

PERSONNEL POLICIES AND PROCEDURES MANUAL FOR



TOWN OF LITCHFIELD, NEW HAMPSHIRE

Approved December 10, 2012

This document supersedes all personnel policies previously established or approved by the Town of Litchfield

Welcome to the Town of Litchfield

Starting a new job is exciting, but at times can be overwhelming. This Personnel Policies and Procedures Manual has been developed to help you get acquainted and answer many of your initial questions.

As an employee of the Town of Litchfield, the importance of your contribution cannot be overstated. Our goal is to provide residents with high quality efficient services. You are an important part of this process.

This Personnel Policies and Procedures Manual explains our personnel policies and benefits. Additionally, this Manual should begin to clarify the Town's expectations for action and conduct of its employees. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you in your capacity as an employee, you should address your specific questions to your Department Head or the Town Administrator.

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

Sincerely,

Litchfield Board of Selectmen

Policy Approved December 10, 2012

John R. Brunelle, Chairman

George A. Lambert, V. Chairman

Frank A. Byron

Brent T. Lemire

M. Patricia Jewett

ABOUT THIS MANUAL

The policies outlined in this Manual should be regarded as guidelines only, which may require changing from time to time. The Town of Litchfield retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Town of Litchfield. This Manual supersedes and replaces any and all prior Manuals, policies, procedures, and practices of the Town of Litchfield.

This Manual also summarizes the current benefit plans maintained by the Town of Litchfield for eligible employees. If any questions arise regarding the implementation or interpretation of any benefit plan, the terms and conditions of the actual plan documents and summary plan descriptions will control rather than the summaries contained in this Manual. The Manual (and other plan documents) are not contractual in nature and do not guarantee any continuance of benefits.

This Manual is not, and should not be construed as an express or implied contract and does not modify any existing at-will status of any Town of Litchfield employee. It is not intended to create any due process protections or requirements in excess of federal or state constitutional or statutory requirements, nor does it guarantee any fixed terms and conditions of employment and/or benefits. Employment at-will means that employees are free to resign from their employment at any time, with or without cause or notice, and the Town of Litchfield has similar rights and can terminate the employment relationship at any time, with or without cause or notice, except as provided by law.

This Manual is designed to provide you with information about working conditions, employee benefits and some of the policies affecting your employment. You should read, understand and comply with all applicable provisions of this Manual.

Please also be aware that the Town of Litchfield reserves the right to change, revise, or eliminate any of the policies, procedures, or benefits described in this Manual at any time, in its sole discretion. If and when provisions are changed, you will be given replacement pages for those that have become outdated or a replacement copy of the Manual. A copy will also be placed on our bulletin boards.

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I. GENERAL PROVISIONS

OUR WORKPLACE

As you review this Manual, you will notice that terms such as “workplace” and “premises” appear in many of the Town’s policies. For most employers, such terms encompass the buildings and surrounding property that they own or lease. However, the nature of our work as a municipality requires that our use of these terms have a broader definition. Accordingly, whenever our “workplace” or “premises” is discussed in this Manual, please understand that we are discussing not only Town buildings, facilities and properties, but also any remote job site to which you may be assigned to work and any vehicle you may be traveling in or using for Town related business.

EQUAL EMPLOYMENT OPPORTUNITY AND POLICY AGAINST DISCRIMINATION

The Town of Litchfield is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and need. The Town will not discriminate against employees or applicants for employment based on any legally-protected status, including, but not limited to: veteran or military status, marital status, physical or mental disability, age, race, creed, color, religion, sex, sexual orientation, pregnancy, national origin, genetic information or ancestry. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, benefits and training.

In support of our commitment to equal employment opportunities, the Town prohibits any and all discrimination or harassment of one employee by another employee or supervisor on any of the classes discussed above. Any employee who harasses or discriminates against another employee, citizen, or visitor on any of the classes discussed above will be subject to discipline, up to and including discharge. Prohibited conduct includes:

- epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that are based on or that relate to race, color, religion, gender, national origin, genetic information, ancestry, pregnancy, age, disability, sexual orientation, marital status, or veteran status;
- written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, genetic information, ancestry, age, disability, sexual orientation or veteran status; and,
- Offensive comments, jokes, innuendos, and other statements or conduct based on an individual’s membership in any of the legally protected categories listed above.

