

Resolution No. 2020- 281

**RESOLUTION AMENDING THE UTAH COUNTY GOVERNMENT  
MOTORIZED EQUIPMENT AND VEHICLE POLICY**

**WHEREAS**, the Board of County Commissioners, Utah County, Utah, adopted the Utah County Government Motorized Equipment and Vehicle Policy as last amended November 12, 2002, and

**WHEREAS**, it has now become necessary to amend the Utah County Government Motorized Equipment and Vehicle Policy as amended November 12, 2002;

**NOW, THEREFORE**, it is resolved by the Board of County Commissioners, Utah County, Utah, that the Utah County Government Motorized Equipment and Vehicle Policy as amended November 12, 2002 is amended to read as follows:

See Attachment A.

APPROVED AND ADOPTED this 29th day of April, 2020.

BOARD OF COUNTY COMMISSIONERS, UTAH  
COUNTY, UTAH

DocuSigned by:  
*Tanner Ainge*  
By: \_\_\_\_\_  
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TANNER D. AINGE, Chair

APPROVED AS TO FORM AND LEGALITY:  
DAVID O. LEAVITT  
Utah County Attorney

DocuSigned by:  
*Cort Griffin*  
By: \_\_\_\_\_  
983326AFD73E48B...  
Deputy County Attorney

BOARD OF COUNTY COMMISSIONERS  
UTAH COUNTY, UTAH

VOTE  
YEA                      NAY

TANNER D. AINGE, CHAIR

  X                        \_\_\_\_\_

NATHAN IVIE, COMMISSIONER

  X                        \_\_\_\_\_

WILLIAM C. LEE, COMMISSIONER

  X                        \_\_\_\_\_

ATTACHMENT A

UTAH COUNTY GOVERNMENT MOTORIZED  
EQUIPMENT AND VEHICLE POLICY

COMMISSION APPROVAL:  
REVISED

EFFECTIVE DATE:

INDEX Motorized Equipment and Vehicle Policy and Rules

- I. Lease of County-Owned Vehicles and Motorized Equipment
- II. Authorized Vehicles and Equipment Use
- III. Use of County Vehicles by Employees
- IV. Authorized Passengers in County Vehicles
- V. Unauthorized Use of County Vehicles and Motorized Equipment
- VI. Off-Duty County Vehicle Use
- VII. Personal Use of Motor Vehicles on County-Authorized Business Trips
- VIII. Ride-along Program
- IX. Requirement to Operate County Vehicles and Motorized Equipment
- X. Driver's License Requirements
- XI. Authorized use of Private Vehicles for County Business
- XII. Private Insurance Coverage
- XIII. Fleet Services Safety and Vehicle Maintenance
- XIV. Safety Belt Usage
- XV. Motor Vehicles and Motorized Equipment
- XVI. Collision Investigation Involving Employees and/or Vehicles
- XVII. Accidents Involving Defective Motorized Equipment
- XVIII. Defensive Driver Training
- XIX. Cellular Telephone Usage in County Vehicles
- XX. Safe Driver Recognition Programs

## PURPOSE AND OBJECTIVE

The purpose of the County Vehicle Use Policy is to ensure vehicles under the control of the County are acquired, assigned, utilized, replaced and maintained in the most efficient and effective manner to conduct County business.

County vehicles shall be used for official business only, in accordance with appropriate County codes.

Utah County hereby adopts the following policy for public official and employee use of motor vehicles within the scope of County employment or responsibility.

Utah County assumes no liability for use of motor vehicles outside the scope of County employment or responsibility, or for activities in violation of this policy. Violation of the provisions of this policy may result in employee discipline up to and including termination from employment.

Nothing in this policy is intended or shall be construed to extend or enlarge the obligations, liability, or responsibilities that Utah County currently has to employees, officials, or third parties, by law or contract, if any, in regard to the operation of motor vehicles.

Assignment of County vehicles to Departments shall have the proper authorization from the Utah County Commission.

## RESPONSIBILITY

The Public Works Department is responsible for the management of all vehicles in the County fleet. As such, any situations, policies and/or procedures that are not covered specifically in this policy should be brought to the attention of Public Works for resolution. The Public Works Director or his assigned designee will be responsible for proposing any amendments or changes to this policy, which shall be brought to the Utah County Commission for approval.

