

STATE OF INDIANA  
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**ORDINANCE NO. 2017 – OR – 034**

**AN ORDINANCE REPEALING AND REPLACING THE EMPLOYEE HANDBOOK  
FOR THE TOWN OF SELLERSBURG INDIANA**

**WHEREAS**, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, on or about the 29<sup>th</sup> day of December, 2008, the Town adopted Ordinance 2008-045 which established the current employee handbook; and,

**WHEREAS**, from time to time this Council has amended its employee handbook; and,

**WHEREAS**, this Council contracted with HR Affiliates to revise, update, and make recommendations to its employee handbook; and,

**WHEREAS**, this Council now desires to repeal and replace its employee handbook for the Town of Sellersburg.


**NOW THEREFORE BE IT ORDAINED** by this Town Council of Sellersburg, Indiana the following:

1. Ordinance 2008-045, which established the current employee handbook for the Town of Sellersburg, is hereby repealed and replaced with the new updated and revised employee handbook attached hereto as *Exhibit A*.
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

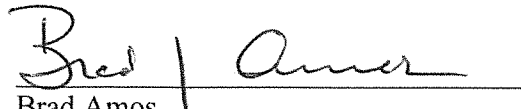
So Ordained this 18 day of December, 2017

“Aye”


“Nay”

  
Paul J. Rhodes  
Council President

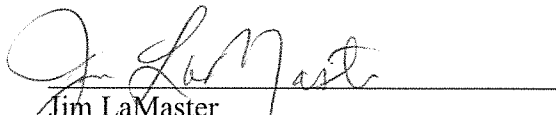
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Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President


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Brad Amos  
Council Vice President

  
Martina Webster  
Council Member

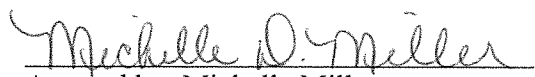
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Martina Webster  
Council Member

  
Jim LaMaster  
Council Member

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Jim LaMaster  
Council Member

  
William Conlin  
Council Member

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William Conlin  
Council Member

  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 12/18/17

MOTION: Webster

SECOND: Conlin

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 12/18/17

MOTION: Webster

SECOND: Amos

VOTE: 5 AYE 0 NAY 0 ABSTAIN

# Town of Sellersburg

## Employee Handbook

*Revised 12.2017*



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## **Welcome to the Town of Sellersburg**

Sellersburg, Indiana, is in Clark County, approximately 10 miles north of Louisville, Kentucky. The town has a population of more than 6,000 according to the 2010 U.S. census.

Sellersburg was settled in 1846 and is named after Moses W. Sellers, the first man to keep a store in the town and the town's first postmaster. Sellersburg was formally incorporated in 1890.

Your fellow employees of the Town of Sellersburg welcome you to our team. You are now part of a proud working tradition. Sellersburg is an outstanding community, and one of the biggest reasons we are so successful is because of the pride and dedication of our municipal workforce.

## **Town Organization and Structure**

The Town of Sellersburg is organized into various departments, or offices, to ensure adequate expertise, specialization, and efficiency. These departments function under the administrative guidance and control of the town council, which is responsible for the day-to-day management of the town.

The town council governs the Town of Sellersburg. Administrative personnel directly report to the town council and are responsible for the general administration of town business. A member of the town council serves as a designee to each town department to enable efficient communication of operational issues between the governing and operational functions of the town.

## **A Proud Team Dedicated to Citizen Service**

You are now part of an organization that is dedicated to serving our community, and we are confident you will soon be contributing toward that end. Your coworkers and their predecessors have established an outstanding reputation serving the citizens of Sellersburg. Our simple motto is "Citizen Service." This means our mission is to provide quality service on a consistent basis with economy and efficiency in mind. We must be ever mindful of how we spend our taxpayers' dollars.

Please understand that you will be in the public's eye. We are confident you will serve the town with pride and honor.

All citizens should be treated with respect and courtesy. Employees should not engage in arguments, debates, or lengthy discussions with private citizens regarding town policies, procedures, or services.

Employees should refer all citizen complaints to their department head and/or the council member who is designated to their department.

## **Purpose of the Handbook**

The policies described in this handbook are intended to apply to all employees of the Town of Sellersburg. The policies and practices will apply unless superseded by applicable federal, state, or local laws or regulations.

We urge you to read this handbook, understanding that the policies and practices it sets forth are important guidelines and rules for your employment. It is not a contract. No one is authorized to represent otherwise. The Town of Sellersburg retains the right, at its sole option and at any time, to deviate totally or partially from the policies, practices, and procedures contained in this handbook. Further, employees are employed “at-will” for an indefinite period. That means that just as employees may leave the employment with the town at any time, the Town of Sellersburg retains the right to end the employment relationship at any time, for any reason, or for no reason.

Any employee benefit plan or program provisions described herein are for convenience only. Benefit plans and programs are governed by the provisions of their formal documents as they exist now or as they may exist in the future. Employees should refer to those documents for specifics.

The guidelines in this handbook will be helpful in familiarizing you with the town. However, this handbook cannot anticipate every situation or answer every question regarding employment.

Human Resources Policies and Procedures are periodically updated. This handbook is current as of the date of publication and replaces and supersedes all prior employee handbooks. However, changes may have been made which are not reflected in this document. The Town of Sellersburg expressly reserves the right to change, add, delete, and/or modify any or all the provisions of this guide, and/or to change, add, delete, and/or modify any other published or unpublished policies, from time to time, with or without notice. Management staff shall make every effort to keep employees aware of any policy changes.

This Employee Handbook applies to all employees of the Town of Sellersburg. If you have any questions, regarding this handbook or your employment, please refer them to your immediate supervisor or contact your department head or the Town Council.

Employees under the age of 18 must furnish a work permit to be employed by the town.

## **Section I. Employment**

### **Employment at Will**

All employees who do not have a separate written employment contract for a specific, fixed term of employment are employed on an at-will basis for an indefinite period. Employees may resign at any time and may be terminated at any time, with or without notice, and with or without cause. Nothing contained in this handbook alters or should be relied upon as altering this at-will relationship.

### **Equal Opportunity Employment**

The town provides equal employment opportunity to all employees and applicants for employment regardless of race, color, religion, gender identity or expression, sexual orientation, national origin, age, genetic information, disability, status as a Vietnam-era or special disabled veteran, or any other protected factor in accordance with applicable federal laws.

### **Status of Employment**

There are three classifications of employees:

- Full-time employees are classified as those who work a regular schedule of 37.5 to 40 hours per week.
- Part-time employees work a regular schedule of less than 37.5 hours per week.
- Temporary Employees are hired for a limited period of time to perform a job until it is finished. Seasonal employees are included in this category.

All employees are also classified as being “exempt” or “non-exempt.” Non-exempt employees are eligible for overtime. Only time worked counts toward overtime. Exempt employees are not subject to the overtime provisions of the Fair Labor Standards Act, and are not eligible for overtime pay, compensatory pay, extra regular duty pay, on-call pay, or shift premium pay unless approved by their supervisor.

