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TOWN OF ENFIELD



PERSONNEL RULES & PROCEDURES

APPROVED:


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ARTICLE 1 - GENERAL PROVISIONS

Purpose. It is the purpose of these rules and procedures to give effect to the intent and requirement of Chapter VII, Section 2 of the Town Charter pertaining to personnel rules.

Application. These rules and procedures shall apply to all employees in the classified service, however, these rules and procedures shall be superseded by any agreement legally executed pursuant to State Statute, between the Town of Enfield and an authorized employee bargaining unit whose wages, benefits and conditions of employment are embodied in such agreement.

Violation of Rules. Violation of these rules and procedures shall be grounds for disciplinary action as prescribed within such rules and procedures.

Resolution of Unique Situations. The Town Manager shall have the authority to make decisions on any matter involving personnel not specifically covered by these rules and regulations.

Adoption and Amendment of Rules. These rules and any amendments thereto, as provided in Part I Chapter VII of the Town Charter, shall become effective upon being filed by the Town Manager in the Office of the Town Clerk.

Savings Clause. IN THE EVENT THAT ANY PROVISION OF THE PERSONNEL RULES AND PROCEDURES SHALL BE HELD BY OPERATION OF LAW OR BY A COURT OF LAW OR AN ADMINISTRATIVE AGENCY OF COMPETENT AND FINAL JURISDICTION TO BE INVALID OR UNENFORCEABLE, THE REMAINDER OF THE PROVISIONS OF THESE PERSONNEL RULES AND PROCEDURES SHALL NOT BE AFFECTED THEREBY, BUT SHALL BE CONTINUED IN FULL FORCE AND EFFECT.

Gender and Plurality. In construing the text of these rules and procedures, the masculine shall include the feminine and the singular shall include the plural, and the plural the singular wherever the context shall plainly so require.

Employment at Will. THESE PERSONNEL RULES AND PROCEDURES DO NOT CONSTITUTE A CONTRACT OF EMPLOYMENT IN WHOLE OR IN PART. EITHER THE TOWN OR THE EMPLOYEE CAN TERMINATE THE EMPLOYMENT RELATIONSHIP WITH OR WITHOUT CAUSE AT ANY TIME. NO PERSON IN THE TOWN HAS THE AUTHORITY TO MAKE A COMMITMENT OF GUARANTEED OR CONTINUED EMPLOYMENT EXCEPT FOR THE TOWN MANAGER, AND ONLY IF IT HAS BEEN REDUCED TO WRITING AND SIGNED BY THE TOWN MANAGER. UNLESS OTHERWISE STATED, NO EMPLOYEE HAS A VESTED PROPERTY RIGHT, CONSTITUTIONAL OR OTHERWISE, IN A JOB OR POSITION WITH THE TOWN.

Union Contracts. These personnel rules and procedures do not supersede the terms of collective bargaining agreements or individual employment contracts. Wages, hours and other terms and conditions found in a collective bargaining agreement shall prevail over the benefits in these personnel rules and procedures. In the event that a benefit is listed in these rules and it exceeds a benefit in a collective bargaining agreement, the terms of the collective bargaining agreement shall prevail and apply to the employees covered under the agreement. If the collective bargaining agreement is silent on the benefit, the benefit under these personnel rules and procedures *is not* extended to the employees covered under the collective bargaining agreement.

ARTICLE 2 - INTRODUCTION

Introduction. The rules set forth and adopted within supersede all previous written and unwritten Town personnel policies. These policies are intended to comply with applicable laws. In the event there is a

conflict between the matters expressed here and any applicable laws or collective bargaining agreements, the applicable law or full text of the collective bargaining agreement will prevail. Employees having questions regarding the interpretation and application of these policies shall direct their inquiries to the Town Manager. It is intended that the policies and procedures contained herein shall comply with all applicable federal and state laws, civil service rules and regulations, and shall be interpreted wherever possible so as to comply fully with such laws, provisions or any controlling judicial interpretation.

If any article or section of these personnel rules and procedures, or any amendments thereto, are held invalid by operation of law or by a tribunal of competent jurisdiction, or if compliance with or enforcement of any article or section of these personnel rules are restrained by such tribunal, the remainder of this rules and procedures (any amendments thereto) shall not be affected and shall remain in full force and effect.

Management Rights. Except where such rights, powers and authority are specifically relinquished, abridged or limited by the provisions of collective bargaining agreement, the Town has and will continue to retain, whether exercised or not, all the rights, powers and authority heretofore had by it and shall have the sole and unquestioned right, responsibility and prerogative of management of the affairs of the Town and direction of the working forces, including but not limited to the following:

- a. To determine the care, maintenance and operation of equipment and property used for and on behalf of the purposes of the Town.
- b. To establish or continue policies, practices and procedures for the conduct of Town business and, from time to time, to change or abolish such policies, practices or procedures.
- c. To discontinue processes or operations or to discontinue their performance by employees.
- d. To select and to determine the number and types of employees required to perform the Town's operations.
- e. To employ, transfer, promote or demote employees, or to lay off, terminate or otherwise relieve employees from duty for lack of work or other legitimate reasons when it shall be in the best interest of the Town or the department.
- f. To prescribe and enforce reasonable rules and regulations for the maintenance of discipline and for the performance of work in accordance with the requirements of the Town, provided such rules and regulations are made known in a reasonable manner to the employees affected by them.
- g. To insure the incidental duties connected with departmental operations, whether enumerated in job descriptions or not, shall be performed by employees.
- h. To establish contracts or sub-contracts for municipal operations,
- i. To create job descriptions and to revise existing job descriptions.
- j. Maintain and improve the efficiency and effectiveness of the Town's operations;
- k. Determine the overall methods, process, means, or personnel by which the Town's operations are to be conducted;
- l. Determine the overall mission of the Town as a unit of government;
- m. Effectively manage the work force; and
- n. Take actions to carry out the mission of the Town.

Such rights and responsibilities are inherent in the Town Manager and department directors by virtue of statutory and Charter provisions; consequently, actions with respect to such rights and responsibilities are not subject to review.

ARTICLE 3 - THE PAY PLAN

Guidelines for Establishing Salaries. In order to assure the recruitment and retention of personnel necessary to maintain a continued competent level of public service, consideration shall be given to the relative qualifications, duties, and responsibilities of the various types of positions, rates paid for comparable services in public and private employment, experience in recruiting for such positions and availability of funds.

Preparation of the Pay Plan. The Director of Human Resources, at the direction of the Town Manager, shall be responsible for the development of a pay plan in accordance to Chapter V, Section 14 of the Town Charter. The pay plan shall consist of minimum rates as the Director of Human Resources considers necessary or equitable. The compensation for positions in the classified service shall consist of those listed in the approved annual budget and collective bargaining agreements, as amended from time to time. Pay rates for seasonal and temporary employees shall be set by the Director of Human Resources subject to the approval of the Town Manager and funding by the Council in the annual budget process.

Adoption of Pay Plan. After review and approval by the Town Manager, the pay plan and any amendments or revisions thereto shall be submitted by the Town Manager to the Town Council for adoption by resolution.

Pay Surveys. The Director of Human Resources shall make comparative studies of factors affecting the level of salary ranges as requested from the Town Manager from time to time. On the basis of the information derived from the studies, requests for adjustments in salary ranges shall be initiated by the Town Manager and submitted to the Town Council for adoption.

Pay Increases. Salary increases shall be recommended by the Town Manager and established by the Town Council. Salary increases shall not be predicated solely upon length of service, but shall be dependent upon the quality of an employee's work performance as determined by a performance evaluation. Such evaluation shall be based upon job-related performance standards. The Town Council may review salaries annually to determine whether or not a cost of living allowance shall be granted to Town employees.

Entrance Salary Rates.

The entrance rate of pay for a class shall normally be offered for recruitment purposes and shall normally be paid upon appointment to the class. The Town Manager may approve initial compensation at a rate higher than the minimum rate in the pay range for the class when the needs of the service make such action necessary, provided that.

1. The qualifications of the applicant are outstanding in relation to those of competing applicants, his or her qualifications are substantially in excess of the requirements of the class, and his or her employment cannot be obtained at the minimum rate; and/or
2. There is a shortage of qualified applicants available at the minimum rate of the range.

Pay Rates in Transfer, Promotion or Demotion.

If the rate of pay of the former position is less than the minimum rate established for the class of the new position, the rate of pay shall be advanced to the minimum for the new class.

If the rate of pay of the former position is more than the maximum rate established for the class of the new position, the pay shall be reduced to the new maximum rate or to an intermediate step of the new range as determined by the appointing authority.

If the rate of pay of the former position falls within the range of pay for the new class, the salary rate shall be determined as follows:

1. **Transfers:** Salary rate shall remain the same or be increased to an amount within the new range as determined by the appointing authority.
2. **Promotions:** Salary rate shall remain the same or be increased to an amount within the new range as determined by the appointing authority.
3. **Demotions:** Salary rate shall remain the same or be decreased to an amount within the new range as determined by the appointing authority.

Out of Classification Work. If a regular employee, including administrative personnel, is assigned to work in a higher classification on a temporary basis by a supervisor, in writing, for more than thirty (30) cumulative days in any fiscal year, s/he shall be paid at a rate in the higher classification as approved by the Town Manager upon recommendation of the appointing authority. The employee will be compensated at the higher classification rate only for the time actually worked on the job in the higher classification.

Total Remuneration. Any wage or salary established for an employee shall represent the total remuneration for the employee, not including reimbursement for official travel. Except as otherwise provided in these rules, no employee shall receive pay from the Town in addition to the wage or salary authorized under any schedule provided in the pay plan for services rendered by him in discharge of the duties of his position. No reward, gift or other form of remuneration in addition to regular compensation shall be received from any source by employees for the performance of their duties, unless authorized by the Town Manager. Regular compensation shall be paid in the following manner:

1. Hourly employees shall be paid for the actual number of hours worked during the pay period.
2. Salaried employees shall be paid their annual rate divided by the number of pay periods per year. When such compensation does not compute in complete dollars and cents, an adjustment shall be made in the final pay period of the fiscal year to equalize the compensation such that the employee will have received his or her total annual rate within the final paycheck of the fiscal year.
3. The employer shall make required deductions from the pay of exempt employees in the event of furloughs, disciplinary actions (in accordance with the provisions of the Fair Labor Standards Act), accrued leave has been exhausted, or the employee has chosen to be placed on leave without pay. If an improper deduction is made, the employee must notify the Director of Human Resources of the improper deduction and request a correction. In the event that the Director of Human Resources does not remedy the employee's complaint to the employee's satisfaction, the employee may appeal to the Town Manager for a correction to his or her satisfaction.

Pay for Part-Time Employees. Part-time employees shall be paid on the basis of an hourly, daily or performance rate. Part-time employees are not eligible for any fringe benefit outlined in these personnel rules and procedures unless required by law.

Cafeteria Benefit Plan. Only non-union, full-time employees shall be eligible to receive the Town Cafeteria Benefit plan. Employees must allocate the stipend from this plan to one or more of the following: The Town's deferred compensation plan, a flexible spending account (FSA), a qualifying health savings account (HSA), the employee's share of a health insurance premium, or the premium of any other supplemental benefit plan as determined by the Town. These benefits shall be three percent of an employee's annual salary, with a minimum benefit of \$1,000.00.

Effective August 5, 2015, the stipend shall be the greater of one thousand dollars (\$1,000), or three-percent (3%) of the employee's base pay, up to three thousand dollars (\$3,000). Participating employees as of August 3, 2015 whose stipend in fiscal year 2015 exceeded three thousand dollars (\$3,000) shall continue to receive a stipend equal to the 2015 rate.

ARTICLE 4 - HOURS OF WORK AND OVERTIME

Hours of Work. The normal work week for full-time, regular and temporary employees shall be thirty-five (35) hours consisting of five (5) work days of seven (7) hours each, Monday through Friday. The normal workday shall be from 9:00 a.m. to 5:00 p.m. with one (1) hour for lunch. To

minimize office disruption, lunch hours shall be staggered and occur typically between the hours of 11:00 a.m. to 1:00 p.m. Lunch hours shall not be used to delay start times or shorten work days.

Agreements between the Town and certain unions may require a different schedule of hours or different normal work week for full-time and regular employees. Business needs may dictate other normal work week schedules.

Other schedules or exceptions to the normal workweek and/or workday may be required when the needs of the department/division dictate such exceptions and when such schedules or exceptions have been authorized by the Town Manager.

Non-exempt employees must not enter their time for work more than 5 minutes before the start of their shift and must not enter their time no more than 5 minutes after the end of their shift without prior approval. Non-exempt employees shall not perform any work duties beyond the hours of their established shift.

No employee will be allowed to work from home without the prior approval of the Department Director.

Overtime. The Town shall have the right to require overtime work consistent with the demands of public service. Complete records of overtime for each employee shall be maintained.

Employees Exempt from Overtime. Exemptions from overtime eligibility shall be determined in accordance with the Fair Labor Standards Act (FLSA) and Connecticut General Statutes and shall include, but is not limited to, employees employed in a bona fide executive, administrative, or professional capacity for the Town as defined under the FLSA and/or Labor Regulations promulgated by the Connecticut Labor Commissioner. Said employees shall not be eligible for any compensation for overtime work performed.

Overtime Authorization for Eligible Employees. All overtime must be pre-approved and documented. Working overtime without proper authorization is grounds for the imposition of disciplinary action.

Overtime Compensation. Employees shall be granted compensation for authorized work in excess of the normal workweek as described below in the following manner:

1. For employees of an authorized employee bargaining unit, compensation for overtime will be granted as prescribed within their collective bargaining agreement.
2. For all other employees:
 - a. Regular hourly rate up to forty (40) hours per week.
 - b. One and one-half (1 1/2) times the regular hourly rate for all hours worked over forty (40) hours per week.

Compensatory Leave. Regular full-time employees who are not members of an authorized bargaining unit nor employed in a bona fide executive, administrative, or professional capacity, who work in excess of the normal hours of work may be required to take compensatory leave equivalent to the amount of overtime hours worked in lieu of payment for such overtime. Such leave shall be taken within the same pay period as was the overtime worked, as required by Section 31-71 (b) of the Connecticut General Statutes where practical.

It shall be at the discretion of the Department Director to grant compensatory leave in lieu of payment for overtime worked at a time convenient to the operation of the Department.

Executive Leave.

Non-Union employees whose positions are exempt from overtime compensation may qualify for executive leave if their positions routinely require overtime work.

Executive leave will be earned by working hours in excess of an employee's normal workweek (i.e. 35 hours per week/7 hours per day or 40 hours per week/8 hours day). Hours worked in excess must be authorized by a supervisor or department director, except in the case of department directors who will be responsible for authorizing their own extra hours.

Work performed during an authorized break (such as lunch) does not count towards accrual for executive leave without prior approval from the department director.

Employees can earn one (1) extra day of leave after working over a total of 40 extra hours (cumulatively) of their regular workweek. Employees may not repeat this process more than seven (7) occasions in any fiscal year. Executive leave may not exceed 7 days in a fiscal year and shall not be carried over from one year to the next nor may it be converted to vacation leave.

Equalization of Hours.

Equalization shall mean that an employee may work an extra time one day and take time off on another. Regular full-time employees who are not members of a bargaining unit, but who are bona fide executive, administrative or professional employees will have the option of equalizing hours of work in excess of 35 in one week or 7 in one day with the approval of their supervisor. Department Directors will be responsible for the authorization of their own equalization.

Equalization of time must take place during the week in which the extra hours were worked or during the next workweek, (i.e. if extra hours are worked on a Tuesday the equalization must take place by Friday of the following week). In the event that extra hours are worked on a Friday these hours must be equalized by the next Friday.

The Department Director must be informed and approve **prior** to the equalization taking place of the hours the employee intends to equalize.

Hours worked beyond employee's regular workweek may not be used for both equalization and executive leave. The employee must elect one or the other and report how these extra hours are to be treated and these hours are to be recorded on their weekly timesheets.

ARTICLE 5 - RECRUITMENT, SELECTION & APPOINTMENT OF EMPLOYEES

Recruitment Policy. Individuals shall be recruited from a geographic area as wide as is necessary to assure obtaining well-qualified candidates for the various types of positions without regard to race, color, religious creed, age, gender, marital status, national origin, ancestry, present or past history of mental disorder, mental retardation, physical or mental disability, sexual orientation, or veteran status.

Announcement. The Director of Human Resources shall cause to be made known all vacancies for all positions in the classified service by posting announcements of such known pending vacancies opportunity on the Town website and when necessary in newspapers and other publications, and in such other places as the Director of Human Resources deems advisable.

Announcements shall specify the title, and salary or salary range of the position; the nature of work performed; the desired qualifications of applicants; the closing date for receiving applications and other information as required or necessary.

Application Forms. Applications shall be accepted only on forms or electronically prescribed by the Director of Human Resources. Each application shall be signed by the applicant and the truth of all statements contained therein shall be certified by his or her signature. The application shall not require any information intended to disclose race, color, religious creed, age, sex, marital status, veteran status, sexual orientation, national origin, ancestry, mental disorder, mental retardation, or physical or mental disability. In lieu of an application, candidates may submit a resume containing all relevant information necessary to be considered for the position.

Applications will be accepted only when there is a posted opening and must be filed with the Director of Human Resources prior to the end of the working day on the closing date specified in the announcement. Applications shall not be returned, but will remain on file in accordance with the records retention law. Applicants must re-apply for each new posted vacancy unless notified otherwise.

Background Investigation. The Town reserves the right to investigate the background of any applicant to discern their qualifications, ability and suitability for the position they have applied for. Such investigation includes, but is not limited to, a review of their employment history, financial stability (for certain positions), driving record, criminal record, certifications and licenses.

