

# **TOWN OF CENTER**

## **Personnel Policies & Procedures Manual**



**ADOPTED SEPTEMBER 6<sup>TH</sup>, 2011 by the CENTER BOARD OF TRUSTEES**

## **BACKGROUND**

The Town of Center is a municipal corporation organized as a statutory town under Colorado law. The Town Board is composed of six elected members and an elected Mayor, which is the legislative and policy-making branch of the Town government. It sets personnel policies through adoption of these Personnel Rules and Policies and exercises certain other controls over personnel matters through the adoption of the budget, action on new or revised job descriptions, approval of the job classification and salary plan, and adoption of the performance evaluation system.

Statutory towns operate under the Board of Trustees/Town Administrator form of government; however, the Town of Center has passed an ordinance identifying the role and responsibility of the Town Manager. The Town Manager is appointed by the Town Board, is the Chief Executive of the Town, and is responsible for the proper administration of the Town government, including the right to exercise all authority delegated within this policy.

The Town Manager may delegate to Department Heads authority for those elements of personnel administration most properly carried out at the departmental level. The Department Head may establish such rules and regulations as they deem necessary for the efficient and orderly administration of their department, provided, however, that such rules and policies must first be approved by the Town Manager to ensure consistency with personnel policies and procedures contained in this Personnel Rules and Policies Manual.

# **PERSONNEL POLICIES AND PROCEDURES MANUAL**

**SEPTEMBER 06, 2011 Edition**

## **AT-WILL EMPLOYMENT NOTICE**

The Town of Center (Town) is hereby notifying employees that the Town is not committed to an employment relationship for a fixed period of time and EMPLOYMENT WITH THE TOWN IS AT-WILL. This means the Town or employees have the right to terminate employment at any time, with or without cause and without advance notice. The language used in this manual and any verbal or written communications with management does not constitute a contract of employment, either expressed or implied, nor is there a guarantee of employment for any specified duration. The Town Board is the only authority allowed to enter into employment contracts and such contracts must be in writing, authorized and approved by the Town Board.

The contents of this manual denotes policies and procedures for employees and are intended to cover all employment issues; however, not all employment scenarios can be foreseen so this manual is not all inclusive. The guidelines contained herein are applicable to all employees of the Town. This manual supersedes all previously issued personnel manuals. Except for the At-Will nature of the employment, the Town reserves the right to suspend, terminate, interpret or change any or all of the policies and procedures within, along with any other procedures, practices, benefits or other programs of the Town. These changes may occur at any time, with or without notice.

In the event that any provision of this manual are determined to be invalid for any reason, the remaining provisions shall remain in full force and effect.

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## **DEFINITIONS**

**Anniversary Date:** The date of employment of a person by the Town.

**Department Head:** The head of a department as designated by the Town Manager and recognized in the administrative plan of organization approved by the Town Council.

**Exempt Employee:** An employee who is not subject to the overtime provisions of the Federal and State wage and hour laws.

**Full-time Employee:** An employee scheduled to work year round on a regular basis averaging not less than thirty-two hours a week.

**Grievance:** A complaint filed by an employee in accordance with Town policy because of work related conditions, issues or employee behavior.

**Health Care Provider:** A doctor of medicine, osteopathy, or dentistry, or specialists in related fields who are authorized to practice medicine, surgery, or dentistry, as appropriate, by the state in which he/she practices.

**Hours Worked:** The total hours worked by an employee and validated by timecard entries. When on call, standby and/or called out, hours worked that are not recorded on a timecard shall be documented and approved by a supervisor or department head.

**Hourly Rate:** The hourly rate of pay for a specific job description.

**Immediate Family:** Includes the employee's spouse, parents, brother, sister, children, step-children, grandparents, aunt, uncle, niece, nephew, all in-laws, and any other member of the employee's household.

**Job Description:** A written description of a job that includes the title, supervision received and exercised, required qualifications, knowledge, skills, associated experience and training, and required duties and work output expected.

**Leave:** An approved or mandatory absence from work.

**Nonexempt Employee:** An employee who is subject to overtime provisions of Federal and State wage and hour laws.

**On Call or Standby:** A period when an employee is required to be available for work and/or call-out in order to respond to specific job tasks or emergencies at times beyond what is required in the normal course of employees work schedule. Employees placed on call or standby must be available for response within 20 minutes upon receipt of call and able to meet and fulfill all requirements of their job.

**Overtime:** The period of time worked by a nonexempt employee in excess of 40 hours in a seven day work period. Overtime pay is at 1.5 times (time and a half) the hourly rate established for a specific job description and is subject to the Overtime Pay Policy.

**Part-time Employee:** An employee hired to work less than thirty-five hours a week.

**Personal Time Off:** Personal Time Off (PTO) is a leave benefit that allows for an employee's absence from work for vacation, illness or other personal needs.

**Reduced Work Schedule:** A leave schedule that reduces the number of hours per work week or hours per work day.

**Regular Shift:** A period of not more than 12 hours of work in any given 24 hour work day or a period not exceeding 40 hours of work in a seven (7) day work week.

**Serious Health Condition:** An illness, injury, impairment, or physical condition that involves in-patient care in a hospital, hospice, or residential care facility, or continuing care by a health care provider.

**Temporary Employee:** An employee hired to temporarily supplement the work force and perform seasonal work or complete specific projects.

**Urgent Situation:** An occurrence demanding prompt attention by employees.

**Work Week:** A work week is considered a period of seven (7) consecutive days commencing on Sunday at 12:00 A.M. and concluding on the following Saturday at 12:00 midnight.

**Work Day:** A work day is a scheduled period of time that an employee is required to be at work.



# Section I

## GENERAL INFORMATION

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## I. GENERAL INFORMATION

1. **Town Board:** The Town Board is the ultimate policy making authority for the Town of Center and is responsible for this policy. The Town Board will maintain, codify, update, modify, or repeal this Employee Handbook, with or without notice.
2. **Town Manager:** The Town Manager is the administrative officer for the Town and responsible for the operation and management of all departments in accordance with the organizational structure. Recognition and execution of all provisions of this policy is a primary objective for the Town Manager and will require all employees to fully understand and execute all jobs and tasks in accordance with this policy.
3. **Town Organizational Structure:** The Town has a defined organizational structure which identifies all departments and associated working relationships. The Town Manager and Department Heads shall be responsible for the management of all employees and for providing a safe and productive work environment for all employees. All employees must understand the overall organization structure and the required chain of command associated with every position. All employees and their job output and personal contributions are essential for the efficient and effective operation of the Town. Proper training, effective planning and scheduling, execution of daily tasks and positive moral by all employees will lead to overall job satisfaction and recognition of a job well done. All employees contribute to organizational progress and overall work output and in order to maximize these gains it is essential that the organizational structure is understood and followed by all Town employees.
4. **Classification Plan:** The Town Manager is responsible for the proper and continuous maintenance of the Classification Plan which details the job responsibilities, duties and compensation for each position within Town. All positions in the Town are assigned by the Town Manager to an appropriate job classification based on the organizational structure and required duties and responsibilities of that position. The Classification Plan is approved by the Town Board and the Town Manager shall obtain approval for all modifications or adjustments to the Classification Plan following an accurate presentation complete with justifications.
5. **Personal Employee Files:** All Town employees will have an employee file that is initiated and maintained by the Town Clerk. The file will include job applications, conditions associated with employment, W-4, withholding and beneficiary information, evaluations and other employment related information.

# Section II

## EMPLOYMENT CRITERIA

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## II. EMPLOYMENT CRITERIA

1. **General:** The Town seeks to employ quality and dedicated individuals who will contribute to the overall success of the organization. Work is a major component in an individual's life and the Town will strive to provide a safe, rewarding and fulfilling work environment for all its employees.

### 2. **Recruitment Process**

- a. Department Heads shall notify the Town Manager of any job vacancies as soon as possible in order to permit sufficient time for the selection of qualified candidates.
- b. The Town Manager shall advertise known vacancies for all jobs in various classified services utilized to draw from intended applicant pools, and all advertisements must be posted in one (1) newspaper of general circulation.
- c. Announcements shall specify the title of the job, nature of the work to be performed, minimum qualifications and experience desired, the closing date for the application, and other pertinent information.
- d. Any job opening will be open to consideration by Town employees, and transfers may be made from among present employees at the discretion of the Town Manager.
- e. **Disqualification:** Applicants may be disqualified from further consideration for reasons including, but not limited to the following: failure to possess the minimum qualifications for the position; an unsatisfactory employment record with previous employers; false statements concerning any material fact on the employment application; a history of improper use of illegal drugs or controlled substances; or false or misleading statements or failure to complete and sign the application. Applicants with felony or misdemeanor convictions may be disqualified and the Town Manager will make a judgment concerning the applicability of the offense to the job, and include a written statement detailing the judgment that either disqualifies or qualifies the applicant from the selection process.
- f. **Hiring Family Members.** A member of an employee's immediate family will be considered for employment if the applicant possesses all of the qualifications for the position and employment with the Town does not result in a scenario where an employee would:
  - supervise or work for, discipline, or terminate an immediate family member;
  - audit, verify, receive, or be entrusted with money handled by the immediate family member;
  - have access to confidential information including payroll and personnel records for an immediate family member.