### I. LEASE OF COUNTY-OWNED VEHICLES AND MOTORIZED EQUIPMENT

- A. County departments having county-owned vehicles and/or motorized equipment assigned to them shall lease said vehicles and/or motorized equipment from the County Fleet Services. The Fleet Services will establish, and each department shall adhere to, applicable lease rates and maintenance schedules for all vehicles and motorized equipment.
- B. In the event of a manufacturer's recall applicable to a vehicle that the Fleet Services has leased to a department, the Fleet Services will notify the department of said recall and the procedure necessary to complete the appropriate service or modification.
- C. The determination of when vehicles are to be moved or replaced shall be made by the

Fleet Services and the Department where the vehicle has been assigned. Departments shall return the specific vehicle being replaced to the Fleet Services upon receipt of the new vehicle from the Fleet Services.

II. AUTHORIZED VEHICLES AND EQUIPMENT USE

- A. General Provisions. Only vehicles that have been properly authorized by the Utah County commission shall be used in the course of conducting County business.
- B. Categories/Authorized Vehicle maybe assigned into one of the following categories:
  - 1. Category 1 – County Vehicle Assignment: County vehicles will be assigned to departments that require vehicles equipped with specialized motorized equipment (i.e. dump trucks and emergency vehicles).
  - 2. Category 2 – Departmental Car Pool Vehicle Assignment: Specific car pool vehicles may be assigned to a department. Departments shall be required to utilize each assigned pool vehicle in the performance of official County business to continue to maintain said pool vehicle. Subject to Utah County Commission approval, Public Works, in consultation with the department, shall assign all such vehicles.
- C. Vehicle Utilization: Public Works shall review on a semi-annual basis the utilization of vehicles assigned to departments and make report and recommendations to the Utah County Commission. Vehicles that are underutilized or misused may be reassigned.
- D. Departments where vehicles would have minimal usage and are not equipped with specialized equipment, may choose to provide mileage reimbursement to affected employees when it is in the best interest of the County to do so.
- E. Any employee driving a County assigned vehicle, a county pool vehicle, rental car or a private vehicle in the course of conducting County business shall:
  - 1. Possess a current valid motor vehicle operator’s license for the class of vehicle operated. (See section VII Driver’s License Requirements)
  - 2. Drive a private or County motor vehicle that is properly registered and insured in the amounts required by State Law. (See Sections IX Authorized use of private vehicles for County Business and X Private insurance coverage)
  - 3. Observe and inspect the vehicle for obvious defects and safety hazards. If a hazard is apparent, the vehicle shall not be operated, and Fleet Services shall be notified of said hazard.
  - 4. Operate all vehicles with courtesy, care, and caution, and make the safety of the operator, authorized passengers, pedestrians, and other drivers, of paramount concern in the operation of the vehicle. (See Sections VIII Fleet Services Safety and Vehicle Maintenance, IX Safety belt usage and I Motor vehicle and motorized equipment.
  - 5. Operate vehicles and motorized equipment in accordance with all federal, state, and local traffic laws, rules and regulations and not under impairment from alcohol or other substances.

6. Obey all occupational safety laws and the dictates of common sense and good judgement.
7. Observe all accident reporting procedures. (See Section XIV Collision investigation involving employees and/or vehicles, XV Accidents involving defective motorized equipment, and XVI Defensive Driving Training.)
8. Not allow an unauthorized person to have the keys to or operate a county-owned or leased vehicle.
9. In case of emergency be guided by the laws and regulations regarding emergency operation of vehicles.
10. Shall ensure that all occupants of their vehicle properly utilize the supplies occupant restraint and other protective devices in a manner consistent with applicable laws.

F. If during the course of employment, an employee exhibits a disregard for acceptable driving procedures, his/her department head and/or the Utah County Commission may deny that employee further authorization to operate a vehicle while performing Utah County business.

### III. USE OF COUNTY VEHICLES BY EMPLOYEES

- A. County-owned vehicles and/or motorized equipment shall not be taken home overnight by County employees or officials, except the following:
1. Those employees or officials who have been authorized by the Utah County Commission and the department head or designee to have overnight use of vehicles. This may include those County employees who are on-call, to perform emergency job responsibilities at times outside assigned employee work schedules and/or which require a specially equipped vehicle in order to perform the duties as assigned.
  2. Any County employee may, on a one-time basis when authorized by a supervisor in writing, take a vehicle home overnight to achieve efficiency in performing assigned duties or travel on the next workday.
  3. In the event an employee who is entitled to take a vehicle home is going to be absent from his/her home or place of employment in excess of one week, the vehicle shall be secured at the employee's residence or a department facility. The department must have access to the vehicle at all times.
  4. County vehicles shall be operated only for the performance of County business.

