

**LAKE REGION LAW ENFORCEMENT CENTER  
EMPLOYEE PERSONNEL POLICY**

Issued - 10/15/1991  
Revised/Updated – November 2024  
Approved – December 2024

# LAKE REGION LAW ENFORCEMENT CENTER

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Welcome Employee!

On behalf of your colleagues, we welcome you to employment with the Lake Region Law Enforcement Center (here-in-after referred to as LRLEC), and wish you every success here.

I have worked at the LRLEC for over 25 years and I love where I work, what I do and who I work with. I believe that each employee contributes directly to LRLEC's growth and success, and I hope you will have as much pride in being a member of our team as I do.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with LRLEC.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,



Starr Klemetsrud  
LRLEC Director

# LAKE REGION LAW ENFORCEMENT CENTER

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## **Introductory Statement**

This handbook is designed to acquaint you with the LRLEC and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the LRLEC to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As the LRLEC continues to grow, the need may arise and the LRLEC reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or the LRLEC to end our relationship for any reason at any time, with or without cause or notice. The policies contained in this handbook do not limit or modify the employment at-will relationship. These policies do not form an express or implied employment agreement or employment contract. Employees will, of course, be notified of changes to the handbook as they occur.

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## 101 NATURE OF EMPLOYMENT

This handbook is designed to acquaint you with the LRLEC and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. This handbook describes many of your responsibilities as an employee and outlines the programs developed by the employer to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As the LRLEC continues to grow, the need may arise to change policies described in the handbook. The LRLEC therefore reserves the right to revise, vary, change, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion.

\*\*\*\*\*PLEASE NOTE\*\*\*\*\*

THIS PERSONNEL POLICY MANUAL HAS BEEN DRAFTED AS A GUIDELINE FOR OUR EMPLOYEES. IT SHALL NOT BE CONSTRUED TO FORM A CONTRACT BETWEEN THE LRLEC AND ITS EMPLOYEES. RATHER, IT DESCRIBES THE AGENCY'S GENERAL PHILOSOPHY CONCERNING POLICIES AND PROCEDURES.

\*\*\*\*\*

THE LRLEC's EMPLOYEES ARE THE ONLY EMPLOYEES WITHIN THE LRLEC WHO ARE GOVERNED BY THIS POLICY MANUAL.

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Revised: September 2020

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## 103 EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the **LRLEC** will be based on merit, qualifications, and abilities. The **LRLEC** does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, sexual orientation, national origin, age, physical and mental disability, marital status, public assistance status, or any other characteristic protected by law.

The **LRLEC** will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. **The LRLEC** will also give consideration to amnesty or status as a covered veteran in accordance with applicable federal, state, and local law. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the **Director**. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Qualified veterans shall receive preferential status for employment with the LRLEC as set forth in North Dakota Century Code.

Revised: November 2024

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## **105 EMPLOYMENT APPLICATIONS AND MINIMUM QUALIFICATIONS**

The LRLEC relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Agency's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Through the hiring process all applicants must prove that they meet the following minimum employment qualifications:

- Must provide proof of High School Diploma or General Education Diploma (GED)
- Must pass a pre-employment drug test as per [Policy 707 – Substance Abuse Policy](#)
- Must pass a pre-employment background check as outlined in [Policy 203 – Background Checks](#).
- Must have a valid driver's license.

Some positions may require additional certifications or licensures, as well as increased educational and/or experience requirements.

Revised: June 2022  
Revised: June 2021  
Revised: January 2020  
Revised: June 2019



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### **107 IMMIGRATION LAW COMPLIANCE**

LRLEC is committed to employing only United States citizens and aliens who are authorized to work in the United States and complies with the Immigration Reform and Control Act of 1986.

As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9. Before commencing work, newly rehired employees must also complete the form if they have not previously filed an I-9 with this organization, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid. I-9 Forms are then checked through E-Verify as specified under the Immigration Reform and Control Act of 1986.

Employees with questions or seeking more information on immigration law issues are encouraged to contact their supervisor first, then the Director if necessary. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

Revised: November 2024

### **109 EMPLOYEE RELATIONS**

The LRLEC believes that the work conditions, wages and benefits it offers to its employees are highly competitive with those offered by other employers in this area and in this industry. If employees have any concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors. Employee grievances are addressed in section [801 Grievances](#) of this handbook.

Our experience has shown that when employees deal directly with supervisors, the work environment is excellent, communications are clear and attitudes are positive. We believe that the LRLEC has amply demonstrated its commitment to responding effectively to all employee concerns.

Revised: May 16, 2018

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## **111 PERSONAL RELATIONSHIPS IN THE WORKPLACE**

The employment of relatives or individuals involved in a dating relationship in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual “romantic” or sexual relationship. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative without prior approval of the Board of Commissioners. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship without prior approval of the Board of Commissioners. The Law Enforcement Center also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative relationship or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within 30 calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

No Law Enforcement Center Department Head, can appoint his/her spouse, son, daughter, brother or sister to any position under their control without prior approval of the Board of Commissioners.

Relatives of the Board of Commissioners may not be hired without prior approval of the Board of Commissioners.

Revised: November 2024  
Revised: June 2022

## **113 CONFLICTS OF INTEREST**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the LRLEC wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Below are behaviors prohibited by the Conflict-of-Interest Policy:

Transactions with outside firms must be conducted within a framework established and controlled by the LRLEC Board of Commissioners. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit either the LRLEC, the employee or both. Promotional plans that could be interpreted to involve unusual gain require specific executive level approval.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the LRLEC's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. It is imperative that employees disclose any relationship to an appropriate official of the LRLEC as soon as possible. Personal gain by an employee or a relative in the form of kickbacks, bribes, substantial gift or special consideration as a result of business transactions with LRLEC is prohibited.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the Director as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

An employee of the LRLEC shall not hold any position, nor serve on any board in which such interest or position would conflict with the duties assigned to that individual and/or that individual's office either by constitution or statute. An employee of the LRLEC shall not receive remuneration in any form from an individual, business, corporation, or any other entity for services rendered while acting as an employee or agent of the LRLEC.

An employee of the LRLEC may hold outside employment unless precluded by statute. Outside employment should not create a conflict of interest with constitutional duties, statutory duties and/or the performance level assigned to the individual or the individual's office.

In general, LRLEC positions shall be considered the primary employer with outside employment considered as secondary. The Department Head shall be made aware of secondary employment by the employee and confirm that a conflict of interest does not exist.

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An employee engaged in political activity as defined in NDCC 39-01-04, may have a potential conflict of interest and should explain the duties and responsibilities to the Department head to determine if a conflict of interest exists. The employee will be required to take annual leave for any time taken during normal working hours to carry on such political activity.

The materials, products, designs, plans, ideas, and data of this organization are the property of LRLEC and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible termination.

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### **115 OUTSIDE EMPLOYMENT**

An employee may hold a job with another organization as long as they disclose in advance to the Department head and satisfactorily performs his or her job responsibilities with LRLEC.

Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by performance standards and will be subject to the Agency's scheduling demands, regardless of any existing outside work requirements.

If an employee's department head determines that an employee's outside work interferes with performance or the ability to meet the requirements of this organization as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to remain with LRLEC.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the LRLEC for materials produced or services rendered while performing their jobs or from the use of LRLEC owned facilities, materials, equipment or tools used while off duty.

Revised: May 16, 2018

## **117 NON-DISCLOSURE AND CONFIDENTIALITY**

The protection of confidential information is vital to the interests and the success of the LRLEC. Such confidential information includes but is not limited to the following examples:

- Compensation data
- Inmate record information
- Financial information
- Labor relations strategies
- Marketing strategies
- New materials research
- Personnel information
- Pending projects and proposals
- Proprietary production processes
- Research and development strategies
- Technological data
- Technological prototypes
- All juvenile records
- All security information and access codes

All employees may be required to sign a non-disclosure or confidentiality agreement as a condition of employment. Any employee who discloses confidential information will be subject to corrective action (including possible termination), even if they do not actually benefit from the disclosed information.

## **119    DISABILITY ACCOMMODATION**

The LRLEC is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. Leave of all types will be available to all employees on an equal basis.

The LRLEC is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The LRLEC will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. The LRLEC is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

Created: November 2024



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## 201 EMPLOYMENT CLASSIFICATION

It is the intent of the LRLEC to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Each employee is designated as either **NON-EXEMPT** or **EXEMPT** from the federal and state wage and hour laws.

**NON-EXEMPT** employees are entitled to overtime pay under the specific provisions of federal and state laws.

**EXEMPT** employees are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong in one or more other employment category:

**REGULAR FULL-TIME:** Employees who are not in a temporary or introductory status and who are regularly scheduled to work the organization's full-time schedule. Generally, they are eligible for the employer's full benefit package, subject to the terms, conditions, and limitations of each benefit program.

Full-time employment is defined as working an average of at least 32 hours per week, or a minimum of 130 hours in a calendar month. Use of approved leave benefits will apply toward the hour requirement. An employee who does not meet these hour requirements for a calendar month may be reduced to a part-time classification and be subject to the loss of certain employee benefits as a result.

**PART-TIME:** Employees who are regularly scheduled to work less than a full-time schedule (32 hours) per week. While they do receive all legally-mandated benefits (such as workers' compensation and Social Security benefits), they are ineligible for any of the employer's other benefit programs.

**INTRODUCTORY:** Employees who are being evaluated to determine whether further employment in a specific position or with the organization is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. Refer to [Policy 205 – Introductory Period](#)

**TEMPORARY:** Employees hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited and indefinite duration. Employment beyond any initially stated period does not in any way imply a change in employment status. "Temporary" employees retain that status until notified of a change. While temporary employees receive all legally-mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for any of the employer's other benefit programs.

**CASUAL:** Employees who have established an employment relationship with the organization but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally-mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for any of the employer's other benefit

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programs.

There is no expectation or requirement to provide hours to a casual employee, likewise there is no expectation or requirement for a casual employee to work hours requested unless mutually agreed upon.

**HOURLY:** Employees whose rate of pay is calculated out to an hourly rate by dividing their annual salary by 2080 hours scheduled per year. They are then paid by multiplying this rate times the number of hours worked during a single pay period. Overtime hours are paid based on a 40-hour work week and at a one- and one-half-time rate (1.5).

**HOURLY 28:** Employees whose rate of pay is calculated out to an hourly rate by dividing their annual salary by 2184 hours scheduled per year. They are then paid by multiplying this rate times the number of hours worked during a single pay period. Overtime hours are paid based on a 168-hour, 28-day, predetermined overtime cycle. Overtime hours are paid at a one- and one-half-time rate (1.5).

**SALARY:** Employees whose rate of pay is calculated out to a bi-monthly salary by dividing their annual salary by the 26 pay periods in a year.

The LRLEC serves a vital and essential public safety function in all departments. There are minimum active staffing levels that are required to be maintained within each department to ensure these services are provided without interruption. All staff will be classified into one of the following categories:

**ESSENTIAL PERSONNEL** are staff whose primary job duties are critical to public safety. Positions classified as Essential Personnel within the LEC are:

- Public Safety Telecommunicator I, II, and III
- Public Safety Telecommunications Sergeant
- Correctional Officer I, II, and III
- Correctional Sergeant
- Reentry Officer I and II

**NON-ESSENTIAL PERSONNEL** are staff whose primary job duties are not critical to public safety. Positions classified as Non-Essential Personnel within the LEC are:

- |   |                                 |
|---|---------------------------------|
| • Director  | • Correctional Captain          |
| • Finance Administrator                           | • Correctional Lieutenant       |
| • Facilities Manager                              | • Reentry Operations Manager    |
| • Accounts Payable / Human Resource Officer       | • Case Manager                  |
| • Office Manager                                  | • Reentry Employment Specialist |
| • E911 Coordinator / Communications Administrator | • Maintenance Staff             |
| • E911 Lieutenant                                 | • Medical Staff                 |
|   | • Community Service Officer     |

The Director may authorize emergency closure of the Law Enforcement Center due to severe weather conditions or other emergencies such as fire, utility failure, or other forced evacuations.

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Essential personnel are required to report to their designated work location to ensure continuous operation of essential services during an emergency closure and regardless of adverse weather conditions.

In the case of an impending weather event, essential personnel will be expected to make necessary arrangements to ensure that they are able to report to work as scheduled. Coordinating schedule swaps with the department administrator and other staff prior to the weather event is an acceptable alternative. Being stuck or unable to make it into work as scheduled due to travel conditions is not an excusable absence. Essential personnel who fail to report to work as scheduled are subject to point accrual as outlined in [Policy 709 – Attendance and Punctuality](#).

There may be situations where Non-Essential Personnel will be required to report to work to assist with emergency situations outside of their normal schedule and/or during an emergency closure as determined by the Director or their designee.

**INTERN:** The LEC may periodically employ student interns for periods when they are not in school. The purpose of this policy is to ensure interns have a productive stay. An intern is not eligible for pay or benefits for work performed while classified as an intern at the LEC.

Hiring managers who plan to add an intern for a specific assignment must submit a written request to the Director. The request must include the anticipated schedule of hours to be worked, the nature of the work to be completed, and duration of internship.

An intern shall pass all pre-employment requirements prior to working in any capacity within the LEC. An intern shall complete all orientation and training requirements consistent with the work to be performed, to include review and acknowledgement of policies.

