

**TOWN OF TIVERTON**  
**EMPLOYEE HANDBOOK**



***All of the policies contained in our Employee Handbook database and set forth in the English language are reviewed semiannually for compliance with applicable state and federal statutes and regulations as of the date of review, by the law firm of Fisher & Philips, LLP. Paychex understands that clients occasionally may decide to further customize their Employee Handbook, or to ask Paychex to translate some or all of the policies into Spanish. However, please be aware that if you elect to substantively alter the policies that are offered, include your own original policies in your Employee Handbook, or ask that Paychex translate policies into Spanish (collectively the "Changed Policies"), the "Changed Policies" will not be reviewed for compliance with applicable law. This also extends to any additional outside-the-database policies that you may elect to include in future updates of your Employee Handbook. Moreover, Paychex is unable to support these "Changed Policies" outside of our database with our ongoing semiannual compliance reviews or resulting policy updates.***

Approval

## **Welcome to Town of Tiverton!**

Starting a new job is exciting, but at times can be overwhelming. This Employee Handbook has been developed to help you become acquainted with our municipality and answer many of your initial questions.

As an Employee of the Town of Tiverton, you are very important. Your contribution cannot be overstated. Our goal is to provide the finest-quality services to our taxpayers and to do so efficiently, courteously, and economically.

You are an important part of this process because your work directly influences our municipality's reputation.

We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

Approval COP: 10/21/13

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## A Word About This Handbook

This Employee Handbook contains information about the employment policies and practices of the municipality. We expect each employee to read this Employee Handbook carefully, as it is a valuable reference for understanding your job and the municipality. The policies outlined in this Employee Handbook should be regarded as management guidelines only, which in a developing business will require changes from time to time. The municipality retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the municipality. This Employee Handbook supersedes and replaces any and all prior Employee Handbooks and any inconsistent verbal or written policy statements.

The municipality complies with federal and state law and this handbook generally reflects those laws. The municipality also complies with any applicable local laws, even though there may not be an express written policy contained in the handbook.

Except for the policy of at-will employment, the municipality reserves the right to revise, delete and add to the provisions of this Employee Handbook at any time without further notice. All such revisions, deletions or additions to the Employee Handbook must be in writing and must be signed by the Town Administrator of the municipality. No oral statements or representations can change the provisions of this Employee Handbook.

The provisions of this Employee Handbook are not intended to create contractual obligations with respect to any matters it covers. Nor is this Employee Handbook intended to create a contract guaranteeing that you will be employed for any specific time period. Any

agreement to employment for a specified period of time will be put into writing and signed by the Town Administrator of the municipality.

Nothing in this Employee Handbook is intended to unlawfully restrict an employee's right to engage in any of the rights guaranteed them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in this Employee Handbook will be interpreted, applied or enforced to interfere with, restrain or coerce employees in the exercise of Section 7 rights.

**OUR MUNICIPALITY IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS EMPLOYEE HANDBOOK, EITHER YOU OR THE MUNICIPALITY MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE MUNICIPALITY IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME UNLESS SUCH AN AGREEMENT IS IN A WRITTEN CONTRACT SIGNED BY THE TOWN ADMINISTRATOR OF THE MUNICIPALITY.**

This Employee Handbook refers to current benefit plans maintained by the municipality. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling.

Likewise, if a written contract is inconsistent with the Employee Handbook, the written contract is controlling.

## Building for the Future

As with any business, revenues are an absolute necessity for maintaining jobs and building for the future. Rather than look at generating sales and revenue as an "undesirable task", we look at it as a "must" situation. How do we continue to generate revenues to ensure a secure future and continued opportunities for all employees? With teamwork. Together we must meet the challenges we face on a daily basis.

In general, we have mentioned benefits, responsibilities and operations. We have saved the most crucial component of this business for last -- You.

At all times, you represent the municipality, and it is up to each one of you to take this responsibility seriously. Our municipality exists with your joint efforts. Don't underestimate your contribution to it. A great many people outside the business who invest their time, money and faith in us are part of that equation. They are our taxpayers. They will determine how fast we grow, how many people we will employ, how much service we render and the profit we make. In order to retain these taxpayers, we want to ensure that our good service continues by always giving our taxpayers the best possible value and quality. Working together and working well provides us with a bright future and with the most important commodity, a good reputation.

## **Equal Employment Opportunity**

Our municipality is committed to equal employment opportunity. We will not discriminate against employees or applicants for employment on any legally-recognized basis ["protected class"] including, but not limited to: veteran status, uniform servicemember status, race, color, religion, sex, national origin, age, physical or mental disability, genetic information or any other protected class under federal, state, or local law.

In Rhode Island, the following also are a protected class: race; color; religion; sex; pregnancy, childbirth or related medical conditions; disability; age [40 or over]; sexual orientation; gender identity or expression; country of ancestral origin; positive AIDS test result [except where shown, on the testimony of competent medical authorities, to constitute a clear and present danger of AIDS virus transmission to others], genetic testing, housing status, off-duty tobacco usage and seeking or obtaining (or refusing to seek or obtain) a protective order.

You may discuss equal employment opportunity related questions with the Town Administrator or any other designated member of management.

## Affirmative Action

The municipality has been and will continue to be an equal opportunity employer. To assure full implementation of this equal employment policy, we will take steps to make sure that:

- a) Persons are recruited, hired, assigned and promoted without regard to race, religion, color, national origin, citizenship, sex, veteran status, uniform service member status, age, disability or any other legally recognized protected personal characteristics.
- b) Similarly, all other personnel actions, such as compensation, benefits, transfers, layoffs and recall from layoffs, access to training, education, tuition assistance and social recreation programs are administered without regard to race, religion, color, veteran status, uniform service member status, national origin, citizenship, sex, age, disability or any other legally recognized protected personal characteristics.

We have appointed the Town Administrator to take on the responsibility of municipality EEO coordinator. The EEO coordinator will be responsible for the day-to-day implementation and monitoring of our Affirmative Action Plan. As part of that responsibility, the EEO coordinator will periodically analyze the municipality's personnel actions and their effects to ensure compliance with our equal employment policy.

If you have any questions about this policy, or would like to review or be considered under our Affirmative Action Plan, please see the Town Administrator.

I have reviewed and fully endorse our Affirmative Action and Equal Employment Opportunity program. In closing, I ask for the continued assistance and support of all of the municipality's personnel to attain our objective of equal employment opportunity for all.

Sincerely,

Town Administrator

### **Americans with Disabilities Act**

Our municipality is committed to providing equal employment opportunities to qualified individuals with disabilities. This may include providing reasonable accommodation where appropriate in order for an otherwise qualified individual to perform the essential functions of the job. It is your responsibility to notify your Supervisor of the need for accommodation. Upon doing so, your Supervisor may ask you for your input or the type of accommodation you believe may be necessary or the functional limitations caused by your disability. Also, when appropriate, we may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals. The municipality will not seek genetic information in connection with requests for accommodation. All medical information received by the municipality in connection with a request for accommodation will be treated as confidential.



## Life Threatening Illnesses

Employees occasionally develop serious or life threatening illnesses. Our municipality is committed to supporting such employees' efforts to continue their normal pursuits, including working. When necessary and where required by law, the municipality will provide reasonable accommodations to otherwise qualified individuals with disabilities, including employees with serious or life threatening illnesses. All employees, including employees with serious or life threatening illnesses, must maintain acceptable performance standards.

The municipality will not seek genetic information in connection with requests for accommodation. An employee's medical information is confidential. Disclosure of employee medical information is restricted to limited situations where a manager or supervisor has a job-related reason to know it. Employees who disclose employee medical information without proper authorization will be subject to disciplinary action, up to and including discharge.

Employees with questions or concerns about life threatening illnesses are encouraged to contact their Supervisor for information and referral to appropriate services and resources.

## **A Word About our Employee Relations Philosophy**

We are committed to providing the best possible climate for maximum development and goal achievement for all employees. Our practice is to treat each employee as an individual. We seek to develop a spirit of teamwork; individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, we provide a comfortable and progressive workplace. Most importantly, we have a workplace where communication is open and problems can be discussed and resolved in a mutually respectful atmosphere. We take into account individual circumstances and the individual employee.

We firmly believe that with direct communication, we can continue to resolve any difficulties that may arise and develop a mutually beneficial relationship.

## **No Harassment**

We do not tolerate the harassment of applicants, employees, taxpayers, or vendors. Any form of harassment relating to an individual's race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability or handicap; citizenship status; service member status; or any other category protected by federal, state, or local law is a violation of this policy and will be treated as a disciplinary matter.

In Rhode Island, the following also are a protected class: race; color; religion; sex; pregnancy, childbirth or related medical conditions; disability; age [40 or over]; sexual orientation; gender identity or expression; country of ancestral origin; positive AIDS test result [except where shown, on the testimony of competent medical authorities, to constitute a clear and present danger of AIDS virus transmission to others], genetic testing, housing status, off-duty tobacco usage and seeking or obtaining (or refusing to seek or obtain) a protective order.

**Violation of this policy will result in disciplinary action, up to and including immediate discharge.**

If you have any questions about what constitutes harassing behavior or what conduct is prohibited by this policy, please discuss the questions with your immediate supervisor or one of the contacts listed in this policy. At a minimum, the term “harassment” as used in this policy includes:

- Offensive remarks, comments, jokes, slurs, or verbal conduct pertaining to an individual’s race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability or handicap; citizenship status; service member status; or any other category protected by federal, state, or local law.
- Offensive pictures, drawings, photographs, figurines, or other graphic images, conduct, or communications, including e-mail, faxes, and copies pertaining to an individual’s race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability or handicap; citizenship status; service member

status; or any other category protected by federal, state, or local law.

- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved; and
- Offensive physical conduct, including touching and gestures, regardless of the gender of the individuals involved.

We also absolutely prohibit retaliation, which includes: threatening an individual or taking any adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.

