

# Town of St. Johnsbury

## Personnel Manual

Personnel Policies and Rules

4/28/14

# Town of St. Johnsbury, Vermont

51 Depot Square, Suite 3

St. Johnsbury, VT 05819

Recommended by the Town Manager

Adopted by the Selectboard

## **WELCOME!**

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## **SECTION ONE: INTRODUCTION**

The Town seeks to serve the citizens as expressed and determined through the annual Town Meeting and through the actions of the Selectboard and the Town Manager throughout the year. Town Employees are part of a team that works to meet these public needs.

The Town seeks to develop and foster a work environment in which employees recognize their vital roles in the functioning of the town. The proceeding policies and procedures are intended to provide any Town employees with a clear guide regarding the expectation of their job performance.

Employees are urged to address questions to supervisors or the Town Manager about any policy or procedure.

### **PERSONS COVERED:**

These personnel policies and procedures apply to full-time and part-time employees of the Town of St. Johnsbury. Except as stated herein, elected officers and their statutory assistants, members of the town boards and commissions, volunteers, seasonal employees and persons who provide the town with services on a contract basis are not covered by these policies.

For purposes of these policies, a full-time employee is someone who works at least 35 hours per week, on a regular and continuing basis. A part-time employee is someone who works fewer than 35 hours per week on a regular and continuing basis.

Where a conflict exists between these policies and any collective bargaining agreement or individual employment contract, the latter will control.

### **DEPARTMENTAL RULES:**

Each department may have specific policies and procedures that apply to the department's operations and activities. Such policies and procedures must be consistent with those presented in this manual and are subject to the approval of the Town Manager. Notification of any changes in existing departmental or introduction of new Policies and Procedures shall be made by the Town Manager.

### **LIMITATION:**

This manual and the provisions contained herein do not constitute a contract of employment in whole or in part. The Town reserves the right to add, amend or delete any policy stated herein at any time, in its sole discretion, with at least 10 working days' notice to the Union's, except as otherwise prohibited by prior commitment pursuant to a collective bargaining agreement or individual contract.

## **SECTION 2: EMPLOYMENT AND ORIENTATION**

### **EQUAL EMPLOYMENT OPPORTUNITY:**

The policy of the Town is to provide equal opportunity to all employees and applicants without regard to race, color, religion, sex, national origin, sexual orientation, age, ancestry, place of birth, gender identity, HIV+ status, need for health insurance, disability, military obligation or veteran's status, or any other personal characteristic protected under local, state or federal law.

### **AMERICANS WITH DISABILITIES ACT (ADA) & REASONABLE ACCOMMODATION:**

The Town embraces the mandate of the Americans with Disabilities Act of 1990, which prohibits discrimination against qualified individuals on the basis of disability. Consistent with the ADA and Vermont's Fair Employment Practice Act ("VFEPA"), it is the policy of the Town of St. Johnsbury to provide reasonable accommodation to qualified individuals with known disabilities, , unless such accommodation would cause an undue hardship for the Town. The obligation to make reasonable accommodation applies to all aspects of employment, including the application process.

### **RECRUITMENT:**

**A. Policy:** When open recruitment for a position is deemed appropriate, in the Town's sole discretion, the Town shall recruit qualified applicants in a manner consistent with its commitment to equal opportunity employment. In the event that the Town decides it is in its best interest to publicize an opening, the following procedure will be followed:

- A.** Be advertised in local and other appropriate newspapers and publications.
- B.** Post in house simultaneously.
- C.** Be posted in other relevant publications as determined by the Town Manager.
- D.** The ads will specify the position, title, beginning salary, nature of work to be performed, desired and required qualifications, closing date for receiving applications and any other relevant information.

### **SELECTION:**

Selection for appointments shall be made on the basis of merit and fit on an applicant's knowledge, skills and abilities and the requirements of the job for which the person is being considered.

- A. Criteria:** The qualifications of an applicant shall be determined on the basis of his or her knowledge, skills and abilities, which may include but not be limited to consideration of his/her education, experience, aptitude, and character.
- B. References:** As part of the selection procedure, applicants shall be required to successfully complete a reference and/or background check, which may include interviews with former supervisors, employers or other references. Reference checks made by personal or telephone contact shall be documented, made part of the applicant's file, and used in determining an applicant's eligibility. Background and reference checks shall be completed prior to commencement of employment and the content of such checks shall be held as confidential personnel information.

## **APPOINTMENT:**

- 1. Policy:** The Town reserves the right to appoint qualified current employees into positions without prior posting or publication, as the Town deems appropriate based on its current business needs. Appointments to positions are made by the Department Head with the approval of the Town Manager. Appointment of the Town Manager is made by the Select Board. Appointments to other positions are made by the Town Manager in consultation with the Department Heads, when applicable, and with approval of the Selectboard in the case of the Assessor.
- A. Types of Appointments:** Appointments to Town positions may be of the following types.
- B. Full-Time Appointments:** A full-time employee works a regular work week of thirty-five (35) hours on a continuing basis throughout the year; is subject to all Town Personnel Rules and Regulations or other applicable work rules; is benefits-eligible; performs regular work supplemented by special work as needed; receives wages or salaries within the range specified for the job.
- C. Emergency Appointment:** To prevent the disruption of public business, loss or serious inconvenience to the public, or in cases of natural disasters or acts of *Force Majeure*, temporary appointments may be authorized by the Town Manager for a period not to exceed sixty (60) days.
- D. Part-Time Project Appointment:** Part-time project appointment may be made for work on special projects. The duration cannot be for more than ninety (90) days, for no more than thirty-five (35) hours weekly. Examples of part-time projects include things such as the checklist, stuffing envelopes, etc.

**E. Part-Time Irregular Appointment:** A part-time irregular appointment is recurring work on an as needed basis by a department. The employee may work on several special occasions, such as filling in for employee vacations, but at no time may the work more than 999 hours in a calendar year.

**F. Part-Time Appointment:** Two classes of part-time regular appointments may be made:

1. Part-time regular appointments entail a regular work week of under forty (40) hours throughout the year. Work consists of regular job duties supplemented by special work as needed. Wages within the range for the job are paid. The employee is eligible for increases in accordance with the compensation plan, but shall not be eligible for other regular employee benefits.
2. Part-time regular appointments may entail a regular work week of one to twenty-five hours (1-25) hours throughout the year. Work consists of regular duties supplemented by special work as needed. Wages within the range for the job are paid. The employee is eligible for increases in accordance with the compensation plan, but shall not be eligible for other regular employment benefits.

**G. Temporary Appointment:** A limited term appointment is made when a special project requires the addition of employees for a specific term or to fill a position of an employee on a leave of absence. Such appointment will be for an initial period not to exceed 999 hours within the calendar year. Such employees will be eligible for increase in accordance with the compensation plan, but will not be eligible for other regular employee benefits.

## **NEPOTISM:**

The Town of St. Johnsbury has a responsibility to conduct employment matters that avoid not only conflicts of interest, but also the appearance of a conflict of interest. Conflicts of interest may arise in: hiring employees; their employment by the Town in more than one capacity; outside employment or activities engaged by the employees; and the award of contracts to employees. The primary goal is to avoid instances in which the hiring process or any term or condition of employment is inappropriately influenced by such familial or other relationships, or the perception among members of the public or other employees of such impropriety.

**Policy:** It is the general policy of the Town that no one will be employed in the same department that employs one of his or her relatives (as defined below). In addition, it is the general policy of the Town that no one will be employed in the same department as a person with whom he or she resides, or the relative of a person with whom he or she resides. This policy applies to all employment decisions including, but not limited to, those concerning new hires, promotions, demotions, transfers within Town

offices, and changes in categories of employment (such as moving from temporary to classified.) Hiring managers will seek disclosure from prospective candidates if they have any relatives, a civil union partner, a domestic partner, other person with whom they reside, or relative of any of the foregoing currently working for the Town of St. Johnsbury.

## **Definitions:**

### **For the purpose of this Policy:**

**Civil Union Partner:** Civil union partners shall be treated the same as spouses under this policy.

**Domestic Partner:** A person of the same or opposite sex who lives with a Town employee under circumstances in which they have agreed between themselves to be responsible for each other's personal effects, financial wellbeing, or sharing ownership of a homestead.

**Employment:** Working for the Town in a regular, limited, temporary, exempt or under contract.

**Relative:** Includes parent, grandparent, spouse, civil union partner, domestic partner, child, brother, sister, grandchild, aunt, uncle, niece, nephew, parent-in-law, brother-in-law, sister-in-law, step-parent, step-child, any other person so related through marriage, and any other person so related to one's civil union partner or domestic partner.

## **CONFLICT OF INTEREST ARISING DURING EMPLOYMENT:**

Conflicts of interest that arise (or become known) during employment must be avoided to the extent that is reasonably practicable. Employees who during their employment become the relative (including marriage or civil union) or domestic partner of another employee, or who begin to reside with another department employee, must disclose such relationship to his or her Department Head. Any favoritism or other inappropriate action by either employee that is attributable to the relationship will lead to corrective action or disciplinary action, up to and including dismissal. Where a conflict of interest has arisen during employment, the Town may take reasonable and practicable measures to alleviate any negative impacts arising from such conflict, including, but not limited to, changes in supervision, work location, and/or work shift, to avoid.

Determinations relating to conflict of interest shall be made on a case by case basis, in the sole discretion of the Town Manager.