If an exempt employee feels that his/her pay is incorrect due to impermissible deductions, he/she should immediately present this issue to his/her immediate supervisor and/or Director.

Employees under the age of 18 must furnish a work permit to be employed by the town.

### **Accommodation of Individuals with Disabilities**

In compliance with the Americans with Disabilities Act (“ADA”) and other applicable state and local laws, we provide reasonable accommodations for qualified individuals with disabilities. It is our policy to:

Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment, as required by the ADA.

Provide qualified applicants and employees with disabilities with reasonable accommodations, except where such accommodations would create an undue hardship on us, as provided under the ADA.

It is the responsibility of an employee to inform management of the need for an accommodation.



## **Criminal Background Checks**

At the time of employment, criminal background checks are obtained upon the extension of a conditional offer of employment. An employee's first day of work must not be prior to the satisfactory completion of a background check. Conviction of a crime does not automatically eliminate an applicant from consideration for employment. A decision is reached only after the nature, severity, and date of offense are thoroughly evaluated.

If an applicant attempts to withhold or falsify information pertaining to his or her criminal background history, he or she will be disqualified from further employment consideration. If an employee is discovered to have withheld or falsified information pertaining to his or her criminal background history, he or she will be subject to further disciplinary action, up to and including termination.

## **Personnel Files**

Personnel files are the property of the town and may be reviewed by the employee in compliance with applicable state law. Employees wishing to view their personnel files should schedule a time with their supervisor or the town clerk-treasurer to do so.

## **Anti-Nepotism Policy**

Individuals who are relatives may not be employed in a unit in a position that results in one relative being in the direct line supervision of the other relative. Certain employees may not be promoted to a position that results in one relative being in direct line supervision of the other relative who is a newly elected official of the town.

The town, through any of its boards, commissions, purchasing agents, may not enter into a contract or renew a contract for public works or procurement of goods and services with a relative or a business entity that is wholly or partially owned by a relative of the executive of the town or member of the legislative or fiscal body of the town unless certain requirements are met.

Relative is defined as spouse, parent or stepparent, child or stepchild, brother, sister, stepbrother, stepsister, niece, nephew, aunt, uncle, daughter-in-law or son-in-law (including half-brothers and sisters and adopted children) for both of the Indiana nepotism statutes.

## **Grandfathering Clause**

Elected officials as of 7/1/2012 are exempt from these provisions.

## **Consensual Romantic or Sexual Relationships**

The Town of Sellersburg strongly discourages romantic or sexual relationships between a manager or other supervisory employee and his or her staff because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. If there is such a relationship, the parties need to be aware that one or both may be moved to another department, or other actions may be taken.

If any employee of the town enters into a consensual relationship that is romantic or sexual in nature with a member of his/her staff, or if one of the parties is in a supervisory capacity within the same department in which the other party works, the parties must notify Human Resources and/or a member of the Town Council. Because of potential issues regarding quid pro quo harassment, the town has made reporting mandatory. This policy also applies to romantic relationships between other employees, regardless of reporting structure.

Once the relationship is made known to the town, the situation will be reviewed with Human Resources and will determine the course of action in the best interests of the town. Both parties may have to sign a Consensual Relationship Agreement.

## **Job Vacancies & Promotions**

### **Job Vacancies**

In the event that a job vacancy exists, the town will post the opening throughout its facilities. The notice will remain posted for a period of five working days. It will include the date of the posting as well as the posting expiration date. Employees wishing to apply for another position within the town should notify their current supervisor.

Each posting will include:

- Job Title
- Job Description and Essential Functions
- Required Experience
- Compensation Range
- Application Deadline; and
- How to apply for the position

Employees still in their probationary period are not allowed to apply for a new position within the town.

### **Promotions**

The Town of Sellersburg encourages you to seek promotional opportunities within the town. Promotions are based on job performance. In the event of equally qualified applicants, the town may take seniority into consideration when promoting an employee.

### **Outside Employment**

The Town of Sellersburg recognizes the right of its employees to use their skills and knowledge to supplement their incomes outside of working hours. However, outside employment should not interfere with an employee's position with the town and should not be a conflict of interest. All full-time and part-time employees must consult their supervisor before accepting outside employment, to discuss the potential impact on their duties with the town.

Outside employment will not be considered as an excuse for poor job performance, absenteeism, tardiness, or refusal to work overtime. Should outside employment cause or contribute to these or other undesirable work characteristics, disciplinary action, up to and including termination of employment may result.

## **Work Hours & Overtime**

Regular hours are defined by your department director. Employees cannot change their assigned work schedule without the permission of their supervisor. Management may alter an employee's work schedule based upon the needs of the operation.

Employees classified as non-exempt are eligible for overtime premium pay in compliance with applicable state and federal law. Only time worked counts toward overtime. Employees are not permitted to work overtime without prior supervisory approval.

## **Ghost Employment**

The Town of Sellersburg prohibits ghost employment. Ghost employment occurs when an organization pays an employee who does not perform work for the organization. (see Indiana Code 35-44-2-4). No employee will receive pay for work if it is not related to the operations of the town. Any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination.

## **Eligibility for Rehire**

To be considered for rehire by the Town of Sellersburg, the employee must have previously submitted the appropriate notice and have a satisfactory work record.

## **Resignation of Employment**

### **Notice Requirements**

Employees who are considering resignation are asked to discuss the situation with their immediate supervisor before making a final decision. In the event that the discussion does not reveal information that changes an employee's decision, notice is requested based on the following guidelines:

4 weeks: Directors

3 weeks: Assistant Directors and Managers

2 weeks: All other positions not listed above

The notice period will ensure that adequate arrangements can be made to replace the employee. Paid time off may not be used during the notice period, unless an employee extends his/her notice period by the length of time used. Failure to give the requested notice may affect eligibility for rehire. The town retains the right to dismiss a resigning employee prior to the conclusion of the notice period.

### **Expected Payment**

If you are separated from employment, the Town of Sellersburg is obligated to pay you for the time you worked in addition to any earned but unused PTO time. You will receive your paycheck on the next scheduled payday.

## **Exit Interviews**

An employee who has resigned may be contacted to participate in an exit interview. The interview serves a dual purpose:

Ensures that the reason for the resignation is not based on a misunderstanding or a condition that can be remedied, and

Gathers pertinent data about the employee's reasons for leaving the company. Topics to be covered include, but are not limited to, compensation, benefits, advancement opportunities, and training/orientation.

## **Section II: Benefits**

The Town of Sellersburg offers health and welfare plans that are available to all full-time employees who work an average of 37.5 or more hours per week. Eligible employees can choose from a variety of benefit options including medical, dental, vision, life, and disability. Additional details concerning plan benefits are provided upon new employee orientation. Coverage begins on the first of the month following 30 days of full-time employment. Coverage will cease on the effective date of an employee's termination of employment.