The Rhode Island Commission for Human Rights defines sexual harassment as: “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Our supervisors and managers are covered by this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct. No supervisor or other member of management has the authority to suggest to any applicant or employee that employment or advancement will be affected by the individual entering into (or refusing to enter into) a personal relationship with the supervisor or manager, or

for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy.

Even non-employees are covered by this policy. We prohibit harassment, discrimination, or retaliation of our employees in connection with their work by non-employees. Immediately report any harassing or discriminating behavior by non-employees, including contractor or subcontractor employees. Any employee who experiences or observes harassment, discrimination, or retaliation should report it using the steps listed below.

**If you have any concern that our No Harassment policy may have been violated by anyone, you must immediately report the matter. Due to the very serious nature of harassment, discrimination and retaliation, you must report your concerns to one of the individuals listed below:**

1. Discuss any concern with Town Administrator at (401) 625-6710 and 343 Highland Rd., Tiverton, RI 02878.
2. If you are not satisfied after you speak with Town Administrator, or if you feel that you cannot speak to Town Administrator, discuss your concern with Town Clerk at (401) 625-6711 and 343 Highland Rd., Tiverton, RI 02878.

If an employee makes a report to any of these members of management and the manager either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to one of the other members of management designated in this policy to receive complaints.

**You should report any actions that you believe may violate our policy no matter how slight the actions may seem.**

We will investigate the report and then take prompt, appropriate remedial action. The municipality will protect the confidentiality of employees reporting suspected violations to the extent possible consistent with our investigation.

**You will not be penalized or retaliated against for reporting improper conduct, harassment, discrimination, retaliation, or other actions that you believe may violate this policy.**

We are serious about enforcing our policy against harassment. Persons who violate this or any other municipality policy are subject to discipline, up to and including discharge. We cannot resolve a potential policy violation unless we know about it. You are responsible for reporting possible policy violations to us so that we can take appropriate actions to address your concerns.

We encourage our employees to file a complaint of sexual harassment using our municipality's complaint procedure.

If you are dissatisfied with the resolution of your concern, you may also file a complaint by writing or calling the following agencies:

- Rhode Island Commission for Human Rights, 180 Westminster Street, Third Floor, Providence, RI 02903, (401) 222-2662 (voice), (401) 222-2664 (TTY). Complaints should be filed within one year of the adverse action.
- Equal Employment Opportunity Commission, John F. Kennedy Federal Building, Government

Center, 4th Floor, Room 475, Boston, MA 02203, (617) 565-3200 (voice), (617) 565-3204 (TTY). Complaints must be filed within 300 days of the adverse action.

## Categories of Employment

**INTRODUCTORY PERIOD:** Full-time and part-time Employees are on an introductory period during their probationary period as specified in the CBA.

During this time, you will be able to determine if your new job is suitable for you and your Supervisor will have an opportunity to evaluate your work performance. However, the completion of the introductory period does not guarantee employment for any period of time since.

**FULL-TIME EMPLOYEES** regularly work at least a 32.5-hour workweek.

**PART-TIME EMPLOYEES** work less than 19 hours each week.

**SEASONAL EMPLOYEES** perform a job for a specified time, normally less than one year.

**PER DIEM EMPLOYEES** do not work regularly scheduled hours, but are called in to work on an as-needed basis.

In addition to the preceding categories, Employees are also categorized as "exempt" or "non-exempt."

**NON-EXEMPT EMPLOYEES** are entitled to overtime pay as required by applicable federal and state law.

EXEMPT EMPLOYEES are not entitled to overtime pay and may also be exempt from minimum wage requirements pursuant to applicable federal and state laws.

Upon hire, your Supervisor will notify you of your employment classification.

### **Anniversary Date**

The first day you report to work will be recorded in municipality records as your anniversary date. This date may be used to calculate many different municipal benefits. If you have any questions regarding your anniversary date, please see your Supervisor.

### **Driver's License/Driving Record**

Employees in positions where the operation of a motor vehicle is an essential duty of the position must present and maintain a valid driver's license and acceptable driving record to our insurer. Changes in your driving record must be reported to your Supervisor immediately. Violations of this policy may result in immediate termination of your employment.



## **Bonding Requirement**

Certain positions in the municipality require employees to be bonded. It is the responsibility of the employee to ensure (s)he is bondable and to maintain bondable status. The municipality will pay the full cost of bonding. Violations of this policy may result in immediate termination of your employment.

## **Certification, Licensing and Other Requirements**

You will be informed by your Supervisor if there are any licensing, certification or testing requirements for your job. Failure to qualify or to maintain a certification or license may be sufficient cause for discharge.

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## **Immigration Reform and Control Act**

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, our municipality is committed to employing only individuals who are authorized to work in the United States.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

If an employee is authorized to work in this country for a limited time period, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the municipality.

## **New Employee Orientation**

Upon joining our municipality, you were given this copy of our Employee Handbook. After reading this Employee Handbook please sign the receipt page and return it to your Supervisor. You will be asked to complete personnel, payroll and benefit forms.

If you lose your Employee Handbook or if it becomes damaged in any way, please notify your Supervisor as soon as possible.

Your Supervisor is responsible for the operations of your department. (S)he is a good source of information about the municipality and your job.

## Suggestions and Ideas

We are always interested in your constructive ideas and suggestions for improving our operations. Your suggestions should be submitted in writing to your Supervisor.

After we investigate your suggestion, you will be notified whether it is feasible to be put into practice.

We believe that suggestions indicate initiative. With your approval, we will place the written suggestion in your personnel file and consider it at the time of your performance review.

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## **Talk to Us**

We encourage you to bring your questions, suggestions and complaints to our attention. We will carefully consider each of these in our continuing effort to improve operations.

If you feel you have a problem, present the situation to your Supervisor so that the problem can be settled by examination and discussion of the facts. We hope that your Supervisor is able to satisfactorily resolve most matters.

If you still have questions after meeting with your Supervisor or if you would like further clarification on the matter, request a meeting with the Town Administrator. (S)he will review the issues and meet with you to discuss possible solutions.

Your suggestions and comments on any subject are important, and we encourage you to take every opportunity to discuss them with us. Your job will not be adversely affected in any way because you choose to use this procedure.

If at any time you do not feel comfortable speaking with your Supervisor or the next level of management, discuss your concern with any other member of management with whom you feel comfortable.

## Your Pay and Progress

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## Recording Your Time

Non-exempt Employees must record their hours as determined by their supervisor on the computer.

Accurately recording all of your time is required in order to be sure that you are paid for all hours worked. You are expected to follow the established procedures in keeping an accurate record of your hours worked. Time must be recorded as follows:

- Immediately before starting your shift.
- Immediately after finishing work before your meal period.
- Immediately before resuming work after your meal period.
- Immediately after finishing work.
- Immediately before and after any other time away from work.

Exempt Employees may be required to accurately record their time worked in accordance with federal and state wage and hour law.

All Employees subject to this policy are required to accurately record all time worked.

The workweek starts on Friday and ends on Thursday.

## **Payday**

You will be paid biweekly on Thursday for the period in which you worked, please note that period may vary among employees.

When our payday is a holiday, you normally will be paid on the last working day before the holiday.

You may pick up your paycheck from your Supervisor.

Please review your paycheck for errors. If you find a mistake, report it to your Supervisor immediately. Your Supervisor will assist you in taking the steps necessary to correct the error.

## **Paycheck Deductions**

The municipality is required by law to make certain deductions from your paycheck each pay period. Such deductions typically include federal and state taxes and Social Security (FICA) taxes. Depending on the state in which you are employed and the benefits you choose, there may be additional deductions. All deductions and the amount of the deductions are listed on your pay stub. These deductions are totaled each year for you on your Form W-2, Wage and Tax Statement.

It is the policy of the municipality that exempt employees' pay will not be "docked," or subject to deductions, in violation of salary pay rules issued by the United States Department of Labor and any corresponding rules issued by the state government, as applicable. However, the municipality may make deductions from employees' salaries in a way that is permitted under



federal and state wage and hour rules. Employees will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law.

Thus, exempt employees may be subject to the following salary deductions, except where prohibited by state law, but only for the following reasons:

- Absences of one or more full days for personal reasons, other than sickness or disability; or
- Absences of one or more full days due to sickness or disability, if there is a plan, policy, or practice providing replacement compensation for such absences; or
- Absences of one or more full days before eligibility under such a plan, policy, or practice or after replacement compensation for such absences has been exhausted; or
- Suspensions of one or more full days for violations of safety rules of major significance; or
- Suspensions of one or more full days for violations of written workplace conduct rules, such as rules against sexual harassment and workplace violence; or
- Payment of actual time worked in the first and last weeks of employment, resulting in a proportional rate of an employee's full salary; or
- Any unpaid leave taken under the Family and Medical Leave Act; or
- Negative paid-time-off balances, in whole-day increments only.

The municipality will not make deductions which are prohibited by the Fair Labor Standards Act or state laws from its exempt employees' pay.

If questions or concerns about any pay deductions arise, employees may discuss and resolve them with their Supervisor. If an error is found, you will receive an

immediate adjustment which will be paid no later than on the next regular payday.

## **Garnishment/Child Support**

When an employee's wages are garnished by a court order, our municipality is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. Our municipality will, however, honor applicable federal and state guidelines that protect a certain amount of an employee's income from being subject to garnishment.

## **Direct Deposit**

You have the option of receiving your pay in a payroll check or having your pay deposited into your bank account through our direct deposit program.

## **Performance Reviews**

Your performance is important to our municipality. Once each year, on or about your anniversary date, your Supervisor may review your job progress within our municipality and help you set new job performance plans.

Our performance review program provides the basis for better understanding between you and your Supervisor,

with respect to your job performance, potential and development within the municipality.

New employees will generally be reviewed at the end of their introductory period.

## **Job Descriptions**

The municipality strives to maintain an updated job description for each position in the municipality. The job description outlines the essential duties and responsibilities of the position. When the duties and/or responsibilities of a position change, the job description is revised to reflect those changes. If you have any questions or wish to obtain a copy of your position's job description, please see your Supervisor.

## **Pay Advances**

Pay advances will not be granted to employees.

