**[Agency Logo]**

**[Agency Name]**

 **Employee Handbook**

**[Name],** **[Administrator/Director]**

Disclaimer

This handbook was created by the Idaho Division of Human Resources and has been formatted for state agency adoption. The adopting agency must review the entire handbook and all appendices prior to use. Items that must be modified have been highlighted in yellow, however edits should not be limited to only those identified items.  Agency legal counsel needs to review the final draft ensuring compliance with state and agency policies before disseminating to staff.

Contents

[Disclaimer 2](#_Toc68786227)

[Welcome and Purpose of the Handbook 7](#_Toc68786228)

[[Agency]’s Role in State Government 7](#_Toc68786229)

[[Agency] Strategic Plan 7](#_Toc68786230)

[Policies Related to Federal and State Employment 8](#_Toc68786231)

[Equal Opportunity 8](#_Toc68786232)

[Respectful Workplace Policy 8](#_Toc68786233)

[Reasonable Accommodations Policy 9](#_Toc68786234)

[Background and Reference Checks 9](#_Toc68786235)

[Idaho Protection of Public Employees Act 10](#_Toc68786236)

[Employment Categories and Definitions 10](#_Toc68786237)

[[Agency] Independent Contractors 12](#_Toc68786238)

[Employment Information / Personnel Data Changes 12](#_Toc68786239)

[Probation Periods 12](#_Toc68786240)

[Performance Evaluations 13](#_Toc68786241)

[Employee Compensation 14](#_Toc68786242)

[Merit Raises/Bonuses 14](#_Toc68786243)

[Appointments and Transfers 14](#_Toc68786244)

[Outside Employment 14](#_Toc68786245)

[Separation of Employment 15](#_Toc68786246)

[Resignation of Position 15](#_Toc68786247)

[Failure to Return to Work 15](#_Toc68786248)

[Retirement 15](#_Toc68786249)

[Insurance 15](#_Toc68786250)

[Leave Balances 15](#_Toc68786251)

[Policies Related to Hours of Work / Employee Breaks 15](#_Toc68786252)

[Employee Work Hours and Breaks 15](#_Toc68786253)

[Core Hours 16](#_Toc68786254)

[Lunch Breaks 16](#_Toc68786255)

[Additional Breaks 16](#_Toc68786256)

[Flex Time and Telecommuting Policy 16](#_Toc68786257)

[Travel Policy 16](#_Toc68786258)

[Timekeeping, I-Time, and Bi-Weekly Payroll 17](#_Toc68786259)

[Overtime/Compensatory Time 18](#_Toc68786260)

[Payroll 18](#_Toc68786261)

[Payroll Deductions 19](#_Toc68786262)

[Direct Deposit and Electronic Pay Stub 19](#_Toc68786263)

[W-4 Form 20](#_Toc68786264)

[State Income Tax Forms 20](#_Toc68786265)

[Form I-9 and E-Verify 20](#_Toc68786266)

[Policies Related to Information Technology 21](#_Toc68786267)

[Internet Use, Electronic Mail, IT Equipment, Cybersecurity Training and Social Media Policy 22](#_Toc68786268)

[Employee Mobile Phone Policy 22](#_Toc68786269)

[Waiver of Privacy Rights 23](#_Toc68786270)

[Policies Related to Communication 23](#_Toc68786271)

[Confidential Information Disclosure 23](#_Toc68786272)

[Management’s Right to Access Information 23](#_Toc68786273)

[Forbidden Use and Content of Communications 24](#_Toc68786274)

[Public Records Requests 24](#_Toc68786275)

[Public Information 24](#_Toc68786276)

[Media Requests 24](#_Toc68786277)

[News Releases 25](#_Toc68786278)

[Web Publications 25](#_Toc68786279)

[External and Internal Communication and Contacts 25](#_Toc68786280)

[Legislative Contact Policy and Procedure 25](#_Toc68786281)

[Policies Related To Workplace Conduct 26](#_Toc68786282)

[State Employee Complaint Line 26](#_Toc68786283)

[Employee Conduct Policy 26](#_Toc68786284)

[Alcohol and Drug-Free Workplace Policy 26](#_Toc68786285)

[Employee Ethics 27](#_Toc68786286)

[Dress Code and Personal Appearance 27](#_Toc68786287)

[Safe Driving Policy 27](#_Toc68786288)

[Political Activities 28](#_Toc68786289)

[Workplace Violence Policy 28](#_Toc68786290)

[Domestic Violence Policy 29](#_Toc68786291)

[Safety-Loss Prevention Policy 29](#_Toc68786292)

[Continuity of Operations Plan (COOP) 29](#_Toc68786293)

[Disciplinary Action 29](#_Toc68786294)

[Problem Solving and Due Process 31](#_Toc68786295)

[Policies Related to Benefits 31](#_Toc68786296)

[Holidays 31](#_Toc68786297)

[Sick Leave 32](#_Toc68786298)

[Vacation Leave 32](#_Toc68786299)

[Family Medical Leave Act 33](#_Toc68786300)

[Paid Parental Leave 34](#_Toc68786301)

[Special Leaves 35](#_Toc68786302)

[Leave Donations 35](#_Toc68786303)

[Bereavement 35](#_Toc68786304)

[Medical, Dental, and Vision Benefits 35](#_Toc68786305)

[Flexible Spending Accounts 36](#_Toc68786306)

[Life and Disability Benefits 36](#_Toc68786307)

[Retirement Benefits 37](#_Toc68786308)

[Public Employee Retirement System of Idaho 37](#_Toc68786309)

[PERSI 401K Choice Plan 37](#_Toc68786310)

[457 Retirement Plan – Nationwide Public Employees Benefit Services Corporation 37](#_Toc68786311)

[(PEBSCO) Deferred Compensation Plan 37](#_Toc68786312)

[Idaho National Conference on Public Employee Retirement Systems Plan (NCPERS) 37](#_Toc68786313)

[Additional Voluntary Benefits 37](#_Toc68786314)

[Idaho College Savings Program (IDeal) 37](#_Toc68786315)

[Life Flight Network 37](#_Toc68786316)

[Consolidated Omnibus Budgets Reconciliation Act (COBRA) 38](#_Toc68786317)

[Health Insurance Portability and Accountability Act (HIPAA) 38](#_Toc68786318)

[Educational Assistance Policy 38](#_Toc68786319)

[Workers’ Compensation 39](#_Toc68786320)

[Employee Handbook Receipt and Acknowledgment 40](#_Toc68786321)

[Statewide Policies and Procedures 41](#_Toc68786322)

[Appendix: [Agency] Agency Policies 42](#_Toc68786323)

[Appendix A: Reasonable Accommodation 42](#_Toc68786324)

[Appendix B: Performance Evaluation 45](#_Toc68786325)

[Appendix C: Conflict of Interest 46](#_Toc68786326)

[Appendix D: Flextime and Telecommuting 49](#_Toc68786327)

[Appendix E: Overtime and Hours of Work 52](#_Toc68786328)

[Appendix F: Internet Use 56](#_Toc68786329)

[Appendix G: Employee Mobile Phone 59](#_Toc68786330)

[Appendix H: Public Records Request 61](#_Toc68786331)

[Appendix I: Public Information Web Publishing 63](#_Toc68786332)

[Appendix J: Legislative Contact Policy 64](#_Toc68786333)

[Appendix K: Employee Conduct 65](#_Toc68786334)

[Appendix L: Alcohol and Drug Free Workplace 69](#_Toc68786335)

[Appendix M: Dress Code and Personal Appearance 70](#_Toc68786336)

[Appendix N: Safe Driving Policy 71](#_Toc68786337)

[Appendix O: Workplace Violence 74](#_Toc68786338)

[Appendix P: Safety-Loss Prevention 76](#_Toc68786339)

[Appendix Q: Continuity of Operations Plan (COOP) 81](#_Toc68786340)

[Appendix R: Problem Solving and Due Process 82](#_Toc68786341)

[Appendix S: Educational Assistance 86](#_Toc68786342)

[Agency]

Welcome and Purpose of the Handbook

Congratulations and welcome to the [Agency] ([Agency] or “Agency”). [Agency] strives to provide an employee-friendly environment where employees are able thrive as we achieve even more demanding challenges. [Agency] is committed to serving the citizens of Idaho by serving those employed by the State.

This handbook is designed to acquaint you with [Agency] and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. Employees are expected to read, understand, and comply with all provisions of the handbook. This handbook provides an overview of the Agency’s expectations, policies, procedures, and the benefits that may be available to eligible employees. Employees should reference applicable laws, policies, and websites to obtain all information for topics listed in the handbook. Websites and resources are linked throughout the handbook for your convenience. Please also consult with your supervisor if you need assistance to access all information, policies, and benefits offered.

This handbook, and the policies set forth herein, do not constitute a contract (express or implied), nor are they to be construed as constituting contractual obligations of any kind or a contract of employment between the Agency and its Employees. This handbook does not guarantee any fixed terms or conditions of employment.

The [Administrator/Director] of [Agency] reserves the right to modify, change, disregard, suspend, or cancel at any time with or without written or verbal notice, all or any part of the handbook’s contents as circumstances may require. Please consult with your supervisor for any questions or concerns regarding the content listed in the handbook.

Although every effort will be made to keep employees informed, the information described in this handbook is subject to change with or without written or verbal notice, and revised information may supersede, modify, or eliminate existing information at any time. Furthermore, to the extent that any of the information in this handbook is inconsistent with actual plan documents, the actual plan documents will supersede.

[Agency]’s Role in State Government

[Insert Agency’s Role in State Government]

[Agency] Strategic Plan

**Mission:**

[Insert Agency’s Mission]

**Vision:**

[Insert Agency’s Vision]

**Key External Factors:**

[Insert Key External Factors]

For a complete version of the [Agency]’s Strategic Plan visit the [Agency] website by clicking [Link to Agency Website].

Policies Related to Federal and State Employment

### Equal Opportunity

The State of Idaho is an equal opportunity employer, and its policies, procedures, and personnel programs are administered without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state, or local laws. The State complies with applicable federal, state and local laws governing non-discrimination and harassment in employment at every location. This policy of equal employment opportunities applies to appointments, promotions, demotions, separations, transfers, compensation, or other terms, conditions, or privileges of employment, personnel programs, policies, procedures, and terms and conditions of employment.

### Respectful Workplace Policy

The State of Idaho is committed to a work environment in which all individuals are treated with dignity and respect. Every employee has the right to work in a professional atmosphere promoting equal employment opportunities and prohibiting unlawful discriminatory practices, including harassment. All employees are required to complete Respectful Workplace training upon hire and annually thereafter.

It is the policy of the State to ensure equal employment opportunity for all individuals. In accordance with Title VII of the Civil Rights Act of 1964, discrimination or harassment based on race, color, religion, sex, national origin, age, disability, marital status, citizenship, genetic information, pregnancy, military status, or any other characteristic protected by law is prohibited.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions; or (3) such conduct results in unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive working environment.

Individuals who believe that they have been subject to, or have witnessed, conduct prohibited by this policy should discuss their concerns with an immediate supervisor, human resources, a member of management, or may file a complaint through the [Employee Complaint Line](https://dhr.idaho.gov/employeecomplaintline/). Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. Retaliation against any individual who makes a good-faith complaint regarding discrimination or harassment, or who participates in the investigation of a related complaint, is expressly prohibited.

For information and to review the full policy, please refer to the Statewide Respectful Workplace Policy by clicking [here](https://dhr.idaho.gov/wp-content/uploads/Section9RespectfulWorkplaceFINAL11.2019.pdf).

### Reasonable Accommodations Policy

[Agency] complies with applicable laws ensuring equal employment opportunities to qualified individuals with a disability. [Agency] makes reasonable accommodations, if possible, for known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result. If you are a qualified individual with a disability and require an accommodation to perform essential functions of the job, contact your supervisor or HR representative to request such an accommodation and provide all necessary accommodation forms. [Agency] will engage in the interactive process, working to identify potential barriers that may interfere with the equal opportunity to perform your job and possible accommodations, if any. Reasonable accommodations granted shall be provided in a timely and cost-effective manner.

The Agency will treat all medical information and records as confidential. For additional information and to review the full policy, please see Appendix A.

### Background and Reference Checks

[Agency] is committed to selecting the most qualified and suitable applicants when filling vacancies. As part of the hiring process, the Agency may conduct background and reference checks in compliance with all legal guidelines. All offers of employment subject to a background and/or reference check are contingent upon clear results of a completed thorough check. Background checks may be conducted on all final candidates and on employees who post for a position to transfer or promotional positions including interim or acting positions, as deemed necessary.

Background checks may include:

* **Social Security Verification**
* **Prior Employment Verification**
* **Personal and Professional References**
* **Educational Verification**
* **Criminal History**
* **Motor Vehicle Records**
* **Credit History**

Circumstances may also arise for which such background checks of current employees will be necessary to determine whether their employment status with [Agency] should be changed. This process is necessary to ensure individuals are selected or retained who possess the qualifications to perform the duties of the position most effectively and who are best to serve the Agency.

Information sought during a reference check may include employment history, beginning and ending dates, salary and questions relating directly to requirements of the job. [Agency] will not inquire about age, national origin, economic status, race, religion, disability, or marital status. Questions about medical conditions, impairments, or physical limitations are allowed only as they relate to the applicant’s ability to perform essential functions of the job.

[Agency] reserves the right to determine which checks are necessary based upon the position being filled.

### Idaho Protection of Public Employees Act

[Title 6, Chapter 21](https://legislature.idaho.gov/statutesrules/idstat/Title6/T6CH21/), Idaho Code, establishes Idaho public employees are protected from retaliation for reporting, in good faith, waste, violations of law, rules or regulations, participating in or giving information in informal or formal investigations, or objecting or refusing to carry out a directive they believe violates law, rule, or regulation. This law applies to all three branches of Idaho government, local governments and bodies created by state or local governments.

Employers are forbidden to discharge, threaten or discriminate against the employee's employment in compensation, terms, conditions, location, rights, immunities, promotions, or privileges.

Employees shall report retaliation to their supervisor, the [Administrator/Director], the Idaho Employee Complaint Line, the Governor’s Office, the Attorney General’s Office, or the Idaho Human Rights Commission.

### Employment Categories and Definitions

**Fair Labor Standards Act**

Federal and state laws have established certain employment classifications to ensure employees understand their employment status and benefit eligibility in accordance with the [Fair Labor Standards Act (FLSA](https://www.dol.gov/agencies/whd/flsa)). These classifications do not guarantee employment for any specified period. Accordingly, the right to terminate the employment relationship, at will, at any time is retained by both the Employee and the Agency. Each employee is designated, at minimum, as either Non-Exempt or Exempt from federal and state wage and hour laws. Information and provisions are outlined in [Title 67, Chapter 53](https://legislature.idaho.gov/statutesrules/idstat/title67/t67ch53), Idaho Code, and/or the rules of the [Division of Human Resources and Idaho Personnel Commission](https://dhr.idaho.gov/wp-content/uploads/IDAPA-15.04.01.pdf). The categories are defined below.

* **Non-Exempt (Covered):** Employees are entitled to accrue overtime, compensation time, for hours worked in excess of 40 hours in a work week. Employees defined as Non-Exempt may also be eligible to receive overtime compensation for overtime accrued in accordance with Idaho Code. Overtime is compensated at one and one-half (1 ½) hours for each overtime hour worked.
* **Exempt:** Employees are entitled to accrue overtime, compensation time, for time worked in excess of 40 hours in a work week. Employees defined as exempt are not eligible to receive any overtime compensation for overtime accrued in accordance with Idaho Code. Overtime is accrued at one (1) hour for each overtime hour worked. These exemptions include:
	+ Administrative Employees
	+ Professional Employees
	+ Employees in Computer-Related Occupations
* **Other Exempt:** Employees are not eligible for overtime and overtime is not reported.
	+ Executive Exempt
	+ Board of Education Exempt
* **Non-Covered:** Employees are not eligible for overtime, overtime is not reported, and employees are not covered by the FLSA.

**Work Types**

* **Full-Time:** Employees are not in a temporary or introductory status and who are regularly scheduled to work the Agency’s full-time schedule at forty (40) hours or more per week. They will be eligible for those benefits for which they are qualified under the terms, conditions, and limitations of each benefit program.
* **Part-Time:** Employees are not assigned to a temporary or introductory status and who are regularly scheduled to work less than forty (40) hours per week. While they do receive all legally mandated benefits (such as Social Security and workers’ compensation insurance), they are ineligible for paid vacation or sick time off, or holiday pay and all other benefits unless otherwise specified in this handbook, or current policy statement. They are also not eligible for group insurance.
* **Temporary:** Employees are working for the Agency on a temporary basis and will receive all legally mandated benefits (such as Social Security and workers’ compensation insurance); they are ineligible for all of the Agency’s other benefit programs. Temporary employees may be full or part-time.

**Appointment Types**

* **Classified:** Any person appointed to, or holding a position in, any department of the State of Idaho, which position is subject to the provisions of the merit examination, selection, retention, promotion and dismissal requirements of Title 67, Chapter 53, Idaho Code.
* **Permanent Classified:** An employee who has been certified by the appointing authority to have successfully completed the required probationary period and whose employment is permanent, subject to removal or discipline only under the provisions of Title 67, Chapter 53, Idaho Code, and the rules of [Agency] and Idaho Personnel Commission.
* **Non-Classified:** Any person appointed to or holding a position in any department of the State of Idaho, which position is exempted from the provisions of Title 67, Chapter 53, Idaho Code, as provided for in section 67-5303, Idaho Code.

[Agency] follows the FLSA and all applicable federal and state laws and rules regarding employee compensation. Any employee who believes that a problem exists regarding hours of work, whether a position is non-exempt (covered) or exempt, or any issue related to hours of work and overtime compensation is encouraged to report the issue to their supervisor, manager, or [Administrator/Director] as soon as possible. [Agency] will take prompt action to investigate, make any necessary corrections, and communicate the final determination to the employee. No employee will be subject to retaliation for reporting a wage and hour concern.

### [Agency] Independent Contractors

[Agency] may contract with independent contractors or consultants for work to be performed that cannot be performed by a [Agency] employee, at the discretion of the [Administrator/Director]. However, independent contractors and consultants must fit the criteria established for "employee" versus "contractor". For additional information, please refer to the State of Idaho Fiscal Policies Manual by clicking [here](https://www.sco.idaho.gov/LivePages/scohome.aspx).

[Agency] employees may not interview or select individuals that the contractor provides to fulfill the obligations of the contract. If the contractor provides an individual who is not qualified to perform or fulfill the obligations of the contract, the [Agency] [Administrator/Director] must notify the contractor of their dissatisfaction and address any breach of contract.

### Employment Information / Personnel Data Changes

The Agency maintains personnel files containing certain employment information. Employees may review their own personnel file during regular administrative business hours with prior approval.

It is the responsibility of each employee to promptly notify the Agency of any changes in personnel data, including but not limited to:

* Personal mailing address
* Telephone numbers
* Contact information, number and names of dependents, individuals to be contacted in the event of an emergency.
* Update of educational accomplishments, certifications, and other such documents should be accurate and current at all times.

Employees may update their records by utilizing the employee self-service portal, accessible through the State Controller’s Office website, or by notifying your supervisor.

### Probation Periods

The State of Idaho requires, except as provided in [Rule 040](https://adminrules.idaho.gov/rules/current/15/150401.pdf#page=10), Non-classified Employees Subject to Classified Service Subsequent to APRIL 5, 1985, every appointment and promotion to a classified position be subject to a probationary period. This policy applies to all prospective and existing employees. The probation period serves as a working test period to provide the Agency an opportunity to evaluate a probationary employee’s work performance and suitability for the position. The State established three probation periods as defined below.

