

# Town of Abita Springs Manual



## FOREWORD

This manual contains general information and guidelines and does not address all the possible applications of Town of Abita Springs' (hereinafter referred to as the "Town") policies. If you have any questions, you should address them to Human Resources (hereinafter referred to as "HR".) Neither this manual nor any other document, confers any contractual right, either express or implied, to remain in the Town's' employ and does not guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will, with or without cause and without prior notice. Only the Mayor has the authority to enter any agreement for employment for any specified period, or to make any agreement for employment.

This manual has been written to serve as the guide for the employer/employee relationship. Other official documents describe benefits and policy in more detail. You should refer to these documents for more specific information. The HR Department is available to assist you.

The procedures, practices, policies and benefits described herein are subject to periodic modification.

## Acknowledgement of Receipt

I acknowledge that I have received a copy of the Town of Abita Springs Employee Manual. I agree to read it thoroughly and to seek clarification if there is any policy or provision that I do not understand. I understand that the Town of Abita Springs is an "at will" employer and employment with the Town is not for a fixed term and may be terminated at the will of either party, with or without cause, and without prior notice. Only the Mayor has the authority to enter any agreement for employment for any specified period, or to make any agreement contrary to the terms outlined herein. In addition, I understand that this Manual states the Town's policies and practices in effect on the date of publication and that nothing contained in the Manual constitutes a promise of future benefits or a binding contract with the Town for benefits or for any other purpose. I also understand that these policies and procedures are periodically evaluated and may be amended, modified or terminated.

Please sign and date this receipt and return it to the HR Department.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

## *Message from the Mayor*



Dear Town Employees:

As the Mayor of the Town of Abita Springs I would like to describe my concept of how this administration can best serve our community. We have in place a chain of command for organizational purposes which is an efficient means of carrying out our responsibilities. I expect that all employees fulfill their responsibilities within this organizational system. Your supervisors are expected to help you with problems as they occur and provide guidance, training, and direction. We understand there are many ways to accomplish the same objective and will allow you to determine how to best achieve your goals so long as you exercise good judgment and efficiency.

We are a team, loyal to one another and the Town of Abita Springs. My commitment to you is that you will be treated with fairness and respect, without partiality and with consistency. If you are given an assignment you will be provided with the tools, means, and authority to accomplish your task. I expect you, in turn will strive to do your best in your position, to be responsible, and to work hard to serve the interests of the public whom we serve.

*Mayor Greg Lemons*

## **EQUAL EMPLOYMENT OPPORTUNITY, NON-DISCRIMINATION, ANTI-HARASSMENT**

The Town is committed to a work environment in which all individuals are treated with respect and dignity. Every individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the Town expects that all relationships among persons in the workplace, including employees, customers, vendors and suppliers will be business-like and free of bias, prejudice and harassment.

### **EQUAL OPPORTUNITY**

Equal Employment Opportunity is a fundamental principle at the Town. Employment is based upon personal capabilities and qualifications without discrimination and applies to all procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

### **NON-DISCRIMINATION**

The Town strongly believes that employees and applicants for employment should be treated fairly. Verbal, non-verbal or physical conduct that denigrates, intimidates, shows hostility, or aversion toward an individual because of his/her race, color, sex, religion, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic predisposition or carrier status, sexual orientation or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment is strictly prohibited.

### **ANTI-HARASSMENT**

Harassing conduct includes, but is not limited to: epithets, slurs, negative stereotyping, threatening, intimidating, or hostile acts, denigrating jokes, and display or circulation in the workplace of written or graphic material, including electronic communication, that denigrates or shows hostility or aversion toward an individual or group. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined as in the Equal Employment Opportunity Commission Guidelines. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. These behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures including through electronic communication; and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment that is, harassment not involving sexual activity

or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

#### AMERICANS WITH DISABILITIES ACT (ADA)

The Town is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is the Town's policy not to discriminate against any qualified employee or applicant because of disability so long as the employee can perform the essential functions of the job. Consistent with this policy of non-discrimination, the Town will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Town aware of his/her disability, provided such accommodation does not constitute an undue hardship on the Town.