## **Overtime**

There will be times when you will need to work overtime so that we may meet the needs of our taxpayers. Although you will be given advance notice when feasible, this is not always possible. Non-exempt Employees must have all overtime approved in advance by their Supervisor.

Non-exempt Employees will be paid at a rate of time and one-half their regular hourly rate for hours worked in excess of their regular hourly work week, unless state law provides a greater benefit in which case, we will comply with the state law.

Only actual hours worked count toward computing weekly overtime. Please refer to your CBA for specific guidelines regarding Overtime.

If you have any questions concerning overtime pay, check with your Supervisor.

## **Shift Premiums**

A premium rate is paid to employees who work the may vary in accordance with state and federal wage and hour laws.

## **On Call**

It may be necessary for individuals in certain positions to be available by telephone after hours during the week or on the weekend. Employees who are required to be on call will be compensated in accordance with applicable state and federal wage and hour laws.

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**Time Away From Work and Other Benefits**

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## **Employee Benefits**

Our municipality has developed a comprehensive set of employee benefit programs to supplement our employees' regular wages. Our benefits represent a hidden value of additional income to our employees.

This Employee Handbook describes the current benefit plans maintained by the municipality. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling.

The municipality reserves the right to modify and/or terminate its benefits at any time. We will keep you informed of any changes.

Vacation, Sick, Personal Days & Bereavement Leave

Please refer to your CBA for details on these benefits.

## Holidays

Our municipality normally observes the following holidays during the year:

New Year's Day  
Martin Luther King Jr. Day  
President's Day  
1/2 day before Easter (Good Friday)  
Memorial Day  
Independence Day  
Victory Day (RI)  
Labor Day  
Columbus Day  
Thanksgiving Day  
Day After Thanksgiving  
Christmas Eve (1/2 Day)  
Christmas Day

If one of the above holidays falls on Saturday, it normally is observed on the preceding Friday. If a holiday falls on Sunday, it normally is observed on the following Monday.

Full-time employees are eligible for paid holidays immediately upon hire.

Exempt employees will receive holiday pay in compliance with state and federal wage and hour laws.

Non-exempt employees must work their scheduled workday before and after the holiday in order to be paid for the holiday, unless they are absent with prior permission from their Supervisor or the Town Administrator.

## **Jury Duty**

Employees summoned for jury duty are granted an unpaid leave in order to serve.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

We reserve the right to request proof of jury service issued by the Court upon return.

Make arrangements with the Town Administrator as soon as you receive your summons.

When permitted by state law, we expect you to return to your job if you are excused from jury duty during your regular working hours.

## **Military Leave**

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

The time off will be unpaid, except where state law dictates otherwise. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Military orders should be presented to the Town Administrator and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the municipality unless military necessity makes this impossible. You must notify the Town Administrator of your intent to return to employment based on requirements of the law. Your benefits may continue to accrue during the period of leave in accordance with state and federal law.

Additional information regarding military leaves may be obtained from the Town Administrator.

## **Family Military Leave**

Eligible employees who are the spouse, civil union partner or parent of a service person may obtain leave from work while the service person is on military duty lasting longer than 30 days.

To be eligible, the employee must have been employed with the municipality for at least 12 months, and worked at least 1,250 hours during the 12 month period immediately preceding the leave. If eligible, the employee shall receive up to 30 days of unpaid leave.

If leave will last more than five consecutive workdays, the employee shall provide at least 14 days advance notice to the municipality. If the leave will be less than five consecutive workdays, the employee shall provide as much advance notice as possible.

The employee shall consult with the municipality to schedule leave so as not to unduly disrupt business operations. The employee may be required to present the municipality with proper military authority to verify the employee's eligibility for leave.

An employee must first exhaust all other accrued leave, with the exception of sick days and disability leave.

## **Witness Leave**

Employees are given the necessary time off without pay to attend or participate in a court proceeding in accordance with state law. We ask that you notify the Town Administrator of the need to take witness leave as far in advance as is possible.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## **School Visitation Leave**

An employee who is a parent, foster parent, or guardian of a child and who has completed 12 consecutive months of employment with the municipality and works an average of 30 hours or more each week is allowed a total of ten hours of leave during a 12 month period, without pay, to attend school conferences or other school related activities.

You must provide 24 hours' prior notice of leave and make a reasonable effort to schedule the leave so as not to disrupt the operations of the municipality.

An employee may substitute any accrued paid vacation leave or other appropriate paid leave for any part of the leave.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

## Leave of Absence

Under special circumstances, full-time employees who have completed one year of employment may be granted a leave of absence without pay. The granting of this type of leave is normally for compelling reasons and is dependent upon the written approval of the Town Administrator.

Leaves may not exceed 30 days during which time no benefits will accrue. Leaves of absence are granted only after earned vacation is exhausted.

To the extent allowed by the insurance contract, we will continue to provide medical insurance coverage for employees on an authorized leave of absence, for the full length of the leave. During this time you will be responsible for paying your portion of the monthly premium(s).

We will make reasonable efforts to return you to the same or similar job you held prior to the leave of absence, subject to our staffing and business requirements.

## **Victims of Crime Leave**

The municipality will grant reasonable and necessary leave from work without pay to employees who are victims of a crime for purposes of attending court proceedings related to the crime.

Prior to taking leave under this policy, eligible employees must provide the municipality with advance notice of the need for leave, including a copy of the notice of the scheduled proceeding.

Employees seeking leave under this policy may elect (or may be required by the municipality) to use accrued paid vacation, personal leave and/or sick time in lieu of unpaid leave.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.



## **Medical Insurance**

Eligible full-time employees may enroll in a single or a family contract immediately upon hire. Eligibility may be defined by state law and/or by the insurance contract.

Information and enrollment forms may be obtained from the Town Administrator.

To assist you with the cost of this insurance, our municipality pays a portion of a single or a family contract. You are responsible for paying the balance through payroll deduction.

Participating employees are also covered under our medical insurance plan's dental insurance and prescription drug programs.

A booklet containing the details of the plan and eligibility requirements may be obtained from the Town Administrator.

Refer to the actual plan document and summary plan description if you have specific questions regarding this benefit plan. Those documents are controlling.

At the end of employment you may be entitled to continuation or conversion of the group medical insurance plan in accordance with the terms of the policy and/or applicable state and federal law. For more information, contact the Town Administrator.

## **COBRA**

You and/or your covered dependents will have the opportunity to continue medical benefits for a period of up to 36 months under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) when group medical coverage for you and/or your covered dependents would otherwise end due to your death or because:

- your employment terminates, for a reason other than gross misconduct; or
- your employment status changes due to a reduction in hours; or
- your child ceases to be a "dependent child" under the terms of the medical plan; or
- you become divorced or legally separated; or
- you become entitled to Medicare.

In the event of divorce, legal separation, or a child's loss of dependent status, you or a family member must notify the plan administrator within 60 days of the occurrence of the event.

The plan administrator will notify the individuals eligible for continuation coverage of their right to elect COBRA continuation coverage.

For more information regarding COBRA, you may contact the Town Administrator.

## **Life Insurance**

Eligible full-time employees may enroll in this plan after completing their introductory period.

You must complete an insurance form and designate your beneficiary.

The cost of this insurance is fully paid by the municipality.

Participating employees may also be covered under the plan's Accidental Death and Dismemberment rider.

Complete details of this plan may be obtained from the Town Administrator.

## **Federal Family and Medical Leave Act**

The Family and Medical Leave Act ("FMLA") provides eligible employees the opportunity to take unpaid job-protected leave for certain specific reasons. The maximum amount of leave an employee may use is either 12 or 26 weeks within a 12-month period depending on the reasons for the leave.

### **Employee Eligibility**

To be eligible for FMLA leave, you must:

1. have worked at least 12 months for the municipality in the preceding seven years (limited exception apply to the seven-year requirement);

2. have worked at least 1,250 hours for the municipality over the preceding 12 months; and
3. currently work at a location where there are at least 50 employees within 75 miles.

All periods of absence from work due to or necessitated by service in the uniformed services are counted in determining FMLA eligibility.

### **Conditions Triggering Leave**

FMLA leave may be taken for the following reasons:

1. birth of a child, or to care for a newly-born child (up to 12 weeks);
2. placement of a child with the employee for adoption or foster care (up to 12 weeks);
3. to care for an immediate family member (employee's spouse, child, or parent) with a serious health condition (up to 12 weeks);
4. because of the employee's serious health condition that makes the employee unable to perform the employee's job (up to 12 weeks);
5. to care for a Covered Servicemember with a serious injury or illness related to certain types of military service (up to 26 weeks) (see Military-Related FMLA Leave for more details); or
6. to handle certain qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or call to covered active duty status in the Uniformed Services (up to 12 weeks) (see Military-Related FMLA Leave for more details).

The maximum amount of leave that may be taken in a 12-month period for all reasons combined is 12 weeks, with one exception. For leave to care for a Covered Servicemember, the maximum combined leave entitlement is 26 weeks, with leaves for all other reasons constituting no more than 12 of those 26 weeks.

### **Definitions**

A “Serious Health Condition” is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three full calendar days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment.

### **Identifying the 12 Month Period**

The 12-month period in which 12 weeks of leave may be taken is the calendar year. For leave to care for a covered servicemember, the municipality calculates the 12-month period beginning on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

## **Using Leave**

Eligible employees may take FMLA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule when medically necessary for the serious health condition of the employee or immediate family member, or in the case of a covered servicemember, his or her injury or illness. Eligible employees may also take intermittent or reduced-scheduled leave for military qualifying exigencies. Intermittent leave is not permitted for birth of a child, to care for a newly-born child, or for placement of a child for adoption or foster care. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the municipality's operations.

## **Use of Accrued Paid Leave**

Depending on the purpose of your leave request, you may choose (or the municipality may require you) to use accrued paid leave (such as sick leave, vacation, or PTO), concurrently with some or all of your FMLA leave. In order to substitute paid leave for FMLA leave, an eligible employee must comply with the municipality's normal procedures for the applicable paid-leave policy (e.g., call-in procedures, advance notice, etc.).