* **Entrance Probation:** The probationary service required of an employee at the time of his/her original appointment or any subsequent appointment to State classified service excluding reinstatement and transfer, the duration of which is one thousand forty (1,040) hours of credited State service except for peace officers (defined in Section 19-5101, Idaho Code), who must serve two thousand eighty (2,080) hours.
* **Promotional Probation:** The probationary service required when an employee is promoted, the duration of which is one thousand forty (1,040) hours of credited State service except for peace officers (defined in Section 19-5101, Idaho Code), who must serve two thousand eighty (2,080) hours.

* **Voluntary Probation:** An agreement between employees and the appointing authority for interagency employment actions such as reinstatement, transfer, or voluntary demotion. A voluntary probation is not to be used for employment actions within the agency. The probationary period is negotiable but may not exceed one thousand forty (1,040) hours of credited state service except for peace officers.

The [Administrator/Director] may extend the probationary period of an employee for an additional specified period not to exceed one thousand forty (1,040) hours of credited State service. Extension must occur before an employee has worked one thousand forty (1,040) hours or two thousand eighty (2,080) hours for peace officers. (Ref. Section 67-5309(j), Idaho Code)

Additional probation information may be found in the Rules of the Division of Human Resources ([IDAPA](https://adminrules.idaho.gov/rules/current/15/150401.pdf#page=28)). (Ref. Rule 150.01; 119.02; 040.)

### Performance Evaluations

Employee performance plans provide a means of establishing and communicating major work requirements of the employee’s job description and key responsibilities. The plan includes the goals and objectives to be met as well as the methodology for comparing actual performance to work requirements and expectations.

Performance evaluations provide an objective evaluation by the immediate supervisor of an employee’s performance in comparison with established expectations for the position; and to identify an employee’s strengths and weaknesses and where improvement is necessary. All performance evaluations must be discussed with the employee. Each employee will be allowed opportunity to submit written comments regarding the evaluation contents.

In accordance with Idaho Code, all classified employees must be evaluated for their performance during probationary periods for appointments and promotions and for every two thousand eighty (2,080) hours of credited state service thereafter (generally, an annual basis). Part-time employees must be evaluated on an annual basis. Supervisors are required to manage performance on a consistent basis including completion of performance evaluations on all employees under their direct supervision.

[Agency] uses the [Insert Agency Evaluation Tool] as its current evaluation tool. Employees will be evaluated in accordance with the state expectations outlined and measured by the state rating scale. For additional information and to review the full policy, please see Appendix B.

### Employee Compensation

The State of Idaho provides a competitive merit-based compensation structure to attract qualified applicants to the State workforce; retain employees who have a commitment to public service excellence; motivate employees to maintain high standards of productivity; and reward employees for outstanding performance. This structure is an integral, necessary, and expected cost of providing state services to the citizens of Idaho which complies with applicable federal and state law; and is based on available funding and good stewardship of taxpayer dollars. For additional information and to review the full policy, please click [here](https://dhr.idaho.gov/wp-content/uploads/Section1Compensation_010818.pdf).

### Merit Raises/Bonuses

Merit raises and bonuses may be awarded when funds are available based on the determination of the [Administrator/Director]. Merit raises are reviewed, determined, and approved by the Idaho Legislature on an annual basis. Employees may be considered for a merit raise based on their individual performance evaluation rating.

### Appointments and Transfers

Idaho’s Division of Human Resources (DHR) has the responsibility to oversee the State’s hiring process. This process, known as the merit system, was established by the Idaho Legislature and provides a way for applicants to be recruited, retained, and promoted based on merit and job performance.

[Agency] is committed to providing opportunities to advance within the agency and within the State. As transfer and promotional opportunities arise, qualified employees are encouraged to apply. Employees interested in mobility must follow rules and statutes established by the Idaho Legislature and IDAPA, including but not limited to, applying, completing, and passing an exam. The Agency reserves the right to limit the recruitment to within the agency or to statewide employees.

### Outside Employment

[Agency] recognizes an employee may need or want to hold additional jobs outside their employment with the agency. Employees are permitted to engage in outside employment (this includes self-employment), subject to certain restrictions and should complete a Conflict of Interest Statement. Outside employment is any activity, including consulting, which is beyond the employee's normal responsibilities, and which may result in remuneration to the employee beyond that provided by the Agency. Outside employment must be disclosed and approved by the [Administrator/Director] in advance. Employees should refer to Appendix C for full details regarding outside employment.

### Separation of Employment

### Resignation of Position

Resignation is initiated by the employee to terminate employment with the Agency. The Agency requests that employees give a two (2) week written resignation notice to their supervisor. Both written and verbal resignations are binding.

### Failure to Return to Work

An employee who has not returned to work within five (5) working days after approved paid or unpaid leave or release by his or her physician shall be considered as having voluntarily separated.

### Retirement

Employees separating their employment due to retirement are encouraged to contact [PERSI](https://www.persi.idaho.gov/) about six months prior to the anticipated retirement date.

### Insurance

An (eligible) employee's coverage and the coverage of any and all enrolled eligible dependents will terminate on the last day of the last month for which a premium payment was made.

### Leave Balances

An employee who is separated/terminated will receive final pay for all hours submitted, pay off for all vacation hours remaining, and pay off for comp time hours remaining (if applicable) after all statutory obligations have been deducted. Statutory obligations include (not limited to) insurance, retirement contributions, etc.

Employee will receive their final payroll warrant on the regularly prescribed payday for that pay period. (Two weeks after the pay period in which the separation/termination date occurs.)

It is the responsibility of the employee to make suitable arrangements with any financial institutions or vendors should the final pay amount not meet the employee's obligations. (i.e. direct deposit and voluntary deductions.)

For additional information regarding separations, please refer to [IDAPA rules](https://dhr.idaho.gov/wp-content/uploads/IDAPA-15.04.01.pdf).

Policies Related to Hours of Work / Employee Breaks

### Employee Work Hours and Breaks

The [Agency] office is open 8:00 AM - 5:00 PM, Monday through Friday.

### Core Hours

Supervisors may require an employee who works during normal business hours to be present during certain core times such as 9:30 to 11:00 AM and 1:30 to 3:30 PM Monday through Friday. Supervisors may also establish core hours for flexible schedules such as a requirement those hours of work must occur between 6 AM and 6 PM.

### Lunch Breaks

Every employee is permitted up to a one-hour lunch break. Lunch breaks need to be coordinated with others in your work area and approved by your supervisor.

### Additional Breaks

Every employee is permitted one fifteen-minute break for every four hours worked. Break time cannot be accumulated.

### Flex Time and Telecommuting Policy

[Agency] provides flexible work arrangements at the discretion of the [Administrator/Director], to enable staff and management to serve customers well, meet departmental goals, and balance personal and professional responsibilities. Flexibility in the workplace can provide a way to manage people, time, space, and workload more effectively, efficiently, and responsively. It can also help decrease facility overhead costs, improve ability to recruit and retain valuable employees, and extend hours of customer service.

An employee may request to work a flexible/modified schedule through their supervisor. If such a schedule is approved, it may be changed at any time by the supervisor.

Employees requesting telecommuting arrangements should refer to the [Statewide Telecommuting Policy](https://dhr.idaho.gov/wp-content/uploads/Section7TelecommutingPolicyRev.Sept2020-3.pdf) and complete all required forms. Telecommuting is not a benefit of employment and no employee is entitled to telecommute simply by virtue of his or her employment with the State.

Any work arrangement may be implemented on a trial basis and can be modified at any time with the prior consent of the [Administrator/Director]. Any arrangement can be terminated at any time for any reason. All requests shall be put in writing for approval from the [Agency] [Administrator/Director]. For additional information or to review the full policy, please see Appendix D.

### Travel Policy

[Agency] employees required to travel are expected to follow the State Travel Policy and Procedure as established by Idaho Code [Title 67, Chapter 20](https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH20/). Work assignments that require an employee to travel or to stay out over a weekend or overnight(s) may qualify for expenses, but no time will be compensated beyond travel and actual hours worked. The policy is intended to establish guidelines and limits that promote cost-effective and efficient methods for incurring travel and related expenses while performing official business of the State of Idaho. All travel costs and related expenses claimed to the State must be properly authorized, actually incurred, essential in achieving the goals or fulfilling the responsibilities of the State government entity and conducted in the most economical and practical manner for the State.

For additional information or to review the full policy, click [here](https://www.sco.idaho.gov/LivePages/state-travel-policy-and-procedures.aspx).

### Timekeeping, I-Time, and Bi-Weekly Payroll

The work week for employees of [Agency] is 12:01 AM Sunday through 12:00 Midnight Saturday. All hours worked are to be recorded on the employee’s time sheet and approved by the authorizing supervisor. Employees are prohibited from working “off the clock”. Employees may not volunteer their time in this or other State agencies if they would be performing work similar to their primary State job.

If a non-exempt (covered) employee is expected or permitted by the supervisor to continue to work or is interrupted by work requests, phone calls, etc., during the lunch break, the entire lunch break may be considered work time. More flexibility in scheduling occurs with exempt employees, but all time worked must be reported. If lunch breaks are interrupted, only actual time worked is reported.

Federal and state laws require [Agency] to keep accurate records of time worked and leave time taken for each employee for calculation of pay and benefits. Time worked is the time spent on the job performing assigned duties. Employees are required to use the State reporting system, [I-TIME](https://www.sco.idaho.gov/LivePages/scohome.aspx), to record and submit payroll timesheets. I-Time requires employees to record total hours per day and allows employees to save and update as often as needed during the pay period. Time should be entered into I-Time after the hours have been worked rather than in anticipation of time to be worked.

All employees are responsible for recording accurate timesheets. [Agency] requires requests for time off be submitted through the timekeeping system for approval. Any timesheets requiring correction should be conducted prior to final submission. Please consult with your supervisor for corrections needed after payroll submission.

Accurate preparation and timely submission of timesheets is critical. The electronic submission of the timesheet certifies that employees are accurately reporting the actual hours you worked. All time worked and any exceptions (sick leave, vacation time, etc.) must be recorded on the timesheet. Any exceptions on a timesheet require prior authorization from the supervisor before the timesheet may be submitted.

[Agency] takes every measure to ensure payroll is processed accurately; however, from time-to-time errors do occur. Any discrepancy realized after final submission of your timesheet must be reported to your supervisor upon discovery. Corrections will be made as promptly as possible.

The State of Idaho is on a bi-weekly payroll system. [Agency] employees are paid once every two weeks. The normal payday is on Friday. If a regularly scheduled payday falls on a holiday, paychecks will be distributed on the preceding workday. Depending on the hire date, it may take new hires approximately one (1) month to receive the first paycheck.

Employees may refer to the State Controller’s website, <http://www.sco.idaho.gov/>, for additional information regarding payroll, I-TIME, and timesheet training.

### Overtime/Compensatory Time

When operation requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor’s **prior** authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Eligible employees may accrue overtime for time worked in excess of 40 hours in the State’s legally defined work week, and all hours worked on a holiday. Overtime is calculated on actual hours worked. Time off recorded as sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. Additionally, any work week in which a holiday or multiple holidays occur, holiday hours will not be considered as hours worked for the purpose of calculating overtime.

In an effort to manage overtime, the supervisor may alter the employee’s work schedule, within a normal work week, to the extent that the employee may take an equal amount of time off within the same work week (i.e., employee can take four hours off Friday because he/she worked four extra hours on Tuesday of the same workweek). Supervisors and employees should work cooperatively to select dates to discharge accrued compensatory time in a way that minimizes disruption of [Agency] services. Employee preference should be supported, if possible.

No [Agency] employee shall accrue more than forty (40) hours of compensatory time without the prior written approval of their supervisor. Even when approved, no employee will be allowed to accrue more than 240 hours. Supervisors will be held accountable for managing these accruals.

The sequence leave will be taken is (1) Compensatory Leave, (2) Vacation Leave, provided this does not cause the employee to lose vacation leave due to the maximum accrual limits. If the employee is nearing their maximum vacation limits, an exception to this sequence may be made with prior approval. Additionally, compensatory time will be taken before leave without pay.

Overtime and compensatory time are outlined below in accordance with the FLSA categories and in accordance with [Title 67 Chapter 53](https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH53), Idaho Code.

The State is considered a single employer for determining the number of hours worked. If an employee works for more than one State department, the employee’s combined service will be subject to applicable laws and [Agency] rules governing overtime.

For additional information or to review the full policy, please see Appendix E.

### Payroll

The following information will help you understand payroll issues and the forms you will be required to complete and submit to your payroll representative for processing upon your initial hire. [Agency]’s payroll information is managed by the [Agency’s Payroll Management Entity]. These forms may be completed with your payroll representative or by logging on to the [State Controller’s Office website](https://www.sco.idaho.gov/LivePages/scohome.aspx) and clicking on the Employee Self Service tab. Employees will receive a user name and password from the State Controller’s Office to access this website. The forms include:

* W-4 Form
* State Income Tax Form
* I-9 Form and E-Verify
* Bi-weekly payroll and I-TIME procedures
* Payroll deductions
* Direct Deposit

### Payroll Deductions

The Agency is required by law to make certain deductions from employee paychecks each pay period. Mandatory deductions include:

* Federal Withholding Tax
* Social Security (FICA) - SSDI and SSHI
* State Withholding Tax
* Retirement (if eligible)
* Parking fee, if purchasing a parking permit

In addition, the Agency will comply with all court-ordered garnishments, child support, tax levies, and/or other legally mandated deductions.

Employees may also elect voluntary deductions to be withheld from their paychecks. The list of optional deductions below is not an all-inclusive list, please refer to the [Office of Group Insurance website](https://ogi.idaho.gov/) for additional voluntary benefit options and deductions.

* Medical/dental insurance (eligibility requirements may exist)
* Various supplemental life and/or cancer insurance programs
* Group medical/dental plan for dependents
* Idaho College Savings Program (IDeal)
* Flexible Spending Accounts (FSA)
* Supplemental life insurance
* Deferred compensation

### Direct Deposit and Electronic Pay Stub

It is the policy of the State of Idaho that all employees paid by the State Controller’s Office (SCO) be required to use the direct deposit feature to receive payroll related payments. In accordance with state and federal requirements regarding direct deposit of payroll, the employee may select an eligible financial institution of his/her choice to accommodate the receipt of direct deposit payments.

An employee desiring to request an exemption from the direct deposit requirement shall do so by completing a Direct Deposit Personal Exemption Request Form.

Associated forms and electronic copies of pay stubs can be accessed by visiting the State Controller’s [website](https://www.sco.idaho.gov/LivePages/scohome.aspx).

### W-4 Form

This form is used for tax purposes to indicate the number of exemptions you wish to claim for state and federal withholding.

Employees must furnish a valid, signed Form W-4 on or before the date of employment, indicating the employee’s marital status and the number of withholding exemptions claimed. This number should not exceed the number to which the employee is entitled by law. If an employee fails to provide a Form W-4, the Agency is required to withhold as if the individual were single with zero withholding exemptions.

Non-resident aliens are required to complete a Form W-4 with special circumstances. For information on the proper completion of Form W-4 for non-resident aliens, please contact the payroll department.

There are circumstances wherein employees may choose to amend their Form W-4. Some examples would be divorce, marriage, a birth, or a death in the family.

Employees claiming exemption from withholdings are required to submit a new Form W-4 each year by February 15th to claim such an exemption. If an employee fails to complete a new Form W-4 by the required date, the Agency is obligated to change the employee’s withholding status to single with no other adjustments.

### State Income Tax Forms

Employees must furnish a valid, signed State of Idaho Income Tax Form on or before the date of employment, indicating the employee’s marital status and the number of withholding exemptions claimed, if applicable. This number should not exceed the number to which the employee is entitled by State law. If an employee fails to provide a State of Idaho Income Tax Form, [Agency] is required to withhold as if the individual were single with zero withholding exemptions.

Employees that work in a state that requires a state income tax withholding but reside in a state without state income tax, the Agency is required to withhold the applicable State of Idaho Income Tax.

Employees claiming exemption from withholdings are required to submit a new State of Idaho Tax Form each year to claim such an exemption. If an employee fails to complete a new State Tax Form by the required date, the Agency is obligated to change the employee’s withholding status to single with zero withholding exemptions or with no other adjustments.

### Form I-9 and E-Verify

The Form I-9 is required as proof of your employment eligibility. The Immigration Reform and Control Act of 1986 makes it unlawful to hire any person who is not a citizen of the United States or who is an alien unauthorized to work in the United States. Federal law requires all employers to verify each new employee’s identity and legal authority to work in the United States. All offers of employment are conditioned upon the receipt of satisfactory evidence of an employee’s identity and legal authority to work in the United States.

[Agency] is committed to employing individuals that are authorized to work in the United States. The Agency does not unlawfully discriminate on the basis of citizenship or national original. [Agency] does not intentionally or knowingly hire, or continue to employ, an individual who is not legally authorized to work in the United States. All offers of employment are conditioned upon the receipt of satisfactory evidence of an employee’s identity and legal authority to work in the United States. The Agency requires all new hire employees to complete a Form I-9 as required by law. The Agency also utilizes E-Verify for all new hire employees.

It is against the law to utilize another person’s identity to secure employment. [Agency] will not tolerate any employee utilizing another person’s identity to obtain employment with the Agency.

Policies Related to Information Technology

Employees of [Agency] are expected to adhere to the Idaho Statutes and Executive Orders regarding computer, computer resources, internet, electronic mail usage, and Cybersecurity as outlined in the policies published by Idaho Technology Authority (ITA) and/or Information Technology Services (ITS). Employees may refer to the ITS website, [https://its.idaho.gov](https://its.idaho.gov/), to access all related policies.

The term “computer resources” refers to [Agency]’s entire computer network. Specifically, computer resources include, but are not limited to: host computers, file servers, fax servers, web servers, workstations, stand-alone computers, laptops, software, data files, mobile devices, and all internal and external computer and communications networks (for example, internet, commercial online services, value-added networks, e-mail systems) that may be accessed directly or indirectly from our computer network.

Computer resources shall be considered [Agency] property and are intended to be used only for legitimate state business purposes. Employees are permitted access to the computer resources to assist them in the performance of their jobs. Use of the computer system is a privilege that may be revoked at any time. Each employee is given permission to utilize the network, or other IT access rights, and may only access information that is necessary to perform their job duties. Improperly accessing information on the network that is not related to and within the scope of the user's job may be considered misconduct and will be addressed accordingly.

Computer software, whether purchased, developed, or modified by the Agency, may not be downloaded, copied, reproduced, altered, or appropriated by employees without prior authorization. Any such computer software is the property of [Agency] and may not be copied or appropriated by employees for personal use during employment with the Agency or upon separation. Employees may not access another employee’s electronic mail without proper prior authorization.

### Internet Use, Electronic Mail, IT Equipment, Cybersecurity Training and Social Media Policy

This Internet Usage Policy applies to all employees of [Agency] who have access to computers and the internet to be used in the performance of their work. Use of the internet by employees of [Agency] is permitted and encouraged where such use supports the goals and objectives of the business. As a State agency that values the trust and confidence of the public, we have high standards for the use of State equipment. These are designed to enhance the efficient and effective use of the internet and electronic mail. However, access to the internet through [Agency] is a privilege and all employees must adhere to the policies concerning computer, email and internet usage. All internet data and electronic mail that is composed, transmitted and/or received by [Agency]’s computer systems is considered to belong to [Agency] and is recognized as part of its official data. It is therefore subject to disclosure for legal reasons or to other appropriate third parties.

