f) to issue advisory opinions under the Hatch Act. OSC issues advisory opinions to persons seeking advice about political activity under the Hatch Act. You may request such advice by phone, fax, mail or e-mail.

Hatch Act Unit

U.S. Office of Special Counsel

1730 M Street, N.W., Suite 218

Washington, D.C. 20036-4505

Tel.: (800) 85-HATCH or (800) 854-2824

(202) 254-3650

Fax: (202) 254-3700

E-mail: [hatchact@osc.gov](mailto:hatchact@osc.gov)

## XI. GENERAL OFFICE PROCEDURES

- Hatch Act Compliance (Continued) –

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**How to File a Complaint Alleging a Violation of the Hatch Act:**

OSC is also authorized to investigate violations of the Hatch Act. 5U.S.C. Section 1216(a)(2). If OSC charges an employee with a violation of the Hatch Act, those charges are adjudicated before the Merit Systems Protection Board. 5U.S.C. Sections 1504-1508:7321-7326. Filers alleging a violation of the Hatch Act may use Form OSC-13 (Complaint of Possible Prohibited Political Activity) to submit the allegation to OSC. Form OSC-13 can be printed from their website. Filers can complete the form online or by hand after printing the form. Once the form is completed it should be mailed or faxed (202-254-3700) to OSC. If filers use another format to submit a Hatch Act violation, the following information should be included:

- Name, mailing address, and telephone number of the complainant, and a time when the complainant can be safely contacted, unless the matter is submitted anonymously;
- The department or agency, location, and organizational unit where the individual complained of is employed; and
- A concise description of the actions complained about, names and positions of employees who took these actions, if known to the complainant, and dates, preferably in chronological order, together with any documentary evidence the complainant may have.

**Complaints should be sent to:**

Hatch Act Unit  
U.S. Office of Special Counsel  
1730 M Street, N.W., Suite 218  
Washington, DC 20036-4505

**Enforcement:**

After investigating an alleged Hatch Act violation, OCS may seek disciplinary action against an employee before the Merit Systems Protection Board. When violations are not sufficiently egregious to warrant prosecution, OSC may issue a warning letter to the employee involved.

**Penalties:**

If the Merit Systems Protection Board (“Board”) finds that an employee violated the Hatch Act and that the violation warrants dismissal from employment, the employing agency must either remove the employee or forfeit a portion of its federal assistance equal to two years salary of the employee. If within eighteen months of his removal, the employee becomes employed by a state or local agency within the same state, then that agency, or the agency from which the employee was removed, may lose some of its federal funding.

XI. GENERAL OFFICE PROCEDURES

- Ethics -

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- POLICY:** It is the policy of Greene County to maintain the highest standards of integrity in the public service. Accordingly, the Legislature has adopted the Greene County Code of Ethics to help guide the conduct of County officials and employees.
- INFORMATION:** The Code of Ethics contains detailed standards of conduct (including acceptance of gifts, conflicts of interest, private employment, etc.) as well as requirements for disclosure of interests. The Code establishes a Board of Ethics which administers the Code and renders advisory opinions to officers and employees of Greene County.
- Violations of the Code are subject to a civil penalty of up to \$10,000, as well as termination.
- PROCEDURE:** Consult the Code of Ethics for any questions you may have. If you need further information, contact the Board of Ethics, by mail only, at: Greene County Board of Ethics, P.O. Box 545, Catskill, New York 12414.

XI. GENERAL OFFICE PROCEDURES

- Outside Employment -

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- POLICY:            There is no general prohibition against employees engaging in outside employment or compensated activity (herein referred to as “outside employment”), but such employment:
1. Cannot interfere with the efficient performance of departmental duties,
  2. Should not bring discredit upon or cause unfavorable criticism of Greene County,
  3. Cannot be performed during normal working hours,
  4. Cannot be performed on Greene County premises, or involve any use of Greene County property, equipment, supplies or facilities (telephones, for example) or any other Greene County resource;
  5. Cannot require the disclosure of confidential or other official information obtained through departmental duties; and
  6. Cannot violate the Greene County Code of Ethics.

XI. GENERAL OFFICE PROCEDURES

-Theft-

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**POLICY:** Any suspected theft of Greene County assets or business and personal property is to be immediately reported to the County Administrator. The County Administrator, in consultation with the County's Counsel, shall investigate the situation and will determine whether this is a criminal or personnel issue, and whether or not it is appropriate to contact the Police.

**INFORMATION:** All thefts or loss of Greene County assets must be reported. Theft or loss of such assets includes, but is not limited to, the following examples:

1. Unexplained discrepancies in cash balances and/or bank reconciliations;
2. Burglary or other cash theft;
3. Unauthorized cash withdrawals from Departmental bank accounts;
4. Unauthorized or improper disbursements of County funds;
5. Unauthorized payroll transactions resulting in overpayments, such as employees improperly on the payroll and improper time and accrual records;
6. Actual or suspected theft/loss of supplies and equipment;
7. Any other actual or suspected financial discrepancies;
8. Theft of services; or
9. Damage to County property.

**PROCEDURE:** Any theft is to be reported immediately to the County Administrator. As soon as possible (at least within 2 days of the discovery of the theft), the County Administrator is to report the theft to the Greene County Attorney, who will then make a formal claim to the insurance agent.

Personal effects owned by employees are not covered by the County's insurance or self-insurance.

XI. GENERAL OFFICE PROCEDURES

- Serving Meals and Refreshments at Meetings-

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**POLICY:** It is the policy of Greene County to regulate the serving of meals and refreshments at meetings.

**INFORMATION:** Department agencies may incur expenses for breakfasts, lunches, dinners and refreshments at meetings, conferences and training sessions **PROVIDING THAT THE GREENE COUNTY ADMINISTRATOR HAS APPROVED THE EXPENSES PRIOR TO THE EVENT.**

Criteria for the serving of refreshments at meetings are:

- That participants of the meeting include representatives of other Departments or non-county employee guests.
- That meetings including only Greene County staff are training sessions or seminars providing a definable benefit to Greene County.
- That the length or timing of the meeting would necessitate a break. Providing refreshments would thereby avoid lost time to participants leaving the meeting site to seek amenities on their own and would offer participants an informal discussion forum.

**PROCEDURE:** Approval to serve refreshments to any meeting, seminar or training session must be requested and justified in writing by the Department Head. Expenses are not to be incurred until approval is received from the County Administrator.

Vouchers submitted for payment as a result of this approval must include an agenda of the meeting and a list of participants clearly showing that the above criteria were met.

XI. GENERAL OFFICE PROCEDURES

- Payroll Processing –

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**POLICY:** All payroll transactions must be processed in a timely manner.

**PROCEDURE:** The Payroll unit of the Treasurer's Office notifies each Department that the payroll certifications are ready. Each Department must arrange to have payroll certifications picked up from and returned to the Payroll unit. These forms are not to be sent in the mail.

The Department maintains time sheets and tracks accrued time and time used (including sick, vacation, personal leave and compensatory time). The time used, as well as regular hours and any overtime hours, are entered on the payroll certification forms. These forms are signed by the Department Head and then returned to the Payroll unit no later than 12:00 P.M. on the Thursday before payday. Please note that if there is a holiday, this due date may be moved up. A copy is kept at the Department.

When the paychecks are issued, a benefit summary is sent to the Department. This summary shows the accrued time charges for the benefit period along with the time earned for each employee for the pay period. This is checked against the department records and, when reconciled, the Department Head signs and returns to the Payroll unit. A copy is kept at the Department.

Effective June 18, 2014, all new employees will be on a one (1) week lag payroll. Any existing employee who is currently on a lag payroll schedule, will remain on said lag payroll schedule. Employees on FMLA or Workers' Compensation Leave will not be subject to an additional week of lag upon their return to duty.

Effective October 22<sup>nd</sup>, 2015, for all employees: when an employee does not have enough accrued time of vacation, sick, personal or compensatory accrual time balances to cover the period of time between the due date for payroll certification (Thursday prior to payday) to the actual day of the next payday, the employee will be permanently placed on a one (1) week lag payroll. Employees on FMLA or Workers' Compensation Leave will not be subject to a week of lag payroll upon their return to duty.

XI. GENERAL OFFICE PROCEDURES

- Employee Collective Bargaining Unit Elections –

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**POLICY:** It is the policy of Greene County that employee collective bargaining unit campaigns and elections be conducted in a manner equitable to all parties and with no interference to the normal conduct of Greene County business.

**INFORMATION:** Employee organization activities must be conducted so as not to interfere with the safe and efficient conduct of County operations.

All organizations shall have equal access to employees for campaign purposes.

An employee can leave work for attendance at meetings of employee representatives. However, each request must be reviewed by management, and approved or rejected in accordance with operational needs.

The following activities by Greene County employees are permitted, provided they do not impair the safe and efficient operation of the workplace, and they take place during non-working hours in non-working areas:

1. Discussions among employees concerning organizations activities,
2. Solicitation of organization support, and
3. Distribution of membership and authorization cards and organizational literature.

Greene County bulletin boards may be used for neutral material announcing meetings, if all sides involved in the campaign are allowed equal access to the posting of such notices. Meeting notices and other organizational materials shall not be affixed to the walls, doors, windows, or other appurtenances of Greene County facilities and buildings. Greene County inter-agency office mail, messenger and reproduction services shall not be used for distributing or duplicating organizational materials.

XI. GENERAL OFFICE PROCEDURES

-Purchase of Goods or Services-

**POLICY:** Before any item is purchased, said purchase must be reviewed and approved by the Deputy Budget Officer and the County Administrator.

**INFORMATION:** The purchase procedure is intended to achieve the following:

- Provide a uniform purchase system for all County Departments;
- Obtain the best possible prices and ensure that the County is protected legally;
- Facilitate the maintenance of a fixed assets inventory;
- Ensure adequate funds are available for purchase; and
- Avoid the possibility of duplicated payments to vendors.