### **Benefits Enrollment**

The town will conduct an annual Open Enrollment period during which full-time employees will be given the opportunity to add/drop coverage, or elect different plan options or coverage levels. An employee cannot change elections made during the Open Enrollment period for the duration of the plan year unless proof of a Qualifying Life event is provided to the clerk-treasurer within the required time period. New hires must enroll within 60 days of his or her hire date.

### **Health and Welfare Insurance – Medical/Dental/Life & Disability**

Full-time employees are eligible for the town's medical insurance plan on the first of the month following 60 days of continuous employment. A summary plan description booklet will be provided upon enrollment. The town will comply with applicable provisions of federal and state insurance laws and regulations. Please contact your supervisor or the clerk-treasurer if you have questions regarding the group insurance plan. If there is any conflict between the insurance plan or plans and the information provided in the Handbook, the language of the insurance plan or plans shall control.

### **Benefit Election Changes**

Health, Dental, and Life Insurance elections cannot be changed during the respective plan year unless the employee provides proof of a Qualifying Life Event to the clerk-treasurer within 30 days of the event.

Examples of Qualifying Life Events are as follows:

- a. Employee's marriage or divorce.
- b. Employee acquires new dependent because of marriage, birth, or adoption.
- c. Death of employee's spouse or child.
- d. Termination of employment (or spouse's employment), or change of employment status (or spouse's employment status).
- e. Significant change in the medical benefits or premiums available either to employee or through spouse's employment.

It is the employee's responsibility to notify the clerk-treasurer within the required time period of the intent to change coverage due to any event other than termination of employment or change in

status to a benefit ineligible class with the Company. Requests must be submitted in writing with proof of the Qualifying Event.

### **Cobra Continuation**

Most employers sponsoring group health plans are required to offer employees and their dependents the opportunity for a temporary extension of coverage (called “continuation coverage”) at group rates where coverage under the plan would otherwise end.

Employees and their covered dependents, who are covered by the town Employee Health Plan have the right to choose this continuation coverage if group coverage is lost for any reason other than termination of employment resulting from gross misconduct by the employee. Under the law, you have at least 60 days from the date you would lose coverage to inform our insurance administrator that you want continuation coverage. Employee’s that elect COBRA are responsible for maintaining coverage by paying 100% of their insurance premiums.

If you have questions regarding COBRA or your responsibilities to obtain continued coverage, you should contact the clerk-treasurer’s office.

### **HIPPA Privacy Notice**

As required by the Health Insurance Portability and Accountability Act (HIPAA), the Company will maintain the privacy of protected health information for all participants of our Health, Dental, and S125 benefit plans. All employees who choose to participate in one or more of these benefit plans will receive a Privacy Notice shortly after enrollment, which will outline the Company’s legal duties and privacy practices with respect to protected health information.

### **Public Employees Retirement Fund (PERF)**

PERF is one of the oldest and largest public or private pension funds in the nation. It provides secure, long-term benefits for full-time employees who choose careers in public service in Indiana. Mandatory contributions are determined by PERF and are suspended during an unpaid leave of absence. Members of the PERF retirement fund are vested following ten years of service.

### **Longevity Bonus**

All full-time employees who have completed two years of employment with the town will receive a longevity bonus. Years of service will be determined by the anniversary date of each employee, in the year the benefit is to be received. Employees need to see their supervisor for additional information on Longevity Bonus.

### **Holidays**

All full-time employees are eligible to receive holiday pay. Employees must work the day before and the day after the holiday to receive holiday pay unless time off has been previously approved by their supervisor. Employees do not receive holiday pay while on an unpaid leave of absence.

Any full-time hourly employee required to work on a scheduled holiday will receive eight hours of holiday pay in addition to time and a half for hours worked on the holiday.

The Town of Sellersburg observes the following holidays:

New Year's Day	Good Friday
Independence Day	Thanksgiving Day
Memorial Day	The day after Thanksgiving
Labor Day	Christmas Eve
President's Day	Christmas Day
Veteran's Day	

### **Paid Time Off (PTO)**

The Town of Sellersburg believes that employees should have opportunities to enjoy time away from work to achieve work life balance. The following PTO policy outlines the provisions for eligible employees.

#### **Eligibility & Availability**

All full-time employees are eligible for PTO. Eligibility begins after 60 days of continuous employment. During the first calendar year of employment, employees earn 1.5 days per month. Thereafter, employees will receive PTO on January 1<sup>st</sup> of each year. PTO credited on January 1<sup>st</sup> will be based on the employee's years of service as of December 31<sup>st</sup> the previous year. PTO is earned on the following schedule:

<b>Length of Service</b>	<b>Accrual Rate</b>
<b>0-1 years of service</b>	1.5 days per month of full-time service (maximum 15 days)
<b>2 - 4 years of service</b>	25 days
<b>5 - 9 years of service</b>	30 days
<b>10 - 19 years of service</b>	35 days
<b>20 + years</b>	40 days

#### **Example:**

An employee that is hired on May 1, 2017 will receive 1.5 days per month up to a maximum of 15 days. The employee will continue to receive 1.5 days per month the following year (2018) up to a maximum of 15 days. The employee will begin to receive 25 days of PTO on January 1 of the year following their one-year anniversary date which would be January 1, 2019 in this example.

### **Use and Scheduling of PTO**

You must schedule PTO at least two weeks in advance or as soon as possible in the case of illness or emergency. All time away from work, including unexcused absences will be deducted from your PTO bank. Exceptions to this policy are holidays and time off in accordance with the town's policy for jury duty, military duty or bereavement. PTO may be used in half-day increments. You are required to use your PTO when out on an approved leave of absence.

### **PTO and Sick Bank Rollovers**

At the end of each year, employees will receive the option to roll over any accrued but unused PTO into a "sick bank" or receive payment for unused time. (refer to the PTO Cash Out Policy) There is a 30-day maximum an employee can roll over into the sick bank.

The sick bank exists to help employees offset lost income while on an approved leave of absence for the employee's own illness or to care for a dependent who is ill. It may not be used for any other purpose.

### **Cash Out Option**

Employees are able to cash out a maximum of ten days on an annual basis. Employee's selecting the cash out option will receive full payment for accrued but unused PTO, up to a maximum of ten days.

### **Payment upon Separation**

Upon resignation or separation of employment, employees will be paid for all PTO earned but not used. Earned PTO is calculated by multiplying the number of full calendar months the employee worked in the current year by the number of PTO days he or she is eligible. That number is divided by 12. Please see the following example:

Employee	Years of Service	Full Months Completed	Eligible PTO	Number of Days Paid Out
Employee A	3	6	25	12.5
Employee B	9	3	30	7.5
Employee C	14	10	35	29

### **Special Retirement Provision**

Upon resignation or retirement after 20 + years of service with the Town of Sellersburg, eligible employees can cash in 3 sick bank days for 1 day of pay up to a maximum of 30 days' pay.

### **Bereavement Leave**

The Town of Sellersburg will provide full-time employees with up to three paid days off upon the death of an immediate family member. The town will provide on paid day off to attend the funeral upon the death of non-immediate family members.