## **ORIENTATION OF NEW EMPLOYEES:**

To assist new Town employees, each shall receive an orientation to the town, department and position. This orientation shall include, but is not limited to:

- Town policies and procedures.
- Specific policies and procedures of the department.
- An introduction to co-workers.
- A review of the expectations and requirements of the position, with an identification of significant dates or deadlines.
- Training in specific job functions or operations in which the employee is not specifically trained. Such training will be normally provided by the supervisor or a designated co-worker. Training here does not include external training which would require time off from the job, or additional expenses to the Town, except as may be deemed necessary and appropriate for the position. For example, the fire and police departments may provide external training relating to the specific duties of fire fighters or police officers. In addition, the Town Manager shall have the authority to determine when and if external training is appropriate.

## **TRAINING AND EDUCATION:**

The Town seeks to continually improve the effectiveness of the services it provides and encourages employees to develop and improve their abilities. It is recognized that training and education has a direct benefit for both the town and its employees.

**In-House Training:** As appropriate, each Department Head will organize and conduct training or refresher programs for employees. These programs may be conducted during normal working hours.

**Outside Training:** Legitimate training within the community can be of substantial benefit to the employees of the town. The Town Manager's office will identify training opportunities or identify other programs which may also be beneficial to the town. Full-time employees may request permission to attend training programs offered during normal work hours. Department Heads may grant paid release time for this purpose if the work needs of the department permit and if such training programs are relevant to the employee's current position/job. Additional considerations include whether the course has potential to benefit the Town; length of time, if any, the employee will be absent from work; and program cost and available budgetary allocation.

**Education:** The Town encourages employees to continue their education for personal development. Employees who enroll in formal education programs may be eligible for unpaid release time to pursue their studies during normal work hours. The release time may be permitted under the following conditions:

- With the approval of the Department Head based on organizational needs, permission will not be unreasonably withheld.

- The amount of release time does not exceed three hours per week.
- The employee remains responsible for fulfilling his or her work responsibilities and duties.
- A copy of the employee's grade for a course is given to the Department Head, Human Resources Manager as soon as possible following the completion of the course.

If an employee receives tuition monies or any form of compensation from the Town for attendance at trainings other than those mandated by the town, the employee must provide proof of satisfactory completion or will be responsible to reimburse the Town for all monies paid by the Town.

## **EMPLOYMENT RECORD:**

A complete record of an employee's history with the Town shall be maintained by the Town Manager's office. Files shall contain all pertinent information relating to employment with the Town. An employee's file is confidential and may be reviewed only by the employee, the employee's Department Head or Supervisor, the Town Manager, the Human Resources Director, Town Attorney, or by order of the court.

**Departmental Records:** A Department Head may maintain limited files of current activities or actions of the department's employees. These files will consist only of copies of simple personnel records, such as vacation requests, certificates of completion for classes etc. Originals will be sent to the Town Manager's office for inclusion in the employee's permanent file. Any disciplinary actions, employee evaluations or any other such information shall immediately come to the Town Manager's office for inclusion in the employee's permanent file.

**Medical and Alcohol/Drug Testing Records:** Any employee's medical or alcohol/drug testing records shall be kept in a separate section in the employee's confidential, permanent file. This section shall be accessible only to the employee, the Human Resources Manager and the Town Attorney.

## **PROMOTION:**

**Policy:** Vacancies in position above the lowest rank in any category in the classified service shall be filled, as often as is reasonably practical, by the promotion of employees already in the service of the Town.

**Promotion without Competition:** In special circumstances, the Town Manager may authorize the promotion of an eligible employee, without competition. In such instances, the Department Head shall present to the Town Manager a written statement showing that the duties performed by the employee nominated are a natural preparation for the higher position; that such employee is entitled to promotion by meeting all required qualifications, reason of service, and effective performance; and that no other employee of the Town meets the aforementioned conditions.

**Promotional Trial Period:** For securing the most effective placement of the employee and in order to determine that the employee's performance meets the standards required of the new position, all promotions shall be made for a trial period of at least six (6) months. A Department Head may extend

the trial period with the approval of the Town Manager, not to exceed twelve (12) additional months. The trial period for the employee shall be set forth in the letter of promotion. During the trial period, the Department Head shall; evaluate the performance of the promotee on a quarterly basis in consultation with the employee's direct supervisor; provide written evaluations to the promotee and Town Manager; discuss with the promotee any area(s) in which performance improvement is needed; and assist the promotee in correcting any deficiencies.

**Reversion to Previous Classification:** At any time during the trial period, a promotee may be reverted to his or her former classification and pay if the promotee has not demonstrated the competence to carry out the responsibilities of the new position, the Department Head will submit a written explanation for the reversion to the Town Manager. With such reversion action, the employee may return to his or her previous position, or a similar position if one is available. If a suitable position is not available, the promotee may be subject to lay off with reinstatement when a position becomes open. A promotee may request to be reverted to his or her former classification and pay. Such request may be granted as long as the previous position or similar position is vacant and available, and upon approval by the Town Manager. Upon reversion to the former classification, the employee shall not be reconsidered for promotion to the same classification for a period of two (2) years.

## **PROBATIONARY PERIOD:**

It is the policy of the Town that each new employee will have a period of adjustment and be provided an assessment of the quality of their work product.

All new hires shall be made for a probationary period of at least six (6) months. A Department Head may extend the probationary period, with the approval of the Town Manager, for up to an additional six (6) months.

**Evaluation:** During the probationary period, the employee shall be evaluated on a monthly basis. At the end of the probationary period, the Department Head shall submit a written report to the Human Resources Director, carefully reviewing the performance of the new employee.

**Compensation:** The new employees shall be paid at the established probationary rate during this period.

**Benefits:** Employees will be eligible for and receive benefits subject to the provisions and limitations outlined in this manual.

## **REDUCTION IN FORCE:**

A reduction in force will be considered only when in the best interest of the Town. Any reduction in force will be undertaken in a manner which minimizes the adverse effects on the least number of employees as possible and also the Town. In the event that a reduction in force is necessary, lay-offs

within the affected department or classification will be made in accordance with the following procedure:

Employees within the affected department or classification who have not completed their probationary period will be terminated. Such employees shall have no recall rights. The Town Manager will determine which probationary employees will be terminated if fewer than the total number of probationary employees are to be terminated. This determination shall be based, in part, upon considerations of the qualifications of the employees; the evaluations received, if any; and the length of time employed with the Town.

Employees with the least departmental seniority shall be laid-off first. However, a more senior employee may be laid off if that employee does not have the skills or qualifications required to do the available work.

## **LEAVE OF ABSENCES:**

### **FAMILY AND MEDICAL LEAVE ACT (Including Short Term Parental and Family Leave)**

The Town provides family and medical leave for eligible employees as required under the Federal Family and Medical Leave Act and the Vermont Parental and Family Leave Act (collectively referred to as FMLA below).

An employee may be eligible for family and medical leave if:

- The employee has been employee with the Town for at least twelve (12) months (these do not have to be consecutive months); and
- The employee has worked at least 1250 hours for the Town (not including any unpaid leave or other unpaid time off) during the twelve (12) months immediately preceding the leave.

Employees who do not meet these two criteria are not entitled to family and medical leave.

Family and medical leave may be taken for any of the following purposes:

- For birth of a child (including prenatal care for the mother) and to care for the newborn child;
- For the placement of a child with the employee for adoption or foster care (including court or counseling proceedings necessary for the adoption;
- To care for an immediate family member with a serious health condition;
- Because of a serious health condition that makes the employee unable to perform the functions of the employee's job;
- Because an eligible employee has a spouse, son, daughter, or next-of-kin who is injured or recovering from an injury while on active duty, or
- To allow an eligible employee who has a spouse, son, daughter or next-of-kin in the National Guard or Reserves or the Regular Armed Forces to take FMLA leave due to a qualifying

exigency resulting from the covered family member's active military duty (or call to active duty status) in support of a contingency operative who is deployed to a foreign country.

An "immediate family member" means a child, foster parent, step child or ward, which lived with the employee, parent, spouse or civil union partner, domestic partner, or parent of the employee's spouse, civil union, or domestic partner. "Next-of-kin" is defined as the closest blood relative of the injured or recovering service member.

A "serious health condition" means an illness, injury, impairment, accident, disease, or physical or mental condition that:

- Poses imminent danger of death;
- Requires inpatient care in a hospital, hospice, or residential medical care facility;
- Requires continuing in-home care under the direction of a physician; or
- Requires continuing treatment by a health care provider involving a required absence of more than three (3) consecutive calendar days (including any subsequent treatment period of incapacity relating to the same condition, that also involves:
  - Treatment two (2) or more times by a health care provider, (including Physician's Assistant", by a nurse, or by a provider of health care services (e.g., physical therapist) under the order of, or on referral by, a health care provider. These two (2) visits must be within thirty (30) days of each other. The 30-day rule begins with the first day of incapacity, not the first office visit; or
  - Treatment by a health care provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of the health care provider. That visit must occur within seven (7) days of the first day of incapacity. For chronic conditions, the individual must receive medical treatment on at least two (2) visits to the health care provider every year;

*(Note: Treatment requiring an in-person visit with the health care provider for examination, evaluation or treatment; a phone call, letter, fax, email or text message is not sufficient.)*

- A chronic or long-term condition for which treatment may be ineffective;
- Absences for multiple treatments and recovery if the untreated condition likely would result in incapacity for more than three (3) days; or
- Incapacity related to pregnancy or prenatal care.