Please also refer to Anti-Harassment policy for more information on prohibited conduct.

The Town prohibits all of the activities discussed above, whether engaged in by a supervisor, agent, employee, co worker, or non employee (such as a vendor) who is on our premises or who comes in contact with our employees. Any supervisor or employee who harasses or discriminates against another employee or non-employee on any basis discussed above will be subject to discipline, up to and including termination of employment.

If you experience or witness what you believe may be harassment and/or discrimination in violation of this policy, you should immediately report the incident. All reports must be made in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and appropriate action will be taken, depending on the nature and severity of any proven incident.

Retaliation against an employee who complains in good faith about harassment and/or discrimination or who participates in good faith in an investigation of a complaint is a violation of this policy. Retaliation is a form of unlawful harassment and will be handled in the same manner as other forms of harassment. If you believe that you have been subjected to retaliation, you must report the incident in accordance with the Reporting Procedure contained in this Manual.

SEXUAL HARASSMENT POLICY

A. Introduction

The Town's goal is to provide a workplace that is free of sexual harassment. Sexual harassment of employees in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by our Town. Further, any retaliation against an individual who has complained about sexual harassment and/or retaliation against an individual who has cooperated in an investigation of sexual harassment is unlawful and will not be tolerated.

Because the Town takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment. Where it is determined that inappropriate conduct has occurred, whether or not it rises to the level of legally actionable harassment, the Town will act promptly to eliminate the conduct and implement any necessary remedial or corrective action, including disciplinary action where appropriate.

B. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment; or

- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation or assistance; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment includes a wide range of behaviors from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes and other sexually oriented statements and unwelcome behavior emphasizing sexual identity. Sexual harassment may be indirect and even unintentional. Employees are prohibited from bringing into the workplace or otherwise displaying any written materials or pictures that are sexually suggestive or offensive in nature.

This policy prohibits all of the activities discussed above, whether engaged in by a supervisor, employee, co-worker, agent or non-employee who is on Town premises or who comes into contact with Town employees.

It is not possible to list all of the additional circumstances and behaviors that may constitute sexual harassment or other inappropriate conduct that will not be tolerated. However, the following are some examples of prohibited conduct:

- Unwelcome sexual advances, whether or not they involve physical touching;
- Sexual epithets; sexual jokes; written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body; comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body; sexual gestures;
- Suggestive or insulting comments; and
- Inquiries into an individual's sexual experiences;

C. Complaints of Sexual Harassment

Experience has shown that a clear statement to the person engaging in the offensive behavior is sometimes all that is necessary to stop the conduct. If you believe you are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, you are not required to do so. If you believe that you have been subjected to sexual harassment, you should report the incident immediately. All reports must be made in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated

and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

D. Retaliation

Retaliation against an employee who complains in good faith about sexual harassment or who participates in good faith in an investigation of a complaint is a violation of this policy and is prohibited by law. If you believe that you have been subjected to retaliation, you must report the incident in accordance with the Reporting Procedure contained in this Manual.

REPORTING PROCEDURE FOR SEXUAL AND OTHER UNLAWFUL HARASSMENT, DISCRIMINATION AND RETALIATION

Any employee who feels that he or she has experienced sexual or other unlawful harassment and discrimination or retaliation should immediately report such actions. All reports must be made in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If you believe that you have experienced sexual or other unlawful harassment, discrimination or retaliation, you should report the incident immediately to your supervisor or the Town Administrator. If such an incident involves your supervisor/department head, you should report it to the Town Administrator. If the incident involves the Town Administrator, it should be brought to the Chair of the Board of Selectmen.
2. Supervisors and managers who become aware of discriminatory or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to the Town Administrator or the Finance/Human Resources Manager.
3. The Town will promptly investigate incidents reported through this procedure. Any employee, supervisor, or agent of the Town who has been found to have engaged in conduct that violates our policies against discrimination and/or harassment will be subject to appropriate remedial and/or disciplinary action, up to and including immediate discharge. The complainant will be informed generally of the outcome of the investigation and whether remedial action is being undertaken by the Town.
4. The Town will conduct all investigations in a discreet manner. Disclosure of complaints will be limited to those with a need to know in order to investigate the complaint and take appropriate remedial action. Incidents involving a member of the Board of Selectmen may involve a public hearing under the provisions of RSA 91:A.

ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

In accordance with the Americans with Disabilities Act of 1990 (“ADA”) and RSA 354-A, the Town prohibits any form of discrimination in hiring as well as in all terms and conditions of employment against individuals with physical or mental disabilities. We will make every effort to make reasonable accommodations to ensure equal opportunity for qualified individuals with disabilities in the application process and in performing essential job functions, so as to afford enjoyment of the same benefits and privileges of employment as are enjoyed by employees without disabilities. The Town is also committed to not discriminating against any qualified employee or applicant because they are related to or associated with a person with a disability.

Pre-employment inquiries are made only regarding an applicant’s ability to perform the duties of a position. Post-offer medical examinations may be required for those positions where there is a job related physical requirement and will only be given after the acceptance of a conditional job offer.

Please notify the Town Administrator if, because of a disability, you require an accommodation to perform the essential functions of your job. You may be asked to provide medical information regarding your disability and possible accommodations, and we expect that you will engage in this interactive process in good faith so that we may determine eligibility for accommodation and identify reasonable accommodations. We will maintain all medical information in a confidential manner in accordance with the ADA, and will provide reasonable accommodations as required by law. You have an expectation of privacy and the supervisory employees are prohibited from sharing confidential health information. Such an unauthorized disclosure may result in disciplinary action for the supervisor. The Town may decline to provide accommodations to individuals who are not qualified individuals within the meaning of the law, and may also decline to provide accommodations that are not reasonable or that cause an undue hardship.

BUSINESS ETHICS AND CONDUCT

The successful business operation and reputation of the Town is built on the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the Town is dependent upon our citizens’ trust and we are dedicated to preserving that trust. Employees owe a duty to the Town, its citizens and property owners to act in a way that will merit the public’s continuing trust and confidence.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed with your

supervisor, Department Head, Town Administrator and, if necessary, the Board of Selectmen for advice and consultation.

II. EMPLOYEE CLASSIFICATIONS

EMPLOYMENT AT-WILL

Unless otherwise provided in a written contract or unless set forth by statute, Town employees are considered to be employees at-will. Employment at-will status enables both the Town and the employee to terminate the employment relationship with or without cause or notice, at any time, for no reason or for any reason not prohibited by law. Neither the policies contained in this Manual, nor any other written or verbal communication by a supervisor or official, are intended to change the at-will relationship or create a contract of employment.

EMPLOYMENT CLASSIFICATIONS

At the time that you are hired, you are classified in one of the groups listed below as well as exempt or non-exempt and are informed as to whether you qualify for overtime pay. Unless otherwise specified in this Manual or as required by law, the benefits described in this Manual apply only to full-time employees. All other policies described in this Manual apply to all employees, with the exception of certain wage, salary and time off limitations. If you are unsure of which job classification into which your position fits, please ask Town Administrator.

REGULAR FULL-TIME EMPLOYEES: Individuals who are regularly scheduled to work 40 or more hours per week (usually 40 hours per week.) These individuals may be paid hourly or on a salary basis depending on the nature of the position.

PART-TIME EMPLOYEES: Individuals who work less than 40 hours per week. This may include employees who work a regular schedule as well as those who typically work at their convenience in consultation with the department supervisor.

TEMPORARY EMPLOYEES: Individuals who are hired for specific periods of time or for the completion of a specific project. Temporary employees are not eligible for benefits described in this Manual except to the extent required by state or federal law.

ON CALL EMPLOYEES: Individuals who have an established employment relationship with the Town but who are assigned to work on an intermittent and/or variable basis (such as the Fire Department. On Call employees are not eligible for benefits described in this Manual except where noted and to the extent required by state or federal law.

TOWN OFFICIALS: Individuals who are elected into office through Town elections or appointed as officers of the Town by the Board of Selectmen. Some Town Officials will receive a stipend for their services and are not eligible for benefits described in this Manual except where noted and to the extent required by state or federal law.