## **Maintenance of Health Benefits**

If you and/or your family participate in our group health plan, the municipality will maintain coverage during your FMLA leave on the same terms as if you had continued to work. If applicable, you must make arrangements to pay your share of health plan premiums while on leave. In some instances, the municipality may recover premiums it paid to maintain health coverage or other benefits for you and your family. Use of FMLA leave will

not result in the loss of any employment benefit that accrued prior to the start of your leave.

### **Notice and Medical Certification**

When seeking FMLA leave, you are required to provide:

1. sufficient information for us to determine if the requested leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. You must also inform the municipality if the requested leave is for a reason for which FMLA leave was previously taken or certified.

If the need for leave is foreseeable, this information must be provided 30 days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the municipality normal call-in procedures, absent unusual circumstances.

2. medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member within 15 calendar days of the municipality request to provide the certification (additional time may be permitted in some circumstances). If you fail to do so, we may delay the commencement of your leave, withdraw any designation of FMLA leave or deny the leave, in which case your leave of absence would be treated in accordance with

our standard leave of absence and attendance policies, subjecting you to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required;

3. periodic reports as deemed appropriate during the leave regarding your status and intent to return to work; and
4. medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition. The municipality will require this certification to address whether you can perform the essential functions of your position.

Failure to comply with the foregoing requirements may result in delay or denial of leave, or disciplinary action, up to and including termination.

### **Employer Responsibilities**

To the extent required by law, the municipality will inform employees whether they are eligible under the FMLA. Should an employee be eligible for FMLA leave, the municipality will provide him or her with a notice that specifies any additional information required as well as the employee's rights and responsibilities. If employees are not eligible, the municipality will provide a reason for the ineligibility. The municipality will also inform employees if leave will be designated as FMLA-protected and, to the extent possible, note the amount of leave counted against the employee's leave entitlement. If the municipality determines that the leave is not FMLA-protected, the municipality will notify the employee.



### **Job Restoration**

Upon returning from FMLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

### **Failure to Return After FMLA Leave**

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the municipality's standard leave of absence and attendance policies. This may result in termination if you have no other municipality-provided leave available to you that applies to your continued absence. Likewise, following the conclusion of your FMLA leave, the municipality's obligation to maintain your group health plan benefits ends (subject to any applicable COBRA rights).

### **Other Employment**

The municipality generally prohibits employees from holding other employment. This policy remains in force during all leaves of absence including FMLA leave and may result in disciplinary action, up to and including immediate termination of employment.

### **Fraud**

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

## **Employer's Compliance with FMLA and Employee's Enforcement Rights**

The FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

While the municipality encourages employees to bring any concerns or complaints about compliance with FMLA to the attention of the Town Administrator, FMLA regulations require employers to advise employees that they may file a complaint with the U.S. Department of Labor or bring a private lawsuit against an employer.

Further, FMLA does not affect any Federal or state law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

## **Military-Related Federal FMLA Leave**

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

### **Definitions**

A "covered servicemember" is either: (1) a current servicemember of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty for which the servicemember is undergoing medical

treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list; or (2) a “covered veteran” who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

A “covered veteran” is an individual who was discharged under conditions other than dishonorable during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The period between October 28, 2009 and March 8, 2013 is excluded in determining this five-year period.

The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition.” For current servicemembers, the term “serious injury or illness” means an injury or illness that was incurred by the member in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service, that may render them medically unfit to perform the duties of their office, grade, rank or rating.

For covered veterans, this term means a serious injury or illness that was incurred in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service and manifested itself before or after the individual assumed veteran status, and is: (1) a continuation of a serious injury or illness that was incurred or aggravated when they were a member of the Armed Forces and rendered them unable to perform the duties of their office, grade, rank or rating; (2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; (3) a physical

or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would be so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

"Qualifying exigencies" include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, parental care, and post-deployment debriefings.

### **Military Caregiver Leave**

Unpaid Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. Military Caregiver Leave is a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period.

To be "eligible" for Military Caregiver Leave, the employee must be a spouse, son, daughter, parent, or next of kin of the covered servicemember. "Next of kin" means the nearest blood relative of the servicemember, other than the servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of

Military Caregiver Leave. The employee must also meet all other eligibility standards as set forth within the FMLA Leave policy.

An eligible employee may take up to 26 workweeks of Military Caregiver Leave to care for a covered servicemember in a “single 12-month period.” The “single 12-month period” begins on the first day leave is taken to care for a covered servicemember and ends 12 months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust his or her 26 workweeks of Military Caregiver Leave during this “single 12-month period,” the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each servicemember. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered servicemember, and/or for each and every serious injury or illness of the same covered servicemember. A total of no more than 26 workweeks of Military Caregiver Leave, however, may be taken within any “single 12-month period.”

Within the “single 12-month period” described above, an eligible employee may take a combined total of 26 weeks of FMLA leave including up to 12 weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the “single 12-month period,” an eligible employee may take up to 16 weeks of FMLA leave to care for a covered servicemember when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or covered servicemember and

completed by an authorized health care provider within 15 days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

### **Qualifying Exigency Leave**

Eligible employees may take unpaid “Qualifying Exigency Leave” to tend to certain “exigencies” arising out of the duty under a call or order to active duty of a “military member” (i.e. the employee's spouse, son, daughter, or parent). Up to 12 weeks of Qualifying Exigency Leave is available in any 12-month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of Military Caregiver Leave, which is subject to a maximum of 26 weeks of leave in a “single 12-month period”). Although Qualifying Exigency Leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed 12 weeks in any 12-month period (with the exception of Military Caregiver Leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air

National Guard, Air Force Reserve, and Coast Guard Reserve.

A call to active duty refers to a *federal* call to active duty, and *state* calls to active duty are not covered unless under order of the President of the United States pursuant to certain laws.

Qualifying Exigency Leave is available under the following circumstances:

1. **Short-notice deployment.** To address any issue that arises out of short notice (within seven days or less) of an impending call or order to active duty.
2. **Military events and related activities.** To attend any official military ceremony, program, or event related to active duty or call to covered active duty status or to attend certain family support or assistance programs and informational briefings.
3. **Childcare and school activities.** To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.
4. **Financial and legal arrangements.** To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.
5. **Counseling.** To attend counseling (by someone other than a health care provider) for

the employee, for the military member, or for a child or dependent when necessary as a result of duty under a call or order to covered active duty.

6. **Temporary rest and recuperation.** To spend time with a military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to 15 days of leave for each instance of rest and recuperation.
7. **Post-deployment activities.** To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following termination of the military member's active duty status. This also encompasses leave to address issues that arise from the death of a military member while on active duty status.
8. **Parental care.** To care for the military member's parent who is incapable of self-care. The parent must be the military member's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age.
9. **Mutually agreed leave.** Other events that arise from the military member's duty under a call or order to active duty, provided that the municipality and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation



in the form of a copy of the military member's active duty orders or rest and recuperation orders or other military documentation indicating the appropriate military status and the dates of active duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within 15 days. Qualifying Exigency Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

**Limited Nature of This Policy**

This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA. The municipality reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law. State or local leave laws may also apply.



Approval C-20/21/15

## **Parental and Family Medical Leave**

Employees who have completed 12 consecutive months of employment and work an average of 30 hours or more each week are entitled to 13 consecutive weeks of unpaid parental or family leave within two consecutive calendar years. Employees are entitled to continuation of benefits in accordance with applicable law.

Parental or family leave may be used for the birth of your child, the adoption of a child under the age of 16, or due to your serious illness or that of a spouse, civil union partner, child, parent or parent-in-law.

Provide at least 30 days' notice, except in the case of a medical emergency, of the intended date of departure, the length of the parental or family leave and the expected date of your return.

You are entitled to return to your former position or to a similar position of equivalent seniority, status, employment benefits, pay and other terms and conditions of employment.

This leave may run concurrently with the Federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

## **Social Security**

During your employment, you and the municipality both contribute funds to the federal government to support the Social Security program. This program is intended to provide you with retirement benefit payments and medical coverage once you reach retirement age.

## **Unemployment Insurance**

Upon separation from employment, you may be entitled to state and federal unemployment insurance benefits. Information about unemployment insurance can be obtained from the Town Administrator.

## **Workers' Compensation**

On-the-job injuries are covered by our Workers' Compensation insurance policy. This insurance is provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident immediately to the Town Administrator. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim. We ask for your assistance in alerting management to any condition that could lead to or contribute to an employee accident.

## **Retirement Plan**

Our municipality provides eligible Employees with a State sponsored defined benefit and defined contribution plan. This plan is intended to be used in combination with your Social Security benefits and personal resources to provide you with supplemental income upon retirement.

You can obtain a copy of the Summary Plan Description which contains the details of the plan including eligibility and benefit provisions from the Town Administrator. In the event of any conflict in the description of any plan,

the official plan documents, which are available for your review, shall govern. If you have any questions regarding this plan, see the plan administrator.

### **457(b) Eligible Deferred Compensation Plan**

Our municipality provides Employees with access to a 457(b) eligible deferred compensation plan for additional long-term savings for your retirement. The municipality does not contribute to this plan.

Approval Copy 10/21/13

## Health Savings Account

Our municipality makes contributions to the tax-sheltered savings account designated for qualified medical expenses of qualifying employees. This account is known as a Health Savings Account (HSA).

A Health Savings Account is an account that allows account holders to pay for qualified medical expenses and save for future qualified medical expenses on a tax-free basis. Contributions (up to a legal maximum), earnings and qualified distributions are exempt from federal income tax, social security taxes, and state taxes (where permitted). An HSA also gives the account holder the opportunity to increase the account value through tax-free investment earnings.

To make contributions or be eligible to receive municipality contributions to a HSA, you must be enrolled in a qualified high-deductible health plan as defined by the Code and not enrolled in any disqualifying health care or health plan. For more information regarding the Health Savings Account, including eligibility requirements and contribution guidelines, contact the Town Administrator.

## **Professional Development**

Our municipality believes in supporting the individual growth of its employees. To encourage employee development, our municipality offers a professional development reimbursement program to eligible employees who attend job-related seminars.