The Town prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

These policies apply to all applicants and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the Town. (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

#### **REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION, OR RETALIATION**

The Town strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position.

Individuals who believe they have experienced conduct which is contrary to Town policy should file their complaints with the HR Department. Individuals should not feel obligated to file the complaints with the immediate supervisor first before bringing the matter to the attention of HR. The HR manager will report complaints directly to the Mayor.

#### **IMPORTANT NOTICE TO ALL EMPLOYEES**

Employees who have experienced conduct believed contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his/her rights. Early reporting and intervention is the most effective method of resolving actual or perceived incidents of harassment. Therefore, while there is no fixed reporting period, the Town strongly urges prompt reporting of complaints so that rapid and corrective action can be taken. The Town will make every effort to stop alleged harassment

before it becomes severe or pervasive, but can only do so with the cooperation of its employees. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his/her behavior is unwelcome and requesting that it be discontinued.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Responsive action for misconduct constituting harassment, discrimination or retaliation may include training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as the Town determines appropriate.

These policies may not be used as a basis for excluding or separating individuals from participating in business or work-related activities to avoid allegations of harassment. The law and policies prohibit disparate treatment based on sex or any other protected characteristic, with regards to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

### **NEPOTISM**

The Town is committed to fostering a professional work environment, and avoiding situations that may create a conflict of interest. Certain personal relationships between employees, such as those in a reporting capacity, may cause problems in the workplace including a lack of objectivity and perception of favoritism by other employees. These relationships are specifically defined and governed by the Louisiana Ethics Administration Program and all Town employees are required to participate in Ethics training once a year to understand the Nepotism policy. Any concerns of this nature should be reported to the Mayor and/or Human Resources for review.

### **OPEN DOOR POLICY**

The Town promotes an atmosphere whereby employees can talk freely with members of the administration. Employees are encouraged to openly discuss with their supervisor any concerns or problems so appropriate action may be taken. If the supervisor cannot be of assistance, HR is available for consultation and guidance. The Town is interested in every employee's success and happiness. We, therefore, welcome the opportunity to help employees whenever feasible.

## **INTERNAL COMPLAINT PROCEDURES**

To foster sound employee-employer relations through communication and reconciliation of work-related problems, the Town provides employees with an established procedure for expressing employment related concerns. In situations where employees feel a complaint is in order, the following steps should be taken:

1. If an employee believes he/she has a legitimate work-related complaint, the first recommended attempt to resolve the issue(s) is through discussion with the immediate supervisor.
2. If the situation is not resolved within five working days from the time the complaint is discussed with the employee's immediate supervisor, barring extenuating circumstances, it should be brought to the attention of the next level supervisor or HR representative. The Town will attempt to resolve the complaint within a reasonable period while preserving the confidentiality and privacy of those involved to the extent feasible.

## **WORK HOURS AND OVERTIME**

### **WORK HOURS**

Administrative personnel work hours are Monday through Friday 9am to 5pm. The Public Works/Maintenance employees' work hours are Monday through Friday 7:30am to 3:30pm except for the Public Works Director whose hours are the same as the Administrative Staff, Monday through Friday 9am to 5pm. Necessity will at times force the Town to request that employees work additional hours which exceed the number of hours in their normal work week (Wednesday through Tuesday.) In some cases, working overtime is mandatory when requested. Employees will be given as much notice as possible by the supervisor. Work related travel time occurring outside of the scope of the regular work day and to a destination exceeding the time which it would ordinarily take to travel to and from the regular work location is to be counted as paid time per the guidelines outlined in this section.

Employees are responsible for calculating and reporting hours for each day worked. Hours worked, vacation, sick and personal days must be recorded on the attendance sheet by the employee and submitted timely to the supervisor for approval. Employees will receive pay by direct deposit bi-weekly by end of day on Fridays. Instructions for procedures for setting up direct deposit will be provided by HR.