Per [Executive Order 2017-02](https://adminrules.idaho.gov/bulletin/2017/02.pdf#page=20), all employees are required an annual basis to complete the State’s online cybersecurity training. The responsibility for information security is shared by all employees with access to the Agency’s information. All employees are expected to actively support and participate in the compliance with all related policies. Employees accept responsibility and accountability for compliance with the policies and procedures in order to protect the integrity, reliability, security, and availability of data and systems used.

All agency-related communication through social media outlets (social media Web sites, such as Facebook©, Twitter©, YouTube©, and LinkedIn®) should remain professional in nature and should always be conducted in accordance with the [Agency]’s standards and policies, practices, and expectations. Employees must not use social networking sites for political purposes, to conduct private commercial transactions, or to engage in private business activities. Employees should be mindful that inappropriate usage of social media can be grounds for disciplinary action.

Like e-mail, communication via agency-related social networking Web sites is a public record. This means that both the posts of the employee administrator and any feedback by other employees or non-employees, including citizens, will become part of the public record.

For additional information and to review the Internet Usage Policy, please see Appendix F.

### Employee Mobile Phone Policy

[Agency] responds timely to stakeholder inquiries and needs to quickly address work related issues as they arise. To improve responsiveness and increase flexibility, it is beneficial for certain identified employees to be accessible by phone or email at times when these employees may be outside of the office due to travel, meetings, and varying schedules. Where job or [Agency] needs require immediate access to an employee, [Agency] may issue a business cell phone to an employee for work-related communications.

This policy applies to employees of [Agency] who have been designated by the [Agency] [Administrator/Director] to use a state sponsored mobile phone. Employees designated have the option to use their own personal phone or receive a state-owned phone. Regardless of the option chosen, employees are expected to abide by all information technology, cybersecurity, communications, and waiver of privacy rights policies and guidelines as they extend to the use of mobile phones. Employees electing to use their own personal phone may be eligible for monthly reimbursement to cover all work-related calls, texts, and data connections.

Any employee that opts for the state-owned device shall return the device prior to the final day of employment or at the discretion of the [Administrator/Director].

For additional information, employees may review the full policy in Appendix G.

### Waiver of Privacy Rights

Employees waive any right of privacy in anything they create, store, send, or receive on the computer, mobile phone, other electronic devices or through the internet or any other computer network. Employees consent to allow the Agency to access, review, and monitor all materials users create, store, send, or receive on the computer or through the internet or any other computer network. Employees understand that [Agency] may use human or automated means to monitor use of its electronic data, information and/or computer resources.

Policies Related to Communication

### Confidential Information Disclosure

There may be instances in which confidential information pertaining to clients, fellow workers, and certain functions of [Agency] may, as a part of routine, become known to employees and contractors of [Agency]. Employees and contractors are expected to maintain the confidentiality of information according to [Title 74 Chapter 1](https://legislature.idaho.gov/statutesrules/idstat/title74/t74ch1/), of the Idaho Public Records Act. [Agency] employees and contractors are prohibited from making any disclosure of confidential information to any person other than employees of [Agency] or employees of federal or state regulatory agencies, who are acting in the course of their employment. All employees may consult with their supervisor or the [Agency] [Administrator/Director] should they have any questions. All employees and contractors shall report impermissible access, acquisitions, use, or disclosure of confidential information to their supervisors for assistance and direction.

With the exception of the information in the Idaho Public Records Act, all employee or applicant records are considered to be confidential and are open only to [Agency] personnel; to offices and agencies carrying out their official duties; to persons in compliance with a judicial order; and to persons in an emergency in order to protect the health or safety of employees or other persons. Employees have the right to review, upon request, records pertaining directly to them, and may obtain a copy of their record at no cost. Confidential information may be released to others only after obtaining the employee's/applicant's written consent.

### Management’s Right to Access Information

The Agency’s systems, including but not limited to computers and internet connections, are primarily for business use. Excessive personal or otherwise inappropriate use of [Agency]’s systems may result in disciplinary action, up to and including termination of employment. The Agency has the right, but not the duty, to monitor any and all communications and downloads passing through its communication equipment, at its discretion. Employees have no expectation of privacy with respect to their use of [Agency]’s systems or any information transmitted or shared within the Agency’s systems and, therefore, should not place information they intend to be personal or private on any Agency system.

Any passwords created by an employee on an agency system may only be for the purpose of preventing access by other employees and does not preclude the Agency from acquiring or accessing any information on any Agency computer. Employees may not share their password with any other employees but may be required to disclose all passwords to the appropriate Information Technology personnel.

### Forbidden Use and Content of Communications

Employees may not use agency systems in any way that may be seen as insulting, disruptive, unproductive, offensive, or harmful to morale. Examples of prohibited, non-business purposes include, but are not limited to:

* Conveying insensitive, improper, derogatory, insulting, threatening, or harassing language or remarks.
* Sending sexually explicit messages, propositions, love letters, cartoons, jokes or other potentially offensive material that could be construed to be harassment or disparagement of others in violation of the Respectful Workplace policy.
* Running computer games or other personal software or copying such software.
* Excessive or otherwise inappropriate personal communications or use and,
* Failing or refusing to disclose all passwords to the Agency designated individual.

### Public Records Requests

The Idaho Public Records Act went into effect on July 1, 1990. It sets the ground rules for the release of government information to the public. Persons may request copies of public records without specifying their purpose. In fact, to inquire of their purpose is a violation of the Public Records Act. If you receive a public records request, immediately contact your supervisor or the [Agency] [Administrator/Director]. Your supervisor or the [Agency] [Administrator/Director] will determine whether it is appropriate to refer the request to [Agency]’s Deputy Attorney General. Additional information may be found in the complete policy and by viewing the [Idaho Public Records Act](https://legislature.idaho.gov/statutesrules/idstat/title74/t74ch1/sect74-102) and reviewing the agency’s full policy in Appendix H.

### Public Information

### Media Requests

All requests for information from representatives of the media should be routed through your supervisor to the [Administrator/Director]. Employees who receive such requests should ask for the name of the person making the request, what entity they represent, their telephone number, the general nature of the request, and whether they have a deadline. Employees should indicate that someone who can respond to their questions will get back to them as soon as possible. [Agency] staff receiving media requests should consult with the [Administrator/Director] to determine the best source to respond to the media.

### News Releases

News releases may be drafted at [Agency] but shall be reviewed or edited by the public information officer.  All drafts should be reviewed first by the [Administrator/Director] before being sent outside the agency.

### Web Publications

Agency requests for web publications require the [Administrator/Director]’s approval. The [Administrator/Director], before publication, must approve all [Agency] web information. The final content and message should be consistent and complementary of other web based [Agency] communications.

All staff that have information posted on the website are responsible for maintaining and providing updated information to the [Agency] designated Webmaster.  Attention to detail, especially regarding time-sensitive material, is an important indicator of quality in our website.

For additional information, employees may review the full policy in Appendix I.

### External and Internal Communication and Contacts

Information that may be of interest to [Agency]’s internal and external contacts are to be copied to your supervisor. This ensures communication is shared with all of [Agency]’s internal and external partners, instead of just a select few.

For contact or communication with the Legislature or Executive Offices, discuss with your immediate supervisor or refer to the [Legislative Contact Policy and Procedure](file:///%5C%5CDFMFS-VP01%5CDHR-Data%5CShared%5CPOLICY%20BUREAU%5CPolicy%20Bureau%5CEE%20manual%20DHR%5CLegislative%20Contact%20Policy.docx).

### Legislative Contact Policy and Procedure

The [Agency] [Administrator/Director] serves as the “designated public lobbyist” — the person who is designated as the [Agency]’s single point of contact for the purpose of fulfilling any requirements with the Governor’s office, Secretary of State, or Legislative Body. Only personnel authorized by the [Administrator/Director] may lobby on behalf of [Agency]. If you are unsure of your status, please contact your supervisor.

Employees are expected to advise their supervisor before initiating contact with or if contacted by the Governor’s Office, a Legislator or Legislative staff member.

For additional information, employees may review the full policy in Appendix J.

Policies Related To Workplace Conduct

### State Employee Complaint Line

The State of Idaho Employee Complaint Line was created to allow State employees to submit complaints to DHR. This complaint line is for reporting suspected instances of fraud, waste, abuse, and employment claims in state government. The Employee Complaint Line is a critical part of the Governor’s efforts to protect the integrity and safety of the State of Idaho and its employees. Additional information and instructions on how to submit a complaint can be found on the DHR website by clicking [here](https://dhr.idaho.gov/employeecomplaintline).

### Employee Conduct Policy

[Agency]’s goal is excellence in public service for our customers and the public. Each employee is responsible for both the integrity and consequences of his or her actions. Every employee is expected to follow the highest standards of honesty, integrity, and fairness when engaging in any activity concerning [Agency]. Employees are expected to be aware of standards of conduct and ensure they follow those, using good judgment at all times and in all situations. If employees have questions, they should ask their supervisor or [Administrator/Director]. The Employee Conduct Policy outlines employee expectations including the following:

* Age Requirements
* Personal Use of [Agency] Property
* Dress and Personal Hygiene
* Punctuality/Attendance
* Work Area
* Religious Expression
* Solicitations
* Non-Smoking Policy
* Conflict of Interest

For additional information, employees may review full the policy in Appendix K.

### Alcohol and Drug-Free Workplace Policy

It is the policy of [Agency] to maintain an alcohol and drug-free workplace in accordance with the [Governor’s Executive Order No. 2007-08](https://adminrules.idaho.gov/cindex/15exo.pdf): Establishing the Idaho Alcohol and Drug-Free Workplace Policy. [Agency] is committed to maintaining a work environment free from illegal drugs and drug and alcohol abuse. Employees are prohibited from the unlawful manufacture, distribution, dispensation, possession or use of illegal drugs, controlled substances, and/or alcohol in the workplace.

As a condition of employment, [Agency] employees are required to abide by this drug-free policy and must notify the [Administrator/Director] of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Please refer to the full policy in Appendix L.

If an employee reports to work under the influence of legal or illegal substances and appears to be impaired, they may be subject to reasonable suspicion testing.

### Employee Ethics

All employees of [Agency] are expected to maintain a high standard of honesty, ethics, impartiality, and conduct per State Statute. See[Idaho Ethics in Government Act- Office of the Attorney General](https://www.ag.idaho.gov/content/uploads/2018/04/EthicsInGovernment.pdf)

### Dress Code and Personal Appearance

It is the intent of [Agency] that work attire should complement an environment that reflects an efficient, orderly, and professionally operated agency. Business attire is to be worn Monday through Friday. Appropriate business attire in an office setting is business casual: dress pants and dress shirts. Blazers or suits may be required for some positions or meetings. Footwear should be in good condition and safe for the work performed. Casual business attire will be permitted on Fridays except during Legislative session.

It is the policy of the Agency that all employees comply with a dress code that will contribute to a professional business image of the Agency. During business hours, all employee’s dress, grooming, and personal hygiene should project a clean and neat business appearance. Casual attire such as athletic clothing, cutoff or ripped jeans, casual flip-flops, underwear as outerwear, beach wear, and similar items are not considered appropriate.

The Agency reserves the right to continue, extend, revise, or revoke this policy at its discretion.

Employees who do not follow the standards of appearance may be requested to go home and return in proper business attire. Employees will not be compensated for this time. If you have questions as to what constitutes appropriate attire in your work environment, please consult with your supervisor.

For additional information, employees may review the full policy in Appendix M.

### Safe Driving Policy

The purpose of this policy is to ensure the safety of employees and to provide guidance on the proper use of vehicles while conducting business on behalf of [Agency]. Vehicle accidents can be costly, but more importantly, they may result in injury to an employee and/or others. It is the driver’s responsibility to operate the vehicle in a safe manner to prevent injuries and property damage. [Agency] expects each driver to conduct themselves in a safe, lawful and courteous manner when operating a personal or state provided vehicle to conduct state business. Employees driving on behalf of [Agency] must follow all state and local traffic laws and only use hands free devices while driving.

For additional information, employees may review the full policy in Appendix N.

### Political Activities

The purpose of this policy is to specify permitted and restricted politically-related activity by employees. Idaho law says, "Classified employees retain the right to otherwise participate fully in public affairs, except as prohibited by law, in a manner which does not materially compromise the neutrality, efficiency or integrity in the employees' official duties*."* For further information See [Idaho Code § 67-5311](https://legislature.idaho.gov/statutesrules/idstat/title67/t67ch53/sect67-5311/).

The agency reserves the right to evaluate, on an individual basis, whether or not an employee is acting in accordance with the policy. Any employee wishing to participate in any political activities should do so outside normal business hours. Employees wishing to attend any activities during normal business hours should follow the process for requesting time off. Examples of such activities may include, but are not limited to:

* Voting in any election
* Expressing their personal opinion on political issues and candidates.
* Taking an active part in support of a candidate in partisan or nonpartisan elections.
* Being a member of a political party or organization and participate in its activities.
* Serving as an elected convention delegate.
* Voluntarily contributing to political parties or candidates.
* Taking an active part in political organization management.
* Participating in the nonpartisan activities of a civic, labor, or similar organizations.
* Displaying a political button, poster, or picture.
* Attending a political convention, rally, or other political gathering.
* Signing a political petition as an individual.

Employees may not:

* Demand political contributions from other State employees.
* Use their official authority or influence to bring about any nomination or election to public office.
* Be a candidate or hold an elective partisan office.

### Workplace Violence Policy

[Agency] is committed to providing a safe work environment free from violence for all employees. [Agency] will not tolerate any form of violence in the workplace including verbal or physical threats or through intimidation, which includes the possession of weapons in the workplace, which can undermine the safe and effective performance of employees while they work.

Violence and threats of violence include, but are not limited to:

• An act, which is physically aggressive (hitting, shoving, fighting).

• A substantial, communicated, or suggested intent to harm another, endanger the safety of an employee(s), or destroy property.

• Behavior or actions that carry a potential for violence (throwing objects, waving fists, destroying property, etc.).

• Obsessively directed behavior which threatens, seriously alarms, annoys, or harasses another person, and which serves no legitimate purpose (harassing phone calls, stalking, intensely focusing on a grudge or grievance, or pursuing a romantic interest in another employee who does not share that interest).

• Inappropriate use, display, or possession of firearms, weapons, or any other dangerous devices in the Capital Mall area or near the vicinity of [Agency]’s business premises.

Any potentially dangerous situation must be reported immediately to [Agency Security Contact] or call 911 and also in accordance with [Agency]’s procedures outlined in the procedures section of this policy. For further information and to review the full policy, please see Appendix O.

### Domestic Violence Policy

The State of Idaho offers support and referrals for assistance to employees who are victims and disclose concerns or request help. The Agency will work with the employee to develop an individualized workplace safety plan when necessary and provide any internal an/or external resources available.

The State recognizes and respects an employee’s right to privacy. The employee’s disclosure will remain confidential to the fullest extent possible. Employees are encouraged to disclose the existence of court orders for protection to their supervisor.

For further information and to review the full policy, please click [here](https://dhr.idaho.gov/wp-content/uploads/Section8DomesticViolence.pdf).

### Safety-Loss Prevention Policy

Every employee is expected to adhere to all safety rules and exercise caution in all work activities. Employees should report any unsafe condition(s) to their supervisor immediately. Employees who violate safety standards, cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the event of an accident that results in an injury, regardless of how insignificant the injury may appear, the employee should notify their supervisor as soon as it occurs, or by the end of the shift and no later than seven (7) days. Incident reports are necessary to comply with laws and initiate workers’ compensation benefits, when necessary. Any employee seeking treatment for a work-related injury must notify their supervisor of the need for treatment and comply with all guidelines associated with the agency and workers’ compensation policies, procedures, and laws. Additional information can be found by reviewing the full policy in Appendix P.

### Continuity of Operations Plan (COOP)

[Insert Agency COOP Plan]

For plan details refer to the full policy in Appendix Q.

### Disciplinary Action

The purpose of discipline is to bring an employee's performance up to an acceptable level or to respond to inappropriate conduct. The disciplinary action taken will depend upon the nature and seriousness of the specific circumstances. The agency will act in accordance with IDAPA rules and regulations pertaining to discipline measures up to and including termination.

Any employee in classified service may be dismissed or suspended or otherwise disciplined for any of the following causes outlined in [IDAPA 15.04.01 Rule 190](https://adminrules.idaho.gov/rules/current/15/150401.pdf#page=31) which occur during the period of the employee's employment:

* Failure to perform the duties and carry out the obligations imposed by the State constitution, State statutes, rules and regulations of his/her department or rules and regulations of the Idaho Personnel Commission.
* Inefficient, incompetent, or negligent performance of duties.
* Physical or mental incapability for performing assigned duties or the essential functions of the position after the appointing authority has made reasonable accommodation for the disabling condition.
* Refusal to accept a reasonable and proper assignment from an authorized supervisor.
* Insubordination or conduct unbecoming a State employee or conduct detrimental to good order and discipline in the department.
* Intoxication on duty.
* Careless, negligent, or improper use or unlawful conversion of State property, equipment, or funds.
* Use of any influence, which violates the principles of the merit system in an attempt to secure a promotion or privileges for individual advantage.
* Conviction of official misconduct in office, or conviction of any felony or of any other crime involving moral turpitude.
* Acceptance of gifts in exchange for influence or favors given in an official capacity.
* Habitual pattern of failure to report at the assigned time and place.
* Habitual improper use of sick leave privileges.
* Unauthorized disclosure of confidential information from official records.
* Absence without leave.
* Misstatement or deception in application for employment.
* Failure to obtain or maintain a current license or certificate lawfully required as a condition in performance of duties.
* Prohibited participation in political activities.

The Agency may take disciplinary action against an employee including, but not limited to, coaching sessions, verbal warnings, written reprimand/counseling, suspension, and/or termination depending on the severity of the violation. Although normally applied progressively, any of these disciplinary measures may be used at any time when warranted by the particular circumstances up to and including dismissal.

Any [Agency] employee in a non-classified position is not subject to the provisions outlined in IDAPA regarding progressive discipline, property rights, and due process. Non-classified employees should model their behavior after Rule 190.

Other actions, which may be utilized to improve performance, include involuntary demotion, reductions in pay, and special performance evaluations. Demotion, suspensions, and disciplinary dismissals are appealable to the Idaho Personnel Commission after completion of the due process procedure. Employees should refer to the Due Process section in the handbook for additional details for appeal processes and procedures.

### Problem-Solving and Due Process

After first making a reasonable attempt to discuss and resolve any non-disciplinary matter with his or her immediate supervisor, an eligible employee may utilize the problem-solving process to seek resolution of any job-related matter.

Due process provisions for disciplinary matters involving classified employees with permanent status are also covered under this procedure. For additional details and to review the full policy, please see Appendix R.

All State employees who are classified and have attained permanent status (satisfactory completion of the probationary period) are entitled to due process before [Agency] makes any decision to dismiss, demote, suspend, or involuntarily transfer an employee. Due process requires [Agency] to provide the employee with notice and an opportunity to be heard before such a decision is made.

Due Process information includes:

* Notice of the Contemplated Action
* Notice of the Basis for the Contemplated Action
* Explanation of the Evidence
* Set a Time to Respond
* Opportunity to Respond
* Decision
* Right to Appeal

The Agency policy follows the Problem-Solving and Due Process Procedures outlined in IDAPA. For additional information and to review the full process and procedures, employees should refer to [IDAPA 15.04.01 Rule 200](https://adminrules.idaho.gov/rules/current/15/150401.pdf#page=32).