To participate in this program, you must be a full-time employee.

Approval from the Town Administrator must be received prior to registration for the seminar. Our municipality will pay the full cost of approved job-related seminars.

In an effort to keep our municipality informed of new developments, we ask that you share any new information presented at the seminar with the rest of the staff.

## **Employee Assistance Program**

Eligible full-time and part-time employees may participate in our employee assistance program after completing their introductory period.

Our BalanceWorks®, Employee Assistance Program (EAP), and Work/Life Benefit help eligible employees and their immediate families with a wide range of problems. Situations addressed by the EAP include marriage and family problems, emotional problems, alcoholism and alcohol abuse, drug abuse and dependency, financial problems, compulsive gambling and eating disorders. Your conversations and all records are strictly confidential.

The administrative cost of this program is fully paid by the municipality.

Additional information regarding this program is available at [www.eniweb.com](http://www.eniweb.com) or by calling 1-800-EAPCALL. Complete details of this program may be obtained from the Town Administrator.

## **Uniforms**

The municipality provides uniforms upon hire to certain employees at no charge. Proper care of these uniforms is required.

All uniforms, accessories or name tags issued by our municipality must be returned in good condition upon leaving our municipality.





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## **Confidentiality of Taxpayer Matters**

Our professional ethics require that each employee maintain the highest degree of confidentiality when handling taxpayer matters.

While most taxpayer records are a matter of public record, To maintain professional confidence, no employee shall disclose personal taxpayer information to other taxpayers, friends, or members of one's own family.

Questions concerning taxpayer confidentiality may be addressed with your Supervisor.

## **Care of Taxpayer Records**

The impression that taxpayers have of our municipality is based, in part, on the way we care for their records. If we are careless with their files and records, taxpayers may conclude that we have the same attitude toward our technical work. As professionals, we must respect the confidence in which we are entrusted and ensure that taxpayer files are handled with care.

When possible, obtain all material from taxpayer files and then return the material back to the files. Material should be returned in the same condition or better than when it was received.

Under no circumstances will outside requests for taxpayer material be fulfilled unless prior written permission is received from your Supervisor.

## **Social Security Number Privacy and Protection of Personal Information**

To ensure to the extent practicable the confidentiality of our employees' and applicants' Social Security Numbers (SSNs) and confidential personal information, no employee may acquire, disclose, transfer, or unlawfully use the SSN or personal information of any employee except in accordance with municipality policy. The release of employee SSNs, driver's license numbers, or financial account numbers to external parties is prohibited except where required by law. Internal access to employee SSNs, driver's license numbers, or financial account numbers is restricted to employees with a legitimate business need for the information.

Employee SSNs and personal information may be collected in the ordinary course of business for the purpose of identity verification or to administer benefits and in accordance with state and federal laws. Records that include Social Security numbers and personal information will be maintained in accordance with federal and state laws.

Any documents that include employee SSNs or personal information which are to be discarded must be destroyed by shredding paper documents and running a data scrubbing program before disposing of electronic storage media.

Any violation of this policy will result in disciplinary action up to and including discharge.

Where this municipality policy and operating procedures may conflict with state law, the state law shall supersede this policy.

For more information about this policy and the municipality's operating procedures, please contact your Supervisor.

## **Attendance and Punctuality**

Attendance and punctuality are important factors for your success within our municipality. We work as a team and this requires that each person be in the right place at the right time.

If you are going to be late for work or absent, notify your Supervisor as far in advance as is feasible under the circumstances, but before the start of your workday.

Personal issues requiring time away from your work, such as doctor's appointments or other matters, should be scheduled during your nonworking hours if possible.

If you are absent for three days without notifying the municipality, it is assumed that you have voluntarily abandoned your position with the municipality, and you will be removed from the payroll.

## **Meal Time**

A one hour, unpaid meal break should be taken each day. Your Supervisor is responsible for approving the scheduling of this time.

Employees are not permitted to eat at their work spaces during their meal break. Employees remaining on work premises during their meal break may eat in the break room. Please speak to your Supervisor for additional information.

## **Breaks**

One, ten-minute paid break will be approved by your Supervisor each day.

## Lactation Breaks

The municipality will provide a reasonable amount of break time to accommodate a female employee's need to express breast milk for the employee's infant child. The break time should, if possible, be taken concurrently with other break periods already provided. Non-exempt employees should clock out for any time taken that does not run concurrently with normally scheduled rest periods, and such time generally will be unpaid, in accordance with state law. The municipality will also make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area, for the employee to express milk in private.

Employees should notify their Supervisor to request time to express breast milk under this policy. The municipality reserves the right to deny an employee's request for a lactation break if the additional break time will seriously disrupt operations and in accordance with applicable law.

No provision of this policy applies or is enforced if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law or regulation. Anyone with knowledge of such a conflict or potential conflict should contact their Supervisor.

## **Work Assignments**

Work assignments will be distributed by your Supervisor. When possible, you will be advised of future assignments in advance, so you will have ample time to prepare for the assignment.

Once you have begun an assignment you will report directly to your Supervisor for all matters relating to its completion.

## **Contact with the Municipality**

The municipality should know your location at all times during business hours. Your Supervisor will keep a record of your assignments, and (s)he should be notified of your whereabouts outside the municipality during working hours.



## **On The Job Training**

Your Supervisor is responsible for initiating all on-the-job training for employees within your department. This may include safety training, participation in off-site training and continuing education when necessary for job safety and work performance. Training will be conducted during regular working hours whenever possible.

The municipality will pay for any required training programs. Employees may be tested from time to time to evaluate the effectiveness of the training program.

If you have any questions regarding training, please see your Supervisor.

## **Standards of Conduct**

Each employee has an obligation to observe and follow the municipality's policies and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken.

Disciplinary action may include a verbal warning, written warning, suspension with or without pay, and/or discharge. The appropriate disciplinary action imposed will be determined by the municipality. The municipality does not guarantee that one form of action will necessarily precede another.

Among other things, the following may result in disciplinary action, up to and including discharge: violation of the municipality's policies or safety rules;

insubordination; unauthorized or illegal possession, use or sale of alcohol or controlled substances on work premises or during working hours, while engaged in municipality activities or in municipality vehicles; unauthorized possession, use or sale of weapons, firearms or explosives on work premises; theft or dishonesty; inappropriate physical contact; harassment; discrimination or retaliation; disrespect toward fellow employees, visitors or other members of the public; performing outside work or use of municipality property, equipment or facilities in connection with outside work while on municipality time; poor attendance or poor performance. These examples are not all inclusive. We emphasize that discharge decisions will be based on an assessment of all relevant factors.

Nothing in this policy is designed to modify our employment-at-will policy.

## **Access to Personnel Files**

Employees may inspect their own personnel files, up to three times each calendar year, when seven business days' advance notice has been given. All files used to determine employee qualifications, promotions, additional compensation, discharge or disciplinary action are available to the employee upon written request. The inspection must be made in the presence of a municipality representative. Employees are not permitted to make copies of or remove the personnel file from the business premises. The municipality may charge reasonable fees for supplying copies of requested documents.

For more information, contact your Supervisor.

## **Computer Software Licensing**

The municipality purchases or licenses the use of various computer software programs. Neither the municipality nor any of the municipality's employees have the right to duplicate this computer software or its related documentation. Unauthorized duplication of computer software is a federal offense, punishable by up to a \$250,000 fine and up to five years in jail.

The municipality does not condone the illegal duplication of software. You must use the software in accordance with the license agreement. This policy applies not only to individual desktop computers and laptops but to local area networks as well.

Employees learning of any misuse of software or related documentation within the municipality shall notify a member of management. Employees who reproduce, acquire or use unauthorized copies of computer software will be subject to discipline, up to and including discharge.

## **Taxpayer and Public Relations**

Our municipality's reputation is built on excellent service and quality work. To maintain this reputation requires the active participation of every employee.

The opinions and attitudes that taxpayers have toward our municipality may be determined for a long period of time by the actions of one employee. It is sometimes easy to take a taxpayer for granted, but if we do we run the risk of losing not only that taxpayer, but his or her associates, friends or family who may also be taxpayers or prospective taxpayers.

Each employee must be sensitive to the importance of providing courteous treatment in all working relationships.

## **Non-Solicitation**

The municipality believes employees should have a work environment free from interruptions of a non-work related nature, as work time is for work. When you are to be working you should focus on your duties and not engage in activities that would interfere with your own work or the work of others. For the purpose of this policy, solicitation includes, but is not limited to, for collection of any debt or obligation, for raffles of any kind or chance taking, or for the sale of merchandise or business services, the attempt to sell any product or service (e.g. selling or collecting for Tupperware®, Avon® products, churches, schools, Girl Scout cookies, etc). Such interruptions can be both detrimental to the quality of work and efficiency, and may not be respectful of others job responsibilities and right not to be

interrupted.

Employees may not engage in solicitation for any purpose during his/her work time, which includes the working time of the employee who seeks to solicit and the employee who is being solicited. Although solicitation is not encouraged, it is permitted as long as it is limited to the employee's break and lunch time and kept out of active working areas. Nothing in this policy is intended to restrict an employee's statutory rights.

## **Distribution**

Distribution of any type (materials, goods, etc.) is prohibited in work areas at any time, whether or not the employees are on working time. Non-employees are prohibited from distributing materials to employees on municipality premises at any time. Inappropriate literature is prohibited, e.g. literature that violates the municipality's non-harassment and discrimination policies; items of a defamatory nature, items that include threats of violence, unprotected literature of a political nature that is highly inflammatory and likely to disrupt facility discipline and order or safety. Nothing in this policy is intended to restrict an employee's statutory rights.

## **Changes in Personal Data**

To aid you and/or your family in matters of personal emergency, we need to maintain up-to-date information.

Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given to your Supervisor promptly.

## **Care of Equipment**

You are expected to demonstrate proper care when using the municipality's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage any property, report it to your Supervisor at once.

## **Municipality Vehicles**

Operators of municipality vehicles are responsible for the safe operation and cleanliness of the vehicle.

