

# **CARBON COUNTY, WYOMING VOLUNTEER HANDBOOK (2023)**

Amended: November 7, 2023  
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Welcome!

Volunteers play an important role in Carbon County. Services essential to safety and quality of life are provided by the many people that volunteer, donating their time and services.

There are certain responsibilities undertaken and levels of personal conduct expected of Carbon County volunteers; we want you to be aware of those responsibilities and expectations. In some instances, there are specific standards and requirements that must be fulfilled; we want you to be aware of those as well. As a volunteer, you may have questions about how the County handles certain tasks such as reimbursement of expenses or use of a County vehicle. This handbook provides that information as well as other important information about being a Carbon County volunteer.

Finally, this handbook provides uniform procedures for becoming a Carbon County volunteer and notifying the County when volunteer service begins and ends. These procedures are important as Wyoming Worker's Compensation coverage is provided for Emergency Service Volunteers and Carbon County Office of Emergency Management Volunteers due to the nature of the volunteer service. The County needs to know when those type volunteers begin to serve so the volunteer is properly reported to Wyoming Worker's Compensation. Conversely, the County needs to know when service for that type of volunteer ends so it does not unnecessarily spend money making contributions to the Worker's Compensation fund for a person who is no longer a volunteer.

This handbook provides general information to assist you as a volunteer; however not every situation can be anticipated or addressed. Consequently, when a question arises you should contact the County department head who oversees your volunteer service, Human Resources, or the County Clerk's Office for assistance.

We hope you find your volunteer service to be a positive and rewarding experience. We appreciate all that volunteers do in and for our County and thank you for donating your time and services.

Board of County Commissioners  
Carbon County, Wyoming

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**PERSONS WHO SERVE AS A VOLUNTEER ARE NOT COUNTY EMPLOYEES.**

**NOTHING CONTAINED IN THE HANDBOOK SHALL BE CONSTRUED TO BE A CONTRACT, EITHER EXPRESSED OR IMPLIED, BETWEEN CARBON COUNTY AND ANY VOLUNTEER. ADDITIONALLY, THIS HANDBOOK IS NOT TO BE CONSTRUED BY ANY VOLUNTEER AS CONTAINING BINDING TERMS AND CONDITIONS. CARBON COUNTY RETAINS THE RIGHT TO CHANGE, REVOKE, SUSPEND, AND INTERPRET THE CONTENTS OF THE HANDBOOK AT ANY TIME AS IT DEEMS NECESSARY OR DESIRABLE, WITH OR WITHOUT NOTICE.**

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## I. Purposes of Handbook; Volunteer Defined.

1. Purposes of Handbook. The purposes of this handbook are to: provide Volunteers with pertinent general information about being a Carbon County volunteer; to provide uniform procedures for becoming a volunteer and for notifying the County when volunteer service begins and ends; and, to help each volunteer obtain a better understanding of some of the requirements of being a Carbon County volunteer. It is a general statement of policy and is not a grant of any rights to any person.

2. "Volunteer" Defined. A "volunteer" is a person who, of his/her own free will and without pressure or coercion, direct or implied, donates and performs hours of service to assist Carbon County, in general, or to assist a particular office of an elected official or department of the County after having successfully completed the procedures for becoming a County volunteer. The hours of services performed are donated for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered. Although a volunteer can receive no compensation, all Carbon County volunteers may be paid or reimbursed for expenses; Carbon County Emergency Service Volunteers may receive those reasonable benefits authorized by law and/or a nominal fee, as defined by law; and, CCOEM Volunteers may receive a nominal fee, as defined by law. There are four types of Carbon County volunteers:

- (a) Board Volunteers: Persons who are appointed by the Board of County Commissioners to serve on a board, commission or similar body.
- (b) Emergency Service Volunteers: Persons who serve as County volunteer fire fighters and County volunteer search and rescue unit members.
- (c) Carbon County Office of Emergency Management Volunteers [CCOEM Volunteers]: Persons who serve as volunteers with the Carbon County Office of Emergency Management. (Amended:11/7/2023)
- (d) General Volunteers: All other persons who serve as County volunteers.

**A PERSON WHO SERVES AS A VOLUNTEER IS NOT A CARBON COUNTY EMPLOYEE.**

## II. Provisions Applicable to All Volunteers.

### A. In General.

3. Equal Opportunity. Carbon County does not discriminate on the basis of race, color, sex (including pregnancy and related conditions, sexual orientation, and gender identity or expression), national origin, religion, disability status, age (40 or older), political affiliation, protected veteran status, genetic information (including County requests for, or purchase, use or disclosure of genetic tests, genetic services, or family medical history), or any other characteristic protected by federal or state laws and regulations, with respect to recruitment, selection or appointment of volunteers, nor in the dismissal of

volunteers, except where specific requirements constitute bona fide qualifications necessary to the proper and effective performance of the requirements of the volunteer services. Carbon County does not discriminate by engaging in conduct which amounts to retaliation against volunteers or persons seeking to become a County volunteer who have filed a charge of discrimination, have reasonably opposed discrimination or participated in a discrimination lawsuit, investigation or proceeding. (Amended: 10/20/2020; 11/7/2023)

4. No Right to Become or Continue to Be a County Volunteer. There is no right to become, or continue to be, a Carbon County volunteer. Neither the County nor its department heads are required to accept or to appoint any person who seeks to become a volunteer or to donate his or her time or services. It is the prerogative, and at the sole discretion of the County and/or its department heads, to determine whether a person who seeks to become a volunteer is appointed or accepted and whether a person who is a County volunteer continues to be a volunteer.
  
5. Volunteer Service by Carbon County Employees.
  - (a) Under federal law, a Carbon County employee cannot volunteer to do the same work normally performed in their paid position with the County.
  
  - (b) A Carbon County employee may volunteer with the County if the volunteer services are provided to an established volunteer program, the services are outside the employee's normal work duties, no work time is used to perform the volunteer services, the volunteer services are performed solely at the option of the employee, and the employee signs a waiver indicating the decision to volunteer is entirely his or her own, made free of pressure or coercion, direct or implied from the employer, and that the hours of time donated and services performed are for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered.
  
  - (c) If a Carbon County employee desires to provide volunteer services with the County during the employee's regular work time, the employee may, solely at the employee's option, request to use vacation time and/or accrued compensation time (if any). Department heads may, in their sole discretion, utilize Section 28 Adjustable Work Schedule of the Carbon County Personnel and Benefit Manual, as in effect from time to time, to accommodate employees who volunteer with the County in order to address situations which may arise involving the employee's volunteer service with the County.
  
  - (d) Although a volunteer can receive no compensation, all Carbon County volunteers may be paid or reimbursed for expenses; Carbon County Emergency Service Volunteers may receive those reasonable benefits authorized by law and/or a nominal fee, as defined by law; and, CCOEM Volunteers may receive a nominal fee, as defined by law. (Amended: 11/7/2023)



**B. Process for Becoming a Carbon County Volunteer: Application; Screening; Registration; Appointment/Approval.**

6. Application; Appointment/Approval. Persons interested in serving as a County volunteer may be asked to submit a written application or resume and to have an interview with the County Commissioners and/or department head. The specific application, interview, and approval/appointment process varies from one County department to another due to differences in department services and needs and depending on whether the volunteer service involves a Board, Emergency Service, CCOEM, or General Volunteer. Some departments may have an informal application, interview and approval/appointment process; others, such as the County volunteer fire department, may require that the person seeking to become a County volunteer fire fighter first be accepted and enrolled with a local volunteer fire department and meet more extensive requirements. (Amended: 11/7/2023)
  
7. When Person Becomes a County Volunteer. No person is a County volunteer and no volunteer services are to be performed until all of the following occur:
  - (a) Application/resume is submitted and interview is conducted, if requested;
  - (b) Screening and background checks are satisfactorily completed, if requested;
  - (c) The Commissioners and/or department head issues a written acceptance/appointment of the person as a volunteer, **conditioned on the person's completion of the registration process**, which describes the volunteer services the person is to perform; and,
  - (d) Registration in accordance with Section 9 has been completed.
  
8. Screening and Background Checks. All persons seeking to become a County volunteer are subject to screening procedures and background checks. Persons approved or appointed as volunteers are subject to being rechecked periodically, including when there has been a change in the volunteer's service or assignment or the volunteer's entry of a nolo contendere or guilty plea or conviction of a crime. Screening and background checks, and rechecks, are made upon the request of the department head, Human Resources or the Commissioners.

Screening and background checks may include, but are not limited to: reference checks, direct background investigations, criminal background and records checks, sex offender registry checks, child abuse register checks, driver's history, and any other relevant sources of information. Screening and background checks and re-checks may be conducted with or without prior authorization by the person being screened or re-checked.

Adequate information must be provided by all persons seeking to become a County volunteer during the application and approval process, and upon request of the department head, Human Resources or the Commissioners, in order to perform periodic

re-checks, in order to allow these screening and background checks to be completed. Persons who refuse permission to conduct initial screening and background checks (where permission is required) or fail to provide the necessary information will not be accepted or appointed as volunteers. Volunteers who refuse permission to conduct periodic screening and background re-checks (where permission is required) or fail to provide the necessary information will be subject to removal in the case of Board Volunteers or dismissal for all other volunteers. (Amended: 11/7/2023)

Volunteers who will be driving County vehicles while performing County volunteer services are subject to additional screening procedures as outlined in Section 38.

9. Registration. All volunteers must complete a registration process prior to being considered a County volunteer and prior to performing any volunteer services. Registration can often be completed through the mail or via email. Board Volunteers register through the County Clerk's Office; Emergency Service Volunteers, CCOEM Volunteers, and General Volunteers register through the Human Resources Office. Registration consists of completing and signing the following documents as may be applicable (Amended:11/7/2023):
- (a) Volunteer Receipt and Acknowledgment of Handbook form;
  - (b) Acknowledgment of Receipt of the County's Alcohol and Drug Testing Procedures and Acceptable Use of County Technology regulations (Amended: 10/20/2020);
  - (c) Form containing the volunteer's contact information if there is no application or resume on file which contains the information as provided in Section 10;
  - (d) Acknowledgment by volunteer of department head's acceptance as a volunteer, **conditioned on the person's completion of the registration process**, and description of volunteer services the person is to perform;
  - (e) Persons who volunteer services on federal land fires are subject to payroll deductions as required by law, and must also submit a W-4 and I-9;
  - (f) W-9, if applicable;
  - (g) Release of driver record, if applicable;
  - (h) In the case of County volunteer fire fighters, those forms and documents necessary to enroll an eligible volunteer, as described in Section 60, in the Wyoming State Retirement System Volunteer Firefighter and EMT Pension Plan, if applicable, and as described in Section 62 in the Public Service Officers Benefit, if applicable (Amended: 11/7/2023);
  - (i) Credit Card Use Agreement and/or County Equipment Use Agreement, if applicable (Amended: 10/20/2020); and,

- (j) Such other information as may be required by Human Resources or the County Clerk's Office.

The minutes of Carbon County Commissioners' meeting where a Board Volunteer is appointed and the Board Volunteer's oath of office and/or bond, if required by law, suffice for item (d).

Board Volunteer registration records are maintained in the County Clerk's Office; Emergency Service Volunteer, CCOEM Volunteer, and General Volunteer registration records are maintained in the Human Resources Office.

- 10. Update of Contact Information. All volunteers must update their personal contact information promptly after a change. This includes changes in: physical address, mailing address, home and work telephone numbers, cell phone number, email address, emergency contact information. Board Volunteers update information by contacting the County Clerk's Office; all other volunteers update information by contacting the Human Resources Office. Updates can be made in person, by mail or email.
- 11. Release of Contact Information. Volunteer contact information will not be released without the permission of the volunteer, except to those department heads and County employees with a need to know, or when disclosure is required by law.
- 12. Report of Occurrences and Events That May Impact on Suitability as Volunteer. All volunteers are required to promptly report life occurrences and events that may impact upon suitability as a volunteer [for example, arrests, criminal convictions, motor vehicle accidents or moving violations, etc.]; the need for reasonable accommodations due to a disability; and, when a Board Volunteer no longer lives in the town or area the volunteer was appointed to represent. Board Volunteers report to the County Clerk's Office; all other volunteers report to their department head and the Human Resources Office.

**C. Standards of Conduct and Expectations.**

- 13. Establishment of Additional Rules and Expectations by Department Heads. The following information is provided to help all County volunteers have a better understanding of the standards of conduct and expectations required of County volunteers. This is not intended to be an all-inclusive list. Department heads may establish additional rules and expectations applicable to their respective departments which supplement the provisions of this handbook. The rules and expectations must be consistent with the provisions of this handbook, and each volunteer affected must be informed of those rules and expectations, preferably, in writing. (Amended: 10/20/2020)
- 14. Confidentiality. Volunteers may come into possession of information that is considered confidential. All volunteers are expected to keep that information in strict confidence and not to disclose it to any unauthorized person. This means the volunteer cannot discuss or share any confidential information with a spouse, friends, family members, or casually discuss any confidential information with County employees or other volunteers who do

not have a need to know that information in order to perform their County employment or volunteer services. (Amended: 10/20/2020)

15. Appearance. Volunteers should maintain a clean, well-groomed appearance consistent with the volunteer position and responsibilities. Clothing that impairs performance, presents a safety hazard or opportunity for injury, or disrupts the transaction of public business is prohibited. In the case of volunteer fire fighters, avoid facial hair that presents a safety hazard or opportunity for injury. Department heads may establish more specific guidelines and requirements concerning appearance consistent with the requirements of the volunteer service being performed; each volunteer affected must be informed of those guidelines and requirements, preferably, in writing. (Amended: 10/20/2020)
16. Conduct. All County volunteers are expected to:
  - (a) Serve the public in a courteous, respectful and impartial manner.
  - (b) Cooperate and interact with department heads, County employees and fellow volunteers in a courteous, respectful and cordial manner; this includes being respectful and tolerant of differing views, opinions, and ideas. (Amended: 10/20/2020)
  - (c) Follow the directives, instructions, and requests of the department head when performing volunteer services and assignments.
  - (d) Exhibit utmost honesty in all dealings for, with and on behalf of Carbon County.
17. Volunteer Attendance. Volunteers are encouraged to attend volunteer functions and as scheduled. Volunteers should let the department head, or fellow volunteers if the department head cannot be reached, know as far in advance as possible if the volunteer is unable to attend a volunteer function or as scheduled, or if the volunteer will arrive late. This advance notice allows arrangements to be made for a suitable replacement or other adjustments. Promptness is expected and appreciated.