### IV. AUTHORIZED PASSENGERS IN COUNTY VEHICLES

- A. Operators of County-owned vehicles and motorized equipment shall carry only authorized passengers in or on any such vehicles or motorized equipment. For the purpose of this policy the term "authorized passengers" shall mean:

1. Other County employees on County business.
2. Other persons engaged in or advising on matters related to County Services or improvements.
3. Other persons who are being transported as part of a regular, approved County activity.
4. Persons who in an emergency are required by a representative of Utah County to drive or ride in a vehicle in that emergency situation.
5. Passengers specifically approved by the Department Head
6. Prisoners in accordance with Utah County Sheriffs Office Policy Manual (UCSOPM).
7. Unscheduled non-sheriff department persons who have not obtained prior official approval to be transported in sheriff office vehicles, but who must be transported to accomplish a law enforcement purpose pursuant to the UCSOPM.

V. UNAUTHORIZED USE OF COUNTY VEHICLES AND MOTORIZED EQUIPMENT

- A. Use of County vehicles and/or motorized equipment for purposes not germane to Utah County business is prohibited. Examples include:
1. Use of County vehicles and/or motorized equipment to transport family members, other employees or private citizens for personal business or recreation is prohibited unless authorized by the department head or designee for immediate family members while on call, on duty, or for approved off duty county vehicle use.
  2. Employees shall not transport injured persons or escort other vehicles transporting injured persons from the scene of an injury to a hospital or permit anyone to use their vehicle to do so. An ambulance shall be called to transport injured persons. An exception may be made to this rule only when an employee at the scene believes it is necessary due to unusual circumstances.
  3. Heavy or bulky personal cargo, equipment, tools etc. are not to be transported in County vehicles.
  4. Travel to entertainment facilities.
  5. Sightseeing or trips for personal pleasure unless the trip is part of the official agenda for a business conference.
  6. Conducting other personal business.
  7. Under no circumstance will County vehicles be driven by on or off-duty employees who are impaired due to the consumption or use of alcoholic beverages, drugs or prescription medication. Under no circumstance will an alcoholic beverage, opened or unopened, drugs or prescription medication which may cause driver impairment, be kept, consumed or transported in a

County vehicle, except in cases where it has been seized as evidence, as allowed by the Utah County Sheriff's Office Policy Manual or required for undercover law enforcement or Major Crimes Task Force assignments. Regardless of assignment, no employee will violate state law regarding vehicle operation while impaired.

8. Use of tobacco products in County owned vehicles or motorized equipment is prohibited.
9. County vehicles may not be used in connection with secondary employment.

VI. OFF-DUTY COUNTY VEHICLE USE

- A. "Off-duty" is defined as those times not covered by regularly scheduled shifts or other specifically assigned duties.
- B. A supervisor must approve in advance all off duty use of a County vehicle.
  1. Employees shall use county vehicles only for office-related activities.
  2. Supervisors shall approve only such off-duty office-related uses as court appearances, training sessions, follow-up work, and other office-related activities.
  3. Whenever law enforcement certified Personnel are in their County vehicles while off-duty they shall report to dispatch that they are "10-11".
    - a. Personnel in a "10-11" status shall accept service calls when assigned by Central Dispatch and shall be armed to handle law enforcement details.
    - b. Dispatch shall attempt to use all on-duty Personnel first and only "10-11" Personnel when absolutely necessary.
    - c. Off-duty Personnel not willing to respond to calls for service, shall not use a county vehicle after normal working hours
    - d. Off-duty Personnel operating county vehicles shall be appropriately dressed and groomed.
  4. Law Enforcement Personnel, other than those deputies defined in UCA 53-13-103 of the Utah Code, can only be assigned a vehicle with Sheriff or Under Sheriff approval.

VII. PERSONAL USE OF MOTOR VEHICLES ON COUNTY-AUTHORIZED BUSINESS TRIPS

- A. Utah County will not be liable for injuries or damages arising from activities outside the scope of employment, including but not limited to personal use of rented vehicles by officials or employees during a County-authorized business trip.
- B. Employees and officials conducting personal business during a County-authorized business trip are encouraged to use licensed public carriers.