### **Amount of Leave:**

An employee is entitled to take:

- Up to twelve (12) weeks of unpaid leave before or following the birth or adoption of a child; or
- Up to twelve (12) weeks of unpaid leave during any twelve (12) month period for the serious health condition of the employee or an immediate family member;

## **Military Family Leave Entitlements:**

Any employee who is a member of reserve force of the United States or the State of Vermont and who is ordered by the appropriate authorities to attend a training program or perform other duties under the supervision of the United States or the State of Vermont, shall be granted an unpaid leave of absence during the period of such activity. Any employee who enters into active service in the armed forces of the United States while in the service of the employer shall be granted an unpaid leave of absence for the period of military service. The Town agrees to allow employees on Military Leave to remain on the Town's insurance plans under Section 13 if allowed by the insurance provider and paid promptly by the employee.

**Qualifying Exigency Leave** – Up to twelve (12) weeks of unpaid leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation that requires the covered military member be deployed to a foreign country. Covered military members include members of the Regular Armed Forces, in addition to members of the National Guard and Reserves. Employees requesting this type of leave must provide proof of the qualifying family member's call-up or active military service before leave is granted. *“Qualifying Exigencies” are short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, 5 days to maximum of 15 days for rest and recuperation to match the military member's rest and recuperation orders, post-deployment activities, attending funeral services, and additional activities agreed to by the employer and employee.*

**Military Caregiver Leave** - Up to a combined total of twenty-six (26) weeks of unpaid leave in a single twelve (12) month period to care for a covered service member or veteran recovering from a serious injury or illness incurred in the line of duty or on duty. The FMLA's definition of “serious injury or illness” includes serious injuries or illnesses that result from preexisting conditions. Eligible employees are entitled to a combined total of up to twenty-six (26) weeks of all types of FMLA during the single twelve (12) month period. Employees requesting this type of FMLA leave must provide certification of the family member's or next-of kin's injury, recovery, or need for care.

**Parental Care Leave** – An eligible employee may take qualifying exigency leave to care for the parent of a military member, or someone who stood in loco parentis to the military member, when the parent is incapable of self-care and the need for leave arise out of the military member's covered active duty status.

Note: The twelve (12) month or twenty-six (26) month period begins with the first day of the employee's first family and medical leave.

Leave for birth or care of a newborn or placement for adoption or foster care of a child must conclude within twelve (12) months of the birth or placement.

### **Intermittent Leave or a Reduced Work Schedule:**

An employee may take FMLA leave in consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the work or work day, resulting in a reduced work schedule. In all cases, the leave may not exceed a total twelve (12) work weeks (or twenty-six (26) weeks to care for an injured or ill service member over a twelve (12) month period).

If medically necessary, the Town may provide employees with a reduced schedule or intermittent leave. In the case of reduced schedule, the Town and the employee should discuss the type of schedule that would meet both the employee's and the business' needs. The Town will make the final determination regarding any reduced schedule.

If an employee requests an intermittent leave, the employee may be required to transfer to an alternative position (with equivalent pay and benefits) in order to better accommodate repeated periods of absence.

### **Notice:**

An employee who requests to use family and medical leave must apply in writing to his or her supervisor, for approval by the Town Manager with at least thirty (30) days advance notice of the need to take leave, if the need for leave is foreseeable. If an employee fails to give appropriate notice of a foreseeable leave, the leave may be delayed until the appropriate notice time is met. *Note: Supervisors must bring all requests for leave to the Town Manager.*

If the need for leave is not foreseeable that far in advance, the employee must give reasonable written notice as soon as possible – usually within one (1) or two (2) days of learning of the need for leave.

If the leave is for a planned medical treatment or for intermittent leave, the employee must make a reasonable effort to schedule the leave so that it does not unduly disrupt the operations of the employee's department.

Notice must be in writing and should include the reason for the leave, the date it is expected to begin, and its estimated duration. Once the Town Manager received and reviews the request, the employee will be given a written response within five (5) business days outlining the details of the leave, when/how to return to work, and notification of specific expectations and obligations related to use of FMLA, such as whether medical certifications is required and the arrangements of employee healthcare premiums during the leave.

**\*\*Note:** If an unforeseeable illness arises, an employee must leave a message at the front desk and notify his or her supervisor as soon as possible, hopefully no later than one (1) hour after the start of his or her shift. An employee should personally speak with his or her supervisor unless the emergency situation prevents the employee from contacting his or her supervisor personally. If the employee is unable to contact his or her supervisor personally, the employee should designate another individual to contact his or her supervisor.

**\*\*Required Documentation of the Covered Family Member’s Active Duty or Call to Active Duty in the Armed Forces** – An employee requesting this type of service member FMLA leave must provide proof of the qualifying family member’s call-up or active military service. This documentation may be a copy of the military orders or other official Armed Forces communication from the U.S. Department of Defense.

**\*\*Require Documentation of the Need for Service Member FMLA Leave to Care for an Injured or Ill Service Member or Veteran** – An employee requesting this type of Service Member FMLA leave must provide documentation of the family member’s or next-of-kin’s injury, recovery, or need for care. This documentation may be a copy of the medical information, medical certification regarding treatment, or other official Armed Forces communications pertaining to the service member’s or veteran’s injury or illness.

**\*\*Use of Paid or Unpaid Leave** – An employee may apply any accrued vacation, sick or other paid time during this leave; accrued paid time off may not be used to extend the leave beyond twelve (12) weeks in any twelve (12) month period. If an employee is eligible for short-term disability, he or she may not use short-term disability pay, long-term disability insurance, or workers’ compensation pay to extend the leave beyond twelve (12) weeks in any twelve (12) month period, except to the extent required by law. Vermont PFLA and federal FMLA leave may be run concurrently.

While the employee is out on leave, all employee benefits shall continue under the same condition as when the employee was working, up until the end of the twelve (12) week leave period or up to the end of the twenty-six (26) weeks of Military Caregiver Leave, unless the employee would have been laid off or terminated had he or she continued to work, or unless other conditions allowed by law apply. Coverage may cease if an employee fails to pay his or her portion of the cost of any of those benefits.

If an employee does not return to work at the Town at the end of their leave, except because of an employee’s own serious illness, he or she may be required to repay the value of any compensation or benefits pay during the leave, except for the period when an employee has used an accrued paid time off.

#### **Certification:**

For any leave for a serious health condition that is expected to last three (3) days or more, the Town may require an employee to provide a medical certification issued by a health care provider. Once the Town requests medical certification, it must be provided no more than fifteen (15) days after the request or the beginning of the leave, whichever is later. The medical certification should include the date the condition began, the probable duration of the condition, an explanation of the condition, and documentation of the need for leave from work.

The Town may require from an employee to provide an update medical certification, particularly if a question arises about the need for continued leave. The Town may also require a “fitness for duty” certification from an employee, which certification must be provided prior to that employee’s return to work.



The Town reserves the right, at its expense, to obtain a second opinion by a health care provider of the Town's choice. If that provider disagrees with an employee's provider, a third opinion (by a provider jointly chosen by the employee and the Town) shall be final and binding.

### **Return to Work:**

Except in certain limited circumstances, employees returning from family and medical leave will return to the same job or one that is equivalent in pay, benefits, and other terms and conditions. If an employee is not eligible for reinstatement, notice will be provided upon request of leave.

If an employee had already received or given notice that his or her employment would end or if during the leave the employee would have been laid off or terminated had he or she continued to work, he or she will not be reinstated.

The Town will reasonably accommodate any employee with a disability, released to return to work, in accordance with applicable laws.

If an employee fails to provide appropriate notice or medical certification as required above, or does not return to work at the end of the family and medical leave, the leave may be denied or employment terminated.

If the employee is not able to return to work at the end of the twelve (12) week family and medical leave or the twenty-six (26) weeks of Military Caregiver Leave, employment will terminate. However, if an employee is able to return to work in the future, he or she may apply for any suitable position for which he or she is qualified.

### **No Retaliation:**

The Town will not interfere with, restrain, or deny the exercise of any rights under FMLA. Employee who request family and medical leave, or complain about FMLA or VPFLA violations may not be discharged or be subjected to retaliation or discrimination because of that action.

### **Short-Term Family Leave:**

In addition to the above area, an eligible employee is entitled to the following short-term family leave:

- Up to twenty-four (24) hours unpaid leave in any twelve (12) month period, but not more than four (4) hours in any thirty (30) day period.

For any of the following purposes:

- To participate in school activities related to the academic, educational advancement of the employee's child;
- To attend routine professional appointments or accompany the employee's immediate family member to them;

- To accompany the employee's parent, spouse or civil union partner, or parent-in-law to other professional appointments related to their care and well-being; or
- To respond to medical emergencies involving the employee's immediate family member

This leave will be unpaid and must be taken in minimum two (2) hour segments. Employees must make a reasonable attempt to schedule appointments outside of regular work hours, and must give at least seven (7) days prior notice of the need to take leave, except in an emergency. Employees may use any accrued paid time off during this short-term family leave.

## **BEREAVEMENT LEAVE:**

In the event of a death in the immediate family of an employee (spouse, civil union, domestic partner, parents, children, brother, sister, grandparents, grandchildren, father-in-law, and mother-in-law) the employees shall be granted 24 hours of leave of absence paid in full.

## **JURY LEAVE:**

The Town of St. Johnsbury supports employees who are called to perform the civic duty of jury service. Each employee must supply written notice of their requested presence for jury duty.

Any employee who is absent due to being summoned for jury duty and whose attendance at court or otherwise is required shall be granted leave at full pay for the time absent from work necessitated by such service. Employees who are called for jury duty will notify their Department Head of such duty. Any fees paid to the employee will be turned over to the Town.