NON-EXEMPT AND EXEMPT EMPLOYEES: All employees will be classified as either

“exempt” or “non-exempt.” Exempt employees are paid on a salary basis and their duties and responsibilities allow them to be considered exempt from the overtime requirements of the Fair Labor Standards Act (“FLSA”). Therefore, these employees are not eligible to receive overtime pay. Non-exempt employees do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and Town policy.

Upon hiring, employees are told whether they are classified as exempt or non-exempt from the overtime provisions of the FLSA. If you have questions about whether you are classified as exempt or non-exempt under the FLSA, please contact the Town Administrator.

III. INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their abilities to achieve a satisfactory level of performance and to determine whether the position meets their expectations. The Town uses this period to evaluate employee capabilities, work habits and overall performance.

All new employees will be required to successfully complete an introductory period, commencing on the first day of employment. The introductory period will normally be six months in duration, and may be extended for an additional three month period by the Town. During the introductory period, an employee is only eligible for those benefits required by law. After becoming regular employees, they shall be eligible for other Town-provided benefits, subject to the terms and conditions of each benefits program. The Board of Selectmen may waive this eligibility requirement.

The Department Head will meet with each new employee at the conclusion of the third month of employment to review the employee’s performance. Where appropriate, the Department Head will offer remedial suggestions for improvement. The Department Head will meet the new employee as needed during the remainder of the introductory period to review performance.

Upon satisfactory completion of the introductory period, employees enter the “regular” employment classification, although they remain employed on an at-will basis.

All employees who have been promoted to new positions shall be required to complete a six month probationary period in the new position before the promotion is considered to be fully approved. The Town may extend such a probationary period for an additional three months. This probation may not apply to positions otherwise governed by state law.

IV. COMPENSATION AND HOURS OF WORK

REPORTING OF TIME WORKED

It is important that your time be accurately reported so that you are compensated for the

hours that you work. You are required to complete accurate timesheets weekly. Time worked is all the time actually spent on the job performing assigned duties, whether your position is hourly or salaried. Falsification of time records could lead to disciplinary action, up to and including termination from employment. If there are any changes needed to your weekly time card, then you must initial the change, indicating that you agree to the change and the accuracy of the change. Your supervisor will provide you with any additional details concerning your obligation to report all time you have worked.

PAY/PAY PERIODS

Employees are paid on a weekly basis on Thursdays for all hours worked during the calendar week preceding pay period. In the event that a regularly scheduled payday falls on a holiday, employees will be paid on the last day of work before the holiday. Please review your paycheck for errors. If you find a mistake, report it to Finance Office immediately. Paychecks will be distributed only to you. Paychecks are distributed either by your supervisor or a representative from Human Resources. Employees may have pay directly deposited into their bank accounts at no charge if they provide advance written authorization to the Town.

WORK WEEK/HOURS OF WORK

The Town's work week begins on Sunday at 12:00 a.m. (midnight) and ends on Saturday at 11:59 p.m. Because of the nature of our business, your work schedule may vary depending on your job and department. When hired, your supervisor will inform you of your hours of work.

The Town requires the presence and diligent efforts of employees in order to provide the requisite level of service to our community. In an effort to provide a flexible work schedule for our employees, alternate starting times may be considered by the Town. This scheduled start must be reviewed and approved by the employee's department head and will remain in effect until compelling circumstances require a change. The Town reserves the right to alter or amend any employee's work schedule at its own discretion and in accordance with the needs of the Town. An honor code of conduct exists whereby employees are entrusted to work their scheduled hours. Employees are encouraged to embrace this show of responsibility and commitment to the Town, the community and to each other. Employees who are asked by the Town to keep time records must also adhere to this honor code when completing their time records. Time records must be completed fully and accurately, and employees may not provide any false information on time records or any other Town records.

PAYROLL DEDUCTIONS

A. Payroll Deductions for All Employees

There are two categories of payroll deductions, those required by state or federal law and those authorized by the employee. Payroll deductions required by state and federal law include federal withholding, income tax, social security tax, and wage garnishments

as required by law (i.e. child support payments, court-ordered payments, IRS garnishments.) If authorized by an eligible employee, the Town will also make payroll deductions for health insurance, dental insurance, flexible spending programs, voluntary insurance programs, savings plans and voluntary contributions to a retirement plan as well as other programs authorized under state law and approved by the Board of Selectmen. These deductions will be itemized on your check stub.

