



ADMINISTRATIVE REGULATIONS (AR)

Table of Contents

Cash Handling.....	1
Data Privacy and Incident Response.....	8
Drug-Free Workplace.....	17
Employee Ethics Code.....	23
Non-Discrimination and Anti-Harassment.....	33
Social Media.....	39



I. SCOPE:

This Administrative Regulation applies to all City of Loveland departments and all City of Loveland employees including: Regular, Temporary, Interns, and Volunteers.

II. PURPOSE:

The purpose of this Administrative Regulation and related internal procedures is to ensure that all City of Loveland departments that handle cash have both an awareness of and show a commitment to strong internal controls for cash handling. Internal controls are necessary to prevent mishandling of funds and to safeguard against loss, protect employees from inappropriate accusations of mishandling funds by defining responsibilities in the cash handling process, and helping reduce the chance of robbery and/or theft.

III. DEFINITIONS:

- **Cash Handling** is comprised of collecting, depositing, and reconciling.
- **Cash** includes coin, currency, checks, money orders, and credit card transactions.

IV. POLICY:

All City departments collecting cash must address the following cash receipt controls by implementing procedures in support of these controls. Departments with occasional cash receipts or one-time, special events must follow the same minimum operating procedures that apply to units handling cash on a regular basis. If a special event is planned, it is expected that the cash handling aspects of the event will be finalized one week prior to the event with the Accounting Manager. Managers with direct and indirect oversight of cash collection are responsible for maintaining the proper environment of internal controls established by the City's written procedures. New employees handling cash are briefed on this internal regulation upon hiring. Departments have the ability to implement more restrictive (but not less restrictive) conditions on the handling of cash than those defined within this internal regulation.

Segregation of Duties

Separate the components of cash handling - collecting, depositing, and reconciling - so that one individual does not have responsibility for more than one component. In small divisions, where every component cannot be separate, the minimum standard requires the separation of handling of cash collecting and depositing from the reconciliation. In addition, the handling of cash should be limited to only necessary employees.

Safeguarding the Handling and Storing of Cash

- During hours of operation secure coins, currency and checks to restrict access by utilizing a register or a cash box that is out of sight from customers or other unauthorized employees.
- During hours of non-operation, store cash in a safe or other locked secure place, such as a locked desk drawer.
- Count cash in a secure area away from public view.
- Do not allow any unknown individual(s) access to cash without verification of two forms of identification and approval by the department supervisor and/or Accounting Manager. Verification of an individual must be documented and retained by the Department.
- Use of a courier service is required for departments unless authorized by the Utility



ADMINISTRATIVE REGULATION (AR)

AR-00006 Cash Handling

Effective: 05/10/2022

Billing Manager.

- If courier is not used, cash must be taken directly to the Sales Tax Division's Office without additional errands or breaks taken before cash is delivered.
- If departments are directly depositing funds to banks*, rather than through the Sales Tax Division's office, the deposits shall be counted and reconciled to the cash receipt journal by two individuals.
- Receipts, whether cash or checks must not be sent to other divisions within the city by inter-office mail. These funds need to be delivered either by the courier or hand-delivered by an employee of the City.

Depositing Promptly

- Deposit collected cash at least weekly or when the total on hand reaches a minimum of \$500 during the business day. Certain locations may require a more restrictive procedure based on security, cash/check composition, and the average dollar amount of checks.
- Deposit all funds received. Do not hold checks for future processing. Do not use cash received to cash checks from employees and customers.
- Refunds to customers must be fully documented within the accounting system or register.

Departments Depositing Funds Directly to Bank

Departments directly routing their deposits to the City's bank rather than sending their receipts to the Sales Tax Division's Office must have authorization by the Accounting Manager. These departments must forward deposit information to the Accounting Division.

Department Depositing Funds through the Sales Tax Division

For departments routing their deposits through Sales Tax; once a deposit is received, a member of the Sales Tax Division's staff is to verify the deposit by recounting the cash and processing the deposit intact. If a discrepancy in the deposit is discovered, the staff member immediately contacts the deposit originator to resolve the discrepancy prior to forwarding the deposit to the bank. Sales Tax must deposit funds within 48 hours of receiving the deposit.

Reconciliation Responsibilities

Each department must reconcile the cash-on-hand to the cash receipts journal at the end of a shift. After the deposit is processed, each department must reconcile the general ledger account activity to ensure the deposit has been applied to the desired account. Any discrepancies must be reported immediately to the Accounting Division. Segregation of duties applies such that one employee shall print a cash receipts journal and a secondary employee shall count the cash on hand, which should balance to the journal report.

Supervisory Responsibilities

- Ensure employees are complying with the Cash Handling Regulation and provide training to new and/or existing employees regularly.
- Ensure cash is safeguarded at all times.
- Regularly review cash deposits to the reconciliations to ensure correct posting.
- Monitor cash shortages/overages and investigate any recurring errors that occur within a one week period. In addition, investigate any individual shortages/overages \$50.00 and greater.
- Immediately notify the Accounting Manager and the Risk Manager of any suspicions



of fraud or theft.

Department Responsibilities

- Funds are to be posted to the accounting system or entered into the cash register once they are received and a receipt, either computerized or manual, must be given to the customer, unless funds are received by mail. The exceptions to this are departments that take in large quantities of coin. In this case, coins are to be sent directly to the bank to be counted. Once the total is received from the bank, the department is to enter the total into the system immediately.
- Review checks and verify all bills \$20 and greater, to ensure the City is not receiving counterfeit funds.
- Endorse checks immediately with City of Loveland restrictive endorsement stamp.
- Do not accept post-dated, two-party checks, temporary checks or checks that are not intended to be deposited immediately.

Monitoring of the Cash Receipts Process

Accounting Division staff, not directly involved with the cash handling process, have the responsibility to periodically monitor cash handling procedures in accordance with this internal regulation.

Overpayments

- Overpayments are not to be accepted when the intention is to provide a cash refund back to the customer.
- Overpayments must be applied as a credit to the customer's account.
- If the customer would like a refund check in lieu of credit, the check request must be processed and approved by the department supervisor and forwarded to Accounts Payable for processing.

Returned Checks

- All checks are processed twice through the City's established financial institution/bank.
- The Sales Tax Division is to review return items on a daily basis.
- The Sales Tax Division is required to give a copy of the return items to the Accounting Department and to the original depositing department.
- The originating Department will be responsible to charge appropriate fees to the customer.

Credit Card Payments

Upon request, the Accounting Manager may authorize City departments to accept credit card payments. Authorized City departments may currently accept VISA, MasterCard, Discover and American Express. Credit card cash advances for employees or customers are **strictly prohibited**.

Lockbox Services

Currently the City's bank does offer lockbox services and the city uses this service for Utility Billing and Miscellaneous Accounts Receivable. If another division wishes to utilize lockbox services an evaluation needs to be completed. The evaluation needs to include the following:

- An analysis of the existing workflow from receiving mail to depositing payments and posting receivables
- Volume of transactions
- Staffing requirements



ADMINISTRATIVE REGULATION (AR)

AR-00006 Cash Handling

Effective: 05/10/2022

- Expected float savings from using a lockbox
- Security of the lockbox process
- Employee accuracy
- Enhanced customer service
- Capital requirements, if any
- Lockbox service charges
- Time necessary to complete

Basis For Mandate:

Internal governance

V. PROCEDURE:

The following procedures are to ensure proper internal controls, segregation of duties, and adequate safeguards of City of Loveland funds in accordance with accompanying Internal Regulation. Certain departments may require a more restrictive procedure based on security, cash/check composition, and the average dollar amount of checks.

Safeguarding Funds

- All bills \$20 and greater must be verified to ensure the City is not receiving counterfeit funds.
 - As soon as the bill is received, the employee will mark the bill with a counterfeit pen.
 - If the color does not turn dark, continue with the transaction.
 - If the color does turn dark, contact the supervisor immediately. The supervisor will contact the police department.
 - Run fingers over the corners of the bill to make sure there is no unusual thickness around the numbers. Counterfeiters can copy a \$10.00 or \$20.00 bill, cut out the numbers and paste the numbers on a \$5.00 bill. When checked with a pen, it will not detect the bill as being counterfeit.
- All checks will be stamped immediately with the City endorsement stamp.
 - If an endorsement stamp is not available, keep the check in a secure area and bring to the Revenue Division the next business day after receipt.
- Combinations to safes must be changed periodically (at least annually). When there is a change in personnel in the department, both the combination to the safes and drawer locks must be changed.

Collecting Funds

Cash Payments

- Acceptable methods of maintaining cash receipt records include: (1) cash register, (2) accounting system, and (3) multiple-copy receipt book (only acceptable in limited locations with very low volumes of transactions or locations that receive checks only). A cash register or accounting system is the preferred method.
- Cash transactions need to be properly entered into the Cash Register or Accounting System as "cash" in order to properly reconcile the daily transactions at the end of the shift.

Check Payments



ADMINISTRATIVE REGULATION (AR)

AR-00006 Cash Handling

Effective: 05/10/2022

- Upon accepting a check payment, immediately stamp the back of the check with the City of Loveland’s restrictive endorsement stamp.
- Maintain a manual daily listing of checks received if the cash register or accounting system is not utilized
- Check Transactions need to be properly entered into the Cash Register or Accounting System as “check” in order to properly reconcile the daily transactions at the end of the shift or end of the day.
- Cash collection locations are not permitted to “cash” personal checks or allow employees to “cash” checks from un-deposited funds.

Credit Card Payments

- Verify that the signature on the back of the card and the name embossed on the card are the same. If the card is not signed, request two forms of identification, one of which is a picture ID.
- Verify the expiration date (the card is valid through the last day of the month embossed on the card).
- Always obtain an electronic authorization by swiping the card through the point of sale terminal and the transaction being accepted. If the terminal is not operational, follow the bank’s instructions for obtaining a phone authorization.
- If the terminal indicates that the transaction is “denied”, try only **one** more time and then you must try a different card. Do not continue trying the original card.
- Credit card payments when the card is not present are not allowed (by phone or in person).
- Cash advances for employees or customers are strictly prohibited.
- Batch settlements must be made on a daily basis.
- All copies of the transactions must be kept and balanced to the batch settlement.
- Credit card transactions need to be properly entered into the cash register or accounting system as “credit card” in order to properly reconcile the daily transactions at the end of the shift or end of the day.