**PROCUREMENT GUIDELINES:**

The following types of purchases will require pre-approval from the Legislature through the adoption of a Resolution:

- a) All new and used vehicle purchases;
- b) Acquisitions of new computer software and maintenance contracts - 1<sup>st</sup> year;
- c) Professional Services contracts;
- d) All Grant-in-Aid applications including those requiring a local match or long-term post Grant requirements;
- e) Inter-municipal agreements;
- f) Quantum Fund Loan Settlements and Quantum Fund Loan Modifications;
- g) All road and bridge construction projects in excess of Five Thousand (\$5,000) Dollars per project;
- h) Expenditure of CHIPS funding, Marchiselli funding, Federal aid;
- i) CDBG funding grants and aid;
- j) Land acquisitions, and construction projects over Five Thousand (\$5,000) Dollars per year; and
- k) Planned maintenance of roof decks, parking lots, HVAC, plumbing, air compressors and other FFE type equipment that can be viewed as optional.

The following purchases do not require advance approval, but when possible, advisement to the Greene County Legislature will be offered:

- a) Replacement of computer hardware, system servers, software licenses, maintenance renewals;
- b) Emergency purchases or mission critical items that if not accomplished threaten general operations;
- c) Motor vehicle repairs and accident repairs for existing fleet;
- d) Expenditures required by State mandates, criminal investigations;
- e) Renewal of contracts previously approved by Resolution that included renewal options;
- f) Leasing of copiers and postage machines;
- g) Assigned Counsel expenditures.

**PROCEDURE:** The purchase of goods and services can be accomplished in the following manners:

1. **State Contract:** New York State, through their Office of General Services (OGS) often obtains a low price for many different commodities and services, which they are willing to share with other municipalities. These municipalities, including Greene County, may make purchases off of state contracts, or use a mini-bid system, maintained by OGS. All new vehicle purchases must initially go out to mini-bid through the NYS Vehicle Marketplace, which is offered by OGS. In the event that no responding bids are received, Greene County may then solicit offers from car dealerships physically located within the county. If no bids are received through the NYS Vehicle Marketplace and no car dealerships physically located within the county carry the requested make or model, then offers may be solicited from car dealerships in adjacent counties.

## XI. GENERAL OFFICE PROCEDURES

## -Purchase of Goods or Services (Continued) -

2. "Piggybacking" off existing contracts from other municipalities: Subdivision 16 of General Municipal Law 103 authorizes political subdivisions and districts therein to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items through the use of contracts led by the United States or any agency thereof, any State, or any other political subdivision or district therein. The Contract must be made available for use by other governmental entities. (State Comptroller memo dated Nov. 2013.)

## 3. Bid, Quote and Best Value Offers:

## A. Bid, Quote and Best Value Offer Requirements for the Purchase of Commodities, Equipment or Goods:

The Department Head shall adhere to the following requirements:

\$1 - \$250	Multiple quotes strongly encouraged but not required.
\$251 - \$9,999.	Documented written quotes from at least 3 vendors (if available).
\$10,000. and up	Sealed bids or Best Value Offers in conformance with Municipal Law, Section 103. Award shall be upon recommendation of the Department Head and approval of the Legislature.

## B. Bid, Quote and Best Value Offer Requirements for the Purchase of Ordinary Services:

The Department Head shall adhere to the following requirements:

\$1 - \$1,000	Multiple quotes strongly encouraged but not required.
\$1,001 - \$3,000	Written quotes from at least 2 separate vendors (if available).
\$3,001 - \$10,000	Written quotes from at least 3 separate vendors (if available).
\$10,001 - \$34,999	Formal Request for Proposal (RFP) or Best Value Offers with a response from at least 3 vendors.
\$35,000. and up	Sealed bids or Best Value Offers in conformance with Section 103 of the General Municipal Law. Award shall be upon recommendation of the Department Head and approval by the Legislature.

## C. Bid, Quote and Best Value Offer Requirements for the Purchase of Professional Services (generally services rendered by attorneys, engineers, and certain other services requiring specialized or technical skills, expertise or knowledge, the exercise of professional judgment or a high degree of creativity):

\$1 - \$5,000	Multiple quotes strongly encouraged but not required.
\$5,001 - \$20,000	Prices will be obtained by a formal written quote from at least 2 sources.
\$20,001 and up	Prices will be obtained by RFP or Best Value Offers from at least 3 sources.

Award of a contract shall be made upon recommendation of the County Administrator and approval by the Legislature. Awards to other than the lowest proposer must be properly documented with the rationale/reason for the rejection of the lowest price. Awards based upon a Best Value Offer must contain the evaluation criteria and the process used to make such determination. Whenever possible, the evaluation shall be based upon objective and

## XI. GENERAL OFFICE PROCEDURES

## -Purchase of Goods or Services (Continued)-

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quantifiable factors and shall not be solely on cost. Whenever possible and applicable, factors including, but not limited to quality, reliability, maintenance, useful lifespan and performance shall be evaluated. Whenever the work to be awarded is directly related to and “builds upon” work performed by a consultant in a previous contract, then the Legislature may waive any multiple quote requirements outlined above. Upon approval from the Legislature, designated Departments may make use of a roster of professional consultants. A roster of professional consultants are necessary for services which are intermittent or yet to be determined, for which there is no specific project proposal, or require long term relationships that build upon specific knowledge of the Department. Said roster shall initially be established pursuant to an RFP and renewed on a recurring interval, as may be necessary, but no greater than a 3-year interval. As professional service needs arise prior to the 3-year RFP release interval, individual professional consulting firms may be added to the roster, pursuant to approval by resolution of the Legislature. Said roster shall establish, by contract, the types of services to be performed and the remuneration schedule for typical services. As professional service project needs may arise, a project specific scope of services shall be prepared and approved by the Department Head.

## D. Other Requirements

All advertisements for bids and requests for proposals shall be placed upon the County’s website. Copies of advertisements should be electronically submitted to the Information Technology Department in a timely manner, with a request that it be placed on the County’s website. The person submitting the advertisement to the I.T. Department must be sure to contact the I.T. Department on the date of the bid/proposal opening and request that said advertisement then be removed from the County’s website. All advertisements for bids and requests for proposals shall also be advertised at least once in the official newspaper(s) of Greene County. Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes, Bids and Best Value Offers will be awarded to the vendor providing the highest quality goods and services at a low cost. In cases where two or more responsible bidders furnishing the required security submit identical bids as to price, such officer, board or agency may award the contract to any of such bidders. Such officer, board or agency may, in his or its discretion, reject all bids and readvertise for new bids in the manner provided by this section. (General Municipal Law).

Proper documentation, acceptable to the Legislature, must be given if the required number of quotes cannot be accommodated.

In all circumstances, whenever other than the lowest quote is awarded, there must be written documentation of the reason for the award.

Except as otherwise noted, purchases shall be made upon approval of the County Administrator up to the level where an RFP is required. For purchases of \$1,500 or less, the Administrator may delegate his purchase approval authority to the Deputy Budget Officer.

## E. Deposits on Plans and Specifications for Bids

Greene County is allowed to charge a deposit of up to \$100 for each set of plans and specifications. The rules of refund are as follows:

1. If an unsuccessful bidder had obtained one set, the County returns the entire amount of the deposit submitted, upon the return in good condition of the single set.
2. If an unsuccessful bidder had obtained more than one set of plans and specifications, the County must also return an amount equal to the deposit for one of the additional sets less the cost of reproducing the set, upon return of all of the additional sets in good condition.

## XI. GENERAL OFFICE PROCEDURES

## -Purchase of Goods or Services (continued) -

3. If a non-bidder returns all sets of the plans and specifications in good condition, the County must return an amount equal to the deposit for one set of plans and specifications, less the actual amount of reproducing that one set.

4. The maximum amount to be returned to an unsuccessful bidder who requested more than one set of plans and specifications is an amount equal to two deposits less the cost of reproduction of a single set. A non-bidder is only entitled to receive the return of a single deposit less reproduction costs for a single set, without regard to the total number of plans and specifications the non-bidder had obtained or the total deposits the non-bidder had paid.

Rather than attempt to set forth this complicated refund formula in Notices to Bidders, all County Notices to Bidders should state simply that plans and specifications may be obtained “at a cost of \$(amount to be determined based on the project)” per set, refundable in whole or in part to unsuccessful bidders or non-bidders pursuant to General Municipal Law Section 102”.

F. Exceptions to Policy

1. Emergency: If an emergency exists wherein the delay caused by soliciting quotes would endanger the health, welfare, or property of the County or of any individual, then the procurement of goods or services will be at the discretion of the proper Department Supervisor with documentation as to the nature of the emergency and shall then be sent to the Deputy Budget Officer for processing. If time allows, the Department Head is required to submit to the Deputy Budget Officer all required documentation 24 hours prior to such procurement of goods or services and, if time does not permit, within 3 working days after such paperwork.

2. General Repairs: To preserve property of the County and/or maintain uninterrupted operations, the County Administrator, in their sole discretion, may designate a department one-time or blanket authority to procure the necessary tools or equipment needed for such repair, outside of the multiple quote requirements contained herein. Such authority may be extended to individual items with a price cap of \$750 and/or an aggregate repair job with a price cap of \$1,500. The County Administrator may, at any given time, revoke this authority.

3. Sole Source Situations: Purchases of goods or services from a “sole source” vendor (such as purchases of electricity, natural gas, telephone services, or proprietary technology) need not comply with the multiple quote requirements contained herein.

4. Outside Legal Counsel: The employment of outside legal counsel is exempt from these requirements.

G. Additional Information:

1. New York State Finance Law mandates a right of first refusal to certain State organizations that provide services by handicapped or disabled individuals. If a service is included in the list of preferred source offerings established by OGS under the Finance law, a specific service group has the right to bypass the bidding process and be awarded the bid, provided that their price is no more than 15% in excess of the lowest responsible bid.

H. Authorizing “Piggyback” off of Political Subdivision Contracts:

Pursuant to Section 100 of the New York State General Municipal Law and Section 408-a of the New York State County Law, the County is authorizing any political subdivision, fire company or district or school district to participate in contracts entered into by any municipality for any commodity or service. These purchases would be made directly by the political subdivision from the winning bidder. This language must be contained within the municipality’s bid specifications.

