

RESOLUTION NO. 2010- 21

**A RESOLUTION ADOPTING UPDATED
PERSONNEL POLICY NUMBER 103 AND
PERSONNEL POLICY NUMBER 106
FOR KIOWA COUNTY, KANSAS**

WHEREAS, K.S.A. 19-101a, as amended provides that the Board of County Commissioners shall home rule authority; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Kiowa County, Kansas:

POLICY NUMBER 103: EQUAL EMPLOYMENT OPPORTUNITY

The current personnel policy shall be removed and replaced with the following:

POLICY NUMBER 103

TITLE: Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions of Kiowa County will be based on merit, qualifications and abilities. Kiowa County does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, genetic information or any other characteristic protected by law.

All supervisory personnel shall actively support recruitment and career development programs to ensure equitable representation of minority, female and handicapped individuals in all job categories. Each department head and supervisor has the responsibility and duty to adhere to the letter and spirit of the law in achieving the County's affirmative action goals and shall encourage all subordinate staff to support the achievement of these goals.

Kiowa County will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training.

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

**POLICY NUMBER 106: EMPLOYEE MEDICAL AND PSYCHOLOGICAL
EXAMINATIONS**

The current personnel policy shall be removed and replaced with the following:

TITLE: Employee Medical and Psychological Examinations

To help ensure that employees are able to perform their duties safely, medical and/or psychological examinations may be required as a condition of employment. Title II of the Genetic Information Nondiscrimination prohibits the use of genetic information in making employment decisions. Genetic information shall not be requested, required or purchased and shall not be disclosed except where allowed.

After a conditional offer of employment has been made to an applicant, a medical and/or psychological examination may be performed, at Kiowa County's expense, by a health professional of the county's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam(s).

Current employees may be required by their department head or supervisor to cooperate with a medical and/or psychological examination to determine fitness for duty. Failure to cooperate will result in immediate termination of employment. Such examinations will be scheduled at reasonable times and intervals and performed at Kiowa County's expense.

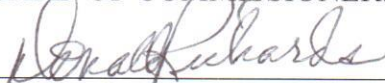
All medical, genetic, or psychological information or medical, genetic or psychological history of an employee shall be kept separate from other employee information, shall be confidential and shall not be disclosed publicly except in hearings taken against the employee.

The following language shall be included in any written request for a medical and/or psychological examination for any employee or applicant:

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Passed and adopted this 29TH day of December, 2010.

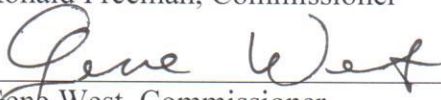
KIOWA COUNTY
BOARD OF COMMISSIONERS



Don Richards, Commissioner

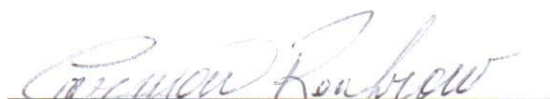


Ronald Freeman, Commissioner



Gene West, Commissioner

ATTEST:


Carmen Renfrow, Kiowa County Clerk