## **SICK LEAVE POLICY:**

**Purpose:** To establish the Town's policies and procedures which provide for employees to be absent from duty with pay in the event of illness or injury.

**Policy:** It is the policy of the Town to help protect the income of employees who cannot work due to illness or injury or for emergency periods when the employee must be absent from duty due to death or illness in his or her family. Sick leave shall be administered in accordance with the following provisions:

- 1. Accrual:** An employee shall receive sick leave benefits as follows:
  - a.** Upon hire (or restoration), the employee shall be credited with a bank of forty-eight (48) hours of sick leave on which he or she may draw during the first six (6) month of service.
  - b.** At the end of each full pay period, the employee will be credited with sick leave for that week as follows (each additional amount beyond the initial 48 hours will be able to be drawn after the initial six (6) month probationary period) Accrual rate is the number of hours an employee shall accrue per pay period based on the years of service an employee has served:

Years of Service:	Accrual Rate (Hours)
0,1,2,3	1.85
4,5,6	2.31
7,8,9	2.77
10+	3.23

- c. When an employee separates from the Town's service, the entire amount of unused sick leave shall lapse. An employee rehired by the Town shall not receive credit for prior Town service in establishing his or her rate of sick leave accrual.
- d. A Town employee who is granted leave of absence from the Town to enter the Armed Forces of the United States, serves honorably therein, and applies for return to his or her position with the Town within ninety (90) days before or after termination from active duty or training, shall receive full credit for computing total years of full-time employment for purposes of determining their rate of sick leave accrual. The employee shall not however, accrue sick time while on military leave.
- e. Time spent on leave of absence without pay shall not be counted in determining the rates of sick leave accrual.
- f. Sick leave benefits may not be used by an employee before they are accrued.
- g. Upon satisfactory completion of an employee's six (6) month probationary period, the employee will be allowed to use whatever sick leave they have accrued over that time. A non-exempt employee who is off payroll for fewer than ten (10) hours, shall not be penalized his or her sick leave accrual for the week. However, an employee who is off payroll for more than ten (10) hours during a payroll shall not accrue sick leave for that pay period.

## **USE OF SICK TIME:**

To use sick leave, the employee must do the following:

- a. Notify his or her supervisor within one (1) hour of the time the employee is to begin duty.
- b. Notify the supervisor or Department Head immediately when illness occurs during the workday.
- c. Return to work as soon as the health of the employee permits.
- d. Provide a doctor's certificate or other proof of illness to the supervisor or Department Head when the employee takes three (3) consecutive days of absence of authorized sick leave. A doctor's certificate or other proof of illness may be required by the Town Manager or Department Head for illness of fewer than three (3) days' duration depending on the circumstances. Failure of a non-exempt employee to provide the required documentation may result in a loss of pay for the sick leave period.

- e. Sick leave may also be used for employee medical and dental appointments which cannot reasonably be made outside of the employee's normal working hours.
- f. The use of sick leave may be authorized to relieve an employee from duty due to death outside of the normal Bereavement Policy.
- g. Sick leave may also be authorized to attend to care of ill family members.
- h. An employee who misrepresents his or her claim for sick leave may be subject to disciplinary action up to and including dismissal.
- i. Sick leave may not be deducted in increments of less than one-half (1/2) hour.
- j. If, during a scheduled vacation, an employee becomes ill to the extent that hospitalization is required, the employee's absence from date of hospitalization may be charged to sick leave rather than annual leave. An employee who during a vacation becomes ill and is confined to his or her home or temporary residence for three (3) or more days, pursuant to a doctor's order as evidenced by a doctor's certificate may be treated as if hospitalized under this section.

The Town reserves the right to require any employee to furnish medical proof or a release from the attending physician attesting to his or her ability to return to work.

**SICK LEAVE RECORD:** Sick leave used shall be recorded regularly in the employee's leave record maintained by the Town Manager.

### **INCENTIVE FOR NOT USING SICK LEAVE:**

An employee who in any fiscal three (3) month period, beginning with the first full payroll period in January, April, July and October:

- 1.) Effective January 1, 2014, does not use sick leave, beyond eight (8) hours; and;
- 2.) Is not off payroll, or on any type of leave of absence without pay (except Worker's Compensation), or suspension without pay; shall be entitled to ten (10) hours of personal leave. Such leave hours shall not be compensable in cash, convertible to other forms of leave, or accumulated from fiscal year to fiscal year.
- 3.) No employee shall be entitled to earn more than forty (40) hours of personal leave per fiscal year under the terms of this policy.
- 4.) Personal leave earned under this policy shall not be eliminated when an employee changes bargaining units. The employee may use it after such change during the same fiscal year.
- 5.) This provision does not apply to employees in an original probationary period. However, upon completion of original probationary period, an employee shall be eligible for any personal leave credits earned during the probationary period.

## **PERFORMANCE EVALUATIONS:**

It is the policy of the Town of St. Johnsbury that employees will have periodic performance evaluations. These evaluations are intended to provide an additional means of communication regarding an employee's job performance, personal development, wage/salary and departmental or organizational expectations. These evaluations may or may not be linked to an annual merit award.

### **Frequency of Evaluations:**

Employee performance evaluations shall be done at a minimum of once per year. The employee's Annual Evaluation, which are conducted no more than thirty (30) days after their anniversary date each year. The department evaluation is intended to give the employee an indication of his or her performance, and also provide an opportunity to discuss and clarify issues raised by either the Department Head, or the employee. The evaluation may also be utilized when considering salary adjustments. A copy of the evaluation will become a permanent part of the employee's personnel file.

### **Evaluation Format:**

Each Department Head shall use evaluation forms which have been approved by the Town Manager. For a sample of the form, please see Appendix C. The evaluation format will consist of a rating scale, ranging from excellent to unsatisfactory, determining the performance of each relevant or significant dimension of an employee's position, and a narrative description of the quality and consistency of work performed, including both problem areas and areas of satisfactory and outstanding work. Also included should be the employee's goals for the year and any need for correction or improvement in specific work areas, the acquisition or development of additional skills and/or abilities, and comments on any item mentioned in the evaluation or any other job/performance related issue. Also included in this yearly goal should be any areas of interest for the employee, which would require any training or professional development classes, as well as any training or certification required by the employer. The employee will be expected to sign the evaluation. The employee's signature is meant only to indicate that he or she has read and is aware of the content of the evaluation. The evaluation will also be signed by a person who will review the evaluation for accuracy, and also by the Human Resources Director.

### **Evaluation Procedure:**

Each employee shall be evaluated by his or her direct supervisor or Department Head. The supervisor or Department Head shall first complete a written evaluation of the employee, which shall be discussed with the employee in a confidential conference. The employee may add comments to the evaluation, either on the evaluation form or on a separate statement.

## **ANNUAL MERIT AWARD:**

Annual merit awards may differ by departments. (Please refer to the specific collective bargaining agreement for specifics regarding the yearly awards.)

Each full time employee who have worked at least one (1) year shall be eligible for an Annual Merit Award in accordance with the following scale, based upon their Annual Evaluation, which will be performed each year at their anniversary date.

1-5 Years – up to \$100.00

6-10 years – up to \$200.00

11-15 years – up to \$300.00

16-20 years – up to \$400.00

Over 20 years – up to \$500.00

The initial annual merit award evaluation of the employee shall be made within thirty (30) days after the employee has worked for one (1) year of full time, active, continuous employment for the Town. The initial annual merit award evaluation shall be based upon the year preceding the date and based on the employee's date of hire. The standards for receiving the merit will be based on job performance, defined in the employee's Annual Evaluation, which are conducted no more than thirty (30) days after their anniversary date each year.

### **COMPENSATION PLAN:**

### **PAYROLL PERIODS, PAYDAYS, PAYROLL DISTRUBUTION:**

1. The payroll periods run weekly from Sunday to Saturday.
2. Payroll will be processed no later than 1:00 p.m. each Wednesday.
3. Paychecks will be available for distribution each Friday. If special needs exist that would require paychecks to be picked up early, please arrange with the Director of Finance.
4. Beginning January 1, 2014, the Town will mandate all employees utilize direct deposit. If employees do not have savings, checking or other accounts to deposit in to, they will be asked in three (3) months' time from January 1, 2014 to make this accommodation.

### **HOURS OF SERVICE:**

Hours of Service may differ by department. Please refer to each department's collective bargaining agreement for specifics. (Police, Fire and Department of Public Works)

Regular work hours for person employed at the Town Offices are as follows:

Monday through Friday: 8:00 a.m. to 4:30 p.m.

The offices are open through lunch. Work schedules and hours may be changed and employees may be expected to work additional hours that exceed forty hours in a given week as circumstances require.

All employees are expected to be in attendance during regular work hours. Employees who will be absent from work are expected to notify their supervisor or Department Head in advance whenever possible.

### **EXEMPT EMPLOYEE:**

It is hereby defined by the Fair Labor Standards Act (FLSA) and the Town of St. Johnsbury, that certain positions are defined under the “exempt” status. Simple definition includes that an employee must:

- A.) Be paid at least \$23,600 per year (\$455.00 per week).
- B.) Be paid on a salary basis.
- C.) Perform exempt job duties as defined by state or federal wage and hour law.