- C. During a County-authorized business trip, employees or officials will not use a private or rented motor vehicle unless said motor vehicle has been insured in at least the minimum amounts required by state law.

VIII. RIDE -ALONG PROGRAM (See RIDE-ALONG Program of the Utah County Sheriffs Office Policy Manual)

IX. REQUIREMENTS TO OPERATE COUNTY VEHICLES AND MOTORIZED EQUIPMENT

- A. The following criteria shall be necessary to obtain/maintain the privilege of operating a County vehicle:
  - 1. A current Utah driver's license with the correct class for the vehicle.
  - 2. Be the age of 18 or older.
  - 3. A license that is not under suspension or revocation.
  - 4. Mentally and physically able to drive safely.
  - 5. No habitual problem with alcohol or drugs.
  - 6. No history of serious traffic violations.
  - 7. No conviction of driving while under the influence of alcohol or drugs or reckless driving within the previous 3 years.
  - 8. No more than 3 or more moving violations within the previous 3 years.

X. DRIVER'S LICENSE REQUIREMENTS

- A. Any employee whose work requires that he/she drive a vehicle in the performance of assigned duties must hold a valid Utah State Driver's License, including appropriate endorsements and class requirements.
- B. All prospective employees who are assigned work requiring the operation of a vehicle shall be required to submit to a State of Utah, Department of Motor Vehicles driving records check after receiving a conditional offer of employment. Such checks shall be coordinated by the Utah County Human Resource Department or the designated liability insurance carrier as part of a pre-employment background investigation.
- C. The department of an employee utilizing a County vehicle shall maintain a current copy of the employee's driver's license and verify its validity on a semi-annual basis. Any employee who does not hold a valid driver's license shall not be allowed to operate a vehicle in the performance of County duties. Employees without a valid license may, with the approval of the Office of Human Resource Management, be:
  - 1. Assigned duties within the same job classification that do not require the driving or operation of vehicles.
  - 2. Temporarily reassigned, or demoted, to a job classification for which the



employee qualifies (An employee temporarily demoted shall not be compensated at the level exceeding the new classification's salary range);  
or

3. Authorized leave without pay.
- D. No accommodation for a suspended or revoked driver's license shall exceed three (3) months. If the suspension or revocation of an employee's driver's license exceeds three (3) months, the employee may be permanently reassigned to a vacant position not requiring a valid driver's license, demoted into a vacant position for which he/she qualifies, or terminated from County employment. Any employee performing work which requires the operation of a vehicle shall notify his/her immediate supervisor immediately when his/her license is expired, suspended or revoked. If an employee fails to report such an instance, and/or continues to operate a vehicle in the performance of duties, he/she is subject to disciplinary action up to and including termination from County employment.
  - E. Any employee performing work which requires the operation of a vehicle shall notify his/her immediate supervisor immediately when his/her license is expired, suspended or revoked. If an employee fails to report such an instance, and/or continues to operate a vehicle in the performance of duties, he/she is subject to disciplinary action up to and including termination from County employment.
  - F. Commercial Driver's License (CDL) - Employees operating a commercial vehicle must comply with all the requirements of the Commercial Motor Vehicle Safety Act of 1986.
    1. Employees operating a commercial vehicle shall:
      - a. Notify their immediate supervisor within 10 days of a conviction for any traffic violation except parking citations.
      - b. Notify their immediate supervisor and the appropriate law enforcement agency immediately whenever the CDL driver is involved in an accident.
      - c. Notify the State Driver's License Division within 10 days if they are convicted in any other state of any traffic violation except parking citations.
      - d. Notify their immediate supervisor immediately if their license is suspended, revoked, or canceled, or if they are disqualified from driving.
      - e. Not driving without a valid Commercial Driver's License.
    2. When it is necessary for employees to renew their CDL, the County shall reimburse the cost for the written test, the cost for the skills test, and the total amount paid by the employee to obtain all endorsements required by the County. Employees shall pay the fees to obtain all endorsements not required by the County. The County shall also pay the employee's share, after insurance payment, of the required physical examination. At the discretion of the Utah County Commission, the County may bear the cost of initially licensing employees that are promoted or otherwise placed into positions requiring a CDL.