Some department heads may require volunteers to sign-in and out. Please provide the information requested.

18. Gratuities. Volunteer are not to solicit, accept, or receive commissions, fees, property or anything of monetary value for his or her personal use as a result of any purchasing or other action that he or she performs as a part of his or her volunteer services for the County.
19. Conflicts of Interest. All volunteers are to disclose the nature and extent of the volunteer's pecuniary interest, or the pecuniary interest of any member of the volunteer's immediate family, prior to purchasing any equipment, supplies, materials or services in the course of performing volunteer services from a business in which the volunteer or a member of the volunteer's immediate family may have a pecuniary interest. The

disclosure is to be made in writing to the department head; the department head must approve such purchase in writing before it is made.

For purposes of this section, “family member” and “immediate family” refers to and means a volunteer’s: spouse, parent, sibling, child, grandparent or grandchild or any person who is a member of the volunteer’s household.

20. Use of Tobacco, E-Cigarettes and Vaping Products.

(a) The use of any type of tobacco product, including cigarettes, cigars, and “spit tobacco” (such as chewing tobacco and snuff), e-cigarettes, or any type of “vaping” products is prohibited in and on all County owned or leased buildings, property, offices, or other facilities, vehicles, and self-propelled equipment and machinery, except in outdoor designated areas. Volunteers may use these products in outdoor designated areas at appropriate times.

(b) Volunteers using spit tobacco are responsible for making certain the expectorant is not visible to another volunteer, County employees or any member of the public. Volunteers using spit tobacco are responsible for discarding the expectorant into properly sealed containers and not allowing it to fall on any trash cans, restroom facilities, benches, floors, steps, or outdoor ground areas.

(c) At the Carbon County Jail property, all types of tobacco products, including cigarettes, cigars, and “spit tobacco” (such as chewing tobacco and snuff), e-cigarettes, and any type of “vaping” products, are strictly prohibited.

(d) Department heads are responsible for enforcing the provisions of this section. Each volunteer is charged with the responsibility of reporting violations of this policy to their department head, or, in the event of a violation by a department head, to the Commissioners. (Amended: 10/20/2020)

21. Personal Expenses; Personal Telephone Calls and Text Messaging; Use of County Supplies and Equipment. No personal expenses are to be charged to the County. Personal telephone calls, cell phone calls, and text messages, are to be kept to a minimum so as not to become a disruption while volunteering, as determined by the department head. Carbon County equipment, machinery, tools, materials and supplies, postage, letterhead, and office supplies are to be used for County business only. Volunteers may make copies on the County copy machine and pay the cost charged by the County to other outside users. (Amended: 10/20/2020)

22. Damage or Loss of a Volunteer’s Personal Property. The County is not responsible for damage to or loss of a volunteer’s personal possessions or property. Limited exceptions may be provided by written rules approved by a department head as it relates to Carbon County Emergency Service Volunteers. All volunteers are responsible for safeguarding their personal possessions.

23. Acceptable Use of County Technology. Volunteers that use the County's computer equipment, software, operating systems, storage media, internet connection, electronic mail (e-mail), and cell phones as part of their volunteer service are expected to use the County's technology assets and resources in a manner consistent with the County's Acceptable Use of County Technology regulation. When using private internet accounts and sending emails for County volunteer service all volunteers should conduct themselves in a professional manner, consistent with the County's Acceptable Use of County Technology regulation.

Technology equipment owned by the County may be provided to some volunteers for use in their volunteer service. Those volunteers must execute a Carbon County Equipment Agreement in a form which is approved by the County Commissioners from time to time. By executing that agreement, those volunteers agree to accept responsibility for and to make proper use of the County's technology equipment delivered to them and such other matters as may be contained in the agreement from time to time. The volunteer also agrees to be responsible for and repay the County for all technology equipment which is lost, damaged or not returned as provided in the agreement, and is to authorize the County to deduct such charges from any funds which the County might otherwise owe to the volunteer. All amounts in excess of what the County owes the volunteer must be paid in full no later than the last day of volunteer service. (Amended: 10/20/2020)

No personal or non-County provided devices, including but not limited to phones, flash drives, music player, discs, or anything else that can, interface with electronics either physically or wirelessly, shall be connected to County equipment (including computers, laptops, printers, copiers, tablets, and any other electronics), County networks (including ethernet, Wi-Fi, Bluetooth, etc.), County infrastructure, or County facilities unless specific written permission from the County Commissioners and/or the Information Technology Director is received prior to any connection. Conversely, no County-provided equipment such as County-issued flash drives, printers, etc., shall be connected to other non-County provided equipment or devices. Specific exemptions may be authorized by the County IT Department for law enforcement purposes or other required government uses. Guest network access shall only be used for non-County provided devices that require temporary, short-term internet access for government business purposes, such as presentations to the Board of County Commissioners or other County departments. (Amended: 11/7/2023)

From time to time the County's Information Technology Director may provide guidances and directives so as to maintain the operation and security of the County's technology assets and resources. Volunteers are expected to conduct themselves in accordance with those guidances and directives.

There is no personal right of privacy in any matter created on, received through, or sent to or from the County's internet connection or e-mail service. The County, in its discretion, reserves the right to monitor and read, retrieve, print, and/or delete any matter created on, received through, or sent to or from the County's internet connection or e-mail service.

Each volunteer will be provided a copy of the County's Acceptable Use of County Technology regulation as may be approved by the Board of County Commissioners from time to time for its employees which criteria and procedures are applicable, substituting the word "volunteer" for "employee." Each volunteer is required to read and sign the Acceptable Use of County Technology regulation; it is the responsibility of each volunteer to be familiar with these procedures. The signing and compliance with the County's Acceptable Use of County Technology regulation does not make any volunteer a County employee. Nothing contained in this Section shall in any way abrogate the status of the County's volunteers as volunteers. (Amended: 1/20/2020)

### 23.1 Social Media Acceptable Use.

- (a) "Social media" refers to a variety of online communities like blogs, chat rooms, web bulletin boards, personal web sites, forums, and social networking sites such as Facebook, Twitter, Instagram, LinkedIn, YouTube, Myspace, to name a few. Social media presents an opportunity for people to exchange information, opinions, and experiences. Only specific County employees are authorized to handle and post information on social media on behalf of Carbon County or its elected official's offices, and such authorized employees are to handle and post information in accordance with such policies, rules and regulations as the Board of County Commissioners adopt from time to time.
- (b) Volunteers are not to use the County's internet connection, the County email system, or any County email address to access, post, or participate in any type of social media. The County, elected officials and department heads may monitor volunteer use of the computer equipment, software, operating systems, storage media, internet connection, electronic mail (e-mail), and cell phones for compliance with this policy.
- (c) Volunteers may access personal social media accounts on the volunteer's personal devices, but only during a volunteer's break from performing volunteer services or with the permission of the department head. Such access must be kept to a minimum and not become a disruption to the volunteer services being performed, as determined by the department head. Volunteers are expected to act responsibly and avoid damaging the County in any way when using personal social media accounts.
- (d) Volunteers may maintain personal social media accounts on their own time using their own facilities and devices. The County cannot restrict what volunteers post on their personal social media accounts on their own time using their own facilities and devices, and nothing in this section is intended to interfere with, restrain or prevent volunteer communications regarding the terms and conditions of such volunteer service. However, there can be adverse consequences to a volunteer if a volunteer discloses confidential information belonging to the County, makes posts which violate the County's policies which prohibit sexual harassment and harassment based upon protected characteristics, are

threatening, or somehow damages the County or interferes with its legitimate governmental and business interests in any way.

- (e) When posting on personal social media accounts, the volunteer is solely responsible for what the volunteer chooses to post. Volunteers should be thoughtful and careful when posting on their personal social media accounts, and keeping in mind the following:
  - (i) Ensure that others know that the social media account is the volunteer's personal social media account and the statements or postings do not represent Carbon County. Do not state or imply that the personal opinions and content are authorized or endorsed by Carbon County.
  - (ii) No volunteers have authority to disclose any information belonging to Carbon County on the volunteer's personal social media account. Volunteers are prohibited from disclosing or posting confidential information belonging to Carbon County on the volunteer's personal social media account.
  - (iii) Volunteers should avoid posting any defamatory, harassing, discriminatory, offensive, threatening, or derogatory content as it may be considered a violation of the County's expectations for its volunteers, or its harassment policy if it is directed towards other volunteers, Carbon County employees, elected officials, or the public. (Amended: 10/20/2020)

24. Harassment Prohibited. Carbon County is firmly committed to providing a positive environment free of harassment. It expects that its volunteers will not engage in behavior which could be construed as harassment and expects that its volunteers will not be subjected to harassment while providing services as a volunteer.

Carbon County prohibits sexual harassment and any actions, words, jokes, or comments based on a protected characteristic, such as race, color, sex or gender, sexual orientation, gender identity/ expression, national origin, genetic history, religion, disability, age or any other legally protected characteristic. Any conduct or action, whether overt or subtle, which creates an offensive or hostile environment in which volunteer work is occurring is prohibited.

Carbon County prohibits any harassment between volunteers, between volunteers and County employees, and between volunteers and vendors, members of the public or others, on the basis of sex or any other legally protected characteristic. No volunteer, male or female, should be subjected to unsolicited or unwelcome conduct based on a protected characteristic or sexual overtones and conduct, either verbal, visual, or physical. Misconduct applies to males and females and includes harassment between individuals of both sexes and the same sex.



A volunteer who believes that he or she has been subjected to sexual harassment or harassment based upon a protected characteristic is encouraged to let the harasser know that his or her behavior is unwelcome. In addition, volunteers who believe they have been harassed must immediately report the alleged acts or conduct. A verbal complaint of the harassment may be made initially but shall then be followed by a written report within five (5) calendar days of the verbal complaint. The verbal complaint and written report shall be made to the County Clerk in the case of Board Volunteers; all other volunteers shall make the verbal complaint and written report to the volunteer's department head, or to Human Resources or any member of the Board of County Commissioners. Upon receipt of a complaint/report, whether verbal or written, the person receiving the complaint/report shall immediately report the matter to the Commissioners, County Attorney, County Clerk and Human Resources. In the event the complaint involves the volunteer's department head, or the County Clerk or Human Resources or a member of the Commissioners, the initial report shall exclude that person.

Upon receipt of a complaint, Human Resources, the department head or Commissioners shall immediately cause an investigation to be undertaken by or on behalf of the County. In making the investigation, such outside persons may be utilized as necessary to assist in providing a full, fair, and expedient investigation.

Retaliation against persons who participate in investigations or against volunteers who make good faith reports of alleged acts of harassment is prohibited. Any retaliatory conduct should be reported as provided in this section and will be investigated regardless of the outcome of the underlying charge, complaint or report. Encouraging others to retaliate also violates this section.

Upon completing the investigation, if it is found that the behavior is sexual harassment, harassment based upon other protected characteristics, or retaliation, appropriate action shall be undertaken to address and stop the behavior and to prevent its re-occurrence. Upon completing the investigation, if it is found that the complaint was made knowing that it was false and with the intent to harm, retaliate, or defame the person against whom the complaint was made, appropriate action shall be undertaken to address that behavior.

Complaints of harassment or retaliation and investigations are handled with as much confidentiality as possible under the circumstances.

25. Volunteer Safety Responsibilities. Every volunteer is responsible for maintaining a safe work environment and observing all safety rules and regulations. Each volunteer is to exercise caution in all volunteer activities and in performing volunteer services. Each volunteer shall promptly report all unsafe or potentially unsafe conditions to their department head. Each volunteer shall conduct him/herself and handle and operate all County property, including but not limited to office equipment, tools, and vehicles, including off-road vehicles such as self-propelled equipment and machinery, in such a manner as to avoid accidents or injuries to him/herself or others, and loss or damage to any County property. (Amended: 10/20/2020)

If a volunteer has any questions about how a task should be safely performed, the volunteer is NOT to begin the task until the situation has been discussed with the department head, or his/her designee. No volunteer is required to perform work that he or she believes is unsafe or that he or she thinks is likely to cause injury or a health risk to themselves or others.