Non-exempt employees are entitled to overtime pay for all hours worked during a given workweek beyond 40 hours. Overtime pay will be paid at one and one half times the employee’s regular rate of pay. Exempt employees are not entitled to overtime pay, regardless of the number of hours that they work. Determinations regarding exempt and non-exempt classification shall be made by the Human Resources Director.

### **OVERTIME AND COMPENSATORY TIME OFF:**

Overtime and compensatory time off may differ by department. Please refer to each department’s collective bargaining agreement for specifics. (Police & Dispatch, Fire and Department of Public Works)

In lieu of overtime pay, nonexempt employees may accrue compensatory time off (comp time) subject to the following conditions:

- Comp time is earned at a rate of one and one-half hours for each hour worked in excess of forty hours in any workweek (unless otherwise defined by the specific department).
- An employee may accrue a maximum of forty (40) hours of comp time (40 hours of comp time represents 26.67 hours of actual overtime worked). An employee who has accrued forty (40) hours of comp time will be paid overtime compensation for any additional hours of overtime worked.
- An employee may, at the Town’s discretion, be paid in cash in lieu of compensatory time off.
- An employee receiving payment for accrued comp time will be paid at the regular rate of pay earned by the employee at the time the employee receives such payment.

- Upon termination from employment, an employee will be paid for unused comp time at the employee's final regular rate of pay.
- Comp time must be used within twelve (12) months of the date earned.

An employee who has accrued comp time and requested use of comp time will be permitted to use such time off within a reasonable period after making the request, if such request does not unduly disrupt the Town's operations. Requests for use of comp time must be submitted to the employee's supervisor, who will have sole discretion to grant or deny the request. Requests for use of comp time will not unreasonably be withheld.

Similar as defined above, an exempt employee may also accrue comp time up to forty (40) hours. However, exempt employees will not be able to receive a cash equivalent for any comp time earned. All exempt employees comp time must be used within twelve (12) months of the date earned.

### **MEAL AND BREAK (REST) PERIODS:**

Employees are entitled to a reasonable opportunity to eat and use toilet facilities. Employees are expected to take an unpaid meal break, of not less than 30 minutes, which break should be taken at or near the midpoint of the employee's shift. Employees working through their lunch breaks due to work requirements shall report such work to their Department Head and Human Resources, so that the time may be credited, as necessary, as hours worked.

### **EMPLOYEE BENEFITS:**

It is the policy of the Town of St. Johnsbury to offer competitive health insurance benefits to its employees. Medical will be provided to all eligible full time Town employees as set forth below. Eligibility for such benefits shall be determined on a case by case basis, pursuant to the criterion set forth in the relevant summary plan document(s). If there is any conflict between these policies and the relevant summary plan document, the latter shall control.

#### **BlueCross BlueShield of Vermont, CDHP (Consumer Directed Health Plan)**

\$3,000 Individual Deductible, \$6,000 Family Deductible

HRA, Choice Strategies (Health Reimbursement Arrangement from Town of St. Johnsbury)

- \$2,500 from Town toward Individual Deductible after first \$500 is met
- \$5,000 from Town toward Family Deductible after first \$1,000 is met

Each employee's funds will be loaded on to a debit-type card, to be used on eligible medical expenses. Please see the BlueCross BlueShield handbook for details.

**Flexible Spending Account** – Optional, employee funded account which may be contributed up to \$500-\$1000 per year to fund the employee responsible portion of the deductible. The money will be directly withdrawn from the employee's paycheck each week. This account can be used for:



- Medical deductible Expenses
- Co-pays
- Prescriptions

\*Please note, this account is optional. If the employee chooses not to use this type of account, they may keep track of their eligible medical expenses, and submit a form to Choice Strategies once they have met their first \$500 for an individual or \$1000 for family to activate their Town funded Choice Strategies card.

Deductions for health insurance premiums will begin on the first payroll of the month coinciding with, or next following, one (1) month of continuous service.

Please see the Human Resources Director if you have any further questions. This policy is subject to change each year depending on cost of premiums.

(Through collective bargaining agreements, health insurance premiums may differ. Please refer to your specific agreement for details.)

## **CONTINUATION OF GROUP HEALTH BENEFITS (COBRA):**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) allows retiring employees, or those who lose coverage due to reduced work hours, or loss of a job to continue coverage for a limited period of time. This also applies to their dependents who lose coverage because of divorce or legal separation; death of the covered employee; the covered employee qualifying for Medicare; or a loss of dependent status under the health plan's provisions.

If an employee qualifies for COBRA Benefits, the Town Manager's office will give notice stating the employee's right to choose to continue benefits provided by the plan. The employee then has 60 days to accept coverage or loses all rights to benefits. Once an employee selects COBRA coverage, they will be responsible for 100% of the total insurance cost, plus a 2% processing fee.

## **GROUP DENTAL INSURANCE:**

Dental coverage is offered to all eligible full time employees and their dependents at no cost. Please refer to the dental coverage sheets for specific coverage details.

Eligibility for group dental benefits shall be determined on a case by case basis, pursuant to the criterion set forth in the relevant summary plan document(s). If there is any conflict between these policies and the relevant summary plan document, the latter shall control.

## **GROUP LIFE INSURANCE, INCLUDING ACCIDENTAL DEATH AND DISMEMBERMENT:**

Group Life Insurance and AD&D coverage may differ by department because of the collective bargaining agreements that may apply to employees in different departments. Each employee should refer to the department collective bargaining agreement for details.

The Town of St. Johnsbury covers the premium for this benefit for each of their eligible employees. Eligibility for such benefits shall be determined on a case by case basis, pursuant to the criterion set forth in the relevant summary plan document(s). If there is any conflict between these policies, the relevant collective bargaining agreement and the summary plan document, the summary plan document shall control.

Employees are covered on the first of the calendar month coinciding with, or next following, one (1) month of continuous service.

## **SHORT TERM DISABILITY (STD) BENEFITS:**

Short Term Disability insurance is provided for all eligible Town employees. Eligibility for such benefits shall be determined on a case by case basis, pursuant to the criterion set forth in the relevant summary plan document(s). If there is any conflict between these policies and the relevant summary plan document, the latter shall control.

Benefits will commence on the eighth (8<sup>th</sup>) day of disability and will pay a benefit of sixty six and two-thirds (66 2/3) percent of basic weekly compensation or \$650.00, whichever is less, for a maximum of twenty six (26) weeks. All benefits will be payable directly to the employee, and if an employee is receiving disability benefits, such employee shall not be entitled to other wages from the Town.

## **HOLIDAY AND HOLIDAY PAY:**

Observed holidays may differ by department. Each employee should refer to the department collective bargaining agreement or internal policy for details. Full and part-time employees of the Town Manager's Office and the Town Clerk's Office will receive the following days as paid holidays:

- New Year's Day.....January 1
- Martin Luther King Day.....Third Monday in January
- Presidents Day.....Third Monday in February
- Memorial Day.....Last Monday in May
- Independence Day.....July 4
- Bennington Battle Day.....August 16
- Labor Day.....First Monday in September
- Columbus Day.....Second Monday in October
- Veteran's Day.....November 11
- Thanksgiving.....Fourth Thursday and Friday in November

- Christmas Day.....December 25

## **HOLIDAY ACCRUAL:**

Holidays not taken or used within a fiscal year may not be carried forward or accrued.

## **OBSERVANCE OF LEGAL HOLIDAYS:**

Legal holidays which fall on Saturday will be observed on the preceding Friday. Legal holidays which fall on Sunday shall be observed on the following Monday.

## **HOLIDAY COMPENSATION:**

A non-exempt employee who is required to work on a holiday will be compensated at the rate of one and one-half times the employee's regular rate of pay.

If a non-exempt employee is not required to work on a holiday, hours paid for the holiday will be counted as hours worked when determining overtime compensation.

Any exempt employee who is required to work on any of the specified holidays shall receive no additional monetary compensation for such work, but shall be credited with an additional personal leave day.

## **HOLIDAYS OCCURING DURING A VACATION LEAVE:**

Official holidays, or the days observed as such holidays, which occur during a vacation period shall not be charged to vacation time.

## **ACCRUED EARNED TIME:**

The earned time plan is designed to provide time off from work with pay for vacation and personal days off, which employees may utilize as needed.

Employees regularly scheduled to work 40 or more hours per week, begin to accrue earned time from their date of hire. They are eligible to begin using their earned time after the first 6 months of probationary employment.

All eligible employees accrue earned time benefits weekly based on their years of service. The following chart outlines the maximum accrual based on years of service for a full time employee.

YEARS OF SERVICE	WEEKLY ACCRUAL FACTOR (Denominator)	MAXIMUM ANNUAL ACCRUAL-HOURS
0,1,2,3	0.29	120
4,5,6	0.384	160
7,8,9	0.481	200
10+	0.575	240

An employee can calculate his/her approximate monthly earned time accrual by choosing the proper number from the column headed “weekly accrual factor” and multiplying times the regular weeks in that month.

- The **maximum weekly accrual** is based on 52 weeks and an employee’s years of service. Each year of service has an accrual rate tied to it.
- The **maximum earned time balance** which an employee may accrue is equal to one times their maximum annual accrual. When an employee reaches their maximum annual accrual hours, no more earned time will accrue, (be added) until some of the available time hours are used.

## REQUESTS FOR USING EARNED TIME:

Earned time will be used for any absence from work during regularly scheduled hours and holidays on which the Town of St. Johnsbury is closed. Earned time either should be scheduled or unscheduled depending on the circumstances of use.