References. As part of the pre-employment procedure, the Town reserves the right to contact former supervisors, employers, references provided by candidates on the application form, and others as determined by the Town. References and other checks shall be documented and made part of the applicant's file. All such information is to be handled as privileged information.

Disqualifications. The Director of Human Resources may remove from current or future consideration the application of any applicant whom:

1. Does not possess the minimum qualifications required;
2. Is not able to perform the essential functions of the position with reasonable accommodations;
3. Has established an unsatisfactory employment or personnel record as evidenced by reference or other checks of such a nature as to demonstrate unsuitability for employment;
4. Has made falsifications, misrepresentations, or omissions of any material fact or practiced deception in his or her application;
5. Has proven to be affiliated with any group or organization which seeks to overthrow the government of the United States of America by force or violence; and/or
6. Has been convicted of a crime, other than a minor traffic violation, of such a nature as to demonstrate unsuitability for employment.

No Discrimination. There shall be no discrimination against or in favor of any candidate or employee because of race, color, religious creed, age, sex, marital status, national origin, ancestry, present or past history of mental disorder, physical or mental disability, sexual orientation or veteran status.

Character of Hiring Process

General Provisions Concerning Process. All appointments to positions in the classified service of the Town of Enfield shall be made according to merit and fitness to be ascertained so far as possible by open competitive process. Any practical means or measures may be used in process, which are job related and reasonably judged to evaluate candidates for positions in the class for which the process is held. Evaluations may be written, oral, a demonstration of skill or performance, a rating of training and experience or record of accomplishment, or any combination of such types. No section or element of the process shall be designed to disclose any information concerning any political, religious or union affiliations, sexual preferences, or racial or marital background.

Contracting for Process. The Director of Human Resources, with the approval of the Town Manager, may contract with any agency, public or private, for the conduct of any process which he/she deems impracticable to be administered by the Town.

Conditional Admission. When doubt exists as to whether an applicant meets the requirements for process inclusion, the Director of Human Resources may authorize conditional admission to the process. Such

action shall not be construed as entitling the applicant to become eligible for certification or appointment until the circumstances leading to the conditional acceptance are clarified. The Director of Human Resources shall be responsible for notifying an applicant in writing when his admission to an examination is conditional.

Open Competitive Process. All original processing for positions in the classified service shall be open competitive in character except as specified under the qualifying process below.

Open Continuous Process. In circumstances where there is a continuous need for substantial numbers of eligible applicants for a certain class of position or when insufficient applicants are available to maintain an adequate register, the Director of Human Resources may, after first establishing such a register, replenish the register from time to time by inserting the names of additional eligibles who are found to be qualified on the basis of a test of fitness substantially similar to the test used as the basis for establishing the original register. The closing date for any such test may be indefinite and applicants may be tested continuously in such manner and at such times and places as the Director of Human Resources may provide.

Eligibility for Competitive Process. Tests for original appointment in the classified service shall be open to all applicants who meet the minimum qualifications required of a particular position and who have not been disqualified for reasons described in the previous section describing disqualifications.

Qualifying Process. At the request of the Director of Human Resources, and upon approval of the Town Manager, non-competitive qualifying examinations may be established for any class of position requiring professional or technical skill and training of a nature which renders competitive examination extremely difficult. Qualifying examinations may be written and/or oral and may include or consist of an evaluation of experience, training and education.

Promotion and Transfer. When opportunities for promotion or transfers become available, it is the policy of the Town to give current employees the opportunity to apply. Employees will be evaluated as to their qualifications and experience as it relates to the position and their work history with the Town. Positions which are available will be posted on the Human Resources Office board and/or website. Employees interested in applying for a position must make their interests known to the Human Resources Department in writing (email is acceptable) within five (5) days of the date of the announcement.

Re-Examination. No person who has failed to pass an examination shall be re-examined for the same class within ninety (90) days of the examination unless otherwise authorized by special permission of the Town Manager.

Rating of Examinations.

Method of Evaluation. In all examinations the minimum rating by which eligibility may be achieved shall be established by the Director of Human Resources. A minimum rating may also apply to the rating of any part of the test. A resident of the Town of Enfield will have five percentage points added to any written examination for original appointment to Town service, provided that additional points will not be added to any failing scores. For the purpose of this section, a resident of the Town of Enfield shall be defined as any person whose primary residence is within the geographic boundaries of the Town at the time of application for employment and said application shall reference the applicant's address.

Notice and Review of Exam Results. Each person who takes an examination shall be given written (email is acceptable) notice as to his or her results of the examination as soon as possible following the close of the examination period. Each person in an examination shall be entitled to inspect his or her rating and/or scores. Such inspection shall be permitted only during regular business hours and at the Human Resources Office.

Eligible Lists. The Director of Human Resources, at the direction of the Town Manager, shall establish and maintain the lists necessary to provide an adequate supply of qualified candidates for positions in the classified service. Lists shall be by class of position and shall be applicable to all classified positions of

such class in the Town service. The duration of an eligibility list shall be one (1) year. Upon request from an appointing authority, the H.R. Director may extend the eligibility list an additional year.

Availability of Eligibles. It shall be the responsibility of eligibles to notify the Director of Human Resources of any change in address or other change affecting availability for employment. However, the Director of Human Resources may circulate the lists or use other methods to determine at any time the availability of eligibles. Whenever an eligible submits a written statement restricting the conditions under which he will be available for employment, his name may be withheld from all certification which does not meet the conditions he has specified.

Removal of Names from Eligible Lists. The Director of Human Resources may remove a name from any eligible list for any of the following reasons.

- (1) Refusal of the eligible to accept appointment which is offered.
- (2) Appointment through certification from such list to fill a permanent position.
- (3) Appointment through certification from another eligible list for a class at the same or higher compensation upon approval of the eligible.
- (4) Failure to respond, within the time specified in the notice, to any inquiry of the Director of Human Resources.
- (5) Expiration of the term of eligibility on any eligible list.
- (6) Notice by postal authorities of their inability to locate the eligible at his last known address.
- (7) Waiver of three certifications by the eligible.
- (8) In the case of promotional lists, upon separation from the Town service.
- (9) After a candidate has been certified three times to the same appointing authority, his name shall not again be certified to such appointing authority, except at the request of such authority.
- (10) The Director of Human Resources shall remove a name from any eligible list if he discovers that the eligible lacks any of the necessary qualifications prescribed as requirements for admission to the test for the class for which he has applied; or that any of the mandatory disqualifications applying to admission are applicable.

Personnel Requisition. Whenever a vacancy in any position in the classified service is to be filled, the appointing authority shall submit a requisition for an employee via electronic vacancy request. Insofar as practicable, each vacancy shall be anticipated sufficiently in advance to permit the Director of Human Resources to determine who may be available for appointment and, if necessary, to go through the process to establish a list of eligibles.

Types of Appointments. All vacancies in the classified service may be filled by re-employment, promotion, original appointment, emergency appointment, temporary appointment, provisional appointment, transfer or demotion.

Appointment From Eligible Lists. Whenever a position is to be filled from an eligible list, certification shall first be made from the promotion list if promotion is practicable, and then from the following lists in this order, original appointment, emergency appointment, temporary appointment, provisional appointment.

Demotion. An appointing authority may demote any classified employee under his direction when, in his opinion, the employee is incapable of performing adequately the duties of his current position but meets the minimum qualifications for a lower class of position. If no position exists, then the employee will be separated from employment with the town from taking action under Article 9 of these rules. Any regular employee demoted or terminated in such manner may appeal such action under the Grievance Procedure set forth by these rules.

Appointment by Transfer or Demotion. When an appointing authority desires to fill a position by transfer or demotion, such action shall take precedence over appointment from eligible lists. Inter Departmental transfers may only be made with the approval of the appointing authorities of both departments concerned unless provided for otherwise in a collective bargaining agreement.

Appointments of a Temporary Nature.

Temporary Appointments. When a position in the classified service is limited in duration, certification may be limited to the highest-ranking eligible that will accept employment under such conditions. No temporary appointment shall be made for more than a total of six months in any twelve-month period, unless a longer period of time is approved by the Town Manager.

Emergency Appointments. When an emergency makes it necessary to fill a position immediately in order to prevent stoppage of public business or loss, hazard, or serious inconvenience to the public, and it is impossible to fill such position under any other provisions of these rules, an appointing authority or a properly authorized subordinate with the concurrence of the Director of Human Resources may appoint any qualified person to such position without certification from an eligible list. Any such person shall be employed only during emergency and such appointment shall automatically end thirty (30) days from the date of appointment. If the emergency continues, the appointment may be extended to sixty (60) days but no individual may be given more than one such appointment in any twelve-month period.

Provisional Appointments. When an appointing authority finds it essential to fill a vacancy in a position subject to these rules and the Director of Human Resources is unable to certify eligibles for such vacancy because there is not a sufficient number of persons on appropriate registers who are willing to accept appointment, the Director of Human Resources may authorize the filling of the vacancy by a provisional appointment. Extensions of a provisional appointment may be made only with the approval of the appointing authority. Any provisional appointment shall be terminated automatically within two calendar weeks of the date on which the Director of Human Resources notified the appointing authority that he is able to certify the proper number of eligibles from an appropriate list.

Certification of Eligibles. Names shall be certified in order of standing on the register from which certification is made. Eligibles shall be certified for vacancies occurring in the same class in the order of receipt of requisitions for employees.

Method and number of certifications.

(1) In the filling of all vacancies from re-employment lists, the Director of Human Resources upon receipt of a request for certification from an appointing authority shall certify, singly, the name appearing at the top of the departmental re-employment list for the proper classification. If there is no departmental list for the class, he shall certify, singly, the name appearing at the top of the Town re-employment list for the classification.

(2) In the filling of all vacancies from an eligible list other than a re-employment list, the Director of Human Resources upon request for certification from an appointing authority, shall certify the names of the highest three available eligibles on the most appropriate eligible list and if more than one vacancy is to be filled the name of two (2) additional eligible for each additional vacancy.

Incomplete Certification. When the number of names available on other than re-employment lists for filling any vacancy is fewer than three, the appointing authority may decline certification for the vacancy and proceed to fill the vacancy in any other manner provided by these rules.

Waiver of Certification. Eligibles who are not available for appointment when offered certification may be granted a waiver of certification for appointment for a stated period of time at or below a specific salary or in a specific location.

Physical Examination Required. After a conditional offer of employment has been made by the Town, applicants may be required to undergo a physical examination (or as required by State regulation) to be conducted by a regularly licensed practitioner of medicine or surgery, or both, of the Town's choosing, at the expense of the Town to determine the applicant's qualifications to perform the essential functions of the position. Continued employment in the Town service shall be contingent upon the employee meeting the physical requirements for the position.

Drug Testing. After a conditional offer of employment has been made by the Town, applicants may be required to take a drug screening test, at the Town's expense, consisting of blood and/or urinalysis test(s) to determine the presence of drugs and /or alcohol, barbiturates, heroin, cocaine, marijuana, or other dangerous and or unlawful substances. An independent laboratory chosen by the Town will conduct such tests and any positive tests will be confirmed by two alternative methods.

Psychological Testing. After a conditional offer of employment has been made by the Town, applicants may be required to undergo a psychological examination by a licensed psychologist to determine their fitness for duty.

Probationary Period. That period of time beginning immediately after a person is appointed by the Town Manager. All new and promoted full-time and part-time employees serve a minimum probationary period of six (6) months unless otherwise specified in union contract. During the six (6) months of employment, the employee and the supervisor shall participate in a personnel evaluation process to assess the employee's work record to date. Employees serving a probationary period (i) have no appeal rights regarding disciplinary actions or discharge, (ii) are not eligible for the educational assistance benefit, and (iii) are not eligible for certain other benefits as outlined throughout these rules.

Purpose. The probationary or working test period shall be regarded as an integral part of the examination process and shall be utilized for closely observing an employee's work performance to ensure that it meets the required work standards.

Duration of the Probationary Period. All new employees shall be required to perform satisfactorily during a probationary period. The probationary period shall begin immediately upon appointment and shall continue for the period of time described in the collective bargaining agreement, or in the absence of such agreement, shall continue as follows:

- (1) Employees shall serve a probationary period of six (6) months for original appointments and (3) months for promotional or other appointments.
- (2) Extensions of the above probationary periods not to exceed six (6) months may be granted by the Director of Human Resources upon request of the Department Director or at the instruction of the Town Manager.
- (3) In the case of a promotion during the original probationary period, the employee shall, before attaining the status of a regular employee serve either the remainder of the original probationary period or the promotional period, whichever period is greater.
- (4) At the end of the second month of employment during the probationary period and at intervals of two months thereafter for the duration of the probationary period a Probationary Evaluation form may be completed by the supervisor, reviewed by the employee, Department Director and forwarded to the Director of Human Resources for review. Such reports should give an accurate and fair appraisal of the employee's work, his willingness and ability to perform assigned duties satisfactorily, observations concerning work habits and dependability and a recommendation as to whether or not employment should be continued.

Interruption of Probationary Period. No leave from service during the probationary period, with or without pay shall be counted as part of the total probationary service required, unless otherwise recommended by the appointing authority and approved by the Director of Human Resources.

Dismissal During Probationary Period. At any time during the probationary period the appointing authority may remove an employee if, in the opinion of the appointing authority, the work performance indicates that such employee is unable or unwilling to perform the duties of the position satisfactorily or that his habits or dependability do not merit his continuance in the service. Upon such removal, the appointing authority shall report to the Town Manager and the Director of Human Resources and to the

employee removed his actions and reasons therefore. No appeal is allowable from dismissal during the probationary period.

Retention of Employee After Probationary Period. At least fifteen (15) days prior to the expiration of an employee's probationary period, the appointing authority shall notify the Director of Human Resources, in writing, and on the form designated by the Director of Human Resources, either:

- (1) that the services of the employee are satisfactory and that he will continue the employee in his position, or
- (2) that the services of the employee are unsatisfactory and that he will not continue the employee in his position, or
- (3) that he wishes an extension of the probationary period and will continue the employee in his position for an additional period if the extension is granted. A copy of such notice shall be given to the employee. Upon receipt by the Director of Human Resources of written notice from the appointing authority that the services of the employee are satisfactory and that he will continue the employee in his position, the appointment of the employee shall be deemed to be complete at the expiration of the probationary period and the employee shall receive a regular appointment.

Reinstatement to Former Class. An employee appointed from a promotion list that does not successfully complete his probationary period shall be transferred to a position in the class occupied by the employee immediately prior to his promotion if a vacancy exists in such class. In the event that no vacancy exists in such class, the employee shall be transferred to any position of a grade equal to that held prior to promotion wherein a vacancy exists and for which he is qualified. If no vacancy exists, he shall be transferred to any vacant position of a lower grade for which he is qualified or, at his option, his name shall be placed at the top of the eligible list for the class of position held immediately prior to his promotion.

Promotion During Probation. The serving of a probationary period shall not, of itself, prevent an employee from being promoted to a higher class, provided he is certified from an appropriate list.

Probationary Period on Demotion. An employee shall not be required to serve a probationary period when he is demoted voluntarily to a position lower than the one in which he was previously assigned.

ARTICLE 6 - LAY - OFF

Layoff Permitted. An appointing authority, with the approval of the Town Manager, may layoff an employee whenever it is deemed necessary by reason of shortage of work or funds, the abolition of the position, material change in the duties of the organization, or for other related reasons which are outside the employee's control and which do not reflect discredit on the service of the employee.

Order of Layoff.

Temporary employees. Shall be laid off before probationary employees and probationary employees before regular employees.

Regular employees. Shall be laid off according to seniority within their respective classes such that the most recently appointed employee shall be laid off first. If such determination of layoff rating does not establish definite differentials for all employees in the class involved the order of layoff shall be determined by the appointing authority in such manner as to conserve for the Town the services of the most valuable employees.

Notice of Layoff. In every case of layoff, the appointing authority shall give written notice ten (10) working days in advance of his action to the Town Manager and the Director of Human Resources and the employee, and shall certify therein that the layoff is for reasons not reflecting discredit on the employee.

Return of Layoff Names to Eligible Lists. The names of regular and probationary employees laid off shall be placed on the appropriate re-employment lists according to seniority for the class in which the

layoff occurred unless the employee indicates in writing to the Director of Human Resources that he is no longer interested in employment with the Town.

ARTICLE 7 - RESIGNATION

Resignation. To resign in good standing, an employee must give the appointing authority at least fourteen (14) days [thirty (30) days' notice for Department Directors and Division Managers] prior written notice unless the appointing authority agrees to permit a shorter period of notice. A written resignation shall be submitted by the employee to the appointing authority. The termination date shall be the last day on payroll.

Such letter of resignation shall be filed in the employee's personnel folder which shall become inactive as of the final date of employment.

ARTICLE 8 - DISCIPLINARY ACTION

General. Any action, which reflects discredit upon the Town service or is a hindrance to the effective performance of the Town's governmental function, is good cause for disciplinary action against an employee. The primary objective of disciplinary action is to improve the overall performance, efficiency, and morale of the Town's employees. Disciplinary action should be administered positively and constructively.

Any employee may be removed or disciplined for incompetence, failure to maintain standards or certification, inefficiency, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of the ordinances of the Town or State or Federal laws; violations of these Personnel Rules, or any other acts of misfeasance, malfeasance, and/or nonfeasance of duty. Nothing in this Article shall be construed to limit the right of the Town to lay-off or separate from the service any employee in the event any position becomes unnecessary or is abolished by reason of lack of funds or technological advancements.

Types of Disciplinary Actions and Procedures. Disciplinary action shall consist of one or more of the following types of disciplinary action which may be invoked against employees of the classified service. They may be independently invoked.