Due to the short-term assignment of interns, the department administrator will be responsible for providing a narrative report of the intern's assignments and progress at the close of each calendar month. In the week in which an intern's assignment ends, the department administrator will provide a final progress report. These reports are to be provided to the HR Officer to be placed in the employee file. A copy of these reports may be provided to a school/university as needed to ensure proper credit is received.

Revised: June 2021  
Revised: September 2020  
Revised: June 2019  
Revised: May 16, 2018

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## 203 BACKGROUND CHECKS

All offers of employment at the LRLEC are contingent upon clear results of a thorough background check. Background checks will be conducted on all final candidates, on all employees who are promoted, and at least once every five years following employment. Ordinarily, applicants with a history of any of the following are to be disapproved. Any existing employees found to have any of the following on a subsequent background check will be subject to immediate corrective action up to and including termination:

- If the individual applicant has pled guilty to, pled nolo contendere to, or has been found guilty of, a felony offense in any state court or federal court;
- If the individual applicant has pled guilty to, pled nolo contendere to, or has been found guilty of, any offense in any state court or federal court involving domestic violence, identify theft, or fraud;
- If the individual applicant or the individual applicant's If the individual applicant or the individual applicant's employing agency has committed fraud, falsification, or material misrepresentation in the application for access
- If the individual applicant has pled guilty to, pled nolo contendere to, or has been found guilty of, a class A misdemeanor offense, or equivalent offense, in any state or federal court, the attorney general may grant access not less than five years from the date of conviction, release from incarceration, or expiration of parole or probation, whichever is the latest.
- If the individual applicant has pled guilty to, pled nolo contendere to, or has been found guilty of, a class B misdemeanor offense, or equivalent offense, in any state or federal court, but excluding first-time offenses for issuing checks with insufficient funds or without an account and first-time criminal traffic offenses, the attorney general may grant access not less than two years from the date of conviction, release from incarceration, or expiration of parole or probation, whichever is the latest.
- Within the past year, three or more separate instances of moving traffic violations;
- Within the past three years, two or more driver's license suspensions/revocations;
- Within the past three years, two or more convictions for driving while intoxicated or driving under the influence;
- Within the past three years, two or more convictions for disorderly conduct or public intoxication;
- Behavior or conduct in violation of [Policy 701 Employee Conduct, Ethics and Work Rules](#); or
- Within the past five years, one or more instances of physical force resulting in physical harm or medical attention required to another except in self-defense, to prevent physical harm to another.

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## **205 INTRODUCTORY PERIOD**

An employee should use the initial period after being hired or rehired within the Agency to determine whether the new position meets his or her expectations. The LRLEC uses this period to evaluate employee capabilities, attitude, and work habits. Either the employee or the Agency may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for six (6) calendar months after their date of hire. Any significant absence will automatically extend the introductory period by the length of the absence. If the department administrator determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee, they may recommend to the Director an extension of the introductory period for a specified period.

Introductory employees will assume "regular" status upon satisfactory completion of the introductory period. During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security and employees are eligible for any other employer-provided benefits, subject to the terms and conditions of each benefit program. See your supervisor for clarification of these benefits provisions.

After six (6) months of employment, the employee may be eligible for a step increase in wage based upon a performance evaluation. Thereafter, all step increases in wage will be based on a yearly performance evaluation conducted within the calendar month of the employee's employment anniversary.

The evaluating supervisor will determine whether or not to make a recommendation for a step increase. The Director will make the final determination on whether or not to grant the recommended increase.

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Revised: June 2022  
Revised: September 2020  
Revised: November 20, 2019  
Revised: June 2019  
Revised: May 16, 2018  
(Revised/Updated 09-09-98 - Effective Immediately)  
Updated/Approved July 15, 2009 (Effective Immediately)

### **207 PERFORMANCE EVALUATION**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's introductory period in any new position. This period allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance reviews are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. You cannot assume that you will necessarily receive a wage or salary increase each time your performance is reviewed.

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## **209 ACCESS TO PERSONNEL FILES**

The LRLEC maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the LRLEC, and access to the information they contain is restricted to the normal LRLEC business hours of the Directors office in the presence of the Director or his/her designee. Records which are considered private under provisions of state and federal law are kept separately and access is restricted to the respective employee and supervisors with a legitimate need to access them.

Employees who wish to review their own file should contact the Director. With reasonable advance notice, employees may review their own personnel files in the admin offices and in the presence of an individual appointed by the LRLEC to maintain the files.

Created: November 2024

# LAKE REGION LAW ENFORCEMENT CENTER

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## **205 ON-CALL / MANDATORY CALL IN**

The LRLEC requires maintaining established minimally acceptable staffing levels 24 hours per day, 7 days a week, and 365 days per year. In order to maintain minimum acceptable staffing levels, handle emergent situations where additional staff are required, or to provide direction, certain employees will be expected to be on-call for periods of time when they are not actively working.

### **Line Staff**

Line staff will be on call as directed by the department administrator. Any on-call policy must be limited to either a formal on-call schedule or to an open honor system approved by the Director. Failure to be available to come in as needed according to the department's policy may result in corrective action up to and including termination.

On rare occasion, staff may be called upon even when not on-call and required to report to work to assist with significant incidents or situations requiring additional staff.

### **Administrative Staff**

Key administrative staff will be reachable by phone at all times to give direction to line staff as needed. Administrative staff will be expected to respond in order to assist in resolving any emergent situation, any situation where immediate administrative action may be required, or any situation where immediate notification of other entities or agencies is required by said staff.

When administrative staff is unavailable to be on-call they will assign a designee to handle the on-call duties in their absence.

Revised: March 2023  
Revised: September 2020  
Created: May 16, 2018



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## **209 PERSONAL DATA CHANGES**

It is the responsibility of each employee to promptly use the Employee Self Service (ESS) system for making any changes in personal data. Personal mailing and/or physical addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

The employee shall also notify their department administrator of the changes who will then notify the Administrative staff of any changes that affect payroll, benefits, employment classification, or employment status.

Revised: September 2020  
Revised: June 2019  
Revised: May 16, 2018

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## **301 EMPLOYEE BENEFITS**

Eligible employees in the LRLEC are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in this handbook.

The following benefit programs are available to eligible employees:

- Holidays (Policy 303)
- Vacation Benefits (Policy 305)
- Sick Benefits (Policy 307)
- Unpaid leave (Policy 309)
- Worker's Compensation Insurance (Policy 311)
- Nationwide Retirement Solutions Deferred Compensation – Retirement (Policy 315)
- Bereavement Leave (Policy 317)
- Jury Duty Leave (Policy 323)
- Witness Duty Leave (Policy 325)
- Medical Insurance (Policy 327)
- Education Reimbursement Program (Policy 329)
- Uniform Allowance
- AFLAC (Employee Paid)
- Globe Life (Employee Paid)
- Benefit Conversion at Termination – “COBRA”

Some benefit programs require contributions from the employee, but many are fully paid by the LRLEC.

Example: If an employee begins employment January 13<sup>th</sup>, that employee is eligible for health benefits March 1<sup>st</sup>. If an employee begins employment January 1<sup>st</sup>, that employee is eligible February 1<sup>st</sup>.

Revised: June 2022

Revised: June 2019

Revised: May 16, 2018

\*\*\*\*Medical Insurance Employee Contribution (Effective January 1, 2013)

Revised/Approved December 17, 2008 (Effective Immediately)

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## 303 HOLIDAYS

The LRLEC will grant holiday time off to all employees on the holidays listed below:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (third Monday in January)
- President's Day
- Good Friday
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veteran's Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving (day after the fourth Thursday in November)
- Christmas Eve Day (December 24) (Must fall Monday thru Thursday)
- Christmas (December 25)

Any other day appointed by the President of the United States or the Governor of the State of North Dakota and approved by the LRLEC Governing Board.

According to applicable restrictions, the Agency will grant paid holiday time off to all eligible employees immediately. Eligible employee classification(s):

- Regular full-time employees
- Introductory full-time employees

All communications, corrections, and reentry line staff that do not work any portion of the actual holiday will be paid at their straight time base pay rate for a total of 8 hours. If an eligible employee works on a recognized holiday, they will only receive wages at straight time base pay rate for the actual hours worked on the holiday plus their holiday pay for the actual hours worked.

Administrative staff will be given holidays off with pay. Hourly administrative employees will be given 8 hours of holiday pay whereas salaried administrative employees will receive the day off with pay. When a recognized holiday falls on a Saturday it will be observed by administrative staff on the preceding Friday and a recognized holiday that falls on a Sunday will be observed on the following Monday with the exception of Christmas Eve Day.

Administrative staff is generally defined as the Director, Captain of Corrections, Lieutenant of Corrections, E-911 Coordinator/Communications Administrator, Communications Lieutenant, RRC Operations Manager, RRC Case Manager, RRC Employment Specialist Community Service Officer, Finance Administrator, Accounts Payable/HR, Office Manager, PREA Coordinator, Facilities Manager/IT, Maintenance Staff, and any other position as designated by the Director.

Part-time or casual employees are eligible to earn holiday pay in addition to their straight time base pay rate for actual hours worked on a holiday; however, they are not eligible for holiday pay if they do not work the holiday.

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The use of leave on recognized holidays will be extremely limited and only approved on a case-by-case basis. If a recognized holiday falls during an eligible employee's paid absence (e.g., annual leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Paid time off for holidays will not be counted as hours worked for the purposes of determining whether overtime pay is owed.

Revised: December 2022

Revised: June 2022

Revised: November 20, 2019

Revised: May 16, 2018

(Policy Updated/Revised 12-13-2000)

Revised/Updated April 12, 2002 (Effective Immediately)

Revised/Updated December 13, 2004 (Effective 12-24-2004)

Updated/Approved July 15, 2009 (Effective Immediately)

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## **305 ANNUAL LEAVE BENEFITS (VACATION)**

The following employee classifications are eligible for annual leave benefits according to the guidelines set forth in this policy:

- Regular Full-Time Employees/Introductory Employees:

Annual leave begins accruing at the completion of the first full calendar month following the date an employee is hired into an eligible employment category, and will continue to accrue on the last day of each month thereafter that the employee is actively employed in an eligible employment category. Annual leave benefits may be used beginning the first day of the month immediately following when 48 hours have accumulated.

Annual leave time must be taken in one-quarter (1/4) hour increments and cannot exceed the amount of scheduled work time missed.

Annual leave may only be used for time taken off for a regularly scheduled shift as per a normal operating schedule for that position. Annual leave may not be used for absence from any scheduled shift that varies from the normal operating schedule for that position. Examples would be extra shifts scheduled to fill a vacancy, any shift scheduled as a result of a swap, any shift worked as a result of being called in, or any other such extra shift identified by administrative staff. Normal operating schedule for each position will be defined by each department's manager and is subject to approval by the Director.

Positions on a 40-hour work week may only use leave up to a combined total of 40 hours for the week, excluding holiday pay.

Positions on a 168-hour, 28-day overtime cycle may only use leave for time missed on a regularly scheduled shift as defined above.

Annual leave pay will be calculated based on the employee's straight-time pay rate (in effect when annual leave benefits are used) times the number of hours the employee would otherwise have worked on the day(s) of absence. Annual leave pay does not include shift differentials, shift swaps, incentive pay, bonuses, or other special forms of compensation. Annual leave benefits for salaried employees will be based on their normal wages.

Employees who have satisfied all eligibility requirements may submit annual leave requests to their supervisors. Requests shall be submitted 30 days prior to the time requested to allow for adequate staffing. Requests not submitted with at least a 30-day notice may be denied. Employees not providing at least 24-hour notice shall be subject to accrual of points for work missed as outlined in [Policy 204 – Attendance and Punctuality](#). Requests will be evaluated based upon various factors, including anticipated operating requirements and staffing considerations during the proposed period of absence. Consecutive days of annual leave taken in excess of 80 hours require advanced approval by the Department Administrator.

When taking extended medical leave, the employee will be required to utilize accrued annual leave benefits as identified in the policy [507 – Extended Medical Leave](#).

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Employees are strongly encouraged to take earned annual leave during the benefit year of its accrual. Employees are allowed to accrue a maximum of 240 hours of annual leave. When that limit is reached, employees will cease to accrue more annual leave until the existing level falls below the 240-hour maximum.

Upon separation of employment, employees will be paid out the full unused balance of their annual leave accrual

Employees should note that the LRLEC has adopted policy in which the accrual of annual leave may be suspended for a period of time as a form of corrective action, see [311 - Disciplinary Procedures](#).

The Eligibility Table below defines when annual leave benefits become available to full-time regular employees:

Annual leave Benefits Eligibility Table

Length of Service	Hours Accrued Per Month	Hours Accrued per Year
0 through 48 months	8 hours	96 hours
49 through 96 months	10 hours	120 hours
97 through 180 months	12 hours	144 hours
181 months and over	16 hours	192 hours

Annual Cash Out Option:

Qualifying employees have the option to 'cash out' 40 hours of annual leave to be paid in the pay period ending November 30<sup>th</sup> of each year. To qualify an employee must (1) be a full-time regular employee at the LRLEC for at least 24 consecutive calendar months as of November 1 of that year, (2) have at least 88 hours of annual leave banked as of November 1 of that year, and (3) submit a payroll form requesting these 40 hours to the employee's Department administrator no later than November 10 of the same year.