- ***For SCHEDULED time off***, a “REQUEST FOR TIME OFF” form must be completed and approved by the employee’s supervisor at least 10 days before the time off. Greater advance notification is always appreciated. In all instances for requests for time off, consideration is given to proper notice, staffing and coverage availability.
- ***UNSCHEDULED Earned Time*** use includes personal or family illness or emergencies which cannot be foreseen. In these instances the employee must notify their supervisor as far in advance of their starting time as possible.

The Town of St. Johnsbury feels it is important for employees to have planned time away from work for rest and relaxation, and employees are encouraged to use their yearly accrual to meet this need.

## GUIDELINES FOR USING EARNED TIME:

Non-exempt employees who works less than their regularly scheduled weekly hours must use earned time to make up the difference between the hours actually worked and their regularly scheduled weekly hours.

It is understood that **Exempt** employees will work their stated hours each week. Full days away from work for vacation, illness or personal matters require the use of earned time in the appropriate daily amount (8 hours for most exempt employees). If exempt employees need less than a full day off for appointments, personal matters, or other non-work related errands, employees should consult with their Supervisor or Department Head about whether or not to use earned time.

If an employee wishes to take more than 2 consecutive weeks off they must receive written approval from their Department Head.

## **EARNED TIME BALANCE AT TIME OF SEPARTATION OF EMPLOYMENT:**

Employees who provide proper notice of their intention to leave a position with the Town of St. Johnsbury will be paid their accrual and unused earned time balance at the conclusion of their employment. Resignation of employment without providing proper notice (two (2) weeks for non-exempt employees, four (4) weeks for exempt employees) will result in forfeiture of any accrued and unused earned time balance to which the employee would otherwise have been entitled. In the event of his or her death, such payment will be made to his or her designated beneficiary.

## **NOTIFICATION OF EARNED TIME BALANCE:**

Earned time balances appear on the pay check stub each payday. Employees may also check with their supervisor or payroll department for their current balance.

## **WORK RELATED EXPENSES, MILEAGE REIMBURSEMENT:**

Employees who, as a part of their job, are required to travel, shall be reimbursed for related expenses according to the following:

- 1. Transportation:** Whenever possible, employees will use Town vehicles for job-related travel.
- 2. Mileage Reimbursement:** When the use of an employee's personal vehicle for job relate travel is required, the Town will pay a mileage allowance at the present federal IRS allowable mileage rate.
- 3. Meals/Lodging:** Employees who travel out of town on business will be reimbursed for the actual and reasonable costs incurred for food, lodging, and travel related expenses not to exceed pre-approved amounts. (By Department Heads)
- 4. Expense Report:** Employees must submit an expense report with receipts to receive reimbursement. Approval for travel, lodging, and food must be obtained from the Department Head prior to a trip, except in emergency or unusual circumstances.

## **EMPLOYEE ASSISTANCE PROGRAM:**

The Town of St. Johnsbury offers employees and their families an employee assistance program 'INVEST EAP' through the Vermont Leagues of Cities and Towns. IVEST EAP is a public/private

partnership of the State of Vermont, Division of Vocational Rehabilitation and the Vermont Industry and Rehabilitation.

- **Services Offered:** EAP offers confidential counseling, information and referral services to help employees and their families with a variety of personal, work related or family problems.
- **Cost:** The cost of this program is paid in advance by the Town of St. Johnsbury, and free for each employee and their family members.
- **Issues That EAP Can Help With:** Relationship problems, family problems, stress, substance abuse, financial difficulty, legal issues, daycare resources, depression and anxiety, grief and loss, career planning, parenting, elder care, abuse, harassment, anger and violence, work injury or illness, disability management.
- **Contact Number:** 1-800-287-2173
- **Website:** [www.investeap.org](http://www.investeap.org)

## **COMMUNICATION – WHAT WE EXPECT OF YOU:**

### **WORKPLACE COMMUNICATION:**

Communication is essential to an effective and pleasant work environment. The town recognizes its responsibility to keep employees informed about developments, policies and procedures that will affect the town and the work of its employees. Several avenues are available for communication with the town:

- The Town Manager, Department Heads and Supervisors will maintain an open door policy to discuss work or town-related questions or issues with employees. They will make reasonable efforts to ensure that information is brought to the attention of employees at the appropriate times.
- Each department shall maintain a centrally located and readily available bulletin board for announcements from the Town. Department Heads are responsible for ensuring bulletin boards are used, and announcements and other information effecting employees are posted in a timely manner.
- Employees are responsible for checking the bulletin board weekly for information regarding the town, work-related matters and other related information.

## **SEXUAL HARASSMENT:**

It is against the policies of the Town of St. Johnsbury, and illegal under state and federal law, for any employee, male or female to sexually harass another employee. The Town of St. Johnsbury is committed to providing a workplace environment free from this unlawful conduct.

### **What is “sexual harassment?”**

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to that conduct is made either explicitly or implicitly a term of condition of employment.
  2. Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or;
  3. The conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.
- Examples of sexual harassment include, but are not limited to, the following, when such acts or behavior come within one of the above definitions:
- Either explicitly or implicitly conditioning any term of employment (e.g. continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
  - Touching or grabbing a sexual part of an employee’s body;
  - Touching or grabbing any part of an employee’s body after that person has indicated, or it is known that such physical contact is unwelcome;
  - Continuing to ask an employee to socialize on or off duty, when that person has indicated that he or she is not interested;
  - Displaying or transmitting sexually suggestive notes or letters.
  - Referring to, or calling a person a sexualized name.
  - Regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person.
  - Retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g. ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person’s duties or work environment etc.)
  - Derogatory or provoking remarks about or relating to an employee’s sex or sexual orientation;
  - Harassing acts or behavior directed against a person on the basis of his or her sex or sexual orientation
  - Off-duty conduct which falls within the above definition but only to the extent that there is a direct relationship between the off-duty conduct and a provable impact on the job performance of any employee.

### **What this employer will do if it learns of possible sexual harassment?**

In the event this employer receives a complaint of sexual harassment, or otherwise has reason to believe that sexual harassment is occurring, it will take all necessary steps to ensure that the matter is promptly

investigated and addressed. The employer is committed, and required by law to take action if it learns of potential sexual harassment, even if the aggrieved employee does not wish to formally file a complaint. Every Department Head and supervisor is responsible for promptly responding to, or reporting any complaint, or suspected acts of sexual harassment. Department Heads and supervisors should report directly to the Human Resources Director, The Special Assistant to the Town Manager, or the Town Manager, all of which have been designated to receive such complaints or reports. Failure by a Department Head or supervisor to appropriately report or address such sexual harassment complaints or suspected acts shall be considered in violation of this policy, and is subject to disciplinary action up to and including dismissal.

Care will be taken to protect the identity of the person with the complaint and of the accused party or parties, except as may be reasonably necessary to successfully complete the investigation. It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliation action which affects the working environment of any person involved in this investigation, and is subject to disciplinary action up to and including dismissal.

If the allegation of sexual harassment is found to be credible, the Town of St. Johnsbury will take appropriate corrective action. Any employee, Department Head, supervisor or agent who has been found by the Town to have harassed another employee will be subject to sanctions appropriate to the circumstances, including but not limited to verbal or written warnings, suspension or dismissal.

### **What you should do if you believe you have been harassed?**

Any employee who believes that she or he has been the target of sexual harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop. If the employee does not wish to communicate directly with the alleged harasser or harassers, or if direct communication has been ineffective, then the person with the complaint is encouraged to report the situation as soon as possible to one of the following:

The Human Resources Director

St. Johnsbury Town Manager

51 Depot Square

51 Depot Square

St. Johnsbury, VT 05819

St. Johnsbury, VT 05819

802.748.3926

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The initial report can also be made to the Department Head, or to the employee's supervisor, who will then report to one of these people. It is helpful to an investigation of this nature if the employee keeps a diary of events and the names of people who witnessed or were told of the harassment, if possible.

If the complainant is dissatisfied with the employer's action, or is otherwise interested in doing so, she or he may file a complaint by writing or calling any of the following state or federal agencies:



1. Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT, 05602. (802) 828-3717 (voice/TDD).
2. Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston MA 02203; 1-800-669-4000;
3. Vermont Human Rights Commission (only if you are employed by a Vermont State agency), 133 State Street, Montpelier, VT 05633-6301, (802) 828-2480 (voice/TDD).

## **GIFTS POLICY:**

No employee of the Town of St. Johnsbury shall, directly or indirectly, corruptly ask, demand, exact, solicit, accept, receive a gift or gratuity, or a promise to make a gift or do any act beneficial to the employee or another with the understanding that the employee will be influenced thereby in any action within the employee's official capacity or employment. Nor shall any employee authorized to procure or to recommend procurement of materials, supplies or services corruptly, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive or agree to receive for the employee or another person, any benefit or benefits from the person providing or soliciting the provision of such materials, supplies or services, with the exception of items of a dominium's nature valued \$20 or less (such as vendor booth free items) or gifts received by an individual if the gift is shared organization wide, or for general consumption.

## **CHANGE OF INFORMATION OR CHANGE OF STATUS:**

Subsequent changes in an individual's employment class (i.e. full-time to part-time, or non-exempt to exempt), are transacted via a "Change of Status" form which identifies the change(s) and the effective date. The form is generated by the Human Resources Director, signed by the appropriate Department Head, and is utilized for the following purposes:

- Payroll notification
- Placement in the employee record
- Employee notification
- Benefit coordination

## **ACCESSIBILITY BY PHONE:**

Due to the nature of service with the Town, it is sometimes necessary to contact employees on short notice. Therefore, when appropriate, employees shall be required to provide a home or cell phone number to their Department Head, and to the Town Manager. Some employees may also be required to provide a telephone number at which they can be reached in the event of an emergency. An inability to abide by these requirements should be discussed with the employee's Department Head, and the Department Head may determine whether an accommodation can be made in the particular circumstance.