Policies Related to Benefits

### Holidays

The term "holiday" is a day of exemption from work granted to employees during which the employees are compensated as if they actually worked.

In the event that a holiday falls on a Saturday, the preceding Friday shall be a holiday; and if the holiday falls on a Sunday, the following Monday shall be a holiday. Holidays shall be on the following dates:

* January 1st (New Year's Day)
* Third Monday in January (Idaho Human Rights Day)
* Third Monday in February (President's Day)
* Last Monday in May (Memorial Day)
* July 4th (Independence Day)
* First Monday in September (Labor Day)
* Second Monday in October (Columbus Day)
* November 11th (Veterans Day)
* Fourth Thursday in November (Thanksgiving Day)
* December 25th (Christmas Day)

Employees required to work on the holiday may be eligible to accrue compensatory time based on his/her FLSA code. Please consult with your supervisor or your Human Resources representative for additional details. Employees may refer to the [Agency] website for a complete calendar of recognized holidays or by clicking [here](http://dhr.idaho.gov/information-for-state-employees/).

### Sick Leave

Paid sick time is available for employees to use for their own or an immediate family member’s illness, medical appointments, bereavement and for Employee Assistance Program (EAP) appointments.

When possible, employees are expected to plan time away from work by notifying their supervisor in advance prior to the absence. For example, when scheduling a routine doctor’s appointment or planned surgery an employee’s supervisor should be consulted. Employees must use some type of paid leave for these circumstances (i.e. sick, vacation, or compensatory time).

Whenever absent from work due to illness, notify your immediate supervisor by telephone as soon as possible on the first day of absence and each day thereafter as required by your supervisor.

Sick leave shall accrue at the rate of .04615 hours per hour worked or paid (with the exception of paid compensatory leave). In situations where an individual transfers from one department to another, accrued sick leave shall transfer with the employee.

Employees may refer to the Division of Human Resources website to review the full policy by clicking [here](https://dhr.idaho.gov/wp-content/uploads/Section3Sick.pdf).

### Vacation Leave

[Agency] encourages employees to take an adequate amount of vacation days in such a way that maximizes their vacation benefit.

Vacation leave shall be earned on each hour or major fraction thereof that an employee is present for duty or on approved leave with pay, including vacation, sick, military, or compensatory leave, and holidays. All credited State service shall be counted in determining the leave accrual rate, regardless of the length of separation. Vacation leave shall not accrue to any employee on any kind of leave of absence without pay, suspension without pay, layoff, or when working overtime.

Vacation leave accrual rates and maximums are based upon FLSA designation and hours of service.



An employee’s accrued vacation leave transfers with the employee when transferring from one State agency to another with no break in service. Employees are required to obtain approval from their supervisor prior to the use of vacation leave. Please consult with your immediate supervisor when requesting vacation time off.

Compensatory (comp) time may be used and should be treated under the same rules as vacation leave. Approval of time off will be granted after first considering the business needs of the agency and confirming adequate staffing coverage during the requested time off. Compensatory time should be exhausted before any vacation time can be used. Employees can use both compensatory time and vacation hours during the same pay period only if they do not have enough compensatory time to cover the entire absence. Accumulated compensatory time cannot be transferred to another department within the State. If comp time is not used before transfer or separation from State employment, it is forfeited. Compensatory time lost at the time of transfer or separation cannot be reinstated at a later date.

Employees may refer the Division of Human Resources website to review the full policy by clicking [here](https://dhr.idaho.gov/wp-content/uploads/Section2Vacation.pdf).

### Family Medical Leave Act

The Family and Medical Leave Act (FMLA) is a federal law which entitles eligible employees to unpaid, job protected leave, under qualifying circumstances, as follows: (1) for a qualifying health condition of the employee or a qualifying family member; (2) for the birth or adoption of a child; and (3) for specific purposes to family members of qualifying military service members. To qualify for FMLA leave, the employee must meet eligibility criteria, must submit a written request, and upon return to work must provide a medical release (as appropriate). To be eligible for FMLA, an employee must have been employed with the State of Idaho for a total of at least twelve months and must have at least 1250 hours of service during the twelve-month period immediately preceding the leave.

The FMLA only requires unpaid leave, however, the law permits an employee to elect, or the employer to require the employee, to use eligible accrued paid leave which includes sick, vacation, and compensatory time for some or all of the FMLA leave period.

The State of Idaho uses a rolling 12-month period measured backward from the date an employee uses any FMLA designated leave. Eligible employees may request FMLA as either continuous or intermittent/reduced work schedule. Employees requesting intermittent or a reduced work schedule should schedule their leave so as to disrupt the Agency’s operations as little as possible.

An employee must provide advance notice prior (30 days) to taking such leave when the employee knows in advance of the need to take FMLA. In situations where advance notification is not practical, the employee shall notify the Agency as soon as feasible. Medical certification may be required to request and be approved under FMLA. Employees may be required to provide a Fitness for Duty certification to return to work. While on FMLA leave, the employee’s health and dental benefits will remain unchanged.

For complete information, consult the [FMLA regulations, 29 CFR Part 825](https://www.dol.gov/agencies/whd/fmla/laws-and-regulations), or the Division of Human Resources [here](https://dhr.idaho.gov/wp-content/uploads/FMLA_Policy_Updated_092018.pdf).

### Paid Parental Leave

In accordance with the Families First Act, [Executive Order 2020-003](https://gov.idaho.gov/wp-content/uploads/sites/74/2020/01/eo-2020-03.pdf), eligible State of Idaho employees within the executive branch may use up to eight (8) weeks of paid parental leave due to the birth or adoption of a child, effective July 1, 2020. The purpose of this policy is to enable the employee to care for and bond with a newborn or newly adopted child.

Employees are to refer to the policy for full details and all related information. The policy outlines:

* General Information
* Eligibility
* Use and Compensation of Leave
* Request and Approval to Use Paid Parental Leave
* Use in Conjunction with Other Leave Types
* Effect of Separation on Leave
* Effect of Leave on Probation Status
* Tracking and Reporting

For complete information, consult the Division of Human Resources website by clicking [here](https://dhr.idaho.gov/wp-content/uploads/2020/Policies/Paid-Parental-Leave-Final-6.15.2020.pdf).

### Special Leaves

In addition to sick and vacation leave benefits, other miscellaneous leave benefits may be available to employees and include:

* Leave of Absence without Pay (LWOP)
* Military Leave – (Federal Active Duty)
* Military Leave – (State Active Duty)
* Organ and Bone Marrow Donation Leave
* Administrative Leave with Pay
* Court and Jury Services
* Miscellaneous Leave
* Election Leave
* Religious Leave
* Red Cross Disaster Services Leave

For comprehensive information on any special leave offered to employees, please consult the Division of Human Resources website by clicking [here](https://dhr.idaho.gov/wp-content/uploads/Section5Special.pdf).

### Leave Donations

In the event an employee experiences a catastrophic illness or injury and does not have accrued time off, the employee may request a leave donation. A leave donation, under [Idaho Code 67-5334(g),](https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH53/SECT67-5334/) provides for the transfer of vacation leave to other State employees to be used as sick leave.

[Agency] has specific guidelines addressing the conditions and approval process to transfer or receive leave. The [Agency] [Administrator/Director] must approve the transfer and receipt of leave time. If leave is being donated to an employee in a different agency, signature of appointing authorities is required. Please consult the [Agency] website to view the Leave Donations policy [here](https://dhr.idaho.gov/wp-content/uploads/2020/Policies/DonatedLeavePolicy4.2020.pdf).

### Bereavement

The State offers bereavement leave to provide a time for mourning after the loss of an immediate family member. Employees who need to take time off due to the death of an immediate family member should notify their supervisor immediately. The immediate family includes spouse, child, foster child, parent, brother, sister, grandparent, grandchild, or the same relation by marriage or legal guardian. Time off for any persons not covered under immediate family must be charged to vacation leave. Please refer to the [Sick Leave](https://dhr.idaho.gov/wp-content/uploads/Section3Sick.pdf) policy for additional details.

### Medical, Dental, and Vision Benefits

Eligible employees are provided a wide range of benefits and election is optional. Benefits eligibility is dependent upon a variety of factors, including employee classification. Your local Human Resources representative can identify the programs for which you are eligible. Overviews of these programs can be found on DHR’s website at <http://dhr.idaho.gov/information-for-state-employees/>.

The following benefit programs offered include but are not limited to:

* Medical
* Dental
* Vision
* Prescription Drug Coverage
* Flexible Spending Accounts (FSA)
* Life Insurance
* Disability
* Employees Assistance Program
* PERSI Retirement
* 401k Savings Plans
* Additional Supplemental Insurance Products

Employees will need to access the Office of Group Insurance [website](https://ogi.idaho.gov/) to obtain all benefit information including eligibility, dependent eligibility, premiums, summary plan descriptions, and more. Benefit enrollment will be completed through Self-Service on the State Controller’s website. Training for enrolling online for your benefits is provide through the State Controller’s Office and can be accessed by clicking [here](https://www.sco.idaho.gov/LivePages/on-demand-training-landing.aspx%20).

### Flexible Spending Accounts

Flexible Spending Accounts (FSA’s) offer a convenient and easy way to save money for eligible medical and dependent care expenses. If you are interested, you can participate in either or both of these plans:

* Medical Reimbursement Account:Reimburses out-of-pocket health care costs not covered by any other plan; and
* Dependent Care Account: Reimburses the cost of dependent care necessary for you and your spouse to work or attend school full-time. For more information, visit the Office of Group Insurance’s website.

### Life and Disability Benefits

Eligible employees are provided complimentary basic life and Accidental Death and Dismemberment (AD&D) insurance plans for all eligible employees. Employees are also offered complimentary disability benefits to provide supplemental income while unable to work because of a qualifying disability due to an injury or illness. Completion of the Principal Financial Group enrollment form provides for the designation of a beneficiary and enrolls the employee in the State’s group life, accidental death and dismemberment, dependent life, and disability insurance.

Employees may also purchase Supplemental Life Insurance. Employees wishing to elect additional life insurance will be responsible for the full amount of the premium and will be automatically deducted from the employee’s paycheck.

For more information regarding life and disability benefits, visit the Office of Group Insurance’s website.

### Retirement Benefits

### Public Employee Retirement System of Idaho

Enrollment in the Public Employee Retirement System of Idaho (PERSI) “Base Plan” is mandatory for all benefit-eligible employees. Contributions are deducted from the employee’s salary each pay period and deposited, along with the State contribution, into the State retirement fund. As a PERSI member, each employee has a percentage of their gross salary deducted, pre-tax, from the biweekly paycheck as contributions toward retirement. The State contributes to each employee’s retirement fund. For more information, visit the PERSI website: [https://www.persi.idaho.gov](https://www.persi.idaho.gov/).

### PERSI 401K Choice Plan

The PERSI 401K Choice Plan is open for enrollment to all active PERSI Base Plan members. Election of this plan and all contribution amounts are voluntary. This benefit is separate from and in addition to the mandatory PERSI Base Plan. For more information about the Choice Plan, visit the PERSI website: [https://www.persi.idaho.gov](https://www.persi.idaho.gov/).

### 457 Retirement Plan – Nationwide Public Employees Benefit Services Corporation

### (PEBSCO) Deferred Compensation Plan

The State of Idaho Deferred Compensation Program is an officially sponsored and monitored supplemental retirement savings plan administered by Nationwide. For more information, visit: <http://www.idahodc.com/>.

### Idaho National Conference on Public Employee Retirement Systems Plan (NCPERS)

NCPERS offers low-cost, group term life insurance and accidental death and dismemberment benefits for State employees and their dependents through payroll deduction. For more information visit: [NCPERS Life](https://www.employeebenefitswebsite.com/persi/).

### Additional Voluntary Benefits

### Idaho College Savings Program (IDeal)

The IDeal, offered through the State of Idaho, provides families with an affordable way to save for college. For more information, visit the IDeal Web site at: [http://www.idsaves.org](http://www.idsaves.org/).

### Life Flight Network

Life Flight Network, a nonprofit air medical transport service, has helicopter, fixed-wing, and ground ambulance services. Life Flight provides ICU-level care and life-saving transport to seriously ill or injured patients from the scene of an emergency or from one hospital to another. For additional information, visit the Life Flight Network website at: <https://www.lifeflight.org>.

Additional voluntary benefits offered through the State may viewed on the State Controller’s website by clicking [here](https://www.sco.idaho.gov/LivePages/Deductions%20-%20Alpha%20Order.aspx).

### Consolidated Omnibus Budgets Reconciliation Act (COBRA)

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) allows employees and their dependents to temporarily continue medical and dental coverage at group rates following termination of employment by the employee. Any individual choosing continuation coverage will be charged the employer’s group rate plus an administrative fee.

An employee who separates from employment before the 15th day of the month will have medical, dental, and life insurance though the end of the month. When separation occurs on the 15th of the month or after, coverage will continue through the end of the following month. Continuation of coverage may be available under the COBRA program and/or conversion to individual plans. Specific information for COBRA must be obtained directly from the Office of Insurance Management.

Eligible employees are provided a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the health insurance plan. The notice contains important information about the employee’s rights and obligations.

Employees terminating employment may be eligible to convert their basic life, dependent life, supplemental life, and medical coverage to individual plans. Contact the appropriate insurance agent to obtain conversion information as far in advance of the separation as soon as possible.

### Health Insurance Portability and Accountability Act (HIPAA)

The State values and protects the privacy of our employees, including their health plan information. We strongly believe in protecting the confidentiality and security of information we collect about you. Our health plans (any medical, dental, or vision plan you are enrolled in, or any other State sponsored plan where privacy rules may apply) are required to protect the privacy of your Protected Health Information (“PHI”) and provide you with a HIPAA Notice that outlines our legal duties and PHI privacy practices. A separate HIPAA Notice will be provided to each employee and is available by contacting the Office of Group Insurance.

### Educational Assistance Policy

[Agency] encourages employees to improve their performance by taking courses at colleges, universities, accredited trade or business schools, and by attending seminars and workshops. All such education/training shall require prior approval by the employee’s immediate supervisor. [Agency] may assist in defraying all or a portion of the tuition and fees when the course is related to the employee's job and performance.

For additional information, please review the full policy in Appendix S.

### Workers’ Compensation

All employees of [Agency] are covered under Workers’ Compensation. Coverage pays for medical and kindred expenses for employees who are accidentally injured or occupationally diseased as a consequence of job-related activities.

An accident occurring during normal working hours must be reported before the end of the workday to the employee's supervisor, whether or not medical care is needed. The supervisor will complete the Supervisor Accident Report (SAR) for all accidents or injuries that may or do result in physical harm. If medical care is sought or is anticipate, the supervisor will provide the employee with a [First Report of Injury Form](https://www.idahosif.org/Files/Forms/FROIForm.pdf). The completed form will be sent to the State Insurance Fund within 10 days from when the accident occurred. To review the complete policy, please click [here](file:///%5C%5CDFMFS-VP01%5CDHR-Data%5CShared%5CPOLICY%20BUREAU%5CPolicy%20Bureau%5CEE%20manual%20DHR%5CSafety-Loss%20Prevention%20Policy.docx).

In the event of a disability incurred on the job and covered by Workers’ Compensation, the employee shall be given the choice of either (l) taking a leave of absence without pay while receiving Workers’ Compensation, or (2) utilizing a portion of accrued sick leave and annual leave to supplement Workers’ Compensation to maintain his/her regular salary.

No appointing authority may require an employee to accept sick or annual leave or time off for overtime in lieu of Workers’ Compensation provided by law. Additionally, any employee may not waive his/her rights to Workers’ Compensation and cannot accept earned leave or other benefits in lieu thereof.

For further information about Workers’ Compensation, visit the State Insurance Fund’s website at <https://www.idahosif.org/>.

Employee Handbook Receipt and Acknowledgment

On \_\_\_\_\_\_\_\_\_\_\_(date) I ­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(employee name), received the [Agency] Employee Handbook and understand the policies and rules apply to me and agree to follow them during my employment with [Agency]. I acknowledge these policies are available to me via [Agency]’s shared drive and [Agency]’s website, as well as in print. I understand that employee policies, both electronic and written, may be amended, or altered at any time. If such amendment or alteration should occur, details of the changes will be communicated to me electronically.

I understand and I agree that I have been instructed to carefully review the policies and agree to comply with them, with the understanding that my failure to do so may result in disciplinary action against me, up to and including termination. In addition, I acknowledge the policies referred to above, and all of the policies of [Agency] are internal guidelines intended to provide authoritative statements explaining many of the rights and benefits attendant to my employment; however, said policies are not intended, nor do they create a legal or contractual promise or commitment of employment.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_

Employee Name (Printed)

­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee Signature Date

Statewide Policies and Procedures

These human resource policies are applicable to all State of Idaho executive branch agencies. These policies are designed as a working guide for agency management and human resource staff in the day-to-day administration of our State’s human resource program. They are not promulgated as rules under the Idaho Administrative Procedures Act nor do they carry the force and effect of law. However, a violation of any one of these policies may be grounds for disciplinary action up to and including termination.

* [Section 1 - Compensation](https://dhr.idaho.gov/wp-content/uploads/Section1Compensation_010818.pdf%22%20%5Ct%20%22_blank)
* [Section 2 - Vacation Leave](https://dhr.idaho.gov/wp-content/uploads/Section2Vacation.pdf%22%20%5Ct%20%22_blank)
* [Section 3 - Sick Leave](https://dhr.idaho.gov/wp-content/uploads/Section3Sick.pdf%22%20%5Ct%20%22_blank)
* [Section 4 - Family & Medical Leave Act (FMLA)](https://dhr.idaho.gov/wp-content/uploads/FMLA_Policy_Updated_092018.pdf)
* [Section 5 - Special Leaves](https://dhr.idaho.gov/wp-content/uploads/Section5Special.pdf)
* [Section 6 - Leave Donations](https://dhr.idaho.gov/wp-content/uploads/2020/Policies/DonatedLeavePolicy4.2020.pdf%22%20%5Ct%20%22_blank)
* [Section 7 - Telecommuting](https://dhr.idaho.gov/wp-content/uploads/Section7TelecommutingPolicyRev.Sept2020-3.pdf), Application, Agreement and Safety Checklist
* [Section 8 - Domestic Violence](https://dhr.idaho.gov/wp-content/uploads/Section8DomesticViolence.pdf)
* [Section 9 - Respectful Workplace](https://dhr.idaho.gov/wp-content/uploads/Section9RespectfulWorkplaceFINAL11.2019.pdf%22%20%5Ct%20%22_blank)
* [Section 10 – Paid Parental Leave](https://dhr.idaho.gov/wp-content/uploads/2020/Policies/Paid-Parental-Leave-Final-6.15.2020.pdf%22%20%5Ct%20%22_blank)
* [State Travel Policy and Procedures](https://www.sco.idaho.gov/LivePages/state-travel-policy-and-procedures.aspx)

Appendix: [Agency] Agency Policies

Appendix A: Reasonable Accommodation

**Purpose**

It is the policy of the [Agency] to provide reasonable accommodations for qualified individuals with disabilities who are employees or applicants for employment. [Agency] will adhere to all applicable federal, state and local laws, regulations, and guidelines with respect to providing reasonable accommodations as required to afford equal employment opportunity to qualified individuals with disabilities. Reasonable accommodations shall be provided in a timely and cost-effective manner.