XI. GENERAL OFFICE PROCEDURES

-Computer and Software Purchases-

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POLICY and  
PROCEDURE:

- Need for equipment is identified by Department Head.
- Purchase request within Department's adopted budget, detailing need and specifications, is signed by Department Head and forwarded to Director of Information Technology with any related documents to justify the purchase request.
- Information Technology Department accesses need and identifies equipment that would best fill need. Three quotations are obtained by the Information Technology Department. Request is approved by Information Technology Director and forwarded to Deputy Budget Officer for verification of available funds. County Administrator then authorizes purchase.
- The Deputy Budget Officer through appropriate vendors then processes purchase order.
- All computer and office equipment is then delivered to Greene County Information Technology Department for setup, testing and scheduling installation in the appropriate department. All software, licenses and warrantee paperwork is cataloged and filed at the Information Technology Department. Department Head will receive an information only copy of the purchase order.
- The Information Technology Director will notify the Greene County Treasurer of receipt, so the treasurer can add to the County's inventory/insurance list and issue appropriate item/sticker numbers.
- All unused, non-working or obsolete computer products and office equipment are to be returned to the Information Technology Department, through the use of the normal Disposal of Surplus Personal Property form, (Greene County Form #29, which can be obtained from the County Administrator's Office).

XI. GENERAL OFFICE PROCEDURES

-Requisitioning Supplies -

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- POLICY:** It is the policy of Greene County to provide necessary office supplies to its work units.
- INFORMATION:** It is the individual Department's responsibility to requisition office supplies from the designated vendor on a timely basis and in appropriate quantities to avoid either running out of materials or having an oversupply stored in the Department office. If the supplies are not available from the designated vendor, it is the Department's responsibility to contact the Deputy Budget Officer for other sources.
- PROCEDURE:** Each Department is issued a login to the designated vendor in order to purchase necessary supplies. Once a purchase is completed, the vendor requests an approval to complete the purchase from the Deputy Budget Officer. Supplies are shipped directly to the Department. If supplies are not available from the designated vendor, supplies need to be requested by completing a Purchase Requisition Form (Greene County Form #34, which can be obtained in the County Administrator's Office.)

XI. GENERAL OFFICE PROCEDURES

-Voucher Processing -

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**POLICY:** All requests for payment to vendors must be processed in a timely manner.

**PROCEDURE:** Each Department within Greene County completes a voucher (Greene County Form #27, which can be obtained from the County Administrator's Office) for any invoice received for payment to vendor. This voucher, along with the invoice attached and signed by the Department Head, is submitted to the Deputy Budget Officer for payment approval and processing. Request for payments, purchasing procedures, travel reimbursements, mathematical computations, etc., are audited and signed off on by the Deputy Budget Officer or designee.

Payments are all entered into the accounts payable system and an Audit report is submitted to the Finance Committee for approval. Once approved, the report is approved at the Regular meeting of the Greene County Legislature. Checks are then issued by the Treasurer's Office to the vendors, within 30 days of audit. Copies of the check register are forwarded to each department making payments.

This Audit process takes place once a month.

XI. GENERAL OFFICE PROCEDURES

-Greene County Internet Security and Privacy Policy-

**POLICY:** An Internet Security and Privacy Policy has been prepared by the Greene County Attorney's Office.

**INFORMATION:** The New York State Legislature finds that identity theft and security breaches have affected thousands statewide and millions nationwide and the affected persons are hindered by a lack of information regarding breaches. The Legislature determined that State residents have a right to know when they have been exposed to identity theft. It is mandated by recently enacted New York State Technology Law Section 208 that the County have a policy of notification of discovery of breach of computer security systems of private information. This policy sets forth the notice required by State Law to affected persons.

**PROCEDURE:**

1. As used in this section, the following terms shall have the following meanings:
  - A. **"Private Information"** shall mean personal information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:
    - Social Security Number;
    - Driver's License Number or non-driver identification card number; or
    - Account number, credit or debit card number, in combination with any required security code, access code or password, which would permit access to an individual's financial account.

"Private Information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.
  - B. **"Breach of the security of the system"** shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by a state entity. Good faith acquisition of personal information by an employee or agent of the county for the purposes of the county is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the County may consider the following factors, among others:

  - Indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or
  - Indications that the information has been downloaded or copied; or
  - Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.

XI. GENERAL OFFICE PROCEDURES

-Greene County Internet Security and Privacy Policy-  
(continued)

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2. To the extent that the County owns or licenses computerized data that includes private information it shall disclose any breach of the security of the system following discovery or notification of the breach in the security of the system to any residents of New York State whose private information was, or is, reasonably believed to have been acquired by a person without valid authorization. The disclosure shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in subdivision four of this section, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The County shall consult with the State Office of Cyber Security and Critical Infrastructure coordination to determine the scope of the breach and restoration measures.
  3. The County, to the extent that it maintains computerized data that includes private information which the County does not own shall notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is, reasonably believed to have been acquired by a person without valid authorization.
  4. The notification required by this section may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The notification required by this section shall be made after such law enforcement agency determines that such notification does not compromise such investigation.
  5. The notice required by this section shall be directly provided to the affected persons by one of the following methods:
    - A. Written notice;
    - B. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving said notice in electronic form and a log of each such notification is kept by the County; provided further, however, that in no case shall any person or business require a person to consent to accepting said notice in said form as a condition of establishing any business relationship or engaging in any transaction;
    - C. Telephone notification provided that a log of each such notification is kept by the County; or
    - D. Substitute notice if the County demonstrates that the cost of providing notice would exceed Two Hundred Fifty Thousand (\$250,000.) Dollars, or that the affected class of subject persons to be notified exceeds Five Hundred Thousand (\$500,000.) Dollars or the County does not have sufficient contact information. Substitute notice shall consist of all of the following:
      - E-mail notice;
      - Conspicuous posting of the notice on such County's web site page; and
      - Notification to major countywide or statewide media.

XI. GENERAL OFFICE PROCEDURES

-Greene County Internet Security and Privacy Policy-  
(continued)

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6. Regardless of the method by which notice is provided, such notice shall include contact information for the entity making the notification and a description of the categories of information that were, or are, reasonably believed to have been acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are, reasonably believed to have been so acquired.
7. (a) In the event that any New York residents are to be notified, the County shall notify the State Attorney General, the Consumer Protection Board, and the State Office of Cyber Security and critical infrastructure coordination as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York residents.  
  
(b) In the event that more than five thousand New York residents are to be notified at one time, the County shall also notify consumer reporting agencies as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York residents.

XI. GENERAL OFFICE PROCEDURES

-Greene County Website Terms and Conditions of Use and Privacy Policy-

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POLICY:	It is in the County's best interest to set forth with specificity the terms and conditions under which the Greene County New York website may be accessed or used.
INFORMATION:	The Greene County New York website is an on-line information service provided by Greene County with access to and use of the site open to all.
PROCEDURE:	<p>Terms and Conditions of Use:</p> <p>The Greene County, New York Site (the "Site") is an online information service provided by Greene County ("Greene County, New York"), and access to and use of the site is subject to your compliance with the terms and conditions set forth below in addition to all applicable laws.</p> <p><b>PLEASE READ THESE TERMS AND CONDITIONS OF USE CAREFULLY BEFORE ACCESSING OR USING THE SITE. BY ACCESSING OR USING THE SITE, YOU AGREE TO BE BOUND BY THE TERMS AND CONDITIONS SET FORTH BELOW. IF YOU DO NOT WISH TO BE BOUND BY THESE TERMS AND CONDITIONS, DO NOT ACCESS OR USE THE SITE.</b></p> <ol style="list-style-type: none"> <li>1. Modification of Terms &amp; Conditions of Use. Greene County, New York may modify these Terms &amp; Conditions of Use at any time without specific notice to you, and such modifications shall be effective immediately upon posting of the modified Terms &amp; Conditions of use on the Site. You agree to review these Terms &amp; Conditions of use periodically to be aware of such modifications and your continued access or use of the Site shall be deemed your conclusive acceptance of the modified Terms &amp; Conditions of Use.</li> <li>2. Copyright, Licenses and Idea Submissions. The entire content included on the Site, including but not limited to text, graphics, logos, icons, images, audio, video or software is protected under United States and International copyright laws. The owners of the copyrights are Greene County, New York, its affiliates, content suppliers or other third party licensors. The compilation of the content of the Site is exclusive property of Greene County, New York and is protected under United States and international copyright laws. Unless otherwise specified, you may not modify, copy, reproduce, republish, download, post, transmit, distribute, or create derivative works from, in any manner, the Site or any material on the Site, including but not limited to, any text, graphics, code and/or software, for any commercial purpose not expressly permitted by Greene County, New York. Subject to any expressly stated restrictions or limitations relating to specific material, you may print and download portions of material from the different areas of the Site solely for your own personal and non-commercial use if you agree not to change or delete any copyright or proprietary notices from the materials or to modify such materials in any way. You agree to grant to Greene County, New York a non-exclusive, royalty-free, worldwide, perpetual license, with the right to sub-license, to reproduce, distribute, transmit, create derivative works of, publicly display and publicly perform any materials</li> </ol>

## XI. GENERAL OFFICE PROCEDURES

-Greene County Website Terms and Conditions of Use and Privacy Policy-  
(continued)

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and other information (including, without limitation, ideas contained therein for new or improved products and services) you submit to any public areas of the Site (such as bulletin boards, forums and news groups) or by e-mail to Greene County, New York by all means and in any media now known or hereafter developed. You also grant to Greene County, New York the right to use your name in connection with the submitted materials and other information as well as in connection with all advertising, marketing and promotional material related thereto. You agree that you shall have no recourse against Greene County, New York for any alleged or actual infringement or misappropriation of any proprietary right in your communications to Greene County, New York.

3. Trademarks.

All trademarks, service marks and trade names used in connection with the publications, products, content or services referenced herein or on the Site are proprietary to and the exclusive property of Greene County, New York and/or licensed to Greene County New York. Such trademarks, service marks and trade names are protected by common law and/or federal trademark law and may not be used in violation of Greene County, New York's or any of its licensors' rights.