Failure to satisfy these requirements on a regular basis or to inform the Department Head of any change in telephone numbers may be grounds for disciplinary action.

Requirements for availability by phone differ by department. Each employee should refer to the department collective bargaining agreement or the relevant departmental work rules for details.

## **ATTENDANCE/PUNCTUALITY:**

Each Town employee is expected to attend their scheduled shifts, and to be on time for those shifts. If an employee cannot, for any reason make a scheduled shift, they must call their supervisor or Department Head at least one (1) hour before the start of their shift, and must make contact with a person unless an extenuating circumstance exists.

## **SEPARATION OF EMPLOYMENT PROCESS:**

### **Voluntary resignation by the employee:**

While as much notice as possible of an employee's intent to leave their position is appreciated, minimum adequate notice is as follows:

- **Non-exempt (hourly paid) employees (except Managers and Supervisors)** - the equivalent of two (2) regularly scheduled work weeks during which the employee is actively fulfilling the duties of the position.
- **Exempt (salaried) employees other than those in non-managerial supervisory roles (and non-exempt Managers and Supervisors)** – the equivalent of four (4) regularly scheduled weeks during which the employee is actively fulfilling the duties of the position.

These parameters would also apply to employees resigning from one Town position to accept another Town position, unless otherwise notes in the plan of specific circumstances, and will allow for a proper transition of training and coverage.

Adequate notice in accordance with this process is requested in order to facilitate a smooth transition of administrative duties, and is required in order to receive payment for any accrued and unused earned time balance when leaving the Town of St. Johnsbury. Any waiver of minimum notice requirements requires the recommendation of the employee's Department Head, and the approval of the Town Manager.

Any employee who has submitted his or her resignation or been terminated, will be offered a confidential **“exit interview”**, (please see Appendix D) for the purpose of gathering the employee's opinions about job satisfaction, and areas in which the Town may need improvement. The exit interview is voluntary, and is conducted in person or over the phone by the Human Resources Director, and the Town Manager or designee.

## **NO SMOKING POLICY:**

The Town of St. Johnsbury recognizes that an environment that allows smoking is hazardous to the health of employees. Also, the State of Vermont provides in 18 V.S.A § 1421-1423 as amended, that employers must provide a smoke-free work place. Therefore, it is the policy of the Town to provide a smoke-free work environment. In addition, 18 V.S.A §§ 1742 and 1743 prohibit smoking in any form in the common areas of all enclosed, indoor areas of publicly owned buildings and offices, including the Town Garage. Upon request of an employee, the Town Manager will submit a proposal to the employees in a particular workplace, in conformance with State statute, permitting smoking in a designated, unenclosed smoking area. Smoking in any Town owned vehicle or equipment is not permitted.

Violation of this policy will result in disciplinary action, up to and including dismissal.

## **DRUG/ALCOHOL FREE WORKPLACE:**

The Town intends to provide its employees and customers with a drug-free workplace. The use of alcohol or illegal drugs and the abuse of prescription drugs are not tolerated in the workplace or at work-related events.

Prohibited behavior includes manufacturing, distributing, selling, dispensing, possessing, using, or being under the influence of alcohol or illegal drugs during work house, on work premises, while engaged in work activities away from work premises, or during work related events. In certain situations, at the discretion of the Town Manager, the Town may allow the use of alcohol in moderation at work-related social events outside of work hours by those legally entitled to do so. Employees who abuse this privilege at work-related social events may be disciplined, up to and including termination.

The illegal use of prescription drugs is also prohibited. If an employee is legally taking prescription drugs that affect the employee's ability to safely perform any of the essential functions of his or her job, his or her supervisor and the Town Manager will determine whether or not the employee should continue to perform his or her functions until concerns regarding safety can be addressed. Medical certification may be required.

An employee who appears, in the reasonable judgment of the Town, to be under the influence of any controlled substance, in the discretion of his or her supervisor, the Town Manager, during working hours will be asked to leave the premises immediately, and will be paid only the time actually worked. If an employee is sent home, he or she will not be permitted to operate a motor vehicle, and other arrangements will be made.

Employees may be disciplined, up to and including termination, for violations of this policy. Employees are not entitled to a drug or alcohol test to prove or disprove a violation. Discipline may result if the Town has a reasonable basis to believe a violation has occurred.

## **WIRELESS COMMUNICATION /INTERNET /EMAIL USAGE POLICY:**

**PURPOSE:** This policy sets the standard for the appropriate usage of Wireless Devices, Internet Systems and Email. The Town of St. Johnsbury specifically reserves the right to modify, change or discontinue any portion of this policy at its sole discretion.

**APPLICATION:** The Town of St. Johnsbury Internet system and Wireless Devices, which include but are not limited to: cellular phones, Blackberries, Personal Digital Assistants (PDAs), and other such mobile devices used to access electronic mail, telephone and Internet service, should be used for business purposes. Informal or personal use should be limited. All email and Internet records remain the property of the Town of St. Johnsbury and should be transmitted only to individuals who have a business need to receive them. Additionally, as company records, Email, Internet and Text Messages are subject to disclosure to law enforcement, government officials or other third parties through subpoena or other process, without notification to or from permission from the employees sending or receiving the messages. (Please refer to 1 V.S.A § 316 Access to Public Records and Documents.) As a condition of employment, all employees consent to review and disclosure of email messages, Internet records and text messages.

**AUTHORIZED LIMITED PERSONAL USE:** Internet, Electronic and Wireless Devices and services, and Email capabilities are resources to facilitate the work of the Town of St. Johnsbury. While the Town is firm that all of these avenues are to be used in a business manner suitable to the Town, the policy has been interpreted to allow for a certain degree of personal use of the Internet Systems, Electronic and Wireless Devices and services, and Email capabilities where personal use meets all of the following tests. No such use will be allowed where any of the following is not met:

- The user must be authorized to use the equipment by the Department Heads, supervisors, or by the Town Manager. Department Heads and supervisors will exercise reasonable discretion in determining which employees will be allowed personal use of Internet or Electronic and Wireless Devices and services. They will also include when such use is denied due to abuse or violation of this policy.
- The use must not interfere with an employee's performance of job duties.
- The use must not impose burden on Town resources as a result of frequency or volume of use.
- A Wireless Device must not exceed usage plan details. Employees must be proactive to be educated about which plan they are on.
- The use must not otherwise violate this policy, including the prohibition on visiting sites that include potentially offensive or disruptive material. The fact that the use occurs in a private

setting or outside of scheduled work hours does not affect the following prohibition; profanity, vulgarity, sexual content or character slurs. Any inappropriate reference, regardless of whether presented as a statement, language, image, audio file, or in any other way that is reasonably likely to be perceived as offensive or disparaging of others on the basis of race, color, age, gender, sexual orientation, gender identity, religion, national origin or disability is also prohibited.

Consequently, employees should always ensure that the business information contained in Email, Internet Messages or Text Messages is accurate, appropriate or lawful. While the Town of St. Johnsbury does not intent to regularly review employees' Email, Internet or phone records, employees have no right or expectation of privacy in any of the aforementioned areas. The Town of St. Johnsbury owns the computers, software and Wireless Devices, and permits employees to use them in the performance of their duties. Email, Internet and Text Messages are to be treated like shared paper files, with the expectation that anything in them is available for review by authorized representatives.

Employees are also reminded that log-on and other passwords may not be shared with any third-party, even another employee, unless requested by a Department Head, supervisor or the Town Manager.

All employees should be aware that the transmission of Email and Text Messages is not secure; therefore, content of said messages must not violate confidentiality requirements of the Town of St. Johnsbury.

Abuse of the Email, Internet System or Wireless Devices through excessive personal use, or the violation of Town Policies, will result in the loss of such devices. Nothing in this policy is intended to interfere with any Town employee's Section 7 rights, as set forth in the National Labor Relations Act; and care will be taken by the Town to enforce the policy in a manner that does not negatively impact such rights. Violations of this policy may result in disciplinary action up to and including termination of employment.

## **APPEARANCE, GROOMING AND DRESS CODE:**

It is the goal of the Town of St. Johnsbury that all employees practice personal cleanliness and neatness. Each employee is expected to follow their specific dress code requirements. The Town will provide, at its cost, certain equipment and clothing items to its employees. Please refer to the specific guidelines defined by each department.

## **CONFLICT OF INTEREST POLICY:**

**ARTICLE 1. Authority:** Under the authority granted in 24 V.S.A Chapter 59 and 24 V.S.A § 2291(20), the Selectboard of the Town of St. Johnsbury, VT hereby adopts the following policy concerning conflict of interest.

**ARTICLE 2. Purpose:** The purpose of this policy is to ensure that the business of this municipality will be conducted in such a way that no public official of the municipality will gain a personal or pecuniary advantage from his or her work for the municipality and so that the public interest in municipal officials will be preserved.

