

AN ORDINANCE TO AMEND ORDINANCE 2014-3, ORDINANCE 2021-41 AND ORDINANCE 2022-3; UPDATING THE CRAIGHEAD COUNTY EMPLOYMENT POLICY TO ADD TECHNOLOGY RESOURCES POLICY, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

FILED
OCT 24 2023

COUNTY & PROBATE COURT CLERK

WHEREAS: The Quorum Court of Craighead County concurs in the importance of creating a Craighead County Technology Resources Policy, following ACA § 25-1-126. Act 504 passed Legislative session, and it is mandatory for counties to adopt a Technology Resources Policy and incorporate it into the Craighead County Employment/Personnel Policy handbook, and

WHEREAS: ACA § 25-1-126 requires counties to create a technology resources policy that defines the authorized use of technology resources, including prohibitions on the use of the technology resources being used. The policy also reflects disciplinary procedures for violating the Technology Resources policy, and

WHEREAS: the County has a vital interest in providing for the technological safety of its employees and the public and maintaining efficiency and productivity in all of its operations.

NOW THEREFORE, be it Ordained by the Quorum Court of Craighead County, State of Arkansas as follows:

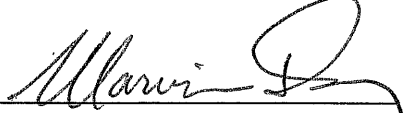
SECTION 1. Ordinance 2014-3, Ordinance 2021-41 and Ordinance 2022-3 adopting the Craighead County Employment/Personnel Policy shall be amended to include the following section, #28

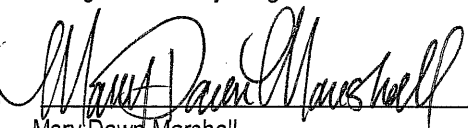
28) TECHNOLOGY RESOURCES POLICY will be added into the Craighead County Employment/Personnel Policy by reference, attached.

SECTION 2. Severability. If any provision of this ordinance is held invalid, such invalidity shall not affect the remaining provisions of the ordinance which remains effective absent the invalid provision, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 3. It is hereby determined by the Quorum Court that the above-described amendment is needed within the coming days for the immediate needs of the county and employees subject to technology abuses that affect the welfare and morale of the offices of County Government. This technology resources policy should be adopted posthaste due to the request of recent legislation. The safety of Craighead County is vital to the health and safety of the public; therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 23rd day of October 2023.

Approved: 
Marvin Day
Craighead County Judge

Attest: 
Mary Dawn Marshall
Craighead County Clerk

CRAIGHEAD COUNTY
TECHNOLOGY RESOURCES POLICY

- 1) This policy is established in accordance with Ark. Code Ann. § 25-1-126.
- 2) *Technology resources* is defined as:
 - a. The machines, devices, and transmission facilities used in information processing, including computers, word processors, terminals, telephones, cables, software, and related products;
 - b. The devices used to process information through electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image and includes telecommunications and office automation functions;
 - c. Any component related to information processing and wired and wireless telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;
 - d. The procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and the associated personnel, including consultants and contractors; and
 - e. All electronic mail accounts issued by a public entity.
- 3) The County's *technology resources* shall not be used to:
 - a. Express a personal political opinion to an elected official unless the opinion is:
 - i. Within the scope of the employee's regular job duties; or
 - ii. Requested by an elected official or public entity;
 - b. Engage in lobbying an elected official on a personal opinion if the employee is not a registered lobbyist for the public entity;
 - c. Engage in illegal activities or activities otherwise prohibited by federal law or state law; or
 - d. Intentionally override or avoid the security and system integrity procedures of the public entity.

- 4) Disciplinary procedures for a violation of this policy concerning authorized use of technology resources. If an individual is found in violation of the Technology Resources Policy, the consequences will be as follows: 1st offense – The employee shall cease and desist immediately the behavior determined to be in violation of this policy. 2nd offense – formal warning to be placed in the personnel file shall be issued. 3rd or subsequent offenses shall subject the employee to termination. Any conduct that occurs in a repeated fashion and such behavior that is not removed or ceased to the Employer's satisfaction shall subject the employee to immediate termination. The disciplinary procedures created pursuant to this section shall not apply to employee communications made in compliance with the Public Employees Political Freedom Act of 1999, Ark. Code Ann. §§ 21-1-501, et seq., or the Arkansas Whistle-Blower Act, Ark. Code Ann. §§ 21-1-601, et seq. If this policy directly or indirectly violates any provisions of the chapter of the Public Employees Act or Whistle-Blower Act, said provisions of this ordinance shall be stricken.