The 40 hours will be paid as a part of payroll, taxed accordingly, and deducted from the employee's accrued annual leave for the pay period ending November 30.

Revised: December 2022

Revised: June 2022

Revised: September 2020

Revised: September 2019

Revised: June 2019

Revised: August 15, 2018

Revised: May 16, 2018

Updated/Approved July 15, 2009 (Effective Immediately)

Update/Revised July 8, 1998 (Effective Immediately)

Update/Revised May 10, 2000 (Effective May 1, 2000)

Update/Revised September 24, 2001 (Effective Immediately)

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## **307 SICK LEAVE BENEFITS**

The LRLEC provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- Regular Full-Time Employees/Introductory Employees:

Regular full-time/introductory employees are eligible to accrue sick leave benefits at the rate of 8 hours per month (96 hours per year). Sick leave benefits begin accruing at the completion of the first full calendar month following the date an employee is hired into an eligible employment category, and will continue to accrue on the last day of each full calendar month thereafter that the employee is actively employed in an eligible employment category. Sick leave benefits may be used the first day of the month immediately following when 48 hours have been accumulated.

An eligible employee may use sick leave benefits for an absence due to illness or injury sustained by that employee or an immediate family member, who for the purposes of this policy shall be defined as spouse, mother, father, mother-in-law, father-in-law, son or daughter, or legal guardian of minor children (under the age of 18).

Sick leave may only be used for time missed for a regularly scheduled shift as per a normal operating schedule for that position. Sick leave may not be used for absence from any scheduled shift that varies from the normal operating schedule for that position. Examples would be extra shift scheduled to fill a vacancy, any shift scheduled as a result of a swap, any shift worked as a result of being called in, or any other such extra shift identified by administrative staff.

Positions on a 40-hour work week may only use leave up to a combined total of 40 hours for the week, excluding holiday pay.

Positions on a 168-hour, 28-day overtime cycle may only use leave for time missed on a regularly scheduled shift as defined above.

Normal operating schedule for each position will be defined by each department's manager and is subject to approval by the Director.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee must apply for any other available compensation and benefits, such as state disability insurance. Sick leave benefits will be used to supplement any state disability insurance or workers' compensation benefits that an employee is eligible to receive. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal earnings. Sick leave benefits will be paid out in one-quarter (1/4) hour increments and cannot exceed the amount of scheduled time missed.

Because sick leave benefits are intended to provide income protection in the event of an actual illness or injury, unused sick leave benefits cannot be used for any other paid or unpaid absence. Upon termination of employment or retirement employees who have

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maintained continuous, full-time, regular employment status with the LEC for at least 60 consecutive months, will be compensated at a rate of one (1) hour pay for every four (4) hours of unused sick leave up to a maximum 240 hours paid or the equivalent of 25% of 960 accrued hours.

When taking extended medical leave, the employee will be required to utilize accrued sick leave benefits as identified in the policy [507 – Extended Medical Leave](#).

It is the employer's intention that regular appointments and office visits to the Doctor, Dentist, Optometrist, etc. be schedule for non-work time, but in the event that employees must be absent for such appointments during normal working hours, the employee shall submit a request for the time off at least 14 days prior to the scheduled shift. Sick leave requests not submitted with proper notice may be denied and will be considered on a case-by-case basis. Employees not providing at least 24-hour notice shall be subject to accrual of points for time missed as outlined in [Policy 204 – Attendance and Punctuality](#).

Revised: June 2022  
Revised: September, 2020  
Revised: November 20, 2019  
Revised: June 2019  
Revised: August 15, 2018  
Revised: May 16, 2018  
Updated/Revised February 22, 2000  
Updated/Revised September 24, 2001(Effective Immediately)  
Updated/Revised April 12, 2002 (Effective Immediately)  
Updated/Revised January 14, 2003 (Effective Immediately)  
Updated/Revised July 18, 2003 (Effective Retroactive to May 2003)  
Updated/Revised August 13, 2003 (Effective Immediately)  
Updated/Approved July 15, 2009 (Effective Immediately)



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### **309 UNPAID LEAVE**

Leave without pay may be granted on good cause, only to those employees who have used their full leave entitlement. This will be assessed by the relevant department head or any person delegated by them, who will approve or deny such a request; and in all cases of unpaid leave, provisions are to be made for deductions from the employee's salary to maintain contributions to employee payroll deductions.

Created: November 2024

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## **311 WORKERS' COMPENSATION INSURANCE**

The LRLEC provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

**If breaks are used to conduct non-work related activities away from the LRLEC's premises, no workers compensation coverage is available.**

### **Employee Responsibilities**

1. Injuries on the job are a serious matter regardless of how large or small the scope of medical treatment required to treat the condition. It is the responsibility of every employee to report all work-related injuries and accidents to their immediate supervisor and Risk Manager. If necessary, medical first aid must be administered immediately and without delay.
2. An incident is a situation where an employee has an injury, accident or exposure and does not feel the need to seek medical attention. Under these circumstances it is critically important that an employee contact the Risk Manager immediately to ensure the incident is properly reported to Workforce Safety and Insurance (WSI) within 24 hours. If medical attention is required at a later date, the employee is required to contact the Risk Manager prior to scheduling a medical appointment. Failure to report an incident or injury within 24 hours of its occurrence may result in denial of the claim.

### **Claims Management**

Employees must contact their supervisor and Risk Manager immediately to notify them that an injury or incident has occurred. The Risk Manager will assist the employee in completing a First Report of Injury Form (FROI) in order to meet the mandatory 24 hour reporting requirement established by WSI. The Risk Manager will work closely with the injured employee and the medical providers to assess the extent of the injury and help establish a return to work solution as required.

### **Return to Work**

The LRLEC's Risk Management Program is designed to protect all employees from occupational injuries and illnesses but accidents may sometimes occur. When an injury takes place, the LRLEC will make every effort to ensure that the injured worker receives prompt/quality medical care and all statutory benefits accorded to them by WSI.

In order to assist an employee in the recovery process the LRLEC may utilize a Transitional Work Program with the objective to help an employee recover from their injury as soon as possible. The program provides temporary, transitional work for employees who, as a result of an injury or illness arising out of and in the course of employment, are unable to perform their regular job duties due to physical limitations.

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The success of the Transitional Work Program depends on the cooperation and participation of the employee, the LRLEC's representative and the medical community. The LRLEC will make every effort to develop return-to-work solutions that will help an injured worker remain productive and financially secure. Employees must participate in the program if they have sustained an occupational injury or illness which, according to the medical community, temporarily precludes them from performing their regular job. If an employee chooses not to accept a transitional work assignment, it could affect his/her workers compensation benefits. The LRLEC will communicate with the injured employee and WSI representatives to ensure that every effort is made to return disabled employees safely to productivity at the earliest time possible

Revised: November 2024  
Updated/Approved July 15, 2009 (Effective Immediately)  
Updated/Approved March 21, 2012 (Effective Immediately)

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### **315           NATIONWIDE   RETIREMENT   SOLUTIONS   DEFERRED COMPENSATION**

Full-time employees that have completed 180 days (six months) of continuous full-time employment will be eligible to enroll in Nationwide Retirement Solutions Deferred Compensation (457(b)).

This program requires the employee to contribute a minimum of 4% of their gross income. Maximum allowed contributions should be researched through Nationwide Retirement Solutions at their website ([www.nrsforu.com](http://www.nrsforu.com)), as these are set by the Federal government. If the employee chooses to participate in the Nationwide Retirement Solutions Deferred Compensation program, the LRLEC will match 5% of the employee's gross wage. This is the only deferred compensation plan recognized by the LRLEC.

Updated: June 2022  
Updated/Approved July 15, 2009 (Effective Immediately)  
Updated/Approved March 18, 2011 (Effective Immediately)

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### **317 BEREAVEMENT LEAVE**

If an employee needs to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Paid time off will be granted to allow the employee to attend the funeral and make any necessary arrangements associated with the death.

Up to 3 days of paid bereavement leave for funerals of immediate family members will be provided to eligible employees in the following classification(s):

- Regular full-time employees
- Introductory full-time employees

Bereavement pay is calculated based on the base pay that an employee would otherwise have earned had they worked on the day of absence.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with the supervisor's approval, use any available paid leave for additional time off as necessary with approval.

The employer defines "immediate family" as the employee's spouse, parent (natural, adoptive, foster, or step-parent), child (natural, adoptive, foster, or step-child), sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren.

Revised: December 2024

Revised: June 2022

Revised: June 2019

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## **323 JURY DUTY**

The LRLEC encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request up to two weeks of paid jury duty leave over any one-year period. Jury duty pay will be calculated on the employee's base pay rate, minus any jury duty fee paid by the court. Employee classifications that qualify for paid jury duty leave:

- Regular full-time employees
- Introductory full-time employees

If an employee is required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off (for example, annual leave benefits) or may request an unpaid jury duty leave of absence. The employee will have the option to buy back any annual leave benefits used in this scenario. The employee will be required to submit the request to buy back leave within 60 days of the completion of the jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate the employee's absence. Of course, the employee is expected to report for work whenever the court schedule permits.

Insurance benefits will remain in effect and unchanged for the full term of the jury duty absence.

Accrual of benefits calculations, such as annual leave, sick leave, or holiday benefits, will not be affected during unpaid jury duty leave.

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### **325 WITNESS DUTY**

The LRLEC encourages employees to appear in court for witness duty whenever summoned to do so.

Eligible employees will be granted a maximum of sixteen hours of paid time off to appear in court as a witness. Employees will be paid at their base rate, minus any witness fees paid. Employee classifications that qualify for paid witness duty leave:

- Regular full-time employees
- Introductory full-time employees

The witness summons should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

If the employee has been summoned as a witness of the employer as a result of a job-related event, they will receive paid time off for the entire period of witness duty.

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## **327 HEALTHCARE, DENTAL, AND VISION BENEFITS**

The LRLEC offers optional medical, dental and vision coverage through the North Dakota Public Health Insurance Trust (NDPHIT). An employee may choose any combination of the three. Eligibility for these benefits begins the first full month following 30 days of employment (i.e. start date June 15 – July 15 would be 30 days, health insurance effective August 1). Employee classifications that qualify for medical, dental and vision coverage are:

- Regular full-time employees
- Introductory full-time employees

The LRLEC provides 90% coverage of dental, vision, and medical insurance premiums with 10% cost to the employee for the employee, spouse, and all dependent children under the age of 26. Domestic partners are not eligible to be covered under the existing healthcare plan.

New employees are required to sign an acknowledgement of this specific policy prior to hire. New employees are required to complete the enrollment process within 10 calendar days of the date of hire. Failure to complete the enrollment process in this time frame may result in the employee having to wait for the open enrollment period to enroll in this benefit.

Employees wishing to waive the benefit must also complete the enrollment process specifying their decision to waive medical, dental, and vision benefits.

Additions or removals from health insurance coverage may be done when there is a qualifying event. A qualifying event will include the birth of a child, change in marital status, and a death of a covered person. These changes must be submitted through the online enrollment portal within 7 days of the event.

For any additions or removals for any reason that is not a qualifying event or if an employee fails to submit the information within the time allowed following a qualifying event, the LEC has a yearly open enrollment period. This open enrollment period occurs once per year as set by NDPHIT. For those who make changes or enroll during this enrollment period, those changes will go into effect for the benefit period of January 1 through December 31. Changes to be made outside of a qualifying event, must be done during this open enrollment period.

Premiums for healthcare benefits are deducted automatically from the employee's paycheck. Each month's premium is paid the month prior and is split between the two paychecks. For example; the premium for October is split between the September 20 and October 5 payrolls.



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Upon termination of employment or waiver of any or all of the benefit options, the benefit(s) will terminate on the 15<sup>th</sup> of the current month or the last day of the month following the last day worked or the day the waiver was received in writing, whichever is sooner.

Upon termination of employment, all employees who were eligible for healthcare benefits are eligible for COBRA. COBRA benefits are managed by WEX Inc. via NDPHIT.

Revised: June 2021  
Revised: September 2020  
Revised: June 2019  
Added September 19, 2018

### **329 EDUCATION REIMBURSEMENT PROGRAM**

The LRLEC recognizes the importance of education and how continuing education benefits both the employee and the agency. The LEC is committed to professional and personal development through continuing education opportunities and provides an Education Reimbursement Program to assist with the financial aspects of continued education for employees who are committed to a career within the LEC through the program.

To be eligible for the program an employee must be an active, regular, full-time employee of the LEC for a period of no less than 12 consecutive months and must have been in his or her position a reasonable amount of time to allow pursuit of further education without adversely affecting job performance.

Eligibility may continue while an employee is on approved extended medical leave or military leave.

For more information on the program and application forms, please contact your immediate supervisors or the Human Resource Officer.

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## **401 TIMEKEEPING**

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the LRLEC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

The LRLEC utilizes an electronic time keeping system where staff use their key fob to clock in and out. All employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons.

Overtime work must always be approved before it is performed.

It is the employee's responsibility to submit accurate time records, conduct timely punches. Untimely reporting of hours (punches) is not acceptable, and may result in corrective action, up to and including termination. In addition, tampering, altering, or falsifying time records, or recording time on another employee's time record may result in corrective action, including termination.

In the event an employee misses a punch, whether in or out, an email is to be sent to the department administrator with the date and time of the missed punch and a brief explanation of the situation resulting in the missed punch.