4. No Unlawful Or Prohibited Use.

As a condition of your use of the Site, you warrant to Greene County, New York that you will not use the Site for any purpose that is unlawful or prohibited by these Terms & Conditions of Use. You may not use the Site in any manner that could damage, disable, overburden, or impair the Site or interfere with any other party's use and enjoyment of the Site. You may not obtain or attempt to obtain any materials or information through any means not intentionally made available or provided for through the Site.

Harassment in any manner or form on the Site or through the Site is strictly forbidden. Impersonation of others on the Site is prohibited. You may not upload to, distribute, or otherwise publish through or on the Site any content which is libelous, defamatory, obscene, threatening, invasive of privacy or publicity rights, abusive or illegal, or which may constitute or encourage a criminal offense, violates the rights of any party or which may otherwise give rise to liability or violate any law.

5. Use of the Site.

You understand that, except for information, products or services clearly identified as being supplied by Greene County, New York, Greene County, New York does not operate, control or endorse any information, products or services on the Internet in any way. Except for Greene County, New York identified information, products or services, all information, products and services offered through the Site or on the Internet generally are offered by third parties that are not affiliated with Greene County, New York. You also understand that Greene County, New York cannot and does not guarantee or warrant that files available for downloading through the Site will be free of

## XI. GENERAL OFFICE PROCEDURES

-Greene County Website Terms and Conditions of Use and Privacy Policy (continued) -

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infection or viruses, worms, Trojan horses or other code that manifest contaminating or destructive properties. You are responsible for implementing sufficient procedures and checkpoints to satisfy your particular requirements for accuracy of data input and output, and for maintaining a means external to the Site for reconstruction of any lost data. The content or information included in or available through this Site may include inaccuracies or typographical errors. If any content or information is made inaccurate or incomplete due to typographical errors, Greene County, New York shall have the right to correct such typographical errors and shall not be liable or responsible for any damages resulting there from.

6. Liability Disclaimer.

GREENE COUNTY, NEW YORK AND/OR ITS RESPECTIVE AFFILIATES, CONTENT SUPPLIERS OR THIRD PARTY LICENSORS DO NOT MAKE ANY WARRANTIES OR REPRESENTATIONS WITH RESPECT TO THE CONTENT, SUITABILITY, ADEQUACY, USEFULNESS, QUALITY, AVAILABILITY, TIMELINESS, ACCURACY OR COMPLETENESS OF ANY INFORMATION OR MATERIALS ACCESSIBLE ON THE SITE OR OTHERWISE CONTAINED ON THE GREENE COUNTY, NEW YORK SERVER OR THROUGH LINKS TO OTHER SITES OR SERVERS, INCLUDING BUT NOT LIMITED TO: TEXT, GRAPHICS, APPLICATIONS, DATABASES, SERVICES, OR ANY OTHER INFORMATION OR MATERIALS, NOR SHALL THE COUNTY OF GREENE ASSUME ANY LEGAL LIABILITY FOR THE CONTENT, SUITABILITY, ADEQUACY, USEFULNESS, QUALITY, AVAILABILITY, TIMELINESS, ACCURACY OR COMPLETENESS OF SAID INFORMATION AND MATERIAL. YOU ASSUME TOTAL RESPONSIBILITY AND RISK FOR YOUR USE OF THE SITE AND THE INTERNET. GREENE COUNTY, NEW YORK PROVIDES THE SITE AND RELATED INFORMATION "AS IS" WITHOUT WARRANTY OF ANY KIND, WHETHER EXPRESS OR IMPLIED. TO THE FULLEST EXTENT POSSIBLE PURSUANT TO APPLICABLE LAW, GREENE COUNTY, NEW YORK AND/OR ITS RESPECTIVE AFFILIATES, CONTENT SUPPLIERS OR THIRD PARTY LICENSORS HEREBY DISCLAIM ALL WARRANTIES, EXPRESS OR IMPLIED, WITH REGARD TO THE SITE AND SUCH INFORMATION, PRODUCTS, SERVICES AND RELATED GRAPHICS CONTAINED ON THE SITE OR ON THE INTERNET GENERALLY, INCLUDING, BUT NOT LIMITED TO, ALL IMPLIED WARRANTIES AND CONDITIONS OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE AND NON-INFRINGEMENT. IT IS SOLELY YOUR RESPONSIBILITY TO EVALUATE THE ACCURACY, COMPLETENESS AND USEFULNESS OF ALL OPINIONS, ADVICE, SERVICES, MERCHANDISE AND OTHER INFORMATION PROVIDED ON THE SITE OR ON THE INTERNET GENERALLY. GREENE COUNTY NEW YORK DOES NOT WARRANT THAT THE FUNCTIONS CONTAINED ON THE SITE WILL BE UNINTERRUPTED OR ERROR-FREE, THAT DEFECTS IN THE SITE WILL BE CORRECTED OR THE SERVER, WHICH MAKES THE SITE AVAILABLE, IS FREE OF VIRUSES OR OTHER HARMFUL COMPONENTS.

## XI. GENERAL OFFICE PROCEDURES

-Greene County Website Terms and Conditions of Use and Privacy Policy-  
-(continued)-

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## 7. Participation Disclaimer.

Greene County, New York does not and cannot review all communications and materials posted to or created by users accessing the Site, and is not in any manner responsible for the content of these communications and materials. You acknowledge that by providing you with the ability to view and distribute user-generated content on the Site, Greene County, New York is merely acting as a passive conduit for such distribution and is not undertaking any obligation or liability relating to any contents or activities on the Site. However Greene County, New York reserves the right to block or remove communications or materials that it determines to be (a) abusive, defamatory, or obscene, (b) fraudulent, deceptive, or misleading, (c) in violation of copyright, trademark or other intellectual property right of another or (d) offensive or otherwise unacceptable to Greene County, New York at its sole discretion.

Communications to Greene County, New York via the Site shall in no way be deemed to constitute legal or official notice to Greene County, New York its agencies, officers, employees, representatives or agents with respect to any existing, pending or future claim or cause of action against Greene County, New York or any of its agencies, officers, employees, representatives or agents where notice is required by Federal, state or local law. Nor shall communications to Greene County, New York via the Site be deemed to constitute legal or official notice for any other purpose.

## 8. Limitation of Liability.

IN NO EVENT WILL GREENE COUNTY, NEW YORK AND/OR ITS RESPECTIVE AFFILIATES, CONTENT SUPPLIERS OR THIRD PARTY LICENSORS BE LIABLE FOR (I) ANY DIRECT, INDIRECT, PUNITIVE, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES OR ANY DAMAGES WHATSOEVER (INCLUDING, BUT NOT LIMITED TO, DAMAGES FOR LOSS OF USE, DATA OR PROFITS, AND THE LIKE), ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE USE OF OR INABILITY TO USE THE SITE, OR ANY INFORMATION, OR TRANSACTIONS PROVIDED ON THE SITE, OR DOWNLOADED FROM THE SITE, OR ANY DELAY OF SUCH INFORMATION OR TRANSACTIONS, EVEN IF GREENE COUNTY, NEW YORK OR ITS AUTHORIZED REPRESENTATIVES HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, OR (II) ANY CLAIM ATTRIBUTABLE TO ERRORS, OMISSIONS, OR OTHER INACCURACIES ON THE SITE AND/OR MATERIALS OR INFORMATION DOWNLOADED THROUGH OR FROM THE SITE. BECAUSE SOME STATES DO NOT ALLOW THE EXCLUSION OR LIMITATION OF LIABILITY FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES, THE ABOVE LIMITATION MAY NOT APPLY TO YOU. IN SUCH STATES, GREENE COUNTY, NEW YORK'S LIABILITY IS LIMITED TO THE GREATEST EXTENT PERMITTED BY LAW.

## XI. GENERAL OFFICE PROCEDURES

-Greene County Website Terms and Conditions of Use and Privacy Policy (continued) -

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9. Links to Third Party Sites

Greene County, New York makes no representations whatsoever about any other site that you may access through this Site or which may link to this Site. When you access a non-Greene County, New York site, please understand that it is independent from Greene County, New York, and that Greene County, New York has no control over the content on that site. In addition, a link to a Greene County, New York site does not mean that Greene County, New York endorses or accepts any responsibility for the content, or the use, of such linking site. Any links provided by Greene County, New York are done so to you only as a convenience, and the inclusion of any link does not imply endorsement by Greene County, New York of such linked site or any association with its operators. Linked sites have separate terms of use and privacy policies. Greene County, New York has no responsibility or liability for policies or actions on linked sites or for privacy concerns or content of linked sites, and you access them at your own risk.

10. Privacy Policy

Please review our Privacy Policy, which is part of the Terms & Conditions of Use, for important information concerning the methods and uses of the information that we collect. You represent and warrant that you are of age and that you possess the legal right to use the Site in accordance with these Terms & Conditions of Use. You hereby agree to supervise usage by, and be responsible for the actions of, any minors who use your computer and/or registration account to access the Site.

11. Indemnification

You agree to indemnify, defend and hold harmless Greene County, New York, its officers, directors, employees, agents, licensors, suppliers and any third party information or content providers to the Site from and against all losses, expenses, damages and costs, including reasonable attorney's fees, resulting from any violation of these Terms & Conditions of Use or any activity related to use of the Site (including negligent or wrongful conduct) by you or any other person accessing the Site using your computer or Internet account.

12. Third Party Rights

Any provisions of these Terms & Conditions of Use that are for the benefit of Greene County, New York and its officers, directors, employees, agents, licensors, suppliers, and any third party information or content providers to the Site shall have the right to assert and enforce those provisions directly against you on its own behalf.

13. Termination; Access Restriction.

Greene County, New York reserves the right, in its sole discretion, to terminate or refuse your access to the Site and the related services or any portion thereof, without notice, if Greene County, New York believes that your conduct violates these Terms & Conditions of Use or applicable law or is harmful to the interests of Greene County, New York or its affiliates or other users of the Site. The provisions relating to copyrights, trademarks, disclaimers, limitations of liability, and indemnification shall survive termination.

## XI. GENERAL OFFICE PROCEDURES

-Greene County Website Terms and Conditions of Use and Privacy Policy-  
(continued)

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## 14. Miscellaneous.