Depositing Funds

- If staffing levels permit, an individual independent of the payment collection process must compile the cash to be deposited and the deposit slip package.
- The bank deposit must include an adding machine tape with a total for the checks, a total of the cash and finally a total of the checks and cash. The total must match any accounting reports. The checks, cash and deposit slip (if applicable) must be sent to the bank or the Sales Tax Division bundled in an organized manner. Cash must be bundled for deposits as follows:

Table 1 Cash Deposit Bundle Chart

Denomination	Amount of Bundle
One’s	\$ 25.00
Five’s	\$100.00
Ten’s	\$200.00
Twenty’s	\$500.00
Fifty’s	\$500.00
One Hundred’s	\$500.00



ADMINISTRATIVE REGULATION (AR)

AR-00006 Cash Handling

Effective: 05/10/2022

- The preparer of the deposit slip package must compile the package to be sent to Accounting (if depositing directly to the bank) or to the Sales Tax Division for processing. The deposit slip package must include the copy of the deposit slip (if depositing directly to the bank), adding machine tape totals, daily cash worksheet, credit card batch settlements, accounting reports, cash register reports (if applicable), and any other applicable reports that support the deposit amount.

Reconciling Funds

Cash Drawer Reconciliation

- Cash drawers and cash registers must have a designated amount of cash on-hand to start the following day and the remaining cash must be placed in the safe/locked drawer or deposited to the Cashier's office in Sales Tax.
- Cash drawers and cash registers must be counted down before and after each shift and a worksheet must be completed. A Reconciliation Worksheet is available on the Accounting intranet site.
- The worksheet must include:

1. **Determination of deposit amount:**

Beginning of day (or shift) balance	
+ Cash receipts during the day (or shift)	
+ Checks received during the day (or shift)	
- Standard amount kept on-hand	
= Deposit amount	

2. **Physical count of the cash and checks:** The Reconciliation Worksheet must show the breakdown of the cash by denomination.
 3. **Reconciliation of activity:** The physical count of cash and checks must be reconciled to the cash register report, multiple-copy receipt book or manual cash receipts journal, whichever is applicable. Any overages or shortages must be indicated on the Reconciliation Worksheet and investigated.
 4. **Signatures:** The Reconciliation Worksheet must be signed and dated by the preparer.
- A supervisor must review the worksheet and investigate overages and shortages greater than \$50. The supervisor must sign and date the Reconciliation Worksheet upon completion of the review process and notify the Accounting Manager of the overage/shortage.

Credit Card Receipts Reconciliation

- Credit Card receipts must be reconciled to the "end of day" report generated by the credit card system to ensure all credit card receipts are accounted for and deposited to the Cashier's office in Sales Tax.
- Batch settlements must be made on a daily basis.
- Copies of all the transactions must be attached to the batch settlement.

VI. OTHER RELATED REGULATIONS & PROCEDURES:



ADMINISTRATIVE REGULATION (AR)

AR-00006 Cash Handling

Effective: 05/10/2022

AR-00007 Petty Cash Handling

VII. CITY MANAGER SIGNATURE:

A handwritten signature in blue ink that reads "Stephen C. Adams".

Stephen C. Adams, City Manager



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

I. SCOPE:

This Administrative Regulation applies to all City of Loveland departments and all City of Loveland employees including: Regular, Temporary, Seasonal, Interns and Volunteers.

II. PURPOSE:

The Administrative Regulation ensures that the City gathers information as a matter of business following the requirements of State Law: C.R.S. 24-73-101 *et seq.* requires governmental entities to create a policy for effectively managing the integrity of personal information with reasonable measures in the event of a data breach. This Policy specifically addresses how to deal with “Personal Identifying Information (PII)” and “Personal Information (PI)” as defined below and how to respond to a possible security breach or incident.

III. DEFINITIONS:

- Personal Identifying Information (PII) is a superset of personal confidential data defined as:
 - Social Security Number
 - Personal Identification Number (PIN)
 - Password
 - Pass Code
 - Official state or government-issued driver’s license or identification card number
 - Government passport number
 - Biometric data (unique data generated from measurements or analysis of human body characteristics for the purpose of authenticating the individual when accessing an online account, including fingerprints)
 - Employer, student or military identification number
 - Financial transaction device (any instrument or device such as a credit card, banking card, debit card, electronic fund transfer card, guaranteed check card, or account number representing a financial account)

- Personal Information (PI) is a subset of PII to include a first name (or initial) and last name (or username or email address) in combination with the following elements (if not encrypted, redacted or secured by a means to render the name of the element unreadable or unusable) that would for example permit access to an online account:
 - Social Security number
 - Student, military or passport identification number
 - Driver’s license number or identification card number
 - Medical information (any information regarding medical or mental health treatment or diagnosis by a healthcare professional)
 - Health insurance identification number
 - Biometric data



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

- Account number, credit or debit card number in combination with any required security code, access code or password
- PI does not include publicly available information (lawfully available to the general public from a Federal, State or local government record or distributed media).
- Notification: The procedure of realizing when a security breach occurs, identifying the type of data affected and the set of Colorado residents it affects, and making required notifications to affected Colorado residents as well as notification to the Colorado Attorney General when required.
- Security Breach or Data Breach: means the unauthorized acquisition of unencrypted computerized data or physical records that compromise the security, confidentiality or integrity of Personal Information (note this applies to the physical removal of paper records as well as, for example, a hard drive with data not effectively destroyed).
- Data Subject: the person whose PII is being collected.

IV. POLICY:

All data created during the completion of City business by all City personnel, volunteers, and contractors is within the scope of this policy regardless of storage or processing location. All employees included in the scope above are "Users", including those providing contracted services if they store or access City data. All Users are responsible for understanding and complying with the terms and conditions of this policy. This policy applies to all Users, whether working onsite or offsite, and is not limited to business hours. Compliance with this policy is mandatory. Security breaches can happen City Wide, department level, or on individual computers. Report any security breaches to IT as soon as possible.

This Policy provides consistent guidelines for how the City protects PII and PI, how long that data remains in the possession of the City if not controlled by other law or expectation, and how that data is disposed when no longer needed (or retained as required per the City Retention Schedule found on the City Clerk's intranet page). This Policy outlines what notifications need to take place in the event of a data breach of Personal Information.

Basis For Mandate:

Colorado Constitution Article XI, Sec. 2.
City Code Section 3.04.095



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

VI. PROCEDURE:

General Applicability and Guidance

- I. Don't collect information that is not needed by law or for some other required City business purpose.
- II. Every employee is responsible for PII and PI, if collected, and the measures to control and maintain the confidentiality of the information.
- III. At least once per year, each department must schedule a data destruction day, in compliance with retention and destruction schedule adopted by the City Clerk (or Police Department) for both electronic and paper copies.
- IV. Each Department should identify documents containing PII or PI and a policy for retention and deletion of electronic records containing PII or PI (in accordance with the City's retention policy.)
- V. Employees should keep all data secure by taking reasonable precautions such as those in this policy.
- VI. Data access permissions are determined based upon the functional role of an individual employee.
- VII. Sharing documents containing PII will only be done using secure methods: encrypted flash drive, secure file share, or fax. PII will not be shared informally outside of these tools and methods. It should not be stored to a local hard drive or removable media.
- VIII. Security Awareness training will be required at least annually and for all new employees.
- IX. Personal data will not be disclosed to unauthorized persons, either within the organization or externally.
- X. Paper records containing PII should be kept physically secure when not being actively used. When no longer needed, paper records containing PI or PII must be shredded.
- XI. Employees will ensure screens are locked when left unattended for any period of time.



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

Types of Data Collected

The below lists are examples and not an exhaustive list and may not include all types of information or data.

I. Sensitive:

Require Protection and Confidentiality

The following categories of data contain PII and must be kept confidential or redacted prior to disclosure; employees shall consult with the City Attorney's Office for guidance when necessary:

- Sales tax returns
- Utility Payment user and financial data
- City Service user and payment information and data for Library, Cultural Services, Parks and Recreation
- Police records
- Employee personnel information
- Municipal court records
- Liquor, Pawnbroker, and other licensing records
- Medical and other records of children in the Chilson licensed childcare program
- Waterbank files
- Airport TSA information
- COLT paratransit rider information

II. Public Documents:

- City Council Agenda, Packets, Minutes
- Resolutions and Ordinances
- Minutes of all Board and Commission Meetings
- Board and Commission Agendas and Packets
- Contracts (generally with some exceptions or redactions)
- Core GIS data
- Building Permit Applications and Data
- Planning Documents
- City Council members' email communications
- Pay plan documents

Incident Response Plan ("Plan")

Protection of City information and data is paramount. This Plan will provide a checklist for responding to a security incident or potential data breach. An incident can be intentional or unintentional, and this Plan could be implemented in response to any event having an adverse effect on the City's network or resulting in a data breach.

1. This Plan describes safeguards to protect sensitive information, including PII. These safeguards are provided to:



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

- Protect the confidentiality, integrity and availability of data and the City's network;
- Protect against a data breach that could result in harm or inconvenience to a client or user and meet any notification requirements;
- Protect against anticipated threats or hazards to the security or integrity of sensitive information, including PII;
- Identify and assess the risks that may threaten PII;
- Conduct a reasonable investigation to determine the likelihood of information that has been or will be misused;
- Conduct a post-incident investigation to capture lessons learned;
- Develop written policies and procedures to manage and control these identified risks or vulnerabilities;
- Adjust the Information Security Program to reflect changes in technology, the sensitivity of data stored, and internal or external threats to information security.

Incident Response Team (“IRT”)

This group will include the following members, at a minimum, the following: the City's Chief Information Officer or designee, the Human Resources Director or designee, the City Attorney or designee, the Police Chief or designee, the City Clerk or designee, the Library Director or designee, Water and Power director or designee and Chief Financial Officer or designee.