**Definitions**

Individual with Disability – Any person who has or who has acquired a physical or mental impairment or who has a history of such an impairment, which substantially limits one or more major life activities, such as, self-care, performing manual tasks, seeing, hearing, speaking, breathing or working.

Qualified Individual With a Disability – An individual with a disability whose experience, education and/or training enable the person with or without reasonable accommodation to perform the essential functions of the job.

Reasonable Accommodation – The effort made to make adjustments for the disability of an employee or applicant by structuring the job or the work environment in a manner that will enable the individual with a disability to perform the essential functions of the job. Reasonable accommodation includes, but is not limited to, modifying written examinations, making facilities accessible, adjusting work schedules, restructuring jobs, providing assistive devices or equipment, providing readers or interpreters and modifying work sites.

Undue Hardship – Accommodations that are excessively costly, extensive, substantial, disruptive or that would fundamentally alter the nature or operation of the business.

Applicants for Employment – Reasonable accommodations for applicants for employment include:

Asking only those questions which determine whether an applicant can perform specific job functions and which focus on an applicant’s ability to perform the job, not on disability (includes application and interview process).

Informing applicants that they may request any needed accommodation to participate in the application or interview process.

Providing the requested accommodation unless it would cause an undue hardship.

**PRACTICES**

Managers and supervisors shall utilize an analysis of jobs within their units to define the essential functions of the position as well as the environment in which such activities occur (job descriptions, position description questionnaires, class specifications, etc.). Such documentation shall be updated periodically. Documents prepared or utilized for this purpose may be used for other personnel actions.

In considering an individual with a disability for employment or for promotion or in any other personnel action, the existence of their disabling condition should not adversely affect a personnel decision.

Employment opportunities shall not be denied to anyone because of the need to make a reasonable accommodation to the individual’s disability.

In considering an individual with a disability, it is appropriate to determine the ability of the person to perform the essential functions of the job with reasonable accommodation. A request for medical verification of the disability of the person requesting the accommodation may be appropriate.

Supervisors shall have the authority to make reasonable accommodations for applicants or employees. Any requested accommodation for which disapproval is contemplated or which involves structural change, or any other unusual accommodation request, will be submitted to the [Administrator/Director] for review before a decision is acted upon.

If the employee wishes to challenge a decision of the [Administrator/Director], he or she shall have access to the problem-solving or due process procedure.

The employee and his or her supervisor shall monitor the effectiveness of the accommodation on a yearly basis, or earlier as the circumstances demand.

Individuals with disabilities shall be afforded the opportunity to provide accommodations for themselves if it is determined that [Agency] will not provide them. However, the individual with a disability shall not be afforded the opportunity to make accommodations which affect a temporary or permanent change to any structure, or which involve restructuring of the job in question without the written consent of the responsible individual in [Agency].

**IMPLEMENTATION PROCEDURE REASONABLE ACCOMODATION (DISABILITY)**

Employees are responsible to inform their supervisor that they need and are entitled to an accommodation. Whether the employee's request is communicated verbally or in writing, the attached Request for Reasonable Accommodation Form should be used to document the request and to initiate dialogue about it.

Inasmuch as deciding who is a "qualified individual with a disability" is a case-by-case process, depending on the circumstances of the particular employment situation, consultation with the [Administrator/Director] is required.

When a qualified individual with a disability requests an accommodation, reasonable effort must be made to provide an accommodation that is effective for that individual. When considering accommodation requests for employees or job applicants, the following process will be used:

Look at the particular job involved. Determine its purpose and its essential functions.

Consult with the individual with the disability to find out his or her specific physical or mental abilities and limitations as they relate to the essential job functions. Identify the barriers to job performance and assess how these barriers could be overcome with an accommodation.

In consultation with the individual, identify potential accommodations and assess how effective each would be in enabling the individual to perform essential job functions. If this consultation does not identify an appropriate accommodation, technical assistance is available from a number of sources.

If there are several effective accommodations that would provide an equal employment opportunity, consider the preference of the individual with a disability and select the accommodation that best serves the needs of the individual and the employer.

If more than one accommodation would be effective for the individual with a disability, or if the individual would prefer to provide his or her own accommodation, the individual's preference should be given first consideration. However, management is free to choose among effective accommodations, and may choose one that is less expensive or easier to provide.

The fact that an individual is willing to provide his or her own accommodations does not relieve management of the duty to provide this or another reasonable accommodation should this individual for any reason be unable or unwilling to continue to provide the accommodation.

The [Administrator/Director] may provide reasonable accommodation after consultation with the individual and others concerned, including the HR Representative, and shall make a good faith effort to implement the accommodation suggested by the individual, unless it would cause an undue hardship on the operation of [Agency].

Reasonable accommodations requests which are denied or with which the individual with a disability is dissatisfied, may be appealed through the established problem-solving or due process procedure or alternate discrimination complaint procedure if eligible. If not eligible, the appropriate complaint procedure may be utilized.

Reasonable Accommodations Request Form

Request for Reasonable Accommodation Form

**(Confidential)**

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Individual Requesting Accommodation:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Work Location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. Immediate Supervisor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5. Nature of the qualifying disability (attach medical verification, if appropriate):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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6. Requested or suggested accommodation to enable you to perform the essential functions of the job (please attach a job description, etc.):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \*

7. Supervisor's recommendation and comments:

Approximate cost of the requested accommodation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_ Recommend Approval \_\_\_\_\_\_\_ Recommend Disapproval

Comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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8. Manager's approval or referral:

\_\_\_\_\_ Approved \_\_\_\_\_ Referred to [Agency] [Director/Administrator]

(Any requested accommodation for which a disapproval is contemplated, or which involves structural change, or any other unusual accommodation request, must be submitted to the [Director/Administrator] for review before a decision is acted upon.)

Manager's Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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10. Appealed or Problem Solving Requested:

\_\_\_\_\_ Yes \_\_\_\_\_ No

11. Final Disposition:

[Agency] [Director/Administrator]'s Decision

\_\_\_\_\_ Concur \_\_\_\_\_ Deny \_\_\_\_\_ Modify

[Director/Administrator]'s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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This form, and any related documents, when completed, is to be retained in a confidential file.

Appendix B: Performance Evaluation

**Purpose**

Employee performance evaluations provide a means of establishing and communicating major work requirements of the employee’s job description, key responsibilities, and establishment of goals and objectives to be met as well as the methodology for comparing actual performance to work requirements and expectations. This is accomplished through planning and review discussions. Supervisors are responsible for discussing key responsibilities and for reaching agreement regarding the expectations to be met with the employee. This agreement will be the basis for the performance evaluation. Evaluations provide supervisors an opportunity to recognize and reward meritorious performance, to identify and correct unsatisfactory performance, and to increase and improve job-related communication. [Agency] uses the [Agency Evaluation Tool].

**Policy**

Employee performance evaluations are completed in the following situations:

Probationary Employee

Each employee’s job performance may be evaluated thirty (30) to ninety (90) days after his/her initial appointment. An initial performance plan must be developed with the employee at the beginning of their employment. A formal performance evaluation shall be completed no later than 30 days after the probationary period of 1040 hours. If relevant, the evaluation should contain a statement certifying the employee to permanent status. Permanent status may be awarded based on satisfactory completion of 1040 hours of service in the position. If the employee has not satisfactorily completed his/her probationary period, the supervisor will take appropriate action.

Permanent Employee

Employees should be evaluated on an annual basis. The IPERFORM system provides the employee evaluation in an electronic format and record.

Supervisory Responsibility

All [Agency] supervisors are responsible for the performance of their employees. Supervisors can improve employee performance by increased communication, and through the performance planning and review process. Supervisors may give additional help by establishing performance improvement or employee development plans. In both of these areas, the [Agency] supervisor plays a key role in informing employees of their job performance.

Discretionary Evaluation

A performance evaluation may be completed at any time a supervisor wishes to officially recognize and reward an employee’s meritorious performance, at the completion of a project or special assignment, to modify a current performance plan, or to identify and correct unsatisfactory performance.

New or ongoing objectives for the coming evaluation period shall be developed and/or modified as a part of the performance evaluation.

Appendix C: Conflict of Interest

Disclosure Requirement. Any time a real, or potential conflict exists between an employee's public duty and his/her private interest, outside activities or employment, the employee shall disclose it to the [Administrator/Director], in writing, at the earliest opportunity, and prior to acting upon the conflict or potential conflict. Only the [Administrator/Director] is authorized to waive this written disclosure requirement. Failure to disclose a conflict or potential conflict of interest or appearance of impropriety, when an employee knew or could reasonably have known of such conflict or potential conflict or impropriety, may result in disciplinary action, up to and including dismissal.

Private Interest. Any activity performed in the course of employment which might have the appearance of impropriety or preferential treatment of family or relatives, significant other, etc., is prohibited. Employees shall not profit, directly or indirectly from public funds under their control.

Contracting. Employees shall not have a private interest in any contract or grant or other written agreement made by them in their official capacity. Employees may not contract with [Agency] or with another agency or entity within state government. To prevent the appearance of impropriety in [Agency] contracts, the employee should refrain from disclosing insider, proprietary or confidential information to family, friends or business associates. This is especially so when there are or could be reasonable perceptions drawn that unfair contracting practices have occurred because of these relationships to employees.

Withdrawal. Employees should not act but withdraw from any matter coming before them in the course of their official duties, if they or their family, relatives, significant other, etc., have a private interest in it. For example, if an employee has a private interest in, or is likely to become interested in a contract of [Agency], the employee should not take part in the preparation or approval of the contract or bid specifications.

Nepotism. No employee shall work under the immediate supervision of a supervisor who is a spouse, child, parent, brother, sister, or the same relation by marriage.

Cohabitation and Romantic Relationships. Cohabitation of and/or relationships between employees and their supervisors and others holding positions of authority over them, should be conducted in a manner that avoids potential conflicts of interest, exploitation, or personal bias. The possibility of intentional, unintentional or perceived abuse of power should always be strongly considered in such relationships.

[Agency] recognizes that it is not uncommon for married couples to be employed in the same field of work. The presence of married couples within [Agency] does not automatically affect their employment status but may necessitate that the couple and [Agency] take steps either to manage or eliminate any potential conflict of interest.

Supervisor/Subordinate Relationships. Supervisor and employee relationships should remain professional. Supervisors should resist the temptation to become confidants, or counselors to employees. When friendliness becomes good “friends”, work roles become confused.

Compensation From Outside Sources. Employees may not accept compensation from outside sources for performing their job.

Gratuities. Employees may not (either individually or as a member of a group) directly or indirectly ask, accept, or receive any gift, favor, service, loan, gift certificate or entertainment which might reasonably be interpreted as tending to influence the performance of their official duties. Advertising trinkets normally given to the public such as pencils, pens, or other small gifts are exempt.

Employees shall not accept gratuities or other benefits exceeding a total retail value of $50 per person/agency or composite within a calendar year.

Honoraria. Employees shall not accept honoraria from the public, associations, corporations, or governmental entities for appearances or services given in the course of their official duties.

Impartiality in Performing Official Duties. Employees are expected to act impartially in performing official duties and not give preferential treatment to any outside organization or individual.

Outside Activities. Employees must critically assess their outside activities. Endeavors, with and without remuneration, that may be construed to be a conflict of interest with [Agency] operations or programs or which would have the appearance of impropriety, are prohibited.

Serving on Boards and Committees. Employees shall not accept or serve in any policy-making position or office of an organization, board or commission in which an opportunity for conflict of interest might arise between the activity and [Agency] employment, except upon written approval of the [Administrator/Director].

Employee Organizations. Employees shall be protected in their right to form, join, and assist an employee organization or to refrain from any such activity.

Employee organizations have the right of reasonable access to state offices for meeting space and the use of bulletin boards as long as it does not interfere with the efficient administration of state business or the performance of the employee's duties during working hours.

Outside Employment. [Agency] neither encourages nor objects to employees engaging in outside employment. However, such employment must:

Be compatible with the role of the staff member as a public employee; and

Not conflict with the best interest of [Agency] or the employee's responsibilities or hours of work (reference Idaho Code 67-2508). Discuss with your immediate supervisor.

Not involve activities that would constitute a conflict of interest or have potential for a conflict of interest.

Dual Employment within State Service. Prior written approval from all appointing authorities is required for any dual employment within state service. An employee may accept employment in any educational program conducted under the State Board of Education or the Board of Regents of the University of Idaho provided such employment is conducted outside his/her normal work hours with [Agency]. (Ref. Idaho Code 67-2508) and there is no conflicting hours of work.

Employees Working for [Agency] as Volunteers. Employees are prohibited under the Fair Labor Standards Act (FLSA) from volunteering (without expectation of compensation) to perform for [Agency] the same type of services they are employed by [Agency] to perform. However, no violation of FLSA occurs if employees volunteer to perform work unrelated to their current job and does so without coercion or pressure from [Agency].

Withdrawal from Conflict. Employees should not act but withdraw from any matter coming before them in the course of their outside activities, employment or volunteer work, if the outside organization is seeking official action from, doing business with, or conducting activities affected by [Agency]. For example, if an employee is a board member of an organization that is bidding on an [Agency] contract, the employee must withdraw and refrain from having interest in the contract, or from voting, or making decisions or recommendations concerning that contract. The employee must also disclose the conflict to the [Administrator/Director].

Elimination of Conflict/Appeal to [Administrator/Director]. When an employee has received written approval to engage in outside employment or other activities, but that employment or activity impairs the employee's ability to perform or interferes or creates a conflict of interest, the employee will be requested in writing by the [Administrator/Director] to modify or cease that employment or activity within five (5) working days. Failure to do so may result in disciplinary action. If the employee does not agree with the decision, he/she may appeal the action in a letter to the [Administrator/Director] within three (3) working days.

References:

Protection of Public Employees [Whistle Blower Act] (Ref. IDAPA 6.2101-2109).

Summary of Employee Travel Policy (Ref. FISCAL Manual, Chap. 7, Employee Travel).

Disciplinary Actions (Ref. IDAPA 15.01.01.190).

Ethics in Government Act of 1990 (Ref. Idaho Code 59-701).

Appendix D: Flextime and Telecommuting

**Purpose**

[Agency] provides flexible work arrangements at the discretion of the [Administrator/Director], to enable staff and management to serve customers well, meet departmental goals, and balance personal and professional responsibilities. Flexibility in the workplace can provide a way to manage people, time, space, and workload more effectively, efficiently, and responsively. It can also help decrease facility overhead costs, improve ability to recruit and retain valuable employees, and extend hours of customer service.

**Telecommuting**

Employees requesting telecommuting arrangements should complete a Request for Telecommuting Form before entering into detailed discussions with their supervisor. If approved by the [Agency] [Administrator/Director], the employee and supervisor will complete the Telecommuting Agreement. Telecommuting is not a benefit of employment and no employee is entitled to telecommute simply by virtue of his or her employment with the state.

Employees may not compromise the confidentiality or security of [Agency] information due to telecommuting, remote computer access, etc. Unauthorized disclosure, perusal, or altering of information by an employee is a serious violation of [Agency] policy, and may be cause for disciplinary action. Accidental breaches of confidentiality while telecommuting may be cause to terminate the Flexplace arrangement.

All telecommuting work schedules must conform to the overtime, record keeping, and provisions of the Fair Labor Standards Act and the Idaho State Labor Law for staff covered by those provisions. Implementation of flexible work schedules must be consistent with the need for administrative offices to remain open to the public from 8:00 AM to 5:00 PM Monday through Friday.

**Flextime**

Flextime allows for flexible scheduling arrangements that permit variations in lunch, starting times, and departure times. Flextime can be used to improve coverage, enhance recruitment, extend service hours, enhance staff morale, and reduce absenteeism.

Flextime work arrangements may be implemented on a trial basis (typically three months) to give everyone the opportunity to evaluate the effectiveness. Any work arrangement can be modified at any time with the prior consent of the [Administrator/Director]. Any arrangement can be terminated at any time. All requests shall be put in writing for approval from the [Agency] [Administrator/Director].

All employee Flextime work schedules must be communicated to those internal and external customers who may have a need to know.

**Exempt Employees**

Exempt employees not covered by the requirements of the Fair Labor Standards Act (FLSA), have inherent flexibility in scheduling their work as they are exempt from certain overtime and record keeping requirements.

For example, exempt employees may flex their hours to work 50 hours in one week and 30 hours the following week for a total of 80 hours in a pay period. Since the state of Idaho payroll system operates on the basis of a 40 hour work week, compensatory time must first be accrued in week one, “or prior work week”, then used as compensatory time taken in week two. Accrued vacation could also be used to initiate this schedule. While the law allows this latitude, exempt employees still need to discuss specific work schedule arrangements with their supervisors and obtain their approval. Executive, administrative, and professional employees are generally exempt employees.

**Non-Exempt Employees**

Non-exempt employees are covered by the requirements of FLSA and are subject to overtime pay for time worked in excess of 40 hours in a week.

The regular number of hours worked by full-time, non-exempt employees is 40 hours in a workweek. Work beyond 40 hours in a week is subject to additional compensation under overtime policies. Therefore, non-exempt employees may have a flextime schedule as long as it does not alter the total number of hours worked in a work week.

**Core Hours**

Supervisors may require an employee who works during normal business hours to be present during certain core times such as 9:30 to 11:00 AM and 1:30 to 3:30 PM Monday through Friday. Supervisors may also establish core hours for flexible schedules such as a requirement those hours of work must occur between 6 AM and 6 PM.The following are examples of flextime work schedules:

**Variable Day Schedule**

This is defined as a flextime work schedule with or without core hours on each workday for a total of 40 hours in one week. The employee may or may not vary the arrival and departure time each day.

**Variable Week Schedule**

This is defined as a flextime work schedule, which may or may not include core hours on each workday in the biweekly pay period. The employee may vary the number of hours worked each day or the number of hours each week within the limits established. The basic work requirement is 80 hours each pay period (Not to exceed 40 hours per week for employees covered by the Fair Labor Standards Act (FLSA) overtime provisions.)

**Compressed Work Schedule**

This is a flextime option to work more than 8 hours per day in less than 10 days during a pay period. Compressed work schedules have predetermined days and hours of work. Once approved, the schedule remains the same until changed.

**Holiday Pay**

Schedules resulting in holiday time off in excess of eight (8) hours must only be approved in such a way as to treat all members of the affected job classification equally. Appointing authorities may suspend Flex schedules during holiday weeks or may grant administrative leave or otherwise adjust work schedules to ensure equity.

**Changes**

Flexible schedules may be revoked at any time, either by the employee or unilaterally by the supervisor or the [Agency] [Administrator/Director], with as much notice as possible, except as required by business necessity or by mutual agreement.

The [Administrator/Director] may approve an alternate (flexible) work schedule for a full-time employee in accordance with the following:

1. The flexible schedule shall consist of 40 hours in one designated workweek for FLSA covered employees, or 80 hours in two consecutive workweeks for FLSA exempt employees. (Refer to **Exempt Employees** on the previous page.)
2. Overtime for an employee with an alternate work schedule shall be in accordance with [Agency] overtime policies.

The flexible schedule for a full-time employee shall provide for meal periods or rest breaks as required or appropriate.

Appendix E: Overtime and Hours of Work

**Policy Communications**

Employee Communication – It is the policy of the [Agency] that FLSA nonexempt (covered) employees will receive compensatory time for overtime worked, and not paid in cash except as otherwise provided in this policy. It is the responsibility of supervisors to consult with and communicate this policy to nonexempt (covered) employees as a part of each employee’s job offer. All FLSA nonexempt (covered) employees should have a written acknowledgment of this policy on file.