A. **Recorded Oral Reprimand.** A recorded oral reprimand is a documented interview between the Department Director or Supervisor and the employee on the subject of the employee's conduct, performance, or failure to observe a policy, order, procedure, rule, or regulation. It is intended for and is usually the most effective means of improving the employee performance, behavior, habits, or work methods. The recorded oral reprimand is documented with a memorandum being placed in the employee's personnel file outlining the infraction involved and the contents of the interview. This is the course of action to be considered first and used whenever appropriate. Before issuing a recorded oral reprimand the Department Director or Supervisor normally should adhere to the following procedure:

1. Gather all the facts concerning the infraction or deficiency.
2. Conduct the interview with the employee in such a way as to avoid embarrassment or humiliation.
3. State the reasons for the reprimand so the employee understands them.
4. Give the employee a chance to express any views or explain any circumstances.
5. Consider the employee's explanation and if it is acceptable, close the interview.
6. If it is not acceptable, explain why and give specific ways in which the employee is expected to improve or correct the deficiencies involved.

B. **Written Reprimand.** A written reprimand is a more formal disciplinary action to be used for significant misconduct, inadequate performance, or repeated lesser infractions. The procedures to be

followed are the same as in recorded oral reprimands except that the written reprimand more precisely documents the employee's deficiencies and prescribes the required corrective action. The employee receives a copy of the reprimand and is required to acknowledge receipt thereof. All of this is made a matter of record in the employee's personnel record.

- C. **Suspension or Demotion.** A suspension is a temporarily enforced absence from duty on a non-pay status, which may be imposed upon an employee as a penalty for significant misconduct or repeated lesser infractions. The period of suspension will be expressed in workdays. Before issuing a suspension, the Department Director should follow the following procedure:
1. The facts are gathered under the direction of the Department Director
 2. A complete and documented report is provided to the Town Manager along with recommendations from the Department Director.

An employee who is on a non-paid suspension shall not be eligible to accrue vacation and sick leave for those days on which the suspension is in effect.

- D. **Dismissal or Removal.** This is the most severe type of disciplinary action because it removes the employee from the job. Certain offenses, by their nature, are severe enough to require immediate discharge. The Town Manager alone has the authority to dismiss or remove an employee. Before the dismissal or removal, the Department Director should follow the following procedure:
1. The facts are gathered under the direction of the Department Director; and
 2. A complete and documented report is provided to the Town Manager along with recommendations from the Department Director.

Primary Responsibility for Discipline. The Department Director or Supervisor shall be primarily responsible for the discipline of employees within the Department. In addition, the Department Director shall be primarily responsible for suspensions if that disciplinary action entails two (2) work days or less, with the condition that the suspension must be approved in writing by the Town Manager prior to it becoming final and enforceable.

It shall be the responsibility of the appointing authority in any case of suspension, demotion or dismissal, within five (5) days after the effective date of such action, to give the concerned employee a written statement setting forth in substance the reasons therefore and to file a copy of such statement with the Director of Human Resources.

Such reprimand, suspension or dismissal shall become part of the employee's personnel file.

Ultimate Responsibility for Disciplinary Action. The Town Manager as Appointing Authority shall have the ultimate duty to take disciplinary action under all the above numbered items.

Appeal from Disciplinary Action. Any employee who is reprimanded, suspended, or dismissed as provided for in this article may appeal such action to the Town Manager or his/her designee.

Pre-disciplinary Conference.

- A. Whenever the Town Manager or his/her designee determines that an employee may be disciplined for cause, resulting in a loss of pay, a pre-disciplinary conference will be scheduled to give the employee an opportunity to offer an explanation of the alleged conduct.
- B. Not less than twenty-four (24) hours prior to the scheduled starting time of the conference, the Town Manager will provide to the employee a written outline of the charges, which may be the basis for disciplinary action. The employee must choose to:

1. appear at the conference to present an oral or written statement in the employee's defense;
 2. appear at the conference and have a chosen representative present an oral or written statement in defense of the Town; or,
 3. elect in writing to waive the opportunity to have a pre-disciplinary conference.
- C. Pre-disciplinary conferences will be held by a neutral agency supervisor who will be selected by the Town Manager or the Town Manager's designee, from those supervisors not directly in the chain of command of the employee.
- D. At the conference, the employee may present any testimony or documents which explain whether or not the alleged conduct occurred. Any person the employee chooses, whether such individual is an employee, may represent the employee or not. However, no conference will be delayed more than twenty-four (24) hours to enable an employee representative to attend.
- E. At the pre-disciplinary conference, the Town Manager will ask the employee or the employee's representative to respond to the allegations of misconduct, which were outlined to the employee. Failure to respond or to respond truthfully may result in further disciplinary action.
- F. Neither the employee nor the employee's representative will be permitted to confront or cross-examine witnesses. A written report will be prepared by the Town Manager concluding whether or not the alleged conduct occurred, and deciding what discipline, if any, is appropriate. A copy of this report will be provided to the employee within five (5) days following its preparation.

Causes for Disciplinary Action. The following shall be sufficient cause for disciplinary action. The Town reserves the right to take disciplinary action for causes, including but not limited to:

- (a) Willful violation of the provisions of the Charter or these rules.
- (b) Incompetency or inefficiency in the performance of the duties of the position to which the employee has been appointed.
- (c) Wanton carelessness or negligence in the care of Town property.
- (d) Habitual tardiness or absence from duty.
- (e) Conviction of a felony or of a misdemeanor involving moral turpitude.
- (f) Intoxication on duty.
- (g) Sleeping on duty.
- (h) Excessive distractions while on duty (for example, personal calls, personal texting, personal computer usage, personal video gaming, personal office visits, performing work that is not assigned and/or unrelated to your job description, etc.)
- (i) Conduct which reflects unfavorably upon the Town service.
- (j) Violation of any legitimate official order or failure to carry out any lawful and legitimate directions made and given by a proper supervisor.

ARTICLE 9 - ATTENDANCE AND LEAVES

General Policy. Leave is any authorized absence during regularly scheduled work hours that is approved by proper authority. Leave may be authorized with or without pay and shall be granted in accordance with

these rules on the basis of the work requirements of the departments and wherever possible, the personal requests of the employee.

Types of Leave. The following types of leave are officially established:

- a. Holiday Leave
- b. Sick Leave
- c. Injury Leave
- d. Compensatory Leave
- e. Personal Leave
- f. Vacation Leave
- g. Family & Medical Leave
- h. Executive Leave
- i. Other Leave with pay
- j. Leave without pay

Attendance Records. The attendance records and hours worked for all employees are inputted into the computer weekly and are available from the Human Resources Department.

Procedure for Requesting Leave: For all leave other than holiday, sick, or injury leave, a written request on a Request for Leave form (or submitted electronically using the current software) must be completed indicating the type of leave, duration and dates of departure and return must be approved by the Department Director prior to taking the leave. For personal leave and other leave with or without pay, the employee must describe the purpose and reason for requesting such leave.

In the case of sick or injury leave, an employee must submit an absence report form or enter into employee self service to the Department Director for approval immediately upon the employee's return to work.

Unless an absence is substantiated by a request for leave or a return to work form approved by the department director, an employee shall not be paid for any absence from scheduled work hours. All such forms shall be forwarded to the Director of Human Resources where they shall be filed as part of the employee's attendance record.

Holidays Observed. The following holidays for regular employees shall be granted with pay:

January 1 st	New Year's Day
1 st Mon on or after Jan 15	Martin Luther King Day
3 rd Monday in Feb.	President's Day
Friday before Easter Sunday	Good Friday
Last Monday in May	Memorial Day
July 4	Independence Day
1 st Monday in September	Labor Day
2 nd Monday in October	Columbus Day
November 11	Veteran's Day
4 th Thursday in November	Thanksgiving Day
December 25	Christmas Day
	One (1) Floating Holiday

In addition, each employee shall receive either Lincoln's Birthday or the day after Thanksgiving as holidays in accordance with current practice in the department or position in which he is working.

Should any of the dates listed above fall on a Sunday, the holiday shall be observed on the following Monday. If a holiday falls on a Saturday, employees shall be granted equivalent time off on the Friday immediately preceding. The floating holiday must be used within the fiscal year and is subject to the approval of the employee's supervisor. Employees who fail to use their floating holiday during the fiscal year will forfeit their holiday.

Unpaid Holidays. Part-time employees who are scheduled to work less than thirty-five (35) hours per week shall not be eligible for holidays with pay unless their collective bargaining agreement indicates differently.

Holiday During Paid Status. In order to receive pay for an observed holiday, an employee must be in a work or paid leave status on his scheduled work day immediately preceding the holiday and on his scheduled work day immediately following the holiday.

Holidays Worked. Any employee required to work on a scheduled holiday, or whose duties are performed on a regular rotating shift, shall be compensated for such holiday work as provided in Article 5 in these rules.

Other Holidays. In addition to the above stated holidays, employees may be granted other holidays when Town services are closed due to the requirements of State Statutes or proclamation.

Sick Leave. Each regular full-time employee shall be eligible for sick leave with pay during and after his or her probationary period. Sick leave shall be computed on an hourly basis at the rate of 8.75 hours for each full month worked, or 105 hours per year for full time employees with no limit on the number of days accumulated for the purpose of illness as described below. Sick leave shall be charged in not less than one-quarter (1/4) hour.

Use of Sick Leave. Sick leave may be used for the following purposes:

- (1) Personal illness or physical incapacity;
- (2) Enforced quarantine in accordance with health regulations; or
- (3) For illness or physical incapacity in the employee's immediate family.

Sick leave is not to be used to extend vacations or to be treated as a personal day or day off. Regular doctor's office visits for physical, dental or eye examinations may be properly charged to sick leave. Medical examinations for treatment of an ongoing illness or condition may be charged to sick leave. Any sick leave used for the above referenced examinations **will still be charged** as a sick leave occurrence.

Employees absent from work for more than three (3) consecutive days may be required to bring in a doctor's note.

Investigation of Sick Leave Usage. The Town reserves the right to investigate any use of sick leave for which a supervisor determines that there might be an abuse of sick leave. Beginning in January of every year, supervisors are responsible for auditing the sick leave usage of all their direct reports. An abuse of sick leave is the use of sick leave for any purpose other than that which is allowed above or by contract. An abuse of sick leave will result in disciplinary action regardless of whether or not the employee has received a notice of sick leave usage, as described below.

Neutral Attendance Policy. Absences beyond six (6) occurrences of sick leave in a 12-month period is considered excessive and may subject to discipline.

Extraordinary circumstances for which a department director or his designee may determine that a sick leave usage or disciplinary action notice will not issue include:

- a) the need for an employee to attend repeat therapy sessions for the same injury,
- b) a re-occurring serious illness,
- c) a need for ongoing medical treatment for an illness,
- d) or other reasons which in the department director's judgment, justify excusing the employee from his or her regular duties during work hours for treatment.

Proof of Illness. The Town may investigate any absence for which sick leave is requested and a doctor's certificate or other proof of illness shall be required upon request from the employee's department director.

Report of Illness. On the first day of absence from work due to illness, the employee shall report his illness to his immediate supervisor not later than thirty (30) minutes before his scheduled work assignment. Department Directors may require greater notice for their individual departments. The immediate supervisor shall initiate an absence report form or enter the absence into employee self service and forward such form to the Human Resources Department after the employee's return and it shall become part of the employee's personnel file.

Sick Leave Upon Retirement/Resignation. Any employee with ten (10) or more years of Town service who separates from the Town service shall have his or her total accumulation of sick leave time, not to exceed 120 days, transferred to his or her vacation time for the purposes of separation pay. Any employee with less than ten (10) years of Town service who separates from the Town service shall have one-quarter (1/4) of his or her total accumulation of sick leave, up to a maximum of thirty (30) days, transferred to the employee's balance of unused vacation for the purposes of separation pay.

Payment Upon Death. In the event of an employee's death, his spouse and/or minor children shall receive, on the basis of the employee's current wages, full compensation of any unused accumulated sick leave up to a maximum of one hundred twenty (120) days as severance pay.

Injury Leave. Injury leave, as distinguished from sick leave, shall mean leave with pay given to an employee due to absence from duty caused by an accident or injury that occurred while the employee was engaged in the performance of his or her duties.

Use of Injury Leave. In event that an employee of the Town is injured while at work and as a consequence of said injury, receives worker's compensation disability pay, said employee shall receive worker's compensation and supplemental pay so that the employee shall be compensated at the employee's regular rate of pay prior to such injury or disease for a period not to exceed twelve (12) months, except when otherwise provided by a collective bargaining agreement. At the end of said twelve (12) months, such supplemental benefits shall cease.

It is recognized that the Town has a need to be informed of the status of an employee who is absent due to an injury compensable under worker's compensation. Therefore, the employee will comply with reasonable requests for reporting to his supervisor during any such period of absence.

Temporary Disability. In the case of work related injuries causing temporary disability for periods of time less than seven days, which are not wholly compensable under the Workers' Compensation insurance, the Town shall pay the employee's regular salary during the period of such absence.

Reporting an Injury. Injuries arising out of an accident in the course of employment and while engaged in the performance of one's duties shall be reported immediately by the employee to his supervisor who shall contact the worker's compensation carrier directly and make a full report on an Accident Report and Investigation Form and forward it to the Human Resources Department. Receipt of this report shall be a condition of payment of injury leave benefits. No payments shall be made if the accident or injury shall have been due to intoxication or willful misconduct on the part of the employee.

Lost time under injury leave shall not be charged to vacation or sick leave accruals, however, if an employee is out more than three (3) days as the result of an on the job injury, it will be counted against the employee's Family and Medical Leave Act benefit time for the year.

Compensatory Leave. Compensatory leave may be granted in lieu of payment for overtime worked as provided in Article (5) of these rules governing overtime and in accordance with Section 31-71 (b) of the Connecticut General Statutes. Such compensatory leave shall be scheduled by the department Director at a time convenient to the operation of the department. Compensatory time should be used the same week it accrues or, if that is not possible, the next week.

Vacation.

Accrual. Annual vacation leave with pay shall be earned by all regular full-time employees working (35) hours or more in the following manner:

<u>FULL YEARS OF SERVICE</u>	<u>HOURS PER FULL MONTH OF CONTINUOUS SERVICE</u>	<u>MAXIMUM EARNED HOURS-PER YEAR OF CONTINUOUS SERVICE</u>
More than 2 years. Through 4 th full year	5.83 Hrs.	70 Hrs.
More than 4 years. Through 6 th full year	8.75 Hrs.	105 Hrs.
More than 6 years Through 9 th full year	9.33 Hrs.	112 Hrs.
More than 9 years Through 12 th full year	10.5 Hrs.	126 Hrs.
More than 12 full years	11.66 Hrs.	140 Hrs.

Annual vacation leave will be front loaded at the beginning of every fiscal year for Department Directors and other exempt personnel as deemed appropriate by the Town Manager. A pro rata amount will be paid to newly hired Department Directors and eligible exempt personnel based on the number of months employed in the fiscal year of their hire date. Said employee will be credited one month of vacation time for any day(s) worked in that particular month. Vacation will be earned according the following schedule:

<u>FULL YEARS OF SERVICE</u>	<u>HOURS PER FULL MONTH OF CONTINUOUS SERVICE</u>	<u>MAXIMUM EARNED HOURS-PER YEAR OF CONTINUOUS SERVICE</u>
Date of Hire through 6 th full year	8.75 Hrs.	105 Hrs.
More than 6 years Through 9 th full year	10.5 Hrs.	126 Hrs.
More than 9 full years	11.66 Hrs.	140 Hrs.

Vacation time must be used within one (1) year from the date when it accrues, unless other arrangements are approved in writing by the Town Manager. However, employees will be allowed to carryover 35 hours¹ of vacation annually. Vacation leave may not be granted until an employee has served a minimum six (6) months of continuous service. At the Town Manager's discretion, an employee may be advanced vacation leave.

Scheduling. Employees shall apply for vacation leave to their Department Director on a request for leave form (or electronically submitted in writing) in accordance with these rules. Vacations shall be scheduled by each Department Director in accordance with departmental requirements.

Holiday Celebrated During Vacation Leave. When an observed holiday, as established by these rules and regulations, occurs during an employee's vacation, said holiday shall not be charged against the employee's earned vacation time.

Sickness While on Vacation. An employee who becomes ill while on vacation leave may not charge such illness to sick leave, unless the employee files with his or her Department Director a physician's certificate describing the nature and duration of the illness.

¹ Forty (40) hours if an employee's regular workweek is forty (40) hours.

Break in Service and Transfers. Vacation leave shall be determined by the length of continuous service. For purposes of computing vacation leave, employees who leave the Town service and are later restored shall be considered as new employees. An employee who is transferred between departments shall retain all accrued vacation time.

Accrued Vacation Credit Upon Separation from Town Service. Employees who resign in good standing or who are laid off for lack of work after employment of six (6) months or more or who have retired from the Town service shall be paid for any unused vacation leave that has accrued to their last day of service. For the purpose of this section to resign in good standing, an employee shall give his Supervisor a minimum of fourteen days (14) days [thirty (30) days for Department Directors and Division Managers] prior working notice unless the Town Manager agrees to permit a shorter period of notice. Said notice shall be in writing to the Department Director by the employee stating reasons for leaving the employ of the Town. Normally, leave time shall not be granted during said required period of notice.

In the event of an employee's death, his spouse, and/or minor children and, if none, his estate, shall receive, on the basis of the employee's current wages, full compensation of any accumulated vacation leave.

Other Leave With Pay: Regular employees may be granted leave with pay in accordance with the following guidelines:

Training. With the approval of the Department Director or his designee, leave of absence with pay may be granted by the Department Director for the purpose of allowing a regular employee to participate in conferences, seminars, training courses, and official meetings which enhance the employee's value to the Town.