The IRT will meet at least quarterly to review security procedures and policies, ensure all participants on the IRT know their roles in the event of an incident, and to update training and education provided to Users. The CIO or designee will schedule and convene meetings.

Response Procedure

This section establishes steps for responding to an incident and initiating the Plan.

Initial Discovery

1. Anyone suspecting or noting a security incident, data breach, potential system compromise, or malicious activity must contact Information Technology or a member of the IRT as soon as possible. This includes paper or electronic data or records.



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

2. If it is suspected that it is a computer network incident, IT will review the network system to determine if there has been a security incident or data breach, and the nature and seriousness of the incident. The CIO or designee will convene a meeting of the IRT. IT or any member of the IRT will consider the following questions and discuss them with the appropriate staff, documenting initial triage.
 - Does the system, data, or record contain City sensitive information or PII?

If yes, activate IRT to investigate and respond.
 - Does the incident include possible criminal activity, and should it be reported to law enforcement?

If yes, contact the City Attorney and IT (if not already involved) and apply the below as appropriate.
 - Do preliminary analysis - isolate the compromised system by disconnecting the network cable. If this is not feasible or desirable, IT can block access to the compromised system via the network. If the incident involves the network or electronic data or security breach, IT will be the lead for action to isolate and minimize the incident.
3. Determine the security incident type - try to determine the cause of the malicious activity and the level of system privilege attained by the intruder.
4. Disable any compromised accounts and terminate all processes owned by them.
5. Compile a list of IP addresses involved in the incident, including log entries if possible, and forward the data to Information Technology.
6. Determine the users that need to change their passwords due to the compromise, as well as whether or not they have accounts on other systems using the same credentials and notify the IT administrators for those systems.
7. Notify the owners of the compromised accounts and reissue credentials. Consider the likelihood of the intruder having access to the compromised account email and utilize other contact methodology.
8. Determine whether all affected users have established new user IDs **and** passwords.
9. Identify systems accessed and whether sensitive data or PII has been released or compromised.
10. Rebuild the system and verify that its network access should be re-established by contacting Information Technology.



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

11. Information Technology may perform vulnerability scans, if feasible and practical, of the system after it is unblocked to identify any unresolved security issues that might be used in future attacks against the system.

Privacy Breach Incident Response

1. If a security incident is suspected to be a data privacy breach, immediately notify the IRT, including the City Attorney and Information Technology, and convene a meeting of the IRT. Invite the Public Information Officer, or designee, to assist with messaging and press releases if the breach involves a large breach or significant incident. The CIO or designee is responsible for convening the meeting.
2. Determine what information was suspected to be breached, i.e., specific individuals' first and last names with a type of PII, and how. The CIO will brief the City Manager throughout the incident.
3. If a large breach or significant incident, bring in an incident-response expert, computer forensic expert, or law enforcement to conduct an investigation. Identify the scope, time frame and source(s) of breach, type of breach, whether data encryption was used and for what, possible suspects (internal or external, authorized or unauthorized, employee or non-employee user).
4. If the breach was accidental, negligent, or non-malicious, identify the data breached and steps to secure the information.
5. Review for other compromised systems.
6. Monitor all systems for potential intrusions.
7. Follow notification requirements found below.

After Action Review

1. Hold a meeting of the IRT within one week of completion of response.
2. Review chronology of the event.
3. Identify what went wrong and what went right. For instance, "encryption was used on the file server containing City Confidential Information and PII".



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

4. Identify the threat or vulnerabilities that were exploited and determine whether it/they can be alleviated.
5. Review if all intrusion detection or prevention was in place, active and up to date.
6. Document “lessons learned” and assign appropriate updates to Information Security Program or other operational processes, document management AR, this Data Privacy and Incident Response Policy, and update employee training accordingly.
7. If third party entities or software are responsible for the incident or breach, the IRT will review whether those programs must be discontinued, upgraded, or if other action is warranted.

Notification of Breach

If the IRT determines a security breach of PII occurred after a good-faith and prompt investigation, the IRT will assure the affected individuals are notified within 30 days after determination that the breach occurred. (No notification is required if the investigation determines that misuse of the information is not reasonably likely to occur.) The breach of encrypted or otherwise secured personal information must receive the notification if the encryption key, confidential process or other means to decipher the secured information was also acquired in the security breach (or was reasonably believed to have been acquired.)

Also, if the breach affects more than 1,000 residents, consumer reporting agencies must be notified. The State Attorney General’s office must be notified if more than 500 residents are affected.

IRT will ensure the notice includes the following: 1) the date or date range of the security breach; 2) a description of the personal information that was acquired or reasonably believed to have been acquired; 3) information that the Data Subject can use to contact the City to inquire about the security breach; 4) the toll-free numbers, addresses, and websites for consumer reporting agencies; 5) the toll-free number, address, and website of the federal trade commission; and 6) a statement that the Data Subject can obtain information from the federal trade commission and the credit reporting agencies about fraud alerts and security freezes.

The City will direct the person whose personal information has been breached to promptly change his or her password and security question or answers and take



ADMINISTRATIVE REGULATION (AR)

AR-00067 Data Privacy and Incident Response

Effective: 12/05/2019

other steps to protect the online account. The City will not charge any fee for providing the notice.

The notification may be delayed if a law enforcement agency determines that the notice will impede a criminal investigation and the law enforcement agency has informed the City not to send the notice. If delayed by such a law enforcement request, notice must be sent without unreasonable delay and not later than 30 days after law enforcement determines that notification will no longer impede the investigation.

VII. OTHER RELATED REGULATIONS & PROCEDURES:

- AR44-Document Management
- AR46-Email Use and Retention
- Information Security Plan
- Monitoring and Use of Electronic Media

VIII. CITY MANAGER SIGNATURE:

A handwritten signature in blue ink that reads "Stephen C. Adams".

Stephen C. Adams, City Manager



ADMINISTRATIVE REGULATION (AR)

AR-00039 DRUG-FREE WORKPLACE

Effective: 08/08/2024

I. SCOPE:

This Administrative Regulation applies to all City of Loveland departments and all City of Loveland employees including Regular, Temporary, Seasonal, and Volunteers. Individuals subject to testing under Department of Transportation (DOT) or Federal Transportation Authority (FTA) regulations are governed by the procedures outlined in this AR as well as the procedures for testing contained in AR-00040 (DOT) and AR-00041 (FTA).

II. PURPOSE:

This Administrative Regulation ensures that all City of Loveland departments, employees, and volunteers are complying with the Drug-Free Workplace Act of 1988 and City policy.

III. DEFINITIONS:

- **MRO** refers to Medical Review Officer.
- **SAP** refers to Substance Abuse Professional.
- **Safety Sensitive**, for the purpose of the Drug-Free Workplace AR, is a position with responsibility for the safety and security of people.

IV. POLICY:

The purpose of this regulation is to promote a safe workplace for City employees and volunteers as well as a safe environment for citizens by eliminating the hazards created by the misuse of alcohol and use of controlled substances. **The City has a ZERO TOLERANCE policy regarding drug use and alcohol misuse. Violations of the policy will likely result in termination of employment from the City of Loveland.** City personnel may not:

- Unlawfully manufacture, distribute, dispense, possess, or use “drugs”
- Report to work with a blood alcohol content percentage (BAC) of 0.02 or more
- Use alcohol while on duty.
- This prohibition does not apply to undercover Police Officers acting in conformance with Police Directive 43.

Employees in positions that require a valid driver’s license in order to perform their job must immediately inform their supervisor if they receive a citation for any traffic violation that results in a suspension or revocation of their driver’s license. As required by the *Drug-Free Workplace Act*, employees shall notify the City of **any criminal drug statute conviction** in the workplace. As a provision of the Act, all employees must notify the City of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Failure to comply with this provision shall result in disciplinary action, up to and including termination.

An employee who tests positive, as it relates to this policy, for any non-prescribed, controlled substance or inappropriate use of alcohol will be recommended for termination of employment. The City prohibits the use of marijuana, including recreational and medical marijuana, per Federal law. If the positive test result is based on inappropriate use of legally prescribed medication, the employee will be recommended for termination, but this MAY be considered a mitigating circumstance.



ADMINISTRATIVE REGULATION (AR)

AR-00039 DRUG-FREE WORKPLACE

Effective: 08/08/2024

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel. Medical advice, along with a release to work statement from a licensed physician, must be sought by the employee as appropriate before performing work-related duties. If there are work restrictions that cannot be temporarily accommodated, the employee may be required to take leave time or work in an alternate assignment.

Basis For Mandate:

- Drug-Free Workplace Act of 1988

V. PROCEDURE:

Screening

City personnel are subject to various types of screening based on the individual position as outlined in this policy under the section: Circumstances Requiring Drug and/or Alcohol Screens.

Types of Screens

1. *Alcohol Screens:* The percentage of alcohol in an individual's blood stream, "blood alcohol content" or "BAC", can be ascertained through the analysis of a breath or blood sample. Since obtaining a blood sample is more intrusive than obtaining a breath sample, blood screens will only be used when an accurate reading cannot be obtained through breath analysis.
2. *Drug Screens:* The City will screen for drugs that are illegal according to Federal laws, 49 CFR Part 40, as amended, which include marijuana metabolites, cocaine metabolites, opioids, amphetamines, and phencyclidine (PCP) through urine or oral fluid specimens if permitted due to extraordinary circumstances. In the event there is reason to believe an employee is abusing a substance other than the drugs listed above, the City reserves the right, under its own authority, to test for additional drugs using standard laboratory testing protocols.

Time requirements

Because the presence of alcohol and drugs diminishes over time, it is critical that screens be conducted expediently. Accordingly, once notified of the need for a test or tests, City personnel must submit to the administration of the test(s) within two (2) hours, unless physically incapable of doing so. If an individual is physically incapable of submitting to the test(s), *and such inability is beyond the individual's control*, the supervisor may authorize a delay in the administration of the test(s). Such authorization must be in writing, must specify the reason for the delay and require the individual submit to the test(s) as soon as physically capable. This written documentation must include an explanation as to why the test was not promptly administered and must be forwarded to the Human Resources Department within 24 hours.