**ARTICLE 3. Definitions:** For the purpose of this policy, the following definitions shall apply:

- A. “Conflict of Interest” means a direct personal or pecuniary interest of a public officer, his or her spouse, household member, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the officer or before the public body in which he or she hold office or is employed.  
“Conflict of interest” does not arise in the case of votes or decisions on matters in which the public officers has a personal or pecuniary interest in the outcome no greater than that of other persons generally affected by the decision, such as adopting a bylaw or setting the tax rate.
- B. “Emergency” means an imminent threat or peril to public health, safety or welfare.
- C. “Official act or action” means any discretionary legislative, administrative or judicial act performed by any elected or appointed officer or employee while acting on behalf of the municipality.
- D. “Public body” means a municipality and its departments, boards, councils, commissions, committees or other instrumentalities.
- E. “Public interest” means an interest if the community as a whole, conferred generally upon all residents of the municipality.  
  
“Public officer” or “public official” means a person elected or appointed to perform executive, administrative, legislative or quasi-judicial functions for a public body.

**ARTICLE 4. Disqualification:**

- A. A public officer shall not participate in any official action if he or she has a conflict of interest in the matter under consideration.
- B. A public officer shall not personally or through any member of his or her household, business associate, employer or employee represent, appear for, or negotiate in a private capacity on behalf of any person or organization in any cause, proceeding, application or other matter pending before the public body in which the officer hold office or is employed.

In the case of a public officer who is an appointee, the person or public body which appointed that public officer shall have the authority to order that officer to recuse him or her or herself from the matter.

## **ARTICLE 5. Disclosure:**

- A.** A public officer who has reason to believe that he or she has or may have a conflict of interest, but believes that he or she is able to act fairly, objectively and in the public interest in spite of the conflict of interest shall, prior to participating in any official action on the matter, prepare a statement describing the matter under consideration, the nature of the potential conflict of interest and why he or she believes that he or she is able to act in the matter fairly, objectively and in the public interest.
- B.** In the case of a public officer who is an elected member of a board, commission or other body, the remaining members of that body shall have the authority to inquire of the officer about a possible conflict of interest and to suggest or recommend that the member recuse him or herself from the matter. If the member believes that he or she does not have a conflict of interest or believes that he or she is able to act fairly, objectively and in the public interest in spite of an existing conflict of interest, the member shall, prior to participating in the matter, prepare a statement describing the matter under consideration, the nature of the potential conflict of interest and why he or she believes that he or she is able to act in the matter fairly, objectively and in the public interest.
- C.** The statement required by subsections (A) and (B) above shall be signed by the officer and filed as part of the minutes of the meeting of the public body in which the officer hold office.

**ARTICLE 6. Exception:** The provisions of article 4 shall not apply if the legislative body of the municipality determines that an emergency exists and that actions of the public body otherwise could not take place. In such cases, a public officer who has reason to believe he or she has a conflict of interest shall disclose such conflict as provided in Article 5.

**ARTICLE 7. Severability:** If any section of this policy is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this policy.

**ARTICLE 8. Effective Date:** This policy shall become effective upon its adoption by a majority of the St. Johnsbury Selectboard.

## **EMPLOYEE DISCIPLINE:**

In situations where an employee's performance does not meet the Town's expectations regarding behavior, performance or attitude, the Town reserves the right to correct the employee in any manner it deems appropriate under the circumstances. This may include progressive discipline, but the Town is not required to follow any particular order of discipline and immediate termination may be appropriate under some circumstances.

The Town may take prior disciplinary action into consideration when disciplining or terminating an employee. The Town also reserves the right to impose discipline for off-duty conduct that adversely impacts the legitimate interests of the Town. The Town agrees that disciplinary action will be taken in a timely fashion, and will be taken privately and, where practical, in the presence of the Union Steward if a Union member.

Probationary employees are not subject to the Town's progressive discipline process. Notwithstanding any other provision of this policy, and employee terminated during the probationary period will have no right to appeal such termination.

## **PROCESS:**

The Town will normally adhere to the following progressive disciplinary process, but reserves the right to bypass any or all steps of progressive discipline when it determines, in its sole discretion, that deviation from the process is warranted:

1. Oral Reprimand
2. Written Reprimand
3. Suspension
4. Discharge

Employees are prohibited from engaging in conduct listed below and may receive discipline, up to and including termination, for doing so. This list has been established to provide examples of behavior that could warrant a range of disciplinary sanctions. Appropriate levels of discipline may be based on the severity of employee conduct. This list is not exhaustive:

- Refusing to do assigned work or failing to carry out the reasonable assignments of a:
  - Supervisors
  - Department Heads
  - Town Manager
  - Selectboard
- Being inattentive to duty, including sleeping on the job.
- Falsifying a time card or other record or giving false information to anyone whose duty is to make such record.
- Being repeatedly or continuously absent or late, being absent without notice or satisfactory reason or leaving one's work assignment without appropriate authorization.
- Conducting oneself in any manner that is offensive, abusive or contrary to reasonable community standards and expectations of public employees.
- Engaging in any form of harassment including sexual harassment.
- Misusing, misappropriating, or willfully neglecting Town property, funds, materials equipment or supplies.
- Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty.



- Fighting, engaging in horseplay or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence.
- Stealing or possessing without authority, any equipment, tools, materials or other property of the Town or attempting to remove them from the premises without approval or permission from the appropriate authority.
- Marking or defacing walls, fixtures, equipment, tools, materials or other Town property, or willfully damaging or destroying property in any way.
- Willful violation of Town rules or policies.

## **GRIEVANCE/APPEALS PROCEDURE:**

Please refer to your department specific Collective Bargaining Agreements for outlines on these policies.

## **CONFIDENTIALITY:**

In accepting employment with the Town of St. Johnsbury, each employee is placed in a position of trust regarding information they may receive about other employees of the entity, or constituents of the Town. Each employee must constantly be aware of the confidential nature of all information pertaining to the persons served.

All information in the record of a person served and/or acquired in the course of providing services to a person served shall not be open for public discussion if it is a personnel matter.

### **Employee:**

Any employee who, in the course of his or her daily duties has access to or encounters current or previous employee information, i.e. address, phone numbers, wages/rate increases, disciplinary actions, is strictly prohibited from disseminating to anyone in any manner without previous approval from the employer.

Individual personnel files are property of the Town of St. Johnsbury, and are considered confidential between the employee and the supervisory staff or specific designee.

Failure to comply constitutes a breach in confidentiality, and could result in a disciplinary action up to and including termination.

## **SAFETY IN THE WORKPLACE:**

Creating and maintaining safe working conditions and following safe work procedures are practices and conditions which the Town and its employee shall strive to maintain. All Town employees shall observe

safe work practices, including but not limited to the wearing of appropriate protective clothing and/or equipment; following all prescribed work practices as presented in departmental policies and procedures; reporting to their supervisor or Department Head all known medical or psychological conditions which impacts the safety of the employee, the public or co-workers; and immediately reporting to their supervisor or Department Head any dangerous or potentially dangerous work conditions. Failure to follow safe work procedures could result in disciplinary actions up to and including dismissal.

## **REPORTING WORK RELATED INJURIES:**

Each employee is responsible for reporting all work related injuries immediately to his or her supervisor, but no longer than 24 hours. Failure to report such injuries may result in a delay in, or loss of Worker's Compensation benefits. Worker's Compensation reports and claims must be given to the Town Manager's office for submission to the insurance company and for appropriate follow up. This report must include the completion of a First Report of Injury form.

It is the policy of the Town of St. Johnsbury to actively manage treatment of work related injuries and illnesses to insure the best outcome for affected employees and to meet the business needs of the Town. The desired outcomes are:

- The best medical outcome possible for the employee
- An employee's successful return to work without unnecessary delays and/or assistance to the employee in adjusting to changes in his or her life as a result of an injury.

Success in accomplishing this will require active participation and cooperation between the employee, the Town and the medical and insurance providers.

### **Process After Work Related Injury:**

1. If emergency circumstances exist, contact Emergency Services by dialing 9-1-1
2. In non-emergency cases, the employee must report all injuries immediately to the supervisor or Department Head.
3. The supervisor or Department Head will complete the First Report of Injury form and submit the form to the Town Manager's office for processing.
4. The Town Manager's office will submit all reports necessary to meet Vermont Department of Labor & Industry and insurance provider requirements including but not limited to the First Report of Injury and Wage Statement.
5. The Town Manager's office will provide information to the employee on their benefits and sources of contact for information and assistance.

6. The employee will contact the Worker's Compensation provider to coordinate services after the initial claim has been filed.
7. The employee will coordinate and keep all necessary medical appointments.
8. During the period where the employee is on Worker's Compensation and is not being paid through the Town, payroll deductions such as health insurance premiums are still required to be paid by the employee. The payment amounts can be obtained through the Town Manager's office.

## **VIOLENCE FREE WORKPLACE/ANTI-BULLYING:**

It is the policy of the Town of St. Johnsbury for the prohibition of a Violence Free Workplace/Anti-Bullying. Workplace Bullying is the repeated, health-harming mistreatment of one or more persons or targets, by one or more perpetrators that can take one or more of the following forms:

- Verbal Abuse
- Offensive conduct/behaviors (including nonverbal) which are threatening, humiliating, or intimidating.
- Work interference (sabotage), which prevents daily tasks from getting done.

The presence of Workplace bullying will begin the process of progressive discipline on the perpetrator. Please refer to page 39 of this manual for the progressive disciplinary process.

## **DISCLAIMER:**

Any policies and procedures written in this manual could be subject to and change and approval by the Selectboard at any time. Employees will be provided with notice regarding any such changes.

## **APPENDIX:**

**A.) Waiver Relating to the Nepotism Policy**

**B.) Employee Orientation Checklist**

**C.) Performance Evaluation Format**

**D.) Exit Interview**