Revised: September 2020

Revised: May 16, 2018

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## **403 WORK PERIODS/SALARY**

### **Communications**

Hourly wages for non-exempt communications staff will be based on 2080 work hours annually, divided into their salary, in accordance with the Board approved step system. Personnel will be scheduled to ensure the sufficient staffing of the Communications Center on a 24-hour basis. Any hours worked over 40 hours during the declared work week will be paid at over time rate. The use of Annual Leave or Sick Leave Benefits during the declared work week does not qualify as hours worked to gain overtime. In the case of a Holiday coinciding with overtime pay, the employee will receive only Holiday Pay for those hours.

### **Corrections/Residential Re-entry Center**

Hourly wages for Reentry Officers, Correctional Officers, and Corrections Sergeants will be based off of 2184 work hours annually, divided into the annual salary in accordance with the Board approved step system.

The work schedule for Corrections and Reentry personnel shall be as defined by FLSA under 29 *CFR* 553.211(f). The LRLEC will schedule personnel on a 28-day work schedule, with shifts and staffing to provide 24-hour-a-day coverage. Correctional and Reentry staff will be typically scheduled 168 hours within the 28-day work period. Any hours worked over 168 during the designated 28-day cycle will qualify as overtime and will be applied at the time the employee exceeds the 168-hour benchmark. All overtime must be approved by the Department administrator, or their designee in advance of the worked hours. The use of Annual Leave or Sick Leave does not qualify as hours worked to gain overtime. In the case of a Holiday coinciding with over-time pay, the employee will receive only Holiday Pay for those hours. The 28-day overtime cycles will be clearly established for a calendar year prior to the beginning of that calendar year.

### **Work Week - Defined**

The declared work week for all staff is from 12:00 AM Sunday through 11:59 PM Saturday.

Federal Wage and Hour has determined that communicators are in the nonexempt classification and therefore, must be paid overtime for any hours worked over 40 hours in a declared work week.

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Overtime is paid at one and one-half (1.5) regular pay rate.

Holiday pay is regular hour rate plus an additional equal hour rate, or 'double time.' Hours worked on a holiday will be presented on employee pay reports as regular time and an additional "Holiday Pay" with the equal amount of time at regular hour rate.

Revised: November 20, 2019

Revised: May 16, 2018

Revised/Approved July 15, 2009 (Effective Immediately)

\*\*Updated/Revised 12-10-97 (Effective immediately)

\*\*\*Updated/Revised 8-9-00 (Effective immediately)

\*\*\*\*Clarification of declared work week (4-10-01)

\*\*\*\*\*Additional Clarification of declared work week (10-19-2005)

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### **405 PAYROLL**

All employees are paid semi-monthly on the 5th and 20th of each month, unless that date falls on a weekend or holiday, then the payday will be the first business day prior. The administration does, however, retain the right to use the following business day as the payday should an exception occur.

Payroll periods run from 12:00 AM the 1st of each month through 11:59 PM the 15th, and 12:00 AM the 16th of each month through 11:59 PM the last day of the month.

The LRLEC participates solely in direct payroll deposit. Each employee must supply the necessary information for direct deposit of earnings.

Payroll will be calculated based on time clock readings and employee schedules. On occasion, payroll may need to be prepared early which will result in it being 'prorated' or calculated based off of scheduled time. Any variances from time prorated will be adjusted on the following payroll as a payroll correction.

Because of the time frame needed to complete the automatic funds transfers for payroll, new employees may be subject to pay for only the hours worked to the date payroll is submitted and not eligible for 'prorated' pay. Subsequent hours would be added to the following payroll as a payroll correction. Within the first month of employment, the new employee should be in regular rotation for payroll based on schedule, unless the supervisor determines there is a need to continue because of other personnel issues. This policy is to protect the employee as well as the facility from overpayment of wages that would need to be returned should the employment relationship be ended by either party during that pay period.

Revised: December 1, 2019 (effective January 1, 2020)

Revised: May 16, 2018

\*Approved 10/20/2011 – Effective Immediately

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### **407 PAY DEDUCTIONS**

The law requires that the LRLEC make certain deductions from every employee's compensation. Among these are applicable federal, state, local income taxes and child support withholding. The Agency also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base". The LRLEC contributes the amount of taxes as required by law.

The LRLEC offers programs and benefits beyond those required by law. Employees who wish to participate in these programs may voluntarily authorize deductions from their checks. If you do not understand why deductions were made or how they were calculated, your supervisor can assist in having your questions answered.

Payroll deductions, voluntary or mandated by wage assignment will be noted on the Payroll Advice. These are usually, but not limited to, helping pay off a debt or obligation to the employer or others.

Non child support related mandated wage assignments create additional and often unnecessary burdens on administrative and financial staff. LRLEC employees are expected to maintain proper management of their personal finances. Employees who have multiple mandated wage assignments assessed against them may be subject to corrective action.

Revised: May 16, 2018

### **409 ADMINISTRATIVE PAY CORRECTIONS**

The LRLEC takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their supervisor so that corrections can be made as quickly as possible.

Once underpayments are identified, they will be corrected in the next regular paycheck.

Overpayments will also be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the LRLEC will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.



### **411 PAY ADVANCES**

Neither pay advances nor extensions of credit of unearned wages will be provided to employees.

### **413 EMPLOYMENT SEPARATION**

Since employment with the LRLEC is based on mutual consent, both the employee and the Agency have the right to terminate employment at will at any time, within the provision of state and federal law. Terminations are an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

**RESIGNATION** - employment termination initiated by an employee who chooses to leave the LRLEC voluntarily.

**DISCHARGE** - employment termination initiated by the LRLEC.

**LAYOFF** - involuntary employment termination initiated by the LRLEC for non-disciplinary reasons.

**MEDICAL TERMINATION** - employment termination initiated by the employee or by the LRLEC when an employee is unable, for health reasons, to continue to work.

**RETIREMENT** - voluntary retirement from active employment status initiated by the employee.

Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

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## **501 SAFETY**

Establishment and maintenance of a safe work environment is the shared responsibility of the LRLEC and its employees from all levels. The LRLEC will attempt to assure a safe environment and compliance with federal, state, and local safety regulations.

Employees are expected to obey safety rules and to exercise caution in all their work activities. They are expected to immediately report any unsafe conditions to their supervisor. Not only supervisors, but employees at all levels of the LRLEC are expected to correct unsafe conditions as promptly as possible.

All accidents that result in injury must be immediately reported to the appropriate supervisor, regardless of how insignificant the injury may appear. Incident Reports and First Report of Injury along with investigations into injuries that require medical attention must be reported within 24 hours of the incident. Such reports are necessary to comply with laws and initiate insurance and worker's compensation procedures through Workforce Safety.

### **503 WORK SCHEDULES**

The LRLEC operates a 24-hour per day, 7-day per week, 365-day per year public safety service operation that requires mandatory minimum staffing levels at all times. While managers will do their best to accommodate individual requests, no schedule is guaranteed and the LRLEC does not make promises that a person will remain on a certain schedule or specific rotation.

Work schedules for employees vary throughout the LRLEC. Supervisors will advise employees of their individual work schedules. Schedules will not be altered by employees without prior approval from administration.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Revised: November 2024  
Revised: September 2020

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## 505 WORK BREAKS

**\*\*Employees must punch out any time they leave the LEC/RRC grounds for personal reasons\*\***

### COMMUNICATIONS SPECIALISTS

It is the policy for Communications Specialists to have relaxation break(s) during a scheduled shift. All breaks within a shift period shall meet the following:

1. Breaks will be limited to a total of thirty (30) minutes per twelve-hour shift.
2. Breaks will be limited to one person at a time.
3. The Communications Specialist taking the break must make the other members on the shift aware of all pending situations they are presently involved in.
4. Breaks will only be taken during times of low activity.
5. Breaks may only be taken if there are two or more trained and qualified Communications Specialists on duty.
6. Breaks taken while two trained and qualified Communications Specialists are on duty:
  - a. At no time will the person on break leave the immediate LEC grounds.
  - b. LEC grounds include the LEC building, parking lot and lawn.
  - c. The person on break will carry a portable radio, for immediate call back.
7. Breaks taken while three or more trained and qualified Communications Specialists are on duty:
  - a. The person on break may leave the immediate LEC grounds.
  - b. The person on break who leaves the building or grounds will carry a portable radio for immediate call back if necessary.

### REENTRY OFFICERS

It is the policy for Reentry Officers to have relaxation break(s) during a scheduled shift. All breaks within a shift period shall meet the following:

1. Breaks will be limited to a total of thirty (30) minutes per twelve-hour shift.
2. Breaks will be limited to one person at a time.
3. The Reentry Officers taking the break must make the other member(s) on the shift aware that they are taking a break.
4. Breaks will only be taken during times of low activity.
5. Breaks may only be taken if there are two or more trained and qualified Reentry Officers on duty.
6. Breaks taken while two trained and qualified Reentry Officers are on duty:
  - a. Leaving the RRC grounds on break is discouraged.
  - b. RRC grounds include the RRC building, driveway and lawn.
  - c. The person on break will carry a portable radio, for immediate call back.
7. Breaks taken while three or more trained and qualified Reentry Staff are on duty:
  - a. The person on break may leave the immediate RRC grounds.
  - b. The person on break who leaves the building or grounds will carry a portable radio for immediate call back if necessary.

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## CORRECTIONAL OFFICERS

It is the policy for Correctional Officers to have relaxations break(s) during a scheduled shift. All breaks within a shift period shall meet the following:

- Breaks will be limited to a total of thirty (30) minutes per twelve-hour shift.
- Breaks will be limited to one person at a time.
- The Corrections Officer taking the break must have authorization from the Shift Sgt, and make other officers aware of all pending situations they are presently involved in.
- Breaks will only be taken during times of low activity.
- Officers may leave the immediate LEC grounds.
- Officers on break will carry a portable radio for immediate call back.

## ADMINISTRATIVE STAFF

Administrative staff shall be permitted two 15-minute breaks per 8 hour shift and one (1) unpaid hour for lunch. Administrative staff are encouraged to leave their office/work space for the duration of their unpaid break.

Department administrators, including the Captain of Corrections, Communications Administrator and RRC Operations Manager will inform their shift supervisor when they leave the building for a break.

Revised: September 2020  
Revised: June 2019  
Revised: May 16, 2018  
New Policy Approved 3-21-2012 (Effective Immediately)

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### **507 OVERTIME**

When operating 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.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions.

As required by law, overtime pay is based on actual hours worked. In accordance with scheduling, time off on sick leave, annual leave, or any leave of absence will not be considered hours worked for purposes of overtime calculations. Overtime rate will only be earned after scheduled hours for the pay period have been worked.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in corrective action, up to and including termination.

Exempt Employees are ineligible to receive overtime pay regardless of how many hours worked in a given pay period.

Please refer to Policy #501 – Timekeeping regarding timekeeping: overtime must be reported within the pay period it is accrued, or corrective action will be taken, up to and including termination.

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### **509 TOBACCO PRODUCTS**

In keeping with the LRLEC's intent to provide a safe and healthful work environment, smoking or the use of any tobacco products within the facility (including Corrections) is prohibited, as is smoking within 20 feet of any entrance.

This policy applies equally to all employees, customers, visitors, and residents of the LRLEC's facilities.

Revised: May 16, 2018

\*\*Updated/Revised 7-8-98 (Effective June 1, 1998)



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## **511 USE OF RADIO, PHONE AND MAIL SYSTEMS**

Personal use of LEC telephones for long-distance and toll calls is prohibited. Employees should practice discretion in using Agency telephones when making local personal calls and may be required to reimburse the Agency for any charges resulting from their personal use of the telephone. Phone calls made from LEC telephones may be recorded or monitored.

The use of Agency-paid postage for personal correspondence is prohibited.

Employees should refer to their departmental policies regarding the possession and use of cell phones within the LRLEC.

To assure effective telephone communications, employees shall always identify themselves when answering the phone and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

The LRLEC strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the LRLEC prohibits the use of the radio, telephone, fax, and mail system in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-colored jokes or anything that may be construed as harassment or showing disrespect for others.

Revised: May 16, 2018

Revised/Updated 9-8-2004 (Effective Immediately)

Revised/Updated 12-19-2007 (Effective upon placement of additional cell phone lockers)

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## 513 EMPLOYEE USE OF INTERNET & E-MAIL SERVICE

As an employee of the LRLEC, you will have access to the agencies Internet and e-mail systems. This policy is intended to ensure that employees utilize these systems for legitimate business purposes. This policy applies to all LRLEC equipment, internet, or services which are:

- Accessed on or from LRLEC premises;
- Accessed remotely;
- Accessed using LRLEC computer equipment, or via LRLEC paid access methods;
- Used in any communication which references the LRLEC.