Special. The Town Manager may authorize either full or partial days off in addition to those already authorized in the rules and procedures to permit the closing of some or all Town offices in such instances as severe weather conditions, public celebrations and days of mourning.

Personal Leave. All employees are entitled to receive three (3) days of paid leave for their own personal use upon hire and at the start of every fiscal year thereafter. Personal leave may be used at any time at the discretion of the employee's supervisor. Personal leave will never be carried over from one fiscal year to the next. Upon separation from employment, the Town will never pay out any unused Personal leave.

Jury Duty. Regular employees shall be granted a leave of absence with pay for required jury duty. In such cases, the employee shall receive that portion of his regular salary, which will, together with the jury pay, equal his total salary for the same pay period. The employee shall notify his department of scheduled jury duty in advance on a request for leave form in the manner prescribed in Article 11.

Funeral Leave. Except as otherwise provided in a collective bargaining agreement, upon the death of an immediate family member (immediate family member is defined as one's parents, spouse, children, and brothers and sisters) or a dependent residing in the employee's household, full-time and part-time employees may be granted up to three (3) funeral days, plus up to an additional three (3) days of sick leave for bereavement purposes. The Town reserves the right to require written documentation of the facts that necessitate the funeral leave request. For other relatives, an employee may take whatever type of leave (except sick leave) they have available to attend the funeral.

Rest Periods. Unless provided for otherwise in a collective bargaining agreement, each full-time employee shall be permitted a ten (10) minute rest period noncumulative during each half of the daily schedule, if convenient to the operation of the Town.

Leave Without Pay. When the interests of the Town can be benefited, the Town Manager may grant a leave of absence without pay to an employee. The employee's position shall remain vacant, or be filled by a temporary appointment until the expiration of such leave. Such leave shall not exceed a total of six (6) months, unless extended by the Town Manager. All paid leave will be exhausted and benefits will not accrue during the employee's absence from his/her job.

Family & Medical Leave. An eligible employee may be granted a leave of absence with or without pay under the Town of Enfield Family and Medical Leave Policy as outlined below.

ARTICLE 10 - FAMILY/MEDICAL LEAVE POLICY

ISSUES	PERSONAL SERIOUS HEALTH CONDITION	BIRTH, ADOPTION OR FOSTER CARE	SERIOUS HEALTH CONDITION OF CHILD, PARENT OR SPOUSE
Employment Eligibility	Employed at least 12 months and Work at least 1250 hours during the Fiscal year.	Same.	Same
Effective Date	August 5, 1993 for non-bargaining Unit employees; February 5, 1994 For union members.	Same.	Same
Who qualifies?	Employees who meet eligibility criteria above.	<p>An employee who is either the father or the mother can take family leave for the birth, placement for adoption or foster care of a child. See 825.112, Family Medical Leave Act for qualifying circumstances under which family leave may be taken for adoption or foster care.</p> <p>Eligibility for leave expires 12 months after the event. Leave must be completed by the one-year anniversary of the event.</p>	<p>An employee who has a biological child, adopted child, foster child, step-child, legal ward or a child under 18 for whom the employee stands in loco parentis.</p> <p>An employee who has a child (defined above) age 18 or older who is incapable of self-care due to mental or physical disability.</p> <p>An employee who has a biological parent, former legal guardian, or someone who raised the employee in place of a parent.</p> <p>An employee who has a spouse as legal husband or wife.</p>
Serious Health Condition Defined	<p>Illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility; or</p> <p>Continuing treatment by a health care provider.</p> <p>Excludes short-term conditions for which treatment and recovery are brief such as illness lasting a few days.</p> <p>Pregnancy/Maternity Leave taken shall count toward FMLA leave.</p>	Not applicable.	<p>Illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility; or</p> <p>Continuing treatment by a health care provider.</p> <p>Excludes short-term conditions for which treatment and recovery are brief such as illness lasting a few days.</p> <p>Pregnancy/Maternity Leave taken shall count toward FMLA leave.</p>

ISSUES	PERSONAL SERIOUS HEALTH CONDITION	BIRTH, ADOPTION OR FOSTER CARE	SERIOUS HEALTH CONDITION OF CHILD, PARENT OR SPOUSE
Intermittent or Reduced Leave	Leave may be intermittent or reduced if medically necessary.	Leave may be intermittent or reduced only if employer agrees.	Leave may be intermittent or reduced if medically necessary.
Ability to Temporarily Transfer to Another Position	Yes, if employee is on intermittent or reduced leave to position of equivalent pay and benefits.	Same.	Same.
Provisions if Both Spouses Work For the Town	12 weeks leave each for their respective personal serious health condition(s).	A combined total of 12 weeks of leave which may or may not be taken concurrently. However, if both employees work in the same department than the leave cannot be taken on the same scheduled workdays.	12 weeks of leave each which may or may not be taken concurrently. However, if both employees work in the same department, then the leave cannot be taken on the same scheduled workdays, except for the serious health condition of the spouse.
Restoration to Position	<p>Must be restored to the same position held prior to the leave; or</p> <p>To a position that is equivalent in pay, benefits, privileges and other conditions and terms of employment.</p> <p>An employee has no greater right to reinstatement or to benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.</p>	Same.	Same.
Notification	Employee must provide 30 days notice when need for leave is foreseeable. Otherwise notice must be given as soon as practicable.	Same.	Same.
Medical Certification	Certification for illnesses shall include the date the serious health condition began, duration of the condition, applicable medical facts, statement that the employee is unable to perform the functions of the job, and medical reasons for any intermittent or reduced leave requests (if applicable).	Not applicable.	Certification for illness shall include the date the serious health condition began, duration of the condition, applicable medical facts, statement that the employee is needed to care for the ill person, an estimate of how long the employee will be needed, and/or medical reasons for any intermittent or reduced leave requests.

ISSUES	PERSONAL SERIOUS HEALTH CONDITION	BIRTH, ADOPTION OR FOSTER CARE	SERIOUS HEALTH CONDITION OF CHILD, PARENT OR SPOUSE
<p>Second and Third Opinions</p>	<p>The Town may request and pay for a second opinion from a physician of the Town's choice.</p> <p>Either the employee or the Town may request a third opinion if the 1st two opinions conflict. A third opinion shall be paid for by the Town and both the Town and the Employee must agree on the provider. The decision of the third opinion is final.</p>	<p>Not applicable.</p>	<p>The Town may request and pay for a second opinion from a physician of the Town's choice.</p> <p>Either the employee or the Town may request a third opinion. A third opinion shall be paid for by the Town and both the Town and the employee must agree on the provider. The decision of the third opinion is final.</p>
<p>Certification for Return to Work</p>	<p>Certification of fitness for duty may be required of all employees taking FMLA leave.</p>	<p>Certification of fitness for duty may be required of all employees taking FMLA leave.</p>	<p>Not applicable.</p>
<p>Relationship to Paid Leave</p>	<p>Employee may utilize accrued sick leave, then may request unpaid leave for the duration of the FMLA leave.</p> <p>The employee may substitute accrued vacation leave in place of all or part of the unpaid leave, if s/he so desires.</p>	<p>If the employee is the birth mother, accrued sick leave must be utilized first for the period of disability. After the disability, the employee may request unpaid leave for the remainder of the FMLA leave for the care of the child. Accrued vacation time can also be used in lieu of all or part of the unpaid leave if the employee so desires.</p> <p>If the employee is not the birth mother, s/he may request unpaid leave or use accrued vacation time in lieu of all or part of the unpaid leave for the duration of the FMLA leave.</p>	<p>Employees may use up to 15 family sick days, then may request unpaid leave or the accrued vacation time in lieu of all or part of the unpaid leave, for the duration of the FMLA leave.</p>
<p>Sick Leave and Vacation Leave Accruals</p>	<p>Sick and vacation leave shall not accrue for any full calendar month in which the employee is not in a regular paid status. Sick and vacation time will accrue during the employee's use of paid sick leave and/or paid vacation leave for any portion of FMLA leave.</p>	<p>Same.</p>	<p>Same.</p>

ISSUES	PERSONAL SERIOUS HEALTH CONDITION	BIRTH, ADOPTION OR FOSTER CARE	SERIOUS HEALTH CONDITION OF CHILD, SPOUSE OR PARENT
<p align="center">Maintenance of Medical, Dental and Life Insurance Benefits</p>	<p>The Town will maintain group medical, dental and life insurance coverage for the duration of the FMLA leave provided that the employee makes the necessary payment(s) for that portion of the insurance premium that s/he would have had to make had s/he not taken FMLA leave. In the event that the employee does not return to work when the FMLA leave expires, s/he shall be able to continue medical and dental coverage under COBRA at his/her own expense at the COBRA rates. Failure to continue coverage under COBRA will result in the expiration of medical and dental coverage at the end of the month when such FMLA leave has expired. Life insurance coverage expires when FMLA leave expires if the employee does not return to work unless the employee opts to continue coverage at his expense.</p>	<p align="center">Same.</p>	<p align="center">Same.</p>
<p>Miscellaneous</p>	<p>All requests for FMLA leave must be documented including whether or not the leave was granted and reasons for the denial where that is the case.</p> <p>The Family and Medical Leave Act prohibits an employer from putting any restraint on an employee for exercising his/her rights under the FMLA. The Town may not penalize or discipline an employee for requesting or using the FMLA provisions.</p> <p>The 12 month period for Family & Medical Leave shall be measured forward from the date any employee's first Family & Medical Leave begins or is designated as the start date.</p> <p>Medical information and documentation shall be treated as confidential medical records and shall be kept in a confidential file separate from the employee's personnel file.</p> <p>The parties agree that existing contractual benefits will remain in effect in accordance with existing collective bargaining agreement.</p>		

Military Training Leave. A regular full-time employee participating in required field training in the Federal Reserve or National Guard shall be entitled to absent himself from his Town duties while engaged in such required field training. During this period, the employee shall be paid the difference, if any, between his regular and military salary. Military leave shall not exceed thirty days in any calendar year. An employee participating in such reserve military training shall give his supervisor or Department Director sufficient advance notice on a request for leave form prescribed by the Town Manager in accordance with Article 11.

Employees who are actually activated for military service will be accorded all rights accorded to them by applicable federal and state law.

Maternity/Paternity Leave. The purpose of this policy is to establish procedure for response to the special concern of employees during pregnancy and after birth or adoption of their child; this creates a non-discriminatory workplace and offers equal employment opportunities to all personnel without regard to gender.

- a. Employees affected by pregnancy, childbirth, adoption or related medical conditions shall be treated the same for all employment purposes as non-pregnant employees similarly situated with respect to their ability or inability to work.
- b. The employee, upon learning of said condition, should promptly notify their immediate supervisor of their condition and the anticipated date of delivery or adoption. Upon the employee seeking medical attention in connection with the pregnancy, the employee's supervisor shall be informed of any restrictions or limitations on their ability to work, as determined by a physician.
- c. Unless the employee's physician has restricted the employee in their duties, the employee shall function as they would absent the pregnancy condition. Any department will not assume that an employee is unable to continue their regular job function on the basis of the pregnancy-related condition alone.
- d. If there is a question regarding the employee's capacity to perform their regularly assigned job duties, related to the pregnancy or medical condition, the Town has the right to require an employee to be examined by a physician determined by the Town at the cost to the Town.
- e. In the event an employee is unable to continue their regularly assigned duties due to a pregnancy-related restriction, the employee may request an alternate duty assignment.
- f. No department shall be under any obligation to create a specific transitional work assignment. The Town, in its discretion, may assign an employee to perform an alternate duty assignment within their residual capacities.
- g. An alternate duty assignment may include schedule changes, change in duties, transfer to another assignment, etc., as may be appropriate to the restrictions established and the needs of the department.
- h. Assignments will be made at the discretion of the employee's Department Director and Director of Human Resources in regard to the departmental needs and the restrictions and abilities of the employee as described by their physician.

Absence Without Leave. An absence of an employee from duty, including an absence for a whole or part of a day that is not authorized by a specific grant of leave of absence under the provisions of these rules shall be deemed an absence without leave. Any such absence shall be without pay and may be subject to disciplinary action. Any employee who is absent from work for 21 consecutive work hours or on three (3) separate occasions (over a one-month period) without notifying his or her Department Director of the reason for such absence or absences shall be considered to have resigned from the Town service and shall be terminated.

Loss of Holiday, Vacation or Sick Leave. If an employee is either on an approved leave of absence without pay for more than ten (10) working days in any calendar month or is suspended for more than ten (10) working days in any calendar month or is absent without leave for three or more days in any calendar month without securing subsequent authority for such leave, he shall not accrue vacation or sick leave for that month. Any holiday occurring in conjunction with absence without leave, or without pay shall be forfeited by the employee.

Insurance Benefits on Leave. For any employee who is granted a leave of absence without pay for a period that exceeds one calendar month, unless the employee is out under the Family and Medical Leave Act, such employee's insurance benefits shall terminate on the first day of the month following the beginning of his absence unless such employee requests that his insurance benefits be continued under Cobra and submits the premium costs for such benefits to the Town for the duration of the absence.

Catastrophic Leave. In the event of a non-occupational prolonged hospitalization, terminal illness or catastrophic illness or disease which has disabled an employee from the performance of his or her employment duties, the Town Manager may grant a leave (exclusive of leave under the Family and Medical Leave Act) with pay for a period not to exceed forty-five (45) working days commencing when all other leave benefits have been exhausted. Such leave shall not be cumulative and shall cease upon the employee's return to work or the expiration date of such leave, whichever comes first. The Town Manager may grant extensions of such leave for periods not to exceed a total accumulation of forty-five working (45) days. During such catastrophic leave, the employee's insurance benefits shall continue in effect.

ARTICLE 11 - GROUP INSURANCE BENEFITS

General. The Town will provide the following **High Deductible Health Care Plan** with a Health Savings Account option for those qualified employees (and their eligible dependents) who enroll in such insurance program. To be qualified, employees must regularly work full time consisting of at least thirty-five (35) or more hours per week for the Town. Any employee working less than 35 hours per week and receiving health insurance benefits on or before July 1, 2012 shall be considered "grandfathered" for purposes of this section. These programs may be amended from time to time.

The employee will be required to pay a portion of the premium as determined by the Town. Payment will be made through payroll deduction. Said payment will be treated in accordance with section 125 of the I.R.S. Code.

High Deductible Health Care Plan with a Health Savings Account.

The Town shall provide the following insurance program for those employees and their eligible dependents that choose to enroll in the High Deductible/Health Savings Account plan ("HSA plan"). Full details of the group insurance benefits outlined herein are available for review in the Department of Human Resources.

In addition, the following terms apply:

The Town will fund fifty percent (50%) of the applicable HSA deductible amount. The full amount of the Town's contribution toward the deductible will be deposited in the HSA accounts on or before July 15th.

Employees acknowledge that the Town's HSA contributions are not an element of the underlying health insurance plan, but rather relate to the manner in which the deductible shall be funded for active employees.

IRS regulations preclude employees who have other insurance from making or receiving tax advantaged contributions to an HSA bank account. Other insurance includes Medicare or a Copay medical plan through a spouse. Other Dental, Vision, or HDHP insurance is permitted. This preclusion applies to the employee only, dependents on the employee's plan are permitted to have other insurance.

Medicare coverage would constitute other non-HDHP coverage and thus make the member ineligible to make contributions to an HSA. Unused HSA Funds contributed prior to Medicare enrollment may still be used tax free to pay for qualified medical expenses. Unused HSA Funds contributed prior to Medicare enrollment may still be used for non-qualified expenses. Tax would apply but the penalty is waived for those over 65 years of age.

Employees must notify Human Resources of any changes that would impact health and dental insurance coverage including marital status, employee turns age 65 and/or dependent turns age 26 years of age.

HRA – Health Reimbursement Account – employer funded health benefit plan that reimburses employees for out-of-pocket medical expenses. Cigna will pay the first \$750/\$1500 of claims on behalf of the Town to cover the Town’s contributions for the HDHP.

Health Insurance Buy-Back

Alternatively, employees may opt out of the Town’s health and dental insurance program. An employee who is covered under alternate health insurance that is not provided by either the Town of Enfield or the Enfield Board of Education may elect in writing, on a form provided by the Town, to waive coverage under the Town’s health and dental insurance programs. Employees eligible for health and dental coverage under the Town’s plan who waives the same shall receive one of the following:

- \$500 if employee is eligible for individual health and dental coverage;
- \$1,000 if employee is eligible for health and dental coverage for 2 persons;
- \$1,500 if employee is eligible for health and dental coverage for more than 2 persons.

The employee must waive both health and dental insurance to be eligible for this benefit. This annual benefit will be paid to employees in the month of July. A pro rata amount will be paid to eligible employees based on the number of months, and level of coverage, in the fiscal year that they have declined health insurance for themselves, their spouse and dependents.

COBRA Option. Any employee who is covered by the Town's group health insurance and leaves employment from the Town for reasons other than gross misconduct may continue their health insurance coverage for a period of 24 months if insurance is lost due to termination of employment or a reduction in hours or 36 months if the coverage would be lost for any other reason. This will be offered to the employee at their own cost and the premiums must be pre-paid in a timely manner or the coverage will be terminated.

Life Insurance. The Town shall pay the full cost of group life insurance in the amount of \$100,000.00 for regular full time employees who regularly work thirty-five (35) or more hours per week for the Town. Employees covered by collective bargaining agreements may be insured at different amounts and may be required to pay part of the premium. Upon separation from Town service, an employee may opt to continue his/her life insurance coverage at his/her own expense. If an employee declines to extend their life insurance coverage, then he/she shall receive only the minimum \$5,000 in life insurance.