26. Care of County Property/Equipment. Each volunteer is expected to handle all County property and equipment in such a manner as to avoid accidents or damage to the property or equipment. Volunteers are to immediately report all damage to County property and equipment, including off-road vehicles such as self-propelled equipment and machinery, no matter how minor it may seem, to the department head.
27. Report of County Property, Equipment or Buildings in Need of Repair. Volunteers are in a unique position to observe the condition and operation of County property, equipment and buildings. Volunteers should report any observations and conditions which may need repair or maintenance to the department head immediately.
28. Reports of Threatening Behavior; Anti-Violence Policy. Any volunteer that feels he/she has been threatened should immediately report that concern to their department head, the Human Resources Office or County Clerk's Office. Any person observed exhibiting threatening behavior or making threatening statements should immediately be reported to the department head, the Human Resources Office or County Clerk's Office, and others in the area warned. Stay away from the person exhibiting threatening behavior. Volunteers should contact law enforcement, security and/or emergency services if the volunteer reasonably believes there is an imminent threat to the safety and health of themselves, other volunteers, County employees, or the public. (Amended: 10/20/2020)

The County recognizes that from time-to-time disagreements will occur. However, the County expects those disagreements to be respectful of differing views, opinions, and ideas, and to be conducted in a courteous, respectful, and cordial manner. Persons working or volunteering for the County should work or volunteer in an environment without physical intimidation, threats, or violence. Such behaviors may include, but are not limited to physical intimidation, threatening violent conduct, violent conduct, assault, battery, vandalism, use of weapons and/or displaying weapons in a threatening manner (unless in their official County capacity). Volunteers should immediately report any such conduct to their department head, the Human Resources Office or the County Clerk's Office. Human Resources will promptly investigate such reports, and appropriate action will be taken if such report is substantiated. In the event the conduct involves the volunteer's department head or Human Resources, the initial report shall exclude that person. (Amended: 10/20/2020)

If a volunteer has reason to believe that events in the volunteer's personal life could result in acts of violence occurring while providing volunteer services, volunteers are urged to discuss the issue with the department head.

29. Accidents and Injuries. All accidents and injuries sustained while providing volunteer services, regardless of how minor, must be reported as soon as possible, but in any event no later than 72 hours after the accident or injury. Minor injuries requiring only first aid may be treated on-site. Volunteers incapacitated by serious injury may be transported to a medical facility by ambulance or other emergency vehicle.

For Board Volunteers, the reports are made to the board, commission or similar body to which the volunteer has been appointed and to the County Clerk. A written report of the accident or injury will be made by the County Clerk within twenty-four (24) hours following the report of the accident and deliver a copy to Human Resources.

For all other volunteers, reports are made to the department head. The department head shall prepare a written report of the accident or injury within twenty-four (24) hours following the volunteer's report of the accident and deliver a copy of the report to Human Resources and the County Clerk.

Volunteers who are involved in an accident involving a County vehicle, including a personal vehicle used by a volunteer to perform his/her volunteer services, regardless of how minor the accident may be, shall first notify law enforcement prior to leaving the scene, and then their department head; the department head will then notify the County Clerk and Human Resources. (Amended: 10/20/2020)

Volunteers who are involved in an accident involving County off-road vehicles such as self-propelled equipment or machinery, regardless of how minor the accident may be, shall first notify law enforcement. Volunteers then notify their department head; the department head will then notify the County Clerk and Human Resources. (Amended:10/10/2020)

Unless the accident and injury is covered by Wyoming Worker's Compensation, the volunteer is responsible for medical costs incurred as a result of such accident or injury. The County is not responsible for payment of medical costs, wages lost as a result of the volunteer's regular employment or any other damages suffered or incurred, or for damage to the volunteer's personal property.

**D. Drug-Free Environment; Drug Testing.**

30. Drug-Free Environment. The County Commissioners believe that its employees and volunteers' function most effectively in a drug-free environment. Volunteers shall not manufacture, distribute, dispense, illegally possess, use or be under the influence of alcohol or any controlled substance while providing volunteer services, or at any volunteer-related event or at any other time or place while on/in County property or vehicles or where volunteer service with the County requires that person's presence. The Board of County Commissioners shall be notified by the County Clerk at its next regular meeting in the event of a violation of this provision by any volunteer.

The terms, “drugs,” “controlled substances,” “prohibited drugs,” “drug paraphernalia” and “alcohol” as used in this section, are interchangeable and refer to those substances that have been established by state and federal statutes to be controlled substances. These include, but are not limited to cannabis (marijuana), crack, phencyclidine (PCP), LSD, heroin, cocaine, morphine, amphetamines and methamphetamines, barbiturates, opiates, opium and codeine derivatives as well as semi-synthetic opioids such as fentanyl, hydrocodone, oxycodone, hydromorphone, oxymorphone, methaqualone or benzodiazepines. Also included within this definition are the over-the-counter substances and prescriptions being used for a purpose or in a manner other than that prescribed or intended. Alcohol means any spirituous or fermented fluid, substance or compound intended for consumption purposes which contains more than one percent (1%) of alcohol by volume and any fluid substance or compound intended for consumption purposes manufactured from malt, wholly or in part, or from any substitute thereof, containing more than one percent (1%) of alcohol by volume. (Amended: 10/20/2020)

The drug-free environment includes all property, both real and personal, which belongs to or is leased to or used by the County and includes buildings, parking lots, roads, equipment or any vehicle, including a personal vehicle used by a volunteer to perform his/her volunteer service; any volunteer-related event, even if not on County property; and any other time or place where volunteer service with the County requires the volunteer’s presence.

- 30.1. Marijuana. Some neighboring states have legalized the recreational use of marijuana; Wyoming has not. Such laws are designed to prohibit criminal prosecution of individuals who engage in this behavior within that particular state. Use and/or possession of marijuana is a crime in Wyoming, and marijuana is a Schedule I controlled substance under federal law. Federal law applies everywhere within the United States, including those states that permit recreational use of marijuana under state law.

It is possible to obtain a drug test result with a measurable amount of marijuana more than thirty (30) days after it was first ingested. Carbon County has not changed its policy with regard to the use or possession of marijuana, notwithstanding what neighboring states may have done. Consequently, any drug test demonstrating a measurable amount of marijuana is considered a violation of the County’s drug-testing policies; the County does not consider whether the use or possession was legal under any particular state law at the time it was first ingested. (Amended: 10/20/2020)

- 30.2. Report of Certain Prescription Medication. If a volunteer is taking a prescribed medication that may impair the volunteer’s ability to perform the volunteer services in a safe and satisfactory manner, the volunteer is required to provide their department head notice of such use. The volunteer may be required to obtain documentation from their prescribing physician confirming the volunteer’s ability to perform their volunteer services in a safe and satisfactory manner while taking the prescribed medication. (Amended: 10/20/2020)

31. Drug and Alcohol Testing for Volunteers/Commercial Driver's Licenses. Those County volunteers whose service require a commercial driver's license shall be subject to such drug and alcohol testing as required by federal law.
32. Drug and Alcohol Testing of Volunteers. Carbon County is committed to providing an alcohol and drug-free environment for its employees and volunteers. The possession, use, transfer, being under the influence and/or sale of alcohol and/or any illegal drug or controlled substance while performing volunteer services, or at any volunteer-related event or at any other time or place while on/in County property or vehicles, including off-road vehicles such as self-propelled equipment or machinery, or where volunteer service with the County requires that person's presence, is strictly prohibited unless the volunteer possesses a current, legal prescription for the controlled substance, and the volunteer is able to perform the functions of the volunteer service in a safe and satisfactory manner.

The County reserves the right to conduct drug and/or alcohol testing of any of its volunteers, at County expense, when:

- (a) When there is reasonable suspicion to believe a volunteer has engaged in abuse and/or untimely use of alcohol and/or drugs. Reasonable suspicion may be based upon and include but is not limited to: (1) observation of the volunteer's behavior, which is indicative of drug and/or alcohol use; (2) odor of alcohol on the breath or body; (3) frequent unexplained absences or tardiness; (4) mood swings; (5) the failure to follow directions. Drug and/or alcohol tests based upon reasonable suspicion are authorized only if the required observations are made during, just before, or just after the period of the volunteer services when the volunteer must comply with drug and alcohol prohibitions and must be conducted by a person other than the person who determines reasonable suspicion exists to conduct such a test. (Amended: 10/20/2020)
- (b) The County shall require a volunteer to undergo drug and/or alcohol testing after an accident in which the volunteer is operating a vehicle or off-road vehicle such as self-propelled equipment or machinery owned, leased, rented or used by or on behalf of the County, including a personal vehicle used by a volunteer to perform his/her volunteer service, if: (1) there is a fatality; or (2) one or more persons (including the County volunteer) requires or required medical treatment either at or away from the accident scene; or (3) the County volunteer receives a citation arising from the accident. A volunteer involved in an accident shall make him/herself readily available for testing, absent the need for immediate medical attention, and shall not use alcohol for eight (8) hours after the accident, or until after he/she undergoes the post-accident alcohol test, or until it is determined that his/her actions were not a contributing factor in the accident, whichever occurs first. (Amended: 10/20/2020)

When drug or alcohol testing is necessary as provided in subparagraphs (a) and (b), the volunteer shall be transported by the County or its designee to the collection site for testing. The volunteer will be relieved of his/her volunteer

services pending the results of the testing. The method of transportation shall be determined by the department head or his/her designee; under no circumstances will the volunteer be permitted to drive themselves to the collection site for testing.

Copies of the results of all drug and alcohol testing shall be provided to the department head, the County Clerk's Office, and the Human Resources Office.

Drug and alcohol testing of volunteers is conducted based on the same criteria and in the same manner in which County employees are tested. Each volunteer shall be provided a copy of Alcohol and Drug Testing Procedures regulation, as may be approved by the Board of County Commissioners from time to time for its employees which criteria and procedures are applicable, substituting the word "volunteer" for "employee" and "volunteer services" for "employee job duties," EXCEPT sections II I and J, sections III I and J, section IV, section V C and D, section VI G, and the provisions concerning paid leave of absence in sections II G and III G shall not apply, and a volunteer who tests positive for the presence of drugs or alcohol shall not be returned to volunteer service, there is no return-to-duty/follow up testing, and the volunteer shall immediately be subject to dismissal. Each volunteer is required to read and sign the Alcohol and Drug Testing Procedures regulation, and it is the responsibility of each volunteer to be familiar with these testing procedures. In addition, section IX shall not apply, except for providing a copy of the Alcohol and Drug Testing Procedures regulation, and section X shall not apply. The signing and compliance with the County's Alcohol and Drug Testing Procedures regulation does not make any volunteer a County employee. Nothing contained in the Alcohol and Drug Testing Procedures regulation or this Section 32 shall in any way abrogate the status of the County's volunteers as volunteers. (Amended:11/7/2023)

**E. Expense and Travel Reimbursement; Use of County Vehicles.**

33. Travel to and From Volunteer Service. As a general rule, all volunteers are responsible for their own transportation to and from meetings and sites where volunteer service is performed, unless otherwise approved in writing, in advance, by the department head. Rules specific to Board Volunteers, Emergency Service Volunteers, and CCOEM Volunteers may provide an exception to this general rule in some circumstances. (Amended:11/7/2023)

34. Attendance at Training, Conferences. Volunteers are responsible for any personal costs incurred through their service as a volunteer. The department head may authorize reimbursement to volunteers of approved travel to attend training and conferences related to the volunteer service.

Volunteers must receive prior written approval from the department head to attend training or conferences as a County volunteer. Requests must be submitted to the department head, in writing, and include a description of the purpose of the training or conference, the benefit to the County, and an estimate of all expenses of attending,

including registration fees, hotels, meals and mileage expense. All volunteers are expected to use good business judgment in the selection of lodging, restaurants, and mode of transportation.

35. Reimbursement of Expenses for Approved Travel, Training, Conferences. When travel or attendance at a training or conference has been approved in writing, in advance, by the department head, reimbursement may be made as follows:

- (a) Travel by personal vehicle will be reimbursed at the mileage rate established by the Commissioners from time to time.
- (b) The actual cost incurred for reasonable meals and lodging expense, including room, parking and tax charges as well as miscellaneous travel expenses such as taxi, Uber, Lyft, or similar transportation, and reasonable tips which are incurred for attendance at approved training or conferences, if supported by itemized receipts. (Amended: 10/20/2020)
- (c) Where group meals are provided at the training or conference, volunteers are expected to participate in that group function so there is no additional cost to the County and no other reimbursement will be provided.
- (d) Any meals or lodging expenses incurred for family members or persons accompanying the volunteer are not reimbursable by the County.
- (e) The County does not reimburse for alcoholic beverages, in-room movies, personal telephone calls, or internet access charges.

36. Procedure for Request for Expense Reimbursement and Reporting.

- (a) In order to be reimbursed for mileage which has been specifically authorized by the department head in writing in advance, the volunteer must submit a voucher to the department head for approval. If approved, the department head will sign the voucher form and submit it to the County Clerk's Office for processing.
- (b) In order to be reimbursed for expenses other than mileage, which has been specifically authorized by the department head in writing in advance, volunteers must submit a voucher to the department head for approval; itemized receipts for all expenses for which reimbursement is sought must be attached, detailing the purpose of the expense. When using a personal credit card, copies of the credit card receipt plus the itemized receipt must be submitted. If approved, the department head will sign the voucher form and submit it to the County Clerk's Office for processing.
- (c) Expenses for travel which have not been approved in advance, expenses which are not supported by the required itemized receipts, or expenses which are not reasonable in amount are considered personal expenditures and will not be reimbursed.

- (d) There may be circumstances, such as a fire or prolonged search and rescue, where meals for a large group of volunteers are needed and it is not practical to have individual receipts for each volunteer. In those instances, reimbursement to volunteer(s) who paid for the cost of the meals for the large group of volunteers is to be submitted to the department head for approval as provided in paragraph (b).
- (e) Reimbursement occurs only after approval by the department head, County Treasurer, Commissioners and County Clerk's Office.