Definition of an immediate family member includes mother, father, sister, brother, spouse, grandparent, grandchild, step-brother, step-sister, mother-in-law, father-in-law or any other legal dependent of the employee. A non-immediate family member is defined as aunt, uncle, niece, nephew, or non-immediate step-relative.

In exceptional circumstances, the employee may request additional time off from his or her department head, and PTO may be used.

This bereavement policy is designed to reimburse employees for time lost from work. It does not apply if the employee is on any other type of leave. Employees should notify their department head as soon as possible if the need for bereavement leave arises.

### **Indiana Military Leave**

The Town of Sellersburg will grant Indiana employees military family leave in accordance with the Indiana Military Family Leave Act. Under the Military Family Leave Act, employees may take up to 10 days of unpaid leave per year during one or more of the following periods:

Within the 30-day period before a family member begins active duty;

During the leave period of a family member on active duty; or

During the 30-day period following a family member's return from active duty.

To qualify as a family member, the employee must be the spouse, parent, grandparent or sibling of the service person. Active duty is defined as a period that exceed 89 consecutive calendar days.

### **Leave Qualifications**

To qualify, an employee seeking leave must have been employed by the employer for at least 12 months, and have worked 1,500 hours during the 12-month period immediately preceding the day the leave begins.

### **Continuation of Benefits & Paid Time Off**

Employees may continue their health-care benefits while on leave. Employees are responsible for their portion of the premium. Employees may use available paid time off during the leave if they choose.

### **Notice Requirement**

If foreseeable, an employee must request the leave not less than 30 days before the leave is to begin by completing a Leave of Absence Request form. Failure to submit the request at least 30 days in advance may result in a delay of the requested start date. The town reserves the right to require employees to provide proper verification of the need for leave. Failure to follow the procedure and provide proper verification may result in the absence as unexcused.

### **Family Medical Leave Act (FMLA)**

#### **What FMLA Provides**

The FMLA provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. Any employee who has questions about this policy should contact their supervisor for guidance. The town will not interfere with, restrain or deny an eligible employee's use of FMLA leave.



### **Eligibility Requirements**

Employees are eligible to request FMLA leave if they have worked for the town for at least one year, have worked at least 1,250 hours over the previous 12 months and work at a location where at least 50 employees are employed by the town within 75 miles.

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven (7) years or more are not counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA), or a written agreement exists concerning the employer's intention to rehire the employee after the break in service. If you do not meet these criteria, you are not eligible for FMLA leave.

### **Qualifying Reasons for FMLA Leave**

A covered employer must grant an eligible employee up to a total of 12 weeks of unpaid leave during any 12-month period for one or more of the following reasons:

- ✓ for the birth and care of a newborn child of the employee;
- ✓ for placement with the employee of a son or daughter for adoption or foster care;
- ✓ to care for a spouse, son, daughter, or parent with a serious health condition;
- ✓ to take medical leave when the employee is unable to work because of a serious health condition; **or**
- ✓ for "qualifying exigencies" arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation (up to 12 weeks); **or**
- ✓ "Military Caregiver Leave" to care for a covered service member with a serious injury or illness related to certain types of military service (up to 26 weeks per year may be taken for this purpose).

A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three (3) consecutive full calendar days and two (2) visits to a healthcare provider or one (1) visit to a healthcare provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment.

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

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

The town measures the 12-month period in which leave is taken by the “rolling” 12-month method, measured backward from the date of any FMLA leave with one exception. For leave to care for a covered service member, the town calculates the 12-month period beginning on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

### **Intermittent or Reduced Schedule Leave**

You may request leave for the serious health condition for yourself, spouse or child on an intermittent or reduced schedule. Under certain circumstances, the town may temporarily transfer you to an alternate position for which you are qualified that provides a solution to your accommodation request. Your pay at the time of the temporary transfer will not be affected during this time.

### **Employee Notice Requirements**

Employees must provide 30 days’ notice of the need to take FMLA leave when the need is foreseeable. When 30 days’ notice is not possible, the employee must provide notice as soon as practicable. Employees must comply with normal call-in procedures.

Employees must provide sufficient information 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 their supervisor if the requested leave is for a reason for which FMLA leave was previously taken or certified. When an employee seeks leave due to a FMLA qualifying reason for which the town has previously provided the employee FMLA protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

### **Certifications**

The Town of Sellersburg requires that an employee’s request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. The town may require second or third medical opinions at the expense of the town and periodic recertification of a serious health condition. The Town of Sellersburg may utilize a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee’s direct supervisor – to authenticate or clarify a medical certification of a serious health condition.

The Town of Sellersburg requires employees returning from leave for their own serious health condition to submit a certification that they can resume work. If reasonable safety concerns exist, the Company may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.

### **Compensation and Benefits while on Family and Medical Leave**

Family Medical Leave is unpaid leave. In accordance with applicable state law, employees may be required to apply all accrued and unused paid leave to all leaves covered by this policy.

The Town of Sellersburg will continue to pay its portion of the group health premium for the duration of any approved FMLA leave. The employee continues to be responsible for paying his or her group health insurance premiums as if he were still actively working during this period. Premiums must be submitted monthly. Failure to submit payment within 30 days may result in termination of coverage for the duration of the leave. An employee's failure to pay his or her portion of the group health insurance premium will result in coverage being canceled. If an employee does not wish to continue group health insurance while on family and medical leave, the town should be notified immediately.

Employees who can return to work within the FMLA approved leave time limits, will be entitled to be covered by health insurance at the time they return to work if their coverage has lapsed for any reason during the approved FMLA leave. Any changes to company health coverage while an employee is on a family and medical leave will be applied as if the employee were still actively employed.

Paid Time Off benefits will cease to accrue while an employee is on FMLA.

### **Return from Leave**

Except as otherwise provided by law, upon returning from FMLA leave eligible employees will be restored to their original job or to an equivalent job with equivalent pay, benefits and other terms and conditions of employment. Restoration may not be possible if, for example, your position has been eliminated. Additionally, certain key employees may not be entitled to job restoration under certain conditions. If you are a key employee, you will be notified of such status. Use of FMLA leave will not affect the calculation of an employee's seniority or years of service. If an employee has taken leave due their own medical condition, a clearance to return to work is required from the certifying physician.

For additional information about your rights and responsibilities under FMLA and/or to request leave under this policy please contact your supervisor.

The Town of Sellersburg recognizes that certain states may have laws which provide greater or diverse types of leave and/or may require less advance notice than that set forth above. In such event, the applicable state family and medical leave law shall apply.

### **Military Leave**

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

The leave will be unpaid. However, employees may use any available paid time off for the absence. Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Contact your supervisor for more information or questions about military leave.

### **Personal Leaves of Absence**

On occasion, for extraordinary reasons, you may wish to be temporarily released from your job duties

but not submit your resignation. You may be eligible for unpaid leave under these circumstances. Request for unpaid leave may be made in writing to your direct supervisor, supervisor's supervisor or any Town Council member. If you are granted unpaid leave and receive health insurance, you will be responsible for the payment of premiums or risk loss of coverage.