Accidental Death and Dismemberment Insurance. The Town shall provide accidental death and dismemberment insurance for full time employees who regularly work thirty-five (35) or more hours per week. This insurance, in addition to any life insurance plan, is payable if an employee suffers any of the losses listed below as a result of and within ninety (90) days from the date of an accident occurring while insured as provided by the insurance contract then in force. The Town shall pay the full premium for such coverage. Where there is a conflict between the benefits listed below and benefits provided for in a collective bargaining, the benefits in the collective bargaining agreement shall supersede the benefits listed here. For loss of:

Life	\$30,000
Both Hands, Both Feet or Sight of both eyes	\$30,000
Any Combination of Foot, Hand or Sight of One eye	\$30,000
One hand, one foot or sight of one eye	\$15,000

Disability Income. The Town shall pay the full cost of the insurance premium for full time employees who regularly work thirty-five (35) or more hours per week for the or shall self-insure, for each employee's weekly disability benefits of \$400 per week for full-time employees for a maximum of thirteen (13) weeks for total disability as a result of a non-occupational accidental injury or sickness as provided for in the insurance contract in force, commencing after the employee's sick and vacation leave benefits have expired. Benefits under existing collective bargaining agreements may differ from the above and will prevail over this benefit.

Anthem Blue Cross65/Blue Shield 65 - Retired Employees.

Eligibility. Any employee, with a minimum of ten (10) **full-time** years of Town service and who has worked for the Town until age 55 or later and has either:

- a. retired from the Town of Enfield under retirement term below,
- b. who receives retirement income either from the Town or as a result of service with the Town, shall be eligible for BC/BS 65, upon attaining age 65.

Enrollment. Employees enrolled in the Town's group Health Insurance Plan shall automatically be enrolled in the Town's BC/BS 65 Plan for retirees. Retirees not enrolled in the Town's group BC/BS plans shall apply for membership in the Town's BC/BS 65 Plan upon attaining age 65.

Type of Plan and Benefits. The hospital and medical insurance plan shall be the Anthem Blue Cross/Blue Shield 65 Plan as prescribed by the contract in force.

The Town shall pay the full Anthem Blue Cross /Blue Shield 65 Premium of each subscribing retiree. Retirees shall be able to purchase Blue Cross /Blue Shield 65 coverage for their spouses at the Towns' COBRA rate. Early retirees shall be able to continue coverage for themselves and dependents provided that they pay the COBRA rate for such coverage in a timely manner.

Retirees and spouses may continue on the regular insurance plan at their own cost until they are eligible for Blue Cross/Blue Shield 65. If a retiree elects to stay with the Town's health insurance, then the Town will continue to fund 50% of the retiree's HSA deductible amount as outlined in the health insurance plan. However, once the retiree reaches age 65, the Town shall have no obligation to make any HSA contribution.

ARTICLE 12 - RETIREMENT PLAN

Town Employee Retirement Plan (excludes Police)

Employees eligible to retire shall within thirty (30) days prior to the beginning of each fiscal year file with the Town Manager a notice of their intent to retire sometime during the upcoming fiscal year. Such notice should not be considered a resignation but a request for the Town to budget such accumulated benefits as may be distributed to the eligible employee upon actual retirement. Failure to provide said notice may delay payment of benefits. Eligible employees who actually retire must file a resignation letter with the Town Manager at least 30 calendar days prior to the actual effective date of the resignation.

Employees eligible to retire who file the required notice of intent within fourteen (14) days [thirty (30) days for Department Directors and Division Managers] prior to the upcoming fiscal year in which the retirement is contemplated and files retirement notice at least two (2) weeks [four (4) weeks for Department Directors and Division Managers) prior to the effective date of the resignation are entitled to receive accumulated benefits in a lump sum payment upon the first regularly scheduled pay date following the actual date of retirement.

Eligibility. A full-time benefitted employee is eligible to join the Pension Plan if the employee has been employed by the Town for one (1) year of service and is at least 25 years of age.

Retirement Income. At normal retirement date (age 65) income will be 2% of final average earnings (highest 4 of last 10 July 1st earnings), multiplied by the number of years of credited service.

Contributions. Employees will contribute 3.5% of base earnings. The Town contributes the remainder of the amount necessary to provide an employee's retirement income.

An employee becomes 100% vested after five (5) years of service in the Plan. Prior to attaining five (5) years of service, the employee is entitled only to his contributions plus the interest earned on such contributions upon separation from Town service.

Social Security. Pension benefits from the plan are in addition to any Social Security benefits payable to the retiree.

Early Retirement. Early retirement can occur anytime between the first day of the month on or following an employee's 55th birthday and their normal retirement date.

Late Retirement. Late retirement occurs when an employee retires after the normal retirement date.

Police Retirement Plan. See the police contract and/or police pension for retirement language.

ARTICLE 13 - SEPARATION PAY

Separation. Employees who resign in good standing or who are laid off for lack of work after employment of six (6) months or more or who have retired from the Town service shall be paid for any unused vacation leave that has accrued to their last day of service.

Employees entitled to vacation leave who are terminated for cause may be paid accrued prorated vacation.

Multiple Departments. Employees who are transferred, promoted or demoted from a position in one department to a position in another department without a break in their continuity of service, unless transferred, promoted or demoted to a position recognized under a collective bargaining agreement, may carry their accrued vacation leave with them to their new position.

Payment Upon Death. Accrued vacation leave or authorized overtime for which payment is due shall be considered to be earned and payable upon death of an employee to such person or persons entitled by law to receive any compensation due such employee (General Statutes, State of Connecticut, Section 45a-273, as amended).

ARTICLE 14 - GENERAL PROHIBITIONS

Political Activity. (in accordance with Sec. 7-421 of Conn. General Statutes).

(a) No person employed in the classified service may (1) use his or her official authority for influence for the purpose of interfering with or affecting the result of an election or nomination for office or (2) directly or indirectly coerce, attempt to coerce, command or advise a state or local officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes.

(b) No classified employee shall engage in such activity while on duty or within any period of time during which such employee is expected to perform services for which he receives compensation from the Town of Enfield and no such employee shall utilize municipal funds, supplies, vehicles or facilities to secure support for or oppose any candidate, party or issue in a political partisan election. A person employed in the classified service retains the right to vote as he chooses and to express his opinions on political subjects and candidates and shall be free to participate actively in political management and campaigns. Such activity may include but shall not be limited to, membership and holding of office in a political party, organization or club, campaigning for a candidate in a partisan election by making speeches, writing on behalf of the candidate or soliciting votes in support of or in opposition to a candidate and making contributions of time and money to political parties, committees or other agencies engaged in political action,

Conflicting Employment. No employee in the classified service shall engage in any type of activity or employment, which may conflict with the best interests of the Town or violate the code of ethics policy. An employee may engage in outside employment as long as the particular employment does not, in the opinion of the Town Manager, interfere with his or her Town position. Employees are required to provide notice to the Town Manager in advance of accepting outside employment so that this determination can be made. Employees are not permitted to use Town issued uniforms and may not use Town equipment or other Town resources while engaged in outside employment. An employee may not engage in a business that charges for a service that the Town provides for the residents.

ARTICLE 15 - ALLOWANCES

Car Allowances/Use of Private Vehicles.

Town employees may be reimbursed at the rate as established by IRS regulations for use of their privately-owned vehicles for Town business with the prior written approval of the Town Manager or his/her designee. Such payment is considered to be total reimbursement for all vehicle related expenses, including gas, oil, insurance, depreciation, etc. Employees utilizing private vehicles for Town business must maintain adequate car insurance and a state driver's license as required by law.

In lieu of the mileage allowance, the Town Manager may approve a monthly vehicle allowance for the use of personal vehicles on Town business. Employees receiving vehicle allowances shall receive no other compensation for use of their vehicles on Town business. Proof of insurance is required. Vehicle allowance will be paid on a monthly basis.

In order to obtain mileage allowance payment, Town employees shall submit at the end of each month a mileage report detailing miles driven and starting location and destinations for each trip. Department Directors shall review said reports to determine accuracy prior to submitting the mileage reports to the Town Manager. Town owned vehicles shall be used exclusively for official Town business.

Travel Policy.

Purpose. This policy outlines policy and procedures concerning travel for the Town. Personnel authorized to travel at Town expense are employees, elected officials, and members of boards and commissions.

Compliance. All employees/travelers shall strictly adhere to these guidelines and any deviation to these rules shall be cause for disciplinary action.

Request to Travel. If it is necessary, or requested that an employee travel for the Town, a Travel Request Form shall be prepared by the employee and submitted for approval by the Department Director and subsequently to the Town Manager for final approval. The Travel Request Form shall be prepared as soon as the need to travel is known. This request is required for all trips over seventy-five (75) miles from the Town of Enfield Municipal Building and all overnight trips.

Request for Advance of Funds. Any employee/traveler needing an advance of funds shall complete and submit a request for Advance of Funds to Travel Form. All advanced funds that are not expended by the employee or supported by proper documentation must be returned to the Town. Failure to file a Travel Expense Report supported by proper documentation of all expenses shall result in the employee returning the entire advance to the Town. If the advance is not repaid, the undocumented portion shall be withheld from the employee's pay.

Travel Expense Report. The Travel Expense Report and substantiating receipts shall be submitted to the Finance Director within seven (7) working days after completion of travel.

Approving Authority. All travel and meeting document, Request to Travel, Request for Advance of Funds, and Travel Expense Reports, shall be approved as follows:

- a. **Town Council** shall be the final approving authority on all travel and meetings for the Town Manager, Council Members, Mayor, Board and Committee Members (here after referred to as employees).
- b. **The Town Manager** will be the final approving authority for all employee's travel.
- c. **All Travel Documents** will be submitted to the employee's Department Director for review prior to submission to the Town Manager for further action.
- d. **Spouse Travel** expenses are prohibited for consideration of reimbursement or payments.

Travel Related Expenses.

The Town has the option of requiring that travel be made in a Town owned vehicle. When a Town vehicle is not furnished, the Town will reimburse the employee at the current allowable IRS reimbursement rate per mile or the cost of a round-trip airline ticket (or train), whichever is appropriate, plus other stated cost (i.e., parking at the airport and ground transportation at destination). Original receipts must be provided to receive reimbursement for incidental costs. Mileage will be computed for vehicle travel at the most direct and accepted route.

The Town will pay for the actual cost of lodging in a hotel/motel that is appropriate for the meeting or purpose of the trip. Documentation will be a copy of the hotel bill.

The Town will be responsible for all costs of registration for the meeting.

Registration can be requested and prepaid through the normal accounts payable system or the employee can pay it at the meeting. Normally prepayment is advantageous, because in most cases it will help reserve a place for the employee at the meeting. Documentation is usually a copy of the registration form or a receipt from the presenters of the meeting. Petty cash is not to be used to pay for the cost of meeting registration. If payment is to be made at the time of the meeting, the attending employee(s) should either request an advance of funds, via the Request for Advance of Funds Form, or by requesting reimbursement, via the Travel Expense Report.

Actual and necessary expenses will be reimbursed up to the amount of the daily per diem expense authorized by Federal Guidelines for federal employees at that geographical location. Original receipts must be submitted for reimbursement of actual and necessary travel expenses. Gratuities for meals will be reimbursed for fifteen percent (15%) of the cost of the meal. Gratuities for other services will not be reimbursed.

For per diem purposes, a day equals a twenty-four (24) hours period starting at the time the traveler leaves their home, and ending twenty-four hours later. There will be no reimbursement for alcoholic beverages or entertainment. For periods of less than twenty-four (24) hours, travel reimbursement will be equal to 1/3 of the Federal Guidelines for each eight (8) hour increment of the trip.

Local Meals. The Town will only allow reimbursement for local meals in the following instances and if the specific requirements are met.

- a. Local meals incurred while representing the Town at a meeting of a professional organization. Submit to the Finance Department a properly completed Travel Expense Report reflecting the date, place, person(s) involved, business purpose, department director approval, account number, cost incurred, and attach actual receipts. Approval of the Town Manager is required.
- b. Local meals incurred in the course of the Town business with public officials or consultants will be reimbursed after the Travel Expense Report has been properly completed (as covered above) and has been approved by the Director of Finance and the Town Manager.
- c. Other requests for reimbursement of local meals not covered above also require specific authorization by the Director of Finance and the Town Manager and must be properly documented and completed before reimbursement can be made.
- d. The Town may reimburse employees who purchase coffee, refreshments, and other such related amenities (such as condiments, disposable cups, etc.) for the use of elected officials during regular or special council meetings and who purchase such items for invited guests at the Town Hall. Purchase of coffee, refreshments, and other such amenities for guests shall require the prior approval of the Town Manager. Meals may be provided for meetings of administrative personnel or elected officials during normal meal times with the prior approval of the Town Manager (for administrative personnel) or the Town Council (for elected officials). No purchase of meals, coffee, refreshments, or other such related amenities shall be made without the prior approval of the Town Manager except in the circumstances described above.

Other Expenses Any other necessary expenses, not otherwise provided for and incurred for the benefit of the Town, must be explained on the Travel Expense Report under "Other". Whenever possible, employees must obtain and attach actual, original detailed receipts to substantiate other expenditures. Textbooks or other

conference materials, for which a fee is paid, become the property of the Town. Officials approving such reimbursements are responsible for these items being retained by the Town.

Exceptions Any exceptions or unusual expenses not provided for in these regulations must have specific approval of the Town Manager.

ARTICLE 16 - MISCELLANEOUS

Tuition Reimbursement Policy. Non-union employees (exclusive of police department administration personnel) with six (6) months of continuous service may apply for a reimbursement for a course or seminar for a certificate or toward a degree at an accredited college which is relevant to their employment with the Town. Prior to beginning the course for which reimbursement is being requested, the employee must submit a Tuition Payment Agreement to the employee's supervisor. Since the Town is primarily interested in paying for courses that result in a college degree, the employee needs to include a degree plan (listing of courses) with the request. The supervisor, the department director, the Human Resources Director, and the appointing authority must approve this request. The discretion to grant or deny final approval lies solely with the appointing authority. The Town Manager may consider the request under the following criteria:

- a. The relevance of the course content to the employee's job duties or those of a position within the office or department that the employee may reasonably hope to attain; provided that the Town Manager may, in his or her sole discretion, approve payment for core courses in a basic education requirement for a college degree program that does meet this relevance standard.
- b. The employee's performance, including performance evaluations and disciplinary actions.
- c. The Town's special need for additional education or training among particular classifications, positions, or employees.
- d. The course is offered through an accredited college, university, technical institute, business school, or related education school or institution.
- e. Courses taken during an employee's normal working hours or during time in which the Town is paying the employee will not be eligible for reimbursement. The Town Manager may consider any request for the use of flexible work schedules.
- f. The availability of tuition funds.
 1. Amount. The employee will be reimbursed after submitting the course grade (documented by report card or other document provided by the institution offering the course) as follows:

<u>Grade Attained</u>	<u>Employer Reimbursement %</u>
A	100%
B	85%
C	75%
D or Lower	0%
Pass or Satisfactory (If Pass/Fail)	100%
Fail or Unsatisfactory (If Pass/Fail)	0%

2. The Town will not pay fees for course work beyond the attainment of the employee's next relevant degree: bachelor's degree if employee has no degree, master's if employee has a bachelor's degree.
3. An employee who has received tuition reimbursement, must, as condition for such reimbursement, remain a Town employee for a period of time equal to the academic term for which they received reimbursement. For example, a semester term equals approximately 15 weeks, and a quarter term equals approximately 10 weeks. The employee's work commitment will begin to be discharged after the completion of the semester or quarter, and the work commitment for any other quarter or semester must be served consecutively and not concurrently. An employee who does not complete the work commitment prior to separating from Town employment, whether through resignation, retirement, or termination, is required to return funds received under this tuition reimbursement program to the Town. The amount of the funds to be returned shall be pro-rated to reflect the portion of the work obligation that the employee has accomplished prior to separation and such funds may be withheld from remaining paychecks or other funds due the employee.
4. The granting or denial of tuition reimbursement is management's prerogative, and is not subject to the grievance procedure. The Town Manager may, upon notice to the employees affected, reduce the individual and/or aggregated limits on tuition reimbursement, limit the number of credit hours for which reimbursement may be sought, or limit the program to those employees or classifications where the learning needs are most critical to the Town.
5. If the Town requires an employee to pursue special training or continuing education courses, tuition and other reasonably related expenses will be reimbursed to the employee.
6. The maximum allowance per fiscal year will be \$1,200 per employee. The Town reserves the right to limit the education refund program based on availability of funds.

Drug Free Workplace Policy. It is the policy of the Town of Enfield to provide a work environment that is totally free from the illegal use of controlled substances, drugs or alcohol. Accordingly, the unlawful manufacture, distribution, dispensing, possession, or usage of controlled substances or drugs is strictly prohibited at all work stations, Town sites, in Town vehicles, in Town facilities and by all Town employees at all times while they are acting in their capacity as employees. This includes consumption of, or being under the influence of, alcoholic beverages while they are acting in their capacity as Town employees. Any employee found in violation of this policy may be subject to discipline up to and including dismissal and/or may be required to successfully complete counseling or a rehabilitation program. Discipline will be as follows:

- a. An initial violation shall, at a minimum, result in the issuance of a written warning and a voluntary referral to the Employee Assistance Program.
- b. Subsequent violations within a six (6) month period shall result in a minimum of a one-day suspension and mandatory referral to the Employee Assistance Program.
- c. Additional violations shall be handled in accordance with progressive discipline up to and including dismissal. However, the Department Director may, prior to dismissal, provide the employee with the option of undergoing a professional substance abuse program at the employee's expense. The employee would be required as a condition of continued employment to complete the recommended program. Failure to do so or any subsequent drug or alcohol related violations will result in termination of employment.
- d. Conviction of a criminal violation involving controlled substances during working hours shall result in the termination of employment. A conviction outside of working hours shall also result in termination if the conviction is a felony involving the sale or distribution of a controlled substance. A misdemeanor

conviction outside of working hours involving the sale or distribution of a controlled substance may result in the imposition of disciplinary action, up to and including, the termination of employment.