## ON-CALL

The Public Works Director is responsible for the timely submitting of a monthly weekend and holiday on-call schedule for the upcoming month to the Public Works Clerk. Designated "On-Call" Public Works/Maintenance personnel are expected to be available to complete weekend and holiday tasks/assignments and to respond to emergencies as necessary. These employees are compensated at a minimum rate of \$50.00 a day for each assigned "On-Call Day." (An "On-Call Day" is defined as a 24-hour period in which the employee is not scheduled to work such as a holiday or weekend.) Hours worked in excess of two (2) each "On-Call Days" are calculated at 1 and ½ times the employee's regular rate. Attendance sheets should reflect the total hours worked per day. The Public Works Director and the Public Works Supervisor are responsible for On-Call responsibilities after hours during the regular work week.

## OVERTIME

Unscheduled overtime work must be authorized in advance by the supervisor. Non-exempt/hourly employees receive overtime pay for hours in excess of 40 hours per week at 1 and ½ times the regular rate.

By Resolution, in the event of an emergency situation the Mayor of the Town may require designated employees to stay on the job 24 hours or longer. These individuals shall be paid in addition to their regular and overtime pay a fee of \$150 per day.

## COMPENSATORY TIME

Non-exempt employees have the option of accepting up to 40 hours of compensatory time off in lieu of overtime pay, and in the event of separation will be paid for any unused "comp" hours at 1 and ½ times the regular rate. Compensatory leave does not have to be used in the same payroll period as earned, however, it should be used in a reasonable time of the employee's request. Compensatory leave must be approved in advance to ensure the business needs of the Town are met. Employees must use compensatory time before using other forms of leave, i.e., sick or vacation. However, if an employee has a pre-arranged, approved leave prior to accruing compensatory time, flexibility may be applied in using the compensatory time.

Salaried/exempt employees may receive compensatory time at the discretion of the Mayor.

## **LEAVE BENEFITS/POLICIES - TIME AWAY FROM WORK**



**VACATION** - Time away from work to relax and pursue personal interests is important to everyone. Full-time employees earn vacation leave at the rate of one week per year after the first year of employment on the employment anniversary date as detailed in the Town’s Code of Ordinances. For each additional year of service, one day per year is earned up to a maximum of five weeks of vacation.

Vacation Accrual Schedule	
Less than one year of service	0 days vacation
One year of service	5 days vacation
Two years of service	6 days vacation
Each additional year of service = one additional day of vacation.	
Maximum vacation accrual is 25 days or 5 weeks.	

The Ordinance provides for a maximum carry-over of five unused vacation days into the next year.

Vacation leave is subject to the approval of the supervisor, and employees should request vacation leave in writing. While every effort will be made to accommodate vacation leave requests, leave may be denied if it leaves the Town understaffed or overburdened. Vacation requests must be submitted as follows for approval by supervisor and/or Mayor:

- 1-10 days – submitted 5 **working days** in advance
- 10 days concurrently – 30 **calendar days** in advance
- 10+ days concurrently – 40 **calendar days** in advance and approval from Supervisor and Mayor

Any employee that is ill during a scheduled vacation cannot change a vacation day to a sick day. Upon leaving employment, employees will receive payment for accrued, unused vacation days.

**PERSONAL DAYS** - Full-time employees receive 2 paid personal days off (16 hours) in a calendar year. During the first year of employment, employees will receive 2 personal days after completing a 30-day probationary period. Thereafter, the 2 personal days will be credited on January 1 for that calendar year. Employees will not be paid for unused personal days upon leaving employment.

Personal time off is provided so that employees can take care of personal matters and should be used with discretion. If the request does not create an undue hardship or burden it will be granted. It is not necessary to divulge the nature of personal business.

**HOLIDAYS** - Full-time employees (including those in initial employment period) are eligible for 16 paid holidays per year. A schedule of the holidays observed during a year is released before the beginning of that year.

**BEREAVEMENT LEAVE** - In the unfortunate event of a death in the immediate family, a paid leave of absence of up to two (2) days will be granted as provided for in the Town's Code of Ordinances. Employees should make the supervisor aware of the situation. For this purpose, immediate family is defined as spouse or domestic partner, child, step-child, parents, parent's in-law, step-parents, siblings, sibling's in-law, step-siblings, grandparents, and grandchildren.

**JURY DUTY** - A leave of absence for jury duty will be granted to any full-time or part-time employee who has been notified to serve. If the jury duty falls at a time when the employee cannot be away from work, the Town may request that the court allow the employee to choose a more convenient time to serve. During jury duty leave, employees will be compensated by payment of an amount equal to the difference between their jury duty pay and their regular salary.