**The following is a list of guidelines for the use of the LRLEC's Internet & e-mail services:**

- Electronic media and services are primarily for official LRLEC business use. Limited, occasional or incidental use of electronic media (sending & receiving) for personal, non-business purposes is understandable and acceptable -- as is the case with personal telephone calls. However, employees need to demonstrate a sense of responsibility and may not abuse the privilege. **Use of personal social media sites on agency devices is strictly prohibited.** Such use of LRLEC internet and computers is considered abuse of such privileges and will result in corrective action.
- Any messages or information sent by an employee are statements that may be identifiable and attributable to the LRLEC, as if the employee was sending a letter on LRLEC letterhead. All communications sent by employees via E-mail or the Internet must be respectful in tone and professional. Any information sent via electronic network may not disclose any confidential, regulated or controlled information.
- Electronic media may not be used for transmitting, retrieving or storage of any communication of a discriminatory or harassing nature, or which are derogatory to any individual or group, or which are obscene or X-rated communications, or are of a defamatory or threatening nature, or for "chain letters", or for any other purpose which is not related to LRLEC business purposes, is illegal or is against LRLEC policy or contrary to the LRLEC's interests.
- Acceptable uses of the Internet services include accessing information for LRLEC business related purposes, education and professional development. Internet access is provided primarily for you to retrieve information. Unless you obtain prior approval, do not post information, comments or statements.
- A web site may request information about you in order to build a user profile or a mailing list. Refuse any such requests. Unless you obtain prior approval, do not make any purchases or access a web site that charges a fee. **No**

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**suggested download, upgrade, or enhancement of software will be done without authorization from Administration.**

- No E-Mail or other electronic communications may be sent which attempt to hide the identity of the sender, or represent the sender as someone else. Employees should not use a password, access a file, or retrieve any stored communication without authority. E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.
- Employees should respect all copyrights and intellectual property rights of others' materials, and may not copy, retrieve, modify or forward copyrighted, patented or trademarked materials except as permitted by the owner or as a single copy for reference use only. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.
- Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.
- All internet data that is composed, transmitted, or received via agency communication systems is considered to be part of the official records of LRLEC and, as such, is subject to disclosure to law enforcement and other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.
- Employees should not regard Internet or E-mail usage as confidential. Software can track each website you visit. E-mail messages can and are at times accessed for various purposes, and back-up tapes of messages may be retained. Treat E-mail as if it were a postcard.
- Employees are not to place any type of "messenger service" on any of the computer terminals. Absolutely no software will be placed on any computer without advanced authorization from Administration.
- Employees should be aware that LRLEC-provided computer equipment and the information stored in or which has passed through such equipment is the property of the LRLEC. The LRLEC Administration reserves the right to monitor activity and to review and retrieve any and all information stored or which has passed through LRLEC-provided computer equipment and disks.
- Items that are to be considered absolutely forbidden are, any form of gambling, jeopardizing the security of the LRLEC's electronic communications system, passing off personal views as representing those of the LRLEC, sending or posting messages or material that could damage the LRLEC image or

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reputation, and "hacking", or attempting to break into the computer system of another organization or person.

- Each Department will have an additional policy that addresses what types of website accesses are permitted. For example, the use of YouTube as a music source is prohibited, yet YouTube can be used as needed for educational and training purposes or as a reference for business related information.

*This policy cannot anticipate every possible situation. It expresses the general principles to be applied to the use of these services. If you have questions about whether a certain use would violate this policy, you are encouraged to contact Administration prior to carrying out the action. A violation of this policy may lead to corrective action up to and including termination of employment*

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## **515 USE OF EQUIPMENT, VEHICLES AND UNIFORMS**

Equipment, vehicles, and uniforms essential in accomplishing job duties are expensive and may be difficult to replace. When using such property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, uniforms, machines, tools or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Uniform policy for Corrections, Dispatch and RRC shall be: Three uniforms will be provided at initial hire, with replacement items as needed the beginning of each year thereafter. Worn out articles must be returned for determination of replacement and proper disposal.

While operating a LRLEC-owned vehicle, employees must comply with all LRLEC policies, as well as all applicable traffic laws. Additionally, the following conditions apply while operating a LRLEC owned vehicle:

- Drivers may not use drugs or alcohol, or be under the influence of drugs or alcohol;
- The use of radar detectors is forbidden in all vehicles owned by or used by the LRLEC;
- Hitchhikers and passengers, other than LRLEC employees, are not permitted;
- Seat belts must be worn whenever the vehicle is in motion;
- Individuals driving LRLEC vehicles are prohibited from texting on cell phones while operating the vehicle.
- Cargo will be secured and doors locked when in route and while the vehicles are parked;
- The employee is not to give permission for the vehicle to be driven by any other person, including family members. Specific permission must be obtained from the Director for any personal use of the vehicle;
- All violations of traffic laws and fines levied as a result are the exclusive responsibility of the employee; and,
- All accidents must be reported to the supervisor within 24 hours of the accident.

Employees who drive LRLEC-owned vehicles as a part of their job duties are required to report, and provide a citation photocopy of, all violations of traffic laws, whether on or off the job, to the Director within 2 weeks of receiving the citation. Failure to report traffic violations can result in disciplinary action, up to and including termination of employment. Additionally, the driver's license status of employees who drive LRLEC-owned vehicles as a part of their job duties will be checked with the North Dakota Motor Vehicle Department at least annually. As determined by the LRLEC's insurance carrier, certain traffic violations or combinations of violations will disqualify an employee from operating LRLEC-owned vehicles and may result in discipline, up to and including termination of employment.

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The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in corrective action, up to and including termination. The same corrective action may result if employees improperly wear or display their uniform or accessories in circumstances or environments which may compromise the Agency.

Upon termination of employment all issued equipment and uniforms must be turned in to the LEC laundered or in good working condition within 2 business days or the employee may be charged for the replacement of the equipment via deduction from the final pay check.

Revised: November 2024

Revised: June 2019

Revised: May 16, 2018

Updated/Revised January 12, 1999 (Effective Immediately)

Updated/Revised October 13, 2006 (Effective Immediately)

Updated/Approved July 15, 2009 (Effective Immediately)

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## **517    WORKPLACE MONITORING**

Workplace monitoring may be conducted by the LRLEC to ensure quality control, employee safety, security, and customer satisfaction.

Employees who regularly communicate with customers may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances our customers' image of the LRLEC as well as their satisfaction with our service.

Computers furnished to employees are the property of the LRLEC. As such, computer usage and files may be monitored or accessed.

Employees can request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legitimate business reason to protect confidentiality or an ongoing investigation.

Because the LRLEC is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

Created: November 2024

## **519    WORKPLACE VIOLENCE PREVENTION**

The LRLEC is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the LRLEC has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, “horseplay,” or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of the LRLEC without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual’s sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

The LRLEC will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the LRLEC may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The LRLEC encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Director before the situation escalates into potential violence. The LRLEC is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

Created: November 2024



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## 521 TRAVEL

In order for employees to receive the proper training, either original or re-certification, it is necessary to require travel outside of the Devils Lake area. For that reason, it is important to be consistent with all personnel with regards to the use of LEC vehicles and reimbursement for the use of their own vehicle, when required. It is also important that all employees are treated fairly and consistently with regards to meals and lodging allowances.

It shall be policy that when possible LRLEC vehicles will be used. In order that costs may be kept to a minimum, all personnel will abide by the following:

When assigned to a school or training seminar the employee will check with maintenance to see if an LRLEC vehicle is available for that period. If a vehicle is available, maintenance will indicate on the check-out calendar what days the vehicle is needed.

The LRLEC discourages the use of a personal vehicle over an LRLEC vehicle when one is available. No mileage will be paid in this instance. If training is assigned and an LRLEC vehicle is not available, a personal vehicle can be used at the current rate of reduced reimbursement for mileage.

Use of LRLEC Vehicles are governed as follows:

- The vehicle will be operated within the laws of the state in which it is driven.
- The vehicle will not be used for personal use unless authorized by administration.
- Parking the vehicle at or near liquor establishments reflects directly on the LRLEC and should be avoided at all times.
- The driver is the only employee paid for time on the road, passengers will not be paid in accordance with North Dakota Minimum Wage and Work Conditions Order Chapter 46-02-07-01.

When an LRLEC vehicle is used there will be reimbursement for gas expenses provided. The employee shall retain the gas receipts, complete a purchase order for each gas purchase, and submit both to Accounts Payable, along with a completed travel voucher.

### **Meals, Lodging and Misc. Costs:**

#### Meal Costs:

The LRLEC provides for reimbursement of employee expenses for meals while an employee is away from their normal working and living residence for work related activities.

If meals are included as a part of a registration fee for a conference, seminar, or other meeting, the employee should be reimbursed for the entire registration fee, if paid by the employee. However, the employee cannot claim reimbursement for the applicable meal allowance for that quarter.

Reimbursement is allowed only for overnight travel and other travel while away from the

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normal place of employment for four hours or more. Employees will not be reimbursed for the first quarter if travel began after 7:00 a.m. In order to claim expenses for the second and third quarters, the employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed. The expense allowance for each quarter of any 24-hour period will be as defined by the ND Office of Budget and Management Fiscal and Administrative Policy, which can be found on their website at:

<https://www.omb.nd.gov/financial-transparency/fiscal-policies-and-guidelines>

Quarters of the day for travel purposes are defined as below:

1. First Quarter: 0600 – 1200
2. Second Quarter: 1200 – 1800
3. Third Quarter: 1800 – 0000
4. Fourth Quarter: 0000 – 0600

Employees shall retain receipts for meal purchases and turn copies in with the travel voucher request for reimbursement. The receipts will serve as verification of the travel and need for reimbursement.

### Lodging Costs:

All lodging reservations shall be made prior to travel and at a location where the LRLEC has a direct bill account established when possible. All other lodging reservations are to be made with an LRLEC credit card as approved by the Director or Finance Administrator. It is the responsibility of the employee making the reservations to obtain state lodging rates and that all tax exemption information for the LRLEC is provided to ensure that taxes are not applied.

Travel vouchers are to be completed and turned in with any receipts to accounts payable within 2 business days of the completion of the travel. Reimbursement will be submitted for approval during the regularly scheduled LEC Board meeting the calendar month following the travel.

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The LRLEC relies upon the North Dakota Office of Management and Budget's Fiscal Administrative Policy as a guide for establishing this policy. The Director may make verbal changes to this policy whenever necessary due to changing conditions that may require flexibility.

Employees are prohibited from transporting residents or inmates in personal vehicles except in extreme exigent circumstances. Any instances of this nature require immediate notification to the department administrator and a formal written report.

Revised: June 2021  
Revised: September 2020  
Revised: November 20, 2019  
Revised: June 2019  
Revised: May 16, 2018

### **523 VISITORS IN THE WORKPLACE**

To provide for the safety and security of employees and the facilities at the LRLEC, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter the LRLEC at the main entrances. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on the LRLEC's premises, employees should immediately notify their supervisor or, if necessary and appropriate, direct the individual to the main entrance.

Created: November 2024

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### **525 EMERGENCY CLOSURES**

The LRLEC may be closed due to severe weather conditions or other emergencies such as fire, utility failure, or other forced evacuations. It is the policy of the LRLEC to provide coverage for emergency and/or essential services and pay continuity to employees for absences which may result in the partial operation of the LRLEC due to extreme weather conditions or other emergency closures. Corrections, 911, and RRC services will be continued regardless of an authorized closing.

The Director will give final authorization for late openings and closures for severe weather conditions and other emergencies. In the event of a late opening or closure, employees will be notified by text message.

When operations are officially closed due to an emergency closure, the time off from scheduled work will be paid. Employees not scheduled to work during the closure because of a previous arrangement, including annual or sick leave, will not be charged leave for that closure.

Essential employees who are required to work during an emergency closure because their positions have been designated by the LRLEC as emergency and/or essential to LRLEC operations during emergencies, will receive the number of hours the offices are closed as annual leave hours credited to the employee's annual leave balance plus straight time pay for hours worked.

When the LRLEC remains open, non-essential employees unable to report for work shall notify their supervisor and take annual leave or leave without pay.

Created: Novmeber 2024

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## **601 EXTENDED MEDICAL LEAVE**

The LRLEC may provide unpaid medical leave to eligible employees who are temporarily unable to work due to a medical disability. The employee classification(s) eligible for medical leave:

- Regular Full-Time Employees

Eligible employees may be granted leave for the period of the disability, up to a maximum of 12 calendar weeks per calendar year. Employee's taking medical leave will be required to utilize their accrued leave benefits according to their normal work schedule. Sick leave will be used until exhausted and then annual leave until exhausted. Once all accumulated leave is exhausted the remaining time will be unpaid leave.

As soon as an eligible employee becomes aware of a need for a medical leave of absence, they must provide a satisfactory statement from a physician that verifies the existence and nature of the medical disability. The statement will contain the approximate date the leave is expected to begin, its anticipated duration, and the date the employee can be expected to return to work. Any changes in this information should be promptly reported in writing to their supervisor.

Medical disabilities include (but are not limited to) all temporary disabilities associated with pregnancy, childbirth, and related medical conditions.

The Agency will continue to provide insurance benefits during the medical leave up to 12 calendar weeks.

Accrual of benefit calculations for annual and sick leave, and holiday benefits will be suspended during use of unpaid leave and will resume upon return to active employment.

Accrual of benefit calculations for annual and sick leave, and holiday benefits will remain active during use of extended paid leave, through use of sick and/or annual leave as accrued.

Employees are required to routinely check in with their supervisors while on medical leave and/or be responsive to attempts to check in made by their supervisors. The frequency of these check ins shall be defined by the Department Administrator on a case-by-case basis. Failure to maintain appropriate communication with the LRLEC may result in termination of employment as job abandonment.