37. Designation of County Volunteers Authorized to Use County Credit/Debit Card. Department heads may designate County volunteers who are authorized to use a County credit/debit card for County purchases and approved travel. Those volunteers must execute a Debit/Credit Card User Agreement in a form which is approved by the County Commissioners from time to time. By executing that agreement, those volunteers agree:

- (a) To accept responsibility for the protection and to make proper use of the credit/debit card and such other matters as may be contained in the agreement from time to time;
- (b) To be responsible for and repay the County for all improper charges to or for misuse of the debit/credit card as defined in the agreement, and authorizes the County to deduct such charges due to improper charges or misuse from any funds otherwise owed by the County to the volunteer; and,
- (c) That making improper charges or misuse of the County credit/debit card also subjects the volunteer to possible criminal charges and prosecution.

38. Use of County Vehicles. Department heads may designate those County volunteers the department head seeks to be able to use a County vehicle for approved travel and to perform their volunteer services for the County. However, only eligible Carbon County volunteers can operate County vehicles and off-road vehicles such as self-propelled equipment or machinery.

In order for a County volunteer to be eligible to operate a County vehicle and off-road vehicles such as self-propelled equipment or machinery, a volunteer must possess a driving record which is free of any of the unacceptable driving criteria as may be adopted or required by the County's liability and/or property insurer/provider from time to time. In addition, upon request, all volunteers must, prior to operation of a County vehicle or off-road vehicles such as self-propelled equipment or machinery, complete, sign and/or provide the following information to Human Resources:

- (a) A Release for Driving Record and Personal Information form;
- (b) A copy of his/her current driver's license; and,



- (c) Any other forms or provide any additional information required to obtain a driver history, or as may be required by the County's liability and/or property insurer/provider from time to time.

Failure to provide the proper documentation, and to acquire written confirmation of eligibility to drive a County vehicle and off-road vehicles such as self-propelled equipment or machinery from the County Clerk's Office, before operating any County vehicle, may result in ineligibility.

Eligibility must be established from time to time, in conjunction with the County's acquiring or renewing its liability and property insurance.

Carbon County does not permit any of its volunteers to operate a County vehicle, or off-road vehicles such as self-propelled equipment or machinery, if the volunteer's driving record information reflects any driving information which falls within the unacceptable driving criteria as may be defined or adopted by the County's liability and/or property insurer/provider from time to time.

Any volunteer who has been deemed eligible to operate a County vehicle or off-road vehicles such as self-propelled equipment or machinery, but subsequently receives a moving violation or other traffic citation which may result in the volunteer developing an unacceptable driving criteria as may be defined or adopted by the County's liability and/or property insurer/provider from time to time, must notify their department head, the County Clerk's Office, and Human Resources, in writing of such within two (2) business days of receipt of the citation. The volunteer shall immediately cease driving County vehicles including off-road vehicles such as self-propelled equipment or machinery until such time as the citation is resolved in the volunteer's favor.

Any volunteer who has been deemed eligible to operate a County vehicle including off-road vehicles such as self-propelled equipment or machinery, but subsequently develops an unacceptable driving criteria must so notify their department head who will then notify the County Clerk's Office, and Human Resources, in writing, no later than two (2) business days after the conviction, administrative suspension of driver's license or deferred prosecution. Any volunteer who is no longer in compliance with the acceptable driving criteria shall not drive County vehicles or off-road vehicles such as self-propelled equipment or machinery until the volunteer can comply and meet the driving criteria. (Amended: 10/20/2020)

- 39. General Rules of Operation of County Vehicles. The general rules of operation of a County vehicle, including off-road vehicles such as self-propelled equipment or machinery, include, but are not limited to:

- (a) County vehicles, including off-road vehicles such as self-propelled equipment or machinery, are not to be used for any personal business. This includes no personal errands, no transport of the volunteer's spouse, friends or children or non-County volunteer-related business or for personal convenience; no transport

of pets or personal possessions, other than small personal items necessary to personal comfort (for example, coat, boots, emergency winter gear, purse, lunch carrier, etc.) or necessary to perform the County's volunteer service (for example, tools, computer, briefcase, papers, etc.).

- (b) Smoking or use of tobacco products or use of E-Cigarettes or similar products is prohibited.
- (c) All applicable laws shall be followed when driving, including use of seat belts.
- (c) No alcoholic beverages or controlled substances shall be consumed or present in County vehicles.
- (d) Volunteers are not to operate a County vehicle while under the influence of alcohol or drugs.
- (f) County vehicles are to be locked and secured when not in use.
- (g) Volunteers are responsible for paying any fines due to moving violations or other traffic citations or parking tickets.
- (h) In the event of an accident, the volunteer must immediately notify law enforcement, then their department head; the department head will then notify the County Clerk's Office and Human Resources.

40. General Rules of Operation of Personal Vehicles While Performing County Volunteer Services. Volunteers who drive their own vehicles while performing County volunteer services will comply with the general rules of operation set out in Section 39, excepting the prohibitions in paragraphs (a) and (b).

Volunteers who drive their own vehicles while performing County volunteer services are fully responsible for providing and maintaining their own liability and property damage insurance. Volunteers who drive their personal vehicles and their personal insurance, not the County or its insurance or coverage, are fully responsible to pay for any damages to third parties or the volunteer, the volunteer's vehicle, any deductibles, and any expenses incurred in the event of an accident or any issues that may arise; limited exceptions, may be provided by written rules approved by the department head or Board of County Commissioners as it relates to Emergency Services Volunteers only. (Amended: 11/7/2023)

41. Transport of Others in County Vehicles. County elected officials and department heads, and other County volunteers involved in or participating in the volunteer activity or service which necessitates the use of the County vehicle may be transported in County vehicles, including off-road vehicles such as self-propelled equipment or machinery. Any others may be transported only when such transportation has:

- (a) Specifically been authorized in advance, in writing, by the Board of County Commissioners, or by persons specifically designated by the Board to grant such authorization; or
- (b) The persons to be transported are involved in or are participants of the activity or volunteer service which necessitates the use of the County vehicle; or
- (c) The persons to be transported are directly involved for or on behalf of the County in the activity or volunteer service which necessitates the use of the County vehicle.

**F. Problem Solving.**

42. Problem Solving. Problems and disagreements may arise from time to time between and amongst volunteers, between volunteers and County employees, and between volunteers and department heads.

- (a) All volunteers are encouraged to settle differences which may arise between volunteers or County employees, informally, in a cooperative, respectful, and confidential manner as between themselves . If this cannot be accomplished, the assistance of the department head(s) and/or Human Resources is to be enlisted to settle the differences which may arise. This is to be done informally and in a cooperative, respectful, and confidential manner.
- (b) If the differences involve a department head and volunteer(s), then a meeting or conference with Human Resources may be requested by either the department head or volunteer(s) to discuss the problem and solutions and so as to settle the differences. This is to be done informally and in a cooperative, respectful, and confidential manner.
- (c) If a problem cannot be resolved at the above levels, a meeting or conference with the Commissioners, department head, Human Resources and volunteer(s) may be arranged to discuss the problem and possible solutions. This is also to be done informally and in a cooperative, respectful, and confidential manner. The solution reached by the parties, or the directive of the Commissioners, will be considered the final resolution of the problem.
- (d) Except in those instances where a volunteer believes he or she has been subjected to sexual harassment, harassment based upon other protected characteristics, or other discriminatory conduct, volunteers are discouraged from contacting individual Commissioners on a one-on-one basis to solve problems, as individual Commissioners lack the authority to do so.  
(Amended: 10/20/2020)

- a. Volunteers are to use the process found in this Section 42 when a volunteer believes, in good faith, that the volunteer has been subjected to

intimidating, hostile or offensive conduct on a repeated basis, but the conduct complained of is not based upon a protected characteristic or is not sexually harassing behavior as defined and described in Section 24 Harassment. (Amended: 11/7/2023)

**G. Separation From Volunteer Service.**

- 43. Resignation. Volunteers may end their volunteer service at any time for any or no reason. A written letter of resignation, with as much advance notice as possible, is appreciated. For Board Volunteers, the letter of resignation should be provided to the Commissioners and the County Clerk's Office; for Emergency Service Volunteers, CCOEM Volunteers, and General Volunteers, the letter of resignation should be provided to the department head with a copy to the Human Resources Office and County Clerk's Office. (Amended:11/7/2023)
- 44. Dismissal. A department head may dismiss any Emergency Service Volunteer, CCOEM Volunteer, or General Volunteer at any time for any or no reason. Notice of the dismissal is to be provided to the Human Resources Office and County Clerk's Office. (Amended:11/7/2023)

A volunteer who believes they have been dismissed for a legally impermissible reason, *i.e.*, race, color, sex or gender, sexual orientation, gender identity/expression, national origin, religion, disability status, age, political affiliation, genetic information, protected veteran status, any other characteristic protected by federal or state law or regulation, or exercise of a constitutionally protected right, is required, within five (5) business days of the effective date of dismissal to request, in writing, a meeting or conference with the Commissioners. The written notice shall set forth, in detail and with specificity, all facts which establish the legally impermissible reason for the dismissal. The request for a meeting with the Commissioners shall be delivered to the County Clerk, the department head involved, Human Resources, and the County Attorney. A meeting will be scheduled with the Commissioners within thirty (30) calendar days of receipt of the request. A request for a meeting does not suspend the effective date of dismissal.

- 45. Return of County Property, Equipment and Keys. All property, equipment, keys, etc. belonging to the County must be returned upon request of the department head and at the end of a volunteer's service. Any money amounts owed to the County by the volunteer, including but not limited to any amount owed for County issued equipment or uniforms which are lost, damaged, or not returned or improper charges to or misuse of the County credit/debit card as described in the Debit/Credit Card User Agreement will be deducted from any amounts owed by the County to the volunteer. All amounts in excess of what the County owes the volunteer must be paid in full no later than the last day of volunteer service. (Amended: 10/20/2020)

**III. Provisions Specific to Board Volunteers.**

- 46. Board Volunteers. The County Clerk's Office maintains a list of boards, commissions, and similar bodies to which the County Commissioners appoint persons to serve, the

terms of appointment, and vacancies. From time to time, those expiring terms and vacancies are advertised in local newspapers and/or posted on the County's website.

Persons interested in serving on a board, commission or similar body may be asked to submit a written application or resume and to interview with the Commissioners. Prior to the performance of any volunteer service, a volunteer must be officially appointed by the Commissioners to serve on a particular board, commission or similar body; this occurs at a public meeting of the Commissioners. Once appointed, an oath of office and/or bond may be required for some positions. The record of appointment and all documents concerning the appointment are maintained in the County Clerk's Office unless otherwise required by statute or other rule.

47. Resignation; Removal; No Right to Reappointment. A Board Volunteer can quit or resign at any time for any or no reason during the term of appointment. A Board Volunteer is subject to removal by the Board of County Commissioners during the term of appointment in accordance with any applicable agreement or statute establishing or authorizing the board, commission or similar entity. There is no right to reappointment by any Board Volunteer to any board, commission or similar entity.
48. Additional Expectations for Board Volunteers. Board Volunteers are also expected to:
  - (a) Comply with the applicable statutory requirements concerning service on boards, commission or similar entity, such as public meetings act, public records act, ethics in government act; etc. and to become knowledgeable concerning the policies and regulations adopted by or to which the board, commission or similar entity is subject.
  - (b) Attend scheduled meetings, be prepared and fully participate, representing the interests the Board Volunteer was appointed to represent.
  - (c) If the board, commission or similar entity on which the Board Volunteer serves has employees, the Board Volunteer is expected to use his/her best efforts to become knowledgeable of and comply with the applicable legal requirements and the policies and procedures established by that board, commission or similar entity, or seek advice, when hiring, supervising, interacting with, disciplining, and terminating employees.
  - (d) If the bylaws, an agreement between the County and another governmental agency establishing the board, commission or similar body, or statute authorizing the board, commission or similar body establishes a higher standard of conduct or requirements for the Board Volunteer, in that event, the higher standard of conduct or requirements apply.
49. Travel to and From Board Volunteer Service. Board Volunteers are responsible for their own transportation to and from meetings and sites where volunteer service is performed as a Board Volunteer. The County may, at times, provide a volunteer mileage reimbursement plan for volunteers appointed to County boards only, at a rate set by the

Commissioners from time to time. In some instances, a board, commission or similar entity on which a Board Volunteer serves may provide mileage reimbursements; when that is the case, the reimbursements are made in accordance with that entity's procedures, but not by the County. A Board Volunteer should never request or be reimbursed by the County and another entity for the same miles traveled.

50. Expense Reimbursement. A board, commission or similar entity on which a Board Volunteer serves may provide expense reimbursements; when that is the case, the reimbursements are made to the Board Volunteer in accordance with that entity's procedures, but not by the County. A Board Volunteer should never request or be reimbursed by the County and another entity for the same item of expense.

#### **IV. Provisions Specific to County Emergency Service Volunteers.**

51. Application of Handbook Only When Acting As County Volunteer. The provisions in this Section IV apply only to County Emergency Service Volunteers [persons who serve as County volunteer fire fighters and County volunteer search and rescue unit members]. A person can have a volunteer relationship with both a local organization and the County and provide the same or similar type of volunteer services. This most often occurs in the context of volunteer fire fighters and search and rescue unit volunteers. This handbook applies only when those type volunteers are serving as **County** volunteers.