3. **Equal Employment Opportunity:** The primary consideration in the employment of personnel will be the applicant's qualifications, ability to do the specific job, related experience and other employee credentials such as licenses or certifications. All recruitment, hiring, promotions, and all terms, conditions and privileges of employment shall be maintained and conducted in a manner consistent with State and Federal non-discrimination laws.
4. **Application Process:** Applications will be available at Town Hall or on the Town website. The Town Manager will furnish standard applications for all applicants to fill out for all Town job openings. Applications will only be accepted when there is an actual job opening. All applications must be returned to Town Hall. The office of the Town Manager will be the only location that the applications can be returned by the applicant unless the Town Manager specifies otherwise.
5. **Selection Process:**
  - a. All applicants will be interviewed by a minimum of two (2) Town employees which could include the Town Manager, associated Department Head, and Trustees. All applicants may be subjected to examinations that will be utilized to illustrate an applicant's ability or understanding of the job and associated responsibilities. The Town Manager may appoint a hiring committee with necessary personnel and Town Board members who will screen applicants and conduct necessary examinations. The Town Board may request the formation of a hiring committee for certain job openings consistent with the above criteria.
  - b. Final job applicants being considered for employment for full-time, part-time, temporary, or seasonal positions will be provided a conditional offer of employment subject to fulfilling pre-employment conditions. The Town will bear the expense of pre-employment tests if the applicant accepts the conditional job offer.
  - c. All new employees will be subject to thorough pre-employment conditions which may include background check, drug test, personal physical, psychological test, driving record check and a credit report check. Final applicant selection will require all conditions for employment to be fulfilled including all applicable policies.
  - d. An offer for employment to an applicant who has fulfilled all pre-employment conditions is valid for five (5) working days and must be confirmed with the Town Manager.
6. **Appointments Process:** The Town Board shall be responsible for the appointment of the Town Manager, Town Attorney, Chief of Police, Town Clerk, and Municipal Judge. These appointed officials shall hold their respective offices at the pleasure of a majority of the entire Town Board.

7. **Orientation Process:** Town policy is to complete new employee orientation in order to familiarize employees with the organization and enable them to learn and complete their assigned job responsibilities while also expanding upon the need to utilize and develop the job skills required for productive and effective job performance. The following procedures may be used to implement this policy:
- a. An orientation program shall be conducted for all new employees. The primary purpose of the orientation program is to acquaint new employees with organizational structure, departmental practices, and personnel policies and procedures.
  - b. The Department Head shall be responsible for a general orientation, which includes an introduction to department and Town staff, organizational structure and personnel policy training, explanation of required job responsibilities and services provided including all safety and customary procedures, and familiarization of all equipment and associated facilities. Department Heads may delegate some responsibilities to the employee's direct supervisor.
  - c. Department Heads and supervisors shall be responsible for on-going orientation and training necessary for the employee to safely and efficiently execute their job responsibilities.
  - d. All employees must read and acknowledge they understand this Policy and do so by signature on the required signature page. Signed acknowledgment will be placed in the employees personnel file.
8. **Introductory Period:** Except for temporary employees, all employees hired by the Town to fill a position, whether as a new employee, a former employee rehired, an employee promoted to a new position, or a transfer to a lateral position, are subject to employment specified within an introductory period. The introductory period is normally for six (6) months, however differing time periods may be authorized by the Town Manager or Town Board. While an employee is working within the introductory period, the Town may elect at any time to terminate the employee and without regard to the provisions contained within this policy. At the end of the introductory period, the employee shall receive a performance evaluation from the employee's supervisor. As a result of the evaluation, an employee will either:
- be granted employee status;
  - be terminated from employment;
  - be granted a one-time extension of introductory status, which may not exceed six (6) months and will be determined by the Town Manager. At the end of this extension, the employee will again be evaluated and either be granted employment status or be terminated from employment.

**9. Compensation:** Compensation may include the following items: Wages, Social Security or Police Pension Fund benefits, Medical Insurance, Unemployment Insurance, Workmen's Compensation Insurance, Simple IRA contributions, Personal Time Off benefits, paid Holidays and Travel reimbursement.

# Section III

## STANDARDS OF CONDUCT

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### III. STANDARDS OF CONDUCT

1. **General:** All Town employees essentially work for the citizens of Center and through their work must provide service and value to them and their community. Employees must adhere to strict and formal standards of conduct at all times and commit to a professional and ethical work environment. Everyone in the Town of Center organization must be an ambassador or steward and portray a qualified and committed image in everything they do. Together we should strive to provide the community with the services and expertise that they expect, and be proud of the organization we work for and represent. This section details the criteria for employees and expected behavior and output.

2. **Work Environment:** The Town of Center seeks to provide safe and healthy working conditions for every employee. Assistance from the employees and adherence to Town policies is essential in order to maintain a safe and accident-free work environment.

Employees are expected to be safety conscious and promote a safe working environment. Unsafe conditions identified by an employee must be immediately reported to a supervisor. Employees shall know how to do their job safely, and follow safe procedures when operating equipment, machinery, mowers, vehicles, etc. Employees shall consult with their supervisors if there is uncertainty or problems associated with their work or specific tasks. It is a requirement that safety belts be worn whenever an employee is driving or is a passenger in a Town-owned vehicle.

Any act which endangers, or could endanger, the employee, other people, and/or Town property will be considered a violation of the Town's safety policies and will be sufficient grounds for disciplinary action. All safety procedures must be adhered to at all times. Common sense is also an important attribute that employees must apply to their work.

3. **Employee Courtesy:** An employee's professional conduct and temperament is a major factor affecting the health and growth of the Town and creates a positive and productive work environment. Below are required behaviors that all employees must adhere to:

- a. Employees are expected to be courteous to customers, citizens, visitors and fellow employees at all times.
- b. Employees shall work in a manner that does not obstruct or hinder another employee from completing their assigned duties.
- c. Employees shall work in a safe manner at all times and ensure their safety and the safety of their fellow workers, and the public.

- d. Personal problems between employees outside of the work environment shall not be pursued at work. In the event that personal problem creates an adverse work environment the employees must enlist their supervisor to address the situation and take appropriate action. Personal problems between employees within the work environment shall use this policy to address work related issues. The grievance policy is in Part I, Section VI.
- e. Employees shall note their destination and expected return time on an approved venue when leaving the work or office area, including leave for lunch and breaks. Returning employees should check in with their co-workers. If supervisors are leaving for an extended period of time they must inform key employees and delegate appropriate response responsibilities in case of an emergency.

**4. Public and Business Contact:** Contact with the public and business community is an integral part of all employee job responsibilities. Employees shall strive to communicate and conduct all business in a friendly and professional manner. Often the telephone is the only contact citizens or businesses have with the Town and courteous telephone calls can greatly enhance the Town and employee image. Employees shall answer all calls with a greeting and identify themselves to callers. Outgoing calls shall also be conducted in a professional manner. All conversations shall be conducted in a professional manner and to the extent the employee would expect to be treated, and treat every call with utmost importance.

Employees shall answer all calls promptly and with proper identification of themselves and the location they are calling, make necessary inquiries and provide essential information, take complete and correct information, and give undivided attention to the caller. Keeping a caller on “hold” for long periods of time is a poor practice, and if it is necessary to research information it is better to take the caller’s number and return the call promptly or indicate when the caller will be called back. Messages from callers shall be forwarded to the intended employee with detailed information regarding the call and instructions on return calls, complete with return phone numbers. Every employee shall strive to return calls promptly and within the same day as the call was received.

**5. Political Activity:**

- a. Political Candidacy: An employee shall not continue employment with the Town if they are elected to any Town of Center office. An employee will be required to take an unpaid leave of absence or use PTO leave during an active campaign period.
- b. Political Activities: As a citizen, an employee may engage in political activities but only on their own time. An employee will be required to take leave during active campaigning. Campaigning from your position as an employee of the Town of Center is prohibited. Any act of active campaigning while on Town time will be considered a violation of Town policy and will be sufficient grounds for disciplinary actions.

6. **Outside Employment:** In order to prevent a conflict of interest, all employees will review their outside employment with their supervisor and/or Town Manager and ensure there are no conflicts or violations with applicable laws, or that will adversely affect their job performance.

7. **Intoxication and the Use of Drugs and/or Alcohol:** The Town is a drug and alcohol-free work place. Section XVIII provides a complete description of the Town's drug and alcohol policy. The following uses of drugs and/or alcohol are grounds for dismissal or other disciplinary action:

- a. Employees are not permitted to consume, possess, or use controlled substances or drugs, spirituous liquor, wine, beer, or other alcohol while on duty, or when on-call or emergency standby.
- b. Employees shall not be under the influence of prescription or over-the-counter drugs that adversely affect their job performance while on duty or, when on-call or emergency standby. Employees shall notify their supervisor or the Town Manager when a prescription or over-the-counter drug renders them unable to perform their job.

8. **Tobacco Use (Smoke and Smokeless):** Tobacco use is prohibited in all Town buildings and vehicles. Employees may utilize tobacco products outside Town facilities and vehicles during their regular break times and must be ample distance away from facilities and vehicles so as to not affect others. All tobacco products must be disposed of properly and not litter any area. Failure to use tobacco products in accordance of this policy can result in disciplinary action.

9. **Purchasing:** All purchases shall be made in the name of the Town and shall be duly authorized in strict compliance with the purchasing procedures established by the Town Manager. Employees are prohibited from purchasing items for personal use through the Town.

10. **Use of Town Equipment:** Employees shall utilize Town equipment safely and efficiently to complete their required work. Employees shall be properly trained to use equipment prior to operating or using equipment. Abuse of Town equipment will result in disciplinary action and can result in termination. Employees are not permitted to use Town equipment or facilities for personal use except with certain instances that are approved by their supervisor or the Town Manager.

11. **Use of Town Vehicles:** Town vehicles are to be used for official Town business only. Failure to use a Town vehicle in a safe manner may result in the loss of Town driving privileges and may result in disciplinary action. Listed below are specific uses and regulations:

- a. Town vehicles are for use by Town employees only, however passengers on official business may be permitted with approval from the Town Manager.
- b. Passenger within police vehicles must be approved in accordance with the Police Department Policy Manual and include required authorizations.