Accidents involving a municipality vehicle must be reported to your Supervisor immediately.

Employees are responsible for any moving and parking violations and fines that may result when operating a municipality vehicle.

Municipality vehicles should be operated by the employee only. Municipality vehicles may only be used for job-related travel.

Smoking is prohibited in municipality vehicles.

The use of seat belts is mandatory for operators and passengers of municipality vehicles.

Employees are encouraged to take appropriate safety precautions when using their cellular telephones. The use of cellular telephones, including texting, while driving is prohibited. Employees are expected to comply with applicable state laws regarding the use of cellular telephones.

## **Cash Reporting**

The Internal Revenue Service (IRS) has established cash reporting laws and regulations, with which all employees must comply. The cash reporting regulations require that a trade or business file Form 8300 with the IRS when they receive more than \$10,000 in cash from a taxpayer. Also, the municipality must provide a written statement to each person who has been identified on a Form 8300 on or before January 31 of the following calendar year in which the return was filed.

The municipality prohibits employees from discussing cash reporting requirements with any taxpayer. If someone raises a question about these requirements, contact your Supervisor for further assistance. Employees are also prohibited from structuring any transaction with a taxpayer as a means to avoid the IRS cash reporting requirements. Structuring transactions to avoid IRS' requirements or taking money known to have been derived from illegal activities may constitute a violation of federal law and could result in criminal penalties, including fines and jail terms.

If you have any questions regarding the cash reporting laws, ask your Supervisor or other appropriate management personnel.

A violation of this policy by an employee can result in disciplinary action, up to and including discharge.



## **Employment of Relatives**

A supervisor may not hire or supervise an individual if that individual and the supervisor have an on-going romantic relationship, including but not limited to, marriage, or if that individual is a member of the supervisor's immediate family. The term "immediate family" refers to parents, children, sisters, brothers, nieces, nephews or other family members residing in the same household.

In the case of marriage of persons within the same department, an effort will be made to assign comparable job duties so as to minimize problems of supervision, safety, security and morale.

## **Travel/Expense Accounts**

The municipality will reimburse employees for reasonable expenses incurred through pre-approved business travel or entertainment. All cash advances must be accounted for and expense receipts are required.

The following business expenses will be reimbursed:

- Travel Expense
- Automobile/Mileage
- Lodging
- Tips
- Business Meals (in accordance with our per diem rates; room service excluded)

See your Supervisor regarding additional reimbursable business expenses.

## **Personal Property**

The municipality is not responsible for loss or damage to personal property. Valuable personal items, such as purses and all other valuables should not be left in areas where theft might occur.

## **Visitors**

If you are expecting a visitor, please notify your Supervisor. All visitors must first check in at the reception area. Visitors are not allowed in any area of the building without being accompanied by an authorized employee. Under no circumstances will visitors be allowed in confidential, unauthorized or potentially hazardous areas.

## **Severe Weather**

Severe weather is to be expected during certain months of the year. Although driving may at times be difficult, when caution is exercised the roads are normally passable. Except in cases of severe storms, we are all expected to work our regular hours. Time taken off due to poor weather conditions while the business remains open is to be used as vacation, a sick day, a personal day, or is unpaid.

Exempt Employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

If extreme weather conditions require closing of the building, you will be notified by your Supervisor.

## **Natural Disasters**

Natural disasters, including earthquakes, hurricanes, mudslides, floods and fires are to be expected from time to time. Although driving may be difficult in some areas due to damaged freeways and streets, when caution is exercised the roads are normally passable or alternate routes are available. Except in severe cases, we are all expected to work our regular hours. Time taken off due to natural disasters while the business remains open is to be used as vacation, a sick day, a personal day, or is unpaid.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

If extreme weather conditions require closing of the building, you will be notified by your Supervisor.

## **Personal Telephone Calls**

It is important to keep our telephone lines free for taxpayer calls. Although the occasional use of the municipality's telephones for a personal emergency may be necessary, routine personal calls should be kept to a minimum.

Personal cellular telephones must be turned off or set to a silent alert during working hours while on municipality premises.

## **Acceptable Use of Electronic Communications**

This policy contains guidelines for Electronic Communications created, sent, received, used, transmitted, or stored using municipality communication systems or equipment and employee provided systems or equipment used either in the workplace, during working time or to accomplish work tasks. "Electronic Communications" include, among other things, messages, images, data or any other information used in e-mail, instant messages, voice mail, fax machines, computers, personal digital assistants (including Blackberry, iPhone, iPad, tablet, smart phone or similar devices), text messages, pagers, telephones, cellular and mobile phones including those with cameras, Intranet, Internet, back-up storage, information on a memory or flash key or card, jump or zip drive or any other type of internal or external removable storage drives. In the remainder of this policy, all of these communication devices are collectively referred to as "Systems."

Employees may use our Systems to communicate internally with co-workers or externally with taxpayers, suppliers, vendors, advisors, and other business acquaintances for business purposes.

All Electronic Communications contained in municipality Systems are municipality records and/or property. Although an employee may have an individual password to access our Systems, the Systems and Electronic Communications belong to the municipality. The Systems and Electronic Communications are accessible to the municipality at all times including periodic unannounced inspections. Our Systems and Electronic Communications are subject to use, access, monitoring, review, recording and disclosure without further notice. Our Systems and Electronic Communications are not confidential or private. The municipality's right to use, access, monitor, record and disclose Electronic Communications without further notice applies equally to employee-provided systems or equipment used in the workplace, during working time, or to accomplish work tasks.

Although incidental and occasional personal use of our Systems that does not interfere or conflict with productivity or the municipality's business or violate policy is permitted, personal communications in our Systems are treated the same as all other Electronic Communications and will be used, accessed, recorded, monitored, and disclosed by the municipality at any time without further notice. Since all Electronic Communications and Systems can be accessed without advance notice, employees should not use our Systems for communication or information that employees would not want revealed to third parties.

Employees may not use our Systems in a manner that violates our policies including but not limited to Equal Employment Opportunity, No Harassment,

Confidentiality of Taxpayer Matters, Care of Taxpayer Records, Protecting Municipality Information, Non-Solicitation, and Distribution. Employees may not use our Systems in any way that may be seen as insulting, disruptive, obscene, offensive, or harmful to morale. Examples of prohibited uses include, but are not limited to, sexually-explicit drawings, messages, images, cartoons, or jokes; propositions or love letters; ethnic or racial slurs, threats of violence or bullying, or derogatory comments; or any other message or image that may be in violation of municipality policies or federal, state or local law.

In addition, employees may **not** use our Systems:

- To download, save, send or access any discriminatory or obscene material;
- To download anything from the internet (including shareware or free software) without the advance written permission of their Supervisor;
- To download, save, send or access any site or content that the municipality might deem “adult entertainment;”
- To access any “blog” or otherwise post a personal opinion on the Internet (see Social Media policy);
- To solicit employees or others;
- To attempt or to gain unauthorized or unlawful access to computers, equipment, networks, or systems of the municipality or any other person or entity;
- In connection with any infringement of intellectual property rights, including but not limited to copyrights; and
- In connection with the violation or attempted violation of any law.

An employee may not misrepresent, disguise, or conceal his or her identity or another's identity in any way while using Electronic Communications; make changes to Electronic Communications without clearly indicating such changes; or use another person's account, mail box, password, etc. without prior written approval of the account owner and without identifying the actual author.

Employees must always respect intellectual property rights such as copyrights and trademarks. Employees must not copy, use, or transfer trade secrets or proprietary materials of the municipality or others without appropriate authorization.

All Systems passwords and encryption keys must be available and known to the municipality. Employees may not install password or encryption programs without the written permission of their Supervisor. Employees may not use the passwords and encryption keys belonging to others.

Numerous state and federal laws apply to Electronic Communications. The municipality will comply with applicable laws. Employees also must comply with applicable laws and should recognize that an employee could be personally liable and/or subject to fine and imprisonment for violation of applicable laws.

This policy does not limit an employee's rights under Section 7 of the National Labor Relations Act. Nothing in this policy is meant to restrict an employee's right to discuss the terms and conditions of his/her employment during non-working hours using non-municipality systems.

Violations of this policy may result in disciplinary action up to and including discharge as well as possible civil liabilities or criminal prosecution. Where appropriate, the municipality may advise legal officials or appropriate



third parties of policy violations and cooperate with official investigations. We will not, of course, retaliate against anyone who reports possible policy violations or assists with investigations.

If you have questions about the acceptable use of our Systems or the content of Electronic Communications, ask your Supervisor for advance clarification.

## **Social Media**

The municipality has in place policies that govern use of its own electronic communication systems, equipment, and resources which employees must follow. We encourage you to use good judgment when communicating via social media.

“Social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the municipality, as well as any other form of electronic communication.

The same principles and guidelines found in the municipality’s Employee Handbook policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects taxpayers, vendors, suppliers, people who work on



behalf of the municipality or its legitimate business interests may result in disciplinary action up to and including immediate discharge.

The following is a general and non-exhaustive list of guidelines you should keep in mind:

1. Always be fair and courteous to fellow employees, taxpayers, vendors, suppliers or people who work on behalf of the municipality. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers or by utilizing our Talk To Us policy than by posting complaints to a social media outlet.
2. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages taxpayers, employees, vendors, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, age, gender, national origin, color, disability, religion or any other status protected by federal, state or local law or company policy. Inappropriate postings that may include discriminatory remarks, harassment, retaliation, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including immediate discharge.
3. Make sure you are always truthful and accurate when posting information or news. If you make

a mistake, correct it quickly. Be open about any previous posts you have altered. Use privacy settings when appropriate. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. The Internet is immediate, nothing that is posted ever truly “expires.” Never post any information or rumors that you know to be false about the municipality, fellow employees, taxpayers, vendors, suppliers, people working on behalf of the municipality or competitors.

