

State of Utah  DEPARTMENT OF NATURAL RESOURCES  POLICIES AND PROCEDURES	REF. NR-97-A-9	PAGE 1 of 3
	EFFECTIVE DATE 06/28/97	
	REVISION DATE	
SUBJECT: Administrative Inspection and Searches		
Ted Stewart, Executive Director		

## I. PURPOSE

- A. To maintain the integrity and credibility of the Department of Natural Resources as a drug-free work place and protect confidential information.
- B. To safeguard or identify state property, records or unauthorized items in connection with an administrative investigation.
- C. To ensure proper maintenance and inventory of all state- owned property.
- D. To facilitate the uninterrupted flow of state business to allow access when an employee is not available for correspondence, or reports that are in an employee work place.

## II. POLICY

- A. Employees of the department may be assigned such items as state-owned or leased vehicles, lockers, desks, cabinets, cases and containers as well as other material/equipment necessary for the performance of duties, for the mutual convenience of the department and its personnel.
- B. All personnel are advised that the retention or possession of illegal items on state-owned or leased property, grounds or facilities is prohibited and may subject the employee to disciplinary action.
- C. All employees are hereby advised that, with approval of the executive director and/or the Human Resource office, all state vehicles, lockers, desks, cabinets, computer files, disks and any other hard or software items, cases, containers, or any other state property may be subject to searches by division management at any time, at random or upon cause. These searches may occur without notice and without the employee being present. It is recommended that employees refrain from storing private materials in state vehicles, desks or other state property which the employee does not wish to be viewed by division management or department administration. With the publication and employee review of this policy, there should be no expectation of privacy regarding state-owned or leased property.

State of Utah	REF. NR-97-A-9	PAGE 1 of 3
DEPARTMENT OF NATURAL RESOURCES	EFFECTIVE DATE 06/28/97	
POLICIES AND PROCEDURES	REVISION DATE	
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- D. State-owned or leased residences shall only be searched upon cause or by conditions of the occupancy agreement.
- E. This policy does not apply to lockers, desks, cabinets, etc., stored in an employee's residence either private or state-owned. Inspection or searches in a residence may only be done with voluntary written consent or under authority of a search warrant. Exceptions may be made for those employees presently utilizing the telecommuting policy within the area of work.

### III. PROCEDURE

- A. Any employee who wishes to put his personal lock on any state property, vehicle, desk, locker, cabinet or other container assigned to them may do so if written approval is given by their supervisor. A key or combination to the lock must be provided to the supervisor so that, if necessary, an inspection of the contents may be made. If a key or combination is not available, locks will be removed at the expense of the employee.
- B. At any time without notice, with or without the employee present, their supervisor may enter any state-owned property, building, vehicle, locker, desk, cabinets, cases or containers to inspect and inventory contents or retrieve needed files, reports, documents or other items.

### IV. ADMINISTRATIVE WARNINGS

- A. Department employees being questioned as suspects in a non-criminal matter may be given an administrative warning (Garrity). At the discretion of the investigator, the same warning may be given to employees who are not suspects, but only being questioned.
- B. Employees being questioned are required to answer questions truthfully. Refusal to answer or answering falsely is cause for disciplinary action, including termination from the department.

State of Utah	REF. NR-97-A-9	PAGE 3 of 3
DEPARTMENT OF NATURAL RESOURCES	EFFECTIVE DATE 06/28/97	
POLICIES AND PROCEDURES	REVISION DATE	
SUBJECT: Administrative Inspection and Searches		
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- C. When necessary to protect the integrity of the interview, investigators may order employees not to disclose the contents or matters discussed in a fact-finding investigative interview. Disclosure may result in disciplinary action.
- D. If an employee requests an attorney, the investigator shall inform him that matters under review are administrative, not criminal; with no right to counsel during the administrative interviews.