If an individual is not tested for *alcohol* within eight (8) hours of request or is not tested for *drugs* within 32 hours of request, all attempts to require such test(s) will cease. In absence of a documented physical inability, the failure to submit to the test(s) within two (2) hours of notice is



ADMINISTRATIVE REGULATION (AR)

AR-00039 DRUG-FREE WORKPLACE

Effective: 08/08/2024

a violation of this policy and is grounds for discipline. In addition, the failure to submit to the test(s) within this time frame shall result in the presumption of a positive test result.

Results and Retesting:

1. **Negative Results:** Screens that do not identify the presence of drugs and/or alcohol or screens that result in a BAC of less than 0.02 are considered negative. All drug test samples will be discarded after 72 hours.
2. **Positive Results:**
 - a. Alcohol - If the first test is positive, a second test shall be administered after a waiting period of 20 minutes.
 - b. Drug screens - If the result of the first test is positive and the employee questions the results of the test, the employee may request testing of the split specimen.

The employee's request must be made to the Medical Review Officer (MRO) within 72 hours of notice of the first test result.

Circumstances Requiring Drug and/or Alcohol Screening:

1. **All Employees:** If an employee is required to submit to drug and/or alcohol screening, for any reason, their supervisor will remove the employee for the work location to ensure the safety of all, and they will provide safe transportation to a testing center. The supervisor will also make sure the employee returns home safely, and they will not report to work until the test results are provided.
2. **Reasonable Suspicion:** Any City employee or volunteer reasonably suspected of being impaired by alcohol or drugs, while on duty may be required to submit to a drug and/or alcohol test. The observation of any aspect of the individual's appearance, behavior, speech, or body odors which lead a supervisor or other official trained in recognizing the signs and symptoms of drug and alcohol use, to believe that the individual is under the influence of alcohol or drugs is sufficient to establish reasonable suspicion. The person who makes the observations shall document the basis in writing and contact the Human Resources Department immediately. If HR is not available for consultation, the person should consult with another supervisor or other City personnel that has been trained in recognizing the signs and symptoms of alcohol and drug abuse. The person who made the observations will not administer the alcohol or drug test. If an individual is required to be tested under these circumstances, the City will provide transportation to and from the testing site, unless other appropriate arrangements satisfactory to a supervisor have been made. In no event will the individual be authorized to drive to the testing site.
3. **Post-accident:** While general employees and volunteers are not subject to *automatic* post-accident screening, the City may require drug and/or alcohol screen(s) after an accident when there are reasonable grounds to suspect that the individual was under the influence of drugs and/or alcohol at the time of the accident.
4. **On-call:** On-call employees are "on-duty" during the on-call period and they are subject to the same drug and alcohol requirements as other "on-duty" employees. If an on-call employee is requested to report for duty and has consumed alcohol, the employee must notify the supervisor on duty and the inability to perform safety-sensitive functions. Such



ADMINISTRATIVE REGULATION (AR)

AR-00039 DRUG-FREE WORKPLACE

Effective: 08/08/2024

acknowledgment or a failure to report for duty without a verifiable emergency excuse will be deemed an admission of having an alcohol concentration of 0.02 or greater, and the employee will be subject to disciplinary action up to and including termination. If the employee acknowledges the use, but believes their ability to work is not compromised, the employee must submit to an alcohol test prior to working. If the City requires an employee to be tested under these circumstances, in no event shall the employee be authorized to drive to any testing site.

5. **Call-back:** “Off-duty” employees who are called back to work must advise their supervisor, prior to reporting for work, if the employee reasonably believes he/she would violate this policy by reporting for work. “Off-duty” employees will not be disciplined for self-reporting under the Drug and Alcohol policy. However, employees with excessive self-reporting incidents may be subject to discipline under AR-00012. It is a violation of this AR to return to work in an impaired condition or to fail to advise the supervisor of the employee’s impaired condition.
6. **Return to Duty:** Employees with positive drug or alcohol test results will, in all likelihood, be recommended for termination. In the unlikely event that mitigating factors result in the decision not to terminate the employee, the return-to-duty and follow-up testing policies will apply.
7. **Follow-up Testing:** All City personnel who test positive for drugs and/or alcohol but have not been terminated, will be evaluated by a Substance Abuse Professional (SAP) chosen by the employee from a list provided by the City and will be subject to additional testing. The number and frequency of such testing shall be as directed by the SAP. A minimum of six (6) unannounced follow-up tests will be administered during the first 12 months following return-to-duty. Further, if the SAP decides that an individual needs additional follow-up testing, that individual will be subject to unannounced follow-up screens for a period up to 60 months.
8. **Recreation Department Positions:** Individuals in or applying for safety =-sensitive positions are subject to greater scrutiny for drug and alcohol use. Recreation Department positions are limited to Aquatics areas and are those that interact with and/or protect others in the water and where failure to properly perform the job duties would put the employee or others at risk of injury or death. Contact Risk Management or Human Resources for the full list.
9. **Police Department Positions:** Individuals in or applying for Police Department positions are subject to greater scrutiny for drug and alcohol use. All Police Department employees will be subject to pre-employment drug screening.
10. **Northern Colorado Regional Airport Positions:** Employees authorized to carry a firearm as part of the Wildlife Mitigation Program at the Airport are considered safety sensitive positions and are subject to all the same screening requirements as the Police Department. Contact Risk Management or Human Resources for the full list of positions.
11. **Pre-Employment:** A pre-employment drug screen will be conducted after an individual has accepted a position but before assuming any duties. An alcohol screen may also be required. The offer of any position is conditional upon the individual passing the screen(s).



ADMINISTRATIVE REGULATION (AR)

AR-00039 DRUG-FREE WORKPLACE

Effective: 08/08/2024

Any individual failing the pre-employment screen(s) will be notified that the conditional offer has been withdrawn and the individual will NOT be hired for the position.

The City will notify applicants of this policy at the time of application. Applicants must sign a consent form by which the applicant submits to such screen(s). Refusal to sign the consent form and/or to submit to the screens will disqualify the applicant from employment in the position.

For this administrative regulation, Police Department "safety-sensitive" positions include any employees who carry firearms, personnel with close proximity to criminals, drugs or drug traffickers, or have access to firearms, as well as employees in the 911 Communications Division. In addition to being subject to testing based upon reasonable suspicion, as described above, individuals in safety-sensitive positions will be subject to screening in the following circumstances:

Random Screens: As a condition of employment, individuals holding safety-sensitive positions will be randomly selected for drug and/or alcohol screens.

1. Random **alcohol** screens may only be administered while an individual is performing, just before an individual performs, or just after an individual has performed their safety sensitive duties.
2. Random **drug** screens may be performed at any time an individual holding a safety sensitive position is performing their duties.

Post-Accident/Incident:

- a. After an accident/incident occurs, and in absence of reasonable suspicion, the employee may be offered the opportunity to voluntarily submit to testing if it is deemed to be in the best interest of the City and/or individual; or
- b. as required by the Officer-Involved Incident Protocol prescribed by the Office of the District Attorney, Eighth Judicial District.

An individual involved in an accident or incident *who is not in need of immediate medical attention* must remain available for testing; failure to remain on the scene will be considered a refusal to test and, as such, will be grounds for discipline and will result in the presumption of a positive test result.

Discipline and Treatment:

In the unlikely event that mitigating factors result in the decision not to terminate an employee who tests positive for either drugs or alcohol under the provisions of this policy, the following policies will apply.

Discipline:

Any individual who: (1) fails the test for alcohol and/or drugs; (2) fails to submit to the administration of such testing within the time limits set forth in this regulation (absent physical inability); or (3) in any fashion, knowingly obstructs, impedes, delays, or interferes with such testing shall be subject to termination proceedings.

An employee will be suspended pending termination proceedings. The absence will be considered an unexcused absence, and the employee will be required to use accrued leave to cover their absence. If the employee does not have any accrued leaves the employee will be on leave without pay.



ADMINISTRATIVE REGULATION (AR)

AR-00039 DRUG-FREE WORKPLACE

Effective: 08/08/2024

Treatment

An individual who tests positive for drugs and/or alcohol will be recommended for termination of employment. Individuals who are not terminated will be required to be evaluated by a Substance Abuse Professional (SAP) at their own expense. Treatment, if recommended, will be at the employee’s expense. Further, such individual may not perform any job duties until:

1. The SAP documents the successful completion of any required rehabilitation or confirms that no rehabilitation is required; and,
2. Return-to-duty testing has been conducted documenting a BAC of less than 0.02 and/or a verified negative drug test result.

Information and Training

The City of Loveland will provide training outlining the above procedures and make written copies of procedures available to City of Loveland employees and volunteers. All supervisors and managers must receive training on drug use, alcohol misuse, and reasonable suspicion. All individuals should be made aware of the dangers of alcohol and drug use in their jobs and further advised of how to obtain help through the Employee Assistance Program (EAP).

Recordkeeping

The types of records to be maintained include documents related to testing, education and training. These documents will be shared on a need-to-know basis and in accordance with applicable law.

VI. OTHER RELATED REGULATIONS & PROCEDURES:

Table 1 Other Related Regulations & Procedures

AR Number:	AR Name:
AR-00043	Due Process
AR-00012	Conduct, Performance and Discipline

VII. CITY MANAGER SIGNATURE:

Roderick Wensing, Acting City Manager



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

I. SCOPE:

This Administrative Regulation applies to all City of Loveland departments and all City of Loveland employees including: Regular, Temporary, Interns and Volunteers. This policy applies whether working onsite or remotely.

II. PURPOSE:

This Administrative Regulation ensures that all City of Loveland departments and employees are complying with provisions of all applicable laws and regulations pertaining to ethical conduct.

Ethics Vision Statement

At the City of Loveland, we strive to achieve the core values of Accountability, Integrity, Transparency & Honoring the Public Trust, Collaboration, Innovation, Safety, Excellent Service with Courtesy and Kindness. As an organization, our mission and values are intended to guide our daily decision-making and help us deliver on our promise to the community. With this in mind, we expect our employees to demonstrate our values each day in their various city roles by making the following employee commitments.