### **Request for Leave and Notice**

Employees requesting leave must obtain and submit a Leave of Absence form to their department head, preferably 30 days in advance.

If the leave request is approved, the employee must contact their department head every two weeks to provide updates and an estimate on their return to work date.

### **Use of Paid Time Off**

Employees are required to use their PTO during their personal leave of absence. Once the paid time off is exhausted, the leave will be unpaid.

### **Benefits**

To continue health insurance coverage, employees are required to pay their portion of insurance premiums. You may pre-pay in advance or send in monthly payments to the clerk-treasurer's office. The payment must be received by the 15<sup>th</sup> day of the month. If any payment is more than 30 days late, the town will terminate your coverage. If a check is returned for insufficient funds, we will not consider the payment made until we receive sufficient cash, a money order, or a cashier's check.

### **Return to Work**

Employees that are on a personal leave of absence due to medical reasons will need to provide a release to work from your physician. If you do not return to work on the agreed upon date the town will consider it job abandonment and your employment will be terminated.

### **Workers Compensation**

From the first day of employment, all Town of Sellersburg employees are covered with insurance against medical expenses arising from work-related illnesses or accidents. This insurance also provides for a percentage of lost wages due to accidents and illness related to work. These benefits start seven days from the date of disability.

Employees who sustain a work-related injury or illness must inform their department head immediately. This will enable eligible employees to qualify for coverage as quickly as possible.

### **Unemployment Compensation**

Each Town of Sellersburg employee's job is covered by state unemployment compensation, which may pay a weekly benefit if an employee is laid off. The cost of this benefit is paid entirely by the town.

## **Section III. Compensation**

The Town of Sellersburg is committed to a compensation program that is consistent and fair and does not discriminate.

### **Paychecks**

The town's payroll cycle runs on a bi-weekly pay period. Paychecks are issued every Friday. Employees that feel their wages have been calculated in error, it is their responsibility to notify the clerk-treasurer immediately. Every effort will be made to correct the error as quickly as possible.

### **Direct Deposit**

The town requires direct deposit of paychecks into the banking institution of your choice. Any changes to banks or account numbers should be reported to the clerk-treasurer's office.

### **Payroll Deductions & Garnishments**

The town is required by law to make certain deductions from your paycheck. Among these are applicable federal, state, and local income taxes. Social security taxes must be deducted from your earnings up to a specified limit. The town matches the amount of social security taxes you pay. Court-ordered payments such as garnishments are pay deductions collected and forwarded to the courts. The clerk-treasurer's office will notify the employee when a garnishment is received.

### **Overtime**

Occasionally, the Town of Sellersburg may require overtime for hourly employees on short notice. Although situations may arise that will prevent an employee from working overtime, the town expects all hourly employees to be available to work overtime and a flexible schedule when necessary.

Hourly employees will be paid overtime and one and one-half times their regular hourly rate for all hours worked over 40 hours per week. Paid time off and holidays are not included in the calculation of overtime pay. Police employees are exempt from this provision and will earn overtime pay in accordance with the department's standard operating procedure for overtime.

### **Meal Periods & Breaks**

All hourly employees may take a 30-minute or one-hour unpaid lunch break at the discretion of their department head. Unless otherwise instructed to work through the meal period, nonexempt employees must record the meal period as unpaid on their time record. In addition, all employees are provided two 15-minute paid breaks during the workday. Department heads will determine break times.

### **On-Call Designation**

Town employees who are designated as being on-call will receive an additional pay, per the salary ordinance, for serving in the on-call capacity. This applies only to civilian employees.

## **Travel & Expense Reimbursement**

The Town of Sellersburg wants all staff traveling on town business to do so in a safe and comfortable manner. At the same time, each employee must control and minimize the cost of travel-related expenses. All travel must be approved in advance to receive reimbursement. Itemized receipts must be saved and submitted with a claim form to the clerk-treasurer within 7 days of the trip to receive reimbursement. False reporting on expense reports will result in disciplinary action, up to and including termination.

### **Mileage**

The town will reimburse employees for mileage expenses incurred while conducting official town business. The mileage reimbursement rate will be the amount allowed by town ordinance as long the employee carries motor vehicle liability insurance as required by law.

### **Overnight Travel**

The town will reimburse expenses incurred (meals, lodging, etc.) for overnight travel if over 90 miles from the town offices and while conducting official town business. Certain personal expenses incurred during travel are not reimbursable, including but not limited to personal telephone calls, laundry, entertainment and alcoholic beverages.

### **Jury Duty**

The Town of Sellersburg encourages employees to fulfill their obligation as citizens when they are called to serve jury duty. Employees are entitled to retain any compensation you receive from the courts. In addition, you will receive the difference between your jury duty pay and your normal salary or hourly rate for the period you serve on jury duty, not to exceed ten days.

Employees must submit their court order for jury duty to their supervisor. Prior to serving jury duty, an employee must ask the court clerk or bailiff to prepare a weekly verification form. The court clerk will typically provide the work verification form on each day you serve on jury duty. Employees must provide the work verification form to their department head each week. The check received for jury duty pay does not need to be submitted and should be retained by the employee.

## **Section IV: Workplace Expectations**

### **Attendance**

Being at work on time every day is important. Your co-workers and the town's residents depend on you. The Town of Sellersburg realizes that occasional absences are unavoidable. However, excessive absenteeism or tardiness creates a hardship for your co-workers. Because of this, frequent and unapproved absences and excessive tardiness can be cause for disciplinary action or dismissal.

### **Attendance Policy Guidelines**

In the event you are unable to come to work, it is critical that you provide as much notice as possible to ensure coverage for your position. The further in advance you provide notice, the more likely that coverage will be possible.

Employee's must call their department head at least 60 minutes before the start of your scheduled

work time to report an absence or extended time away from the office. It is your responsibility to contact your department head, leave a message and then call another department head on duty. This procedure must occur every day you are absent unless you are on an approved leave of absence.

In the event an employee is going to be late for work, the employee is required to notify their department head at least 30 minutes prior to start of their scheduled work time. Any instances of arriving late to work, taking extended breaks or leaving work early must be reported to your supervisor and will be recorded in attendance records. Employees that need to leave work early for any reason must notify their department head before leaving.

A no-call, no-show will be cause for disciplinary action, up to and including termination of employment. If you have three unreported consecutive absences, the town will consider it to be job abandonment and will assume that you have voluntarily resigned from your employment.

If you are absent for three or more consecutive workdays, we may require you to provide medical documentation to support your absence. The town reserves the right to address the issue of chronic absenteeism or tardiness by accelerating the disciplinary process, up to and including termination.

### **Confidentiality**

Depending upon the nature of your duties, you may have access to information that is confidential and privileged. This includes financial information, organizational information, and information regarding other employees or town residents. To protect confidentiality, you must limit the disclosure and discussion of this information to only those employees who need to know. Employees should never use this information for personal benefit or for the benefit of others.