52. Establishment of Additional Rules, Expectations and Operating Procedures. The Carbon County Fire Warden may establish additional rules, expectations and operating procedures for County volunteer fire fighters as deemed necessary or advisable. The Carbon County Sheriff may establish additional rules, expectations and operating procedures for County volunteer search and rescue unit members as deemed necessary or advisable. The rules and expectations must be consistent with the provisions of this handbook, and each volunteer affected must be informed of those rules and expectations, preferably, in writing. (Amended: 10/20/2020)

53. When Emergency Service Volunteer is a **County** Volunteer.

- (a) Fire fighters. Fire fighters are County volunteers when, at the request of the Carbon County Fire Warden or Assistant County Fire Warden, those fire fighters, who have registered with the County as provided in Section 9 are:
- (i) firefighting;
  - (ii) performing rescue work;
  - (iii) participating in a hazardous material response;
  - (iv) responding to any other situation where the health or safety of the public is at risk;

- (v) training for the activities described in subparagraphs (i) through (iv) above and (vi), including while engaged in competition at any County sanctioned (approved) training events;
- (vi) constructing, maintaining or improving equipment or County facilities utilized in the activities described in subparagraphs (i) through (v) above at the request of the Carbon County Fire Warden or Assistant County Fire Warden; and/or,
- (vii) performing under the direction of a duly authorized County officer in charge and engaged in fund-raising, civic affairs or other similar authorized activities on behalf of the County, including attending meetings required by the Carbon County Fire Warden or Assistant County Fire Warden.

The request of the Carbon County Fire Warden or Assistant County Fire Warden can be in the form of a standing written order, a mutual-aid agreement, MOU or other agreement, an order or request issued on a one-time basis, or may be by virtue of the Carbon County Fire Warden, or a duly authorized Assistant County Fire Warden, assuming command of the scene.

- (b) Search and rescue unit members. Search and rescue unit members are County volunteers when under the direction of the Carbon County Sheriff's Office, those members who have registered with the County as provided in Section 9 are:
  - (i) performing rescue work;
  - (ii) responding to any other situation where the health or safety of the public is at risk;
  - (iii) training for the activities described in subparagraphs (a) and (bi) above and (d), including while engaged in competition at any County sanctioned (approved) training events;
  - (iv) constructing, maintaining or improving County owned equipment or facilities utilized in the activities described subparagraphs (i) through (iii) above under the direction of the Carbon County Sheriff's Office; and/or,
  - (v) performing under the direction of a duly authorized County officer in charge and engaged in fund-raising, civic affairs or other similar authorized activities on behalf of the County, including attending meetings required by the Carbon County Sheriff's Office.

Under the direction of the Carbon County Sheriff's Office can be in the form of a standing written order or request, a mutual-aid agreement, MOU or other agreement, an order or request issued on a one-time basis, or may be by virtue

the Carbon County Sheriff, or a duly authorized deputy, assuming command of a search and rescue mission at the scene.

54. Use of County Fire Fighting Equipment. Confusion sometimes occurs because volunteer fire fighters use and operate the same pieces of County-owned equipment for both their local volunteer fire fighter activities as well as when acting as a County volunteer fire fighter.

The manner of use, restrictions concerning use, standards of conduct, driver license requirements, training requirements concerning the use of County-owned equipment when acting as a County volunteer fire fighter is established by the Carbon County Fire Warden. Those standards may be contained in the Carbon County Fire Department Standard Operating Procedures or may be in the form of written or oral directives issued by the Carbon County Fire Warden, or the Assistant County Fire Warden. Those standards may be different than those of the local volunteer fire department. When acting as a County volunteer fire fighter, the County standards concerning the use of County-owned equipment controls.

55. Notification to County of Conditional Approval and Registration. A copy of the letter which notifies the person of their conditional acceptance as a County volunteer fire fighter or County volunteer search and rescue unit member, describing the volunteer services to be performed, is to be provided by the department head to the Human Resources Office. The individual must then contact Human Resources to complete the registration process as provided in Section 9. The fire chief of the local volunteer fire department or local commander of the search and rescue unit may provide some of the information required for registration to Human Resources Office, but the ultimate responsibility for completing the registration process is with the individual who seeks to become a County volunteer. The individual is not a County volunteer until the registration process is completed; no County volunteer services are to be performed until the registration process is completed.
56. Notification to County that Volunteer Service Has Ended. Usually, the department head will notify Human Resources that the service of a County Emergency Service Volunteer has ended. However, the ultimate responsibility for notifying Human Resources that the volunteer service has ended is with the individual volunteer. This allows the County to remove the volunteer from the Wyoming Worker's Compensation and pension plan (if applicable) lists in a prompt and efficient manner. In most instances this notification can be done via the mail or email.
57. Nominal Fee. From time to time the Carbon County Fire Warden may establish a nominal fee, sometimes referred to as "incidental remuneration," to be paid to eligible County volunteer fire fighters on a per call or some other permissible basis as allowed by law for responding to fires and other emergencies. From time to time the Carbon County Sheriff may establish a nominal fee, sometimes referred to as "incidental remuneration," to be paid to eligible County search and rescue unit volunteers on a per call or some other permissible basis as allowed by law for responding to search and rescue missions and other emergencies.



58. Volunteer Service Records. Accurate records are to be maintained which reflect the actual time expended as a County volunteer by each volunteer fire fighter and each search and rescue unit member during each calendar month, together with the general nature of the services performed (*i.e.*, calls, training, maintaining equipment, meetings, fund raising, etc.). This function may be delegated to and performed by the fire chief of each of the local volunteer fire departments and the commander of each local search and rescue unit. The volunteer service records for the preceding month must be submitted to the Carbon County Fire Warden and Carbon County Sheriff's Office no later than the 5<sup>th</sup> day of each calendar month for review and approval for payment, if applicable.
59. Payment of Nominal Fee/Incidental Remuneration; Deductions. Payment of approved nominal fees/incidental remuneration are made to County Emergency Service Volunteers as scheduled by the Payroll Department by check or ACH. IRS regulations require that certain deductions be made from the nominal fee/incidental remuneration payments made to volunteers. Those deductions required by law are automatically withheld as are other deductions required by court order. Volunteers receive a statement which lists the gross and net payment, deductions for the current period, as well as cumulative amounts and deductions for the calendar year. Questions concerning the accuracy of the payments or the accompanying statement should immediately be brought to the attention of the Payroll Department and the volunteer's department head. All matters will be promptly investigated, and appropriate corrections made as quickly as possible.
60. Wyoming Retirement System Volunteer Firefighter and EMT Pension Plan. The County makes a contribution on behalf of each **eligible** County volunteer fire fighter who opts to participate, in accordance with the requirements of the *Wyoming Retirement System Volunteer Firefighter and EMT Pension Plan* ["Plan"]. The County will make a contribution on behalf of each County volunteer fire fighter eligible to participate in the Plan commencing with the seventh month of continuous volunteer service as a County volunteer fire fighter, if the volunteer has completed all paperwork necessary to be enrolled in the Plan with the Human Resources Office. No retroactive contributions to the Plan will be made on behalf of any volunteer; no contributions will be made to the Plan for any month in which the County volunteer fire fighter fails to meet the County's and the Plan's eligibility requirements.
61. Wyoming Worker's Compensation. Carbon County participates in the Wyoming Workers' Compensation Program for its County volunteer fire fighters and County search and rescue unit volunteers. A Wyoming Workers' Compensation notice is posted on the County bulletin board located in the area leading to the Human Resources Office and is available upon request. Covered County volunteers are required to report all accidents and injuries incurred while acting as a County volunteer to their department head and to Human Resources as soon as possible and no later than the time stated in the posted notice. A written report must also be made in a timely manner and delivered to both the department head and Human Resources.

The County's participation in the Wyoming Worker's Compensation Program does not cover volunteers other than when providing volunteer services as a County volunteer fire fighter or a County search and rescue unit volunteer. The County does not pay for any volunteer's lost wages due to an injury received while acting as a County volunteer.

Any medical records concerning a covered volunteer incident to a worker's compensation claim is kept in a file separate from any other information concerning the volunteer in the Human Resources Office and shall be considered to be confidential. Internal access to and use of such information shall be in accordance with the requirements of state and federal law.

62. Public Service Officer Benefit; County Volunteer Fire Fighters.

- (a) Congress passed, and the President signed into law, the Public Safety Officers' Benefits (PSOB) Act in 1976. The Act was designed to offer peace of mind to men and women seeking careers as public safety officers and to make a strong statement about the value that America places on their commitment to serve their communities in potentially dangerous circumstances. The PSOB Program is administered by the Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA). The foundation of the PSOB Program is that it is essential that the Justice Department and public safety agencies throughout the country are prepared to help the loved ones of fallen officers move forward in the aftermath of tragedies.
- (b) The PSOB Program provides death benefits in the form of a one-time financial payment to eligible survivors of public safety officers whose deaths are the direct and proximate result of a personal injury sustained in the line of duty. The program also provides benefits to public safety officers who are permanently and totally disabled because of injuries sustained in the line of duty. Finally, the PSOB Program provides financial assistance to help pay higher education costs for the spouses and children of public safety officers for whom PSOB death or disability benefits have been paid.
- (c) For more information regarding death, disability, or education benefits, as well as eligibility for this benefit, contact the PSOB Office at 1-888-744-6513 or e-mail [AskPSOB@usdoj.gov](mailto:AskPSOB@usdoj.gov). Information is also available by contacting the Carbon County Fire Warden's Office.
- (d) This benefit requires documentation and information to be in place prior to a catastrophic event. The PSOB Kit with the checklist is available from the Office of Justice Programs. Information is also available by contacting the Carbon County Fire Warden's Office. It is the responsibility of each County volunteer firefighter to secure and provide the required documentation and information to the appropriate source.

V. **Provisions Specific to Carbon County Office of Emergency Management Volunteers.**

63. Establishment of Additional Rules, Expectations and Operating Procedures. The Carbon County Emergency Management Manager may establish additional rules, expectations and operating procedures for CCOEM Volunteers as deemed necessary or advisable. The rules and expectations must be consistent with the provisions of this handbook, and each volunteer affected must be informed of those rules and expectations, preferably, in writing. (Amended: 11/7/2023)

64. When CCOEM Volunteer is a **County** Volunteer.

(a) CCOEM Volunteers are acting as County volunteers when, at the request of the Carbon County Emergency Management Manager, those persons, who have registered with the County as provided in Section 9, are:

- (i) coordinating and integrating activities necessary to build, sustain, and improve the capability to mitigate against, prepare for, respond to, and recover from threatened or actual natural disasters, acts of terrorism, or other man-made disasters;
- (ii) engaged in the required training which is described in Paragraph 65(a);
- (iii) constructing, maintaining or improving equipment or County facilities utilized in the activities described in subparagraphs (i) and (ii) at the request of the Carbon County Emergency Management Manager; and/or,
- (iv) performing volunteer services under the direction of the Carbon County Emergency Management Manager.

The request of the Carbon County Emergency Manager can be in the form of a standing written order, a mutual-aid agreement, MOU or other agreement, an order or request issued on a one-time basis, or may be by virtue of the Carbon County Emergency Management Manager assuming command of the scene.

(b) Any person who may appear at the scene of a disaster providing assistance or aid to persons or property which is or may be affected by the disaster, who has not registered with the County as provided in Section 9 is not a County volunteer even though they may be on the scene.  
(Amended: 11/7/2023)

65. CCOEM Volunteer Training and Participation.

(a) Training and participation required of CCOEM Volunteers is as follows:

- (i) Completion of the four (4) basic FEMA modules and successful completion of any required tests;
  - (ii) Participation in the C4 monthly trainings;
  - (iii) Participation in one (1) preparedness plan or drill per fiscal year; and,
  - (iv) Such other training or participation as FEMA may require from time to time.
- (b) CCOEM Volunteers, as part of their volunteer service, may voluntarily choose to participate in volunteer training in addition to that which is required; may voluntarily participate in additional Emergency Management activities; may voluntarily attend additional training or volunteer opportunities, such as completion of additional FEMA training modules and successful completion of any tests; may voluntarily participate in additional preparedness training or drills; and, may voluntarily attend Emergency Management related field trips, etc.
- (c) CCOEM Volunteers are responsible for making arrangements with their respective employers for participation in training, participation in drills, field trips, and Emergency Management deployments, whether deployment is to the C4, an actual on-the-ground/scene deployment, a virtual activation, a partial virtual activation, etc. (Amended: 11/7/2023)
66. Notification to County of Conditional Approval and Registration. A copy of the letter which notifies the person of their conditional acceptance as a CCOEM volunteer, describing the volunteer services to be performed, is to be provided by the Carbon County Emergency Management Manager to the Human Resources Office. The individual must then contact Human Resources to complete the registration process as provided in Section 9. The Carbon County Emergency Management Manager may provide some of the information required for registration to Human Resources Office, but the ultimate responsibility for completing the registration process is with the individual who seeks to become a CCOEM Volunteer. The individual is not a CCOEM Volunteer until the registration process is completed; no CCOEM volunteer services are to be performed until the registration process is completed. (Amended: 11/7/2023)
67. Notification to County that CCOEM Volunteer Service Has Ended. Usually, the Carbon County Emergency Management Manager will notify Human Resources that the service of a CCOEM Volunteer has ended. However, the ultimate responsibility for notifying Human Resources that the volunteer service has ended is with the individual volunteer. In most instances this notification can be done via the mail or email. (Amended: 11/7/2023)
68. Nominal Fee. From time to time the Carbon County Emergency Management Manager may establish a nominal fee, sometimes referred to as “incidental remuneration,” to be paid to eligible CCOEM Volunteers on a per call or some other permissible basis as allowed by law for responding to CCOEM emergencies. (Amended: 11/7/2023)