Immediate actions.

- a. Criminal Activity - Suspected criminal activity while at work will be reported immediately to the police by the Department Director or his/her designee.
- b. Relief from duty – A Department Director or Supervisor may relieve any employee from his/her duties if they are considered to be impaired by controlled substances or alcohol while on the job. The employee will be offered a ride home or if the employee considers himself ill, a ride to a medical facility will be provided. If the employee refuses a ride home or to a medical facility, the police will be notified by the Department Director or his/her designee.

In establishing a Drug-Free Workplace, it is the Town's policy that there will be ongoing drug education about the dangers of drug use and drug use in the workplace. The Town maintains a list of approved drug counseling services in the Enfield area. The EAP personnel are qualified professionals who will make a confidential assessment and referral for services and treatment for substance abuse and personal problems. The EAP personnel will also see employees who are self-referrals for substance abuse and personal problems affecting them, their dependents, and their work performance.

Under the Federal Drug Free Workplace Act, employees must, as a condition of continued employment with the Town:

- a. Abide by the terms of the Drug Free Workplace policy as presented.
- b. Notify their supervisor or Department Director of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

It is a requirement of the Federal Act that upon receipt of notice of a conviction of a drug statute violation committed in the workplace that the Town notify any Federal Agency providing a grant for that department. The Town must give such notice within ten (10) days, and within 30 days of receiving such notification either take appropriate personnel action against the employee, up to and including termination of employment, or require the employee to participate in an approved drug abuse assistance or rehabilitation program. Disciplinary action against the employee convicted of a criminal drug statute violation will depend on the nature of the violation, the sentence imposed and employee work history. However, the employee's failure to notify the Town of such a criminal drug statute conviction committed in the workplace within five (5) days as required by the policy will result in termination of employment.

Drug Free Work Place.

The Town strives to maintain a safe and productive Drug-Free Work Place for its employees. This drug-free workplace policy shall apply to all employees.

- a. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance by any employee which takes place in whole or in part in the workplace is strictly prohibited and will result in criminal prosecution and employee discipline which may include termination from employment.
- b. Any employee convicted of any federal or state criminal drug statute must notify the Town of that fact within five (5) calendar days of the conviction. The mere fact that an employee has provided this notice to the Town does not excuse the employee from possible disciplinary sanctions, including termination of employment, in accordance with that section of these rules addressing discipline.
- c. Any employee who reports for duty in an altered or impaired condition entirely or partially due to the employee's illegal use of a controlled substance or intoxicating consumption of alcohol will be subject to disciplinary action. With the respect to first time offenders only, any decision to take

disciplinary action may be held in abeyance pending the completion by the employee of a drug rehabilitation program, the employee's participation will remain confidential to the extent permitted by law and will not be noted in the employee's personnel file. Employees who are determined to be eligible for participation in a rehabilitation program as an alternative to disciplinary sanction will be eligible only if they sign a release authorizing the Town to verify the employee's treatment and progress in the rehabilitation program. These releases must satisfy all pertinent federal and state confidentiality laws.

Notice Upon Hiring. The Town shall give all prospective employees a copy of the Town's Drug-Free Workplace Policy prior to their employment by the Town. As a condition of employment, prospective employees must sign both a receipt for this permanent part of the employee's personnel file. The written statement regarding the Policy will contain the following components: The employee understands and supports the Town's Drug-Free Workplace policy; the employee agrees to refrain from violating the Policy while employed by the Town; the employee acknowledges, in advance, that the employee understands that the penalty for violating the policy can be discharge and agrees that this penalty is appropriate when supported by evidence; and, the employee acknowledges that he has been advised that drug testing of employees will be conducted in accordance with the Town's Substance Abuse Testing Policy.

Distribution of Drug-Free Workplace Documents.

All current employees will receive a copy of the Town's Drug-Free Workplace Statement, Drug-Free Workplace Policy and Substance Abuse Testing Policy and will be required to sign a receipt for those documents, which will become a permanent part of their personnel file. All current employees will be asked to voluntarily sign a statement supporting the strict enforcement of the Drug-Free Workplace Policy. All current employees will be given notice that the Town reserves the right to order employees to submit to reasonable suspicion substance abuse testing in accordance with the Town's Substance Abuse Testing Policy.

Substance Abuse Testing.

Employment Medical Examination. The Town reserves the right to require newly-hired employees to submit to a pre-employment medical examination before becoming employed by the Town. The examination will be performed by a physician chosen by the Town. As part of this medical examination, the employee may be required to submit blood or urine samples, which may be subjected to tests for illegal drug use, alcohol abuse, or substance abuse.

Reasonable Suspicion Substance Abuse Testing. The Town reserves the right to require an incumbent employee to submit to a urinalysis, blood, or breath substance abuse test in the event that a supervisor or other management level official has reasonable suspicion that the employee is under the influence of a controlled substance or alcohol at a time when the employee is working for the Town, or is present at his or her Town's workplace (regardless of whether the employee is on duty or off-duty).

Reasonable Suspicion Defined. For the purpose of these rules, "reasonable suspicion" means suspicion based upon specific and articulable facts which, taken together with rationale inferences from those facts, reasonable warrant the substance abuse testing under the circumstances. Examples of facts that give rise to a reasonable suspicion of substance abuse include, but are not limited to, the following: an employee's possession, or close proximity to, alcohol, a controlled substance, or related paraphernalia, the presence of a detectable odor or alcohol or a controlled substance about an employee; observations by supervisory employees who have training regarding indicators of substance abuse that the employee appeared to be drug- or alcohol-impaired at work (based upon factors such as increased absences decreased ability to perform tasks, changes in relationships with supervisors and co-workers, etc.); involvement in an accident under circumstances suggesting unusual impairment of the employees.

Alcoholism and Drug Addiction:

The Town recognizes alcoholism and drug addiction as a treatable disease. While the Town reserves the right to discipline employees for violating the Drug-Free Workplace policy set forth above, the Town

does encourage employees who suspect that they have a drinking or drug problem to seek professional treatment assistance. Hopefully, such treatment can control these problems before they place the employee's job and other pursuits in jeopardy. The Town, which does not presently maintain its own formal Employee Assistance Plan, recognizes that a number of health care practitioners and treatment centers in the surrounding community may be able to provide useful treatment to Town employees. Any referrals for treatment made by representatives of the Town will be to one or more of these non-employer entities.

- a. For the purpose of this policy, a drinking or drug abuse problem exists, in the eyes of the Town when an employee's alcohol consumption or drug abuse begins to interfere with his or her job performance.
- b. This policy is intended to assure that no employee with a drinking or drug problem will have the employee's job security or promotional opportunities jeopardized merely by the employee's request for treatment. Please note, however, that an employee will not avoid discipline for violation of the Drug-Free Workplace policy above merely by making a request for treatment after the Town has already initiated disciplinary actions against the employee for violation of the Drug-Free Workplace policy.
- c. In the event of a request for treatment, the individual's rights to confidentiality and privacy are recognized to the extent permitted by law. The pertinent information and records of employees with drinking or drug problems will be preserved in the same manner as all other medical records.
- d. It will be the responsibility of the employee to comply with the Town Manager's referral for diagnosis and to cooperate with the prescribed treatment will be handled in the same manner as for all other illnesses when job performance continues to be adversely affected.

Random Testing:

Random selection of employees for substance testing on an indiscriminate basis. A third party will perform the random selection of employees by use of a computerized system and will notify the Human Resources Department.

Employee Education on Substance Abuse Issues. In an effort to ensure that current information on substance abuse issues is prevalent in the workplace, all employees of the Town of Enfield will receive an education session on substance abuse by a qualified substance abuse professional. Employees will be required to sign-in when attending such sessions to verify their annual update on the topic. In addition to this educational session, all supervisors of the Town of Enfield will receive additional training sessions on accident analysis and skill building from a qualified substance abuse professional. Such supervisory training shall include, but not be limited to: behavior observations, determining reasonable suspicion, making a referral for testing, and referrals for assistance.

Fitness for Duty. To provide a safe working environment, to assure the public trust, and to promote the health, welfare, and safety of employees and citizens served alike, the Town requires its employees to report for duty in a physically and mentally fit state. Employees must report to their supervisors when they are taking or under the influence of performance altering substances, including prescription drugs.

The Town may, at its discretion, require that employees submit to a medical and/or mental examination by a doctor appointed by the Town, when tests and examination are of value to the Town in maintaining a capable work force, and/or employee health and safety, provided, however, that the will pay the cost of such tests and examinations. The Town may, at its discretion, require that employees provide specific and detailed medical data from the employee's doctor, the Town's doctor and/or a personal affidavit stating the cause of the absence, for any illness or injury, which resulted in lost work time.

ARTICLE 17 - SAFETY & TRAINING POLICY

Job Performance. Each employee of the Town will be responsible for performing the employee's job in a safe and efficient manner. Administrative and supervisory personnel are responsible for making sure the employee has been issued the proper safety equipment and has been instructed in the use of such equipment. Employees are required to wear appropriate safety devices when performing duties where the wearing of such safety apparel is required. Employees who are aware of unsafe equipment or operating conditions must report such conditions to their Supervisor. Upon notifications, the Supervisor will take appropriate action to correct the unsafe equipment or condition.

Employees who are on medication for treatment of an illness or health condition are required to report to their Supervisor any potential side effects of such medication, which may present an unsafe condition for the employee or the public. A Town wide Employee Safety and Training Committee has been established to address, and/or review, incidents/injuries or other safety related incidents within the Town.

Safety. The Town of Enfield recognizes that every employee is entitled to work under the safest possible conditions available. Every effort will be made by the Town to provide such conditions and to promote proper attitudes towards injury and illness prevention. The first step towards providing a safe working environment for employees is the safety program which includes the following:

- a. Quarterly loss control meetings for all union and non-union employee groups.
- b. Safety and health inspections to identify and eliminate any unsafe working conditions or practices.
- c. Required safety training, immunizations and personal protective equipment for protection from occupational injuries and diseases;
- d. Prompt and thorough accident investigations including the initiation of corrective measures to be used towards creating safer working conditions;
- e. Ongoing enforcement of the safety rules and regulations provided by safety committees and division/department directors.

It is the basic responsibility shared by everyone to make safety realization a part of their daily concern. Employees are obligated to observe the rules and to use all safety information and equipment provided. Employees must immediately report unsafe conditions or equipment immediately to their supervisors to insure the safety of all Town employees.

Safe Work Practices. As means to foster and maintain a culture of safety within the workplace, the Town of Enfield hereby directs its employees to conduct themselves and their work activities in accordance with the following safe work practices:

- a. Observe all safety policies, regulations, safe work practices, and job instructions for your job or occupation.
- b. Avoid horseplay and related acts.
- c. All work-related injuries, no matter how minor, must be reported to management within twenty-four (24) hours of their occurrence (specify supervisor, first aid area, etc.) and documented on our First Aid Log. Injuries which result in a Worker's Compensation claim will be investigated by their immediate Supervisor or his/her designee.
- d. Machine guards and protective devices must not be removed during routine operation. Do not place tools or any part of yourself into the moving parts of energized equipment. Do not remove or tamper with Lockout/Tag-out equipment.
- e. Personal Protective Equipment (PPE) must be used in areas designated by the Town and for such use as the Town requires
- f. Do not use chemicals which you are not authorized to use. All containers holding hazardous chemicals must be labeled. Use only containers authorized by the Town. Safety Data Sheets must be readily available for all approved chemicals.
- g. Do not bring hazardous chemicals on site without permission.

- h. Do not place equipment or materials within three (3) feet of fire extinguishers. Do not block access to fire extinguishers, hoses, electrical panels, or emergency exits, electrical panels, emergency eye wash and showers shall not be blocked.
- i. Welding may occur only in designated areas.
- j. All employees must attend safety-related meetings and training sessions as required by the Town.
- k. Our management maintains a “good housekeeping” policy. Employees must clean up all spills which they have caused. Keep work areas neat and free of debris and unused parts and equipment. Do not place equipment or materials in aisle ways, thereby blocking them.
- l. Keep clothing, towels, etc. away from heaters, including storage heaters. The build-up of heat through lack of ventilation can cause a fire. Switch off all electric appliances after use. Where possible remove all plugs from their sockets. Do not overload electrical outlets.
- m. Obey all warning and instructional signs.
- n. Defective hand tools and equipment may not be used. All hand tools and equipment must be grounded with a ground wire and ground pin. Hand tools such as drills and grinders must be double-insulated.
- o. Avoid carrying loads that obstruct your vision. Observe safe lifting practices:
- p. Size up a load before you attempt to lift it. Lift with your legs, not your back. People vary in the amount of weight they can safely lift, depending on their physical body structures. In general, avoid lifting heavy or awkward objects by yourself. Get help or use a machine or hand truck.

Seatbelt Policy. In recognition of Public Act 85-429, which went into effect January 1, 1986 the Town of Enfield adopted a uniform policy regarding the use of seatbelts by its employees while engaged in conducting Town business, and it is hereby amended as follows.

Applicability. This policy, except where noted, will apply to all Town employees conducting Town business while driving any Town or private vehicle.

Policy. All Town employees shall wear seatbelts at all times while either driving or as a passenger in a moving Town or private vehicle that is engaged in conducting Town business. This policy shall include all regular cars, vans, trucks, and special purpose vehicles (for purpose of this policy a special purpose vehicle is defined as one whose use is not normally intended for over the road travel).

Exceptions to this policy are: refuse and recycling vehicles, emergency vehicles, and public buses (including school buses) when riding in a passenger seat.

Professional Fees and Licenses. The Town shall pay the cost of work related and professional fees or licenses and the annual maintenance of such licenses if the Town requires them as a condition of employment.

Deferred Compensation Plan. The Town shall continue established procedures for enrolling employees in the existing deferred compensation plan(s). Participation in this plan shall be at the discretion of each individual employee.

Employee Assistance Program. In the event that employees encounter personal problems that affect their lives and livelihoods, the Town of Enfield offers its employees the opportunity to obtain assistance through the Employee Assistance Program which provides confidential counseling and referral services to employees and their families during these times. Employees who feel the assistance of the program would be helpful may contact human resources for the phone number to our contracted provider.

Personal Hygiene. All employees are expected to maintain a basic and proper level of hygiene. Examples of proper hygiene include: showering or bathing, using deodorant, and brushing teeth. Excessive perfume or cologne should be avoided in consideration of other employees and the public. If a complaint is received, then a Department Director may ask an employee to stop using a certain perfume or cologne.

Dress Code Policy. The Town of Enfield considers it very important for employees to be dressed professionally and safely in the workplace. While we trust each other's judgement, a dress code policy provides guidance for all employees in their work environment.

Department Directors retain the right to be the final authority on any questionable dress code item. Department Directors and Division Managers are responsible for enforcing the guidelines in their Department and have the authority to make judgment calls for inappropriate dress. Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated, and violations of this policy may be cause for disciplinary action up to and including termination of employment. Business casual dress is the minimum standard that must be observed while representing the Town of Enfield or interacting with customers during scheduled work hours.

- 1) Business casual attire for the workplace can be defined as a middle ground between business formal wear and casual wear. "Casual" in a business context means that a tie is not required, but a collar is required. Business casual means dressing professionally yet looking relaxed and neat.

Acceptable Business Casual Attire Includes the following:

- Slacks (including belts, if necessary)
- Suits and Ties
- Sport Coats,
- Dress Capris
- Dress shirts
- Sweaters
- Polo/golf shirts
- Town logo apparel
- Dresses and Skirts
- Conservative dress shoes
- Loafers
- Sandals may be worn
- Dress heels and dress flats
- Other footwear with a doctor's note

Unacceptable Clothing Includes the following:

- Jeans which are torn, excessively worn, faded, frayed, visibly patched or low cut
- Athletic, tennis shoes, and/or sneakers
- Hiking or military style shoes and boots (excluding fashion boots and outside personnel)
- Shorts
- Baseball caps, hats in the office, excluding official hats/caps and head-dress for cultural or religious purposes
- Skin-tight or form fitting pants, except when worn with a mid-thigh length top
- Any clothing that is worn, torn, cut, frayed or has patches/holes
- Sweat clothing or workout attire such as a sweatshirt, sweatpants, leotards, tights and jogging suits
- T-shirts
- Bare feet
- Bathing suits
- Flip flops and/or thongs
- Bare midriffs
- Miniskirts
- Halter and bra tops
- Sheer and see through clothing (unless covered with a top), revealing low cut tops, pants worn low
- Tank tops, muscle shirts, or T-shirts where the sleeves have been removed
- Undergarments worn as outer garments
- No large print logo clothing allowed (small print or logo allowed i.e. Polo, Nike, Under Armour, etc.).

2) **Dress Down Day or Casual Day- Subject to Department Director's Approval**

Fridays (or the day before the weekend if different) have been declared as casual days in the office. Acceptable attire for Fridays are jeans (jeans shall not be torn, excessively worn, frayed or visibly patched) khakis, capris (must come to mid-calf), Town logo apparel, and polo/golf shirts. A Department Director may also declare or prohibit dress down for his/her employee(s) if the assigned task that day warrants deviation from the above referenced casual attire policy (i.e. conference, business meeting, etc.).