Reporting Concerns – The [Agency] follows the FLSA and all applicable federal and state laws and rules regarding employee compensation. Any employee who believes that a problem exists in regard to hours of work, whether a position is nonexempt (covered) or exempt, or any issue related to hours of work and overtime compensation is encouraged to report the issue to their supervisor, manager, or Administrator as soon as possible. The [Agency] will take prompt action to correct problems identified and communicate the action to the employee. No employee will be subject to retaliation for reporting a wage and hour concern.

**General Requirements**

Overtime Defined – Overtime is that time worked that exceeds 40 hours in the state’s legally defined work week (beginning 12:01 A.M. Sunday through 12:00 midnight Saturday) and hours worked on a holiday. Overtime work will earn credited state service at the rate of one hour for each hour that the employee actually works.

Time Worked for More than One State Department – The state is considered a single employer for determining the number of hours worked. If an employee works for more than one state department, the employee’s combined service will be subject to applicable laws and [Agency] rules governing overtime.

Travel Time – Travel time between home and the employee’s official workstation is a normal incident of employment and not considered hours worked. Employees required to work away from their assigned reporting location shall have such travel time considered as hours worked.

If an employee is directed as part of his/her job to travel on non-working hours, the employee is eligible for travel time *en route*.

Nonexempt (covered) employees who travel as part of their job or to training or conferences must receive time and a half for overtime incurred due to such travel.

Travel time outside of a FLSA exempt employee’s normal work schedule to attend conferences, seminars, association meetings, etc., when the employee requests the travel, shall be credited as work time if required by law or approved by the [Administrator/Director].

Time spent traveling by mode of transportation other than commercial airline shall earn compensable time equivalent to time spent in transit via commercial airline if the time is outside normal duty hours. Exceptions to this policy can be made if the [Administrator/Director of the [Agency] determines that modes of travel other than commercial airlines are more practical.

Work assignments that require an employee to stay out over a weekend or overnight(s) will qualify for expenses but no time will be compensated beyond travel and actual hours worked.

State travel policies are governed by the State Board of Examiners; see their policy #442-50 for more information ([www.sco.idaho.gov](http://www.sco.idaho.gov)).

Workweek – The workweek for employees of the [Agency] is 12:01 AM Sunday through 12:00 Midnight Saturday.

To avoid overtime accrual, the supervisor may alter the employee’s work schedule, within a normal work week, to the extent that the employee may take an equal amount of time off within the same work week (i.e., employee can take four hours off Friday because he/she worked four extra hours on Tuesday of the same workweek). However, an employee’s work schedule shall not be adjusted to reduce or avoid compensation of holiday, sick or military leave taken.

Compensation

FLSA Exempt Employees.

Administrative or Professional Exemptions. These employees are eligible to earn compensatory time for overtime worked. Compensatory time may be accrued and accumulated up to a maximum of 240 hours. (See Idaho Code Sections 67-5302(1) and (27) for definitions. Employees shall be allowed compensatory time off from duty for overtime worked. Such compensatory time shall be earned on a one hour for each hour worked basis. These employees are not eligible for cash compensation for overtime unless cash payment is specifically authorized by the State Board of Examiners for overtime accumulated during unusual or emergency situations [Section 67-5328(3)(c)]. Supervisors may request cash compensation for overtime for an individual in a highly unusual or emergency situation via the [Administrator/Director].

Employees designated as “executive” shall be ineligible for compensatory time or cash compensation for overtime work. See Idaho Code Sections 67-5328(3)(b) and 67-5302(12).

FLSA Nonexempt (covered) Employees. These employees are eligible for cash or compensatory time off for overtime work. They shall receive cash compensation or compensatory time off in accordance with Idaho Code Section 67-5328(3)(d) at one and one-half times their regular hourly rate of pay for all overtime hours worked and all hours worked on a holiday or the official day observed in lieu of the holiday. The requirement to compensate (cash compensation or compensatory time) for overtime worked may not be waived by an agreement between the employee and the supervisor. Although it is [Agency]’s policy that advance approval be given before an employee may work overtime, any overtime that is worked by a nonexempt (covered) employee must be compensated. All compensatory time accumulated that exceeds 240 hours must be paid in cash. Compensatory time accrued in a prior 6-month period must also be paid, pursuant to Idaho Code 67-5328(3)(d). In all other situations, the [Administrator/Director] will determine when cash compensation is allowed for nonexempt (covered) overtime work.

**Specific Requirements**

Time Reporting – All hours worked must be recorded on the employee’s time sheet and approved by the authorizing supervisor.

FLSA Nonexempt (covered) employees. If a nonexempt (covered) employee is relieved of all duties during their lunch period, those hours are not paid hours of work. If an employee who chooses to eat lunch at their desk; however, continues to receive work requests, phone calls and visitors that they are expected and permitted by the supervisor to answer, that time is considered actual hours of work and must be paid.

FLSA Exempt employees. More flexibility in scheduling occurs with exempt employees, but all time worked must be reported. If lunch breaks are interrupted, only actual time worked is reported.

No Volunteer Duty. Employees may not volunteer their time in this or other state agencies if they would be performing work similar to their primary state job.

Working “off the clock” is prohibited. Employees and their supervisors who permit or engage in working without reporting such time may be subject to discipline, up to and including dismissal.

Approval – All overtime must be approved by the employee’s immediate supervisor in advance. All overtime worked will be documented on the employee’s time sheet and approved by the supervisor before being compensated in cash or by compensatory time off. Supervisors and employees should work cooperatively to select dates to discharge accrued compensatory time in a way that minimizes disruption of [Agency] services. Employee preference should be supported if possible.

Limitation – No employee will accrue more than forty (40) hours of compensatory time without the prior written approval of their supervisor. Even when approved, no employee will be allowed to accrue more than 240 hours. Supervisors will be held accountable for managing these accruals.

Sequence –The sequence leave will be taken is (1) Compensatory Leave, (2) Vacation Leave, provided this does not cause the employee to lose vacation leave due to the maximum accrual limits.

Discharge of Accrued Compensatory Time

Administrative and Professional Employees: With prior approval of his/her supervisor, an employee may take accrued compensatory time off. Accumulated compensatory time cannot be transferred from the [Agency] to another department within the state. If compensatory time is not used before transfer or separation from state employment, it is forfeited. Compensatory time lost at the time of transfer or separation cannot be reinstated at a later date.

Nonexempt (Covered) Employees: Accrued compensatory time must be taken off before vacation leave can be used, as long as the employee does not lose vacation time due to the maximum accrual provision of Idaho Code Section67-5334. In addition, compensatory time should usually be taken before leave without pay. Compensatory time which has been earned during any one-half fiscal year but not taken by the end of the succeeding one-half fiscal year will be paid in cash on the first payroll following the close of such fiscal year. Accrued compensatory time must be paid in cash at one and one-half times the employee’s final regular hourly rate at the time of the transfer to another agency or upon separation from state service.

**Call Back** – Unscheduled Return to Work

Call Back – Employees who are called back to, and report to work, will receive up to two (2) hours of Administrative Leave regardless if the employee is required to work or not. Actual time worked on call back shall replace Administrative Leave and be coded as regular or overtime work as appropriate.

Appendix F: Internet Use

This Internet Usage Policy applies to all employees of the [Agency] who have access to computers and the Internet to be used in the performance of their work. Use of the Internet by employees of [Agency] is permitted and encouraged where such use supports the goals and objectives of the business. As a state agency that values the trust and confidence of the public, we have high standards for the use of state equipment. These are designed to enhance the efficient and effective use of the Internet and electronic mail. However, access to the Internet through [Agency] is a privilege and all employees must adhere to the policies concerning Computer, Email and Internet usage. Violation of these policies could result in disciplinary and/or legal action up to and including separation of employment. Employees may also be held personally liable for damages caused by any violations of this policy. All employees are required to acknowledge receipt and confirm that they have understood and agree to abide by the rules hereunder.

**Computer, Email and Internet Usage**

* Per Executive Order 2017-02, all employees are required an annual basis to complete the State’s online cybersecurity training.

Agency employees are expected to use the Internet responsibly and productively. Internet access is limited to job-related activities only and personal use is not permitted.

* Job-related activities include research and educational tasks that may be found via the Internet that would help in an employee's role.
* All Internet data and electronic mail that is composed, transmitted and/or received by [Agency]’s computer systems is considered to belong to [Agency] and is recognized as part of its official data. It is therefore subject to disclosure for legal reasons or to other appropriate third parties.
* The equipment, services and technology used to access the Internet are the property of [Agency] and the agency reserves the right to monitor Internet traffic and access data that is composed, sent or received through its online connections.
* Emails sent via the agency email system should not contain content that is deemed to be offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images.
* Electronic mail is subject to existing document retention and public records policies.
* All sites and downloads may be monitored and/or blocked by [Agency] if they are deemed to be harmful and/or not productive to business.
* The installation of software such as instant messaging technology is strictly prohibited.
* Employees shall not download executable files or application software (including but not limited to utility software, freeware and shareware) unless authorization from the [Administrator/Director] is given. Approved downloads shall be performed by the Office of the CIO. If the software/files interfere and/or cause problems with agency business applications, the CIO staff may remove it.
* No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or appropriate Agency personnel.
* Employees must be aware that the electronic mail messages sent and received using [Agency] equipment or [Agency] provided Internet access, including web-based messaging systems used with such systems or access, are not private and are subject to viewing, downloading, inspection, release, and archiving by [Agency] Administration at all times. The [Agency] has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with [Agency] policies and state and federal laws.

Unacceptable use of the Internet by employees includes, but is not limited to:

* Access to sites that contain obscene, hateful, pornographic, unlawful, violent or otherwise illegal material
* Sending or posting discriminatory, harassing, or threatening messages or images on the Internet or via [Agency] email service
* Using computers to perpetrate any form of fraud, and/or software, film or music piracy
* Stealing, using, or disclosing someone else's password without authorization
* Downloading, copying or pirating software and electronic files that are copyrighted or without authorization
* Sharing confidential material, trade secrets, or proprietary information outside of the agency
* Hacking into unauthorized websites
* Sending or posting information that is defamatory to the agency, its products/services, colleagues and/or customers
* Introducing malicious software onto the agency network and/or jeopardizing the security of the agency's electronic communications systems
* Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
* Passing off personal views as representing those of the agency

Security, virus checking, data backup, and recovery will be performed by the Office of the CIO. Any electronic communication that appears suspicious or questionable please contact the CIO help desk immediately.

**Employee Owned Equipment:**

Laptops, Notebooks, Tablets or Similar Computer Equipment, Handheld, PDA, and Pocket PC Type Technology:

* [Agency] management reserves the right to reject the connection of personal data accessories (PDAs) such as Tablets, Notebooks, or similar computer equipment, Pocket PCs, iPAQs, Palm units, Handheld PCs, cell phones etc., to our computer network system unless approval is given based on evaluation from the CIO staff. After such approval device shall be installed by the CIO staff and employee must sign a usage agreement.

**Social Media**

* All agency-related communication through social media outlets (social media Web sites, such as Facebook©, Twitter©, MySpaceTM, YouTube©, Flickr®, Blogger, and LinkedIn®) should remain professional in nature and should always be conducted in accordance with the [Agency]’s standards and policies, practices, and expectations. Employees must not use social networking sites for political purposes, to conduct private commercial transactions, or to engage in private business activities. Employees should be mindful that inappropriate usage of social media may be grounds for disciplinary action.
* Like e-mail, communication via agency-related social networking websites are a public record. This means that both the posts of the employee [Administrator/Director] and any feedback by other employees or non-employees, including citizens, will become part of the public record.

If an employee is unsure about what constituted acceptable Internet usage, then he/she should ask his/her supervisor for further guidance and clarification. All terms and conditions as stated in this document are applicable to all users of the [Agency] network and Internet connection. All terms and conditions as stated in this document reflect an agreement of all parties and should be governed and interpreted in accordance with the policies and procedures mentioned above. Any user violating these policies may be subject to disciplinary actions deemed appropriate by [Agency]*.*

**User Compliance**

I understand and will abide by this Internet Usage Policy. I further understand that should I commit any violation of this policy, my access privileges may be revoked, disciplinary action and/or appropriate legal action may be taken.

Appendix G: Employee Mobile Phone

**PREFACE**

[Agency] responds timely to stakeholder inquiries and has need to quickly address work related issues as they arise. To improve responsiveness and increase flexibility it is beneficial for certain identified employees to be accessible by phone or email at times when these employees may be outside of the office due to travel, meetings, and varying schedules.

**POLICY**

**ELIGIBLE EMPLOYEES**

This policy applies to employees of [Agency] who have been designated by the [Agency] [Administrator/Director] to use a state sponsored mobile phone.

**PLAN OPTIONS**

[Agency] employees designated by the [Administrator/Director] to receive a state sponsored mobile phone have two options.

**Option One: Employee Owned Phone**

Employees who are designated by the agency director to require a mobile phone and who would like to maintain or obtain their own mobile plan/contract may do so. If this option is selected the employee owned device must be compatible with the state network.

*Hardware/Device*

The employee owned device shall be compatible with the state network.

*Termination*

If employment is terminated by either [Agency] or by the employee, reimbursement and all access will immediately stop.

*Plan/Contract Reimbursement*

Employees participating in the employee owned phone plan will be reimbursed a set amount each month. This amount is to cover all work related calls, texts, and data connections. The current reimbursement rate is $50.00 per month and can be adjusted as needed by the [Administrator/Director]. Any additional fees, charges, etc. associated with the employee’s contract with their mobile services provider will not be reimbursed by [Agency].

**Option Two: State Owned Phone**

Employees who wish to receive a state owned phone for their use while employed with [Agency] will be provided a device that is approved by the Administrative Services IT group for use with the state network and meets the business needs of [Agency]. The phone will be included in the State of Idaho contract with Verizon Wireless.

*Incidental Personal Use*

Just as with the standard desk phones issued to employees it is understood that there will be some incidental personal use of the state owned mobile phone. Such use is acceptable as long is the use is reasonable and does not result in excessive charges to the state. The state Verizon Wireless plan has shared minutes so limited personal use will not impact the expense to the agency. Pay special attention to avoid potential roaming charges while traveling that result from personal use.

*Termination*

At the termination of employment with [Agency] or at the discretion of the [Administrator/Director], the employee shall return the state owned device prior to their final day of employment.

Appendix H: Public Records Request

**Purpose**

To inform employees of restrictions in disclosure of confidential information and of the expectation of confidentiality regarding information acquired during the course of employment with [Agency].

**Public Records Requests**

The Idaho Public Records Act went into effect on July 1, 1990. It sets the ground rules for the release of government information to the public. Persons may request copies of public records without specifying their purpose. In fact, to inquire of their purpose is a violation of the Public Records Act. If you receive a public records request, immediately contact your supervisor or the [Agency] [Administrator/Director]. Your supervisor or the [Agency] [Administrator/Director] will determine whether it is appropriate to refer the request to our Deputy Attorney General.

**Policy**

If someone requests information or a copy of a record, determine if the record may be available for public inspection and copying. If you think the information is exempt from disclosure, if voluminous records are requested, if you have any doubt about whether the information can be disclosed, or if it is a request to correct a personnel record, immediately contact your supervisor or the [Agency] [Administrator/Director]. Your supervisor or the [Agency] [Administrator/Director] will determine whether it is appropriate to refer the request to our Deputy Attorney General.

If more than 100 pages are provided, we charge five cents per page. Offer a receipt to the payer and immediately remit the money to payroll personnel.

Required disclosures of the Idaho Public Records Act include the following:

Personnel Information - employment history, classification, pay grade, dates of employment, gross salary, salary history, workplace and employing agency.

Current or former employees, or their authorized representatives, may inspect and copy their own personnel records, except for materials used to screen and test for employment.

Please note, the following major items are not public information:

* Employment tests
* Employee performance evaluations, grievances, and correspondences
* Applications for state employment
* Home addresses, phone numbers, birth dates, and marital status

When in doubt, employees should treat information in the strictest confidence and consult with the [Agency] [Administrator/Director] or your supervisor for clarification.

**Confidential Information Disclosure**

With the exception of the information in the Idaho Public Records Act, all employee or applicant records are considered to be confidential and are open only to [Agency] personnel; to offices and agencies carrying out their official duties; to persons in compliance with a judicial order; and to persons in an emergency in order to protect the health or safety of employees or other persons.

Employees have the right to review, upon request, records pertaining directly to them, and may obtain a copy of their record at no cost.

Confidential information may be released to others only after obtaining the employee's/applicant's written consent.

**Privacy Concerns**

Information regarding an individual’s health or other medical information; percentage of disability on veterans’ forms; disability information for accommodation purposes under the ADA; and medical information for sick leave including FMLA are considered private and should be safeguarded and shared only with those individuals who have a need to know and are authorized to access such information.

Information regarding verbal discussions of agency/customer personnel actions or activities including probationary status or extensions, reasons for discipline, employee performance evaluations, and other sensitive matters must be considered confidential and not shared with other employees who do not need the information to perform their jobs. Confidential information should also not be shared with friends or family members or discussed where others might overhear the conversation.

**Media Requests for Information**

Media requests about [Agency] should be directed to the [Administrator/Director].

**Enforcement**

All employees, contractors, interns, volunteers, or temporary staff of the Idaho [Agency] is responsible for acting in accordance with this policy. Employees found to be in violation with this policy may be subject to disciplinary action up to and including dismissal.

Appendix I: Public Information Web Publishing

**Purpose**

It is important that information provided be current, accurate, and tailored to the specific situation when public information is provided.

**Policy – Media Requests**

Please handle all media requests following this process.  All requests for information from representatives of the media should be routed to the [Agency] [Administrator/Director].

Requests from the media will be noted in writing.  Employees who receive such requests should ask for the name of the person making the request, what entity they represent, their telephone number, the general nature of the request, and whether they have a deadline. Employees should indicate that someone who can respond to their questions will get back to them as soon as possible. [Agency] staff receiving media requests should consult with the [Administrator/Director] or to determine the best source to respond to the media.  It may be the [Administrator/Director], or the inquiry may be referred to the Governor’s Press Secretary.

**Policy – News Releases**

News releases may be drafted at [Agency] but shall be reviewed or edited by the Governor’s public information officer.  All drafts should be reviewed first by the [Administrator/Director] before being sent outside the agency.

**Policy – Web Publications**

The [Administrator/Director] before publication must approve all [Agency] web information.  The timing of the approval is flexible and discretionary.  The final content and message must be consistent and complementary for all other web-based [Agency] communications.  Agency requests for web publications also need the [Administrator/Director]’s approval.

All staff that have information posted on the website are responsible for maintaining and providing updated information to the [Agency] designated Webmaster.  Attention to detail, especially regarding time-sensitive material, is an important indicator of quality in our website.

Appendix J: Legislative Contact Policy

**POLICY**

The [Agency] [Administrator/Director] serves as the “designated public contact” — the person who is designated as the [Agency]’s single point of contact for the purpose of fulfilling any requirements with the Governor’s office, Secretary of State or Legislative Body.

Only personnel authorized by the [Administrator/Director] may represent [Agency]. (If you are unsure of your status, please contact your supervisor.).

**Contact with the Legislature**

[Agency] staff may not initiate contact with legislators or legislative staff without first advising their supervisor, who shall then notify the [Administrator/Director].

[Agency] staff shall report contacts initiated by legislators or legislative staff to their supervisor. When meetings with legislators are requested or testimony is requested at hearings, [Agency] staff shall give prior notice so that the [Administrator/Director] can attend.