Under New Hampshire law, the Town may not withhold, make use of any portion of, or require any employee to remit any portion of an employee's wages except, with appropriate authorization, as follows: union dues; health, welfare pension, and apprenticeship fund contributions; medical, surgical, hospital and other group insurance benefits without financial advantage to the employer; voluntary contributions to charities; housing and utilities; payments into savings funds held by someone other than the employer; voluntary payments for the recovery of tuition for non-required education costs; voluntary rental fees for non-required clothing; voluntary cleaning of uniforms and non-required clothing; voluntary contributions into cafeteria plans or flexible benefit plans, or both, as authorized by section 125 or section 132 of the Internal Revenue Code; and voluntary payments by the employee for the following: child care fees by a licensed child care provider; parking fees; pharmaceutical items, gift shop, and cafeteria items purchased on the site of a hospital by hospital employees; fees for the employee's use of a qualifying fitness facility; contributions to a political action committee; installment payments of loans made by the employer to the employee; voluntary repayment of accidental overpayments made to the employee; repayment of unearned advances on vacation or other paid time off where supported by appropriate documentation; required clothing not considered to be uniforms; the use of a demonstrator vehicle as defined in RSA 261:111; and legal plans and identity theft plans without financial advantage to the employer.

B. Payroll Deductions for Salaried Exempt Employees

The Town complies with all federal and state laws with regard to deductions from paychecks, including deductions from the salaries of exempt employees. For the purposes of this section, any stipend paid to an elected or appointed Town Official shall be considered a salary. In accordance with the laws, salaried exempt employees receive a predetermined salary which is not subject to reduction because of variations in the quality or quantity of work performed and is not subject to reduction for absences requested by the Town or due to the operating requirements of the Town. The Town recognizes that under federal and state law there are only limited times when a salaried employee's salary can be subject to deductions.

The Town prohibits deductions from salaries that are inconsistent with the status of an exempt employee. Exempt employees should note that salaries are subject to modification from time to time, such as at evaluation time, when an employee's position or responsibilities change, and at other appropriate times. Exempt employees should also note that it is permissible for an employer to apply vacation, sick, personal and other forms of paid time off to partial or full-day absences for personal reasons, sickness, or disability, and that applying paid time is not considered a deduction from

salary.

C. Questions Regarding Paychecks and Deductions

If you have any questions or concerns about your paycheck or any deductions from your pay, please contact the Finance/Human Resources Office as soon as possible. If you do not receive a prompt response or are dissatisfied in any way with the response you receive, you should feel free to contact the Town Administrator.

Questions and concerns regarding pay and deductions will be investigated and addressed promptly. If there has been an error, such as a deduction made in error, the employee will receive a corrected check or a check reimbursing the employee for the error, whichever is more practicable under the circumstances.

Employees should feel free to communicate any questions or concerns regarding pay or deductions. The Town will not tolerate retaliation against employees who have expressed concerns using this procedure.

OVERTIME

From time to time, it may be necessary for you to perform overtime work. All overtime must be approved in advance by your Department Head. Except in the event of an emergency, the Town will attempt to provide you with advance notice of the necessity for overtime work. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Most non-exempt employees, with the exception of certain law enforcement and fire protection employees, are entitled to be paid one and one-half times their regular rate of pay for all time worked in excess of forty hours per week. Sick days, holidays, leaves of absences, and other time off benefits are not counted as "time worked" for purposes of overtime. However, previously scheduled vacation time is considered hours worked for the purposes of performing overtime calculations. You will be advised when you are hired if you are entitled to overtime pay. In the case where an employee works in more than one department, hours will be counted cumulatively from the start of the work week and any hours in excess of forty will be compensated as overtime.