The employee should immediately notify the supervisor as well as the HR Department when called for jury duty. Additionally, a copy of the Notice to Serve should be attached to the employee's attendance record, and upon the employee's return, the employee shall submit a signed Certificate of Jury Service indicating the number of days served.

**TIME OFF TO VOTE** - On days when elections for public office are scheduled throughout the state, parish, city or town in which the employee works, schedules will be adapted as needed to allow the employee time to vote. No employee will be penalized or retaliated against for requesting time off to vote.

**OFFICE CLOSING** - During emergencies, certain weather conditions, or other unforeseen events, the Mayor may have a delayed opening or close the office before or during a work day. In the event of an early closing or delayed opening, employees who report to work that day will receive credit for the hours that would have normally been worked had the office not opened late or closed early. Employees who do not report to work the day of an early closing or delayed opening will be charged with a personal/vacation day or will not be paid. In the case of an office closing for the entire day, all employees who were scheduled to work that day will receive credit for the hours that would have normally been worked had the office not been closed.

**ABSENCE DUE TO ILLNESS** - The Town recognizes that an employee may occasionally be disabled by injury or illness. Thus, the Absence Due to Illness policy is designed to provide protection to employees against loss of income during unavoidable illness or injury.

Full-time employees who are unable to perform their jobs due to illness or injury are eligible for sick leave at the rate of one day per month to a maximum of ten days in a calendar year. Because sick leave benefits are intended to provide income protection in the event of actual illness or injury, sick leave can be carried over from one anniversary year to the next, with no maximum cap on accrual of sick days. Employees are not paid for sick leave either at the end of the calendar year or upon termination.

To be eligible for sick leave, employees unable to report to work due to illness must notify the supervisor of the absence, as far in advance as possible. If the supervisor is not available, the Mayor or the HR Department should be contacted.

At the discretion of the Mayor, a written certification from a physician or licensed health care professional may be required. Sick leave is transferrable to another employee per policy as outlined in the Town's Code of Ordinances.

***ATTENDANCE AND PUNCTUALITY*** - To keep the Town and each department running smoothly and efficiently, it is important that every employee be dependable and punctual. For this reason, careful attention is given to attendance so not to create undue hardship in the workplace. Dependability, attendance, punctuality, and a commitment to do the job right are essential always. As such, employees are to report to work when scheduled and on time. Moreover, an employee must notify his/her supervisor or the HR Department as far in advance as possible if unable to arrive on time or be absent. A record of absenteeism and tardiness will be kept by the employee's supervisor. Excessive absenteeism and tardiness lessens an employee's opportunity for advancement and may result in dismissal.

***LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT ("FMLA")*** - Employees are eligible for FMLA if employed at least 12 months and have worked a minimum of 1,250 hours during a 12-month period. FMLA allows up to 12 workweeks of unpaid leave in a 12-month period for certain family and medical reasons such as birth or adoption of a child, caring for a spouse/domestic partner, dependent child or parent who has a serious health condition or one's own serious health condition. Employees should notify the supervisor and the HR department if requesting FMLA leave.

### **PROBATIONARY/INITIAL EMPLOYMENT PERIOD**

Every new employee goes through an initial period of adjustment to learn his/her job. The probationary/initial employment period is 30 days for both full-time and part-time employees. At the end of the initial employment period, the employee's supervisor will meet with the employee for a preliminary performance assessment.

## **PERFORMANCE MANAGEMENT**

The Town has instituted a performance management program to compensate employees in a fair and equitable manner based upon an evaluation of the position and the type of work required and demonstrated job performance. In addition to ongoing informal feedback from the supervisor, at least once a year prior to the employee's anniversary date, a formal review of performance called a performance appraisal will be conducted. The performance appraisal gives the employee and the supervisor a chance to discuss progress, personal/career objectives, and/or any concerns. Employees are eligible for annual salary increases based on performance which then become effective on their anniversary date. Promotional increases can be considered when an employee advances to a job level higher than the level presently held, if the present job is re-evaluated to a higher level, or if additional responsibilities are assigned to the employee in the current position. All increases depend on satisfactory performance including attendance/punctuality. Interim salary increases may also be granted to individuals whose accomplishments on the job are judged to be outstanding.