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Employees returning from medical leave may be required to provide a physician's verification of the employee's fitness to return to work. To the extent possible, employees will be returned to their former position or will be offered the first available comparable position for which they are qualified.

Employees who sustain a work-related injury will be eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disability.

If an employee fails to report to work at the expiration of the approved leave period, they may be terminated for job abandonment.

Revised: June 2022

Revised: June 2019

Updated: May 16, 2018

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## **603 PERSONAL LEAVE**

In accordance with the guidelines set forth in this policy, the LRLEC may provide unpaid personal leave to eligible employees who wish to take time off from work duties to fulfill personal obligations and who have completed 365 days of consecutive service. The employee classification(s) eligible for personal leave:

- Regular full-time employees

Personal leave may be granted for a period of up to 30 calendar days. Pending the Director's approval, employees must use any accrued annual leave prior to the effective date of the personal leave of absence.

Requests for personal leave will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

The LRLEC will determine whether or not to provide insurance benefits, at the time of granting any personal leave.

Accrual of benefit calculations for annual and sick leave, and holiday benefits will be suspended during the personal leave.

To the extent possible, employees returning from personal leave will be returned to their former position or will be offered the first available comparable position for which they are qualified.

If an employee fails to report to work at the expiration of the approved leave period, the employer will assume that the employee has resigned.



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## **605 MILITARY LEAVE**

The LRLEC follows the guidelines established by the Uniformed Services Employment and Reemployment Rights Act (USERRA) and ND Century Code regarding military leave.

All employees of this State or political subdivision (LRLEC) who:

1. Are members of the National Guard
2. Are members of the Armed Forces Reserve of the United States of America
3. Shall be subject to call in for Federal Service by the President of the United States:  
or
4. Shall volunteer for such service;

when ordered by proper authority to active non-civilian employment, are entitled to a leave of absence from such civil service for the period of such active service without loss of status or efficiency rating. If such persons have been in the continuous employ of the state or political subdivision (LRLEC) for ninety days immediately preceding the leave of absence, they shall receive twenty workdays each calendar year without loss of pay. In addition, any leave of absence necessitated by a full or partial mobilization of the reserve and national guard forces of the United States of America, or emergency state active duty, must be without loss of pay for the first thirty days thereof less any other paid leave of absence which may have been granted during the calendar year pursuant to this section. However, if leave is required for weekend, daily, or hourly periods of drill for military training on a day in which a public officer or employee is scheduled to perform the work of the state or of a political subdivision, the officer or employee must be given the option of time off with a concurrent loss of pay for the period missed or must be given an opportunity to reschedule the work period so that the reserve or national guard weekend, daily, or hourly drill or period of training occurs during time off from work without loss of status or efficiency rating.

### **Requesting Military Leave**

When an employee is called to military service, USERRA requires the employee in the uniformed services to give advance written or verbal notice to their employer, unless such notice is precluded by military necessity. The employee should submit a Leave of Absence Request Form to his or her supervisor when notified of an impending call to service as soon as possible and provide documentation.

### **Duration of Leave**

#### **A. Extended Military Leave**

Employees who must be absent from work due to military duty for a time period that exceeds 14 calendar days will be placed on an unpaid military leave of absence for the time period consistent with military orders

#### **B. Temporary (Two-Week) Military Leave**

In addition to the rights and benefits provided to the employees taking extended military leave, employees who must be absent from his/her job for a period of not more than fourteen calendar days each year in order to participate in temporary military duty are entitled to as many as 84 hours of unpaid military leave.

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## **Benefits During Military Leave**

An employee on military leave may elect to continue the NDPHIT health plan coverage and is required to pay only the employee's portion of the insurance premium when in the service for 30 days or less. Thereafter, the employee may elect to continue healthcare coverage as provided under COBRA. However, if coverage is terminated at the employee's option, the LRLEC may not impose a waiting period for benefit reinstatement upon return to employment.

An employee on military leave may opt to, but is not required to use Annual Leave (Vacation) during the time that they are performing military service. Annual Leave and Sick Leave are not accrued while the employee is in military service of 31 or more days.

The LRLEC will activate the returning veteran's benefits based upon the length of service they would have had if they remained on the job.

## **Returning to Work After Military Duty**

To be eligible for protection under USERRA, the employee must report back to work or apply for reemployment within the following guidelines:

- 1) If the employee served fewer than 31 days, the employee must return to work the next regularly scheduled workday.
- 2) If the employee served more than 30 days but fewer than 181 days, the employee must notify their department administrator of their intention to return to work within 14 days after completion of service.
- 3) If the employee served more than 180 days, the employee must notify their department administrator of their intention to return to work within 90 days after completion of service.
- 4) Upon notification of intent to return to work, the employee must provide military discharge documentation to their department administrator that establishes the timeliness of application for reemployment and length and character of the staff member's military service.

An employee returning from military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have obtained with continuous employment.

Upon an employee's prompt application for reemployment as defined above, an employee will be reinstated to employment in the following manner depending upon the employee's period of military service:

*Less than 91 days of military service* – reinstated to a position that the employee would have attained if employment had not been interrupted by military service; or, if found not

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qualified for such position after reasonable efforts by the LRLEC, in the position in which the employee had been employed prior to military service.

*More than 90 days and less than 5 years of military service* – reinstated to a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or, if proved not qualified after reasonable efforts by the LRLEC, in the position the employee left, or a position of like seniority, status, and pay, the duties of which the employee is qualified to perform.

*Employee with a service-connected disability* – if after reasonable accommodation efforts by the LRLEC, an employee with a service-connected disability is not qualified for employment in the position they would have attained or in the position they left, the employee will be employed in another position of similar seniority, status and pay for which the employee is qualified or could become qualified with reasonable efforts by the LRLEC; or, if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation.

### **DISCHARGE OR DEMOTION**

A reinstated veteran with more than 180 days continuous active military service may not be discharged or demoted except for cause within one year after the date of reinstatement from military leave.

A reinstated veteran with a period of active duty for training of more than 30 days may not be discharged or demoted without cause within six months after the date of reinstatement from military leave.

Revised: June 2022

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## **701 EMPLOYEE CONDUCT, ETHICS, AND WORK RULES**

Role of Employees: You are expected each day to remember that, as an employee of the LRLEC, you serve the public and specifically the citizens of our community (your real "employers"). Your actions in this capacity reflect favorably or unfavorably upon you, your supervisor(s) and Agency as a whole. We expect that you will maintain favorable visibility with the public, that you will act responsibly within the means of your position in meeting the needs of the public and that you will be accountable for your actions in this capacity.

Getting Started: To help you get started, your supervisor will provide you with a job description, and discuss the duties assigned to the position. Should you have any questions about your job, don't hesitate to discuss these questions with your supervisor. Your supervisor is just as concerned about your success on the job as you are and will do everything possible to see that you receive the help you need.

Orientation and Introduction: As soon as possible after employment, the employee should complete the various fringe benefit program forms, tax table status and any other forms necessary for employment. Each new employee will be subject to a training orientation period as established in that department's policies.

Dress Code/Appearance: Appearance and dress should be in keeping with the job being performed, both for safety reasons and to reflect a professional image for the Agency. Should an employee arrive for work wearing clothing or accessories which, in the opinion of their supervisor, is inappropriate, they may be required to go home and change prior to commencing work.

Resident/Inmate Relations: Staff shall not to have any personal relations or conduct any personal business with any active resident or inmate of the correctional and reentry facilities or for a minimum of six (6) months after they have been released from custody. Staff must report to their department administrator if there is a preexisting relationship, whether personal or family, with any individual who enters the custody of the correctional or reentry facilities.

To assure orderly operations and provide the best possible work environment, the LRLEC expects employees to follow rules of conduct that will protect the interests and safety of all employees and the employer. It is not possible to list all the forms of behavior that are considered unacceptable in the work place, but the following are examples of infractions of rules of conduct that may result in corrective action, including suspension or termination of employment.

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol, illegal drugs, or other intoxicants in the work place, while on duty, or while operating employer-owned vehicles or equipment

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- Fighting or threatening violence in the work place
- Boisterous or disruptive activity in the work place
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the work place
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the work day
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Violation of personnel policies
- Violation of department policies
- Unsatisfactory performance or conduct

Misconduct can occur either on or off the job. Examples of misconduct on the job are cited above. Examples of misconduct off the job include, but are not limited to involvement in criminal activity, activity involving moral turpitude, and/or posts or comments made in public forums such as social media websites, which, in the judgment of the LRLEC, reflects adversely on the image or standing of the LRLEC. Misconduct outside of the workplace, which involves formal investigation, may result in the employee being relieved of duty until the investigation has been concluded.

Duty to Report: As an employee of the LRLEC you have a duty to report any staff misconduct that you have witnessed or that has been reported to you. These reports are to be made according to the chain of command for your department. Failure to report staff misconduct may result in corrective action, up to and including termination.

LRLEC employees are required to immediately report any contact with Law Enforcement outside of the normal function of their duties to their department administrator.

Investigatory Leave: An employee may be placed on an investigatory leave, with or without notice, to permit the LRLEC to review or investigate actions that warrant restricting

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the employee's access to the worksite. The leave will be confirmed in writing, stating the reason and the expected duration of the leave. Upon conclusion of the investigation, the employee will be informed in writing of the actual dates and pay status of the leave.

Employee drivers arrested or cited for driving under the influence or reckless driving on the job are subject to corrective action up to and including immediate termination.

Gambling losses, debts, or a reputation for habitual gambling may seriously compromise an employee's image and that of the LRLEC and may be considered as progressive form of moral turpitude. Any and all gambling, sports pools, office pools or other games of chance on company property are strictly prohibited. Any employee found participating in the above may be subject to discipline up to and including termination. Additionally, the LRLEC recognizes that employees may voluntarily admit to having gambling problems that have not resulted in corrective action. These employees may be eligible for unpaid time off to participate in a rehabilitation program.

Employment with the LRLEC is at the mutual consent of the Agency and the employee, and either party may terminate that relationship at any time, with or without cause and with or without advance notice, within the provisions of state and federal law.

Grievance procedures for employees of the LRLEC are outlined in [Policy 801](#) of this handbook and shall be in accordance with the provisions of the North Dakota Century Code.

Revised: September 2020  
Revised: May 16, 2018  
Revised/Updated 8-17-2004 (Effective Immediately)  
Updated/Approved July 15, 2009 (Effective Immediately)

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### **703 EMPLOYEE MISCONDUCT PREVENTION, INVESTIGATION, AND RETALIATION**

This agency-wide employee misconduct policy is established to facilitate the development of controls which will aid in the detection and prevention of employee misconduct within the LRLEC.

This policy applies to any fraud, or suspected fraud involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with the LRLEC. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the LRLEC.

All employees of the LRLEC are responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Each member of the management team will be familiar with the types of improprieties that may occur within his or her area of responsibility, and be alert for any indication of irregularity. Any fraud that is detected or suspected must be reported immediately to the Director who coordinates all investigations with the legal counsel or other affected areas, both internal and external. If suspected fraudulent activity involves the Director, the report must be brought to the attention of the Chair of the LRLEC Governing Board. The Director and/or Chair of the LRLEC Board shall lead the investigation unit until the matter is resolved.

#### **Actions Constituting Fraud:**

The terms defalcation, misappropriation, and other fiscal wrongdoings refer to, but are not limited to:

- Any dishonest or fraudulent act
- Forgery or alteration of any document or account belonging to the LRLEC
- Forgery or alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Disclosing confidential and proprietary information to outside parties
- Accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to the LRLEC. Exceptions: Gifts less than \$50 in value.
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment or any similar or related inappropriate conduct.

#### **Other Inappropriate Conduct**

Any other suspected improprieties concerning an employee's moral, ethical, or behavioral conduct as outlined in [Policy #701](#), shall be brought to the attention of the LRLEC Director. If there is any question as to whether an action constitutes fraud, contact your supervisor or the Director for guidance.

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## **Reporting Procedures**

Great care must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. An employee who discovers or suspects fraudulent activity will contact the LRLEC Director immediately. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Director or LRLEC legal counsel. No information concerning the status of an investigation will be given out. The proper response to any inquiries is: "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud", "the misappropriation," or any other specific reference.

## **Confidentiality**

The Director treats all information received confidentially to the extent possible within the constraints of the law. Any employee who suspects dishonest or fraudulent activity will notify the Director immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act (see **Reporting Procedure** section above). Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the LRLEC from potential civil liability.

## **Investigation Responsibilities**

The Director has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred the Director will issue reports to appropriate designated personnel and, if appropriate, to the LRLEC Governing Board. Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on disposition of the case.

## **Retaliation**

In many instances, the LRLEC must rely on individual staff to report cases where it appears that a member or members of the LRLEC are not complying with applicable law or policy. A major deterrent to such reporting is the fear that the person or persons against whom the report is made will retaliate against the person making the report. The purpose of this policy is to clearly articulate that the LRLEC prohibits retaliation against those who make bona fide reports of possible non-compliance.

LRLEC administrators, supervisors and staff shall not intimidate or take retaliatory action, as defined below, against any staff member of the LRLEC or a relative of such a person who is an employee of the LRLEC, who makes a report of the type defined below in good faith and without malice.