COMPENSATORY TIME

Compensatory time may be granted by the Department Head, upon the request of the employee, in lieu of overtime pay, as follows:

1. Prior to the performance of any work for compensatory time, the employer and employee must come to an agreement on the accrual and use of the compensatory time. This advance agreement can be the employee's signature on the timesheet indicating in the spaces provided a request for compensatory time rather than paid overtime for the overtime hours worked during that pay period.
2. Compensatory time is accrued at 1½ times the overtime hours. (Ex. Overtime Hours = 5 x 1.5 = 7.5 Hours Comp Time)

3. All compensatory time will be marked as such on the timesheet, both when earned and when it is used. The Finance/Human Resources Department will maintain compensatory time records for all non-union, non-exempt employees.
4. The department head may grant the employee's request for use of authorized, accrued compensatory time in the same manner as vacation time if requested within a reasonable period of time, unless to do so would disrupt the operations.
5. The amount of accrued compensatory time is limited to a maximum of 60 hours.
6. At the end of employment for any reason, the employee will be paid for unused compensatory time at the final regular rate received by said employee or the average regular rate received by such employee during the last three years of the employee's employment, whichever is higher and in accordance with federal and state laws.

BREAKS AND MEAL PERIODS

Generally, all Town employees will be provided with an unpaid thirty minute meal period/break after five consecutive hours of working, unless it is feasible to eat while working and the employee is permitted to do so. Fire protection and law enforcement personnel will receive meal breaks as established by their respective Departments. Employees should note the beginning and end periods of breaks on their timesheets. Employees can choose not to take a regular unpaid break and can place a waiver of paid break form on file with the Finance/Human Resources Office.

Break Time for Nursing Mothers: Non-exempt employees will be provided with a reasonable break time for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express the milk. A private area will be provided. These breaks are unpaid.

REIMBURSABLE EXPENSES

With prior approval by the Department Head, legitimate expenses will be reimbursed by the Town to the employee. The employee must submit receipts and a reimbursement request form in order to be reimbursed. Reimbursement may be in the form of petty cash or a separate check. See the Town Administrator with any questions as to whether and what expenses may be reimbursed. Conference and Meeting expenses will be reimbursed according to the provisions of the Town's Conference and Meeting Travel Policy. Your Department Head and the Finance/Human Resources Office can provide you with a copy of the Conference and Meeting Reimbursement Policy.

V. TIME AWAY FROM WORK AND OTHER LEAVE BENEFITS

HOLIDAYS

Full-time and part-time employees who work a regular schedule and were hired prior to January 1, 2013 are entitled to the paid holidays recognized annually by the Town,

provided that the employee normally works on that day. For hourly employees, holiday pay will be paid at the straight time hourly rate and will be prorated for employees that regularly work fewer than eight hours on that day. Temporary employees are not entitled to paid holidays.

Some employees may be required to work on holidays. Employees who are required to work on a holiday may take a floating holiday. The floating holiday must be scheduled at least one week in advance and approved by your Department Head. The floating holiday will be equal to the number of hours worked on the holiday.

The Board of Selectmen will specify the holidays at the end of the previous year. There are ten specified holidays during the year.

Employees will not receive holiday pay for any holiday that occurs during the period for which an employee is on a leave of absence.

EARNED TIME

Earned time is an alternative approach to the traditional manner of covering absence for vacation, personal days, paternity leave and sick leave. Instead of dividing benefits into a specific number of days for each benefit, Earned Time puts these days together into a single benefit.

Earned Time days can be used for a variety of purposes. The exact number of earned time days available each year will depend on the years of service to the Town. Earned time can be used only after it has been accrued and after the employee has completed the introductory period, unless previously approved by the Department Head.

Accrual of earned time shall be based on completed months of service. An employee’s accrual of earned time begins at the beginning of the first calendar month following the date of hire. If an employee terminates before the end of a month, no earned time will be accrued for that month.

Coverage: Employees who are employed in a permanent position will accrual Earned Time. Full-time accrual rates will be based on the table below:

<u>Length of Service</u>	<u>Annual Hours Per Year</u>	<u>(Days Equiv @ 8 hrs)</u>
6 months to 60 months	176	22
61 months to 180 months	200	25
181 + months	240	30

Part-time employees hired before January 1, 2013 will accrue Earned Time on a prorated basis based on the table above being based on a 40 hour work week. Earned Time is accumulated on regularly scheduled hours worked (other hours worked beyond a normal schedule such as overtime are excluded).