When a [Agency] staff person receives a legislative request for information or constituent assistance, he or she shall document the request with copies forwarded to their supervisor who will advise on the appropriate response protocol. The [Administrator/Director] in conjunction with the appropriate [Agency] staff shall respond on behalf of the [Agency].

**Interaction with Stakeholder Groups**

[Agency] staff shall notify their supervisor regarding their involvement in “stakeholder” meetings that lead to legislation. If possible, [Agency] staff shall give prior notice so that the [Administrator/Director] can attend the meeting or decide on appropriate action.

**Development of [Agency] Legislation**
[Agency] staff wishing to propose legislation shall consult their supervisor on the appropriate process to follow. Forms and procedures can be found at: <https://adminrules.idaho.gov/forms_menu.html>

**Distribution of [Agency] -Related Legislation**

The [Administrator/Director] shall circulate all [Agency] related legislation to external contacts and [Agency] staff.

Appendix K: Employee Conduct

At the [Agency], our goal is excellence in public service for our customers and the public. Each of our employees is responsible for both the integrity and consequences of his or her actions. Every employee is expected follow the highest standards of honesty, integrity, and fairness when engaging in any activity concerning [Agency]. Employees are expected to be aware of standards of conduct and ensure they follow those, using good judgment at all times and in all situations. If employees have questions, they should ask their supervisor or executive management staff.

**Age Requirements**

Age Limits. It is [Agency]’s normal practice not to employ persons who are less than eighteen (18) years of age. Present Child Labor Laws allows [Agency] to hire persons less than eighteen (18) years of age on a temporary basis under the guidelines contained in the Fair Labor Standards Act.

**Personal Use of [Agency] Property**

Time and Equipment. Employees shall not conduct personal business during work time and shall not use [Agency] facilities, equipment, materials, mail, supplies, electronic communications and systems (other than minimal use) for personal use or outside employment. Employees or their agents or relatives, shall not accept, lease, rent, sell, or purchase any [Agency] equipment or material.

Telephone Usage. Long-distance calls are allowed only under the [Agency] Travel Policy or when charged to personal credit cards or collect.

**Personal Conduct**

Dress and Personal Hygiene. All employees are expected to dress, maintain their personal conduct, and exercise personal hygiene in a manner consistent with the nature of work performed and within reasonably accepted limits of the community and the setting within which work is performed.

Punctuality/Attendance. Employees are expected to maintain regular, punctual attendance. When an employee is unable to report to work as scheduled, he/she shall notify his/her supervisor, prior to the absence, if at all possible.

Work Area. The work area of each employee should be properly maintained and provide a pleasant, orderly, and professional appearance. Any display of material reasonably considered being or having the potential to be offensive to others is prohibited.

Religious Expression. Employees may freely exercise their religious beliefs as long as doing so does not infringe on workplace efficiency and the requirements of the Civil Rights Act of 1964 as amended, concerning nondiscrimination on the basis of religion.

Employees and supervisors should respect the individuality of each person, and although they may share their belief that religion is important in a person's life, they must refrain from attempting to influence the religious beliefs of clients, colleagues, coworkers, or subordinates while acting in any capacity as an employee of [Agency].

Solicitations. Employee and non-employee solicitations or the distribution of non-state-sponsored solicitation materials in the work area are prohibited. Solicitations and related staff time during working hours shall be limited to only those endorsed by the State of Idaho such as State Employees Charitable Giving Campaign, State-sponsored insurance programs, Red Cross blood drawings, etc. Other solicitations, which require employee time or use of [Agency] facilities must receive prior approval from the [Agency] [Administrator/Director].

Non-Smoking Policy. All state-owned or state-leased buildings, facilities, or areas occupied by state employees shall be designated as "non-smoking" except for custodial care and full-time residential facilities. The directors of such facilities may determine the policy governing custodial care and full-time residential facilities. (Reference Executive Order 2000-01).

**Conflict of Interest**

Disclosure Requirement. Any time a real, or potential conflict exists between an employee's public duty and his/her private interest, outside activities or employment, the employee shall disclose it to the [Administrator/Director], in writing, at the earliest opportunity, and prior to acting upon the conflict or potential conflict. Only the [Administrator/Director] is authorized to waive this written disclosure requirement. Failure to disclose a conflict or potential conflict of interest or appearance of impropriety, when an employee knew or could reasonably have known of such conflict or potential conflict or impropriety, may result in disciplinary action, up to and including dismissal.

Private Interest. Any activity performed in the course of employment which might have the appearance of impropriety or preferential treatment of family or relatives, significant other, etc., is prohibited. Employees shall not profit, directly or indirectly from public funds under their control.

Contracting. Employees shall not have a private interest in any contract or grant or other written agreement made by them in their official capacity. Employees may not contract with [Agency] or with another agency or entity within state government. To prevent the appearance of impropriety in [Agency] contracts, the employee should refrain from disclosing insider, proprietary or confidential information to family, friends, or business associates. This is especially so when there are or could be reasonable perceptions drawn that unfair contracting practices have occurred because of these relationships to employees.

Withdrawal. Employees should not act but withdraw from any matter coming before them in the course of their official duties, if they or their family, relatives, significant other, etc., have a private interest in it. For example, if an employee has a private interest in, or is likely to become interested in a contract of [Agency], the employee should not take part in the preparation or approval of the contract or bid specifications.

Nepotism. No employee shall work under the immediate supervision of a supervisor who is a spouse, child, parent, brother, sister, or the same relation by marriage.

Cohabitation and Romantic Relationships. Cohabitation of and/or relationships between employees and their supervisors and others holding positions of authority over them, should be conducted in a manner that avoids potential conflicts of interest, exploitation, or personal bias. The possibility of intentional, unintentional or perceived abuse of power should always be strongly considered in such relationships.

[Agency] recognizes that it is not uncommon for married couples to be employed in the same field of work. The presence of married couples within [Agency] does not automatically affect their employment status but may necessitate that the couple and [Agency] take steps either to manage or eliminate any potential conflict of interest.

Supervisor/Subordinate Relationships. Supervisor and employee relationships should remain professional. Supervisors should resist the temptation to become confidants, or counselors to employees. When friendliness becomes good “friends”, work roles become confused.

Compensation From Outside Sources. Employees may not accept compensation from outside sources for performing their job.

Gratuities. Employees may not (either individually or as a member of a group) directly or indirectly ask, accept, or receive any gift, favor, service, loan, gift certificate or entertainment which might reasonably be interpreted as tending to influence the performance of their official duties. Advertising trinkets normally given to the public such as pencils, pens, or other small gifts are exempt.

Employees shall not accept gratuities or other benefits exceeding a total retail value of $50 per person/agency or composite within a calendar year.

Honoraria. Employees shall not accept honoraria from the public, associations, corporations, or governmental entities for appearances or services given in the course of their official duties.

Impartiality in Performing Official Duties. Employees are expected to act impartially in performing official duties and not give preferential treatment to any outside organization or individual.

Outside Activities. Employees must critically assess their outside activities. Endeavors, with and without remuneration, that may be construed to be a conflict of interest with [Agency] operations or programs or which would have the appearance of impropriety, are prohibited.

Serving on Boards and Committees. Employees shall not accept or serve in any policy-making position or office of an organization, board or commission in which an opportunity for conflict of interest might arise between the activity and [Agency] employment, except upon written approval of the [Administrator/Director].

Employee Organizations. Employees shall be protected in their right to form, join, and assist an employee organization or to refrain from any such activity.

Employee organizations have the right of reasonable access to state offices for meeting space and the use of bulletin boards as long as it does not interfere with the efficient administration of state business or the performance of the employee's duties during working hours.

Outside Employment. [Agency] neither encourages nor objects to employees engaging in outside employment. However, such employment must:

Be compatible with the role of the staff member as a public employee; and

Not conflict with the best interest of [Agency] or the employee's responsibilities or hours of work (reference Idaho Code 67-2508).

Not involve activities that would constitute a conflict of interest or have potential for a conflict of interest.

Dual Employment within State Service. Prior written approval from all appointing authorities is required for any dual employment within state service. An employee may accept employment in any educational program conducted under the State Board of Education or the Board of Regents of the University of Idaho provided such employment is conducted outside his/her normal work hours with [Agency]. (Ref. Idaho Code 67-2508) and there is no conflicting hours of work.

Employees Working for [Agency] as Volunteers. Employees are prohibited under the Fair Labor Standards Act (FLSA) from volunteering (without expectation of compensation) to perform for [Agency] the same type of services they are employed by [Agency] to perform. However, no violation of FLSA occurs if employees volunteer to perform work unrelated to their current job and does so without coercion or pressure from [Agency].

Withdrawal from Conflict. Employees should not act but withdraw from any matter coming before them in the course of their outside activities, employment or volunteer work, if the outside organization is seeking official action from, doing business with, or conducting activities affected by [Agency]. For example, if an employee is a board member of an organization that is bidding on an [Agency]contract, the employee must withdraw and refrain from having interest in the contract, or from voting, or making decisions or recommendations concerning that contract. The employee must also disclose the conflict to the [Administrator/Director].

Elimination of Conflict/Appeal to [Administrator/Director]. When an employee has received written approval to engage in outside employment or other activities, but that employment or activity impairs the employee's ability to perform or interferes or creates a conflict of interest, the employee will be requested in writing by the [Administrator/Director] to modify or cease that employment or activity within five (5) working days. Failure to do so may result in disciplinary action. If the employee does not agree with the decision, he/she may appeal the action in a letter to the [Administrator/Director] within three (3) working days.

References:

Protection of Public Employees [Whistle Blower Act] (Ref. IDAPA 6.2101-2109).

Summary of Employee Travel Policy (Ref. FISCAL Manual, Chap. 7, Employee Travel).

Disciplinary Actions (Ref. IDAPA 15.01.01.190).

Ethics in Government Act of 1990 (Ref. Idaho Code 59-701).

Appendix L: Alcohol and Drug Free Workplace

It is the policy of the [Agency] to maintain an alcohol and drug-free workplace. Drug abuse in the workplace has many detrimental effects on any agency and its employees. Drug abuse impacts morale, lowers productivity, and increases health care costs. [Agency] is committed to maintaining a work environment free from illegal drugs and drug abuse.

State employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace. Violations of this policy will result in corrective action, which may include discipline up to and including dismissal. As a condition of employment, [Agency] employees are required to abide by this drug-free policy, and must notify the [Administrator/Director] of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

The consumption of alcohol on the job is prohibited. Employees may not work if their performance is impaired by the use of alcohol.

For more information, refer to the [Governor’s Executive order NO. 2007-08: Establishing the Idaho Alcohol and Drug-Free Workplace Policy](https://adminrules.idaho.gov/bulletin/2007/11.pdf) **for more information.**

Appendix M: Dress Code and Personal Appearance

**Philosophy and Purpose:**

It is the intent of [Agency] that work attire should complement an environment that reflects an efficient, orderly, and professionally operated agency. Casual business attire will be permitted on Fridays. “Casual Fridays” are suspended during the Legislative session. Dress standards for the Agency require that the employee’s clothing and appearance is neat, clean, in good condition, safe, and non-disruptive in the workplace.

This policy is intended to define appropriate “business attire” during normal business operations and “casual business attire” on Fridays. The Agency reserves the right to continue, extend, revise, or revoke this policy at its discretion.

The key point to sustaining an appropriate causal business attire program is the use of common sense and good judgment, and applying a dress practice that the [Agency] deems conducive to our business environment. If you question the appropriateness of the attire, it probably isn’t appropriate. Requests for advice and assistance in administrating or interpreting this guideline should be directed to your supervisor.

Business attire is to be worn Monday through Friday. Appropriate business attire in an office setting is business casual: dress pants and dress shirts. Blazers or suits may be required for some positions or meetings. Footwear should be in good condition and safe for the work performed.

Casual business attire may be worn on Friday of each week. Appropriate casual business attire for employees should be clean and neat. Casual attire such as athletic clothing, cutoff or ripped jeans, casual flip-flops, underwear as outerwear, beach wear, and similar items are not considered appropriate.

**Enforcement:**

[Agency] supervisors are responsible for monitoring and enforcing this policy. The policy will be administered according to the following action steps:

1. If questionable attire is worn in the office, the respective department supervisor/manager will hold a personal, private discussion with the employee to advise and counsel the employee regarding the inappropriateness of the attire.
2. If an obvious policy violation occurs, the department supervisor/manager will hold a private discussion with the employee and ask the employee to go home and change his/her attire immediately.
3. Repeated policy violations may result in disciplinary action.

Appendix N: Safe Driving Policy

**Purpose**

The purpose of this policy is to ensure the safety of employees and to provide guidance on the proper use of vehicles while conducting business on behalf of the [Agency]. Vehicle accidents can be costly, but more importantly, they may result in injury to an employee and/or others. It is the driver’s responsibility to operate the vehicle in a safe manner to prevent injuries and property damage. [Agency]expects each driver to conduct themselves in a safe, lawful, and courteous manner when operating a personal or state provided vehicle on state business.

Minimum Driver Criteria

1. Employees who operate a vehicle for the purpose of conducting state business must meet the following criteria:
	1. Possess a valid and current driver’s license.
	2. Be 21 years of age or older or receive permission from the [Administrator/Director].
	3. Have at least two years of licensed driving experience.
2. If driving a personal vehicle while conducting state business, the employee must maintain and upon request provide evidence of a motor vehicle liability policy that has at least the minimum level of automobile liability insurance required by state law.
3. Motor vehicle records (MVR’s) may be obtained on employees who are required to operate a vehicle as part of their official duties prior to employment and may obtain new MVR’s no less than once every twelve months thereafter. [Agency] reserves the right to review all MVR’s and make a recommendation to the [Administrator/Director] regarding ongoing driver eligibility.
4. The [Administrator/Director] may designate an employee as an ineligible. Criteria for applying such designation includes, but is not limited to:
	1. Having within the previous twelve (12) month period, three (3) or more infraction convictions, guilty pleas, or no contest pleas for moving traffic infraction violations. Any combination of convictions, guilty pleas or no contest pleas can create the three (3) infractions for the purposes of this policy.
	2. Having within the previous twelve (12) month period, a single (1) conviction, guilty plea, withheld judgement, or no contest plea for operating a vehicle while intoxicated, hit and run driving, vehicular negligent injury, reckless operation of a vehicle, or similar offense as provided under Idaho law or the law of the jurisdiction in which the offense occurred.
5. A driving record that fails to meet the minimum criteria stated in this policy, may result in the loss of privileges to drive a vehicle on behalf of [Agency] to conduct state business until the minimum driver criteria is met.
6. Employees who fail to meet the minimum driver criteria or become ineligible to drive and hold a position for which driving is a requirement, may face disciplinary action up to and including dismissal.

Operating Standards

When operating a vehicle for the purpose of conducting state business, employees must:

1. Demonstrate common courtesy toward other drivers and pedestrians.
2. Obey applicable laws.
3. Wear seat belts and ensure all passengers wear seat belts whenever the vehicle is in motion.
4. Operate only those vehicles for which they are licensed and insured.
5. Not drive if his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
6. Not use any intoxicating substances when operating a vehicle for the purpose of state business. If an employee is called to work unexpectedly, they must notify their supervisor if they are impaired.
7. Except in the case of medication prescribed to the employee, not bring any intoxicating substances to the work site or transport opened intoxicating substances in any vehicle used to conduct state business.
8. Use electronic communication devices only if the device is in hands-free or voice-activated mode while operating a vehicle that is being driven for state business. This includes writing, sending, or reading a text-based communication. In addition, employees must not be distracted by electronic communication, regardless of the activation of hands-free or voice-activated mode.
9. When acting in a supervisory capacity, allow only authorized employees to drive when conducting state business.
10. If involved in an accident on state business, act as a representative of [Agency], including taking appropriate action while maintaining professional personal conduct.

Reporting Requirements

1. All accidents in vehicles used while conducting official state business, regardless of severity, must be reported as required by law and to the employee’s supervisor. Accidents are to be reported immediately (from the scene, during the same day, or as soon as practicable if immediate or same day reporting is not possible).
2. Employees must report all traffic violations received while driving on state business, to their supervisor as soon as possible, but no later than next business day.
3. Upon revocation or suspension of their driver’s license, employees must immediately cease driving on behalf of the agency and report the situation to their supervisor no later than next scheduled workday. Said reporting applies whether on state or personal business and whether in personal vehicle or one provided by or through the agency.
4. If a supervisor is notified of an accident or violation, they must immediately report it to the Human Resources representative.
5. Accidents involving a personal injury while driving any vehicle to conduct state business must be reported to the employee’s immediate supervisor and the Human Resources representative for Workers’ Compensation purposes.
6. Supervisors shall ensure that all accidents and incidents are reported pursuant to this policy.

Policy Violations

1. Employees who fail to comply with this policy, including the Operating Standards, may be subject to disciplinary action, up to and including dismissal.
2. Employees who hold a position for which driving is a requirement and who lose or are denied driving privileges may be subject to disciplinary action, up to and including dismissal.
3. Employees designated as an ineligible driver shall not drive a state provided vehicle for the period specified in the designation.
4. Employees shall be personally liable and shall pay fines arising from the employee’s violation of law while operating any vehicle during the course of state business, including traffic citations.
5. Employees who leave the scene of an accident, in violation of law, while on state business may be subject to disciplinary action, up to and including dismissal.
6. [Agency] may require any employee who operates a vehicle to conduct state business to successfully complete a drivers’ safety course before operating or continuing to operate a vehicle on state business. Employees who hold a position for which driving is a requirement and fail to successfully complete a drivers’ safety course may be subject to disciplinary action, up to and including dismissal.

Appendix O: Workplace Violence

**Purpose**

The Idaho [Agency] is committed to providing a safe work environment free from violence for all employees. [Agency] will not tolerate any form of violence in the workplace including verbal or physical threats or through intimidation, which includes the possession of weapons in the workplace, which can undermine the safe and effective performance of employees while they work.

**Policy**

* Violence and threats of violence include, but are not limited to:
* An act, which is physically aggressive (hitting, shoving, fighting).
* A substantial, communicated, or suggested intent to harm another, endanger the safety of an employee(s), or destroy property.
* Behavior or actions that carry a potential for violence (throwing objects, waving fists, destroying property, etc.).
* Obsessively directed behavior which threatens, seriously alarms, annoys, or harasses another person, and which serves no legitimate purpose, i.e., harassing phone calls, stalking, intensely focusing on a grudge or grievance, or pursuing a romantic interest in another employee who does not share that interest.
* Inappropriate use, display, or possession of firearms, weapons, or any other dangerous devices in the Capital Mall area or near the vicinity of the [Agency]’s business premises.

**Implementation**

Effective immediately, possession of a weapon in state facilities by any [Agency] employee at any time is expressly prohibited.

**Duty to Report**

Any potentially dangerous situation must be reported immediately to [Agency Security Contact] or call 911 and also in accordance with the [Agency]’s procedures outlined in the procedures section of this policy.

**Confidentiality**

After reporting the situation, employees shall not discuss the matter with co-workers and persons not directly responsible for investigating the matter, except in cases when there is a probability of imminent physical injury by an employee.

**Action**

The [Agency] [Administrator/Director] will promptly convene an investigation to address concerns or incidents of workplace violence. Retribution and adverse treatment of employees who report concerns or incidents in good faith or who participate in an investigation is prohibited. If evidence exists to support the allegations of violence or threats of violence, and the offender is an employee, disciplinary action may occur, up to and including immediate dismissal. If the offender is not an employee, other appropriate action will be taken.