### **Conflicts of Interest**

Employees have a responsibility to avoid any situation that might make it difficult to act in the best interest of the Town of Sellersburg. A conflict of interest may exist when you or a member of your family has a financial interest in a company that has a contract or other dealings with the town. In addition, receiving personal gains from a business relationship, a conflict of interest likely exists. For clarity on whether any transaction or vendor relationship may be a violation of this policy, you should contact your department head.

In addition, employees, including elected officials, must not accept honorariums, compensation, or gifts in exchange for their services as a town employee. This policy does not prohibit the acceptance of small items of nominal value. However, prior to accepting any gifts, gratuities, favors, preferential treatment, event tickets or anything else of monetary value (more than \$25) from companies or individuals related to the job, you must receive approval from your department head. To the extent state law requires an alternative handling of honorariums, compensation, or gifts, the town will comply with those laws.

### **Solicitation & Distribution**

People who are not employed by the Town of Sellersburg may not solicit or distribute literature and goods on town property for any purpose at any time. Vendors soliciting in the normal course of business who have established a business relationship with the town are excluded from this restriction. Exceptions to this policy are at the discretion of the town council.

The town strives to communicate clearly and accurately with its employees; therefore, unless the town is involved in the activity, all notices, brochures, and other forms of solicitation of or by outsiders are prohibited. Employees are discouraged from soliciting other employees during working time. Working time includes that time for which any employee is paid and is expected to be performing services for the town. Working time does not include meal breaks, recognized break periods, or time before or after the established workday. Department heads may authorize limited exceptions to this policy.

## **Dress Code**

As an employee of the Town of Sellersburg, you should be concerned with the impression you make on others. You should strive always to ensure that your clothing and appearance is clean and contributes to a professional atmosphere for co-workers, clients and visitors.

The town is a business-casual workplace. There are occasions where employees should wear business professional attire. These occasions would include special meetings and/or delivering presentations. If you have specific questions about whether something is appropriate to wear you should contact your department head for clarification. Employees that are dressed inappropriately will be asked to go home and change their attire. This time will be unpaid. Repeated violations of this policy may result in disciplinary action.

## **Uniforms**

Employees in a customer facing position may need to offer verification that they are working in an official capacity and may be required to wear uniforms. The following should always be observed:

- Uniformed employees are representatives of the town and should conduct themselves accordingly.
- If the position requires a uniform, the employee must always wear the uniform while on duty.
- Uniforms should not be worn outside of work unless off-site for a work-related trip, seminar and/or meeting.

## **Drug & Alcohol-Free Workplace**

The Town of Sellersburg prohibits employees from unlawfully manufacturing, distributing, dispensing, selling, transferring, using or possessing any illegal controlled substance or alcohol on town premises while working. Any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination. The town reserves the right to require applicants and employees to consent to a drug and alcohol test. No testing will be performed without an applicant's or employee's written consent.

## **Pre-Employment Testing**

The town requires applicants for employment to submit to a drug screen prior to starting work. The drug test is a pre-employment, post-offer requirement. Candidates found to have a positive drug screening will be subject to additional medical review and, based on the findings, may not be considered for employment.



### **Post-Accident Testing**

In the event of a workplace accident or injury, the town may determine that it is necessary to conduct a post-accident drug and or alcohol screening. The employee's supervisor will accompany the employee to the designated testing site. Refusal to submit to the test or a positive result on such a test, is grounds for disciplinary action, up to and including termination.

### **Reasonable Suspicion**

The Company may ask you to submit to a drug and/or alcohol test when there is reason to believe that you are under the influence of drugs and/or alcohol while at work. Refusal to submit to such testing, or a positive result on such a test, is grounds for disciplinary action, up to and including termination.

### **Non-Harassment Policy**

We are committed to providing all employees the opportunity to work in an environment free of illegal harassment. The town strives to provide all staff, clients, and vendors with an environment free of harassment. This can exist only when each employee is assured an atmosphere of mutual respect and one in which each is judged solely on criteria relating to job performance.

The town expressly prohibits any form of unlawful employment harassment based on race, color, religion, sex, sexual orientation, gender identity or expression, genetic information, national origin, age, disability, status as Vietnam-era or special disabled veteran, or status in any group protected by state or local law. The town has adopted the following guidelines to deal with any form of harassment that may occur during business hours or on town premises, or in any location where the employee is conducting work.

Sexual Harassment includes:

- a. physical assaults or physical conduct that is sexual in nature
- b. unwelcome sexual advances or comments or requests for sex or sexual activities concerning one's employment or advancement, regardless of whether they are accompanied by promises or threats
- c. sexual displays or publications such as calendars, cartoons, or graffiti
- d. other verbal or physical conduct of a sexual nature which has the purpose or effect of interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment
- e. Retaliation for complaints of harassment

The town regards all such conduct as creating a hostile and offensive work environment in violation of this policy, regardless of whether submission to such conduct is made either explicitly or implicitly a term or condition of employment. Examples of sexual harassment include sexual propositions, sexual innuendo, sexually suggestive comments, sexually-oriented "kidding," "teasing," or "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body; or reading or otherwise publicizing in the work environment, materials that are sexually suggestive or revealing.

Racial, religious, or national origin harassment includes:

- a. any verbal, written, or physical act in which race, religion, or national origin is used or implied in a manner which would make a reasonable employee uncomfortable in the work environment or which would interfere with the employee's ability to perform the job.

Examples of race, religious or national origin harassment include:

- a. jokes which include reference to race, religion, or national origin
- b. the display or use of objects or pictures which adversely reflect on a person's race, religion, or national origin;
- c. the use of language which is offensive due to a person's race, religion, or national origin.

If you have been a victim of sexual harassment or any other form of illegal harassment or if you witness the illegal harassment of others, you should immediately report your concerns to a supervisor or director. If this is not an option because the manager or director is the harasser, you should contact a member of the Town Council. Each complaint will be treated in a confidential manner, subject to our legal obligation to investigate and respond appropriately to such complaints. Retaliation against anyone involved in reporting an incident of harassment is strictly prohibited. Conversely, we consider filing knowingly false reports of harassment a violation of this policy.

### **Retaliation**

The town's policy prohibits retaliation against any employee by another employee or by the town itself for using this complaint procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a federal or state enforcement agency. Prohibited retaliation includes, but is not limited to, demotion, suspension, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

### **Employee Performance Management**

As a part of their performance management responsibilities, the town's management personnel are accountable for informing employees of performance and/or behavior which is in need of improvement. The purpose for such counseling is to create a mutual understanding of performance and conduct expectations, to develop and improve performance or conduct which is not meeting expectations, and to delineate consequences for those employees who do not achieve minimum acceptable standards for performance or conduct.

The Town of Sellersburg utilizes a progressive discipline policy. Outlined below are the steps of the town's progressive discipline policy and procedure. The Town of Sellersburg reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense.

#### **Step One: Counseling and Verbal Warning**

The first step creates an opportunity for the employee's immediate supervisor to schedule a meeting with the employee and bring any existing performance, conduct or attendance issue to their attention. The supervisor will discuss the nature of the problem or violation of the town's policies and/or procedures. The supervisor is expected to clearly describe expectations and steps the employee must take to improve performance or resolve the problem. This meeting will be documented and signed by both the employee and supervisor.