- c. The Department Head and Town Manager will approve Town vehicles to be assigned to employees. All Town vehicles shall have the Town's seal on the vehicle.
- d. Town "take-home" vehicles may be assigned to employees and may be driven to and from work only, or when on official business.
- e. On-call employees will be allowed to utilize a vehicle for their assigned shift responsibilities.
- f. All Town vehicles must be operated in a safe manner and drivers shall obey all rules of the road including the use of seat belts which must be worn when operating a Town vehicle.
- g. Employees using Town vehicles should conduct a safety check and ensure the vehicle is safe to drive. The safety check should include inspection of tires, windows, windshield, lights, mirrors, instrumentation panel and any other required equipment. If the vehicle does not check out satisfactorily, the employee should not use the vehicle and must notify their supervisor or department head of the vehicle's condition.
- h. All employees are responsible for the safekeeping and proper care of all property used by them and belonging to the Town. In cases where the employee has shown gross negligence and/or carelessness proven by a court of law or by administrative investigation, the employee may be financially responsible for any Town property, which is destroyed, damaged, stolen or lost as a result of the employee's actions.
- i. In the event of damage to Town property, employees shall notify their supervisor or the Town Manager as soon as possible.
- j. Procedure for Employees Involved in an Accident with a Town Owned Vehicle:
  - i. Notify the Police and/or Sheriff's Office or State Patrol immediately. Determine if there are any injuries and if necessary get emergency assistance to the scene.
  - ii. Do not discuss the accident with anyone but the investigating officer, your department head, the Town Manager or their designee. Never admit liability or fault.
  - iii. Insist that all parties and property concerned remain at the scene of the accident until law enforcement officers can investigate the accident. A full accident report with detailed damage must be submitted to the Town Manager.
  - iv. All employees involved in an accident while operating a Town vehicle must complete a drug and alcohol test as soon as possible, and shall not exceed four (4) hours after the accident.
  - v. Report the accident, no matter how minor, to your supervisor or the Town Manager within 24 hours. Accidents occurring during non-business hours can be reported on the next business day.

**12. Dress Code:** Although no formal dress code exists, you are asked to wear articles of clothing suitable for the type of work you do and the environment in which you work. Articles of clothing should be neat, clean, in good taste, and not constitute a safety hazard. Interpretation of this code will be left to the supervisor and/or Town Manager.

**13. Personal Data Changes:** Personnel records, as required by law and deemed essential for efficient operations, will be maintained by the Town. Employees are requested to promptly report changes in status as listed below to their supervisor or the Town Manager. Personnel files shall be held in strictest confidence unless otherwise notified in writing by the employee.

Change of:           Name  
                          Address  
                          Telephone Number  
                          Marital Status  
                          Emergency Notification Information  
                          Change in Beneficiary or Dependent Status  
                          Medical Issues Which are Life Threatening

**14. Hours of Work:** Most Town employees work 40 hours per week. The work day generally runs from 8:00 a.m. to 5:00 p.m., Monday through Friday. Some departments require different work schedules and department heads will determine appropriate schedules for the required work.

**15. Attendance:** All employees should be at work in accordance with these general regulations or other department specific requirements. Prompt appearance for work at the designated time is required of all employees.

- a. If an employee will be late for work, or absent because of illness or other reasons, they must call the respective supervisor promptly and in advance of their shift whenever possible. This enables the supervisor to make necessary arrangements to continue the employee's functions while the employee is absent. If unable to contact their supervisor, the employee must notify Town Dispatch and leave details of their absence which are to be forwarded to the employee's supervisor as soon as possible.
- b. Failure to call in when absent for two consecutive days may result in disciplinary action including but not limited to termination.

**16. Work Breaks:** A meal break is permitted near the middle of the workday for employees working five or more consecutive hours. Meal breaks are not compensated unless the employee is required to work during the meal break. Employees should receive, unless job conditions do not permit, a break of fifteen minutes approximately at the middle of every four hours of work not interrupted by a meal break. Time spent on breaks will be compensated as working time.

The Town of Center does not provide specific breaks for tobacco users.

**17. Misuse of Town Property:** Theft, destruction, defacement, or misuse of all Town property is not permitted and failure to adhere to this responsibility will result in disciplinary action.

# Section IV

## COMPENSATION PLAN AND CRITERIA

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## IV. COMPENSATION PLAN AND CRITERIA

1. **General:** The Town Manager shall be responsible for the development and maintenance of a Classification Plan which shall include compensation and consist of minimum and maximum rates for each position. Salary ranges shall be directly related to the Classification Plan and shall be determined with due regard to ranges of pay for work in other public and private organizations, working conditions, recommendations of supervisors, benefits received by Town employees, and the financial policy of the Town. Guidelines are established to help supervisors evaluate employee performance and recommend increases in salary. All salary recommendations are reviewed by the Town Manager for final action and subject to appropriations in the annual budget approved by the Town Board. The Town Manager is available any time there are questions about salary.
  
2. **Initial Wage Rate:** The initial rate of pay for a position is the minimum rate for the specific job detailed in the Classification Plan, however a higher rate of pay adjustment may be made if it is determined by the Town Manager that a higher rate is necessary in order to recruit qualified personnel, or the new employee possess certain skills, experience or credentials that warrant the adjustment.
  
3. **Performance Evaluations and Merit Increases:**
  - a. **Evaluation:** A supervisor and/or Town Manager shall evaluate an employee's work performance at the end of their six month introductory period and also in **September** of each year thereafter. Performance evaluations are designed to provide necessary information and feedback on the employee's performance throughout the evaluation period. A supervisor or the Town Manager shall explain the evaluation criteria to the employee and clearly explain the evaluation results including employee strengths and weaknesses, accomplishments and short falls, goals, expected outcomes and areas for improvements. A supervisor or Town Manager shall also allow for employee questions and strive to provide accurate and concise answers, and promote quality and secure communication at all times. This is a good time to discuss any problems or questions the employee may have with regard to the job, to set future goals, and to make suggestions regarding the job or department. If the employee considers the evaluation outcome unsatisfactory the Town Manager must review the criteria and consider all facts and evidence, and determine a final evaluation outcome. After the evaluation is presented, discussed and approved, the employee and supervisor, or Town Manager, must sign it and place the completed evaluation in the employee's personnel file.
  
  - b. **Merit Raise:** The merit raise is a pay increase that awards and recognizes an employee's increased effectiveness and performance exhibited while performing their job duties. Merit raises are tied to a particular level of performance which **exceeds** the basic job expectations for a particular position. If an employee continually increases output and adds value to the organization as evidenced by greater productivity, improved judgment and initiative, and obtains training and certifications, then recognition is extended to the employee by means of a merit pay increase. A merit raise may be granted to a new employee at the end of the



introductory period if the evaluation determines the employee's performance exceeds satisfactory job output. Similarly, a merit raise may be granted to an employee if the annual evaluation determines the employee's performance exceeds satisfactory job output and expected goals and objectives. A merit raise schedule is prepared annually by the Town Manager prior to budget preparations and is subject to change and approval by the Town Board. Merit raises are totally dependent upon available funds.

- c. Reductions in Position/Pay: An employee's pay or position may be reduced as a result of an unsatisfactory performance evaluation. A pay or position reduction resulting from an unsatisfactory performance evaluation must be approved by the Town Manager and detailed in writing with specific findings and accompanied by the unsatisfactory evaluation. A specific performance plan must also be detailed for the employee that upon successful completion will result in re-instatement of the employee to their previous position, or if unsuccessful could result in termination. All information must be placed in the employees' personnel file.
  - d. Reduction-In-Force: An employee may be terminated in a reduction-in-force action if the employees position is reclassified, no longer needed, or if funds are not available. The Town Manager will notify the employee in writing of the action and provided 10 days notice before the effective date of the action. All employees with unsatisfactory evaluations will be the first to be considered in reduction in force actions.
4. **Transfers and Promotions:** Transfer or promotion of employees working for the Town is desirable and all new or vacant positions require interested employees to submit a written request to the Town Manager for consideration. Transferred or promoted employees are subject to the classification plan and required skills and qualifications. Interested employees may have to submit applications and complete interviews in order to determine the best candidate for the job, and an employee's past performance and commitment to the Town can be considered an attribute or detriment during the hiring process. Qualifications, skills and experience will determine salary adjustments, if necessary, and must be documented in the employees file. Introductory periods will be required in accordance with Section II.7.
5. **Pay for Part-Time and Temporary/Seasonal Non-Exempt Employees:** Pay for these employees are computed at an hourly rate. These employees shall not be paid for overtime, holiday pay nor accrue PTO leave or other fringe benefits.
6. **Pay for Full-Time Non-Exempt Employees:** All full-time employees not classified as exempt are authorized overtime and their pay is based on an hourly rate established in the classification plan. The hourly rate in the classification plan is based on 2080 hours per year which is used as a basis of calculation and should not be construed or relied upon as a guarantee of actual hours to be provided by the Town.

7. **Pay for Exempt Employees:** Exempt employees are expected to work the normal forty hour work week plus whatever additional time may be required due to the demands of their particular position. Exempt employees will be paid a fix salary based on an annual salary. Exempt employees may be granted time off when the Town Manager determines excessive time has been required to fulfill work expectations. The Town Manager will determine the allowed time off.

8. **Overtime:** The Town seeks to establish the time and duration of working hours as required by work load and production flow, customer service needs and the efficient management of personnel resources in accordance with applicable law and while maintaining adequate public health, safety, and general welfare. However overtime work is necessary and unavoidable at times and requires employees to complete necessary work or tasks. When overtime work is necessary, it will be on a voluntary basis, except for responders needed in emergency situations. Employees are not permitted to work overtime without the prior approval from their supervisor or Town Manager. The Town seeks to reduce this burden to and utilizes the below criteria:

- a. **Eligibility:** Full-time employees are eligible for overtime while exempt employees are not unless deemed an emergency by the Town Manager. Part-time and seasonal employees are not entitled to overtime unless determined essential by the Town Manager.
- b. **Scheduling:** The Town Manager or other department heads may schedule overtime when it is deemed necessary and possibly without advanced notice. Certain jobs require emergency or coordinated responses outside of the normal work hours and often result in overtime for employees. In the event that enough volunteers cannot be obtained, the departments will attempt to equalize overtime for authorized personnel by proper scheduling when possible.