**Employee Assistance Program (EAP)**

The EAP can provide individual counseling to employees on a crisis response basis or on a longer-term basis if necessary.

PROCEDURES FOR DEALING WITH WORKPLACE VIOLENCE OR THREATS OF VIOLENCE

For situations requiring immediate medical attention beyond first-aid or involving an imminent and significant risk of substantial harm. The following procedural guidelines apply in the event of a crisis situation. They are designed to minimize the threat of violence in the workplace and to respond to crisis situations.

Imminent means the threat must be based on the employee’s current condition and not speculation about the employee’s future condition, for example, an employee threatens violence to persons or property by waving a firearm.

**Responsibilities and Actions**

Responsibility of any employee discovering a crisis situation:

Action -

1. In all situations, if the violence appears to be imminent, take the precautions necessary to assure your own safety and the safety of others, and then call 911.
2. Contact [Agency Security Contact].
3. Contact the [Agency] [Administrator/Director] or Supervisor. Their responsibility is to address the safety of those involved or affected by the crisis.

Appendix P: Safety-Loss Prevention

Workers compensation insurance is required by law and is a significant part of this Agency’s insurance costs. This cost can be drastically reduced by controlling the frequency of job-incurred injuries. Every supervisor and employee shall accept their responsibility for accident prevention and conduct themselves in a manner that will ensure their own safety and that of those working with and for them.

**Philosophy**

The Agency believes in and follows the principle that accidents are preventable. The humanitarian and economic issues resulting from accidents demand that accident prevention be given primary importance in every phase of the Agency’s activities. The objective is to prevent accidents by reducing or eliminating the unsafe acts or conditions that cause accidents.

**Responsibilities**

**To administer the policy, the Agency will:**

* Provide the supervision necessary to assure development and implementation of safe work practices and procedures.
* Comply with Federal, State, County and Municipal safety laws, regulations and codes.
* Do everything practical to provide an accident-free operation and provide all reasonable safeguards to ensure safe working conditions.
* Encourage and promote employee participation concerning safety.
* Make every effort to restore an injured employee to sound physical condition and place that employee back on the job as quickly as possible.

**The Safety Officer will:**

* Coordinate the development of a training and safety promotion program for managers, supervisors and employees.
* Collect, analyze and distribute data on the overall accident experience trends in each division.
* Assist managers in developing safe work practices and procedures for employees.
* Serve as the Agency’s contact with safety organizations on safety matters.

**Managers will:**

* Distribute safety information in a manner that will reach and affect every employee under their supervision.
* Review quarterly accident summary reports and take appropriate corrective action when accident trends are unfavorable.
* Hold meetings with supervisors and employees to review safety conditions, safety procedures and specific hazards.
* Conduct job safety analysis for positions under their supervision to develop safe work practices and procedures.
* Ensure that all proper safety precautions are taken for safe use when new tools, equipment or procedures are introduced.
* Review time-loss accidents personally to verify that accident causes have been investigated and proper corrective action taken.
* Ensure that the necessary safety equipment and protective devices are provided for each job.
* Include the ability and interest in working safely in the evaluation of employee performance.
* Enforce established safety rules, practices and procedures; ensure that employees receive the training, instruction and guidance necessary to assure compliance.

**Immediate Supervisors will:**

* Ensure that employees understand and observe safe work practices and procedures.
* Instruct current and new employees on safe work procedures and emphasize specific job hazards and how to avoid them.
* Inspect equipment and work areas and observe employees performing daily tasks to determine unsafe work habits, conditions and general housekeeping in the work area.
* Take prompt, corrective action whenever unsafe conditions or acts are noted; immediately report any unsafe conditions beyond their ability or authority to correct.
* Insist that employees report every accident whether or not an injury occurred.
* Investigate and submit a report within 24 hours of every accident.
* Determine the cause of each accident and take corrective action.
* Hold safety meetings with employees to promote safe work habits, discuss specific job hazards and request safety suggestions from employees.
* Enforce safety rules, practices and procedures; ensure that each employee understands that violations will not be tolerated.
* Evaluate employee performance for the ability and interest in working safely.

**Employees will:**

* Act safely in daily activities and at no time do anything they expect could result in an accident or injury to themselves or others.
* Follow specific safe work practices and procedures given to them by their supervisor.
* Be responsible for their own safe conduct.
* Be alert to unsafe conditions and report them immediately to their supervisor.
* Use all safety equipment provided and ensure guards are in place before operating machinery.
* Take care of any tools, equipment or vehicles placed in their charge and report any needed repair or replacement necessary for safe use.
* Not attempt to operate, repair or otherwise tamper with tools, equipment or vehicles without specific authorization.
* Report all accidents immediately to their supervisor whether or not an injury occurred or a physician’s attention is necessary.
* Obtain authorization, if practical, from their supervisor before seeking medical treatment.

**Disciplinary Action**

Managers and Supervisors shall take corrective measures as necessary to ensure safety rules and safe work practices and procedures are not violated. Initial corrective measures include employee training, instruction and guidance to achieve a positive attitude toward working safely.

In every preventable accident the employee shall be made aware that the Agency will not tolerate unsafe work practices. Preventable accidents include those caused by:

* Failure to use available personal protective equipment.
* Failure to use proper lifting techniques.
* Failure to observe hazardous footing conditions.
* Careless or thoughtless acts.
* Horseplay or practical jokes.
* Misuse of equipment.
* An employee under the influence of alcohol or drugs.

In situations where there is a willful disregard for safety rules or the employee fails to accept and follow safe work practices, disciplinary action shall be considered. Disciplinary action may include verbal reprimand, written reprimand, disciplinary probation, suspension or dismissal. The following should be considered when determining whether disciplinary action is warranted:

* Action leading to the severity of the incident.
* Unsafe acts and contributing negligence.
* Previous accident violations.
* Safety rule violations.
* Repeated or willful disregard for safety rules.
* Work and safety attitude.
* Training and experience.
* Environmental conditions and degree of exposure to hazardous conditions.
* Use of personal protective equipment.
* Immediate supervisor’s responsibility to have avoided the accident.

**Agency Safety Goal**

It is the goal of this Agency to eliminate or reduce the number and severity of accidents through aggressive promotion of safe work practices within the Agency. This goal requires the full cooperation of management at all levels, first-line supervisors and employees. Safety and training programs reduce accidents as well as the cost of operation. However, the first-line supervisor and employee have the first opportunity to recognize and eliminate unsafe conditions and work methods before an accident or injury occurs.

**Summary**

Work related injuries are always costly to individual employees and often disastrous to their future and the security of their families. They are also costly to the Agency, both in direct financial burdens and in the reduction of efficiency. The efficiency of any operation can be measured by its ability to control unnecessary loss. All employees are urged to fully cooperate not only for the good of the Agency but also for their own welfare and protection.

**SUPERVISOR’S EMPLOYEE ORIENTATION SAFETY CHECKLIST**

Before an employee begins work with the Agency, that individual shall receive a safety orientation which includes the following;

1. Employees shall receive and familiarize themselves with the Safety/Loss Prevention Policy.
2. Employee must sign the Safety Information Acknowledgment form.
3. Employees shall be provided the appropriate protective equipment and/or informed of items which they must provide at their own expense (gloves, footwear, etc.).
4. Employees shall be informed:
	* + That working safely is a must.
		+ Of the appropriate clothing required for working safely.
		+ Of the location of first aid kits, fire extinguishers and emergency telephone numbers.
		+ That all accidents must be reported immediately to the supervisor whether or not an injury occurred or a physician’s attention is necessary.
		+ That authorization must be obtained from the supervisor before seeking medical treatment, if practical.
		+ That if they see a physician or file a workers’ compensation claim without first notifying the supervisor that the injury was job-incurred, the claim may be disputed by the Agency and investigated by the State Insurance Fund.

**SAFETY INFORMATION ACKNOWLEDGMENT**

That I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, have received and will familiarize myself with the Agency Safety/Loss Prevention Policy.

That I understand that disregard on my part of the Safety/Loss Prevention Policy may be cause for disciplinary action.

|  |
| --- |
|  |
| Employee Signature |

|  |
| --- |
|  |
| Date |

Note: To be signed by the employee and returned to the Supervisor, copied for placement in the employee’s personnel file.

**PROCEDURES FOR REPORTING WORK RELATED ACCIDENTS OR INJURIES**

1. All work related accidents or injuries that may or do result in physical harm must be reported (before end of shift) whether or not medical care is needed.

2. Before the end of the workday, [the supervisor] will complete a "Supervisors Accident Report" (SAR) form, including the "Corrective action to prevent similar accidents" section.

3. If medical care has been sought or is anticipated, a First Report of Injury and Claim for Benefits Form will be completed. The form will be provided to the supervisor and employee for review and signatures.

5. The signed Notice form will be forwarded to management for review and processing.

6. If no medical care was initially required as a result of the accident or injury, the [supervisor] will contact the employee within 14 days to determine employee's current condition, which will be noted on the SAR form.

THIS PROCEDURE HAS BEEN ESTABLISHED TO IMPROVE OUR ACCIDENT REPORTING AND RESOLUTION PROCESS.

I acknowledge that I have read and understand this Accident Reporting Procedure.

Employee Signature Date

Supervisor Signature Date

Appendix Q: Continuity of Operations Plan (COOP)

*Agency to insert their own COOP plan here.*

Appendix R: Problem-Solving and Due Process

**Purpose**

For Classified Employees:

* To provide a process to discuss and resolve issues in the workplace.
* To provide due process for disciplinary dismissals, suspensions, demotions, and involuntary transfers.

Please carefully review these procedures. Your supervisor may answer any question regarding these procedures. (Refer to IDAPA 15.04.01.200 (DHR Administrative Rule 200)).

**Problem-Solving Procedure**

Classified employees with permanent, provisional, or entrance probationary status are eligible to use a formal conflict resolution process called Problem-Solving. This procedure is for any job-related matter except the following: (1) compensation, except as it applies to alleged inequities within a particular agency or department; (2) termination during the entrance probationary period; (3) items set forth in IC 67-5315(2) (dismissals, demotions, and suspensions, see Due Process below) and (4) involuntary transfers.

In general, this procedure requires an employee to meet with his or her immediate supervisor to resolve the matter(s), file for problem-solving, meet with the HR Representative appropriate to resolving the issue, and receive a final decision from the [Administrator/Director].

**GENERAL INFORMATION:**

**Sexual Harassment and other Illegal Discrimination**

Complaints alleging sexual harassment or other illegal discrimination based on race, sex, national origin, age, or disability may be filed using the problem-solving procedure, but should be filed in accordance with the procedures outlined in the policy.

**Time Frames**

An employee should file for Problem-Solving in writing no later than ten (10) working days after being notified of an action, becoming aware of the issue or problem, or when discussions with the immediate supervisor to resolve the issue have reached an impasse.

The time limit for filing for Problem-Solving does not include days the employee is away from work due to illness or other approved leave. The ten (10) working day calculation does not include the day on which the problem occurred but does include administrative leave.

If an employee does not meet the time limits specified in the Problem-Solving procedure for requesting the next level of review (two days), the matter may be considered resolved or dropped. Time elements or intermediate steps for this procedure may be waived upon mutual agreement of the employee and [Administrator/Director].

**Waiver of Intermediate Steps and Time Period**

The intermediate steps of the Problem-Solving procedure or the time frames may be waived upon mutual agreement of the employee and the supervisor. Internal time periods of the procedure may be extended when the employee, immediate supervisor, management representative or [Administrator/Director] is not available due to illness or other approved leave, but in no case longer than ten (10) working days after their return unless expressly agreed upon by both parties.

Time limits specified for requesting the next level of review cannot be extended except when the employee is absent from work due to illness or approved leave. The employee must request the next level of review on the first day the employee returns to work or the matter will be considered resolved or dropped.

**Leave Issues**

The employee and other staff involved, upon approval by their respective immediate supervisors, will be allowed to use regular work time for problem resolution discussions.

**Prohibitions**

No employee shall be disciplined or otherwise prejudiced in his or her employment for exercising his or her rights under the problem-solving procedure. No supervisor or any other official of [Agency] may retaliate against an employee for:

* Filing under this problem-solving procedure;
* Participating as a witness or an employee representative; or
* Assisting another employee in preparing a filing.

**Representation**

Except as otherwise provided herein, an employee has the right to be represented by anyone he or she chooses at each step of the procedure. Employees are responsible for notifying representatives of the time and place for meetings. The schedule limitations of the employee's representative shall not unreasonably delay the process. The employee is responsible for compensating a representative and for paying the representative's expenses.

**Problem-Solving Procedure Steps (IDAPA 15.04.01.200)**

**Step 1: Meeting with Immediate Supervisor**

Before actually filing for problem-solving, an eligible employee must first make a reasonable attempt to meet with and resolve the matter(s) with his or her immediate supervisor. Representatives are not permitted at the informal meeting with the immediate supervisor (IDAPA 15.04.01.200.04).

Employees and supervisors are strongly encouraged to engage in this informal problem-solving meeting in order to identify the precise matter(s) at issue, discuss ways to resolve the matter(s), and hopefully resolve the matter(s) at the lowest possible level, consistent with the intent of the Problem-Solving Procedure.

**Step 2: Filing for Problem-Solving**

Eligible employees are required to file for problem-solving in writing no later than ten (10) working days after being notified of or becoming aware of any matter, which may be handled through the Problem-Solving Procedure. If the filing alleges an ongoing pattern of harassment or illegal discrimination, it shall be considered timely if filed within ten (10) working days after the last allegedly offensive action. The time limit for filing shall be extended due to the employee's illness or other approved leave, up to ten (10) days after returning to the job. Problem-Solving Request forms are available from and must be filed with the employee's supervisor.

**Step 3: Meeting with Management Representative**

The employee will meet with the appropriate higher-level management representative no later than five (5) working days after filing for problem-solving. The management representative will consult with the employee's immediate supervisor to determine who may be best able to resolve the problem in this meeting with the employee. The management representative will also take into account the employee's preference in deciding who should be present. Since the goal of this procedure is to resolve problems at the lowest level possible, this meeting may involve the immediate supervisor and any additional people who may be helpful in resolving the issue(s).

**Step 4: Final Decision from [Administrator/Director]**

The [Administrator/Director] may consult with the employee, immediate supervisor and management representative, and any others who participated in the problem-solving procedure in order to determine how best to resolve the issue(s). The employee will receive a final decision from the [Administrator/Director] no later than five (5) working days after meeting with the management representative. The problem-solving procedure ends with the decision of the [Administrator/Director]. Problem-solving decisions are not generally appealable to the Idaho Personnel Commission.

**Due Process Procedure**

**General Overview**

All state employees who are classified and have attained permanent status (satisfactory completion of the probationary period) are entitled to due process before [Agency] makes any decision to dismiss, demote, suspend, or involuntarily transfer an employee. Due process requires [Agency] to provide the employee with notice and an opportunity to be heard before such a decision is made.

**Step 1: Notice**

When [Agency] provides notice to a permanent classified employee, the notice will contain the following information:

* 1. Notice of the Contemplated Action. [Agency] will provide the employee with notice of the contemplated action(s). For example, the notice may state that dismissal is the contemplated action. It may also set forth alternative forms of discipline, such as demotion or suspension.
	2. Notice of the Basis for the Contemplated Action. [Agency] will provide the basis or reasons for the contemplated action. The "basis" of the contemplated action is the for-cause reason and corresponding legal citation, which supports the action against a permanent classified employee. The "for cause" reasons are listed in IC 67-5309(n) and in IDAPA 15.04.01 190.01 (DHR Rule 190.01).
	3. Explanation of the Evidence. [Agency] will provide an explanation of the information or evidence pertinent to the contemplated action. This could include an explanation of statements made by other employees, an explanation of documents, and/or an explanation of events leading to the notice.
	4. Set a Time to Respond. [Agency] will set a time period within which the employee may respond, but in no event may that time period exceed ten (10) working days after the employee has received notice unless both [Agency] and the employee agree otherwise in writing. For example, the notice might include, "You have an opportunity to respond no later than five (5) working days after the date of this notice."

The Notice of Contemplated Action will be sent or delivered to the employee. [Agency] will not maintain the notice in the employee's service record. It will be placed in a file reserved for such notices and not made public. The final decision information will be placed in the employee's personnel file.

**Step 2: Opportunity to Respond**

A permanent classified employee who receives a notice of contemplated action is entitled to an opportunity to respond in person or in writing. The opportunity to respond is the employee's opportunity to respond to the notice and present his or her reason(s) why the contemplated action should not be taken. The employee may accept the opportunity and respond within the time period, may reject the opportunity by failing to respond within the time period, or may waive the opportunity.

* **Time to Respond:** The Notice of Contemplated Action will contain a set time period selected by [Agency] within which an employee may respond. [Agency] will make the final decision after the employee has responded, failed to respond, or otherwise waived the opportunity to respond in writing.
* **Right to Representation:** The law provides an employee with the right to be represented by a person of his or her choosing during the opportunity to respond.

**Step 3:** [Agency] **Decision**

[Agency] will notify the employee of its decision no later than ten (10) working days after the employee has responded, failed to respond, or otherwise waived his or her right to respond in writing. If a disciplinary sanction is imposed, the employee may have the right to appeal the agency's decision to the Idaho Personnel Commission within thirty-five (35) calendar days. Any such appeal does not stay the action. [Agency]’s final decision will be sent or delivered to the employee. The Due Process Procedure ends when the [Administrator/Director] notifies the employee of the decision.

Appendix S: Educational Assistance

[Agency] encourages employees to improve their performance by taking courses at colleges, universities, accredited trade or business schools, and by attending seminars and workshops. All such education/training shall require prior approval by the employee’s immediate supervisor. [Agency] may assist in defraying all or a portion of the tuition and fees when the course is related to the employee's job and performance.

Employees may request to attend job-related workshops and seminars. If the employee obtains prior approval to attend, [Agency] may pay all or part of the expenses.

Financial reimbursement for costs of tuition and books related to college, university, trade, or business school course work must be approved by the [Administrator/Director] and is subject to the following limitations:

* Employees who terminate employment with [Agency] prior to completion of the course will not be reimbursed. Employees who are laid off are reimbursed as if regularly employed.
* The percent of cost reimbursement for tuition, books, transportation, and per diem are negotiable. Attendance, grades, and impact of the educational activity toward [Agency]’s goals may factor into the reimbursed amount.
* [Agency] will pay all tuition and fees for course work required by [Agency].
* Class attendance will usually be during the employee's non-working hours. Prior approval is required for an employee attending class during regular working hours.
* An employee requesting tuition reimbursement for course work must complete a written request and discuss the request with his/her immediate supervisor.
* The supervisor will complete the request, sign and forward it to the [Administrator/Director] or his/her designee for approval.
* The request will be considered based upon its job-related merits, budget limitations, and compliance with the policy. The supervisor informs the employee of the decision.

Employeeswho attend training seminars shall, if requested by their supervisor, prepare a written report to enable others to share the information.

An Educational Assistance form must be submitted to your supervisor for approval prior to registering for the training.

**Payment/Reimbursement of Expenses**

For course work required by [Agency], direct billing of tuition is preferred.

For employee requested, undergraduate courses, reimbursement may occur once the course has been completed and a passing grade of C. The reimbursement amount will be predetermined by the [Agency] [Administrator/Director]. The IRS considers all tuition for reimbursement of graduate course work to be a taxable benefit. Reimbursement for these courses will be processed through the payroll system, with the standard deductions applied to the gross reimbursement amount.