This policy also prohibits persons from knowingly and intentionally making a report of non-



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compliance that is false

Types of retaliation that are prohibited include but are not limited to:

1. Intimidation;
2. Adverse actions with respect to the reporter's work assignments, salary, annual leave, and other terms of employment;
3. Unlawful discrimination;
4. Termination of employment;
5. Adverse actions against a relative of the reporter who is an LRLEC employee;
6. Threats of any of the above

Note that an adverse personnel or other corrective action against an employee whose conduct or performance warrants such action for reasons unrelated to the reporting of a concern will not be deemed a violation of this policy.

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### **705 SEXUAL AND OTHER FORMS OF INTOLERANT HARASSMENT**

The LRLEC is committed to providing a work environment that is free of discrimination. Actions, words, jokes or comments based on an individual's sex, gender, race, ethnicity, age, religion or any other legally-protected characteristic will not be tolerated.

Sexual harassment is the unwarranted and unwanted action of an individual against another individual involving sexual overtones. The Agency will not tolerate verbal or physical conduct by an employee which harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive or hostile work environment. The Agency is opposed to sexual harassment in the work place and such harassment is against the law.

Sexually harassing conduct in the work place or elsewhere, whether committed by supervisory or nonsupervisory personnel is prohibited. Such conduct may include, but is not limited to:

- Sexual flirtations, touching, advances, etc.
- Verbal abuse of a sexual nature.
- Graphic or suggestive comments about an individual's dress or body.
- Sexually degrading words to describe an individual.
- The display in the work place of sexually suggestive objects or pictures, including nude photographs.

It is important to note that sexually harassing conduct also includes:

- Explicitly or implicitly making submission to the conduct a term or condition of an individual's employment.
- Using submission or rejection of the conduct as a basis for employment decisions.
- The conduct substantially interferes with the individual's work performance or creates an intimidating, hostile or offensive work environment.

Any employee who believes that the actions or words of any employee or fellow employee constitute unwelcome harassment, has a responsibility to report this behavior, in writing, as soon as possible to the Director or his designee.

All complaints of harassment will be investigated promptly in a confidential manner. In all cases, the employee will be advised of the investigation's conclusions.

Any employee who is found, after appropriate investigation, to have engaged in harassment of another employee, will be subject to appropriate corrective action and may be subject to immediate discharge.

Refer to [Policy #703](#) for Retaliation.

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## 707 SUBSTANCE ABUSE POLICY STATEMENT

The LRLEC is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any LRLEC employee illegally uses drugs on or off the job, comes to work under the influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the LRLEC has established the following policy:

Physician-prescribed medications are permitted, provided they do not adversely affect job performance or the safety of the employee or other individuals in the workplace. **Should a physician prescribe medication that will limit or impair an employee's ability to perform his/her job, the employee should report the use of the medication immediately to his/her supervisor.**

1. It is a violation of the LRLEC policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job, while operating an LRLEC vehicle or using LRLEC equipment.
2. It is a violation of the LRLEC policy for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount.
3. It is a violation of the LRLEC policy for any employee to report to work under the influence of or impaired by alcohol, or any other intoxicant.
4. It is a violation of the LRLEC policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.)
5. Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited
6. Violations of this policy are subject to corrective action up to and including termination.
7. As a condition of employment, employees must abide by the terms of this policy and must notify The LRLEC in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

### **Employee Assistance**

The LRLEC may offer resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs.

### **General Procedures**

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An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. The employee's supervisor will first contact Administration to confirm the employee's status. Next the Administrative Staff will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the Administrative Staff, the employee is considered impaired, the employee will be sent home or to a medical facility by a safe transportation alternative - depending on the determination of the observed impairment – and may be accompanied by the Administrator or another employee if necessary. A drug/alcohol test may be administered. An impaired employee will not be allowed to drive.

### **Opportunity to Contest or Explain Test Results**

Employees and job applicants will be given the opportunity to explain or contest a confirmed positive result with the Director within five (5) working days after being notified of his/her test result.

### **Confidentiality**

The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained, except as otherwise provided by law.

### **Pre-Employment Drug Testing**

All job applicants at the LEC will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test will be denied employment.

Applicants will be required to submit voluntarily to a urinalysis test at a laboratory chosen by the LEC, and by signing a consent agreement will release the LEC from liability.

If the physician, official, or lab personnel has reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will not be considered for employment.

The LEC will not discriminate against applicants for employment because of a past history of drug abuse. It is the *current* abuse of drugs, preventing employees from performing their job properly, that the LEC will not tolerate. A pre-employment criminal background check must be passed prior to employment.

Individuals who have failed a pre-employment test may initiate another inquiry with the LEC after a period of not shorter than six (6) months; but they must present themselves drug-free as demonstrated by urinalysis or other test selected by the LEC.

### **Employee Testing**

The LEC has adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:

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- A. When there is reasonable suspicion to believe that an employee is using illegal drugs or abusing alcohol "reasonable suspicion" is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon, but not limited to, the following:
  - 1. Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
  - 2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
  - 3. A report of substance abuse provided by a reliable and credible source;
  - 4. Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
  - 5. Information that an employee has caused or contributed to an accident while at work; or
  - 6. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.
- B. When employees have caused or contributed to an on-the-job injury that resulted in a loss of work-time, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider. The LEC may also send an employee for a substance abuse test if they are involved in on-the-job accident where personal injury or damage to LEC property occurs.
- C. As part of a follow-up program to treatment for drug abuse when an employee has voluntarily entered a rehabilitation program because of a positive confirmed test result. The frequency of such testing shall be a minimum of at least once a year for a two year period after completion of the rehabilitation program. Advance notice of testing shall not be given to the employee.
- D. When a substance abuse test is conducted as part of a routinely scheduled employee fitness for-duty medical examination that is part of the employer's established policy or that is scheduled routinely for all members of an employment classification or group.
- E. Random testing is conducted without individualized suspicion of a violation of the LEC's substance abuse policy. Selection is made by neutral criteria so that all employees eligible for testing have an equal opportunity of being tested.

Employees with a confirmed positive test result may, at their option and expense, have a second confirmation test made on the same specimen. An employee will not be allowed

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to submit another specimen for testing.

If the physician, official, or lab personnel has reasonable suspicion to believe that the employee has tampered with the specimen, the employee is subject to corrective action up to and including termination.

### **Alcohol Abuse**

The LEC adheres to a strict “Zero Tolerance” philosophy. An employee who is under the influence of alcoholic beverages at any time while on LEC business or at any time during the employee’s work day shall be guilty of misconduct and is subject to discipline up to and including termination.

Failure to submit to a substance abuse test also is misconduct and also shall be subject to discipline up to and including termination.

It is the responsibility of the LEC’s supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug or alcohol problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs, and the abuse of alcohol are incompatible with employment at the LRLEC.

Revised: September 2020

Revised: May 16, 2018

*Policy 702.1 Substance Abuse is intended to replace Policy 702 Drug and Alcohol Use, established effective 10-15-1991. 702.1 Substance Abuse is Effective as of 7-01-2006 as approved by the Law Enforcement Center Board at the May, 2006 Board Meeting.*

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## **709 ATTENDANCE AND PUNCTUALITY**

To maintain a safe and productive work environment, the LRLEC expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Law Enforcement Center. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment

The LRLEC requires maintaining established minimally acceptable staffing levels 24 hours per day, 7 days a week, and 365 days per year. To maintain a safe and productive work environment, the LRLEC expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Agency.

Staff that are classified as working in essential positions are expected to be here for their scheduled shifts. Generally, weather related absences are not excused absences. Winter weather is forecasted and staff who live outside of town are expected to make or have arrangements made to ensure that they are able to get to and from work. During significant weather events, the LRLEC will provide cots and space for staff to stay on-site.

Good and timely attendance is something that is expected from all employees.

### **Absences**

Regardless of the reason for your absence, you are expected to properly notify your department administrator, or their designee, at least two hours prior to the scheduled start of the shift or shifts. Voice mail and/or text messages will not be considered notification nor as approval of the absence. Lack of a telephone or not being at home is not an excuse for failing to notify. You should call every day that you are absent unless you are on an approved leave of absence. Unreported and unexcused absences of two consecutive work days will be considered job abandonment and employment with the LRLEC will be terminated.

If an employee is absent for two or more consecutive days due to illness or injury, a physician's statement may be requested verifying the nature of the illness/injury and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be the basis for payment authorization of sick leave benefits. Before returning to work from a sick leave absence of three calendar days or more, an employee may be required to provide a fitness for duty report or physician's verification that they may safely return to work.

Excessive use of emergency personal/sick hours will result in formal corrective action.

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## **Tardiness**

You should be at your work station by the start of each workday at the time designated by your department.

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Revised: June 2022

Revised: September 2020

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Revised: June 2019

Revised: November 21, 2018 – Effective December 1, 2018

Revised: May 16, 2018



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## **711 PERSONAL APPEARANCE**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the LRLEC presents to customers and visitors. During business hours or when representing the LRLEC, you are expected to present a clean, neat, and tasteful appearance.

You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with customers or visitors in person.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work.

Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.

Revised: November 2024

Revised: March 2023

Revised: May 16, 2018

# LAKE REGION LAW ENFORCEMENT CENTER

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## 713 CASUAL DAYS

The following information is intended to serve as a guide to help define appropriate casual business wear for all employees during designated casual days at the Law Enforcement Center.

Each Friday will be a designated casual day. Other days, such as certain holidays or days preceding holidays, may be designated as casual days with prior notification from your immediate supervisor.

Our primary objective is to have employees project a professional image while taking advantage of more casual and relaxed fashions. Casual dress offers a welcome alternative to the formality of typical business attire. However, not all casual clothing is appropriate for the office.

Casual business wear means clean, neat, professional clothing. It is never appropriate to wear stained, wrinkled, frayed, or revealing clothing to the workplace. If you are considering wearing something and you are not sure if it is acceptable, choose something else or inquire first.

On occasion, we may announce dress-down days where looser, even more informal clothing can be worn in order to allow you to enjoy a special occasion, better tolerate excessive heat conditions, or more comfortably organize your work area. For some, traditional business attire may simply remain a more favored option on casual days. The choice will be yours.

We hope and fully expect that casual days will help make our workplace more enjoyable and productive.

### **Jean Days – All Staff**

**Employees are permitted to wear jeans but when doing so they must pay \$1 which will be placed in an employee recognition fund**

### **715 RESIGNATION**

Resignation is a voluntary act initiated by the employee to terminate employment with the LRLEC. Although advance notice is not required, the LRLEC requests at least a thirty-day written resignation notice from all employees.

Failure to give advanced notice as requested may result in the employee being declared ineligible for re-hire.

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### **717 RETURN OF PROPERTY**

Employees are responsible for all property, materials, or written information issued to them or in their possession or control.

All LEC equipment and uniforms that are issued to any individual staff member for their exclusive use during their employment shall be documented on an Equipment and Uniform Agreement. Staff may be responsible for the replacement or repair costs associated with any items lost or not returned, or for any damage that occurs outside of the normal performance of duties.

Staff have a duty to immediately report to their department administrator any instances where these items may be lost or damaged.

Upon separation of employment, whether voluntary or involuntary, the employee is required to return all issued LRLEC equipment and uniforms in good working condition to their department administrator or their designee within 2 days of their last day worked unless defined otherwise by administrative staff in a written document. Failure to return property in good working condition will result in holding of severance benefits (i.e. leave payouts), may result in deduction of replacement or repairs costs from the final pay check or severance benefits, and/or legal action.

All LEC property shall be presented by an employee for inspection upon request.

Revised: June 2022  
Revised: June 2021  
Revised: September 2020

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## **719 CORRECTIVE ACTION PROCEDURES**

The purpose of this policy is to clarify guidelines for employee conduct and to outline appropriate disciplinary steps.

Employment with the LRLEC is "at will," which means it is subject to termination by either the LRLEC or the employee at any time, for any reason. Nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between the LRLEC and its employees.

### **Responsibilities of Employees**

It is the duty and the responsibility of every LRLEC employee to be aware of and to abide by existing policies and work rules.

It is also the responsibility of employees to perform their duties to the best of their ability and to the standards set forth in their job descriptions or as otherwise established. Employees are encouraged to take advantage of all learning opportunities available and to request additional instruction when needed.

### **Responsibilities of Supervisors**

The immediate supervisor should approach corrective measures in an objective manner.

If the employee's performance of assigned tasks is the issue, the supervisor should confirm that proper instructions, appropriate orientation and adequate training have been given and that the employee is aware of job expectations. Both single incidents and patterns of poor performance should be of concern.

If misconduct is the issue, the supervisor should take steps to ensure that the employee is aware of the company's policies and regulations regarding employee conduct.

If, in either case, appropriate instruction or information was not communicated, the supervisor should immediately develop a plan for delivering such instruction or information and should review the content with the employee.

### **Progressive Discipline Process**

The LRLEC supports the use of progressive discipline to address issues such as poor work performance or misconduct to encourage employees to become more productive workers and to adapt their behavior to company standards and expectations. Generally, a supervisor gives a warning to an employee to explain behavior that the supervisor has found unacceptable. There are two types of warnings: verbal and written.

A verbal warning occurs when a supervisor verbally counsels an employee about an issue of concern. A written record of the discussion, noting the date, event and recommended action, is on file by the supervisor or human resources for future reference.