Employee Commitments

- As a public servant representing the City of Loveland, I will honor and demonstrate integrity and accountability in all I do.
- I will treat all persons with courtesy, kindness and excellent customer service.
- I will identify and eliminate my participation in any individual or operational situation where a conflict of interest may exist.
- In situations where a conflict of interest does not exist, but the appearance of such may be perceived, I will discuss the situation with my immediate supervisor, second level manager or Human Resources (HR).
- I will, at no time or under any circumstance, accept gifts, gratuities or other things of value directly or indirectly from suppliers or vendors, which might influence or appear to influence purchasing decisions or other city transactions.
- I will not consider politics, religion, ethnicity, gender, sexual orientation, disability, gender identity and age when making decisions related to hiring, promotions, terminations, etc.
- I will not use my position or personal influence to obtain preferential treatment internally or externally.
- I will not seek to identify or retaliate against another for bringing forth a concern related to workplace ethics or conflict of interest.
- I will cooperate and speak truthfully in any investigation related to workplace ethics or conflicts of interest.
- I will support a positive work environment by communicating respectfully at all times.
- I will do my best to continue learning about workplace ethics and conflicts of interest by asking questions of my colleagues, supervisor, department director or HR.



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

III. DEFINITIONS:

- **Appearance of impropriety:** an action that would give a reasonably prudent person the impression that an employee is using his or her position for private gain, giving preferential treatment to any person, group, or organization, or not being impartial in conducting city business.
- **Benefit:** anything of value (personal property, services, loans, promise of reward or award, discounts, event tickets, meals) which an employee receives without paying fair market value.
- **Bribery:** an offer or agreement to confer any pecuniary benefit upon a public servant to influence the person's vote, opinion, judgment, exercise of discretion, or other action in his or her official capacity. (C.R.S. §18-8-302)
- **Confidential information:** all information, whether verbal, written, or electronically recorded, which is privileged or confidential and not available to the general public under applicable laws, ordinances and regulations, or which has otherwise been designated as confidential by the city council, the city manager or designee, or the city attorney's office.
- **Conflict of Interest:** any situation where a person, or his or her family members, may derive a personal benefit from the actions or decisions made in his or her official capacity
- **Employee Family Member:** spouse or domestic partner, parent, sibling, or child whether related by blood, marriage, or adoption.
- **Gift:** the transfer of a thing of value by one person to another person without receiving lawful compensation or consideration of equal or greater value.
- **ITB:** Invitation to Bid
- **RFP:** Request for Proposal
- **Thing of Value:** anything of value, including, personal property, real property, services, payment, loans, promise of reward or award, favors, discounts, forgiveness of debt, event tickets, or meals.

IV. POLICY:

The examples below are for illustration purposes and intended to assist in employee training and guidance in the identification of and response to ethical dilemmas and conflicts of interest. This list is not all-inclusive.

ETHICS RELATED TO TRAVEL:

The party responsible for payment of travel related expenses will vary as outlined below.

- **Conferences & Vendor Site Visits**

With supervisor approval, the City will pay appropriate and approved employee expenses when the purpose of such travel is job related and/or necessary.

Travel to visit a vendor site or an event sponsored by an association of vendors where the items are under consideration by the city to purchase, must be paid by the city.



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

- **Award Recipients**

Employees receiving awards for work on behalf of the City from other governmental or non-profit organizations are permitted to allow the granting organization to pay their travel expenses to and from the ceremony event. The employee must obtain supervisor approval to attend the event and the time away will be considered work hours.

Employees receiving awards from private sector organizations for work on behalf of the City must personally pay for all associated travel expenses or request the City to cover such expenses. The employee must obtain supervisor approval to attend and the time away will be considered work hours.

- **Speaker or Trainer at an Event or Conference**

With supervisor approval, employees who speak, present or train at a job-related engagement are acting within the scope of their employment. As such, the City will pay for appropriate and approved travel related expenses. If the event is hosted by a governmental or nonprofit agency, that agency may cover travel expenses. Any enumeration the employee earns must be remitted back to the City.

Outside the scope of employment, employees who speak, present or train must pay for all travel expenses and are allowed to retain any honorarium received. In addition, employees must obtain supervisor approval for any time away and use Paid Time Off accruals, if applicable.

See Travel AR-00058 for reimbursement, meals, lodging, car rental and other details of travel expenses.

Example(s):

1. Mike wants to observe a new technology for coating pipes, and Hummingbird Company who coats pipes has offered to pay for his visit to their San Diego production facility. Can Mike let the company cover his travel expenses? No. Mike can attend as long as his supervisor agrees this will benefit the City. In that case, the City will pay for Mike's travel. This will avoid the appearance of a conflict of interest when the City seeks bids for this product.
2. If an employee is attending a conference, can the employee attend a private sponsored event? A) Yes if the value of the event is less than \$50 and the sponsor will not be bidding or responding to any future procurement opportunities. B) Yes, if the private sponsored event is open to all conference attendees so the value would not be a concern.

BRIBERY:

Bribery is illegal and employees or representatives of the City may not accept a bribe or kickback from anyone for any reason or offer a bribe to any other employee or outside party.



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

ETHICS RELATED TO MEALS & GIFTS:

Employees are required to follow Loveland Municipal Code § 2.73 – Prohibited Gifts. Generally, anything of monetary value in excess of \$50 in a one-year timeframe is considered a ‘gift’ and may not be accepted. Ask yourself if the gift, even if less than \$50, is being offered because you work for the city. If the answer is yes, then you cannot accept it.

Employees may not accept a gift from people or organizations who do business with, or seek to do business with the City, or who seek some official action from you or your division. If it appears likely a vendor is attempting to influence you, don’t accept the gift regardless of the value.

Refer to AR-00031 - Meals, Food, and Entertainment expenses. Also See AR – 000XX – Taxable Items: Occasional meals provided for staff or meals provided so staff can work are permissible.

Refer to Municipal Code section 2.73 regarding prohibited gifts. Unless permitted under City Code Section 2.73.030, a city official shall not solicit, receive, or accept any gift or thing of value from any person, either directly or indirectly through the city official’s spouse or dependent child, without lawful consideration of equal or great value. Exceptions from 2.73.030:

- A non-monetary award, publicly presented, in recognition of public service;
- Gifts similarly available to the general public;
- Educational scholarships and grants available to members of the general public similarly situated;
- Grants and services provided for medical, respite or hospice care or other social welfare needs available to members of the general public similarly situated;
- An occasional, unsolicited gift having a fair market value of fifty dollars (\$50) or less;
- Unsolicited informational material, publications, or subscriptions related to the city official’s performance of his or her official duties;
- An unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item;
- Payment of or reimbursement for actual and necessary expenditures for registration, travel, lodging and meals for attendance at a convention, training seminar, or other meeting at which the city official is scheduled to participate as a representative of the city or to attend as part of his or her official duties;
- An occasional, unsolicited opportunity to participate in a business meeting or social function where a meal is served and/or entertainment is provided if the city official’s attendance would not be considered extraordinary when viewed in light of the position held by the city official;
- Gifts received by an employee from the city as authorized in the city’s personnel rules and regulations, and any gifts received by an employee



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

arising from his or her non-city employment and that is unrelated to his or her official city duties.

Example(s):

1. What about a cup of coffee? A cup of coffee is such a modest refreshment it is considered incidental, so you may accept it without worrying about who is giving it or why. Other incidental items include inexpensive food and beverages such as donuts or soda and may be accepted.
2. Can Julia obtain a bank loan for her car? Yes, at commercial rates available to everyone. Other items that are not considered gifts: publicly available discounts or items for which you pay fair market value. Publicly available may include a targeted specific group, like veterans or all public employees, and such a discount would be permissible. But remember, the definition of a gift is very broad. If you have a question about a gift, ask the City Attorney's Office, Human Resources, or Purchasing.

ETHICS RELATED TO EMPLOYMENT & OUTSIDE ACTIVITIES:

An outside activity may be prohibited because it is a conflict of interest or raises a question of impartiality in the performance of your duties. Check with your supervisor regarding employment outside of the City or outside activities.

Employees may not use City resources or work time to advocate for or against a campaign measure or candidate. You may use personal time or donate personal money.

Employees may not be paid as an expert witness or to advocate for a person or entity that is litigating against the City, or where the City is a party, or where the City has a direct and substantial interest or where litigation against the City has been threatened.

Example(s):

1. Jenny works for the Chilson Recreation Center and also has a part-time massage therapy business. What can Jenny do or not do? Jenny may not use City resources, like email or phone, to promote or do work for her outside business. And, remember, the City can and does monitor city email and other electronic systems. In addition, Jenny may not solicit Chilson clients. A fitness instructor may not market a product by saying she works for the City of Loveland. The instructor may explain she has experience as a fitness instructor working for a city.
2. Sam works part-time as a salesperson at an automotive parts store. Can Sam purchase supplies for his City job? No. Sam may not purchase supplies for the City from the parts store or act as a decision maker in any RFP or ITB pertaining to those supplies.

ETHICS RELATED TO USE OF CITY RESOURCES, EQUIPMENT, TOOLS:



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

City resources are for City business only. For cell phones, see the City cell phone policy. See AR-00026 for Use of City Resources.

Example(s):

1. Fred has a City truck that he takes home on the weekend and after hours. He wants to use the truck to pull his boat on the weekend. Is this appropriate? No, the truck is for City business use. If Fred has the City vehicle on the weekend and after hours and he is on call, Fred should consult his Department's on call policy.
2. Cindy has a personal business and she wants to make copies and send some faxes from her office at the City. May she do this? No. Cindy may not use City resources for her outside business.
3. Mary wants to help out her neighbor, who is in a wheelchair, do yard work on the weekend. Can Mary take home a chainsaw and a lawnmower from work to trim the neighbor's trees and mow the lawn? No. This is City equipment and it is intended only for City business. Although it seems like being a good neighbor is a good idea, employees cannot use City equipment for personal reasons. If it is an employee owned tool, then this would be okay to use their own tools. However, using the city maintenance facility or maintenance bays to repair a private vehicle would not be permitted.