## **EMPLOYEE RECOGNITION PROGRAM – EMPLOYEE OF THE MONTH**

The Administration recognizes above and beyond performance on the job through an Employee of the Month Award. The employee is recognized among his/her peers, and public recognition is given through the Town Council and Town's website.

## **EMPLOYEE BENEFITS**

The Town has established a variety of benefit programs designed to assist the employee and eligible dependents in meeting the financial burdens that can result from illness and disability, and to help plan for retirement. This information is provided as an overview of benefits, but does not provide details of these benefits. The HR Department has available benefit plan official documents which will govern in all cases. Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits.

**HEALTH INSURANCE** - The Town currently pays 100% of the premium for health insurance benefits for full-time employees. Employees can add spouse/dependents to the coverage at an additional personal cost. Employees are eligible for health insurance upon completing the probationary period of 30 days, and the effective date will vary based upon hire date. The HR Department will provide information regarding effective date and employee cost for premiums.

**GROUP LIFE INSURANCE** - The Town offers an employer-paid basic group term life policy to full-time employees. Eligibility is based on hire date and typically becomes effective with the first 90 days.

**RETIREMENT PLAN** - Each full-time employee after the initial employment period contributes to the Louisiana Municipal Employee Retirement System for the employee's retirement. The Town also contributes to the fund. HR will provide contribution rates and vesting information.

**WORKERS' COMPENSATION BENEFITS** - The Town is covered under statutory state Workers' Compensation Laws. If an employee sustains a work-related injury, the department supervisor and HR Department should be immediately notified. If the injury requires the attention of a doctor, a list of approved physicians should be obtained by calling the Workers' Compensation Carrier's Physician Network Referral Unit. (The Referral Unit's telephone number will be provided by HR or the supervisor). In the case of an emergency, the employee should go to the nearest hospital emergency room for treatment and then utilize the Network Referral Unit if additional treatment is necessary.

## **DISCIPLINARY ACTION**

**PROGRESSIVE DISCIPLINE (GENERAL)** - All employees are expected to meet the Town's standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency and general compliance with the Town's policies and procedures and/or other disciplinary problems. The intent of progressive discipline is to formally document problems while providing the employee with a reasonable time within which to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement. If an employee does not meet these standards, the Town may, under appropriate circumstances, take corrective action, other than dismissal.

**Verbal Corrective Action** - Supervisors are expected to provide ongoing instruction, guidance, and verbal coaching when necessary. The first step in progressive discipline is a discussion between the supervisor and the employee specifying the details of where improvement is needed. The supervisor will note the date of the conversation along with guidelines for employee improvement. (This notation is not to be part of the employee file.) The employee will be informed that if there is no improvement within a specified time further corrective action will follow.

**Written Corrective Action** - The supervisor will discuss the problem, suggest means to improve, and present a written correction action/plan to the employee in the presence of a HR representative. This communication will clearly identify the problem and outline a course of corrective action within a specific time frame. The employee will understand both the corrective action and the consequence

if the problem is not corrected. The employee will sign an acknowledgement receipt and include any additional comments. A record of the discussion and the employee's comments will be placed in the HR employee's file. All written corrective actions will become a part of the employee's permanent HR file. Repeated written corrective actions will prevent an employee from earning salary increases and could result in termination.

### **DRUG & ALCOHOL ABUSE**

Illegal possession or use of any controlled substance while on Town premises or during the performance of the job and/or the consumption of alcohol while engaged in work activity, including operation of a motor vehicle or other equipment, or in the performance of any Public Works task is strictly prohibited. These activities constitute serious violations of Town rules, jeopardize the Town and can create situations that are unsafe or that substantially interfere with job performance. Employees in violation of the policy are subject to appropriate disciplinary action, up to and including dismissal. Additionally, the Town reserves the right to require an employee to undergo a medical evaluation under appropriate circumstances.

### **DRUG TESTING**

The Town has a Zero Tolerance Policy related to the use of illegal drugs and alcohol in the workplace. Drug testing will be done to provide reasonable safety on the job and to meet the responsibility to the public served. The testing clinic/authority follows the Department of Transportation guidelines and protocols as set forth by the Federal government.