For the purpose of the Earned Time benefit, years of service will be calculated from the initial day of employment.

Upon hiring an employee, the Board of Selectmen may restate or place the employee on a certain number of months prior service to the Town if the employee has worked for the Town in the past or has worked in a similar position with another government body. The hiring authority also has the authority to add time in either hours or in months of service to an employee's accrual for the same reasons as stated above or when situations may warrant additional accrued earned time to be given to the employee. In some cases, the added time may be in lieu of a pay increase.

The maximum number of days that may accrued and carried from year to year is based on the table below

<u>Length of Service</u>	<u>Maximum Accrual (in hours)</u>
6 months to 60 months	180
61 months to 180 months	240
181 + months	320

Usage: Earned Time days may be used only after the completion of the introductory period, unless previously approved by the hiring authority and the Department head. It is expected that all planned absences will be mutually agreed upon by the employee and supervisor prior to the date of absence. An unplanned absence necessitates notification of the supervisor or Department Head as soon as the need for such becomes apparent.

Earned Time is used at the rate of one day of paid leave for each normal workday from which the employee is absent. Earned Time may be used in half-day increments desired by the employee and approved by the supervisor. Earned Time cannot be used in advance of accrual. Use is contingent upon whether the employee's services can be spared at, and during the time requested and therefore, except for illness, injury or sudden personal emergency need, Earned Time is subject to supervisor approval. The supervisor may approve use in increments in less than half-day if warranted.

Employees shall submit their planned Earned Time requests as early as possible in the calendar year, and in any case, at least two weeks before a requested starting date. The Department Head shall approve Earned Time Requests so as to ensure insofar as possible that the remaining workforce at all times will be adequate to cope with the expected workload.

Minimum Usage: It is in the best interest of both the Town and employee to utilize

Earned Time on an annual basis so as to maintain a healthy perspective and to renew enthusiasm for the job. Therefore, there will be a maximum accrual as well as minimum require usage of Earned Time days required each year as shown on the table below:

<u>Length of Service</u>	<u>Minimum Usage per Year (Hours)</u>
6 months to 60 months	88
61 months to 180 months	100
181 months +	120

Computation of minimum usage will occur by November 15^h of each year, based on the preceding twelve months. Employees with less than six months of service as a Town employee are exempt from minimum usage.

Buyback: The Town shall buy back Earned Time days upon request of the employee at the rate of 1 hour for 1 hour’s pay. Only Earned Time days in excess of minimum usage will be eligible for buy back provided that at least ten days remain banked. Employees can request buyouts between November 15th and November 30th. Upon validation of the request by the Town, such buy-outs will be paid to the requesting employee as part of the first payroll in December. Buyouts will be limited to a maximum of twenty days per year. In extraordinary circumstances, the hiring authority may authorize a buy back request between May 15th and May 30th, with payment being made as part of the first payroll in June. Such a buyout may not be more than an amount equal to one half of the employee’s minimum usage requirement.

Individual Sick Leave Account: The Individual Sick Leave Account is intended to provide security to supplement other insurance benefits by allowing employees to “buy” insurance for extended illness or disability. Sick Account hours may be used to “make an employee whole” if disability or workers’ compensation benefits are less than normal net base pay. When “buying” account hours, employees convert Earned Time hours on a 1:3 basis (with 1 Earned Time hour being converted to 3 Sick Account Hours). Similar to purchasing insurance, the employee may pick a given number of hours to exchange for coverage.

Sick Account hours are available for use only under the conditions listed below and are not eligible for payout at retirement or termination.

1. Use of Sick Account hours may begin on the sixth consecutive work day absence due to illness, injury or other disability
2. A physician’s report must accompany the request to use Sick Account hours.
3. It is not necessary to use up all Earned Time before using Sick Account hours.
4. An eligible employee may continue using Sick Account hours until his/her Sick Account hours are exhausted.
5. Periodic physician’s reports may be required.
6. Sick Account time may be used for maternity leave or for a paternity leave equivalent for an employee whose partner is under medical care for pregnancy,

childbirth or related conditions.