ETHICS RELATED TO CONFLICT OF INTEREST OR APPEARANCE OF CONFLICT OF INTEREST:

A conflict occurs when you or a family member could benefit from your actions, contracts, or failure to act in your capacity as a City employee. Even the appearance of impropriety could result in a violation of the policy. By consulting with your supervisor or manager or HR on a possible appearance of impropriety and following direction given, an employee would not be subject to discipline in this instance.

In general, you should not fail to act, take action, or participate in a City matter, if a reasonable person who knew the circumstances of the situation could legitimately question your impartiality.

If you think you might have a conflict of interest, you should discuss it with your supervisor, manager, or someone from Human Resources immediately.

It is important that as a City employee, you remain impartial and provide a fair playing field when interacting with members of the public, vendors, and any third party.

A conflict of interest does not include any matter involving the common public interest, or any matter in which a similar benefit is conferred upon or is available to all persons or property similarly situated.



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

To avoid the appearance of impropriety, an employee may not be appointed to a City Board or Commission. In addition, an employee's family member (spouse or domestic partner, parent, sibling, or child whether related by blood, marriage, or adoption) is prohibited from being appointed to any City Board or Commission before which the employee regularly appears or advises. This shall not prohibit such person from being eligible for appointment to any other city board or commission not affected by this limitation. Hourly employees with no benefits may apply for a Board or Commission with City Manager approval, and then City Council makes the final decision regarding appointments.

Example(s):

1. Helen's husband owns a janitorial service company that does business with the City. Can Helen recommend that the City hire her husband's company? No. Nor can she review and comment on a proposal from his company to provide services to her department.
2. Carter's division approves grants. Carter is a board member for a local nonprofit organization. Can Carter review a grant application from his volunteer organization? No. Carter may not work on City matters reviewing or approving grant applications if the nonprofit organization might submit an application for a grant. In addition, Carter should tell the nonprofit that they cannot apply for any City grants if he remains a board member. HUD requires one year before someone who previously reviewed and approved grants can sit on a board of a non-profit who applies for grants.
3. Joe and Sally are neighbors. Sally has complained about the trees on her lot. Can Joe go to work the next day and try to get his co-workers who do tree trimming to move her up on the list? No. This is not allowed. However, Joe could put Sally on the list for tree trimming if she is not on it.

ETHICS RELATED TO CONFIDENTIALITY:

Employees should not share information that is confidential or otherwise not known to the public.

Employees may learn or receive confidential information in the course of their job, and employees are required to maintain the confidentiality of the information entrusted to the City.

Do not discuss confidential information in places where you can be overheard, such as elevators and restaurants or hotels. In addition, do not leave confidential information anywhere that it could be compromised or accessed. These obligations continue to apply even after your employment with the City ends.

Example(s):

1. Sally is working on her computer at a coffee shop and meeting with an external party. She needs to use the restroom, and she has a folder with papers and the computer is not locked at the moment. What does she need to



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

do? Sally should not leave with the papers accessible or the computer unlocked. Securing information is critical to maintaining confidentiality. She should pack up the papers and take them with her and lock the computer.

2. Isaac is approached by a supplier who asks about an invitation to bid that the City has published. The supplier asks Isaac what the City's needs are and offers him a sample. Can he accept the sample? No. Isaac will politely refer them to the invitation to bid and let them know they can submit their question formally and say, "No, thank you," to the sample.
3. Ginger received an email from an assistant city attorney with a response to a legal question. Ginger starts to forward the email, but stops herself. She doesn't want to violate the confidentiality of the attorney-client communication by sending the email to an outside person. What does she do? Ginger copies the information or summarizes it and sends her own separate email.

Basis For Mandate:

- Colorado Constitution Article XXIX.
- City Charter Section 5, Code of Ethics.
- City Code Section 2.73.

VI. PROCEDURE:

Methods to Report:

- Inform your supervisor or department director
- Contact Human Resources Department
- Ethics hotline
- Police complaint form

PROCEDURE

1. An employee with a concern about an ethical violation, conflict of interest, or a violation of this Ethics Code should inform their supervisor or department director, Human Resources, the police, or the City Attorney.
2. The receiving party will meet with the employee and gather basic information. A supervisor should not investigate criminal activity, harassment, or allegations of discrimination without consulting with the police, HR or the City Attorney.
3. To maintain anonymity, an employee may report their concern using EthicsPoint (<https://sharepoint.cityofloveland.org/HR/Pages/Ethics-reporting.aspx>).
4. The supervisor or other receiving party will refer the matter to or coordinate with the police, HR, or the City Attorney to conduct the investigation.
5. The reviewing party will conduct an investigation by interviewing witnesses, reviewing documents, watching video, or using any other method to gather the facts, or may determine that no investigation is warranted.
6. Once the investigation is complete, the reviewing party will write a report summarizing the investigation and making findings. Where no investigation was



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

warranted, the reviewing party will write a report that summarizes the complaint and reasons why no investigation was needed to make a determination.

7. The reporting party will be informed when the investigation is complete and that retaliation against them is prohibited. Information may be shared as is appropriate and necessary on a need to know basis. Any resulting changes in policy or improvements in practice will be shared with the reporting party, but personnel or disciplinary action must not be shared.

Employees may not be retaliated against for reporting or participating in an investigation. Retaliation in any form against anyone who exercises his/her rights under this policy, or assists in the investigation of a complaint, is strictly prohibited, and will itself be cause for appropriate disciplinary action.

Employees found in violation of this Administrative Regulation will be disciplined subject to AR-00012. Employees who fail to cooperate in the investigation of complaints under this policy will also be subject to disciplinary action up to and including termination.

Where there is a first time violation for acceptance of a gift over \$50.00 where no conflict of interest or undue influence is found, the employee may be asked to cure the violation by paying the difference of the market value from the \$50. For example, if the value is \$60, the employee would pay \$10 back to the offering organization or the City. This payment must be documented in a memo, and if possible, the payment made by check for verification. The memo will be added to an employee's personnel file.

Good faith attempts to comply with this Administrative Regulation will be considered if an ethics complaint is filed.

VII. OTHER RELATED REGULATIONS & PROCEDURES:

Table 1 Other Related Regulations & Procedures

AR Number:	AR Name:
AR-00001	Procurement
AR-00058	Travel
AR-00031	Meals, Food, and Entertainment
AR-00020	Cell Phone Policy
AR-00070	Taxable Benefits
AR-00026	Use of City Resources



ADMINISTRATIVE REGULATION (AR)

AR-00067 Employee Ethics Code

Effective: 11/01/2020

VIII. CITY MANAGER SIGNATURE:

A handwritten signature in blue ink that reads "Stephen C. Adams".

Stephen C. Adams, City Manager



ADMINISTRATIVE REGULATION (AR)

AR-00037 Non-Discrimination and Anti-Harassment

Effective: 08/19/2024

I. SCOPE:

This Administrative Regulation applies to all City of Loveland departments and all City of Loveland employees including Regular, Temporary, and non-employees such as, but not limited to, City customers, Council members, Board members, volunteers, and vendors.

II. PURPOSE:

This Administrative Regulation ensures that all City of Loveland departments, employees, and volunteers understand and comply with the City's expectations of an inclusive and respectful workplace, including Federal and State discrimination and anti-harassment regulations, and reporting mechanisms for violations of this policy.

III. DEFINITIONS AND REFERENCES:

- **Equal Employment Opportunity** refers to equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, marital status, creed, ancestry, or any other characteristic protected by federal, state and local laws.
- **Colorado Anti-Discrimination Act** prohibits employers in Colorado from discriminating against employees based on their protected class.
- **Harassment** is any unwelcome conduct or communication that is based on race, color, religion, age, sex, national origin, ancestry; disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, pregnancy, childbirth and related conditions; marital status or any other characteristic protected by federal, state, or local laws.
- **Colorado POWR Act** defines harassment as:
 - to engage in, or the act of engaging in, any unwelcome physical or verbal conduct or any written, pictorial, or visual communication,
 - directed at an individual or group of individuals because of that individual's or group's membership in, or perceived membership in, a protected class, as described in the Colorado Anti-Discrimination Act,
 - which conduct or communication is subjectively offensive to the individual alleging harassment; and is objectively offensive to a reasonable individual who is a member of the same protected class.
- **Workplace Bullying** refers to when another uses their 'power' to target another individual with repeated, unwanted words or actions.
- **Sexual harassment** refers to any unwelcome sexual attention, sexual advances, requests for sexual favors and other verbal, visual, virtual, or physical conduct of a sexual nature.
- **CROWN Act** refers to legal protections against discrimination based on hair texture, hair type, hair length or a protective hairstyle commonly associated with race.

IV. POLICY:

The City of Loveland is committed to providing a professional work environment free from discrimination and harassment, including discrimination and harassment based on a protected characteristic, and an environment free from retaliation for participating in any protected activity covered by this policy and prohibits discrimination and harassment and affords equal employment opportunities to employees and applicants without regard to race, color,

Revision Dates: 4/20/99 (Replaces Harassment & Related Conduct AR adopted 4/20/99, Sexual Harassment AR adopted 8/8/84 & Sexual Harassment AR adopted 3/19/93), **04/07/2009**

Page 1 of 6



ADMINISTRATIVE REGULATION (AR)

AR-00037 Non-Discrimination and Anti-Harassment

Effective: 08/19/2024

religion, sex, gender identity and/or expression, sexual orientation, age, national origin, creed, ancestry, marital status, disability status, protected veteran status, pregnancy, childbirth, or related medical conditions, or any other characteristic protected by law, such as the CROWN Act. The City conforms to the spirit as well as to the letter of all applicable laws and regulations.

The City of Loveland is an equal opportunity employer and does not approve of nor tolerate discrimination, harassment or retaliation. Harassment is unlawful where:

- Conduct or communication either explicitly or implicitly becomes a term or condition of continued employment, or
- Unwelcome conduct or communication is subjectively offensive enough to create a work environment that a reasonable person who is a member of the same protected class would consider objectively offensive, or
- Submission to, objection to, or rejection of the conduct is used as a basis for employment decisions, or
- The conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets, or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Such harassment is a violation of this policy and is grounds for discipline, up to and including termination. It is the responsibility of every employee to avoid offensive or inappropriate behavior at work and to ensure that the workplace is always free from harassment.