4. Maintain the confidentiality of municipality trade secrets and proprietary or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
5. Do not create a link from your blog, website or other social networking site to the municipality's website without identifying yourself as a municipality employee.
6. Express only *your* personal opinions. Never represent yourself as a spokesperson for the municipality. If the municipality is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the municipality, fellow employees, taxpayers, vendors, suppliers or people working on behalf of the municipality. If you do publish a blog or post online related to the work you do or subjects associated with the municipality, make it clear that you are not speaking on behalf of the municipality. It is best to include a

disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of Town of Tiverton”.

7. You must refrain from using social media while on working time or while using equipment we provide, unless it is work-related as authorized by your Supervisor, or other member of management; or consistent with the Acceptable Use of Electronic Communications Policy.
8. Do not use any municipality email addresses to register on social networks, blogs or other online tools utilized for personal use.

Employees are encouraged to report violations of this policy. The municipality prohibits retaliation against any employee for reporting a possible deviation from this policy or for cooperating in an investigation.

Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including immediate discharge.

Employees should not speak to the media on the municipality's behalf without contacting their Supervisor. All media inquiries should be directed to them.

Where applicable, the municipality complies with state laws concerning access to an employees' personal social networking account, including restrictions concerning employer requests for an employees' username and/or password.

If you have questions or need further guidance, please contact your Supervisor.

## **Security of Electronic Devices**

Each employee provided with a laptop computer, iPad, iPhone, smart phone, tablet or similar device is responsible for the physical security of that device. All devices acquired for or on behalf of the municipality are municipality property. The device must be locked up and stored in a secure location when it is not in the immediate possession of the authorized user. In addition, the user must return the device immediately upon request of the municipality. A user must notify your Supervisor immediately if the device is lost, stolen, misplaced, or damaged. All work created or performed on the device is municipality property. The device is subject to inspection by the municipality at any time without further advance notice. The device must be used in a manner that complies with all municipality policies including the Acceptable Use of Electronic Communications, Equal Employment Opportunity, No Harassment, Confidentiality of Taxpayer Matters, Care of Taxpayer Records, and Protecting Municipality Information.

Violations of this policy may be grounds for disciplinary action up to and including discharge.

## **Dress Policy**

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times.

Our taxpayers' satisfaction represents the most important and challenging aspect of our business. Whether or not your job responsibilities place you in direct taxpayer contact, you represent the municipality with your appearance as well as your actions. The properly-attired individual helps to create a favorable image for the municipality, to the public and fellow employees.

The municipality maintains a business casual environment. All employees should use discretion in wearing attire that is appropriate for the office and taxpayer interaction.

## **Personal Hygiene**

Maintaining a professional, business-like appearance is very important to the success of our municipality. Part of the impression you make on others depends on your choice of dress, personal hygiene and courteous behavior. A daily regimen of good grooming and hygiene is expected of everyone. Please ensure that you maintain good personal hygiene habits. While at work, you are required to be clean, dressed appropriately and well groomed.

## **Recycling and Waste Prevention**

The municipality is committed to the environment and its future. Therefore, recycling containers are located throughout the building for the collection of recyclable materials. Waste of time, materials and utilities is costly to the municipality. If you have any waste prevention ideas, please advise your Supervisor in writing.

## **Reference Checks**

Our municipality will not honor any oral requests for references. All requests must be in writing and on company letterhead. Generally, we will only confirm our employees' dates of employment, salary history, and job title.

Under no circumstances should an employee provide another individual with information regarding current or former employees of our municipality. If you receive a request for reference information, please forward it to your Supervisor.

## **Protecting Municipality Information**

Protecting our municipality's information is the responsibility of every employee. Do not discuss the municipality's confidential business or proprietary business matters, or share confidential, personal employee information with anyone who does not work for us such as friends, family members, members of the media, or other business entities.

Confidential information does not include information pertaining to the terms and conditions of an employee's employment. Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

All telephone calls regarding a current or former employee's position/compensation with our municipality must be forwarded to your Supervisor.

The municipality's address shall not be used for the receipt of personal mail.

## **Document Retention**

The municipality maintains a formal document retention policy and procedure. Your Supervisor will explain how that policy applies to you and the work that you perform. You must retain all work products in the manner required and for the time period required by our policy. Never destroy or delete any work product until the retention periods specified by the municipality's policy have been satisfied. Failure to comply with the municipality document retention policy and procedure may result in discipline up to and including discharge.

## **Conflict of Interest/Code of Ethics**

A municipality's reputation for integrity is its most valuable asset and is directly related to the conduct of its officers and other employees. Therefore, employees must never use their positions with the municipality, or any of its taxpayers, for private gain, to advance personal interests or to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities.

The municipality adheres to the highest legal and ethical standards applicable in our business. The municipality's business is conducted in strict observance of both the letter and spirit of all applicable laws and the integrity of each employee is of utmost importance.

Employees of the municipality shall conduct their personal affairs such that their duties and responsibilities to the municipality are not jeopardized and/or legal questions do not arise with respect to their association or work with the municipality.



## **Outside Employment**

We hope that you will not find it necessary to seek additional outside employment. However, if you are planning to accept an outside position, you must notify your Supervisor in writing.

Outside employment must not conflict in any way with your responsibilities within our municipality. You may not work for competitors nor may you take an ownership position with a competitor.

Employees may not conduct outside work or use municipality property, equipment or facilities in connection with outside work while on municipality time.

## **Parking**

Free parking facilities are available to employees.

The municipality is not responsible for loss, damage or theft of your vehicle. Therefore, we suggest that you lock your vehicle doors.

## **Bulletin Board**

The municipality maintains a bulletin board(s) in our facility as an important source of information. These bulletin boards are to be used solely for municipality announcements and government postings.

## **Lunch Room**

A lunch room is available for your use. Although the municipality provides general custodial care, you are expected to clean up after eating. This room should be kept clean for the next person's use.

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## Cellular Telephones

Employees in certain positions are issued municipality cellular telephones so they may maintain contact with taxpayers and co-workers when they are out of the office on business.

Employees are encouraged to take appropriate safety precautions when using their cellular telephone. The use of handheld cellular telephones while driving is prohibited. Employees are expected to comply with applicable state laws regarding the use of cellular telephones.

Municipality cellular telephones are for business purposes. Although the occasional use of your municipality cellular telephone for personal calls may be necessary, incoming and outgoing personal calls should be kept to a minimum.

The use of cellular telephones is not a work requirement for most employees. Employees who are not issued a municipality cellular telephone will not be reimbursed for the use of their personal cellular telephones and are expected to make business calls from the office.

Employees are expected to demonstrate proper care of their cellular telephones. If you lose, break or damage your municipality cellular telephone, report it to your Supervisor at once. All cellular telephones issued by the municipality must be returned upon leaving our municipality or upon transferring to a position that does not require a municipality cellular telephone.

A violation of this policy may result in disciplinary action.

## **Contact with the Media**

All media inquiries regarding the municipality and its operations must be referred to the Town Administrator. Only the Town Administrator is authorized to make or approve public statements on behalf of the municipality. No employees, unless specifically designated by the Town Administrator, are authorized to make statements on behalf of or as a representative of the municipality.

## **Office Supplies**

Our municipality maintains a stock of basic office supplies such as pens, paper clips, staples, note pads, etc. used on a day-to-day basis by employees. All office supplies will be provided to you by your Supervisor.

If you need additional items not regularly stocked, please speak to your Supervisor to place a special order.

All office supplies are for business use only and should not be removed from the office for non-business use. Violations of this policy may result in disciplinary action up to and including discharge.

## **If You Must Leave Us**

Should you decide to leave your employment with us, we ask that you provide your Supervisor with at least two weeks' advance written notice. Your thoughtfulness is appreciated and will be noted favorably should you ever wish to reapply for employment with the municipality.

Employees, who are rehired following a break in service in excess of one year, other than an approved leave of absence, must serve a new initial introductory period whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their reemployment for all purposes, including the purposes of measuring benefits.

Our municipality does not provide a "letter of reference" to former employees. Generally, we will confirm upon request our employees' dates of employment, salary history, and job title.

Additionally, all resigning employees should complete a brief exit interview prior to leaving. All municipality property, including this Employee Handbook, must be returned at the end of employment. Otherwise, the municipality may take action to recoup any replacement costs and/or seek the return of municipality property through appropriate legal recourse.

You should notify the municipality if your address changes during the calendar year in which discharge occurs so that your tax information will be sent to the proper address.



## **Safety in the Workplace**

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## Each Employee's Responsibility

Safety can only be achieved through teamwork at our municipality. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately.

Please observe the following precautions:

1. Notify your Supervisor of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform your Supervisor immediately.
2. The use of alcoholic beverages or illegal substances during working hours will not be tolerated. The possession of alcoholic beverages or illegal substances on the municipality's property is forbidden.
3. Use, adjust and repair machines and equipment only if you are trained and qualified.
4. Know the proper lifting procedures. Get help when lifting or pushing heavy objects.
5. Understand your job fully and follow instructions. If you are not sure of the safe procedure, don't guess; just ask your Supervisor.
6. Know the locations, contents and use of first aid and fire fighting equipment.
7. Wear personal protective equipment in accordance with the job you are performing.

8. Comply with OSHA standards and/or applicable state job safety and health standards as written in our safety procedures manual.

A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action, up to and including discharge.

## **Bloodborne Pathogens Exposure Control**

To protect employees who may reasonably anticipate being occupationally exposed to blood and other potentially infectious materials during work tasks, our municipality has instituted a Bloodborne Pathogens Exposure Control Program.

Briefly, our program includes an employee exposure determination, information and training about bloodborne pathogens, the availability of hepatitis B vaccinations, Universal Precautions, engineering controls, safe work practices, personal protective equipment and housekeeping measures to help reduce the risks of occupational exposure. Procedures to be used following an exposure incident and necessary record keeping are also included. These matters are discussed in our written Infection Control Plan, which is available to you in accordance with the plan.

Further information about our Bloodborne Pathogens Exposure Control Program will be provided to affected employees and may be obtained from your Supervisor.

## **Hepatitis B Vaccine**

As required by OSHA regulations and for your protection, our practice provides the hepatitis B vaccine to all employees. This vaccine will be made available to you after you have been informed of the vaccine's effects, safety considerations, method of administration, the benefits of being vaccinated and the no-cost provision.