These Terms & Conditions of Use shall be governed and construed in accordance with the laws of the State of New York applicable to agreements made and to be performed in the State of New York without regard to conflicts of law principles. You agree that any legal action or proceeding between Greene County, New York and you for any purpose concerning this Agreement or the parties' obligations hereunder shall be brought exclusively in the Northern District of New York federal court or Greene County State Supreme Court. Any cause of action or claim you may have with respect to the Site must be commenced without one (1) year after the claim or cause of action arises or such claim or cause of action is barred. Greene County, New York's failure to insist upon or enforce strict performance of any provision of this Agreement shall not be construed as a waiver of any provision or right. Neither the course of conduct between the parties nor trade practice shall act to modify any provision of this Agreement. Greene County, New York may assign its rights and duties under this Agreement to any party at any time without notice to you.

For comments, suggestions or corrections regarding the information contained on this site, please contact our webmaster at [webmaster@discovergreene.com](mailto:webmaster@discovergreene.com).

Greene County Website Privacy Statement.

1. Automatic Data Collection

When a visitor requests a page of information from a site, information about the request is automatically stored in a log file. This information includes the address of the computer making the request (the Internet address, not the street address), the time and date of the request, the type of web browser being used, and sometimes, the page from which the request originated. The information does not contain the visitor's name or e-mail address, since the visitor's browser does not provide this information to the web server. Greene County may analyze these log files to learn about how visitors are using the content on the site. This information can be used to allocate resources effectively and improve the content of our site.

2. Information Collected When You E-Mail or Complete a Transaction

During your visit to this site, you may send an e-mail to Greene. Your e-mail address, and the contents of your message, will be collected. The information collected is not limited to text characters and may include audio, video and graphic information formats included in the message.

Your e-mail address and the information included in your message will be used to respond to you, to address issues you identify, to improve this site, or to forward your message to another County agency for appropriate action. Your e-mail address is not collected for commercial purposes and Greene County is not authorized to sell or otherwise disclose your e-mail address for commercial purposes.

## XI. GENERAL OFFICE PROCEDURES

## -Greene County Website Terms and Conditions of Use and Privacy Policy (continued)-

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During your visit to this site, you may complete a transaction such as a survey, registration or order form. The information, including personal information, volunteered by you in completing the transaction is used by Greene County to operate Greene County's programs, which include the provision of goods, services and information. The information collected by Greene County may be disclosed by Greene County for those purposes that may be reasonably ascertained from the nature and terms of the transaction in which the information was submitted. The data may be used to send e-mail announcements of events on the site to users who registered for similar events. The data may also be used for direct mailings to Greene County customers. In the case of requests for tourism information, the data will also be supplied to various tourism businesses in Greene County. These businesses use the address information for targeted mailings, and may supply the information to other businesses and firms.

If you do not want to receive such mail, or do not want your information shared with the various tourism businesses, when you communicate with one of our departments, you may opt to be not included in mailings. If a particular registration form does not have this option, you can send an e-mail to Greene County at [webmaster@discovergreene.com](mailto:webmaster@discovergreene.com) requesting that you not be included in any direct mailings. All requests must include your name and the section for which you were registering so that we can effectively remove you from the database. Greene County does not knowingly collect personal information from children or create profiles of children through this site. However, be cautioned that the collection of personal information submitted in an e-mail will always be treated as though it was submitted by an adult (or with parental approval and supervision), and may, unless exempted from access by federal or State law, be subject to public access.

**Greene County strongly encourages parents and teachers to be involved in children's Internet activities and to provide guidance whenever children are asked to provide personal information on-line.**

3. Information and Choice

As noted above, Greene County does not collect any personal information about you unless you provide that information voluntarily by sending an e-mail, responding to a survey, or completing an on-line form. You may choose not to send us an e-mail, respond to a survey, or complete an on-line form. While your choice not to participate in these activities may limit your ability to receive specific services or products through this site, it will not normally have an impact on your ability to take advantage of other features of the site, including browsing or downloading information.

4. Disclosure of Information Collected Through The Site

The collection of information through this site and the disclosure of that information are subject to the provisions of the Internet Security and Privacy Act. Greene County will only collect personal information through this site or disclose personal information collected through this site if the user has consented to the collection or disclosure of such personal information. The voluntary disclosure of personal information to Greene County by the user, whether solicited or

## XI. GENERAL OFFICE PROCEDURES

-Greene County Website Terms and Conditions of Use and Privacy Policy-  
(continued)

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unsolicited, constitutes consent to the collection and disclosure of the information by Greene County for the purposes for which the user disclosed the information to Greene County, as was reasonably ascertainable from the nature and terms of the disclosure.

However, Greene County may collect or disclose personal information without consent if the collection or disclosure is: (1) necessary to perform the statutory duties of Greene County, or necessary for Greene County to operate a program authorized by law or authorized by state or federal statute or regulation; (2) made pursuant to a court order or by law; (3) for the purpose of validating the identity of the user; or (4) of information to be used solely for statistical purposes that is in a form that cannot be used to identify any particular person.

Further, the disclosure of information, including personal information, collected through this site, is subject to the provisions of the New York State Freedom of Information Law and the Personal Privacy Protection Law.

Greene County may disclose personal information to federal or state law enforcement authorities to enforce its rights against unauthorized access or attempted unauthorized access to Greene's information technology assets.

5. For More Information

For information on protecting your personal information both on- and off-line, see the Federal Trade Commission's [privacy pages](#). The [Electronic Privacy Information Center](#) has news and resources on online privacy.

XI. GENERAL OFFICE PROCEDURES

-HIPAA (Health Insurance Portability and Accounting Act)-

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**POLICY:** The privacy provisions of the Federal Health Insurance Portability and Accounting Act (HIPAA) are applicable to Greene County.

**INFORMATION:** Said provisions must be made operational by April 14, 2003.

**PROCEDURE:** By Resolution No. 186-03, adopted May 21, 2003, Greene County appointed the County Attorney as the HIPAA Chief Privacy Officer for the purposes of HIPAA implementation and compliance and also appointed the HIPAA Steering Committee, comprised of the individuals holding the following offices:

1. Commissioner of Social Services;
2. Director of Public Health Nursing;
3. Director of Mental Health;
4. Director of Family Planning Services;
5. Director of the Department for the Aging;
6. Director of Human Resources.

The Chief Privacy Officer and the HIPAA Steering Committee shall share HIPAA-related information, communicate often and keep each other updated of department implementation and compliance activities and insure that access control, disaster recovery, incident response and risk management needs of each County Department are properly addressed.

XI. GENERAL OFFICE PROCEDURES

-Contracts with Greene County re: Liability Insurance Required-

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**POLICY:** Proof of insurance coverage is required to be provided to Greene County by various agencies and independent contractors entering into contracts and/or agreements with Greene County. In addition, Greene County must be named as additional insured on the insurance policy “as interest may appear”.

**INFORMATION:** No contracts between Greene County or any of its various agencies or independent contractors will be approved as to form by the County Attorney’s office unless it has suitable insurance provisions in the contract and a copy of the binder or policy declaration page is attached to the contract, which names Greene County as an additional insured “as interest may appear”.

**PROCEDURE:** All contracts must contain a clause which states that the independent contractor or agency shall indemnify and hold harmless the County against any and all claims, etc. and that they have insurance to cover the liability arising from the activities set forth in the Contract. In addition, proof of such insurance, which names Greene County as an additional insured “as interest may appear”, must be provided in the form of a binder or policy declaration page. If the insurance provided does NOT cover the entire contract period, it is the Department Head’s responsibility to obtain updated insurance prior to expiration of the insurance.

The additional insured should always read: “County of Greene, Attn: “Specific Department”, 411 Main Street, Catskill, NY 12414”.

XI. GENERAL OFFICE PROCEDURES

-Contracts with Greene County re: Worker's Compensation Insurance Required-

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POLICY:	Worker's Compensation Law Section 57 and 220 (8) require all municipal entities to insure that <u>businesses</u> applying for contracts with the County have appropriate workers' compensation and disability benefits insurance coverage.
INFORMATION:	This applies to both an original contract and a renewal. It also applies whether the County is having the work done or is simply issuing the contract.
PROCEDURE:	Any proposed contracts with businesses being sent to the County Attorney's office for approval are to be accompanied by proof of appropriate workers' compensation or disability benefit insurance coverage. Please note that ACORD forms are not acceptable proof of this insurance. If the contractor does not have the appropriate form, it is available at the County Attorney's office or online.

XI. GENERAL OFFICE PROCEDURES

-U.S. Flag and County Flag-

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- POLICY:** The County of Greene complies with the Executive Law with regard to the display of the U.S. Flag. The County of Greene also applies said law to the display of the County Flag.
- INFORMATION:** Article 19 of the Executive Law addresses the display of the US Flag and Section 403 of the Executive Law provides the rules for display of the US Flag on state and local government property.
- PROCEDURE:** The U.S. Flag shall be flown at full staff at all times except it shall be flown at half-staff on the eleventh of September (known as September 11<sup>th</sup> Remembrance Day); the seventh day of December (known as Pearl Harbor Day); and to commemorate the death of a personage of national or state standing or of a local serviceman, official or public servant who, in the opinion of the Chairman of the Legislature contributed to the community. It may also be flown at half-staff during special periods of mourning designated by the President of the United States or by the Governor of this State.

XI. GENERAL OFFICE PROCEDURES

-Use County Website for Advertisement of Bids and Requests for Proposals-

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POLICY:	All advertisements for bids and requests for proposals shall be placed upon the County's website.
INFORMATION:	Many Department Heads advertise to receive bids or proposals for various items such as vehicles, supplies and even professional services. In order to reach the most possible bidders, resulting in more competitive pricing, all such advertisements are to be placed on the County's website.
PROCEDURE:	Copies of advertisements should be electronically submitted to the Information Technology Department, which can be found on Web EOC, in a timely manner, with a request that it be placed on the County's website. The person submitting the advertisement to the I.T. Department must be sure to contact the I.T. Department on the date of the bid/proposal opening and request that said advertisement then be removed from the County's website.