69. Volunteer Service Records. Accurate records are to be maintained which reflect the actual time expended as a CCOEM Volunteer by each volunteer during each calendar month, together with the general nature of the services performed (*i.e.*, calls, training, maintaining equipment, meetings, deployments, etc.). The volunteer service records for the preceding month must be submitted to the Carbon County Emergency Management Manager no later than the 5<sup>th</sup> day of each calendar month for review and approval for payment, if applicable. (Amended: 11/7/2023)
70. Payment of Nominal Fee/Incidental Remuneration; Deductions. Payment of approved nominal fees/incidental remuneration, if any, are made to CCOEM Volunteers as scheduled by the Payroll Department by check or ACH. IRS regulations require that certain deductions be made from the nominal fee/incidental remuneration payments made to volunteers. Those deductions required by law are automatically withheld as are other deductions required by court order. Volunteers receive a statement which lists the gross and net payment, deductions for the current period, as well as cumulative amounts and deductions for the calendar year. Questions concerning the accuracy of the payments or the accompanying statement should immediately be brought to the attention of the Payroll Department and the volunteer's department head. All matters will be promptly investigated, and appropriate corrections made as quickly as possible. (Amended: 11/7/2023)
71. Wyoming Worker's Compensation. Carbon County participates in the Wyoming Workers' Compensation Program and includes CCOEM Volunteers in the program. A Wyoming Workers' Compensation notice is posted on the County bulletin board located in the area leading to the Human Resources Office and is available upon request. CCOEM Volunteers are required to report all accidents and injuries incurred while acting as a County volunteer to the Carbon County Emergency Management Manager and to Human Resources as soon as possible and no later than the time stated in the posted notice. A written report must also be made in a timely manner and delivered to both the Carbon County Emergency Management Manager and Human Resources.
- The County's participation in the Wyoming Worker's Compensation Program does not cover volunteers other than when providing volunteer services as a CCOEM Volunteer. The County does not pay for any volunteer's lost wages due to an injury received while acting as a CCOEM Volunteer.
- Any medical records concerning a covered volunteer incident to a worker's compensation claim is kept in a file separate from any other information concerning the volunteer in the Human Resources Office and shall be considered to be confidential. Internal access to and use of such information shall be in accordance with the requirements of state and federal law. (Amended: 11/7/2023)
72. Coordination with Other Emergency Services. CCOEM recognizes that its volunteers often also serve as Emergency Service Volunteers. CCOEM recognizes that if it becomes necessary for a volunteer to respond to an Emergency Service Volunteer call,

that emergency call takes priority over the CCOEM Volunteer duties. (Amended: 11/7/2023)

## VI. Definitions and Miscellaneous Provisions.

73. Definitions. When the following words or phrases are used in this handbook, this is what they mean:

- (a) “Carbon County” or “County” refers to Carbon County, Wyoming. The County acts through its Board of County Commissioners, which is charged with the governance of Carbon County. When the terms “Commissioners” or “Board” is used, that is a reference to the Board of County Commissioners.
- (b) “Elected officials” are those persons who have been elected, or appointed to complete the unexpired term of a person elected, to the following positions: Sheriff, Assessor, Clerk of Court, County Attorney, County Clerk, Treasurer, Coroner, Board of County Commissioners.
- (c) “Department head” refers to the elected officials listed above and the County employees who have the day-to-day supervisory control and responsibility for a specific County department or County office. “Department head” includes the Board of County Commissioners in those circumstances a General Volunteer serves under the direction of the Board.
- (d) “Human Resources” refers to the persons/office within the Carbon County Clerk’s Office where General Volunteers, Emergency Service Volunteers, and CCOEM Volunteers register as County volunteers when the volunteer service begins and give notice when the volunteer service ends. Human Resources maintains records and contact information concerning General Volunteers, Emergency Service Volunteers, and CCOEM Volunteers. Human Resources also coordinates Wyoming Worker’s Compensation coverage for those County volunteers for whom participation is required or provided, and registers those eligible for participation in the *Wyoming Retirement System Volunteer Firefighter and EMT Pension Plan* for eligible County volunteer fire fighters and the Public Service Officers Benefit, if applicable. Human Resources also receives the reports of volunteer accidents and injuries and is involved with the administration of the drug testing program. (Amended: 11/7/2023)
- (e) “Payroll Department” refers to the department within the County Clerk’s Office that handles the reimbursement of expenses to volunteers and the payment of nominal fees/incidental remuneration for County volunteer fire fighters and County volunteer search and rescue unit members and CCOEM Volunteers, if applicable.
- (f) “County Clerk’s Office” refers to the County office that seeks and accepts applications for Board Volunteer positions and maintains records and information concerning those volunteers. The County Clerk’s Office administers the

authorization and use of the County debit/credit cards and tracks compliance with the requirements of the County's liability insurer/provider relative to those who are eligible to use County vehicles.

74. Situations Not Specifically Addressed. It is not possible to cover each and every situation which may arise dealing with volunteers. Department heads are charged with the responsibility of the day to day operations of their respective offices or departments. The Commissioners are the final policy making authority for the County and shall make the final interpretation of the provisions of this handbook.
75. Acknowledgment and Receipt. Each volunteer will be provided a copy of this handbook and receipt for it as well as the County Acceptable Use of County Technology and County Alcohol and Drug Testing regulations. Volunteers should review and become familiar with the contents.
76. Effective Date. The *Carbon County, Wyoming, Volunteer Handbook (2023)* becomes effective December 1, 2023.
77. Authority to Republish/Reformat. The Carbon County Clerk is authorized to republish and reformat the *Carbon County, Wyoming, Volunteer Handbook (2023)* in a booklet form for distribution to volunteers.

## VI. Important Telephone Numbers and Contact Information.

Name	Address	Telephone/Email
Carbon County Clerk's Office	PO Box 6 215 W. Buffalo Street Rawlins, WY 82301	(307) 328-2668
Payroll Department	PO Box 6 215 W. Buffalo Street Rawlins, WY 82301	(307) 328-7825
Human Resources Office	PO Box 6 215 W. Buffalo Street Rawlins, WY 82301	(307) 328-7825 (307) 328-2717
Sheriff's Office	PO Box 190 415 W. Pine Street Rawlins, WY 82301	(307) 324-2776
Fire Warden	PO Box 754 812 E. Murray Street Rawlins, WY 82301	(307) 320-7964 (307) 328-2676
Carbon County Commissioners	PO Box 6 215 W. Buffalo Street Rawlins, WY 82301	(307) 328-2668
Carbon County Office of Emergency Management	PO Box 6 215 W. Buffalo Street and 1012 Hugus Road Rawlins, WY 82301	(307) 321-1514 (307) 328-2750

In case of a fire or medical emergency: CALL 911.



## ACCEPTABLE USE OF COUNTY TECHNOLOGY

[Note: Substitute the word “volunteer” for “employee.”]

The County’s computer equipment, software, operating systems, storage media, internet connection, electronic mail (e-mail), and cell phones are all important technology assets and resources for the County. These important technology assets and resources are provided for use consistent with the County’s business operations. The Board of County Commissioners have adopted this “Acceptable Use of County Technology” regulation, which may be amended from time to time. Each employee is expected to use the County’s technology assets and resources in a manner consistent with Section 15 of the *Carbon County Personnel and Benefits Manual (2023)* and this regulation.

From time to time the County’s Information Technology Director may provide guidances and directives to County employees so as to maintain the operation and security of the County’s technology assets and resources. Employees are expected to conduct themselves in accordance with those guidances and directives.

### A. **County’s Computer Equipment, Software, Operating Systems, Storage Media, Cell Phones.**

Employees are expected to respect, protect, and use the County’s computer equipment, software, operating systems, storage media, and cell phones at all times, in a manner so as to not damage or compromise these County assets and resources in any fashion. Employees who receive County technology equipment are responsible for that equipment. Each employee who receives County technology equipment is required to sign and comply with the terms of the *Carbon County Equipment Agreement*, a copy of which is attached as Exhibit A-1.

The introduction of viruses or malicious tampering with any computer equipment, software, operating systems, storage media and cell phones is strictly prohibited. Employees are not to remove or disable anti-virus or security software or re-configure settings and firewalls unless authorized to do so, in writing, by the Information Technology Director.

No personal or non-County provided devices, including but not limited to phones, flash drives, music player, discs, or anything else that can, interface with electronics either physically or wirelessly, shall be connected to County equipment (including computers, laptops, printers, copiers, tablets, and any other electronics), County networks (including ethernet, Wi-Fi, Bluetooth, etc.), County infrastructure, or County facilities unless specific written permission from the County Commissioners and/or the Information Technology Director is received prior to any connection. Conversely, no County-provided equipment such as County-issued flash drives, printers, etc., shall be connected to other non-County provided equipment or devices. Specific exemptions may be authorized by the County IT Department for law enforcement purposes or other required government uses. Guest network access shall only be used for non-County provided devices that require temporary, short term internet access for government business purposes, such as presentations to the Board of County Commissioners or other County departments.

Employees must not store personal files such as music, video, photographs or games on the County's computer equipment or cell phones.

**B. Internet Use Guidelines.**

Use of the County's internet connection and services by all employees must be consistent with this acceptable use policy. It is expected that County employees will exercise good judgment and remain productive at work while using the internet. County internet users are required:

- To respect the privacy of other users. For example, users shall not intentionally seek information on, obtain copies of or modify files or data of other users, unless explicit permission to do so has been obtained;
- To respect the legal protection provided to software programs and data by copyrights and licenses;
- To protect data from unauthorized use or disclosure as required by state and federal laws and the requirements of Carbon County's business and governmental purposes;
- To limit personal use of the Internet connection and services to an absolute minimum.

It is not acceptable to use County's internet facilities:

- For activities unrelated to the County's business and governmental purposes;
- To access, post or participate in any type of social media unless during break periods, a part of the employee's job duties, or with the permission of the department head;
- For activities unrelated to official assignments and/or job responsibilities;
- For any illegal purposes, including any unauthorized or illegal acts like hacking, fraud, buying or selling illegal goods;
- To transmit threatening, obscene, or harassing materials or correspondence;
- For unauthorized distribution of Carbon County's data and information or confidential information;
- To interfere with or disrupt network users, services, or equipment;
- For private purposes such as marketing or business transactions;
- For solicitation of any kind, including profit and nonprofit;

- For revealing or publicizing proprietary or confidential information to unauthorized recipients;
- For representing personal opinions as those of Carbon County, Wyoming, or any of its elected officials or Commissioners;
- For uploading or downloading commercial software in violation of its copyright;
- For uploading or downloading pornographic or obscene materials, images or software;
- For intentionally interfering with the normal operation of any Carbon County internet service;
- To visit or connect to suspicious or potentially dangerous sites;
- To connect to or engage in conduct that introduce viruses or malware to infect or damage the County's computer equipment, software, operating systems, and storage media.

C. **E-Mail Use.**

- Every Carbon County employee and elected official is responsible for ensuring that the electronic mail system is used in accordance with this use policy. The e-mail system is part of the business equipment and technology owned by Carbon County, Wyoming, and should be used only for its business and governmental purposes. Personal business should not be conducted by means of the e-mail system and personal use should be kept to an absolute minimum. All of the guidelines developed for the use of the County internet connection and services apply to the use of e-mail.
- Neither elected officials, nor Carbon County employees, have a personal right of privacy in any matter created on, received through, or sent from the County e-mail system. Carbon County, Wyoming, its elected officials, department heads, Commissioners and others, in its/their discretion, reserve the right to monitor and read, retrieve, print, and/or delete any matter created on, received through or sent from the County e-mail system.
- Employees should be aware that even when a message has been erased, it still might be possible to retrieve it from a backup system. Therefore, employees should not rely on the erasure of messages to assume a message is private.
- Even if an employee has a password for the e-mail system, it is impossible to ensure the confidentiality of any message created on, received through, or sent from the County e-mail system. Any employee password used must be known to the employee's department head as a need to access this information may occur during an employee's absence. Employees are not to share their passwords with

persons other than the department head.

No e-mail messages should be created or sent that may constitute intimidating, hostile or offensive material on the basis of race, color, sex or gender, sexual orientation, gender identity or expression, national origin, religion, disability status, age, political affiliation, protected veteran status, genetics, or any other characteristic protected by federal or state laws. Carbon County's policy against sexual harassment and harassment based on other protected characteristics applies fully to the e-mail system.

Care should be exercised at all times in drafting e-mails as e-mail is as permanent and admissible in courts as paper communications. E-mails, both internal and external, can be subject to production and release under the Wyoming Public Records Act and under court discovery rules.

If an employee has any questions about what constitutes acceptable use of County technology, the employee should ask his/her department head for further guidance and clarification. Any employee who becomes aware of misuse of the County's computer equipment, software, operating systems, and storage media, internet connection or electronic mail (e-mail) should promptly notify their department head, the Information Technology Director, or any member of the Board of County Commissioners.

**D. Notice of NO Privacy or Confidentiality for Employees.**

**Pursuant to the Electronics Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.), as amended from time to time, notice is hereby given that there are NO facilities provided by this system for sending or receiving PRIVATE or CONFIDENTIAL electronic communications. Carbon County, Wyoming, its elected officials, department heads, Commissioners, employees and others have access to all e-mail and user access requests, and may monitor messages and the County's systems, as necessary to assure efficient performance or appropriate or inappropriate use. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.**

Section 23 of the Carbon County, Wyoming Volunteer Handbook, concerning Acceptable Use of County Technology provides: "Each volunteer will be provided a copy of the County's Acceptable Use of County Technology Policy as may be approved by the Board of County Commissioners from time to time for its employees which criteria and procedures are applicable, substituting the word "volunteer" for "employee." Each volunteer is required to read and sign the Acceptable Use of County Technology Policy; it is the responsibility of each volunteer to be familiar with these procedures. The signing and compliance with the County's Acceptable Use of County Technology Policy does not make any volunteer a County employee. Nothing contained in this Section shall in any way abrogate the status of the County's volunteers as volunteers."