A written warning is used for behavior or performance that a supervisor considers serious or when a verbal warning has not helped change unacceptable behavior or performance. The supervisor, in consultation with human resources, may place the

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employee on a performance improvement plan (PIP) not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements specified by the supervisor and the organization. The supervisor and employee should meet regularly to assess the progress of the PIP. If the employee has met the goals and expectations described in the PIP, the supervisor will document that he or she has successfully completed the PIP. If established goals are not met, dismissal may occur.

The LRLEC reserves the right to administer appropriate disciplinary action for all forms of disruptive or inappropriate behavior. Each situation will be dealt with on an individual basis.

## **Employee Conduct That Can Result in Disciplinary Action**

The LRLEC has established general guidelines to govern the conduct of its employees. No list of rules can include all instances of conduct that can result in discipline, and the list of examples below is not exhaustive. Furthermore, sound judgment and common sense should prevail.

Examples of employee conduct that would lead to discipline and the usual course of disciplinary action have been separated into groups according to the usual severity and impact of the infraction. Violations may be handled differently depending on the group they are in and the specific circumstances. The LRLEC reserves the right to determine the appropriate level of discipline for any performance or conduct issues, including oral and written warnings, suspension with or without pay, demotion, and discharge.

### **Group 1**

Disciplinary process:

- 1st offense: Documented verbal warning
- 2nd offense: Documented written warning
- 3rd offense: Three-day suspension
- 4th offense: Termination of employment

Examples:

1. Creating conflict with co-workers, supervisors, visitors or volunteers.
2. Failing to follow practices as needed for the specific job assignment.
3. Contributing to unsafe conditions.
4. Leaving the assigned work area or facility without the supervisor's permission.
5. Loitering or loafing while on duty.
6. Damaging or using organization-owned equipment without authorization.
7. Abusing lunch and break periods.
8. Violating other rules or policies not specifically listed.

### **Group 2**

Disciplinary process:

- 1st offense: Written warning
- 2nd offense: Suspension
- 3rd offense: Termination

Examples:

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1. Failing to report injuries or damage to or an accident involving company equipment.
2. Violating any safety rule.
3. Acting negligently.
4. Engaging in horseplay that results in personal injury or equipment damage.
5. Spreading malicious rumors.
6. Engaging in vulgar or abusive language or conduct toward others.
7. Copying company documents for personal use or other disruptive activity in the workplace.
8. Using facility communication systems inappropriately.
9. Treating customers or co-workers in a discourteous, inattentive or unprofessional manner.
10. Being absent or tardy or leaving early without notification or permission.
11. Not following department guidelines concerning notification of an absence.

### **Group 3**

Disciplinary process:

1st offense: Dismissal

Dismissal is the immediate termination of an employee for a serious breach of responsibility, unsatisfactory performance or misconduct. A supervisor or department head may impose dismissal after consultation with the human resources.

Examples:

1. Being absent for three or more days without notification or permission (also referred to as a voluntary quit or job abandonment).
2. Fighting.
3. Demonstrating insubordination, including:
  - Refusal to do an assigned job.
  - Refusal to work overtime or holiday shifts when required.
  - Disrespectful response to a supervisor's directive.
  - Deliberate delay in carrying out an assignment.
4. Dishonesty, including deception, fraud, lying, cheating or theft.
5. Fighting or threats of physical violence.
6. Sabotaging the facility, grounds or equipment of the LRLEC.
7. Falsifying company records, such as employment applications and timecards, in any way.
8. Offensive or inappropriate conduct or language toward LRLEC employees or other persons including any harassment or retaliation.
9. Violation of the LRLEC's alcohol and drug policy.
10. Sleeping while on duty.
11. Concealing defective work.
12. Carrying a weapon on company property, unless requirement of job.
13. Disclosing confidential records or information.
14. Soliciting gifts or tips from business-related contracts.
15. Using the facility's computer systems, including accessing confidential computer files and data, without authorization.
16. Other serious violations of the LRLEC policies or procedures.
17. Failing to comply with licensure and certification requirements.

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## **Appeal of Disciplinary Action**

Within ten (10) working days after the date of notice of the disciplinary action by a supervisor of an employee, the affected employee may appeal the action by a supervisor by filing a written notice of appeal with the Director. The notice of appeal shall identify the ruling appealed from and be signed by the appealing employee. It shall be the duty of Director to inform the supervisor and human resources of the filing of an appeal. Within ten (10) working days after the filing of written notice of appeal, upon consideration of the evidence and a review of the employee's personnel record, shall issue, and serve upon the employee, an order:

- Affirming the disciplinary action; or
- Reversing the disciplinary action; and/or
- Imposing such other forms or combinations of disciplinary action as Portfolio Commissioner deems reasonably appropriate.

The decision of Director is subject to appeal by the employee to the LRLEC Board.

## **Appeal from Decision of Director to LRLEC Board**

Within ten (10) working days after the date of order of the Director, the affected employee may appeal the action to the LRLEC Board. The notice of appeal shall identify the ruling appealed from and be signed by the appealing employee.

Within ten (10) working days after the filing of written notice of appeal, the LRLEC Board shall meet and, upon consideration of the evidence and a review of the employee's personnel record, shall issue an order:

- Affirming the disciplinary action; or
- Reversing the disciplinary action; and/or
- Imposing such other forms or combinations of disciplinary action as the LRLEC Board deems reasonably appropriate. The decision of the LRLEC Board is final, subject to any right of review under any law of the State of North Dakota or the United States.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the LRLEC.

Revised: November 2024

Revised: June 2021

Revised: September 2020

Revised: May 16, 2018

Updated/Approved July 15, 2009 (Effective Immediately)  
(Policy Approved/Effective 3-15-06)



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## **801 GRIEVANCE PROCEDURES**

A grievance is defined as a dispute or disagreement as to the interpretation or application of the terms and conditions of the LRLEC Personnel Policies. All disputes or grievances shall be handled in the following manner:

### **Step 1:**

Whenever any employee has a grievance, they shall meet with his or her Supervisor in an attempt to resolve the grievance within seven (7) days after the grievance occurred.

### **Step 2:**

If the grievance is not resolved within five (5) days of the first informal meeting, the grievance shall be presented in writing to the Department administrator.

### **Step 3:**

Should the grievance not be resolved within five (5) additional days, the grievance should be represented to the Director of the LRLEC. The Director shall meet with the grievant as soon as possible for resolution. All information and reports shall be retained in the employee's personnel file.

If all other attempts have failed to resolve the grievance the employee may present the grievance at the regularly scheduled meeting of the Law Enforcement Center Board of Commissioners. This option is intended to be used only in extreme circumstances.

Should a grievance be irresolvable the provision of the North Dakota Century Code shall apply.

Revised: May 16, 2018  
New Policy – Effective July 15, 2009

### **803 LATERAL TRANSFERS**

It shall be the policy of the LRLEC to accept lateral transfers when the following conditions exist:

- A vacancy exists within a department
- The person requesting the transfer is employed by the LRLEC for more than one year (introductory period).
- A letter requesting the transfer is supplied to the Department administrator of the department transferring to stating reasons and qualifications. The letter must be submitted and approved by both department administrators before being submitted to the Director for review of the requested transfer.

Lateral transfers will be subject to staffing obligations for each department. Should a lateral transfer be requested and approved, the transfer may be subject to filling the vacancy before transfer is completed.

Revised: May 16, 2018

### **805 SOLICITATIONS**

In an effort to assure a productive and harmonious work environment, persons may not solicit or distribute literature in the work place at any time for any purpose, unless approved in advance by the Director.

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## **807 LEC BUILDING SECURITY**

Every employee is responsible for the security of the LRLEC. All outside entrances into the LRLEC are kept locked, except the main entrance into the lobby, which will be open from 8 am thru 5 pm during normal working days.

In the event of an identified threat or security risk to the facility or any of its occupants the Director or their designee may order a facility lock down where the main entrance will be locked during normal business hours.

Each employee is issued a proximity card and/or key fob in order to access doors that pertain to their specific destination within the facility. It is the responsibility of each employee to assist in the safety and security of all staff by keeping their cards/fobs safe and secure. Granting unauthorized access to unauthorized individuals whether intentional or through negligence will result in corrective action up to and including termination.

Revised: March 2023

Revised: June 2022

Revised: June 2019

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### **809 EMPLOYMENT STATUS OF INDIVIDUALS WITH LIFE THREATENING ILLNESSES**

The LRLEC recognizes that employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, may wish to continue their normal pursuits, including work, to the extent that their condition allows. The decision to continue work will be based on the ability to meet normal performance standards and on the receipt of satisfactory medical evidence that the employee does not present an immediate threat to themselves or others. Evaluation of the potential dangers presented by individuals with life-threatening diseases will occur on a case-by-case basis and will consider existing medical and scientific evidence.

## 811 SOCIAL MEDIA POLICY

The LRLEC respects the right of employees to use social media tools as a means of personal self-expression and as a means to further the organization's interests. It is important that employees be aware of the implications of engaging in social media and online communications.

When using Social Media:

Adhere to the LRLEC Technology, Internet and Email Policy.

- Do not post confidential or proprietary information about the organization, our staff members, elected officials, clients or business partners. It is important to protect this information.
- The LRLEC logo or other organizational images may not be used on personal social media sites without permission from the Director or their designee. The LRLEC's name may not be used to promote a personal cause, product, political party or candidate.
- LRLEC computers and time on the job are reserved for organizational business as approved by management and in accordance with the Technology, Internet, Email and other work-related information policies.
- Be respectful to the organization, other staff members, elected officials, vendors and business partners.
- If you come across positive or negative remarks about the LRLEC or LRLEC related services that you believe are important, please forward this information to your supervisor or the Director.
- Be conscious of mixing your business and personal lives. The internet is immediate and nothing posted is ever truly private, nor does it expire. Online, your personal and business personas are likely to intersect. The organization respects the free speech rights of its staff members, but asks you to remember that other organizations, colleagues, and business partners may have access to the online content you post.
- Employees are responsible for their own actions. Recognize that you are legally liable for anything you post online. Understand that anything you post that can potentially tarnish the LRLEC's image will ultimately be your responsibility. Be aware that your actions captured via posts, images or comments may reflect upon the LRLEC. While the organization does not discourage your participation in social media space, we urge you to do so properly, exercising sound judgment, common sense and good taste.

The LRLEC reserves the right to monitor content on the Internet. Staff members who violate this policy may be subject to disciplinary action, up to and including termination.

Created: November 2024

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## **813 FRAUD PREVENTION AND INVESTIGATION**

This LRLEC fraud policy is established to facilitate the development of controls which will aid in the detection and prevention of fraud against the LRLEC.

This policy applies to any fraud, or suspected fraud, involving employees, elected and appointed officials, as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with the LRLEC. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the LRLEC.

All employees and elected officials of LRLEC are responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity. Any fraud that is detected or suspected must be reported immediately to the Director, who coordinates all investigations with the legal counsel and other affected areas, both internal and external. If suspected fraudulent activity involves the Director, the report must be brought to the attention of the chairperson of the LRLEC Board. The Director and/or Chair of the LRLEC Board shall lead the Investigation Unit until the matter is resolved.

### **Actions Constituting Fraud**

The terms defalcation, misappropriation, and other fiscal wrongdoings refer to, but are not limited to:

Any dishonest or fraudulent act

- Forgery or alteration of any document or account belonging to the LRLEC
- Forgery or alteration of a check, bank draft, or any other financial document • Misappropriation of funds, securities, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions • Disclosing confidential and proprietary information to outside parties
- Accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to the LRLEC. Exception: Gifts less than \$50 in value.
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment
- Any similar or related inappropriate conduct

### **Other Inappropriate Conduct**

Any other suspected improprieties concerning an employee's or official's moral, ethical, or behavioral conduct, should be brought to the attention of the Director. If there is any question as to whether an action constitutes fraud, contact your supervisor or the Director for guidance.

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## **Reporting Procedures**

Great care must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. An employee who discovers or suspects fraudulent activity will contact the Director immediately. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Director.

No information concerning the status of an investigation will be given out. The proper response to any inquiries is: "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference. Confidentiality The Director treats all information received confidentially to the extent possible within the constraints of the law. Any employee who suspects dishonest or fraudulent activity will notify the Director immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act (see REPORTING PROCEDURES section above). Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the LRLEC from potential civil liability.

## **Investigation Responsibilities**

The Director, with the assistance of the LRLEC counsel as appropriate, has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Director will issue reports to appropriate designated personnel and, if appropriate, to the LRLEC Board. Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on disposition of the case.

Created: November 2024



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## EMPLOYEE ACKNOWLEDGMENT FORM

I understand that this employee handbook describes important information about the LRLEC and that I should consult my supervisor regarding any questions not answered in the handbook.

Since provisions of the handbook are subject to change, I further understand that revisions to the handbook may supersede or eliminate one or more existing policies.

My employment relationship with the LRLEC is voluntarily entered into and is subject, within provisions of state and federal law, to termination by me or my employer at will, with or without cause, at any time either party believes such action to be appropriate.

I acknowledge that this handbook is not a contract of employment. I have read, understood, and will comply with both the policies contained in this handbook and any subsequent revisions.

I also understand that I may request a personal copy of any particular section of this handbook, but that a copy is available for employee use on the LEC intranet site by going to [staff.lrlec.net](http://staff.lrlec.net) from any LEC networked device.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
EMPLOYEE'S NAME (TYPED OR PRINTED)