XI. GENERAL OFFICE PROCEDURES

-Use County Website for Legal Notices and Public Notices-

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| POLICY:      | All legal notices and public notices shall be placed upon the County's website under "Public Notices".   |
| INFORMATION: | Department Heads occasionally need to advertise a legal notice or public notice in the local newspaper. Said legal notice or public notice should also be placed upon the county's website.  |
| PROCEDURE:   | A copy of the legal notice or public notice should be electronically submitted to the Information Technology Department by using the electronic Work Order which can be found on WEB EOC. Complete the form and submit to the I.T. Department in a timely manner, with a request that it be placed on the County's website. It is the responsibility of the person submitting the notice to the I.T. Department to contact the I.T. Department on the appropriate date thereafter and request that said notice be removed from the County's website. |

XI. GENERAL OFFICE PROCEDURES

-Use of Legislative Letterhead/Stationery-

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| POLICY:      | Any letters prepared on the Legislative letterhead/stationery, which lists the names of all the Legislators, are to be signed by the Chairman, on behalf of the entire Legislature.   |
| INFORMATION: | The Legislative letterhead/stationery, which lists the names of all Legislators, is the official stationery of the entire Legislature. As such, it cannot be used by any individual Legislators.  |
| PROCEDURE:   | Legislators should contact the Chairman of the Legislature for any letter to be written on behalf of the entire Legislature. This does not preclude individual Legislators from writing their own letters and signing their own name “as Legislator for District No. ____, (Town).” |

XI. GENERAL OFFICE PROCEDURES

-Solicitation-

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POLICY:	No soliciting is allowed on any county property without prior approval from the County Administrator.
PROCEDURE:	Any requests for solicitations must be made in writing to the County Administrator for approval and shall contain the full details of the solicitation, including when, where, how, why and who.

XI. GENERAL OFFICE PROCEDURES

-Americans With Disabilities Act & Grievance Procedure

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**INFORMATION:** The Greene County Human Resources Director and the Greene County Attorney are designated as Greene County's Americans With Disabilities Act Officers.

**POLICY:** It is County Policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. Additionally, the Americans With Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the County to comply with all Federal, state, and local laws concerning the employment of persons with disabilities.

**DEFINITIONS:** In implementing this policy, Greene County will be guided by the then-applicable definitions stated in the ADA or in case law construing the ADA, and applicable state and local law.

**PROCEDURE:** Employees that have a need for a reasonable accommodation should contact the Human Resources Department for forms and information.

**NEW PROCEDURE: SECTION 504 GRIEVANCE PROCEDURE** This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by Greene County. Employment-related complaints of disability discrimination are covered elsewhere, in policies available from the Human Resources Department of Greene County. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available to persons with disabilities upon request. The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to: Nicole Maggio, Director, Greene County Human Resources, ADA Coordinator, 411 Main Street, Suite 339, Catskill, NY 12414. Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. This response will explain the position of Greene County and offer options for substantive resolution of the complaint.

If the response of the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.

Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency's final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. Of further response is indicated, the complainant will be contacted within 15 calendar days.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by Greene County for at least three (3) years.

## XI. GENERAL OFFICE PROCEDURES

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-Social Networking Policy-

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**POLICY:** The County of Greene acknowledges that social networking exists and neither encourages it nor discourages its use. Since much of the information obtained during the course of employment may be subject to confidentiality, none of this confidential information shall be used during personal social networking activities, without the express written consent of the County Administrator or his designee. This Policy is designed to govern and regulate only those activities that might constitute harassment, create a hostile work environment within the County workplace, are in violation of the County Code of Ethics, or violate other applicable Federal, State, or local law or policy, and in no way is intended to impinge on employees' rights of free speech. Employees are reminded that they are responsible for the appropriateness and content of material they transmit or publish on the Internet and are advised that the County's Computer System and Phone and Fax System Use Manual should be read in conjunction with the Social Networking Policy (See Administrative Manual at VI-19.) Employees are also reminded that the County's Discrimination and Harassment Policy and Complaint Procedure applies in full to the use of Social Media. (See Administrative Manual at XI-2).

**PROCEDURE:**

1. Personal Social networking activities should only be done on personal time and personal equipment. Social networking should never be done on County equipment or County time, unless such activity is being performed for a work-related purpose, and has been approved by the County Administrator or applicable Department Head. Only those employees who are designated to engage in social networking activities by the County Administrator or Department Head for County-related purposes are authorized to engage in such activity on behalf of the County. There is no reasonable expectation of privacy for an employee who uses publicly-accessible social networking sites or uses any County-owned or issued equipment to transmit or view electronic information. Further, the County reserves the right to monitor County-owned or issued electronic equipment at any time.
2. Social Media used for social networking purposes may include, but is not limited to: Facebook, MySpace, Twitter, LinkedIn, YouTube, and other services that permit the posting and/or exchange of information in an electronic format via the Internet. The County reserves the right to monitor employee use of social media to the extent permitted under applicable law and/or policy. Unless designated as per paragraph 1 above, employees are not authorized to speak on behalf of the County, or to represent that they do so.
3. Information published using social media should comply with the County's confidentiality and disclosure of proprietary data policies. This also applies to comments posted on other blogs, forums and social networking sites.
4. Recognize that you are legally liable for anything you write or present online. Employees can be disciplined by the County for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, and libelous, can create a hostile work environment, or are otherwise contrary to applicable law and/or policy. Employees can also be sued by any individual, including other County employees or companies that view their commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous, tending to create a hostile work environment, or otherwise contrary to applicable law.

XI. GENERAL OFFICE PROCEDURES

-Social Networking Policy-  
(continued)

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5. County logos may not be used without written consent from the County Administrator.
6. Media inquiries about the County and its current and potential policies, employees, partners, clients and customers should be referred for coordination and guidance to the County Administrator.
7. While not all information learned in the course of employment is confidential, employees are encouraged to honor the privacy rights of other current employees by seeking their permission before writing about or displaying internal County happenings that might be considered to be a breach of their privacy. As detailed above, publication of confidential information is strictly prohibited unless authorized by the County Administrator or his designee.
8. Employees officially designated to use social media on behalf of the County are to abide by this Policy and their Departmental social networking policy, if such exists. In the event there is a conflict between the policies, this Policy shall control.

XI. GENERAL OFFICE PROCEDURES.

CELL PHONE USAGE POLICY:

SECTION 1: USE OF COUNTY-OWNED CELL PHONES

SECTION 2: USE OF PERSONAL CELL PHONES

SECTION 3: USE OF CELL PHONES WHILE OPERATING A MOTOR VEHICLE

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**SECTION 1: USE OF COUNTY OWNED CELL PHONES:**

**POLICY:** The County expects all Greene County employees to comply with New York State's Vehicle and Traffic Law Section 1225-c.

Purpose: It is the policy of the County of Greene to facilitate efficient and effective communication during the conduction of county business.

Policy: The County of Greene encourages the use of cell phones:  
-to facilitate useful communication  
-to improve safety in the event of an emergency  
-cell phones will be used in accordance with the following County Protocol and applicable regulations and laws.

Definition: A long-range electronic device used for mobile telecommunication over a cellular network.

**PROTOCOL:**

1. County cell phones are only to be used to facilitate official county business.
2. Every employee has a responsibility to maintain and enhance the County's public image and to use the cell phone in a productive manner.
3. Any unauthorized or improper use is not acceptable and will not be permitted. A violation of this policy is a form of misconduct and will subject an employee to disciplinary action.
4. The County's anti-harassment policy applies in full to cell phone use and harassment of any kind is prohibited.
5. There is to be no transmitting, receiving, or storing of any material that is obscene or pornographic.
6. Employees do not have a personal privacy right regarding any matter created, received, stored, or sent from or on the county cell phone. Employees are responsible for maintaining in "hard copy" documents subject to FOIL.
7. If the cell phone is lost or stolen, the employee's supervisor and the Deputy Budget Officer must be notified immediately so that service can be suspended.
8. Broken or inoperable equipment must be turned in to the Supervisor who will see that it is given to the Deputy Budget Officer for replacement or repair.
9. Cell phones are the property of Greene County and employees shall be responsible for their care and handling. The County reserves the right to charge an employee for lost or damaged phones.
10. Equipment must be maintained in a secure and reliable manner and be readily available for authorized use.
11. Users shall not intentionally modify or delete retained data in a cell phone belonging to another user.

## XI. GENERAL OFFICE PROCEDURES

CELL PHONE USAGE POLICY  
(Continued Section 1 of 3)

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12. Employees must provide the password used to retrieve messages to the agency designee for Department Head retention in the event the cell phone needs to be accessed. In the event the password is changed the designee must be given the new password. The Department Head will keep the password confidential.
  13. There is to be no use that could generate unexpected additional expense to the county department providing the cell phone to the employee.
  14. Personal use is limited to emergency situations only. The employees placing such calls may be subject to paying for the cost of the calls(s).
  15. Toll free calls and incoming calls generate significant charges. If these charges are for a personal reason the employee may be subject to paying these costs.
  16. Significant costs are also incurred when "411" is used (calling information and having a direct connect be made to the number). This option should be avoided.
  17. Cell phones should not be used when the employee is in a county building or in a location where there is access to a standard phone. Cell phone use should be limited to times when an alternative means of communicating is not available.
  18. Employees shall not use hand-held County cell phones while operating a County or personal motor vehicle. Distraction associated with using a cell phone while driving has been shown to increase the risk of a motor vehicle accident.
  19. If a supervisor suspects an abuse of services a copy of the equipment usage records should be requested.
  20. The County reserved the right to routinely monitor how employees use phone systems. The County may monitor to measure cost and management of the system.
  21. All messages sent or received over the cell phone are County property and shall not be considered private information.
  22. Games are not to be played on County cell phones.
  23. If necessary the cell phone may be used to collect location data.

**CARE AND HANDLING:**

Cell phones are to be kept clean, dry and secure at all times. Use the case provided to add additional protection to the phone. Avoid dropping the phone as this may result in damage to the unit. Do not leave the phone unattended.

XI. GENERAL OFFICE PROCEDURES

CELL PHONE USAGE POLICY (Continued)

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**SECTION 2 OF 3: USE OF PERSONAL CELL PHONES:**

**POLICY:** Department Heads may restrict or limit the use of personal cell phones at their sole discretion if they feel it is interfering with the work of the employee or delivery of County services.