## **ALCOHOL AND DRUG TESTING**

[Note: Substitute the word “volunteer” for “employee” and “volunteer services” for “employee job duties.”]

### **I. Alcohol and Drug Testing—An Overview.**

- A. Alcohol testing is required for reasonable suspicion, post-accident, and return-to-duty/follow-up. Alcohol testing is performed using an evidential breath testing device (EBT) approved by the National Traffic Safety Administration.
- B. Drug testing is required for reasonable suspicion, post-accident, and return-to-duty/follow-up. Drug testing may be conducted, post-offer, pre-employment. Drug testing may include, but not limited to, the following drugs: cannabis (marijuana), crack, phencyclidine (PCP), LSD, heroin, cocaine, morphine, amphetamines and methamphetamines, barbiturates, opiates and opium and codeine derivatives as well as semi-synthetic opioids such as fentanyl, hydrocodone, oxycodone, hydromorphone, oxymorphone, methaqualone or benzodiazepines. Drug testing is conducted by analyzing a urine specimen, or, when available within Carbon County, by using oral fluid specimens.
- C. The County does not use DOT forms with references to DOT programs and agencies crossed out for its non-DOT drug and alcohol testing programs.

### **II. Reasonable Suspicion Testing.**

- A. When there is reasonable suspicion to believe an employee has engaged in abuse and/or untimely use of alcohol and/or drugs, the employee may be required to undergo a drug and/or alcohol test.
- B. Reasonable suspicion may be based upon and include but is not limited to: a) observation of the employee’s behavior, which is indicative of drug and/or alcohol use; b) odor of alcohol on the breath or body; c) frequent unexplained absences or tardiness; d) mood swings; e) the failure to follow directions.
- C. Drug and/or alcohol tests based upon reasonable suspicion are authorized only if the required observations are made during, just before, or just after the period of the work period when the employee must comply with drug and alcohol prohibitions; must be conducted by a person other than the person who determines reasonable suspicion exists to conduct such a test. If the alcohol test is not administered within two (2) hours, or, if the drug test is not administered within thirty-two (32) hours of the determination of reasonable suspicion, Human Resources or the department head, shall prepare and maintain a written record explaining why the testing was not done. Attempts to conduct the tests shall terminate if not administered within eight (8) hours after the determination of reasonable suspicion for alcohol or within thirty-two (32) hours after the determination of reasonable suspicion for drugs. (Amended 4/5/2016).

- D. When it is reasonably suspected that the abuse and/or untimely use of alcohol or drugs by an employee exists, Human Resources, the department head and/or the designated supervisor shall proceed as described below [All conversations should, whenever possible, involve a witness.] (Amended 4/5/2016):
  - 1. Solicit an explanation from the employee for any behavior which creates a reasonable suspicion to believe the employee has engaged in the abuse and/or untimely use of alcohol or drugs.
  - 2. If the employee cannot satisfactorily explain the behavior, the employee may be requested to undergo a drug and/or alcohol test.
- E. The employee shall be transported by the County or its designee to the collection site for testing. The employee will be relieved of his/her duties pending the results of the testing and placed on a paid leave-of-absence. The method of transportation shall be determined by the department head or his/her designee; under no circumstances will the employee suspected of being under the influence be permitted to drive themselves to the collection site. At the collection site, he/she will complete the consent form and a specimen/test result will be obtained. (Amended: 10/20/2020)
- F. If the employee refuses to undergo the test or complete the consent form, she/he will be advised that such refusal may subject the employee to discipline, including termination. If the employee still refuses to undergo testing or to complete the consent form, she/he will be directed to the department head and is subject to discipline, including termination.
- G. If an employee's drug test is confirmed positive and the employee makes a request to the medical review officer within seventy-two hours that an additional drug confirmation test be conducted (which is conducted at the employee's expense), the employee will be placed on a paid leave-of-absence pending the results of the additional drug confirmation test. If a positive drug test is not confirmed, the employee will return to his/her job.
- H. If an employee's test is positive for abuse and/or untimely use of alcohol or drugs, he/she is subject to discipline, including termination.
- I. If an employee's test is positive for abuse and/or untimely use of alcohol or drugs, he/she will be referred to a substance abuse professional. The County is not required, and will not provide or pay for evaluation, rehabilitation, or treatment. Any evaluation, treatment, or rehabilitation is at the sole expense of the employee.
- J. If the employee's test is positive for abuse and/or untimely use of alcohol or drugs, the County is not required to continue to employ or to reinstate an employee to his/her position. In the event an employee who is subject to testing is returned to work, the employee must have been evaluated by a substance

abuse professional, at the employee's expense, complied with any recommended treatment, shall undergo either a return-to-duty alcohol test with a result indicating no alcohol concentration and/or shall undergo a return-to-duty drug test with a verified negative result for drug use. In addition, the employee shall agree to submit to unannounced follow-up alcohol and/or drug testing at the employee's expense and provide copies of such tests to the employee's department head and Human Resources. The follow-up testing shall be at the direction of his/her substance abuse professional and such testing shall occur a minimum of six times in twelve months. (Amended 4/5/2016)

- K. Human Resources, the department head and/or the designated supervisor who makes the observations leading to a reasonable suspicion test shall make a written record of his/her observations within twenty-four (24) hours of the observed behavior, or before the results of the test are released, whichever is earlier. A copy shall be provided to Human Resources. (Amended 4/5/2016)
- L. County personnel designated to determine whether reasonable suspicion exists must receive training concerning the physical, behavioral, speech, and performance indicators of alcohol misuse and additional training on indicators of drug abuse.

### **III. Employee Post-Accident Testing.**

- A. The County shall require an employee to undergo drug and alcohol testing after an accident in which the employee is operating a vehicle or off-road vehicle such as self-propelled equipment or machinery owned, leased, rented or used by or on behalf of the County, including a personal vehicle used by an employee to perform his/her work, if: a) there is a fatality; or b) one or more persons (including the County employee) requires or required medical treatment either at or away from the accident scene; or c) the County employee receives a citation arising from the accident.
- B. The procedure and advisements set forth in the above paragraphs II. D. 1 and 2 regarding reasonable suspicion testing will be followed, except the employee shall be advised the tests are required as part of the accident investigation.
- C. An employee involved in an accident shall make him/herself readily available for testing, absent the need for immediate medical attention. An employee involved in an accident shall not use alcohol for eight (8) hours after the accident, or until after he/she undergoes the post-accident alcohol test, or until it is determined that his/her actions were not a contributing factor in the accident, whichever occurs first.
- D. If an alcohol test is not administered within two (2) hours, or if a drug test is not administered within thirty-two (32) hours after the accident, Human Resources and/or the department head shall prepare and maintain written records explaining why the tests were not conducted. Tests will not be given if not

administered within eight (8) hours after the accident for alcohol or within thirty-two (32) hours after the accident for drugs. (Amended 4/5/2016)

- E. The employee shall be transported by the County or its designee to the collection site for testing. The employee will be relieved of his/her duties pending the results of the testing and placed on a paid leave-of-absence. The method of transportation shall be determined by the department head or his/her designee; under no circumstances will the employee be permitted to drive themselves to the collection site. At the collection site, he/she will complete the consent form and a specimen/test result will be obtained. (Amended: 10/20/2020)
- F. If the employee refuses to undergo the test or complete the consent form, she/he will be advised that such refusal may subject the employee to discipline, including termination. If the employee still refuses to undergo testing or to complete the consent form, she/he will be directed to the department head and is subject to discipline, including termination.
- G. If the employee's drug test is confirmed positive and the employee makes a request to the medical review officer within seventy-two hours that an additional confirmation drug test be conducted (which is conducted at the employee's expense), the employee will be placed on a paid leave-of-absence pending the results of the additional drug confirmation test. If a positive drug test is not confirmed, the employee will return to his/her job.
- H. If the employee's test is positive for abuse and/or untimely use of alcohol or drugs, he/she is subject to discipline, including termination.
- I. If the employee's test is positive for abuse and/or untimely use of alcohol or drugs, he/she will be referred to a substance abuse professional. The County is not required, and will not provide or pay for evaluation, rehabilitation, or treatment. Any evaluation, treatment, or rehabilitation is at the sole expense of the employee.
- J. If the employee's test is positive for abuse and/or untimely use of alcohol or drugs, the County is not required to continue to employ or to reinstate an employee to his/her position. In the event an employee who is subject to testing is returned to work, the employee must have been evaluated by a substance abuse professional, at the employee's expense, complied with any recommended treatment, taken a return-to-duty alcohol/drug test; and agreed to be subject to unannounced follow-up testing to be conducted at the employee's expense. In addition, the employee shall agree to submit to unannounced follow-up alcohol and/or drug testing at the employee's expense, and provide copies of such tests to the employee's department head and Human Resources. The follow-up testing shall be at the direction of his/her substance abuse professional and such testing shall occur a minimum of six times in twelve months. (Amended : 10/20/2020)



#### **IV. Return-to-Duty/Follow-up Testing.**

- A. Any employee who has not been terminated and is allowed to return to duty after engaging in conduct prohibited by Section 23 and this regulation, shall undergo either a return-to-duty alcohol test with a result indicating no alcohol concentration and/or shall undergo a return-to-duty drug test with a verified negative result for drug use. In addition, the employee shall agree to submit to unannounced follow-up alcohol and/or drug testing at the employee's expense, and provide copies of such tests to the employee's department head and Human Resources. The follow-up testing shall be at the direction of his/her substance abuse professional and such testing shall occur a minimum of six times in twelve months.

#### **V. Alcohol Testing and Procedures.**

- A. The following alcohol-related conduct prohibits an employee from performance of the employee's job duties:
  - 1. having a breath alcohol concentration of 0.02% or greater;
  - 2. using alcohol while in the performance of the employee's duties;
  - 3. performance of the employee's duties or functions within four (4) hours after using alcohol;
  - 4. using alcohol within eight (8) hours after an accident has occurred or until the employee has undergone post-accident alcohol testing; and
  - 5. refusing to submit to an alcohol test.
- B. Employees who engage in prohibited alcohol conduct, as set forth above, must immediately be removed from the workplace and are subject to discipline, including termination.
- C. In the event a confirmation test registers 0.08% or greater, the employee will be referred to a substance abuse professional. The County is not required, and will not provide or pay for evaluation, rehabilitation, or treatment. Any evaluation, treatment, or rehabilitation is at the sole expense of the employee.
- D. In the event the County does not terminate the employee who engages in prohibited alcohol conduct, prior to return to work, the substance abuse professional must provide a written statement to the County stating the employee has successfully completed the rehabilitation program which was prescribed for him/her. The employee must be tested prior to return to work and the result must be less than 0.02%. The employee shall be subject to unannounced follow-up testing to be conducted at the employee's expense. The number and frequency

of such follow-up testing shall be as directed by the substance abuse professional, but shall occur a minimum of six times in twelve months.

- E. Any confirmation test with a positive result of 0.02% or greater will be documented and may result in discipline, including termination.
- F. If an employee's behavior or appearance suggests alcohol misuse, a reasonable suspicion alcohol test must be conducted.
- G. All alcohol breath tests shall be conducted on an approved evidential breath testing device (EBT), approved by the National Traffic Safety Administration, by a trained breath alcohol technician (BAT). EBT's shall be able to distinguish alcohol from acetone at the 0.02% alcohol concentration level and shall be capable of testing an air blank prior to each collection of breath and performing an external calibration check. In order to be used in either screening or confirmation alcohol testing, an EBT shall have a quality assurance plan (QAP) developed by the manufacturer.
- H. Testing will be conducted as follows, unless testing procedures and standards have been amended, in which event such amended procedures shall apply, and supercede the procedures set forth herein.
- I. Two (2) breath tests are required to determine if a person has prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02% alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02% or greater, a second or confirmation test must be conducted no earlier than fifteen (15) minutes and no later than thirty (30) minutes after the screening test.
- J. Breath alcohol testing will be conducted at a location that affords visual and aural privacy to the employee being tested sufficient to prevent unauthorized persons from seeing or hearing the test results. All necessary equipment, personnel, and materials for breath testing shall be provided at the location where testing is conducted. In some unusual circumstances, such as when it is essential to conduct a test outdoors at the scene of an accident, a test may be conducted at a location that provides visual and aural privacy only to the greatest extent practicable.
- K. When the employee to be tested enters the alcohol testing location, the BAT will require the employee to provide positive identification. The BAT shall explain the testing procedure to the employee. The procedure to be followed by the BAT for a screening test is essentially as follows:
  - 1. The BAT shall complete Step 1 on the breath alcohol testing form. The employee shall then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification shall be regarded as a refusal to take the test.