Employees will be eligible for the vaccine within ten working days of their first day of work. Under certain circumstances as provided by OSHA standards, the vaccine may not be made available.

If you choose not to be vaccinated, you must sign a *Hepatitis B Vaccination Declination* form. The vaccine will be made available to those employees who initially decline, but later decide to accept the vaccine.

## **Fire Drills**

Fire drills are scheduled periodically throughout the year. These drills are an important aspect in employee safety. We expect your complete cooperation during these drills. If you have any questions concerning evacuation procedures, see your Supervisor.

## **Workplace Violence**

Violence by an employee or anyone else against an employee, supervisor or member of management will not be tolerated. The purpose of this policy is to minimize the potential risk of personal injuries to employees at work and to reduce the possibility of damage to municipality property in the event someone, for whatever reason, may be unhappy with a municipality decision or action by an employee or member of management.

If you receive or overhear any threatening communications from an employee or outside third party, report it to your Supervisor at once. Do not engage in either physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to an employee or visitor to our premises, contact an emergency agency (such as 911) immediately.

All reports of work-related threats will be kept confidential to the extent possible, investigated and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence and will not be subjected to disciplinary consequences for such reports or cooperation.

Violations of this policy, including your failure to report or fully cooperate in the municipality's investigation, may result in disciplinary action, up to and including discharge.

## **Workplace Searches**

To protect the property and to ensure the safety of all employees, taxpayers and the municipality, the municipality reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, brief cases, lunch boxes or any other possessions or articles carried to and from the municipality's property. In addition, the municipality reserves the right to search any employee's office, desk, files, locker, equipment or any other area or article on our premises. In this regard, it should be noted that all offices, desks, files, lockers, equipment, etc. are the property of the municipality, and are issued for the use of employees only during their employment. Inspection may be conducted at any time at the discretion of the municipality.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal substances, will be subject to disciplinary action, up to and including discharge, if upon investigation they are found to be in violation of the municipality's security procedures or any other municipality rules and regulations.

## **Hazard Communication**

Our municipality may use some chemicals (e.g., cleaning compounds, inks, etc.) in some of its operations. You should receive training and be familiar with the handling, use, storage and control measures relating to these substances if you will use or likely be exposed to them. Material Safety Data Sheets (MSDS) are available for inspections in your work area. You must follow all labeling requirements.

Please consult with the designated safety coordinator prior to purchasing chemicals for the municipality or bringing them on to our premises. For additional information, please refer to our municipality's written Hazard Communication Program. If you have any questions, ask your Supervisor or the safety coordinator.

## **Good Housekeeping**

Good work habits and a neat place to work are essential for job safety and efficiency. You are expected to keep your place of work organized and materials in good order at all times. Report anything that needs repair or replacement to your Supervisor.

## **Smoking in the Workplace**

Our municipality is committed to providing a safe and healthy environment for employees and visitors. Smoking is allowed only in designated areas outside the building.

Violations of this policy may result in disciplinary action, up to and including discharge.

## **No Weapons in the Workplace**

Possession, use or sale of weapons, firearms or explosives on work premises, while operating municipality machinery, equipment or vehicles for work-related purposes or while engaged in municipality business off premises is forbidden except where expressly authorized by the municipality and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm.

Employees who are aware of violations or threats of violations of this policy are required to report such violations or threats of violations to their Supervisor immediately.

Violations of this policy will result in disciplinary action, up to and including discharge.

## **Clean Air Policy**

Our municipality has developed this policy in an effort to decrease severe or extreme ozone pollution in our community. Measures that our municipality takes may include, but are not limited to ridesharing, municipality provided carpooling programs, flexible work schedules, financial incentives for carpooling and changing existing parking policies. Suggestions or questions on our municipality's specific implementation measures should be discussed with your Supervisor.

Approval COPY 10/21/15



## **In An Emergency**

Your Supervisor should be notified immediately when an emergency occurs. Emergencies include all accidents, medical situations, bomb threats, other threats of violence, and the smell of smoke. If your Supervisor is unavailable, contact the nearest municipality official.

Should an emergency result in the need to communicate information to employees outside of business hours, your Supervisor will contact you. Therefore, it is important that employees keep their personal emergency contact information up to date. Notify your Supervisor when this information changes.

When events warrant an evacuation of the building, you should follow the instructions of your Supervisor or any other member of management. You should leave the building in a quick and orderly manner. You should assemble at the pre-determined location as communicated to you by your Supervisor to await further instructions or information.

Please direct any questions you may have about the municipality's emergency procedures to your Supervisor.

## **Drug and Alcohol Free Workplace**

The municipality has vital interests in ensuring a safe, healthy and efficient working environment for our employees, their co-workers and taxpayers we serve. The unlawful or improper use of controlled substances or alcohol in the workplace presents a danger to everyone. In addition, as a federal contractor and/or grantee we have a duty to comply with the requirement of the Drug-

Free Workplace Act of 1988. For these reasons, we have established as a condition of employment and continued employment with the municipality the following drug and alcohol free workplace policy.

The municipality has implemented a drug testing program in compliance with local, state and federal laws. Employees are prohibited from reporting to work or working while using illegal or unauthorized substances. Employees are prohibited from reporting to work or working when the employee uses any controlled substance, except when the use is pursuant to a doctor's orders and the doctor advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties. Employees are also prohibited from reporting for duty or remaining on duty with any alcohol in their systems. Employees are also prohibited from consuming alcohol during working hours, including meal and break periods.

In addition, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale or possession of illegal or unauthorized substances and alcohol in the workplace including: on municipality paid time, on municipality premises, in municipality vehicles or while engaged in municipality activities.

In accordance with the Drug-Free Workplace Act of 1988, employees must notify their Supervisor of any criminal drug statute conviction for a violation occurring within the workplace within five days of such conviction.

Your employment or continued employment with the municipality is conditioned upon your full compliance with the foregoing drug and alcohol free workplace policy. Any violation of this policy may result in disciplinary action, up to and including discharge. Furthermore, any employee who violates this policy and is subject to discharge may be permitted in lieu of

discharge, at the municipality's sole discretion, to participate in and successfully complete an appropriate treatment, counseling, or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state, and local laws.

Consistent with its fair employment policy, the municipality maintains a policy of non-discrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek assistance before their drug and alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves, or others. The municipality will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures, consistent with the municipality's policies and applicable federal, state or local laws.

The municipality further reserves the right to take any and all appropriate and lawful actions necessary to enforce this drug and alcohol free workplace policy including, but not limited to, the inspection of municipality issued lockers, desks or other suspected areas of concealment, as well as an employee's personal property when the municipality has reasonable suspicion to believe that the employee has violated this drug and alcohol free workplace policy.

Although the state has legalized marijuana for medicinal purposes, the municipality is not required to allow the medicinal use of marijuana in the workplace. Use is strictly prohibited on municipality property and may result in discipline, up to and including immediate discharge.

This policy represents management guidelines. For more information, please speak to your Supervisor.

### Drug and Alcohol Free Awareness Program

In order to maintain a drug and alcohol free workplace, the municipality has established a drug and alcohol free awareness program to educate employees on 1) the danger of drug abuse and alcohol in the workplace; 2) the municipality's drug and alcohol free workplace policy; 3) the availability of any drug and alcohol counseling, rehabilitation, and employee assistance programs; and 4) the penalties that may be imposed upon employees for drug abuse and alcohol violations, and violations of the municipality's drug and alcohol free workplace. Such education includes: the distribution of our drug and alcohol free workplace policy at the employment interview; a discussion of our drug and alcohol free workplace policy at the new employee orientation session; the distribution of a list of drug and alcohol assistance agencies, organizations and clinics; the distribution of published educational materials regarding the dangers of drug abuse and alcohol misuse; reorientation of all involved employees in cases in which a drug and/or alcohol-related accident or incidents occurs; inclusion of the company's drug and alcohol free workplace policy in the Employee Handbook and any other personnel policy publications; lectures or training by local drug and alcohol abuse assistance experts; discussion by the company's safety experts on the hazards associated with drug abuse and alcohol misuse; and videotape presentations on the hazards of drug abuse and alcohol misuse.

## **Receipt of Employee Handbook and Employment-At-Will Statement**

This is to acknowledge that I have received a copy of the Town of Tiverton Employee Handbook and I understand that it contains information about the employment policies and practices of the municipality. I agree to read and comply with this Employee Handbook. I understand that the policies outlined in this Employee Handbook are management guidelines only, which in a developing business will require changes from time to time. I understand that the municipality retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the municipality. I understand that this Employee Handbook supersedes and replaces any and all prior Employee Handbooks and any inconsistent verbal or written policy statements.

I understand that except for the policy of at-will employment, the municipality reserves the right to revise, delete and add to the provisions of this Employee Handbook at any time without further notice. All such revisions, deletions or additions to the Employee Handbook will be in writing and will be signed by the Town Administrator of the municipality. I understand that no oral statements or representations can change the provisions of this Employee Handbook.

I understand that this Employee Handbook is not intended to create contractual obligations with respect to any matters it covers and that the Employee Handbook does not create a contract guaranteeing that I will be employed for any specific time period.

**THIS MUNICIPALITY IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS EMPLOYEE HANDBOOK, THE**

**MUNICIPALITY OR I MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE MUNICIPALITY IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH ME OR ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME. ANY AGREEMENT TO EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME WILL BE PUT INTO WRITING AND SIGNED BY THE TOWN ADMINISTRATOR OF THE MUNICIPALITY.**

I understand that this Employee Handbook refers to current benefit plans maintained by the municipality and that I must refer to the actual plan documents and summary plan descriptions as these documents are controlling.

I also understand that if a written contract is inconsistent with the Employee Handbook, the written contract is controlling.

If I have questions regarding the content or interpretation of this Employee Handbook, I will ask your Supervisor or a member of management.

NAME \_\_\_\_\_

DATE \_\_\_\_\_

EMPLOYEE  
SIGNATURE \_\_\_\_\_

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