### **Step Two: Written Warning**

Although the town hopes that the employee will promptly correct any performance, conduct or attendance issues that were identified in Step One, the town recognizes that this may not always occur. The Step 2 written warning involves more formal documentation of the performance, conduct or attendance issues and consequences.

During Step Two, the immediate supervisor will meet with the employee to review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans. Management will outline the consequences for the employee of his or her continued failure to meet performance or conduct expectations.

A formal performance improvement plan (PIP) requiring the employee's immediate and sustained corrective action will be issued. The PIP will include a statement warning the employee that failure to meet and maintain the expectations of the plan will result in further disciplinary action, up to and including termination.

### **Step Three: Suspension and/or Final Written Warning**

There may be performance, conduct or safety incidents so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the immediate supervisor may suspend the employee pending the results of an investigation.

Suspensions that are recommended as part of the normal progression of this progressive discipline policy and procedure are subject to approval from a next-level manager and HR.

Depending on the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal, state and local wage-and-hour employment laws.

Nonexempt/hourly employees may not substitute or use an accrued paid vacation or sick day in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee.

### **Step Four: Recommendation for termination of employment**

The last and most crucial step in the progressive discipline procedure is a recommendation to terminate employment. Generally, the town will try to exercise the progressive nature of this policy by first providing warnings, a final written warning or suspension from the workplace before proceeding to a recommendation to terminate employment. However, [Company Name] reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action.

Management's recommendation to terminate employment must be approved by the Town Council.

There are some behaviors that are considered so extreme by the town that a violation may result in immediate termination:

- Willful Misconduct/Dishonesty or a flagrant violation of the town's policy;

- Harassment of any employee, customer, vendor, or any other individual as defined by the harassment policy;
- Intentionally giving false or misleading information as a means of obtaining employment;
- Deliberate destruction or defacing of town property through abuse, indifference, neglect or carelessness;
- Violation of the town's Drug and Alcohol-Free Workplace policy;
- Theft, unauthorized use or removal of town property or property of any town employee customer or vendor;
- Unauthorized disclosure of any confidential information pertaining to the town or its employees;
- Fighting on town premises or threatening the life or well-being of another individual;
- Possession of firearms or other dangerous weapons on town property, unless authorized;
- Gross insubordination or refusal to complete duties as required by your supervisor;
- Falsification of work hours or any other town documents;
- Verbal and/or physical abuse of any person while on town property;
- Illegal acts on town premises or during working time.

This list is not all inclusive and the town reserves the right to terminate employees on an at-will basis unless otherwise prohibited by federal, state or local law.

### **Problem Solving Procedure**

The company encourages employees to address and discuss any work-related problems with their immediate supervisor. Every reasonable effort should be made by both the employee and the supervisor to resolve work related problems. If a resolution is not reached, the employee may use the town's problem-solving procedure.

This procedure has been established as a guide for resolution to work related problems. If the problem continues to exist after undertaking the actions below, the formal problem-solving procedure is invoked. While a complaint/concern is being resolved, employees will have the obligation to continue to work and not engage in work stoppages, slowdowns or other such actions. The system is designed to function without interrupting or downgrading the quality or delivery of patient care services. Supervisory staff is responsible for ensuring that the problem is fully processed until the employee is either satisfied with the answer or has exhausted the problem-solving procedure.

### **Formal Problem-Solving Procedure**

After discussing the problem or concern with their direct supervisor, an employee is expected to document their grievance and submit it in writing to the next person in the chain of command. If the employee is not satisfied with the next response, they must continue up the chain of command. The Town of Sellersburg chain of command is as follows:

- Supervisor
- Manager
- Assistant Director
- Director
- Town Council

Management will not in any way discriminate or retaliate against an employee who exercises procedures of this policy. Furthermore, management will not discriminate or retaliate against an employee who assists in the investigation or presentation of complaints or concerns filed according to this policy.

### **Emergency Weather**

In the event of emergency weather conditions, we ask you to use sound judgement in assessing your individual situation and in making decision regarding leaving work early, arriving late or staying home rather than attempting to reach work.

If Clark County or the county in which you live declares a weather emergency, the town will compensate you for your scheduled work hours. If you miss work and Clark County or the county in which you live has not declared a weather emergency, you will be required to use PTO to cover the absence.

When making decisions regarding severe weather conditions, employees must follow the general attendance policy.

### **Smoking**

The use of tobacco products and electronic cigarettes is strictly prohibited in all facilities owned by the town of Sellersburg. Any employee wishing to designate a working area a non-smoking area may submit the request in writing to the town council.

### **Media Inquiries**

Employees must refer all inquiries for information from the news media to their department head. Unless authorized to do so, employees must not speak on behalf of the town. Employees must remember that they represent the town and serve as an ambassador to the community and speak accordingly.

### **Security Inspections & Right to Search**

The Town of Sellersburg wished to maintain a work environment that is free from illegal drugs, alcohol, firearms, explosives, or other dangerous materials. The town requires the cooperation of all employees in administering this policy. An employee's refusal to cooperate in a search, inspection or investigation will result in further disciplinary action, up to and including termination.

Desks, lockers, and other storage devices may be provided for the conveniences of employees but remain the sole property of the town. Accordingly, any agent or representative of the town can inspect them, as well as any articles found within them, at any time, either with or without prior notice. A minimum of two town representatives will be present to conduct and record details of the search.

The town likewise wishes to discourage theft or unauthorized possession of the property of employees, visitors, and residents. To facilitate enforcement of this policy, the Town of Sellersburg or its representative may inspect not only desks and lockers, but also any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto company premises.

## **Workplace Violence**

The Town of Sellersburg supports an environment that is safe and free from violence for all employees, residents, and vendors. To achieve this goal, employees may not possess or carry firearms, knives, or any other weapons on town property or while conducting town business unless authorized by their department head or the town council. If an employee is found possessing or carrying such an item on town property or while conducting town business, they will be subject to disciplinary action, up to and including termination.

## **Safety & Security**

The Town of Sellersburg is committed to employee safety and to protecting employees from accidents. The town and all employees have a responsibility to drive and work safely at all times. This policy was created to promote and ensure the safe conduct of town operations for the benefit of all employees and residents.

Employees must make safety the first consideration when conducting town operations.

Employees must demonstrate a continuous awareness of safety considerations as an integral part of achieving accident prevention and efficient productivity.

The town will provide proper tools and materials, equipment, and facilities, as well as sufficient training for a safe work environment. Employees must understand and observe all town rules and safety regulations.

## **Accident Reporting**

Following any accident, an employee is required to contact your department head as soon as possible. If your department head is not available, you must follow the chain of command for communication until someone is contacted. Accident reporting must not be delayed because the department head is unavailable.

## **Universal Precautions**

Employees in certain departments may face occupational exposure to blood, bloodborne pathogens, or infectious material. The town will observe universal precautions to prevent contact with infectious material, and all such material will be considered infectious regardless of the source of the material being known. Notify your supervisor or department head if you are exposed.