Tobacco Free Workplace. The buildings, grounds, and motor vehicles owned by the Town of Enfield are all tobacco-free. No employees will be permitted to smoke or chew tobacco in these buildings or on the grounds, except in a privately-owned automobile. In addition, no uniformed employees will be allowed to use tobacco products (smoke and/or chewing tobacco) while on duty wearing a uniform with the Town of Enfield insignia.

Electronic Smoking Devices. The use of electronic smoking devices (also known as electronic cigarettes or "e-cigarettes") are also prohibited in any place where smoking/chewing of tobacco products are prohibited in these above referenced rules. The use of electronic smoking devices in existing smoke free workplaces threatens to undermine compliance with smoking regulations, confuses the public, exposes employees to secondhand byproduct such as "e-vapor" and reverses the progress that has been made in establishing a social norm that smoking is not permitted in work places.

ARTICLE 18 - POLICY PROHIBITING WORKPLACE VIOLENCE

Zero Tolerance Policy. The Town of Enfield, Connecticut in order to provide a safe and productive work environment, hereby, adopts the following "zero tolerance" policy for workplace violence. This means the Town will not tolerate violence in the workplace and will make every reasonable effort to prevent violence or threats of violence from occurring.

Each employee shall have the right to work in an environment free from violence. Employees are prohibited from committing any act of violence on or towards another person at any Town work location or worksite. Violence is defined under this policy as acts of physical force against a person; assault; battery; intentionally placing hands upon another with the intent of harming another; intentionally causing harm to another through using any device, weapon or object; provoking another employee or individual to harm another person. Police officers are excepted from this part of this policy to the extent that they are effecting an arrest.

Each employee shall have the right to work in an environment free from threats of violence and from verbal abuse. Threats of violence shall be defined as the use of words or phrases indicating an intent to do physical harm to another. Verbal abuse shall include use of obscene or offensive language designed to humiliate, denigrate, belittle or provoke another person. This shall include the use of racial epithets and gender related slurs.

No employee shall bring into or possess in the workplace any weapon. For the purposes of this policy the term "weapon" includes, but is not limited to, any type of firearm (including ammunition) or any type of knife with a blade of four inches or longer. Employees are further prohibited from storing any firearm (or ammunition) or knife as described above, in any privately-owned motor vehicle parked at a Town owned parking lot or at a worksite where one or more Town employees are assigned to work. Police Officers and/or their Supervisors are exempt from the provisions of this paragraph to the extent that they are carrying weapons issued by the Enfield Police Department or are carrying weapons authorized by the Chief of Police or his designee. For the purposes of this policy the term "workplace" includes all public buildings, facilities, and vehicles owned by the Town of Enfield and worksites where one or more Town employees are assigned to work.

Any employee who witnesses or is subject to an act of violence, use of threatening language or verbal abuse as described in this policy shall immediately notify their supervisor of such act. Any supervisor so notified shall take any necessary remedial measure to ensure the safety of employees and other persons in

the immediate area and shall immediately inform their Department Director and the Director of Human Resources at the first available opportunity. The Department Director and/or the Director of Human Resources shall promptly investigate the report and take all necessary appropriate actions.

Any employee who violates this policy will be subject to the imposition of discipline, up to and including the termination of their employment from the Town. Additionally, an employee who violates this policy may also be in violation of criminal statutes and may be subject to criminal prosecution.

ARTICLE 19 - POLICY PROHIBITING DISCRIMINATION & HARASSMENT

Zero Tolerance Discrimination and Harassment Policy. The Town of Enfield, Connecticut, in order to provide a safe and productive work environment free of discrimination and harassment hereby adopts the following "zero tolerance" policy for workplace discrimination and harassment. This means the Town will not tolerate discrimination and harassment in the workplace and will make every reasonable effort to prevent discrimination and harassment from occurring.

It is the policy of the Town of Enfield to maintain a work environment free from discrimination and harassment where all employees are treated in all respects without discrimination or harassment based upon:

- race,
- national origin,
- color,
- age,
- religion,
- gender,
- sexual orientation,
- military or veteran status, or
- past or present mental or physical disability.

SEXUAL HARASSMENT POLICY

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 as well as Connecticut General Statutes, S46a-60-(a)(8) is expressly prohibited and will not be tolerated in any form. Sexual harassment shall include, but not be limited to: unwelcome sexual advances, direct or indirect demands or requests for sexual favors, sexual comments, gestures, or other physical actions of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment is behavior, which may include the following examples:

Verbal. Sexual innuendoes, degrading or suggestive comments, repeated pressure for dates, jokes of a sexual nature, unwelcome sexual flirtations, degrading words used to describe an individual, obscene or graphic descriptions of an individual's body and threats that job, wages, assignments, promotions, or working conditions could be affected if the individual does not agree to a suggested sexual relationship.

Non-verbal. Sexually suggestive or offensive objects or pictures (including calendars, pin-ups, movies, DVD's, computer emails with inappropriate pictures or jokes), written comments, suggestive or offensive sounds, whistling, catcalls, or obscene gestures. Treating an employee differently than other employees when they have refused an offer of sexual relations. The following are some examples of such treatment:

- Limiting benefits that other employees traditionally enjoy.
- Refusing to give the employee an earned raise or promotion.

- A negative performance evaluation that does not reflect the employee's actual performance.
- Demotion, termination or forced resignation.

Physical. Unwanted physical contact, which may include touching, patting, pinching, hugging, or regularly brushing against the body of another person.

Sexual harassment may be between a man and a woman or between two members of the same sex. Sexual harassment may occur where a supervisor harasses a subordinate, where a subordinate harasses a supervisor or between two employees of the same grade or stature. Sexual harassment may occur when an outside vendor, contractor, or member of the general public harasses an employee.

Any employee who engages in any action or conduct constituting sexual harassment, who falsely accuses another of sexual harassment, or who retaliates against an employee who has filed a claim of sexual harassment or an employee who gives testimony in support of a claim by another, violates this policy. Any employee who violates this policy is subject to disciplinary action, up to and including, the termination of their employment.

All reports of sexual harassment will be thoroughly and promptly investigated.

Any employee who believes that he has suffered sexual harassment shall report the alleged harassment either through the grievance procedure of their collective bargaining agreement (if applicable) or through the Procedure for Reporting a Claim of Sexual Harassment, whichever he prefers. To the extent possible, reports of sexual harassment shall be confidential, disclosed only to those having a legitimate reason or need to know.

PROCEDURE FOR REPORTING A CLAIM OF SEXUAL HARASSMENT

Step 1. Any employee who has been the subject of harassing or discriminatory behavior may wish to first discuss, in person or in writing, the incident with the individual responsible. This discussion should focus on the facts and dates of the incident, the resulting feelings, (e.g. anger, humiliation, etc.) and a clear indication that the behavior in question is unwanted and will not be tolerated. This discussion should be documented for possible use at a formal hearing.

If this step appears to be futile, if the employee feels uncomfortable doing this or is fearful, the employee should proceed to step two.

Step 2. Inform any of the following about the conduct that you find objectionable:

- Your Supervisor
- Your Department Director
- Another Department Director
- Human Resources Director
- Town Manager

Any of the above can receive and listen to your claim and will treat the information as confidential, disclosed only to those with a legitimate reason or need to know.

Step 3. If the person who receives your claim is not the Director of Human Resources, then the receiver of the claim must, without delay, inform the Director of Human Resources of the nature of the claim. The Director of Human Resources will arrange to meet with the employee (complainant) to identify all of the issues, to gather material facts, and to determine if a formal or informal investigation is warranted. All information will be documented and confidential, disclosed only to those with a legitimate reason or need to know.

The employee (complainant) at this point may be asked to provide a written statement of the issues including a list of the employee's concerns, the relevant facts, dates, and names of witnesses to the harassing event(s). The employee will be asked to provide any supporting documentation or evidence of his claim.

Step 4. The Director of Human Resources will contact the employee (complainant) confirming the issues that the employee has raised, identifying the facts provided by the employee, and outlining the Town's expectations of the employee to maintain confidentiality and to cooperate fully during the investigation of the claim. The Director of Human Resources may initiate any interim actions that he may feel are necessary pending the conduct and outcome of the investigation to protect all parties involved.

Step 5. After the facts are gathered in either a formal or informal investigation, a determination will be made with respect to the employee's claim and, if necessary, appropriate action will be taken, including disciplinary action. The Director of Human Resources will contact the person who has been the subject of the claim of sexual harassment and convey to him the conclusions that have been reached and the nature of the disciplinary action that will be taken, if applicable. The Director will also meet with the employee who made the claim to inform him of the findings and recommendations, and to explain the appeal process if he does not agree with the conclusions and recommendations.

Step 6. If the employee who made the claim is not satisfied with the conclusions reached by the Director of Human Resources, a formal written complaint can be made to the Town Manager, the Connecticut Commission on Human Rights and Opportunities or the Equal Employment Opportunity Commission.

If the formal complaint is filed with the Town Manager, he will review the written statements and reports filed regarding the claim and may interview any party or witness to the claim. The Manager will then review the recommendations of the Director of Human Resources. The Manager will inform the employee (complainant) and the employee who is the subject of the complaint, in writing, of his/her decision with respect to the formal complaint and any action to be taken.

**TOWN OF ENFIELD ANTI-DISCRIMINATION POLICY
TITLE VI POLICY STATEMENT**

The Town of Enfield is committed to ensuring that no person is excluded from participation, denied benefits, or otherwise subjected to discrimination under any program or activity, on the basis of race, color, national origin, sex, age, or disability. The Town of Enfield, as a recipient of federal financial assistance will ensure full compliance with Title VI of the Civil Rights Act of 1964, as amended, and related statutes and regulations in all Town of Enfield programs and activities. Any person who believes that he or she has been subjected to discrimination or retaliation based on their race, color, national origin, gender, age, or disability may file a Title VI complaint. Complaints may be filed directly to Town of Enfield's H.R. Director or to the complainant or a representative and should include that complainants name, address, and telephone number or other means by which the complainant can be contacted. Complaints must be filed within 180 days of the date of the alleged discriminatory act. To request additional information on Town of Enfield's non-discrimination obligations or to file a Title VI complaint, please submit your request or complaint in writing to:

Town of Enfield
Department of Human Resources (Title VI Coordinator)
820 Enfield Street
Enfield, CT 06082

Complaint forms can be obtained online at the Town of Enfield website www.enfield-ct.gov
Federal Transit Administration (FTA) Title VI complaints may be filed directly to:
Title VI Program Coordinator
East Building, 5th Floor, TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Federal Highway Administration (FHWA) Title VI complaints may be filed directly to:
Ms. Brenda Armstead, Investigations & Adjudication Team Director
FHWA Office of Civil Rights
1200 New Jersey Avenue, SE, Suite E-81
Washington, DC 20590

Federal Aviation Administration (FAA) Title VI complaints may be filed directly to: Mr. Ossie Jordan,
Civil Rights Officer New England Region Headquarters, ANE-9 18 New England Executive Park
Burlington, MA 02302

ARTICLE 20 - COMPUTER/COMMUNICATIONS SYSTEMS USE POLICY

Purpose. The Town of Enfield recognizes the need for computers and communications systems (electronic mail, voice mail and facsimile) and the vital role they play in assisting employees in delivering exceptional public service. The Town recognizes the computer and communications systems as tools and it is expected that these tools will be used in an appropriate manner at all times. The primary purpose of computers and communications systems is to serve Town business. These systems are not for personal use during work hours, and may be used for personal use only by the express permission of a Department Director during non-work hours. All information and communication on such systems is the property of the Town of Enfield. The following rules are implemented to insure that these valuable Town resources are being properly utilized by employees, contractors, officials and volunteers. Any violation of these rules can lead to discipline including separation from Town employment.

Levels of Access. Positions in the organization will have varying degrees of computer access and capability. Access level will be determined by the employee's Department Director in conjunction with the Chief Technology Officer (CTO). Not all positions require or will have computer access. The Town specifically reserves the right to withdraw any computer or communications system access to any employee at any time.

Levels

- a. No access.
- b. Access to view Intranet.
- c. Access to Intranet and basic systems (Word, Excel, Outlook, Intranet, etc.).
- d. Access to Intranet, basis systems and internal e-mail.
- e. Access to Intranet, basic systems, secured select systems such as payroll, benefits or HRIS, and internal email.
- f. Access to Intranet, basic systems, secured select systems, internal and external e-mail.
- g. Access to Intranet, basic systems, internal and external e-mail and the Internet.
- h. Access to Intranet, basic systems, secured selected systems, internal and external email and the Internet.

Policies and Procedures for Computer/Communications Systems. The following policies and procedures are designed for the proper use of the Town's computer and communication systems resources. Violation of these policies will subject the employee to disciplinary action, up to and including the termination of employment. Contractors or vendors who violate this policy will be in breach of their contract with the Town and subject to immediate cancellation of the contractual relationship. Volunteers who violate this policy will be terminated.

Definitions: The following definitions shall apply:

- a. Communication systems-email, voicemail, facsimile and the communications infrastructure.
- b. Computer-all hardware and operating systems.
- c. Hacking/cracking - the unauthorized attempt or entry into any other computer system.
- d. Internet - a worldwide computer network which you can send a letter electronically, chat to people electronically, or search for information on almost any topic. A network of computer networks.

- e. Virus - a computer generated message used to debilitate, destroy or disrupt the proper functioning of a computer or system.
- f. E-mail - electronic messages transmitted via computer to internal users, external users or both.
- g. Internet Service Provider - an entity that provides the initial host connection to the Internet.
- h. Confidential or sensitive information - that information which is used by Town officials or employees in representing the Town in pending legal matters or negotiations of any type which would put the Town at a disadvantage in the negotiation process should the information be disseminated. Additionally, this includes personal protected information (PPI), health information and financial information regarding any employee, or customer of the Town.

Rules for Computer Use. The following rules are designed for the proper use of Town owned computer and communication systems. As noted in the introductory paragraph to this policy, this is Town owned equipment which should be used for Town business. Town systems shall only be used for personal use during non-work hours and only with the express permission of a department director. All other uses, including, but not limited to, the following are prohibited.

- a. Town computers and communication systems shall not be used for transmitting or receiving messages that violate the Town's policies prohibiting sexual harassment, discrimination, or workplace violence. Receipt of any messages violating these policies shall be immediately reported by the recipient to his Department Director who in turn will report this to the Director of Human Resources.
- b. Violating any federal or state law (including all copyright laws) is prohibited.
- c. Vandalizing any hardware, software, computer or communications system is prohibited. Intentionally introducing any computer software, hardware, or any malicious code into the network is strictly prohibited.
- d. The Town systems shall not be used for political or religious purposes.
- e. The Town systems shall not be used for collective bargaining purposes, other than by the Human Resources Department and Union officials communicating with the Human Resources Department.
- f. The system shall not be used for fundraising activities unless approved by the Town Manager.
- g. Hacking or cracking is strictly prohibited. Testing the system's security shall be the responsibility of the IT Department and such testing shall only be conducted under the express authorization of the CTO.
- h. Chain letters, lotteries, games, etc. are prohibited from the Town's computer systems.
- i. Misrepresenting oneself in any communication or attempting/sending any message anonymously is strictly prohibited.
- j. Loading, use and accessing of personal Internet Service Provider accounts (Internet Explorer, Firefox, Mozilla, etc.) on Town owned equipment is prohibited.
- k. Employees are prohibited from sharing secure passwords to anyone and shall not record it where it may easily be found. Employees may not use anyone else's password without their permission and your department director's permission unless there is a specific business need. Attempting to access/use another person's password without the required permission is strictly prohibited.
- l. Employees are prohibited from writing anything about anyone that is inflammatory or defamatory. There should be no expectation of privacy with respect to the use of the computer. E-mail is not confidential. Your e-mail and files are the property of the Town.
- m. Employees are prohibited from engaging in commercial activity, i.e. conducting a private business.
- n. Employees will not be allowed to access sites that are not work related and the Town employs software designed to limit access to sites that may be offensive. Specifically, any site that displays pornography or nudity shall not be accessed. Attempting to circumvent this software is prohibited. Sites that are offensive or discriminatory based on race, gender, religion, national origin or any other protected classification of persons shall not be accessed by Town employees, unless they are accessed as part of a police investigation and then only after the Chief of Police or his designee has been made aware of the site to be accessed prior to actually accessing it. Any employee who visits a site by accident that is prohibited under this paragraph shall forward the web site address to the CTO for blocking.
- o. Employees shall not transmit confidential or sensitive information via email or facsimile machine to any entity without the express authorization of their Department Director.

Violation of any of the foregoing rules may result in the imposition of disciplinary action, up to and including, the termination of employment.

Monitoring of Computer Communications Activity. Internet (including all web sites visited), email and use of computers may be monitored for compliance with this policy in accordance with the Connecticut General Statutes Sec. 31-48d. All messages sent over the Town computer and communications systems are the property of the Town. These messages are subject to the discovery process.

Records Retention. Pursuant to the records retention law in Connecticut e-mail, documents, reports and other public records that need to be saved should be done so in accordance with the approved records retention schedule. Records retention is the responsibility of public records custodians, including public officials, employees, contractors and volunteers. The IT Department backs up computer source documents for disaster recovery only, not records retention.

Security of Communications. Be advised that others not associated with the Town may be monitoring your Internet communications and that these communications are not secure. All employees, contractors, officials and volunteers who are granted access to the Town of Enfield computer/communication systems will be required to sign a Computer Use Agreement Form indicating that the employee, contractor or vendor has received a copy of the Town of Enfield Computer/Communications Systems Use Policy and that they agree to be bound by said policy.

ARTICLE 21 - ELECTRONIC MONITORING

Policy Regarding Electronic Monitoring. Pursuant to Public Act 98-142 all Connecticut employers, public and private, are obligated to inform employees of electronic monitoring of an employee's activities or communications that they are engaged in or that they have the capability to engage in.