**SECTION 3 OF 3: USE OF CELL PHONES WHILE OPERATING A MOTOR VEHICLE**

**POLICY:** The County expects the user to pull to the side of the road for cell phone usage while acting in furtherance of their duties as an employee of the County.

**INFORMATION:** New York's Vehicle and Traffic Law Section 1225-c prohibits the use of a cell phone while driving except in emergency situations or when the driver utilizes a hands-free device.

**PROCEDURE:**

1. All County employees who use cell phones, whether municipally owned or not, must comply with any and all State laws regulating the use of cell phones while operating a motor vehicle.
2. If it is learned that an employee misused the cell phone in violation of State law, discipline will attach or cell phone use will cease.
3. County employees will be held to a standard regarding the use of the cell phone that respects the State law as it currently stands or is implemented in the future.

XI. GENERAL OFFICE PROCEDURES

SUMMARY OF WHISTLEBLOWER LAWS  
LABOR LAW SECTION 740, CIVIL SERVICE LAW SECTION 75-b  
and NEW YORK STATE FINANCE LAW ARTICLE XIII  
(NEW YORK FALSE CLAIMS ACT)-

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- POLICY:** Public and private employers cannot discipline or take retaliatory action against employees who disclose or threaten to disclose activities, policies or practices that violate laws or regulations or threaten public health or safety. The protections extend to public employees who disclose to a governmental body information that they reasonably believe to be an improper governmental action. Aggrieved employees can sue for reinstatement, back-pay and benefits and may be entitled to courts costs and attorney fees. A prevailing employer may recover court costs and attorney fees if the suit is not based on law or fact.
- INFORMATION:** In 2007, New York State passed the New York State False Claims Act. This New York whistleblower law allows a private citizen with inside knowledge of fraud to bring a lawsuit on behalf of the government and to receive up to 30% of the proceeds. The New York Legislature, while investigating potential Medicare fraud, uncovered significant and diverse fraud being committed on the state, as well as fraud on local governments. This Act is intended to deal specifically with Medicare and Medicaid fraud.
- In addition to the state laws listed above, there are numerous federal laws with whistleblower protections that apply to public and private employers. An overview of federal provisions can be found on the U.S. Department of Labor website.
- PROCEDURE:** Please use “Whistleblower Report Complaint Form”, Greene County Form #35, which can be obtained from the County Attorney’s office, which includes Directions for Submitting Whistleblower Report Form. In addition, the Greene County Attorney may be contacted, confidentially, for instructions on completing this form, where and when to file the form, and any other questions regarding this procedure.

## XI. GENERAL OFFICE PROCEDURES

## SEXUAL HARASSMENT PREVENTION POLICY

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**I. POLICY STATEMENT**

Greene County is committed to maintaining a workplace free from sexual harassment. Sexual harassment, which includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status, is a form of workplace discrimination. Sexual harassment is considered a serious form of employee misconduct. All employees, interns, volunteers, and non-employees are required to work in a manner that prevents sexual harassment in the workplace. Any employee, intern, volunteer, or non-employee in the workplace who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination. This Policy is one component of Greene County's commitment to a discrimination-free work environment.<sup>1</sup>

Sexual harassment is against the law. All persons have a legal right to a workplace free from sexual harassment. This right can be enforced by filing a complaint internally with Greene County, and/or with a government agency or in court under federal, state or local antidiscrimination laws.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Greene County to liability for harm to targets of sexual harassment. In New York, harassment does not need to be severe or pervasive to be illegal. Harassers may also be individually subject to liability. Those covered by this Policy who engage in sexual harassment, and managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be subject to remedial action or discipline in accordance with law or an applicable Collective Bargaining Agreement.

This Policy also prohibits retaliation against individuals who report or complain of sexual harassment or participate in the investigation of a sexual harassment complaint, as further described herein.

Complaints of sexual harassment must be submitted to the **Sexual Harassment Compliance Officer** which is the **County's Human Resources Director or designee**. In the event that the Sexual Harassment Compliance Officer is the subject of the complaint, complaints must be made to the **Greene County Administrator**. The **Office of the Greene County Attorney** will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever Greene County or its supervisory or managerial personnel receives a complaint about sexual harassment or retaliation, or otherwise knows of possible sexual harassment occurring. Greene County will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment or retaliation is found to have occurred. All persons covered by this Policy, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

All employees, interns, volunteers, and non-employees are encouraged to report any harassment or behaviors that violate this Policy. Greene County will provide a complaint form for the reporting of harassment and to file complaints. Managers and supervisors **are required** to report **any** complaint that they receive, or any harassment that they observe or become aware of in the workplace. Confronting the harasser is not required but is encouraged if the complainant feels it is possible and safe to do so. Anyone covered by this Policy has the right to file a good faith complaint without first communicating with the offender.

<sup>1</sup> Note that other forms of discrimination, as well as harassment based on protected classes or characteristics other than those covered under this policy are covered separately under Greene County's Discrimination and Discriminatory Harassment Policy.

## XI. GENERAL OFFICE PROCEDURES

## SEXUAL HARASSMENT PREVENTION POLICY

**SCOPE**

**A. Who is covered by this Policy?** This Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, volunteers, non-employees and persons conducting business with Greene County 2.

**B. Who can be a target of sexual harassment?** Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees who provide services in the workplace. This Policy also protects volunteers of the Greene County.

**C. Who can be a sexual harasser:** A harasser can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor, or anyone with whom the person interacts while conducting their job duties.

**D. Where can sexual harassment occur?** Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees, interns and/or volunteers are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage can constitute or contribute to unlawful workplace harassment, even if occurring away from the workplace premises or not during work hours.

**II. DEFINITIONS OF PROHIBITED CONDUCT**

**A. What is sexual harassment?** Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of Greene County's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts.

2. Non-employees, as defined by law, includes contractors, vendors and consultants or those who are employees of the contractor, vendor or consultant.

## XI. GENERAL OFFICE PROCEDURES

## SEXUAL HARASSMENT PREVENTION POLICY

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Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; *or*
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, and/or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to offer job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Anyone subject to and/or covered by this Policy who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

**B. Examples of sexual harassment**

Sexual harassment under the law and prohibited by this Policy may include, but is not limited to, the following prohibited conduct:

- Physical assaults of a sexual nature, such as:
  - o Touching, pinching, patting, grabbing, brushing against another person's body or poking another person's body; rape, sexual battery, molestation or attempts to commit these assaults (which should be reported to local authorities as promptly as is possible); or
  - o Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges.)
- Unwanted sexual advances or propositions, such as:
  - o Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other employment benefits or detriments;
  - o Subtle or obvious pressure for unwelcome sexual activities; or
  - o Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.

## XI. GENERAL OFFICE PROCEDURES

## SEXUAL HARASSMENT PREVENTION POLICY

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- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate or treated negatively simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should look or act, including:
    - o Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
    - o Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
  - Sexual or discriminatory displays or publications anywhere in the workplace, such as:
    - o Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace or in a work-related gathering or setting.
    - o This extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
  - Hostile actions taken against an individual because of that individual's sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status, such as:
    - o Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
    - o Sabotaging an individual's work;
    - o Bullying, yelling, name-calling;
    - o Intentional misuse of an individual's preferred pronouns; or
    - o Creating different expectations for individuals based on their perceived identities;
      - ♣ Dress codes that place more emphasis on women's attire;
      - ♣ Leaving parents/caregivers out of meetings.

**C. Retaliation**

In addition to sexual harassment, retaliation for opposing or complaining of sexual harassment or participating in investigations of sexual harassment is prohibited by law and prohibited under this Policy. No person covered by this Policy shall be subjected to such unlawful retaliation. Unlawful retaliation can be any adverse employment action, including being discharged, disciplined, discriminated against, or any action that would keep or discourage anyone covered by this Policy from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

The New York State Human Rights Law and this Policy protect any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under this Policy, the State Human Rights Law or other anti-discrimination law;

XI. GENERAL OFFICE PROCEDURES

SEXUAL HARASSMENT PREVENTION POLICY

- opposed sexual harassment by making a verbal or informal complaint to Greene County (including a supervisor or manager) or by simply informing a supervisor or manager of harassment;
- reported that another employee, intern, volunteer or non-employee covered by this Policy has been sexually harassed; or
- encouraged a fellow employee, intern, volunteer and/or non-employee covered by this Policy to report harassment.

Employees, interns, volunteers, and non-employees who believe they have been subjected to retaliation should report this conduct in accordance with the same reporting procedures as are outlined below. These complaints of retaliation will be investigated in accordance with the same procedures utilized to investigate a complaint of sexual harassment. Individuals also may file complaints of retaliation with the federal or state enforcement agencies (EEOC or New York State Division of Human Rights.) Any individual found to have engaged in retaliation as defined in this Policy may be subject to disciplinary action up to and including termination, and/or other corrective or remedial action as necessary.

**III. REPORTING PROCEDURES AND RESPONSIBILITIES**

**A. Reporting Procedures**

**Preventing sexual harassment is everyone's responsibility.** Greene County cannot prevent or remedy sexual harassment unless it knows about it. Any employee, intern, volunteer or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to the Sexual Harassment Compliance Officer set forth below. Anyone who witnesses or becomes aware of potential or perceived instances of sexual harassment should report such behavior to the Sexual Harassment Compliance Officer.

- **Sexual Harassment Compliance Officer:** Greene County Human Resources Director, or designee
- In the event that the Sexual Harassment Compliance Officer is the subject of the complaint, complaints are to be made to the Greene County Administrator.

Although encouraged, note that neither this Policy nor state or federal law requires that an individual tell an alleged harasser to stop their actions. Failure to do so does not preclude the individual from filing a complaint of sexual harassment. Individuals should feel free to keep written records of any actions which may constitute sexual harassment, including time, date, location, names of others involved, witnesses (if any), and who said or did what to whom.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees, interns, volunteers, and non-employees conducting business in the workplace are encouraged to use this complaint form. Individuals who are reporting sexual harassment on behalf of other employees, interns, volunteers or non-employees should use the complaint form and note that it is on another person's behalf.