Harassment and related conduct by an on-duty employee toward another employee, or by an on-duty employee toward a non-employee such as, but not limited to, City customers, Council members, Board members, volunteers or vendors is covered by and subject to enforcement under this policy. An on-duty employee's conduct that is observed by, and offensive to, another employee may also constitute harassment. The City will take appropriate action to protect its employees, customers, Board and Commission members, volunteers and vendors from such conduct from on-duty employees.

Harassment and related conduct toward an on-duty employee by a non-employee such as, but not limited to, City customers, Council members, Board members, volunteers or vendors is covered by and subject to enforcement under this policy. A non-employee's conduct that is observed by, and offensive to, an employee may also constitute harassment. The City will take appropriate action to protect its on-duty employees from such conduct from non-employees.

Personal social media posts that include City logos, City-owned equipment or property, or signify representation on behalf of or in association with the City, will be subject to the City's conduct standards and Administrative Regulations.

Examples of Sexual Harassment

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or

Revision Dates: 4/20/99 (Replaces Harassment & Related Conduct AR adopted 4/20/99, Sexual Harassment AR adopted 8/8/84 & Sexual Harassment AR adopted 3/19/93), **04/07/2009**

Page 2 of 6



ADMINISTRATIVE REGULATION (AR)

AR-00037 Non-Discrimination and Anti-Harassment

Effective: 08/19/2024

- such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.

Behaviors That Can Constitute Sexual Harassment

Sexual harassment can take many forms and can include, but is not limited to:

- Verbal behaviors such as slurs, comments, jokes, innuendoes, unwelcome compliments or requests for sexual favors including obscene or lewd slang, names or labels;
- Non-verbal behavior such as cartoons, pranks, suggestive looks or leering and displaying nude, sexual or suggestive pictures;
- Any unwanted touching or physical behavior such as pats, squeezes, shoulder or neck rubs or brushing against someone's body;
- Some specific examples of inappropriate behaviors include, but are not limited to:
 - Negative or offensive comments, jokes about another employee's gender, sexual orientation or sexuality;
 - Talking about or calling attention to another employee's clothing, body or sexual characteristics in an inappropriate way.

Other Inappropriate Conduct

Not every incident of inappropriate conduct constitutes harassment in violation of this policy or federal or state law. Isolated incidents of offensive conduct are not necessarily harassment. For example, random words that offend a particular employee may not be sufficient to constitute harassment. However, the City of Loveland is committed to correcting inappropriate workplace conduct regardless of whether such conduct constitutes harassment in violation of federal or state law. If an employee is offended by such behavior, he or she must report it to a supervisor or manager or Human Resources if the conduct involves a supervisor or manager.

Anti-Retaliation Policy

The City of Loveland will not permit employment-based ridicule or retaliation against anyone, even an individual who is not the victim of harassment, who brings a complaint of harassment, or anyone who provides support or who speaks as a witness in the investigation of a complaint of harassment. Retaliation in any form against anyone who exercises their rights under this policy or assists in the investigation of a complaint of harassment, is strictly prohibited, and will itself be cause for appropriate disciplinary action.

Basis For Mandate:

- Title VII of the Civil Rights Act of 1964
- Colorado Anti-Discrimination Act
- Protecting Opportunities and Workers' Rights (POWR) Act

V. PROCEDURE:

Harassment Training

All City of Loveland employees will participate in required harassment training on a periodic basis, as determined by Human Resources, as a condition of employment. In addition, all supervisory personnel have the following responsibilities:

1. Upon accepting a position, new employees are required to review this harassment policy and complete training approved by the Human Resources Department within 90 days of hire.



ADMINISTRATIVE REGULATION (AR)

AR-00037 Non-Discrimination and Anti-Harassment

Effective: 08/19/2024

- Supervisors must ensure that all employees they supervise participate in harassment training on a periodic basis, as determined by Human Resources. Supervisors who fail to ensure that employees they supervise participate in such harassment training will be subject to disciplinary action up to and including termination.

If an employee is unable to participate in the required harassment training due to extenuating circumstances, it is the employee's responsibility to consult with the Human Resources Department in a timely manner regarding completion of the required training.

Part Year, Seasonal, Temporary, and Regular part-time employees working less than 20 hours per week will be notified of this harassment policy during the onboarding process and will be responsible for reviewing and acknowledging its receipt and completing training. Employees should direct questions to their supervisor or the Human Resources Department.

Reporting Mechanism

The City will take an active role in protecting its employees from harassment. Should an instance of inappropriate behavior occur, the offended employee should bring any concerns to the attention of management. This includes employees who think they are the recipient of harassment, as well as those who believe they have witnessed harassment of others.

If employees believe they are being harassed or have witnessed harassment, act immediately:

- Identify the offensive behavior to the harasser, if appropriate, and request that it stop;

and

- Employees **must** report their concern **immediately** to a supervisor not involved in the incident, division head, any department director or the Human Resources Director.

If needed, contact the Police Department to report concerns of harassment.

If for any reason the employee needs assistance in following steps one or two above, contact Human Resources. Employees are required to cooperate with the investigation of complaints under this policy. Although the City cannot ensure absolute confidentiality of employees who report incidents of inappropriate conduct, every effort will be made to protect the concerns of all parties involved.

Employee Resources

If an employee needs support while reporting an incident, employees are encouraged to contact the City's Employee Assistance Program and Human Resources for appropriate resources.

Management Responsibilities

When a supervisor, division head or department director is notified of alleged harassment, they will immediately advise their HR Representative or Human Resources Director. Complaints of harassment will be investigated as soon as possible. The Human Resources Director will decide the appropriate level of investigation for the complaint. The investigation may include interviews with any and all parties who may have relevant information. During the investigation,



ADMINISTRATIVE REGULATION (AR)

AR-00037 Non-Discrimination and Anti-Harassment

Effective: 08/19/2024

information about complaints, complainants and witnesses will only be given to those individuals with a need to have such information.

If the complaint alleges misconduct on the part of the City Attorney, Municipal Court Judge, a City Council member, or an employee within the Human Resources Department, a qualified external third party will undertake the investigation. In such circumstances, the supervisor, division head or department director must advise the City Manager. The City Manager will ensure that the investigation is conducted by a qualified external third party.

If the alleged misconduct is on the part of the City Manager, the supervisor, division head or department director must advise the Deputy City Manager. The Deputy City Manager will ensure that the investigation is conducted by a qualified external third party. In all cases, the qualified external third party will recommend appropriate corrective action as needed.

Supervisory personnel are responsible for taking all appropriate steps to prevent and stop harassment in their areas of responsibility.

Disciplinary Action

Following investigation, all parties will be notified of the outcome. An employee who is found to have violated this policy will be disciplined up to and including termination. Employees who fail to cooperate with the investigation of complaints under this policy will also be subject to disciplinary action up to and including termination.

The Human Resources Director will determine the level of discipline unless the complaint alleged misconduct on the part of the City Manager, City Attorney, Municipal Court Judge, a City Council member, an employee within the Human Resources Department or a non-employee:

- Alleged misconduct on the part of the City Manager, City Attorney or Municipal Court Judge: The Human Resources Director or the Human Resources Director's designee will submit a copy of the results of the investigation by the external third party, along with the third party's recommendation for corrective action, to the City Council; the City Council will take appropriate corrective action.
- Alleged misconduct on the part of a City Council member: The Human Resources Director or the Human Resources Director's designee will submit a copy of the results of the investigation conducted by the external third party, along with the third party's recommendation for corrective action, to the City Manager and/or City Attorney to provide the recommendation and corrective action to the City Council for action and/or direction.
- Alleged misconduct on the part of an employee within the Human Resources Department: The City Manager will determine the level of discipline, after reviewing the recommendation of the external third party.
- Alleged misconduct on the part of a non-employee, other than a City Council member: The Human Resources Director will forward a copy of the results of the investigation to the City Manager along with a recommendation for corrective action. The City Manager will review the report and pursue appropriate corrective action.



ADMINISTRATIVE REGULATION (AR)

AR-00037 Non-Discrimination and Anti-Harassment

Effective: 08/19/2024

VI. OTHER RELATED REGULATIONS & PROCEDURES:

Table 1 Other related regulations & procedures

AR Number:	AR Name:
AR-00012	Conduct, Performance, and Discipline
AR-00043	Due Process
AR-00051	Social Media

VII. CITY MANAGER SIGNATURE:

Rod Wensing, Acting City Manager



ADMINISTRATIVE REGULATION (AR)

AR-00051 Social Media

Effective: 12/18/2020

I. SCOPE:

This Administrative Regulation applies to all City of Loveland departments and all City of Loveland employees including Regular, Temporary, and non-employees such as volunteers and boards and commission members.

II. PURPOSE:

The purpose of this Administrative Regulation is to ensure that all City of Loveland departments and employees use social media in a manner consistent with City communication objectives and employee conduct regulations. This includes use of City social media and may include personal social media. The City encourages the use of social media outlets, where appropriate, to further the goals of the City and the objectives of each department.

III. DEFINITIONS:

- **City social media site** - Social media web sites established by the City of Loveland, City Departments, Divisions, Programs or Board and Commissions, in accordance with this policy. This does not include employees' personal social media web sites.
- **Content** – any posts, writings, material, documents, photographs, graphics, or other media that is posted, shared, distributed, or transmitted via social media.
- **Comment** - A response to a post on a social media site.
- **Employees and Agents** – All City representatives, including its employees and other agents of the city, including without limitation, independent contractors and anyone acting on behalf of, appearing to act on behalf of, or in the name of the City.
- **Social Media Moderator** - An employee designated by their respective Department Director or Public Information Office for maintaining one or more social media sites on behalf of the City. A moderator's responsibilities may include, but are not limited to: adding, editing, and reviewing posts, as well as reviewing, flagging, and addressing comments in accordance with established policies.
- **Social Media Administrator** – the coordinating authority for review, monitoring and enforcement of any approved City social media sites. The City Manager or designee shall be the final decision making authority for the approval, denial, or removal of any social media sites and the use of such sites by the City.
- **Social Media** – Internet based applications that enable users to create, share, and view content. Tools for users to interface include instant messaging, blogging, commenting, microblogging, online forums, web site link sharing, video conferencing, sharing photos, videos, virtual networks, etc. Website platforms include but are not limited to Facebook, Twitter, Instagram, Snapchat, Nextdoor and YouTube.