Employees who refuse to work overtime when scheduled are subject to disciplinary action at the discretion of their supervisor or the Town Manager. Refusal to work in emergency situations may also necessitate disciplinary action and may result in grounds for termination. Overtime commitments will be considered during employee evaluations and merit pay increases.

- c. **Work Periods:** Per provisions of the Fair Labor Standards Act (FLSA) and for the purposes of overtime compensation, only time worked in excess of forty hours during a work week will be counted. Holidays and PTO leave are not considered hours worked. If leave is taken during the same work period where overtime accrual occurs then the deduction of overtime hours on a 1-1 basis is followed by usage of the approved leave. The employee's supervisor or Town Manager may determine otherwise in emergency or call out situations. The normal workweek begins at 12:01 a.m. Sunday and ends at 12:00 midnight Saturday.
- d. **Overtime Rates:** Overtime shall be paid at one and one-half (1-1/2) times the normal rate of pay for the time worked beyond the scheduled 40 hour work week. All employees who are authorized overtime may be compensated with overtime pay in accordance with approved overtime and at the overtime rate.

- e. On call: Employees on call receive no pay unless they are called out, at which time they will receive pay according to nonexempt status for any time worked over 40 hours in a work week.
- f. Travel: Travel time is compensable work time when it occurs during the employee's regular working hours. If travel occurs during normal working hours on nonworking days (i.e., Saturday or Sunday for an employee who works Monday to Friday), the time is compensable and is subject to overtime as provided by the Fair Labor Standards Act (FLSA).

Overnight travel that occurs outside of regular working hours as a passenger on an airplane, train, boat, or bus where the employee is free to relax, is not counted as working time. Time spent working while traveling will be compensated and is subject to overtime pay as provided by the FLSA. If an employee is required to drive or required to be a passenger in an automobile, the employee will be compensated for all travel time and is subject to overtime as provided by the FLSA. The complete Travel Policy is contained in Part 2, Section II of this Handbook.

- h. Training: Time spent in Town-approved training during normal working hours will be considered hours worked. Unless a particular training session is required in writing by the Town, no overtime will be paid for training taken after working hours or on the weekend. Regular wages will be paid for training sessions held during working hours.

**9. Pay Periods and Pay Day:** Employees will be paid every other week (26 times per year) on the Wednesday following the end of a pay period. A pay period is from 12:01 a.m., Saturday, until 12:00 midnight Friday. The Town also offers direct deposit and employees must sign up for this service.

**10. Pay Due in the Event of Termination:** In the event an employee is terminated, the final check is due and payable upon the effective day of termination. In the event of employee resignation, the final check is due and payable on the next normal pay day, or sooner. All accrued PTO leave will be paid in full

**11. Effective Date for Pay Changes:** Approved merit raises and annual cost of living adjustments go into effect the first pay period of the new calendar year, unless Town Board specifies another date.

# Section V

## FRINGE BENEFITS

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## V. FRINGE BENEFITS

1. **General:** The Town of Center offers certain benefits to eligible employees which combined with employee salaries equate to a comprehensive compensation package. Benefits are managed by the Town Manager and may include health and life insurance, a simple IRA plan, a PTO leave accrual plan, paid holidays and training. Benefits are reviewed and updated periodically when conditions, contracts or other variables warrant. Listed below are the detailed benefits extended by the Town.

2. **Holidays:** The following are currently recognized as official holidays for full-time employees only.

New Year's Day, January 1 - eight hours  
Martin Luther King Jr. Day – eight hours  
President's Day - eight hours  
Memorial Day - eight hours  
Independence Day, July 4 - eight hours  
Labor Day, First Monday in September - eight hours  
Veterans Day – eight hours  
Thanksgiving Day - eight hours  
Day following Thanksgiving - eight hours  
Christmas Day, December 25 - eight hours

- a. **Observance:** In observance of the above holidays, all Town offices will be closed with the exception of those departments whose operation is necessary for the preservation of the public health and safety or where recreation is provided to the public.
- b. **Holidays Falling on Weekends:** Holidays falling on Saturday are observed on the preceding Friday, and holidays falling on Sunday are observed on the following Monday.
- c. **Holidays During an eligible Employee's PTO Leave:** Holidays occurring during an employee's approved leave shall not result in a PTO deduction.

3. **Social Security:** All Town employees are subject to the Federal Social Security Act. Contributions for both the Town and employee are determined by current Social Security laws.

4. **Employees' Retirement Plan:** The Town offers a retirement plan to only full-time employees and law enforcement staff. These plans are subject to change and the Town Manager should be consulted on the various plan benefits.

5. **Group Insurance Plans:** The Town currently offers group insurance plans to full-time employees. Plans are reviewed periodically by the Town Manager and Town Board and benefits and benefit amounts provided are subject to change. Employees will be informed of any changes in their benefit packages. Enrollment into these plans is subject to plan guidelines and employee eligibility.

- a. The Town seeks to provide access to Health, Life, Dental and Vision Plans; however employer contributions for these plans will vary dependent upon funding availability and other financial factors considered annually during budget preparations.
- b. Insurance booklets and other associated information will be provided to all employees. Insurance representatives will provide essential information and educate employees on the various plans. All employees must complete the necessary enrollment information and meet the plan criteria in order to receive specific plan benefits. Benefit contributions and withholdings will be tabulated and deducted accordingly and reflected in employee payroll information.

**6. Worker's Compensation:** Every employee of the Town is covered by worker's compensation insurance as provided for by State law. The entire insurance cost is paid by the Town. Any employee who is injured or becomes ill from associate work exposure is eligible for benefits under worker's compensation in accordance with State statutes. Such illness or injury must be reported to the employee's immediate supervisor or the Town Manager immediately.

**7. Training and School:** The Town approves training funds in the budget for special training, education, or school that is deemed essential for specific positions. All training must be approved in advance by a Department Head or the Town Manager and is contingent upon available funding. The class or training must be associated with the general job classification of the employee and provide improved knowledge to the employee and value to the Town. Approved training and school expenses will be covered by the Town, however payment will not be made for finance charges and interest on loans, or for time payments on courses. The Town will pay the cost of courses and/or associated competency testing upon satisfactory completion of each course evidenced by a satisfactory or passing grade or score. Testing required for the job classification will be paid for entirely by the Town for two (2) attempts only and subsequent tests will be paid for by the employee.

No overtime will be paid for job related training sessions taken after working hours or on the weekend unless the training is required by the Town. Regular wages will be paid for training sessions held during typical working hours.

**8. Clothing Allowance:** The Town of Center provides a clothing allowance for employees in certain positions. The purpose of the clothing allowance is to provide identification, safety, protection, and clothing relating to specific work.

In lieu of purchasing clothing, the Town may prefer to rent and will designate funds to cover rental fees when appropriate. Employees who receive a clothing allowance shall make every effort to wear designated clothing each work day, or as required by their supervisor. As a general rule, clothing purchased for the employees is to be maintained by the employee.

All purchases or rental of clothing must be approved by the supervisor and the Town Manager. The supervisors and Town Manager are responsible for administering the program.

# Section VI

## LEAVE PROVISIONS

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### Personnel Policies & Procedures Manual



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## VI. LEAVE PROVISIONS

1. **General:** The Town of Center offers certain benefits to full-time employees which allows for time off from work for the various reasons detailed within this section. Leave from work is essential for numerous reasons but shall be used according to Town policy and not abused at any time. Absence from work must be coordinated in order to reduce the effect on staff and the public. Listed below are the eligibility criteria and various leave programs offered by the Town.
2. **Personal Time Off:** Personal Time Off (PTO) is granted to full-time employees only and accrual rates are dependent on years of employment and exempt status. PTO leave requests must be approved by your supervisor, or a supervisor must be contacted for unscheduled absences within 24 hours of the absence. No PTO leave requests are granted during an employee's introductory period. PTO is accrued as follows:

<u>Employment Duration</u>	<u>Accrual Rate (Non-Exempt)</u>	<u>Accrual Rate (Exempt)</u>
First Year	120 Hours per Year	140 Hours per Year
2-4 Years	160 Hours per Year	200 Hours per Year
5-7 Years	180 Hours per Year	220 Hours per Year
8-10 Years	200 Hours per Year	240 Hours per Year
11- 15 Years	220 Hours per Year	260 Hours per Year
16-20 Years	240 Hours per Year	280 Hours per Year
21+ Years	260 Hours per Year	300 Hours per Year

- a. PTO leave is a privilege which the Town provides to the employee in order to promote positive employee attitude and protect their earning capabilities during an absence. PTO should be taken accordingly throughout the year and examples of leave that would utilize PTO are: vacations, illness or medical appointments, personal and family needs. Employees may not carry-over more than 360 hours on December 31<sup>st</sup> of every year.
- b. Upon separation from the Town an employee will be paid for all accrued PTO leave, up to the maximum accrual of 360 hours. No PTO leave will be paid to an employee who separates from the Town during their introductory period.
- c. Employees who are sick should not report to work in an effort to preserve their PTO leave and may be sent home by their supervisor. Employees who are sick for more than three (3) days may be required to submit a doctor's notice verifying their absence from work. A supervisor may also require a doctor's approval for an employee to return to work.



d. In the case of serious illness or injury an employee may be eligible for donated PTO leave. Employees seeking donations must submit a written request to the Town Manager for review and verification of the request. All accumulated PTO leave must be used by the employee prior to a donation request. If a request is approved the Town Manager will send out a formal donation request. Any employee who wishes to donate shall indicate in writing their intended donation which will remain confidential. PTO leave will not accrue when an employee is using donated PTO leave. The Town Manager will also consider alternatives for an employee who is taking care of family members. The Town will follow all HIPAA laws concerning this confidential information.