To ensure the safety of our employees, the town has created the following guidelines:

Employees must wear protective equipment (gloves, goggles, face guards etc.) at all times when potential exposure exists.

Do not compress trash in waste cans. The trash may contain needles or sharp objects exposed to infectious materials and those items may burst during compression.

Examine trash bags prior to handling them to identify leaks, liquid substances, or sharp objects.

Do not reuse any protective equipment except for approved gloves that can be properly disinfected and cleaned.

Utilize proper handwashing techniques often and frequently. Handwashing facilities are available to employees who incur exposure.

Wastewater employees: Do not use your hands to clean out impellers or pumps where sharp objects may be lodged. Utilize the proper tools to clean, disassemble, and remove the objects. Use caution when shoveling out pits and tanks as infectious materials could be present in the sludge.

## **Use of Town Property & Vehicles**

The Town of Sellersburg's facilities, equipment and property are to be used for business purposes only. Employees are responsible for equipment while it is in their possession, and any malfunction, damage or theft of property should be immediately reported to their department head. Employees may be responsible for costs associated with any damage or loss caused by abuse and/or carelessness.

### **Town Vehicles**

Town owned vehicles are assigned to employees based on business need. Any employee using a town vehicle is expected to keep the interior clean. These vehicles are to be used for town business only, except during the commute to and from the employee's home. Only employee's authorized by their department head and/or the town council may take home a town vehicle.

Certain take-home vehicles are considered taxable fringe benefits and the commuting or lease value of the vehicle will be included in the employee's wages for tax purposes. The town will comply with all relevant tax laws and regulations regarding take-home vehicles.

### **Commuting**

Take-home vehicles may be assigned to employees for use during town business due to the nature of the employee's position. This is generally considered a fringe benefit and is taxable. All use of the vehicle that is not for the benefit of the town constitutes personal use and is prohibited except where personal use is minimal.

## **Social Networking**

The Town of Sellersburg understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

*Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether associated or affiliated with the town, as well as any other form of electronic communication. The town encourages you to ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Always be fair and courteous to fellow associates, customers, residents, suppliers or people who work on behalf of the town. Also, keep in mind that you are more likely to resolved work-related complaints by speaking directly with your co-workers or by utilizing our Open-Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, residents, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment based on race, sex, disability, religion or any other status protected by law or company policy.

Employees are expected to post only appropriate and respectful content. The following list provides recommended guidelines when using social media:

- Maintain the confidentiality of the Town of Sellersburg and private or confidential information. Trades secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal town-related confidential communications.
- Do not create a link from your blog, website or other social networking site to a town website without identifying yourself as a Town of Sellersburg employee.
- Express only your individual opinions. Never represent yourself as a spokesperson for the town. If the town is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the town, fellow associates, residents, customers, suppliers or people working on behalf of the town. If you do publish a blog or post online related to the work you do or subjects associated with the town, make it clear that you are not speaking on behalf of the town. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the Town of Sellersburg."

The town prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Personal Telephone Calls**

The town reserves the right to monitor all telephone communications, utilizing the town's telephones. All telephone communications are the property of the town. Employees have no right of privacy or confidentiality regarding any telephone messages or communications. The town reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the telephone system for any purpose. Personal calls must be kept to a minimum and be limited to calls of an urgent or emergency nature only. Cellular phone calls are disruptive to the work environment and must be kept to a minimum during work time. Personal long-distance calls may not be charged to the town. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

### **Computer Usage & Electronic Communication**

The electronic communication systems, internet service and the computer hardware and software owned or leased by the Town of Sellersburg are to be used for business purposes only. Any message, file or information transmitted or stored on these systems is not considered private and may be seen by other individuals. Employees who use the town's computers and network resources must protect them and the information stored on them.

### **Software License and Copyright**

The town will purchase and distribute software in compliance with license and copyright law. All employees are responsible for complying with the license and copyright provisions of the software they use. Only the department head can approve the installation of software. The department head issuing the software will restrict access to only the appropriate number of licensed users. Employees must not download to their computer any software without permission from their department head.



### **Personal Use**

As a rule, all town property, including computers is for town use only. Personal use should be minimal and must not interfere with town business or work processes. Employees should not use town property for personal use without approval of his or her department head.

### **Internet Access**

The town will determine which employees will have internet access and will set up privileges accordingly. Internet access is for business needs only and is not a fringe benefit. Under no circumstances should an employee access any web site that may be offensive or otherwise contain inappropriate material. All connections to the internet must pass through the town's firewall for security purposes.

The town reserves the right to block access to specific web pages. To help protect against viruses, employees should download files from the internet only with department head approval.

### **Electronic Mail (E-mail)**

Electronic mail is provided to assist in conducting company business and not for personal use. All messages conveyed on either system are the property of the town and should not contain language that may be considered offensive, discriminatory, or abusive to any employee. Employees have no expectation of privacy in any e-mail messages made using town technology or directed toward town addresses. Authorizing another person or organization to use your computer accounts or the Town of Sellersburg network is strictly prohibited. Communicating or using any password, personal identification number, credit card number or other personal or financial information without the permission of its owner is prohibited.

The use of the town e-mail system is primarily for business purposes only. Limited personal use of e-mail may be allowed, but must be on the user's own time and is not to interfere with his/her job responsibilities.

### **Town Cellular Phones**

Employees who use cell phones provided to them by the Town of Sellersburg must follow the town policy for use of these devices during working time. Within guidelines, employees may be reimbursed for certain expenses associated with work-related use of cell phones.

While at work, employees are expected to exercise the same discretion in using personal cell phones as is expected for the use of town phones. Personal phone calls must be kept to a minimum and made during non-work time where possible. Cell phones must be turned off or set to silent or vibrate mode during meetings/conferences and in other locations where incoming calls may disrupt normal workflow.

All employees are expected to follow applicable state or federal laws or regulations regarding the use of cell phones at all times. Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their cell phone while driving. There is never a business reason that requires an employee to text or use a phone while driving.

## RECEIPT AND ACKNOWLEDGMENT OF THE HANDBOOK

I have received, reviewed and understand the contents of this handbook. I understand that this handbook contains summaries of policies and procedures that apply to me as an employee of The Town of Sellersburg.

I agree to read this handbook and follow the procedures described within it during my employment.

I understand that this handbook is a general guide and that the provisions of this handbook do not constitute an employment agreement or contract, express or implied, guaranteeing employment for any specific duration. Although we hope that your employment relationship with us will be long-term, either you or the Town of Sellersburg may terminate this relationship at any time, with or without cause, and with or without notice.

Further, I understand that the Town of Sellersburg reserves the right to modify any of the provisions of these policies at any time with or without notice, at its sole discretion. I also understand that the descriptions included in this handbook are not employee benefit plan documents.

In the event any inconsistency exists between the information in this handbook and any applicable employee benefit documents, the provisions in the employee benefit plan documents shall govern.

Signature \_\_\_\_\_ Date \_\_\_\_\_