Revision Dates: 9/2010



ADMINISTRATIVE REGULATION (AR)

AR-00051 Social Media

Effective: 12/18/2020

IV. POLICY:

Acceptable Uses of City Social Media

- Promotion of the City of Loveland.
- Engage and inform citizens.
- Raise awareness of City services, programs, issues, and events.
- Provide advisory, special situation, and emergency information.
- Recruitment activities for employees and volunteers.

Rules and Guidelines for Use of City Social Media

- Establishment of a City social media web site shall be under the general identity and branding of the City of Loveland as identified in AR-00023 Logos and Branding. Individual departments, divisions, and offices may participate directly under the City of Loveland identity, or create "sub-identities" that must be integrated under the City of Loveland parent account.
- Social media accounts must first receive approval from the Social Media Administrator and be co-administered to include login and password information.
- Any department wishing to create or remove a social media account must first submit a written request and management plan to the Social Media Administrator, with Department Director approval to follow.
- All applicable laws, regulations, and policies, including, without limitation, copyright laws apply to City social media content. Non-original content not created by the user must be verified for copyright, licensing, and use restrictions.
- City social media may not be used for personal or private purposes, or for the purpose of expressing a personal view on any issue. Employees authorized to post on behalf of the City must avoid content that addresses political positions or includes discriminatory and/or offensive content, or advocates for any political candidate.
- Moderators or employees will not comment on anything related to personnel or legal matters, litigation, or any parties with which the City is in litigation.
- Only moderators are permitted to post to a City social media site on behalf of the City. All social media functions that permit posting by the public, not including commenting on posts, must be disabled or turned off. City Departments desiring to remove an external post from its City social media web site must follow this AR and only remove for the reasons set forth herein. The City Attorney's Office should be contacted for procedural concerns, questions, or other guidance.
- Social media communications are not intended to be the original record for retention purposes and Social Media Moderators are responsible for maintaining original records in compliance with the Document Retention Schedule, accessible on the City Clerk's intranet page.
- Social media must be accessible to all and comply with state and federal law.

Revision Dates: 9/2010



ADMINISTRATIVE REGULATION (AR)

AR-00051 Social Media

Effective: 12/18/2020

- City social media should not be used for sponsored content, paid advertising, or otherwise promote paid recommendations or referrals for any commercial entity. Exceptions to this provision are granted to the City's municipal fiber enterprise (Pulse), who require separate provisions to meet their unique business practices. The Social Media Administrator and City Manager may also grant other exceptions on a case-by-case basis.
- Social media shall not be used to make statements about the guilt or innocence of a suspect or arrestees, comments concerning pending prosecutions, nor disseminate confidential information related to agency training, activities or assignments without written permission from the Chief of Police and the City Attorney's Office.

Guidelines for City Employee Responsibility on Social Media:

Required Work Related Use of Social Media is the use of social media sanctioned as part of employee's job function. Each City of Loveland employee is responsible for the content that he/she places on a City social media site or sends over the City's electronic resources. City employees who hold a confidential, policymaking or public contact role have substantially less protection regarding personal comments/posts than other public employees.

In addition, employees at the City of Loveland shall:

- Not disclose protected confidential, sensitive, or proprietary or personal information relating to government officials and employees, customers, or residents.
- Not publish official City content on social media sites outside of those authorized for department specific use.
- Not cite vendors, suppliers, clients, citizens, co-workers or other stakeholders without their approval unless this information is subject to public disclosure and supports the message being communicated.
- Not use work e-mail addresses to register for social media and other sites unless the purpose is directly related to an employee's job functions.
- Report violations of this policy to the Social Media Administrator immediately.

City Employee Responsibilities for Personal Social Media:

Use of personal social media at work is governed by the City's Monitoring and Use of Electronic Media Administrative Regulation. Personal Use of social media outside of work is an employee's use of social media in his or her personal capacity outside of work time and without using City resources.

The City does not monitor private and personal social media accounts; however, City personnel policies, such as anti-harassment and violence in the workplace extend to online behavior.



ADMINISTRATIVE REGULATION (AR)

AR-00051 Social Media

Effective: 12/18/2020

Employee's personal social media activity must not interfere with their work or productivity. Additionally, threatening, violent, discriminatory, and harassing comments as well as individual complaints and opinions posted on social media are not protected speech activity.

Reposting and sharing of existing official City content on personal social media accounts is permissible and encouraged, if using social media sites in accordance with City of Loveland conduct standards. If engaging in online public discussion of the City, its products and services in a personal capacity, employees must indicate that their views are personal and not shared as a representative of the City.

In addition, employees shall:

- Not disclose protected confidential, sensitive, or proprietary or personal information relating to government officials and employees, customers, or residents.
- Report violations of this policy to the Social Media Administrator and Human Resources immediately.
- Personal social media posts that include City logos, City-owned equipment or property, or signify representation on behalf of or in association with the City, will be subject to the City's conduct standards and Administrative Regulations.

Moderator Responsibility

Moderators shall be responsible to monitor the social media sites under their care and take any actions required in this oversight role. Moderators shall ensure that the City's social media sites/accounts are maintained in accordance with the standards established in the Social Media Content Strategy and Guide. Exceptions to the provisions in the Guide may be granted by the Social Media Administrator and the City Manager.

Social Media Administrator Responsibility

The Social Media Administrator shall:

- Ensure the City's official Social Media sites are maintained to the standards established in this AR and the Social Media Content Strategy and Guide.
- Regularly review information posted to the City's social media sites by Moderators to ensure the content meets established policies and standards.
- Keep all stakeholders informed of the department's social networking tools and media activity.
- Communicate regularly with the Custodian of public records to ensure that all City social media sites comply with any applicable public records laws.
- Establish a process to ensure that this policy is broadly disseminated and that all moderators are aware of and confirm their understanding of this regulation and the Social Media Content Strategy and Guide.
- Establish regular training of social media moderators to ensure policy and ADA compliance as necessary.

Revision Dates: 9/2010



ADMINISTRATIVE REGULATION (AR)

AR-00051 Social Media

Effective: 12/18/2020

Comment and Posting Policy

Discussion boards and the ability for non-City officials to post directly on a City social media page/wall shall be disabled unless approved in writing by the City Manager or designee. The intended purpose of the social media site must be visible or accessible to users and visitors to the City's social media sites. All comments posted to the City's social media sites will be monitored and any articles, photos, posts and comments containing any of the following forms of content are restricted and may be immediately removed or blocked by the Social Media Moderators, or other designated employee:

1. Profane, obscene, violent, or sexually explicit language and/or content;
2. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, sex, gender identity or expression, marital status, status with regard to public assistance, national origin, physical or mental disability, pregnancy, covered medical condition, sexual orientation, military or veteran's status, or any other basis protected by federal, state, or local law;
3. Solicitations of commerce not related to agency business, including but not limited to, advertising of a business or product for sale and other pure commercial speech; exceptions granted by the Social Media Administrator and City Manager.
4. Conduct or encouragement of illegal activity;
5. Political campaigns, ballot measures, spam, or content unrelated to the topic being discussed or City of Loveland operations or events
6. Information that may compromise the safety or security of the public or public systems or employees;
7. Defamatory, insults, hateful or personal attacks;
8. Threats of violence or any other harmful act directed to any person, or persons, group or organization.
9. Conduct that is in violation of any federal, state, or local law.
10. Comments made by a person masquerading as someone else.

Any content removed based on these guidelines must be retained, including the time, date, and identity of the poster (when available) in accordance with the City's policy on the retention of such information. Moderators should record the users content through a snip or screenshot and store in the following location: **V:\Intradepartmentshares/SocialMedia/Removed Content**

Basis For Mandate:

- Internal Governance

Revision Dates: 9/2010



ADMINISTRATIVE REGULATION (AR)

AR-00051 Social Media

Effective: 12/18/2020

V. PROCEDURE:

The following procedures are to ensure proper internal controls, segregation of duties, and adequate safeguards for the City.

1. Written approval of the Social Media Administrator and the Department Director is required prior to establishing or removing a City social media site. A copy of the approval must be forwarded to the Public Information Office. The Social Media Administrator will work with the Department's appointed "Moderator" to establish the approved City social media site and train the moderator(s) in use of the site.
2. Moderators are responsible for setting up or maintaining City sites must use City issued email accounts to first establish the approved sites. For all established city sites, the Social Media Administrator must be co-administrators to preserve secure access. Upon a change in duties, or a Social Media Moderator separates from the City, a new password shall be issued for the applicable social media account to preserve security and access.
3. Departments divisions or offices that have established a City social media site must ensure that at least one of its employees is designated as the Moderator and trained in the administration and management of such sites, at all times. The names of these employees must be forwarded to the Public Information Office.
4. Departments, divisions, and offices that have established a City social media web site or blog shall ensure that the site or blog is managed in accordance with the City's Records Retention Schedule and the Colorado Open Records Act.
5. The Social Media Administrator shall maintain a list of all active City social media accounts and moderators. Sites will be audited regularly by the Public Information Office and those not meeting established performance measures will be deactivated and removed.
6. Those employees with social media responsibilities may be required to attend Annual Social Media Training provided by the Public Information Office. Moderators shall refer to Social Media Content Strategy for other requirements.



ADMINISTRATIVE REGULATION (AR)

AR-00051 Social Media

Effective: 12/18/2020

VI. OTHER RELATED REGULATIONS & PROCEDURES:

Table 1 Other Related Regulations & Procedures

AR Number:

AR-00037

AR-00005

AR-00023

AR-00009

AR Name:

Harassment

Violence in the Workplace

City of Loveland Logo: Graphics and Use

Monitoring and Use of Electronic Media

VII. CITY MANAGER SIGNATURE:

A handwritten signature in blue ink that reads "Steven C. Adams".

Steven C. Adams, City Manager