Employees, interns, volunteers or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

**B. Supervisory Responsibilities**

All managerial and supervisory personnel of Greene County shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their

## XI. GENERAL OFFICE PROCEDURES

## SEXUAL HARASSMENT PREVENTION POLICY

supervision is free from sexual harassment and retaliation. In addition to being subject to discipline or other remedial action if they engaged in sexually harassing conduct themselves, **all supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report same to the Sexual Harassment Compliance Officer, or designee.** Supervisors and managers will be subject to discipline (or other remedial and appropriate action) for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline or other appropriate remedial action for engaging in retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

**C. Greene County's Responsibilities**

Greene County will be responsible for ensuring that this Policy is provided to employees, interns, and volunteers. Greene County will also ensure that annual training is conducted on sexual harassment.

**D. Bystander Intervention** Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it.

**IV. INVESTIGATION AND RESPONSE PROCEDURES**

**All** complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commencing immediately and completed as soon as possible. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded appropriate due process to protect their rights to a fair and impartial

## XI. GENERAL OFFICE PROCEDURES

## SEXUAL HARASSMENT PREVENTION POLICY

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investigation.

Any employee, volunteer, intern or non-employee may be required to cooperate as needed in an investigation of suspected sexual harassment. As further set forth herein, Greene County will not tolerate retaliation against those who file complaints, support another's complaint, or participate in the investigation of a complaint.

All investigations will be conducted by the Office of the County Attorney. The nature of an investigation may vary on a case-by-case basis dependent upon the circumstances and extent of the allegations. Generally, investigations should be conducted by the Office of the County Attorney and in accordance with the following steps:

- Upon receipt of complaint, the Office of the County Attorney will conduct an immediate review of the allegations, and take interim actions, as appropriate. If the complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create (at a minimum) written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - o A list of all documents reviewed, along with a detailed summary of relevant documents;
  - o A list of names of those interviewed, along with a detailed summary of their statements;
  - o A timeline of events;
  - o A summary of prior relevant incidents, reported or unreported; and
  - o A report of recommendation(s) for the final resolution of the complaint, together with any recommendations for corrective or remedial actions to be taken.
- Keep the written documentation and associated documents in the employer's records.
- Submit the investigation report to the Sexual Harassment Compliance Officer.

Once the investigation report has been submitted to the Sexual Harassment Compliance Officer, they or their designee shall review and make a Final Determination as to whether the Policy has been violated.

The Sexual Harassment Compliance Officer shall promptly notify the complainant of the Final Determination, and also inform the complainant of their right to file a complaint or charge externally as outlined below.<sup>3</sup>

If a complaint of sexual harassment or retaliation is determined to be founded, Greene County may take disciplinary and/or corrective action. The Sexual Harassment Compliance Officer will be responsible for implementing any corrective or remedial actions deemed necessary.

**V. REIMBURSEMENT**

Any employee who has been subject to a judgement of personal liability for intentional wrongdoing in connection with a claim for sexual harassment shall reimburse the Greene County for any monies it paid to a complainant for what was found to be the employee's proportionate share of said judgement.

<sup>3</sup> Where a complaint was filed regarding sexual harassment against an individual other than the person making the written complaint, the person against whom the harassment was directed will be treated as the complainant for purposes of this Policy.

## XI. GENERAL OFFICE PROCEDURES

## SEXUAL HARASSMENT PREVENTION POLICY

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These reimbursements must be made within ninety (90) days from payment by Greene County to the Complainant. A failure to reimburse will result in the sum being withheld directly from the employee's compensation or through enforcement of a money judgement.

**VI. FURTHER CONFIDENTIALITY AND DISCLOSURE**

In recognition of the personal nature of discrimination complaints and the emotional impact of alleged discrimination, Greene County shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees and the workplace setting. For the protection of all individuals who make complaints or are accused of prohibited discrimination, every witness interviewed during an investigation under this Policy will be advised of the confidentiality requirement and instructed not to discuss the complaint, the investigation, or the persons involved. To the extent complaints made under this Policy implicate criminal conduct, Greene County may be required by law to contact and cooperate with the appropriate law enforcement authorities.

The terms of any settlement or other resolution are subject to disclosure UNLESS the Complainant seeks confidentiality. This request for confidentiality may be revoked within a certain time period in accordance with State law.

**VII. FALSE REPORTS**

Reporting of a false complaint is a serious act. In the event it is found that an individual bringing the complaint has knowingly made false allegations, Greene County may take appropriate remedial action and/or disciplinary action in accordance with the provisions of applicable collective bargaining agreement and/or state law.

**VIII. LEGAL PROTECTIONS AND EXTERNAL REMEDIES**

Sexual harassment is not only prohibited by Greene County but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Greene County, individuals may also choose to pursue legal remedies with the following governmental entities **at any time**.

**A. New York State Division of Human Rights (DHR)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, Art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, interns and non-employees. A complaint alleging violation of the Human Rights Law may be filed either with Division of Human Rights or in New York State Supreme Court. Complaints of sexual harassment with DHR may be filed any time **within three years** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Greene County does not extend the time for filing a complaint with DHR or in court. The three years is counted from date of the most recent incident of harassment.

An individual does not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to act to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a

## XI. GENERAL OFFICE PROCEDURES

SEXUAL HARASSMENT PREVENTION POLICY

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complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State. New York State Division of Human Rights also created a **toll-free, confidential hotline at 1-800-427-2773 (1-800-HARASS-3)** to provide counsel and assistance to individuals experiencing workplace sexual harassment, which is available Monday through Friday from 9:00 A.M. to 5:00 P.M.

**B. United States Equal Employment Opportunity Commission (EEOC)**

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within **300** days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an individual believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov)

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

**C. Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

**D. Contact the Local Police Department**

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

**IX. CONCLUSION** The policy outlined above is aimed at providing employees at Greene County and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

XI. GENERAL OFFICE PROCEDURES

SEXUAL HARASSMENT PREVENTION POLICY

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**GREENE COUNTY HARASSMENT COMPLAINT FORM**  
**~ Submit to Sexual Harassment Compliance Officer (Human Resources Director)**  
**or their designee ~**

This form may be used to file a complaint of harassment which is a form of discrimination prohibited by federal law, the New York State Human Rights Law, and Greene County Policy.

Filing this complaint form with Greene County in no way deprives you of the right to file a complaint with the US Equal Employment Opportunity Commission, New York State Division of Human Rights, and/or the Federal/State courts.

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(PLEASE PRINT OR TYPE)

1. Name \_\_\_\_\_

Phone Number \_\_\_\_\_

Residence \_\_\_\_\_

Mailing Address (if different from residence) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

2. Department \_\_\_\_\_

3. Have you filed this charge with a Federal, State or local government agency?

YES/NO: \_\_\_\_\_ When \_\_\_\_\_ Where \_\_\_\_\_  
(Month/Day/Year)

Have you instituted a suit or court action on this charge?

YES/NO: \_\_\_\_\_ When \_\_\_\_\_ Where \_\_\_\_\_  
(Month/Day/Year)

(AN AFFIRMATIVE REPLY TO THIS QUESTION WILL IN NO WAY STOP  
A REVIEW OF YOUR COMPLAINT)

4. Alleged Discrimination Occurred on or about:

Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_ Time: \_\_\_\_\_

Is this alleged discrimination continuing: YES \_\_\_\_\_ NO \_\_\_\_\_?

## XI. GENERAL OFFICE PROCEDURES

## SEXUAL HARASSMENT PREVENTION POLICY

# GREENE COUNTY HARASSMENT COMPLAINT FORM

Are you personally the subject of the alleged harassment? YES \_\_\_\_\_ NO \_\_\_\_\_?

If not, please state the name of the person(s) who are the subject of the alleged harassment:

Describe the alleged act of harassment. Use additional sheets if necessary.

XI. GENERAL OFFICE PROCEDURES

SEXUAL HARASSMENT PREVENTION POLICY

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**GREENE COUNTY HARASSMENT COMPLAINT FORM**

5. Indicate the name(s) of the alleged harasser(s):

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6. State the name(s) of any potential witness(es):

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7. I swear or affirm that I have read the above related facts and that the statements are true and correct to the best of my knowledge, information and belief.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

**INFORMATION PROVIDED HEREIN WILL BE CONFIDENTIALLY MAINTAINED**

XII. LABOR CONTRACTS

-Unions-

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INFORMATION: Greene County is a party to collective bargaining unit contracts with seven public employee unions. They are:

1. Greene County Public Employees Local 968 of the American Federation of State, County and Municipal Employees, Council 66
2. United Public Service Employees Union (UPSEU)
3. Greene County Unit 7000 of the Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO
4. Greene County Unit 7002 of the Civil Service Employees Association, Inc. (Emergency Services and Probation Depts.)
5. Greene County Public Employee, Teamsters Local 294, Affiliated with the International Brotherhood of Teamsters
6. Greene County Deputy Sheriff's Association, AFSCME Council 82, Deputy Sheriffs' Unit
7. Council 82, Local 9420, Greene County Correction Officers Union, AFSCME, AFL-CIO

PROCEDURE: Most questions about employee rights and responsibilities can be answered by consulting the appropriate labor contract. If questions remain after consulting the contract, the Department Head having jurisdiction should request a formal determination from the County Human Resources Department. A copy of such request must be filed with the County Administrator.

XIII. OTHER INFORMATION SOURCES

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**Source****Available From**

Civil Service Rules for Greene County

Greene County Civil Service Commission

Code of Ethics

Clerk, Greene County Legislature

Directory, Greene County, NY (list of officials)

Clerk, Greene County Legislature

Collective Bargaining Agreements

Greene County Human Resources Dept.

- Nurses – United Public Service Employees Union (UPSEU)
- Highway Department – AFSCME
- General Employees – CSEA Unit 7000
- Emergency Services and Probation – CSEA Unit 7002
- Solid Waste Employees – Teamsters
- Deputy Sheriff's – AFSCME, Council 82
- Council 82, Local 9420 Greene County Correction Offices Union, AFSCME, AFL-CIO

Greene County Budget

Greene County Deputy Budget Officer

Minutes of the Legislature meetings

Clerk, Greene County Legislature

Greene County's website

[www.discovergreene.com](http://www.discovergreene.com)