Testing: Drug and alcohol tests will be administered under the following conditions:

1. during the pre-employment process as a screening test, and condition of employment;
2. when an employee shows signs of impairment on the job;
3. after any accident or occurrence that results in an injury on the  
job as defined by the Occupational Safety and Health Administration;
4. when involved in an accident while operating a Town vehicle or piece of equipment;
5. randomly, as set by the Administration.

Employees who refuse to submit to drug and alcohol testing may be terminated.

### ***CONSEQUENCES/DISCIPLINE (DRUGS & ALCOHOL)***

1. Employees testing positive for drugs or alcohol will be terminated or offered the opportunity to resign in lieu of termination.
2. Employees testing positive for drugs or alcohol will be provided information to voluntarily participate in a non-employer sponsored Substance Abuse Program of their choosing.
3. Employees may re-apply to return to work upon completion of a certified Substance Abuse Program along with documentation of negative drug screens. The Town reserves the right to apply a defined period of time for rehabilitation before considering an individual for re-employment.

### **SEPARATIONS**

***RESIGNATION AND EXIT INTERVIEW-*** When an employee decides to leave for any reason, his/her supervisor and the HR Department requests the opportunity to discuss the resignation before final action is taken. As a professional courtesy, a written two-week notice of resignation is recommended.

***DISMISSALS*** - Every Town employee has the status of "employee-at-will," meaning that no one has a contractual right, express or implied, to remain in the Town's employ. The Town may terminate an employee's employment, or an employee may terminate his/her employment, without cause, and with or without notice, at any time for any reason.

### **THE FOLLOWING GUIDELINES MAY BE APPLIED AT THE TOWN'S DISCRETION**

***TERMINATIONS*** – All employees are expected to meet appropriate standards of job performance, conduct, and attendance. There are three types of recognized dismissal: 1) reduction in force 2) summary dismissal and 3) failure to improve performance under progressive discipline.

1. A reduction in force can occur due to workload decrease, or introduction of labor efficiencies.
2. Summary dismissal requires no warning or prior notice and usually results from an act which seriously violates Town rules. Examples of acts which, in most cases, would lead to summary dismissal include:
  - Assault, harassment, or abusive behavior toward a fellow employee
  - Breach of trust, confidentiality, dishonesty, theft, larceny
  - Theft, destruction, defacing, misuse or willful abuse of Town property

- Endangering the welfare of other employees
  - Conflict of interest
  - Ethics violation
  - Job abandonment or failure to report to work
  - Falsification or misuse of Town records
  - Misappropriation of Town funds
  - Possession of firearms or weapons on Town premises
  - Possession, sale of, consumption or being under the influence of alcoholic beverages on Town premises, or while performing Town business (except when supported, authorized and supervised by the Town).
  - Possession, sale of, consumption or being under the influence of illegal or controlled substances on Town premises or while performing Town business
  - Sexual harassment
  - Insubordination – (Insubordination generally involves an employee’s refusal, with no valid reason, to follow directions to do something clearly established as part of the job. It can also include, but is not limited to, unprofessional conduct, abusive language, or inability to control oneself.
  - Any other flagrant action which represents a serious breach of Town rules
3. Progressive discipline provides an employee with action plans and a reasonable time to improve his/her unsatisfactory performance. However, after appropriate warning and notification procedures, and after attempts to improve performance over a reasonable period have failed, an employee who does not meet the standards of performance may be terminated.

This list is intended to be representative of the types of activities that may result in disciplinary action. It is not exhaustive, and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and the Town. In addition, both the Town and an employee have the right to terminate the employment relationship at any time and for any reason with or without prior notice. No commitment for any employment for any specified duration can be made unless it is expressly set forth in a written document approved by the Mayor. No oral or written statements made by Town employees or contained in any Town materials are intended to be considered promises of continued employment or contractual obligations.

### ***POST RESIGNATION/TERMINATION PROCEDURES***

HR is responsible for scheduling an exit interview with a terminating employee on the employee's last day of employment and for arranging the return of Town property. To receive a disbursement of any amounts due from the Retirement Plan, the employee is required to complete and sign a



distribution form and submit it to the HR Department. Specific information will be provided at the exit interview.