**3. Jury Duty:** The Town recognizes jury duty as a civic responsibility for everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror. If the employee is excused from jury duty during their regular work hours, they are expected to report to work promptly, or potential.

Employees shall receive regular pay for the first three days of jury duty if they were scheduled to work and a juror service certificate is submitted to the Town Manager.

Beginning the fourth day and thereafter, employees serving as a juror are paid \$50.00 per day by the State of Colorado for State, District or County Court jury duty. For jury duty in excess of three days, employees are paid by the Town the difference between jury duty pay and their regular daily pay up to a maximum of 10 days (80 hours). Jury duty leave beyond this time is without pay.

**4. Paternal Leave:** A pregnant employee must notify their supervisor in writing of anticipated paternal leave and include estimated dates of absence. This notice must be submitted at a minimum of eight (8) weeks in advance of anticipated leave. A pregnant employee is expected to complete all required work requirements while at work, however an employee may be placed on limited duty if such work is available and approved by their supervisor and the Town Manager. A pregnant employee shall consult with their doctor and determine when the employee shall conclude work and be placed on paternal leave. An employee on paternal leave is eligible to utilize all their accumulated PTO leave. Leave granted beyond that shall be without pay. Paternal leave in excess of six weeks must be approved by the Town Manager. Paternal leave may be considered under the Family Medical Leave Act which is detailed in Section 9.

According to law, whenever a husband and wife work for the Town, and leave is taken for birth, or adoption or foster care, only a combined 12 week period will be allowed.

5. **Military Leave:** Any full-time employee who presents official orders requiring attendance as a reservist or member of the National Guard for a period of training or other duty shall be allowed military leave. Employees on military leave are entitled to pay from the Town for the difference between pay received from the Town and the pay received from the United States Government. Pay will only be for typical scheduled hours in a work day and will not allow for overtime compensation or accrual of PTO. Military leave will not be considered if concurrent with approved PTO leave. The Town may temporarily drop employee benefits depending on the duration of military leave and must be approved by the Town Manager.

6. **Military Active Duty Leave of Absence:** A military leave of absence without pay will be granted if an employee is absent in order to serve in the uniformed services of the United States for a period of up to five years (not including certain involuntary extensions of service) according to State and Federal law. An employee is eligible for military leave beginning the first day of employment. Employees who perform and return from service in the Armed Forces, the Military Reserves, the National Guard, or certain Public Health Service positions will retain certain rights with respect to reinstatement, seniority, layoffs, compensation, length of service promotions, and length of service pay increases, as required by applicable federal or state law. Employees who are on military leave without pay will not accrue PTO and employee benefits may be temporarily dropped depending on the duration of leave.

7. **Leave Without Pay:** The Town Manager may grant a full-time employee leave without pay for a maximum period of one year, and with review and approval required every 90 days. Approved leave without pay will only be granted if the employee's absence does not adversely affect the Town and specifically the operations or tasks typically completed by the subject employee. Approved leave without pay shall constitute a break in service and there will be no pay for holidays, no PTO will be accrued and certain benefits may be temporarily suspended. When an employee returns to work after an extended leave without pay the Town Manager may require the employee complete an introductory period for up to six (6) months and upon satisfactory completion will return to the normal merit review and evaluation process. All employees eligible for health benefits may be moved to COBRA during leave without pay and liable for potential expenses.

8. **Family Medical Leave Act:** The Family Medical Leave Act offers certain rights to employees in accordance with Federal Law and the employee must

a. **Family and Medical Leave Act (FMLA Leave):** The Town of Center provides up to 12 weeks (in certain circumstances 26 workweeks) of unpaid, job-protected leave to eligible employees for the following reasons:

- Birth and care of your child or the placement and care of a child for adoption or foster care. The leave must be completed within one year of the birth.

- Care for a child, parent, or spouse with a serious health condition. Child is defined as under the age of 18 or over the age of 18 incapable of self care due to a mental or physical disability at the time leave is to commence.
  - Serious health condition that makes the employee unable to perform the functions of the position of such employee.
  - When a child, parent, or spouse experiences a qualifying exigency directly related to being deployed to a foreign country. Examples of qualifying exigency include short-notice deployment, military events and related activities, short-term childcare and school activities due to the exigency, financial and legal arrangements due to the exigency, non-medical counseling, post-deployment activities, and additional activities mutually agreed upon by the employee and appointing authority.
  - Care for a child, parent, spouse, or next of kin who suffers a serious injury or illness in the line of duty while on active duty in support of a contingency operation. Next of kin means nearest blood relative other than the covered service member's spouse, parent, son or daughter, in the following priority order: relatives granted legal ward or custody through court order, brother and sister, grandparents, aunts and uncles, and first cousins. If the service member has declared a next of kin, only that individual is considered next of kin. If the service member has not declared a next of kin, all those mentioned above are considered next of kin and eligible for the leave, e.g., all siblings are eligible and if none, all grandparents are eligible and so on. Service member family leave is entitled to a total of 26 workweeks of leave during a single 12-month period.
- b. Benefits and Protections: While on qualifying Family Medical Leave Act (FMLA) leave, the Town maintains the employee's health coverage under group health plan(s) on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the Town for payment of insurance premiums during such leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, funeral leave, or employer's jury duty pay are not granted on unpaid leave.

- c. Eligibility Requirements: Employees are eligible if they have worked for the Town for at least 12 months, for 1,250 hours over the previous 12 month period.

- d. Definition of Serious Health Condition: A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a healthcare provider. This includes temporary pregnancy-related disability (pre-natal visits, childbirth, and recovery).
- e. Use of Leave: The maximum time allowed for Family Medical Leave Act (FMLA) leave is either 12 weeks in the 12-month period as defined by the Town, or 26 weeks as explained above. The employee has the option of using accrued PTO leave before or after using unpaid FMLA leave.

In certain circumstance, an employee does not need to use the FMLA leave entitlement in one block. Leave may be taken intermittently or on a reduced leave schedule. In certain circumstances, intermittent leave is allowed only when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Town's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the Town's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

- f. Employee Responsibilities: Employees must provide 30 days advance notice of the need to take Family Medical Leave Act (FMLA) leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Town's normal call-in procedures.

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

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The Town may require second and third medical opinions at the Town's expense. Documentation confirming family relationship, adoption or foster care may be required. If leave is denied and continued absence occurs, disciplinary action in accordance with Town policy may result. Employees on leave must contact the Town Manager at least two days before their first day of return.

- g. Town Responsibilities: The Town will inform employees requesting leave whether they are eligible under FMLA. If eligible, a notice will specify all required information and employee's rights and responsibilities. If not eligible, the Town will provide a reason for the ineligibility.
- h. Unlawful Acts: If an employee alleges unlawful acts, they may file a complaint with the U.S. Department of Labor or file a private lawsuit against the Town. The Family Medical Leave Act (FMLA) does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights. FMLA makes it unlawful for the Town to:
- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
  - Discharge or discriminate against any person for opposing any practice made unlawful by FMLA, or for involvement in any proceeding under or relating to FMLA.

# Section VII

## DISCIPLINE AND GRIEVANCE PROCEDURES

### TOWN OF CENTER

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## VII. DISCIPLINE AND GRIEVANCE PROCEDURES

1. **General:** Employer and employee communication is critical to ensure efficient and productive work while creating and maintaining a constructive and rewarding work environment. Supervisors and employees are encouraged to communicate their concerns or ideas in a constructive manner and strive to reach mutually acceptable outcomes. Supervisors and employees can also utilize counseling sessions for a more formal process when addressing concerns or complaints. Disciplinary actions may be necessary if normal communication and application of this policy does not attain expected outcomes. The Town Manager will be notified when disciplinary measures are taken. All disciplinary actions will be documented and placed in the employee's personnel record. There is no requirement for progressive discipline. Grievance procedures are detailed in this section and are available to certain employees during discipline proceedings.

2. **Methods of Discipline:** The following are examples of the types of discipline which may be imposed:

- a. **Counseling Session:** A counseling session should be used in the event of minor problems or misunderstandings concerning an employee's performance or activity in the work place. Counseling sessions can be used to restate the supervisor's expectations to the employee and should be a tool to aid communication between the supervisor and employee, and can be utilized effectively before job related problems or disciplinary actions becomes necessary. Written findings and desired outcomes should be documented in a statement following the counseling session and signed by the employee and supervisor, and delivered to the Town Manager for inclusion in the employee's personnel file.
- b. **Reprimand:** A supervisor, with the concurrence of the Town Manager, may reprimand an employee for just cause. A reprimand shall be addressed to the employee in writing and with accurate details associated with the reprimand action. A signed copy shall be delivered to the Town Manager for inclusion in the employee's personnel file.
- c. **Demotion:** The Town Manager may demote or reduce in grade an employee for just cause. Such demotions may be made for disciplinary reasons or when, in the supervisor and department head's estimation, the employee does not have the skills and knowledge to perform the duties of the position. An employee may also be demoted for disciplinary reasons where termination is not warranted, or when performance evaluations indicate that the employee is not performing at acceptable levels.
- d. **Suspension:** All employee suspensions must be administered by the Town Manager and may be with or without pay. Preliminary evidence and investigations should be the basis for determining whether suspensions are to be with or without pay.

e. Termination:

Full-time & Part-Time Employees. All terminations shall be approved and administered by the Town Manager. A supervisor may recommend the termination of an employee within their immediate department and shall provide notice to the employee of the circumstances or events for which a termination is being considered. The employee will have an opportunity to explain or respond to all issues and circumstances detailed in the supervisor's notice prior to a final termination determination. The Town Manager may put the employee on an unpaid suspension when a preliminary determination suggests a high probability that the Town has good grounds for termination and the offense or circumstances are sufficiently serious to warrant unpaid suspension.

f. Marital or Relationship Action: Employees who marry or become members of the same household may continue as long as one of the following conditions does not occur:

- an immediate family member would supervise the other or be in a position to exercise authority to appoint, dismiss, or discipline the other spouse;
- an immediate family member would audit, verify, receive, or be entrusted with money handled by the other spouse;
- an immediate family member has access to confidential information including payroll and personnel records.