2. An individually sealed mouthpiece shall be opened in view of employee and BAT and attached to the EBT in accordance with the manufacturer's instructions.
  3. The BAT shall instruct the employee to blow forcefully into the mouthpiece for at least six (6) seconds or until the EBT indicates an adequate amount of breath has been obtained. If the EBT provides a printed result, but does not print the results directly onto the form, the BAT shall show the employee the result displayed on the EBT. The BAT shall then affix the test result printout to the breath test form in the designated space, using a method that will provide clear evidence in the event of removal.
  4. If the EBT prints the test results directly onto the form, the BAT shall show the employee the result displayed on the EBT.
  5. If the result of the screening test is a breath alcohol concentration of less than 0.02%, then the BAT shall date the form and sign the certification in Step 3 of the form. The employee shall sign the certification and fill in the date in Step 4 of the form.
  6. If the employee does not sign the certification in Step 4, the BAT shall note the employee's failure to sign or initial in the "Remarks" section of the form.
  7. If the result of the screening test is a blood alcohol concentration of less than 0.02%, no further testing is authorized. The BAT shall transmit the result of less than 0.02% to the County in a confidential manner, and the County shall receive and store the information so as to ensure confidentiality is maintained.
  8. If the result of the screening test is an alcohol concentration of 0.02% or greater, a confirmation test shall be performed as provided below.
- L. Procedures for confirmation tests (i.e., the screening test results are 0.02% or greater) are as follows:
1. The confirmation test shall be conducted within thirty (30) minutes of the completion of the screening test. The BAT shall instruct the employee not to eat, drink, or put any object or substance in his/her mouth. This time period begins with the completion of the screening test and shall be not earlier than fifteen (15) minutes and not later than 30 minutes after the completion of the screening test. The BAT shall explain to the employee the reason for this requirement (i.e., to prevent any accumulation of mouth alcohol leading to an artificially high reading) and the fact that it is for the employee's benefit. The BAT shall also explain the test will be

conducted at the end of the waiting period, even if the employee has disregarded the instruction. If the BAT becomes aware the employee has not complied with the instructions (concerning not to eat, drink, or put any object or substance in his/her mouth, or left the testing area without permission), the BAT shall so note in the "Remarks" section of the form.

2. Before the confirmation test is administered, the BAT shall ensure that the EBT registers 0.00 on an air blank. If the reading is greater than 0.00, the BAT shall test one more air blank. If the reading is greater than 0.00, testing shall not proceed using that instrument. However, testing may proceed on another instrument.
  3. In the event the screening and confirmation tests results are not identical, the confirmation test result is deemed to be the final result upon which any action shall be based.
  4. Following the completion of the testing, the BAT and employee shall date and sign the certification form as described in the procedures for screening tests.
  5. The BAT shall transmit all results to the County in a confidential manner.
- M. If an employee refuses to complete and sign the breath alcohol testing form (Step 2), to provide breath, to provide an adequate amount of breath, or otherwise cooperate with the testing process in a way that prevents the completion of the test, the refusal shall be noted by the BAT in the "Remarks" section of the form. The testing process shall be terminated, and the BAT shall immediately notify the County. (Any of these actions constitute a "refusal" to be tested.)
- N. In the event an employee is unable, or alleges she/he is unable, to provide an amount of breath sufficient to permit a valid breath test because of a medical condition, the BAT shall again instruct the employee to attempt to provide an adequate amount of breath. If the employee refuses to make the attempt, the BAT shall immediately inform the County. If the employee attempts and fails to provide an adequate amount of breath, the County shall direct the employee to obtain, as soon as practical after the attempted test, an evaluation from a licensed physician acceptable to the County, concerning the employee's medical ability or inability to provide an adequate amount of breath. If the physician determines, in his/her reasonable medical judgment, that a medical condition has, or with a high degree of medical probability could have, precluded the employee from providing an adequate amount of breath, the employee's failure to provide an adequate amount of breath shall not be deemed a refusal to take the test. If a licensed physician is unable to make such a determination, the employee's failure to provide an adequate amount of breath shall be regarded as a refusal.

- O. Any action by the employee deemed to be a “refusal” will subject the employee to discipline, including termination.

**VI. Drug Testing and Procedures.**

- A. Any unauthorized use of the drugs set forth below is prohibited.
- B. Drug testing includes, but is not limited to the following drugs: cannabis (marijuana), crack, phencyclidine (PCP), LSD, heroin, cocaine, morphine, amphetamines and methamphetamines, barbiturates, opiates and opium and codeine derivatives as well as semi-synthetic opioids such as fentanyl, hydrocodone, oxycodone, hydromorphone, oxymorphone, methaqualone or benzodiazepines. Drug testing is conducted by analyzing an employee’s urine specimen in a two (2) stage process requiring a split sample of urine, or, when it becomes available in Carbon County, Wyoming, drug testing may be conducted using oral fluid specimens. Testing by analyzing an employee’s urine specimen will be conducted as follows, unless testing procedures and standards have been amended, in which event such amended procedures shall apply, and supercede the procedures set forth herein.
- C. First, a screening test is performed. If it is positive for one or more of the drugs, then a confirmation test is performed for each identified drug.
- D. Upon a request to the medical review officer within seventy-two hours of the employee having been notified of a verified positive result, and at the expense of the employee, a test of the split sample may be performed by a second laboratory.
- E. All drug test results are reviewed and interpreted by a medical review officer (MRO) before the results are reported to the County.
- F. An employee will be removed from the workplace if a positive drug test results and subjects the employee to discipline, including termination. The removal will not take place until the MRO has interviewed the employee and determined the positive drug test results are from the unauthorized use of drugs and no other limited and/or legitimate medical use or explanation exists.
- G. If the employee’s test is positive, and the employee has not been terminated, the employee cannot be returned to his/her position until she/he has been evaluated by a substance abuse professional or MRO, has complied with recommended rehabilitation, and has a negative result on a return-to-duty drug test. Follow-up testing at the employee’s expense to monitor the employee’s continued abstinence from drug use is required.
- H. To ensure the appropriate chain of custody and specimen control are maintained, the collection of urine specimens and testing will be conducted as follows, unless

procedures and standards have been amended, in which event such amended procedures shall apply, and supercede the procedures set forth herein:

1. Upon the donor's arrival at the designated collection site, the collector will request the donor to provide positive identification. The donor will be required to complete a pre-test information form which serves as an identification document for the specimen collected. On the donor's copy of the form, the donor will be allowed to list prescription and non-prescription drugs currently being used (as a "memory jogger") which may affect the outcome of the test.
2. The donor will be required to remove any unnecessary outer garments and to leave any purses, briefcases, or similar items outside the collection area. The donor will be required to wash (with water only) and dry his/her hands before the test is administered. The donor will then remain in the collection area and not have access to water fountains, faucets, soap dispensers, cleaning agents, or any other material which could be used to adulterate the specimen. Any transfer of the specimen from the collection container to another specimen bottle will be observed by the donor.
3. The donor shall urinate into a collection container or a specimen bottle capable of holding at least 45 ml. If a collection container is used, the collection site person, in the presence of the donor, shall pour the urine into two specimen bottles. Thirty (30) ml shall be poured into one bottle to be used as the primary specimen, and at least fifteen (15) ml shall be poured into the other bottle to be used as the split specimen. Both bottles shall be shipped in a single shipping container together with copies one, two, and the split specimen copy of the chain of custody form to the laboratory.
4. If the test result of the primary specimen is positive, the donor may request the medical review officer (MRO) direct the split specimen be tested in a different Department of Health and Human Services (DHHS) - certified laboratory for presence of the drug(s) for which a positive result was obtained in the test of the primary specimen. The MRO shall honor such a request if it is made within seventy-two (72) hours of the donor having been notified of a verified positive test result. When the MRO informs the laboratory in writing that the donor has requested a test of the split specimen, the laboratory shall forward to a different DHHS- approved laboratory the split specimen bottle, with seal intact, a copy of the MRO request, and the split specimen copy of the chain of custody form with appropriate chain of custody entries. The result of the test of the split specimen shall then be transmitted by the second laboratory to the MRO. The cost of the split specimen testing shall be borne by the donor.
5. The identification label(s) on the specimen bottle(s) shall contain the date of collection and required identifying information. The donor providing the

specimen shall initial the label on the specimen bottle(s), using initials corresponding with the name on the chain of custody form. The donor providing the specimen(s) is required to read and sign a certification statement certifying the urine in the specimen bottle(s) came from his/her body at the time of collection. Refusal to sign this statement will be noted on the certification statement form by the collector. Refusal to sign the statement may result in discipline, including termination.

6. Upon notification by the collection site that a donor has failed to appear for his/her scheduled collection, the County will inquire of donor the reason(s) for failing to appear. If the donor provides a legitimate reason for failing to report, no disciplinary action will be taken against the employee; if no legitimate reason for failing to report is provided, disciplinary action, including termination, may be taken. The department head shall determine whether or not legitimate reasons exist.
  7. In the event a donor refuses to provide a specimen, the collection site and/or the County shall advise the donor that refusal to provide a specimen shall result in termination. In the event the donor still refuses to provide a specimen, the donor shall be terminated.
  8. In the event a donor fails to provide a sufficient quantity of urine (i.e., at least 45 ml), the collection site will meet with the donor to see if she/he has a legitimate reason, and she/he will be required to take the drug test within four (4) hours of the meeting. If the donor does not have a legitimate reason, the failure to provide a sufficient quantity of urine shall be treated as a refusal to provide a specimen. In the event a donor is unable, or alleges she/he is unable, to provide a sufficient quantity of urine because of a medical condition, the collection site shall again instruct the donor to attempt to provide a sufficient quantity of urine. If the donor refuses to make the attempt, the collection site shall immediately inform the County. If the donor attempts and fails to provide a sufficient quantity of urine, the County shall direct the donor to obtain, as soon as practical after the attempted test, an evaluation from a licensed physician acceptable to the County, concerning the employee's medical ability or inability to provide a sufficient quantity of urine. If the physician determines, in his/her reasonable medical judgment, that a medical condition has, or with a high degree of medical probability could have, precluded the donor from providing a sufficient quantity of urine, the donor's failure to provide a sufficient quantity of urine shall not be deemed a refusal to take the test. If a licensed physician is unable to make such a determination, the donor's failure to provide a sufficient quantity of urine shall be regarded as a refusal.
- I. Drug testing programs are now allowed to use oral fluid specimens (Federal Register/Vol. 84, No. 207/ Friday, October 25, 2019). When such a method of testing for drugs becomes available in Carbon County, the County may elect to

use oral fluid specimens in addition to, or in lieu of drug testing using urine specimens. Such oral fluid specimen testing for drugs shall be done in accordance with the rules and regulations adopted and set forth in Federal Register/Vol. 84, No. 207/ Friday, October 25, 2019, as may be amended from time to time.

- J. All employees have the right to refuse to undergo drug testing as provided herein. Employees who refuse to undergo testing will be terminated.

**VII. Notification and Reporting Certain Prescription Medications**

- A. If an employee is taking a prescribed medication that may impair the employee's ability to perform job functions in a safe and satisfactory manner, the employee is required to provide their department head notice of such use. The employee may be required to obtain documentation from their prescribing physician confirming the employee's ability to perform the job functions of their position in a safe and satisfactory manner while taking the prescribed medication. Employees shall not drive at any time they have been advised by a physician that it will adversely affect his/her ability to safely operate a vehicle, off-road vehicles such as self-propelled equipment or machinery, or any other type of equipment.

- VIII. Confidentiality.** All records maintained by the County pursuant to the policy are confidential. Employee information contained in these records may not be released except as provided by law and to the decision-maker in a lawsuit; grievance or other proceeding involving an employee, arising out of a test administered pursuant to this policy or a determination that the employee engaged in prohibited conduct. Such proceedings include, without limitation: workers' compensation; unemployment compensation or other benefit-related proceedings; any other person when authorized in writing by the employee.

- IX. Advisement of Alcohol and Drug Testing.** Each employee shall be provided a copy of all of Chapter III of the Carbon County Personnel and Benefits Manual (2020) and this Alcohol and Drug Testing regulation, as may be approved by the Board of County Commissioners from time to time. Each employee is required to read and sign and provide a receipt acknowledging receipt of these provisions. It is the responsibility of each employee to be familiar with the County's policies and the provisions of this Appendix B.

- X. AT WILL EMPLOYMENT STATUS MAINTAINED.** Nothing in this regulation shall in any way abrogate the employment-at-will status of the County's employees and do not modify or restrict the County's rights as set forth in Section 2. Employment-at-Will, Carbon County Personnel and Benefits Manual (2020).

(Amended: 10/20/2020)



Section 32 of the Carbon County, Wyoming Volunteer Handbook, concerning Drug and Alcohol Testing of Volunteers provides: “Drug and alcohol testing of volunteers is conducted based on the same criteria and in the same manner in which County employees are tested. Each volunteer shall be provided a copy of Alcohol and Drug Testing Procedures regulation, as may be approved by the Board of County Commissioners from time to time for its employees which criteria and procedures are applicable, substituting the word “volunteer” for “employee” and “volunteer services” for “employee job duties,” EXCEPT sections II I and J, sections III I and J, section IV, section V C and D, section VI G, and the provisions concerning paid leave of absence in sections II G and III G shall not apply, and a volunteer who tests positive for the presence of drugs or alcohol shall not be returned to volunteer service, there is no return-to-duty/follow up testing, and the volunteer shall immediately be subject to dismissal. Each volunteer is required to read and sign the Alcohol and Drug Testing Procedures regulation, and it is the responsibility of each volunteer to be familiar with these testing procedures. In addition, section IX shall not apply, except for providing a copy of the Alcohol and Drug Testing Procedures regulation, and section X shall not apply. The signing and compliance with the County’s Alcohol and Drug Testing Procedures regulation does not make any volunteer a County employee. Nothing contained in the Alcohol and Drug Testing Procedures regulation or this Section 32 shall in any way abrogate the status of the County’s volunteers as volunteers.”

(Amended: 11/7/2023)