Insurance benefits end on the last day of the month in which employment is concluded. An employee, unless dismissed for gross misconduct, has the option to convert to individual life insurance, and to continue health insurance coverage in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA") regulations. The final paycheck will be issued in compliance with state law. If there are unpaid obligations to the Town, the final paycheck will reflect the appropriate deductions.

If an employee is rehired within a year of the separation date, vacation, personal days, and sick leave benefits will be reinstated to those to which the employee was eligible on the date of departure.

## **GENERAL OFFICE POLICY & PROCEDURES**

***APPEARANCE & PROFESSIONAL CONDUCT*** - The Town expects employees to maintain a neat, well-groomed appearance. Employees should avoid extremes in dress or appearance. Full-time Public Works and Maintenance employees are required to wear uniforms which will be provided by the Town. Upon separation, uniforms must be returned to the Town. Employees that do not return the uniforms will be responsible for the incurred expense. Recovery of these expenses may be made through payroll deduction.

Additionally, Town employees are required to wear Town supplied ID badges off premises.

The Town requires order and discipline to succeed and to promote efficiency, productivity and cooperation among its employees. Employees are to maintain proper standards of conduct always. Employees who fail to maintain proper standards of conduct toward the work, co-workers, residents, and visitors or who violate any of the Town's policies, are subject to appropriate disciplinary action, up to and including termination. Improper conduct includes but is not limited to malicious, abusive, or profane speech, aggressive or threatening behavior, angry outbursts, and neglectful, disruptive, and contentious actions.

***COURTESY & COOPERATION*** – As public servants, Town employees must provide quality service to all the residents and visitors giving 100% best efforts through courtesy, efficiency, and cheerfulness.

***TELEPHONE*** - It is essential to project a professional telephone manner always. Incoming calls are to be answered promptly by those assigned and per established departmental telephone procedure. Although the Town realizes that there are times when an employee may need to use the telephone for personal reasons, it is expected that good judgment will be used in limiting the length and frequency of such calls

***VIOLENCE IN THE WORKPLACE*** - The Town strongly believes that all employees should be treated with dignity and respect. Acts of violence will not be tolerated. Any instances of violence must be reported to the employee's supervisor and/or the HR Department. The Town will promptly respond to any incident or suggestion of violence. Violation of this policy will result in disciplinary action, up to and including immediate termination.

### **PUBLIC INFORMATION & CONFIDENTIALITY**

Many Town records are considered part of the public record. However, some records are personal and confidential and employees must not disclose any confidential information purposefully or inadvertently to any unauthorized person inside or outside the Town. Employees unsure of the confidential nature of specific information can ask the records custodian or supervisor for clarification.

### **ETHICS, CONFLICTS OF INTEREST, AND OUTSIDE EMPLOYMENT**

The Town expects employees to conduct business adhering to the highest ethical standards of conduct. Conflict of interest and outside employment issues are covered under state law and the Town's Code of Ordinances. Town employees are required by state law to complete an annual ethics training course which will assist in determining appropriate behavior for public servants. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he/she should immediately contact the HR Department to obtain clarification. An ethics violation will result in immediate and appropriate discipline, up to and including termination.

### **POLITICAL CONTRIBUTIONS, ACTIVITIES AND GIFTS**

As stated above, employees are required to complete an annual ethics training. This training will provide specific guidelines on contributing to political campaigns, political parties and other related activities. Information will also be provided on restrictions to accepting gifts from vendors, suppliers, and individuals. Any questions or concerns regarding these matters should be brought to the employee's supervisor or HR.

### **TRAINING, MEETINGS, & TRAVEL**

Certain training programs, certifications and meetings may be a requirement of employment. All public servants are required to take and pass Ethics Training and the exam. National Incident Management, Pipeline Safety, and Rural Water continuing education classes are among those which may be required by some administrative and public works employees. Each supervisor will have details regarding classes the employee is required to complete. Employee training and development

is viewed by the Town as a continuing process designed to promote high quality performance, professionalism and educational growth.