XI. AUTHORIZED USE OF PRIVATE VEHICLES FOR COUNTY BUSINESS.

- A. County employees, with the prior permission of their department head, may use their private vehicle to conduct official County business. Department heads shall only approve use of private vehicles for County business when it is in the best interest of the County to do so.
- B. County employees who drive a private vehicle in the normal course of their duties may receive payment for mileage driven. Payment for mileage shall only be made for authorized County business and shall not be paid to cover commuting mileage between an employee's residence and his/her customary work site. Payment for commuting mileage may be paid, however, if an employee is required to respond to a work area at times when an employee has already completed his/her regularly scheduled work day/week and is required to return to work in a private vehicle.
- C. Employees shall be reimbursed mileage at a rate not to exceed the IRS standard mileage rate when mileage is incurred in the conduct of authorized County business and use of a County- owned vehicle is not a viable option. Mileage reimbursement is intended to include payment for gas, vehicle depreciation, and private insurance premiums.

XII. PRIVATE INSURANCE COVERAGE

- A. Employees operating private vehicles in the performance of County duties shall have at least the minimum auto insurance for private vehicles, required by Utah State law. If the vehicle is being used for public safety purposes where higher limits of liability coverage may be required, the County will compensate the employee for any additional costs of public safety liability coverage.
- B. In the event a County employee is involved in an accident while driving his/her own vehicle, the employee's personal insurance shall provide the primary coverage.

XIII. FLEET SERVICES SAFETY AND VEHICLE MAINTENANCE

- A. It is County's policy to do everything reasonable to prevent injury to County employees and damage to property and to protect County employees and the public from the results of accidents and improper procedures.
  - 1. Employees assigned a County vehicle shall be primarily responsible for the condition of their assigned vehicle, including compliance with the scheduled maintenance, reporting of needed repairs, and maintaining its cleanliness.
  - 2. It shall also be the responsibility of each department head to ensure that all County vehicles used by his/her department are properly and safely maintained through the Utah County Fleet Services.
  - 3. It shall be the responsibility of each driver to ensure that his/her County vehicle is properly parked and locked while the vehicle is not in use.

XIV. SAFETY BELT USAGE

- A. All County owned or leased vehicles and motorized equipment designated to permit or require the installation of safety restraints shall be so equipped.
- B. Safety belts and/or safety harnesses shall be properly fastened at all times when the vehicle is in motion. All occupants of vehicles owned by Utah County shall fasten their safety belts and/or safety harnesses upon entering their vehicles and shall keep them fastened as long as the vehicle is in motion.
- C. Likewise, drivers and occupants of privately-owned vehicles being operated while on County business shall abide by the above-stated policy.
- D. The driver shall be responsible for the safety restraint of themselves and all passengers.
- E. If a County employee is observed by his/her supervisor and/or other County employees to be not wearing his/her seat belt while operating a County vehicle or his/her private vehicle while doing County business, the employee may be subject to progressive disciplinary action for each occurrence.

XV. MOTOR VEHICLES AND MOTORIZED EQUIPMENT

- A. An easily accessible fire extinguisher of 5:BC rating or higher shall be provided on all County motorized equipment.
- B. Before operating a County-owned vehicle, the employee shall determine that the vehicle has in operable condition, at least the following:
  - 1. Two headlights,
  - 2. Two tail lights,
  - 3. Brake lights,
  - 4. Seatbelts/safety harness, properly installed,
  - 5. Seats, firmly secured, for the number of persons carried,
  - 6. Service or parking and emergency brake systems,
  - 7. On heavy motorized equipment and trucks, audible warning devices at the operator's station, such as low air or oil pressure buzzers.
  - 8. Audible reverse alarms on heavy motorized equipment and large trucks, if such a device was originally installed by the manufacturer,
  - 9. Warning lights and "Slow Moving Vehicle" signs as needed.
  - 10. Proper fluid levels and air pressure.
- C. County Employees shall be prohibited from operating any heavy motorized equipment having an obstructed rear view, unless:

1. The vehicle/unit has an audible reverse alarm, if such device was originally installed by the manufacturer.
  2. The vehicle/unit is backed up only when a trained observer says it is safe to do so, or
  3. The operator has made a full inspection around the motorized equipment before each backing procedure.
- D. Parking brakes shall be required to be set whenever a vehicle or mobile motorized equipment is parked. County employees shall make sure that units which are parked on inclines have wheels turned away from the highway or street traffic, turned to the curb, as well as having parking brakes set. Also, if a vehicle is parked for an extended period of time, it is recommended that the wheels be secured with chocks or other some other blocking device. Also, all blades, buckets, etc. shall be lowered to the lowest position (to the ground if possible).
- E. County employees shall inspect all machinery and motorized equipment prior to each use, and at intervals during use to make sure it is in safe operating condition.
- F. County employees shall park, and lock, any vehicles or motorized equipment, left unattended at night adjacent to highways or construction areas, in locations which are identified by lights, reflectors and/or barricades.
- G. No employee shall disengage or otherwise modify or tamper with a safety device, except when undertaking authorized repairs.

XVI. COLLISION INVESTIGATION INVOLVING EMPLOYEES AND/OR VEHICLES

- A. If while operating a County-owned vehicle or a privately-owned vehicle in the performance of official duties, an employee is involved in an accident resulting in personal injury or property damage, he or she shall:
1. Request that all parties and properties concerned remain and render assistance at the scene of the accident, if possible, until a law enforcement representative has released them.
  2. All accidents involving County vehicles or persons on duty and actively engaged in County business shall be reported immediately by the driver of the County vehicle to his/her department head and to the appropriate law enforcement agency.
  3. Employee responsibility is to refrain from making statements regarding the accident to anyone other than the investigating law enforcement representative, appropriate County officials, and representatives of his or her own insurance company if the employee's privately- owned vehicle is involved. Statements made to investigating authorities should be confined to factual observations
  4. A copy of all police reports and any statements attached thereto shall be forwarded to the Civil Division of the Utah County Attorney's Office three days

after completion of the investigation. The County Attorney's Office will report such accidents to the County Accident Review Board.

5. A copy of the accident report form must be returned to the Utah County Fleet Services within three working days.

XVII. ACCIDENTS INVOLVING DEFECTIVE MOTORIZED EQUIPMENT

- A. When an accident occurs where defective motorized equipment is a possibility, the following action shall be taken:
  1. Attend to any injuries of employees or others.
  2. Turn motorized equipment in question over to the employee's supervisor, who shall consult with the Utah County Attorney's office.
  3. The employee's supervisor, in consultation with an authorized representative of the Fleet Services, shall write a detailed report, within one day, if possible, to include all circumstances surrounding the incident and all manufacturing information available concerning the motorized equipment in question. This report shall be submitted to the Utah County Attorney's Office. The County Attorney's Office will report such accidents to the County Accident Review Board.

XVIII. DEFENSIVE DRIVER TRAINING

- A. Within six (6) months of beginning employment with Utah County, each employee that is required to operate a vehicle in performing assigned duties shall satisfactorily complete a defensive driver training course arranged by or administered by Utah County. Any exceptions or extensions of time to comply shall be granted only with the written approval of the employee's department head and the County Human Resource Department.
- B. County employees and volunteers who drive while on County business shall be required to complete a defensive driver training course, approved or conducted by the County's insurer, every five (5) years

XIX. CELLULAR TELEPHONE USAGE IN COUNTY VEHICLES

Cellular Telephones shall be used in County vehicles only when said cellular telephones have been adapted for "hands free" use. Cellular telephones shall be used in County vehicles that have not been adapted for "hands free" use only while said vehicle is not in motion.

XX. SAFE DRIVER RECOGNITION PROGRAMS

Every Utah County department that has employees who drive Utah County vehicles on a regular basis will have a "Safe Driver Recognition Program." Each department will annually recognize drivers who, in the opinion of the employee's supervisor, abide by all safety provisions of the Utah County Government Motorized Equipment and Vehicle Policy, and are accident and citation free for the calendar year in question. Awards may be given to recognize such drivers at the discretion of each department.

### Employee Acknowledgement of Vehicle Usage Policy

This is to acknowledge that I have received a copy of the Utah County Vehicle Use Policy and that I have read the policy and understand my rights and obligations under the Policy.

I understand that this Policy represents only current policies, procedures, rights and obligations and does not create a contract of employment. Regardless of what the Policy states or provides, the County retains the right to add, change or delete provisions of the Policy and all other working terms and conditions without obtaining another person's consent or agreement.

My signature below further signifies that I have read this Policy and that I accept and will abide by all the provisions.	
Employee Signature	
Printed Name	Date