To comply with this act the Town of Enfield is required to inform employees of the following monitoring devices that the Town uses or could use to monitor an employee's activities or communications.

Building passwords. Security passwords to certain buildings may be retrieved to inform the employer of who has entered a password to enter a building as well as who has entered a password to exit a building. These passwords to date have not been routinely monitored.

E-Mail. The employer has the ability to monitor electronic mail sent from one employee to others and can reproduce this e-mail should the need arise. E-mail is not routinely monitored by the employer.

Computer communications. Documents on the networked servers or on a PC can be monitored by the employer and reproduced should the need arise. Computer communications are not routinely monitored.

Video camera monitoring. Certain non-public areas of the Police Department, including but not limited to, the booking area and the sally port area. These cameras are routinely monitored. Other facilities (i.e. Youth Center, Child Development Center, Water Pollution Control, Areas of Public Works, School Buildings) are monitored via video camera.

Internet browsers. The employer has the ability to monitor internet sites visited and will routinely monitor same.

Telephones. The employer has the ability to monitor telephone communications by phone number called and routinely monitors same. Employer has the right to restrict telephone communications if excessive and detrimental to employee's work performance (applies to long and local/interoffice phone calls).

Cellular telephones. The employer has the ability to monitor telephone communications by number called and routinely monitors same. Employee's that do not properly maintain Town owned cell phones are subject to discipline.

Facsimile communications. Faxes sent over the computer can be reproduced by the employer as needed. These faxes have not been routinely monitored. Faxes sent over a fax machine are not monitored. Fax numbers called are routinely monitored.

ARTICLE 22 - NEPOTISM

Effective from the date of this policy, members of the same family may not be hired as supervisor and manager positions within the same department and/or program. In addition, no family member may have direct or indirect supervision over the progress, performance, pay or welfare of another. For the purpose of this policy, members of the same family include spouse, children, parents, siblings, grandparents, in-laws, aunts, uncles, nieces, nephews and cousins. When two employees in the same department or in a supervisory relationship get married, the one with the shorter length of service will be required to transfer, resign or be terminated within 30 days unless the other does so voluntarily.

ARTICLE 23 - THE CLASSIFICATION PLAN

Plan. Pursuant to Chapter VII, Section 2 of the Town Charter, it shall be the duty of the Town Manager to ensure that there is a job description of the essential and non-essential duties and responsibilities of each position in the classified service. The job descriptions shall comprise the classification plan of the Town.

Approval of Plan. The Town Council shall approve, upon recommendation of the Town Manager, all additions, amendments, or revisions of such classification plan.

Classification of Positions. All positions in the classified service shall be grouped into classes, and each class shall include those positions sufficiently similar as to character, difficulty, and responsibility that:

- a. The same descriptive title may be used to designate each position allocated to the class;
- b. The same level of education, experience, knowledge, ability and other qualifications may be required of incumbents;
- c. Similar tests of fitness may be used to select incumbents; and
- d. The same range of compensation will apply with equity under substantially the same employment conditions.

Original Allocation of Positions. The Director of Human Resources, at the direction of the Town Manager, shall, as soon as is practicable after the adoption of the classification plan, allocate each position to be included in the classified service to its appropriate class. In making such allocations, the Director of Human Resources shall provide for the uniform application of the classification plan to positions under different appointing authorities.

Allocation of New Positions. In order to create any new position which would be within the classified service, an appointing authority shall forward to the Director of Human Resources a written request for such position, together with a statement of duties, authority, and responsibilities to be assigned. It shall then be the responsibility of the Director of Human Resources, at the direction of the Town Manager, to study the position, write a job description, and allocate it to the proper class, secure certification from the Director of Finance that adequate funds are available to support the position for the remainder of the fiscal year, and to forward this information to the Town Manager who may recommend to the Town Council that such new position be approved by resolution of the Town Council.

Reallocation. Whenever duties and responsibilities of an existing position in the classification plan are so changed that the position in effect becomes one of a different class from that to which it was allocated, the Director of Human Resources, on his own initiative or at the written request of the appointing authority for that position, shall study the position, reallocate to the appropriate class, and forward the

proposed reallocation to the Town Manager who may recommend to the Town Council that such reallocation be approved by resolution of the Town Council.

Status of Incumbent When Reallocated. A regular employee who is occupying a position which is reallocated to a different class shall continue in this position only in accordance with the rules governing promotion, transfer, or demotion, except that in any case in which the position is reallocated to a higher class, the incumbent of such position may attain regular status in the higher class by achieving a satisfactory grade on a qualifying examination for the higher class. Such qualifying examination shall be in the form of an oral and/or written non-competitive examination, and/or an evaluation of experience, training and education. If a reallocation results in the assignment of a position to an equal or lower class, the incumbent may continue to hold the position if he meets the minimum requirements of the new class.

Appeal of Allocation. Any employee affected by the allocation or reallocation of a position or by any changes in the classification plan may request in writing to the Director of Human Resources that such action be reviewed. On the basis of a written statement and forms submitted by the employee or employees affected by the action, and on the facts brought out in the study of the position, the Director of Human Resources shall make a decision as to whether the action shall stand. Any employee not satisfied by the results of such decision shall have a right to file a grievance as prescribed in the rules governing the grievance procedure.

Job Descriptions. The Director of Human Resources shall provide written specifications for each position in the classification plan. Each job description shall include a job title, a description of the essential and nonessential functions of the position, physical demands of the job, description of work environment, minimum qualifications, salary range and other information as may be desirable and pertinent. These descriptions are not inclusive of all duties that an employee may be required to perform.

Inventory of Positions. Please contact the Human Resources Department to obtain the latest up to date list of all current positions and their respective assigned classifications. As any position changes or if the classifications are amended, this list shall be amended to reflect the changes.

Use of Job Descriptions in Allocations. In determining the class to which any position should be allocated, the definition of each class shall be considered as a whole. Consideration shall be given to the qualifications required and the general duties of the position as well as the relation to other classes.

Use of Job Titles. Following the adoption of the classification plan and the allocation to classes therein of positions in the classified service, the job titles set forth therein shall be used to designate such positions in all official records, vouchers, and communications, and no person shall be appointed to or employed in a position in the classified service under any job title which has not been approved by the Director of Human Resources as appropriate to the duties to be performed. Statutory or working titles may be used informally as appropriate or expedient.

Classification Review. Any employee who believes his position is not properly classified, either due to an original allocation or re-allocation may request the Town Manager to review such position. Within thirty (30) days after the receipt of such request, the Director of Human Resources shall complete a study to determine the facts and shall meet with the employee(s) for the purpose of reviewing the findings of the study. The Director of Human Resources shall render his decision in writing to the employee, the Department Director and the Town Manager within fifteen (15) days after such meeting.

ARTICLE 24 - SOCIAL NETWORKING POLICY

Policy Statement. The Town of Enfield recognizes the importance of new and evolving social media and social networking as an important outreach tool for the community that maximizes transparency and vibrant communication. The Town encourages employees to share information with co-workers and with the public for the purpose of disseminating information, providing access to our services, gathering information and learning from the work of others. The Town acknowledges that its employees also have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern.

Information posted on a social networking site is available to the public and therefore the town has established guidelines for employee participation in social media.

The Town will regulate the use of social media by employees, including employees' personal use of social media, when such use:

1. Interferes with the work of the Town;
2. Is discriminatory or used to harass coworkers or other members of the Town community;
3. Creates a hostile work environment;
4. Breaches confidentiality obligations of Town employees or violates any license governing the use of software;
5. Disrupts the work of the Town and/or productivity of Town employees; or
6. Violates any federal, state, or local laws, such as, but not limited to, laws that prohibit defamation, harassment, discrimination, or retaliation.

Nothing herein shall prohibit employees from engaging in protected concerted activity with co-workers and others, including but not limited to, making statements regarding hours, wages, and/or working conditions while not at work.

Acceptable Usage of Social Media in the Workplace

Employees may engage in social media activity during work time provided it is directly related to the professional work of the town, is approved by their department director, and does not disclose confidential information.

The department director shall authorize the creation of any social media account, approve all information posted and ensure that employees are made aware of which information to share, with whom they can share it and what not to share.

The department director shall oversee and confirm decisions regarding utilization of any social media including authorization of sites, evaluation of requests for usage, verification of staff authorization to use social media tools, maintain a list of social media domains, active account user identifications and passwords, and change passwords if an employee is removed as administrator in order to maintain security.

No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.

The Town of Enfield monitors all employee use of town computers and other electronic devices, including employee blogging and social networking activity. An employee should have no expectation of personal privacy in any communication or post made through social media while using a town-provided computers, cellular telephones or other data devices.

All posts on social media must comply with Town of Enfield policies concerning confidentiality, including the confidentiality of client information. If an employee is unsure about the confidential nature of information the employee is considering posting, the employee shall consult with his/her supervisor prior to making a post.

Employees utilizing social media in the performance of their duties for the Town of Enfield or while on Town time should be aware that all communications are considered public records and must be maintained in compliance with public record laws.

Rules Concerning Personal Social Media Activity

Employees can have personal social networking sites. These sites must remain personal in nature and be used to share personal opinions. Employees are not authorized to use Town of Enfield logos, facility addresses, their own or other employees' e-mail addresses, telephone numbers or any other reference on their personal social networking sites.

An employee may not mention, discuss, or reference the Town of Enfield, its elected and appointed officials, boards or commissions, departments, or programs on personal social networking sites unless: (1) the employee identifies him/herself as an employee of the Town of Enfield **and** includes a disclaimer statement stating that the views expressed are not reflective of the views or opinions of the Town of Enfield or the Enfield Town Council; or (2) the employee's participation is *completely* anonymous such that no one who might read, hear or otherwise perceive said communication would be able to identify the sender or recognize the sender as an employee of the Town. Examples of methods by which others might recognize the sender as an employee of the Town include, but are not limited to, the use of avatars, screen names or other forms of pseudonyms which would reasonably identify the sender as an employee of the Town or which are known to others as belonging to the sender, the use of a registered account which identifies the sender as a Town employee to post a communication; or the use of an IP or other computer address which can be associated with a Town-provided computer.

Employees must refrain from mentioning other Town of Enfield employees or other members of the Town community on personal social networking sites, without such individuals' express consent unless the employee is addressing an issue of public concern and the employee's speech falls under applicable constitutional protections pertaining to same.

Employees are individually responsible for their personal posts on social media. Employees may be sued by other employees, residents or others, and any individual who views an employee's social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. All such activities are outside the scope of employment and employees may be personally liable for such claims.

Employees are required to comply with all Town of Enfield policies and procedures with respect to the use of computer equipment, networks or devices when accessing social media sites. Any access to social media activities on Town property or using Town equipment must comply with those policies, and may not interfere with an employee's duties at work.

An employee may not link a personal social media site or webpage to the Town of Enfield's website or the websites of individual Town programs; or post Town of Enfield material on a social media site or webpage without written permission of his/her department director.

All Town of Enfield policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to public trust, illegal harassment, discrimination, code of conduct, and protecting confidential information.

Consequence of Policy Violation

Any violation of the provisions of this policy may lead to progressive disciplinary action up to and including possible termination of employment. Such discipline shall be handled in conformance with appropriate provisions of collective bargaining agreements and the Town's Personnel Rules.

ARTICLE 25 - DEFINITIONS

Definitions. Definitions of the terms used in these Personnel Rules and Procedures are as follows:

Administrative Leave. An enforced leave of absence with pay for non-disciplinary purposes or pending an investigation of charges made against an employee.

Allocation. The assignment of an individual position to an appropriate class on the basis of kind of work, duties and responsibilities of the position.

Appointing Authority. Those empowered by the Town Charter to hire and fire personnel.

Appointment. The appointment of a person to a position in the classified service of the Town. Appointments shall be of the following types: Original, emergency, temporary, provisional, re-employment, transfer, promotion, or demotion.

Base Rate, Regular Rate. The actual wage or salary within a range in the pay plan at which an employee is compensated.

Certification. The act, by the Director of Human Resources, of supplying an appointing authority with the names of applicants deemed eligible for appointment to a vacant position.

Chapter VII. The Chapter of the Charter of the Town of Enfield governing the personnel program of the Town.

Charter. The Charter of the Town of Enfield approved December 5, 1962, as amended.

Class or Position. A group of positions established under these rules sufficiently similar with respect to the duties, authority and responsibilities.

Classification Plan. The arrangement of all positions in the classified service into a system of classes.

Class Specification. The written job description of the duties and responsibilities of a class with its title and qualification standards.

Compensation. The salary, wages, fees, and all other forms of valuable consideration, earned or paid to any employee of the classified service by reason of service in the position, but does not include allowances for expenses authorized and incurred as incidents to employment.

Council. The Town Council of Enfield.

Demotion. The change of an employee from a position in one class to a position in a class for which a lower maximum rate of pay is established.

Department. A major unit of administrative organization of the Town as established and designated by the Charter or ordinance.

Dismissal. Discharge from the classified service for cause either during or after the probationary periods.

Division. A unit of administrative organization of a Department.

Eligible. A person who has met the minimum requirements established for a position and whose name has been placed on an eligible list.

Eligible List. Any of the lists of names of persons eligible for appointment to the positions in the classified service of the Town including employment lists, re-employment lists and promotional lists.

Emergency Employee. An individual appointed by an appointing authority without recourse to an eligible list because of an emergency affecting the health, welfare or public safety of the Town. Such appointments have limits prescribed by the rules.

Examination. All of the tests of fitness taken together that are applied to determine the fitness of applicants for positions of any class.

Full-time Employees. Employees whose normal work week is 35 hours or more per week.

Grade. A ranking established for regular salary purposes wherein all positions or classes of positions in the classified service that are determined to be of the same level with respect to the difficulty and responsibility of their duties are equal salary wise.

Identity Spoofing. Involves a person or persons, system, or website successfully masquerading as another by falsifying identity-related information and thereby being treated as a trusted user or system by another user or program.

Immediate Family. One's parents, spouse, children, and brothers and sisters.

Layoff. The removal of an employee because of lack of work, failure of financial appropriation or other causes, which do not reflect on the employee. Layoffs shall not be considered as dismissals.

Open Competitive Examination. A test for positions in a particular class, admission to that is not limited to Town employees.

Open Continuous Examination. An examination having no fixed date of termination.

Original Appointment. The appointment of a person from outside the Town service to a specific position.

Part-time Employee. Any employee whose normal work week is 34 hours or less per week. Part-time employees are not entitled to any fringe benefit unless required by law.

Pay Plan. A schedule of compensation established by resolution for the several classes of positions recognized in the classification plan, so that all positions of a given class will be paid according to the same salary range established for the class.

Position. A regularly established job in the classified service of the Town.

Post. Is a comment made to a user's social networking page or site. For example, Facebook users can post to another user's "wall".

Probationary Employee. A person certified from an eligible list who has not completed his probationary period.

Probationary Period. A working test period, following an appointment, during which an employee is required to demonstrate by conduct an actual performance of the duties and his fitness for the position to which he is appointed. The probationary period shall be considered a part of the hiring process for any position.

Promotion. A change in the position of an employee from one class to a position in another class having a higher maximum salary rate.

Promotional Examination. An examination to determine the fitness of applicants for positions in a particular class, admission to the test being limited to regular employees in the classified service of the Town.

Promotional List. A list of classified employees, arranged in order of merit as determined by a promotional examination, who have been found qualified for promotion to positions in higher classes than the classes of position they are currently occupying.

Provisional Appointment. A non-competitive appointment made temporarily to fill a classified position, pending establishment of an eligible list for such position.

Qualifying Examination. A non-competitive examination given to determine if an individual meets the qualifications for a specific class.

Range. The minimum and maximum of any pay grade.

Reallocation. A change in allocation of an individual position by raising it to a higher class, reducing it to a lower class or moving it to another class at the same level on the basis of duties, authority and responsibility of the position.

Re-employment List. A list of persons who have been regular employees in a particular class and who have been laid off in good standing, and who are entitled to have their names certified for appointment to a position in a class in which they were previously employed.

Regular Appointment. An appointment given to an employee after successful completion of a probationary period following an original appointment.

Regular Employee. An employee who has been appointed to a position in the classified service in accordance with the Personnel Rules and Procedures and has successfully completed his probationary period.

Seasonal Employee. An employee who has been appointed to a position on an as needed basis. The hours of employment may vary from week to week and such appointment shall not normally exceed 120 consecutive calendar days in a given year.

Social networking. Is the use of a variety of Web sites or communication platforms that allow users to share content, interact, and develop communities around similar interests.

Social media. May take different forms, including Internet-based tools for sharing and discussing information. These tools include, but are not limited to, social networking sites, such as Twitter®, Facebook®, LinkedIn®, YouTube®, Flickr®, and Instagram, Snapchat or other similar social media, blogs, wikis, podcasts, instant messaging, message boards, microblogs, and other community-based sites or collaboration tools. The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy.

Suspension. An enforced leave of absence without pay for disciplinary purposes or pending an investigation of charges made against an employee.

Temporary Appointment. An appointment from an eligible list to an approved position for a period not to exceed 12 months, unless a longer appointment has been approved by the Town Manager.

Town or Town of Enfield. Includes all names, logos, buildings, facility addresses, e-mail addresses and telephone numbers, images and entities associated with the Town of Enfield.

Transfer. A change of an employee from a position in one class in one department to another position in the same class in another department.

Calendar Year. Twelve (12) month period beginning January 1 and ending December 31 of each year.

Fiscal Year. Twelve (12) month period beginning July 1 and ending June 30 of following year.

Work Year. A period of twelve (12) consecutive months beginning on the first day of employment for any individual. Benefits accrue from the date of employment.