Employees scheduled to attend a training program or meeting which requires overnight travel away from home will be assisted with lodging accommodations through the HR Department or supervisor. As needed, an advance allowance for "actual expenses" may be provided for meals and incidental expenses. The maximum advance "actual expense allowance" will be based on the most current information included in the U.S. General Services Administration publication related to allowances for lodging and meals

An expense report with attached receipts will be completed per standards of acceptable practices as defined by the Mayor. The purchase of alcoholic beverages is not to be included on any expense report and is not, under any circumstance, a reimbursable expense. The maximum acceptable tip allowed to be included on an expense report is 20% of the taxable amount of the meal. Other tipping of service personnel is expected to be reasonable and per established cultural norms. The expense report is due within three days of the return to the regular work location. Unsubstantiated expenses or a failure to submit an expense report by the second pay period after return will result in recovery of the full allowance or the balance due by the Town through payroll deduction.

If an employee uses a personal vehicle for work related purposes, compensation will be based on the most current Standard Mileage Rates as established by the IRS. To be reimbursed, a mileage expense report should be completed.

### **ACCIDENTS AND EMERGENCIES**

Maintaining a safe work environment requires the continuous cooperation of all employees. The Town strongly encourages employees to communicate with fellow employees and supervisor regarding safety issues.

Employees will be provided care, first-aid and emergency service, as required, for injuries or illnesses while on the Town premises. Employees should contact their supervisor or 911 in the event of an accident or emergency. Failure to report accidents is a serious matter as it may preclude an employee's coverage under Worker's Compensation Insurance.

### **SOLICITATIONS**

Employees may not solicit other employees during working time, nor may employees distribute literature in work areas at any time. Under no circumstances may an employee disturb the work of others to solicit or distribute literature to them during working time.

## **E-MAIL AND INTERNET POLICY**

Town employees are responsible for using the electronic mail (E-mail) system properly and in accordance with this policy. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the Town E-mail system. Employees should be aware that deletion of any E-mail messages or files will not truly eliminate the messages from the system. All E-mail messages are stored on a central back-up system in the normal course of data management.

Even though the Town has the right to retrieve and read any E-mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Information should be strictly shared on a “need to know” basis, and employees are not authorized to retrieve or read any E-mail messages that are not sent to them. Any exception to this policy must receive the prior approval of Town management.

The Town's policies against sexual or other harassment apply fully to the E-mail system, and any violation of those policies is grounds for discipline up to and including termination. Therefore, no E-mail messages should be created or sent if containing intimidating, hostile, or offensive material.

Although the Town recognizes that the Internet may have useful applications to Town's business, employees may not engage in Internet use unless a specific business purpose requires such use. "Surfing the Net" is not a legitimate business activity.

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. E-mails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write E-mail communications with no less care, judgment and responsibility than would be used for letters or internal memoranda written on Town letterhead.

Any employee who discovers misuse of the E-mail system should immediately contact the Mayor.

## **REFERENCE CHECKS**

Under no circumstances should any Town employee release any information about any current or former Town employee over the telephone. All telephone inquiries regarding any current or former employee of Town must be referred to the HR Department.

## **SMOKING POLICY**

To comply with government regulations, the Town has prohibited smoking throughout its workplace.

### **USE OF COMPANY EQUIPMENT AND COMPUTER SYSTEMS**

Town provided supplies, uniforms, equipment, automobiles and materials necessary to perform the job are to be used solely for Town purposes. Loss, damages or theft of Town property should be reported at once. Negligence in the care and use of Town property may be considered grounds for discipline, up to and including termination. Upon termination of employment, the employee must return all Town property, uniforms, equipment, work product and documents in his/her possession or control.

***USE OF COMPANY VEHICLES*** - Only employees with an unrestricted, current driver's license and who have adequate insurance coverage may operate Town vehicles or use a vehicle to conduct Town business. Town vehicles may only be used for authorized Town business. An employee operating a Town vehicle under the influence of drugs or alcohol or in an unsafe or negligent manner will be immediately terminated. The Town has the right to search any Town vehicle at any time. Therefore, employees have no reasonable expectation of privacy with respect to Town vehicles.

Town vehicles are not allowed to be taken across state lines without express written permission from the Mayor.