Should one of the above situations occur, the Town may attempt to find a suitable position within the organization to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

**3. Grievance Policy:** It is the Town's policy that employees should have an opportunity to present their work-related complaints and to appeal management decisions through a dispute resolution or grievance procedure. The Town will attempt to resolve promptly all grievances that are appropriate for handling under this policy. The grievance procedure may be used by all employees who are not directly supervised by the Town Manager. Those employees directly responsible to the Town Manager may appeal personnel actions to the District Court under Colorado Rules of Civil Procedure Rule 106 a.4. An appropriate grievance is defined as an employee's expressed dissatisfaction concerning a supervisor's interpretation or application of a work-related policy. Examples of matters which may be considered appropriate grievances under this policy include, but are not limited to, the following:

- a. A belief that Town policies, practices, rules, regulations, or procedures (i.e. counseling session, reprimand, etc.) have been misinterpreted or misapplied against the employee.
- b. Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation.



- c. Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, or disability.
- d. Unequal administration of employee benefits or of such items as scheduling, vacations, promotions, retirement, holidays, performance review, salary, or seniority.
- e. Waste, fraud and abuse actions conducted by other Town employees (employee-employee).

**4. Grievance Procedures:** The grievance procedure is the exclusive remedy for employees with appropriate grievances. The grievance procedure has a maximum of two steps, but grievances may be resolved at any step in the process. Grievances are to be fully processed until the employee is satisfied, does not file a timely appeal, exhausts the appeal process, or a final decision is rendered. Any employees who feel they have an appropriate grievance should proceed as follows:

- Step One – Within five working days the employee must bring a written grievance to the attention of their immediate supervisor. If the grievance involves the supervisor, then it is permissible to proceed directly to step two. The supervisor shall investigate the grievance, attempt to resolve it, and give a written decision to the employee within a timely manner, but not to exceed three working days. An employee will be notified if the investigation will require additional time beyond three days. The supervisor shall prepare a written and dated summary of the grievance and proposed resolution for personnel file purposes.
  - Step Two – A written appeal of an unsatisfactory supervisor’s decision may be forwarded to the Town Manager. The appeal must be made in writing, within five working days, and must provide all documentation associated with the unsatisfactory decision. The Town Manager will take the necessary steps to investigate the grievance and shall then issue a written, final, and binding decision in five days. An employee will be notified if the investigation will require additional time beyond five days.
- a. Implementation of the grievance procedure by an employee does not limit the right of the Town to proceed with any disciplinary action. Employees are not to be penalized for proper use of the grievance procedure. However, it is not considered proper use if an employee raises grievances in bad faith or solely for the purposes of delay or harassment, or repeatedly raises baseless grievances. Improper use of the grievance process may be a basis for disciplinary action.
  - b. Final decisions on grievances shall not be precedent-setting or binding on future grievances unless they are officially stated as Town policy. When appropriate, the decisions will be retroactive to the date of the employee’s original grievance. The Town Manager will provide training and support to supervisors in dealing with employee grievances.

- c. Information concerning an employee grievance shall be held in confidence. Supervisors and department heads who investigate a grievance are to discuss it only with those individuals who have a need to know or who are needed to supply necessary background information or advice.

# Section VIII

## SEPARATION FROM THE TOWN

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## VIII. SEPARATION FROM THE TOWN

1. **General:** The Town seeks to maintain a productive and enriching work environment for all employees, however employment with the Town is not indefinite and employees will eventually cease employment with the Town. This section will detail the various means of separation including voluntary and involuntary separations and the associated processes.
2. **Exit Interviews:** All employees separating from the Town may be asked to conduct an exit interview with the Town Manager. These interviews are necessary to obtain critical information about Town operations, functions, management or other conditions.
3. **Resignation or Retirement:** Employees seeking to resign or retire from employment with the Town can do so at anytime however a minimum of two (2) week notice is requested. Employees must return all Town issued property such as equipment, keys, credit cards, radios, and everything must be in acceptable condition as determined by a supervisor or Town Manager. Employees will receive a final check with compensation for hours worked during their last work period and for accrued PTO. All other benefits will cease on the final day of employment. Employees are responsible for managing their retirement accounts upon separation from the Town.
4. **Reduction-In-Force/Layoffs:** The Town Manager may eliminate certain positions in the event of budgetary constraints, reorganization or departmental restructuring. A written notification will be submitted 10 days in advance to employees who will be laid off due to a Reduction-In-Force (RIF). Employees being considered for a (RIF) or layoff may consider a transfer to another open position for which the employee is qualified. If no such position exists the employee will be dismissed. Employees who separated from the Town with satisfactory job performance can apply for future jobs. Employees with unsatisfactory job performance will be first considered for all RIF's and layoffs.
5. **Terminations:** The Town is an at-will employer and can terminate employment with all employees at any time. The Town Manager will approve all terminations following a thorough investigation of all matters and documentation, and upon consultation with the Town Attorney. A written statement will detail all necessary information pertaining to employee terminations and will be placed in employee personnel files. Upon termination, employees will receive pay for the work completed during their last pay period and for all accrued PTO leave.
6. **Death:** In the event of the death of an employee, the final pay check will be made payable to the estate of the employee in accordance with the probate laws of the State of Colorado.

# Section IX

## TRAVEL POLICY AND PROCEDURES

### TOWN OF CENTER

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## IX. TRAVEL POLICY AND PROCEDURES

1. **General:** The Town does anticipate employee travel which is necessary for business matters, training or other critical Town matters. It is the responsibility the employee to ensure compliance with this section.
2. **Travel Policy and Procedures:**
  - a. **Travel on Town Business:** Employees shall ensure that all travel, regardless of the source of funds, is necessary and for the benefit of the Town. All travel requests must be approved by a supervisor or Town Manager and include the source of travel funds to be utilized including reimbursement from other sources.
  - b. **Travel Expense Advances:** The Town may make advances to employees only for travel expenses within the following restrictions:
    - The amount of the advances shall not exceed the maximum reimbursement rates established by the Town for the period in which the travel is to be performed.
    - Full settlement of travel reimbursement claims should be made within a reasonable amount of time after travel is completed, and shall not exceed 30 days.
  - c. **Transportation:** The most economical available transportation will be used to satisfactorily accomplish the purpose(s) of the trip.
    - **Vehicle Transportation:** One vehicle will be used when more than one person is traveling to the same location unless schedule or other conflicts prevent use of one vehicle.
    - A Town owned vehicle from the Town Motor Pool, if available, will be used for all authorized regional travel. Gas credit cards are available and must be requested at least 24 hours prior to departure. Receipt for gas purchases shall be filed with all travel claims.
    - Privately owned automobiles may be used when a Town vehicle is not available or if schedule or other conflicts prevent use of a Town vehicle. Mileage reimbursement will be for round trip travel from Center and will include required travel within the intended destination. When weather and road conditions permit, the shortest route to and from destination shall be used. Mileage reimbursement rates will be set by the Town Board and reimbursement of accrued mileage must be identified on the Travel Expense Reimbursement Sheets.
    - Only approved use of privately owned vehicles will be eligible for mileage reimbursement for round trip travel from Center and will include required travel within the intended destination.

- Rental or lease cars may be utilized when authorized by the Town Manager.

d. Lodging and Meal Allowances:

Lodging: Actual cost of accommodations will be reimbursed up to the maximum State per diem rate. Receipts for lodging are to be furnished and attached to the Travel Expense Reimbursement Sheet.

Meals: Reimbursement of meal expense is based upon a maximum amount per day. Employees will be reimbursed based upon actual time traveled and for whole days while the employee is engaged in Town business. Meal reimbursements shall be approved in advance by a Supervisor or Town Manager as follows:

Breakfast	\$ 8.00
Lunch	\$12.00
Dinner	<u>\$20.00</u>
Daily Total	\$40.00

Where a Town Credit Card has been issued for the employee travel, employees will be expected to utilize the Card for purchase of meals. In this case, ALL receipts will be turned in and no reimbursement to the employee for meals will occur.

- e. Employees may request reimbursement of alternate travel accommodations (such as staying with family or friends) when on Town travel and seek reimbursement of some expenses.
- f. Special Circumstances: Extra compensation for travel expenses may be approved by the Town Manager when travel is outside of typical requirements or is not a detailed reimbursement, or an undue hardship is placed on the employee.
- g. Reimbursement Exclusions: No reimbursements may be claimed for lodging or meals when they are furnished or included in conference or workshop registration fees. Copies of conference registration material must be provided with all reimbursement requests.
- i. Other Travel Expenses: In addition to the expenses referred to above, the following actual necessary and reasonable costs incurred in approved travel may be claimed on the Travel Expense Request for reimbursement:
  - Commercial transportation costs actually paid by traveler (may include reasonable tip for taxi, not to exceed 20%). Receipts are required for each individual ride in a commercial vehicle.
  - Parking fees (receipt required).

- Road toll charges (receipt required).

Personal employee expenditures ARE NOT AUTHORIZED for reimbursement and examples are:

- Entertainment expenses.
- Laundry and valet services.
- Cost of travel insurance.
- Cost of alcoholic beverages.



# Section X

## SAFETY

### TOWN OF CENTER

#### Personnel Policies & Procedures Manual



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## X. SAFETY

1. **General:** The Town of Center is extremely conscious of the safety of its employees and the citizens of the community and seeks to provide the safest possible work place for its employees. Employees are an integral part of implementing and maintaining safety in the work place and are obligated to report all unsafe or dangerous matters to their supervisor or the Town Manager.

2. **Loss Control Programs:** Insurance is required to provide coverage in the event of an accident. Insurers require the implementation and adherence to detailed loss control programs and the Town is committed to fulfilling these requirements. Some accidents are preventable while other accidents are unavoidable, but all require orderly and detailed action once an accident has occurred.

The Town Manager shall coordinate the Town's overall loss control program. The Town Manager, however, is not responsible for line functions which are the responsibility of Department Heads. It is expected that Department Heads will complement the efforts of the Town Manager to reduce accidents and provide for the safety of employees and the public. These loss control responsibilities are continuous and equal in importance with all other operational considerations.

All employees are responsible for cooperating with and supporting all loss control program activities and objectives. All employees are expected to adopt the concept that the safe way to perform a task is the only acceptable way to complete the task. Loss control is every employee's responsibility. Only with the help of the employees can the Town continue to maintain a safe environment for both our employees and the citizens being served.

**If employees are injured on the job, no matter how minor, they must immediately report this fact in writing to their supervisor or the Town Manager, or dependent upon circumstances may be reported with 72 hours. If medical treatment for an on-the-job injury is needed, it must be obtained from one of the Town's designated physicians in accordance to workman compensation regulations. If not, the employee may be responsible for the cost of medical treatment.**

3. **Utility and Police Department Safety Policies:** Both of these departments have specific policies that address detailed and required safety procedures. Employees within these departments are required to understand and adhere to these policies.

**Section XI**

**WORKPLACE VIOLENCE  
AND THREATS**

**TOWN OF CENTER**

**Personnel Policies & Procedures Manual**



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## XI. WORKPLACE THREATS AND VIOLENCE

1. **General:** The Town seeks to promote a work environment free from workplace violence. Workplace violence is any conduct in the workplace that is meant to harm, cause fear, or intimidate anyone, and may include, but not be limited to the following behavior:

- a. Physical acts or physical threats of violence.
- b. Direct or veiled threats, profanity, or vicious or abusive statements.
- c. Written threats, profanity, vicious cartoons, notes, or other written or symbolic conduct.
- d. Stalking.
- e. Possession of any weapon while on Town premises, except for lawful non-lethal personal defense weapon such as mace or pepper spray.

Any employee conduct meeting the above criteria or other inappropriate behavior is prohibited and will result in disciplinary action and may result in termination of employment, and when appropriate may be referred for criminal prosecution.

2. **Reporting Violence:** Any conduct that requires immediate attention by law enforcement should be reported by a calling 911 or the most accessible law enforcement agency. An employee who observes or has knowledge of any conduct listed above should immediately file a written report with a supervisor or the Town Manager. Complaints will be investigated promptly and follow-up action will be taken as determined appropriate. To the extent feasible, complaints and investigations will be handled in a confidential manner and the anonymity of the reporting party preserved.

3. **Workplace Security:** Any employee with a court issued protection order shall promptly provide a copy to the Town Manager. If the order affects the employee's ability to complete their job responsibilities the Town Manager must take appropriate action.

# Section XII

## SEXUAL AND OTHER HARRASSMENT

### TOWN OF CENTER

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## **XII. SEXUAL AND OTHER HARRASSMENT**

**1. General:** The Town seeks to promote a work environment free from sexual or other harassment. Workplace harassment is any conduct in the workplace that makes reference to an employee's gender, race, age, disability, or other forms of harassment. Below are examples of workplace harassment and unacceptable behavior:

- a. Sexually-related conduct, including sexual advances, requests for sexual favors, or other physical, verbal, written or other conduct of a sexual nature.
- b. The conduct or behavior that intends to effect of unreasonably interfere with an employees work performance or creates an intimidating, hostile or offensive work environment.
- c. Inappropriate physical contact or action such as pinching, grabbing, fondling, leering, or making either explicit or implied movements or gestures.
- d. Inappropriate comments or distribution of material that can be considered workplace harassment which may include offensive remarks or jokes and the display of offensive pictures or photographs.

**2. Reporting Harassment:** Any employee who believes they are being subjected to harassment should inform the offending employee or person that such conduct is unwelcome and request that it stop immediately. The employee shall inform their supervisor or the Town Manager when subjected to harassment. The supervisor or Town Manager shall undertake a timely investigation of all claims and complaints of harassment and take effective and appropriate corrective action. If it is determined that an employee's conduct constitutes harassment, the employee shall be subject to disciplinary action which may include verbal or written reprimand, suspension, transfer, or termination as justified based on the findings of the investigation. To the extent possible, complaints and investigations will be handled in a confidential manner and anonymity preserved.

# Section XIII

## ELECTRONIC DEVICE AND TECHNOLOGY USE

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### **XIII. ELECTRONIC DEVICE AND TECHNOLOGY USE**

1. **General:** Electronic devices such as computers, scanners, copiers, printers, cell phones, radios, cameras and other devices are essential and necessary tools used daily by Town employees for necessary and efficient work output, and must be used accordingly. These devices utilize and access various technologies that require operator understanding and training in order to be utilized correctly. The Town will provide essential and necessary training to ensure proper operation of all electrical devices. The Town will strive to provide modern and efficient electronic equipment and technology, and perform necessary maintenance and upkeep. The employee must utilize and operate electronic equipment and technology accordingly and the Town will monitor employee usage in order to ensure proper use. However, improper or incorrect use of electronic equipment and electronic technologies will not be tolerated and may result in disciplinary action in accordance with Section VII of this policy. All Town employees will be required to return all Town computer equipment in functional and operating condition upon separation from employment.

2. **Video Device Usage:** The Town will issue digital and video cameras to all essential employees who shall use this equipment in their daily work functions. These devices and associated functions, when used properly, allow for enhanced productivity and shall only be used for Town business. Proper use, care and operation of these devices is the responsibility of the employee who must utilize the device effectively in daily work activities. Employees must inform a supervisor, the Town Manager, or IT service support staff of inoperable or defective equipment. Personal use of these devices is prohibited. Improper use of digital and video devices will result in disciplinary action.

3. **Data Management:** All data generated from the use of computers and electronic devices, including files, documents, voicemails or voice transmissions, emails, texts, pictures and videos stored on Town computer or data management systems is Town property and subject to review and inspection at any time by a supervisor, the Town Manager, or IT service support staff. All data including, but not limited to, files, memos, e-mails, voicemails or voice transmissions and videos should be considered potential public records and subject to Public Records requests and disclosure.



# Section XIV

## COMPUTER USAGE

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#### XIV. COMPUTER USAGE

1. **General:** The computer is an essential tool to be used by employees in order to complete job responsibilities and fulfill required work output. The Town will provide computers to all employees requiring a computer for specific work tasks, and will maintain computers for efficient use and product output. The employee must utilize the computer according to this policy and operate it in a safe and effective manner. Employee computer usage will be addressed and detailed in all employee evaluations. The Town will provide Information Technology (IT) service support and all employees must assist and support all services required in order to operate and maintain computers and associated equipment. No adaptation or modification of Town computers or associated equipment, software and/or hardware is allowed and all work must be completed by IT service support staff. No computer equipment shall be removed from Town Hall or Town facilities unless written approval is obtained from a supervisor or the Town Manager. All Town employees will be required to return all Town computer equipment in functional and operating condition upon separation from employment.

2. **Computer Workstations:** Most Town employees will be provided with computer workstations which will include a computer, monitor, mouse, keyboard and any other specific peripheral device. This workstation will be located at the employee's desk or work area and must be kept orderly and operational at all times. The computer will have access to the Town network and servers and will be granted certain access to drives, software and hardware systems, and other devices as deemed necessary by a supervisor or Town Manager. The employee must utilize this equipment in a professional and efficient manner and not abuse this equipment. Training will be provided to all employees using computers and associated software and hardware systems and must be scheduled and approved by a supervisor or Town Manager. Employees must notify their supervisor or Town Manager if the workstation or associated equipment is not operating and in need of repair. Improper use of computer workstations will result in disciplinary action.

3. **Laptop or Portable Computers:** The Town will provide laptop or portable computers to certain employees requiring remote computing services. These devices will be assigned to a specific employee or department and must be used accordingly and similar to assigned computer workstations. Employees are expected to adhere to all required policy when utilizing these devices away from Town Hall or Town facilities. Improper use of laptop or portable computers will result in disciplinary action.

4. **Computer Peripheral Devices:** Peripheral devices such as printers, copiers or scanners are available for Town employee usage and IT personnel will make necessary connections to these devices. Employees will be properly trained in using these devices and are expected to operate this equipment accordingly. Improper use of peripheral devices will result in disciplinary action.

5. **Computer Software Usage:** All Town computers have multiple software programs installed or are accessible to employees via the Town server. The Town maintains these

programs and all associated and required licenses and user agreements. These programs must be used accordingly and only on Town related business. No additional software programs or upgrades may be downloaded/uploaded onto Town computers, and all such services must be completed by IT service support staff. Employees may not use Town licensed software on personal computers. Improper use of computer software will result in disciplinary action.

**6. Internet Access:** All Town computers have internet access which is to be used by employees **primarily** for Town business only. However **limited** personal use of the Internet is permitted during approved employee breaks, **or during the employee's working hours.** Employees must use the Internet sensibly and **primarily** access only sites associated with Town business, or for the purpose of gaining information pertinent to Town business. The Town prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful. Inappropriate access to certain sites can result in viruses and infections to Town computers which can cause costly and irreparable damage. The cost of any damage to Town computers and equipment caused by inappropriate access to Internet sites may be assessed to the employee and deducted from their paycheck. Improper Internet access and use of Town computers will result in disciplinary action **including termination.**

**7. Intellectual Property and Copyrights:** The Town fully supports and adheres to all intellectual property and copyright laws and expects employees to adhere to these laws. Employees may not copy or use any software, images, music or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software.

**8. Unauthorized Computer Use:** Employees must use Town computers and associated equipment and peripherals in accordance with this policy. Employees may not attempt to gain access to the Town network or servers, or another employee computer or files, or use Town computers for unethical or lawful purposes. Employees are strictly prohibited from using Town computers and equipment in a manner that is deemed to be inappropriate. All employees are required to report all unauthorized computer usage to a supervisor, the Town Manager, or IT service support staff. An employee should contact their supervisor, the Town Manager, or IT service support staff if they have any questions on whether usage or behavior would constitute unauthorized usage.

# Section XV

## EMAIL AND VOICEMAIL COMMUNICATIONS

### TOWN OF CENTER

#### Personnel Policies & Procedures Manual



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#### XV. EMAIL AND VOICEMAIL COMMUNICATIONS

**1. General:** Town employees are expected to use computers and voice mail systems while performing their job responsibilities. Employee use of these devices is essential to efficient and effective work output. Employees will be trained to use these devices properly and are expected to operate and use them in accordance with this policy. Employee email and voicemail usage will be addressed and detailed in all employee evaluations. Use of these devices and the resulting documents, files and information is Town property and will be managed accordingly. All information regarding access to Town computer resources and electronic devices, such as user identifications, access codes, and passwords is confidential Town information and may not be disclosed to non-Town personnel. IT service support staff will be responsible for management of all codes, usernames and passwords and will provide the Town Manager with copies of this critical information.

**2. Electronic Mail:** The Town provides most employees with email accounts and expects sensible use of these accounts while corresponding electronically on Town business. Email correspondence is now a typical and customary form of business communication and employees are expected to communicate ethically, efficiently and promptly when using Town email accounts. Personal use of Town email accounts is prohibited. All Town email accounts and corresponding transmissions are not confidential and are subject to review and inspection by a supervisor, the Town Manager, or IT service support staff, at any time. The Town prohibits email correspondence or transmissions that are not associated with Town business and prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful. Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's email messages. Improper use will result in disciplinary action.

**3. Voice Mail:** The Town provides most employees with voicemail accounts and expects sensible use of these accounts while communicating with others. Employees with voicemail accounts must put a clear, concise and cordial message on their system which instructs users appropriately. This message should be current or detail specific information and directions for prolonged absences from work. Employees shall return all voicemail messages in a timely and efficient manner, and preferably within one (1) business day. Although the Town does not monitor voice messages as a routine matter, the Town reserves the right to access and disclose all messages sent over the voicemail systems at any time. Employees must use judgment and discretion in their personal use of voicemail and must keep such use to a minimum.

**4. Unauthorized Communication System Use:** Employees must use Town communication systems in accordance with this policy. Employees may not attempt to gain access to another employee email or voicemail, or use Town email or voicemail for unethical or lawful purposes. Employees are strictly prohibited from using Town email and voicemail in a manner that is deemed to be inappropriate. All employees are required to report all unauthorized usage to a supervisor, the Town Manager, or IT service support staff. An employee should contact their supervisor, the Town Manager, or IT service support staff if they have any questions on whether usage or behavior would constitute unauthorized usage.

# Section XVI

## MOBILE COMMUNICATION DEVICES AND USAGE

### TOWN OF CENTER

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### XVI. MOBILE COMMUNICATION DEVICES AND USAGE

1. **General:** Town employees are expected to use mobile and radio communication devices to make phone calls, contact employees via radios, access the Internet, email, and voice mail systems, while conducting Town business and performing their job responsibilities. Employee use of these devices, which includes cellular phones, smart phones, mobile radios and pacsets, is essential to efficient and effective work output. The Town will issue these devices and employees will be trained to use these devices properly and are expected to operate and use them in accordance with this policy. Improper use of these communication devices can result in injury, loss of work and waste of Town time and resources. Employee communication device usage will be addressed and detailed in all employee evaluations. Use of these devices and the resulting documents, files and information is Town property and will be managed accordingly. All Town employees will be required to return all Town devices and equipment in functional and operating condition upon separation from employment.

2. **Cellular Phone Usage:** Employees must use cellular phones for Town business only and in a safe and efficient manner, and obey all laws at all times. These devices and associated functions, when used properly, allow for enhanced productivity when utilized for Town business and should be used for that purpose only. Employees are responsible for the distribution of their contact information to necessary recipients and must discourage and avoid contact with non-Town related businesses or individuals. Employees are discouraged from talking on cellular phones when driving and should pull to the side of the roadway to conduct necessary calls. Similarly, employees shall restrict or limit usage during meetings, or when in contact with the citizens, customers or the public, and practice courteous and respectful usage at all times. Proper use, care and operation of the cellular devices is the responsibility of the employee who must utilize the device effectively in daily work activities. Employees must inform a supervisor, the Town Manager, or IT service support staff of inoperable or defective equipment. Employees who are on-call must have operating devices and have such devices on their person or in their immediate surroundings at all times. Personal use of cellular phones is discouraged however an employee may utilize the device in limited instances when usage is deemed necessary. In certain cases, employees who use personal cellular phones for Town business must obtain approval prior to usage and include provisions for reimbursement by the Town. Improper use of cellular phones will result in disciplinary action.

4. **Radio or Pacset Usage:** The Town will issue radios and pacsets to all essential employees who shall use this equipment in their daily work functions. These devices and associated functions, when used properly, allow for enhanced productivity and shall only be used for Town business. Proper use, care and operation of their radio and pacsets are the responsibility of the employee who must utilize the device effectively in daily work activities. Employees must inform a supervisor, the Town Manager, or IT service support staff of inoperable or defective equipment. Employees who are on-call must have operating devices and have such devices on their person or in their immediate surroundings at all times. Personal use of radios and pacsets is prohibited. Improper use of radios and pacsets will result in disciplinary action.

**4. Unauthorized Communication Device Usage:** Employees must use Town communication systems in accordance with this policy. Employees may not use such devices for unethical or unlawful purposes or in a manner deemed inappropriate by this policy. All employees are required to report all unauthorized usage to a supervisor, the Town Manager, or IT service support staff. An employee should contact their supervisor, the Town Manager, or IT service support staff if they have any questions on whether usage or behavior would constitute unauthorized usage.



# Section XVII

## DRUGS AND ALCOHOL POLICY

### TOWN OF CENTER

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## **XVII. DRUGS AND ALCOHOL POLICY**

**1. General:** The Town of Center is committed to providing a drug and alcohol free workplace. The Town will not tolerate drug and alcohol usage that may impair an employee's judgment or skills, and may create an unreasonable risk of harm to the public or other employees. The Town will provide educational information to employees on the dangers of drug and alcohol abuse in the workplace as part of employee training and loss control programs. All new employees will be required to submit and satisfactorily pass drug and alcohol testing as a condition of employment with the Town. The unlawful manufacture, purchase, distribution, possession, or use of a controlled substance or alcohol, or on-the-job impairment due to exceeding the recommended dosage for over-the-counter medications or prescription drugs, is prohibited in the workplace. Violation of this prohibition, or any other substance abuse prevention violation, will result in disciplinary action in accordance with Section VII of this policy.

**2. Drug and Alcohol Testing:** Any Town employee suspected of being under the influence of drugs and/or alcohol while at work will be subject to testing. An employee's supervisor or the Town Manager may require an employee to submit to immediate testing if suspicious or unreasonable behavior is observed. Testing that has immediate results will provide ample information and results for the supervisor or Town Manager to make appropriate decisions and take necessary actions. Certain tests may take time to determine test results and the supervisor or Town Manager can place the employee on administrative leave until test results are finalized. All employee and administrative events leading up to, and subsequent to testing, will be documented in writing and filed in personnel files accordingly.

**3. Employer Required Drug and Alcohol Testing:** The Town requires drug and alcohol testing for several specific jobs and this required testing is identified in all respective job descriptions. Employees hired for these positions will be required to adhere to testing requirements set by a contractor retained by the Town to conduct testing in accordance with State and Federal laws and regulations. All required employees must satisfactorily fulfill all testing requirements set by the contractor including completion of random drug testing, follow-up testing and evaluation, consultation with associated professionals and adherence to all programs and training. A confirmed positive test for drugs and/or alcohol can result in immediate termination of employment and appropriate administrative action will be ordered by a supervisor or the Town Manager. All positive test results will be discussed with the contractor and Town representatives, and subsequent actions will be determined accordingly. The contractor will be required to administer all tests and ensure compliance with all State and Federal laws and regulations. The Town will document all positive test results and subsequent actions in employee personnel files.

**4. Employee Probation and Re-Introduction:** An employee who has tested positive for drugs and/or alcohol may be considered for further employment if the contractor and Town representatives have determined that the employee is eligible for probation and re-introduction. The Town will consider these occurrences on a case-by-case basis and is not committed to extending employment to any employee who has tested positive. Employee performance evaluations, job performance and output, contributions to their department and organization, and overall employee attitude may be considered when determining whether an employee is eligible for probation and/or re-introduction. Employees considered for probation and re-introduction must agree to and sign specific performance requirements and pay for all expenses associated with these requirements. Employees considered for probation and re-introduction must agree to, and sign, specific performance requirements detailed by the Town and contractor both, and employee will pay for all expenses associated with these requirements.

**PERSONNEL POLICIES AND PROCEDURES MANUAL**

**SEPTEMBER 06, 2011 Edition**

**ACKNOWLEDGMENT OF MANUAL RECEIPT**

I ACKNOWLEDGE I HAVE RECEIVED A COPY OF THE TOWN OF CENTER PERSONNEL POLICIES AND PROCEDURES MANUAL DATED SEPTEMBER 06, 2011, AND HAVE READ AND UNDERSTAND FULLY THE POLICIES, PROVISIONS AND CRITERIA WITHIN THIS MANUAL.

\_\_\_\_\_  
Print Employee Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date