7. The maximum Sick Account accrual is 720 hours (90 8 hour days.)

Employees may convert Earned Time hours to Sick Account hours once annually by notifying the Finance Office between November 15 and November 30 of each year.

Transition: All sick leave accrued by Employees as of June 30, 2013 will be deposited in the Sick Leave Account at a rate of 1 Sick Day to 1 Sick Account Day on July 1, 2013.

Separation: All unused Earned Time hours will be paid at the time of termination, resignation or retirement. Earned Time will be paid by the Town at the rate of pay at the time of separation. In the event of the death of the employee, the Earned Time benefit shall be paid to the employee's beneficiary, as designated on the employee's beneficiary request form (unless other arrangements have been made). In the case of the termination of an employee due to criminal charges, pay for Leave Time will be withheld until the situation has been resolved.

FAMILY AND MEDICAL LEAVE

Under the Family and Medical Leave Act ("FMLA"), eligible employees may take an unpaid leave of absence and be restored to the same or an equivalent position upon their return to work for any of the following reasons:

1. The birth of the employee's child and to care for the newborn child (leave must be taken within twelve months of the birth of the child);
2. The placement of a child with the employee for adoption or foster care, and in order to care for the newly placed child (leave must be taken within twelve months of the adoption or placement of the child);
3. The serious health condition of a spouse, parent, minor child, or adult child when the adult child is incapable of self care and the employee is needed for such care ("covered family members");
4. The employee's own serious health condition that renders the employee unable to perform his or her job;
5. A "qualifying exigency" (as defined in the Department of Labor Regulations) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on "covered active duty" or has been notified of an impending call or order to "covered active duty" in the United States Armed Forces;
6. The employee is a spouse, son, daughter, parent, or next of kin of a "covered servicemember" (as defined in the Department of Labor Regulations) who has a serious injury or illness and the employee is needed to care for such person.

Eligibility Requirements: To be eligible for FMLA leave, an employee must satisfy both of the following conditions:

The employee must have worked for the Town for at least twelve months, and must have performed at least 1,250 hours of work in twelve months prior to a leave request; and

At the time leave is requested, the employee must either: (a) work at a site where the Town employs fifty (50) or more employees or (b) work at a worksite where the Town employs less than fifty employees if fifty or more employees are employed within a seventy-five (75) mile radius of the worksite.

Leave Entitlement: If an employee takes FMLA leave for a reason stated in paragraphs (1)-(5), above, the employee is entitled to up to twelve workweeks of unpaid leave during a twelve (12) month period. That twelve month period is defined as a "rolling" twelve month period measured backward from the date an employee begins an FMLA leave. In other words, the number of weeks the employee has available upon the beginning of a FMLA leave will be twelve weeks less the number of FMLA leave weeks taken in the twelve month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee used four weeks beginning February 1, 2011, four weeks beginning June 1, 2011, and four weeks beginning December 1, 2011, the employee would not be entitled to any additional leave until February 1, 2012. Beginning on February 1, 2012, the employee would be entitled to start accruing a new four weeks of leave; on June 1, 2012, the employee would be entitled to start accruing four additional weeks; and so on.

If an employee takes FMLA leave for the reason stated in paragraph (6), above, the employee may take up to 26 weeks of unpaid FMLA leave within a single 12-month period. This 12-month period begins on the first day of leave.

An employee who takes FMLA leave for a reason stated in paragraph (6), above, will be limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period. The leave entitlement described in paragraph (6) above is to be applied on a per-covered-servicemember, per injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious illness or injury, except that no more than 26 workweeks of leave may be taken within any single 12-month period.

Tracking FMLA Leave: When an eligible employee requests any leave of absence that qualifies under the FMLA, the Town has the right to designate such leave as FMLA leave. For example, if an eligible employee suffers a work related injury that qualifies as a serious health condition, the Town has the right to designate any time away from work as FMLA leave. In such circumstances, the Town will provide the employee with the same notifications as though the employee had specifically requested FMLA leave.

Intermittent and Reduced Schedule Leave: Under some circumstances, employees may take FMLA leaves of absences intermittently (in separate blocks of time due to a single FMLA qualifying reason) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday). Certification will be required to show that an intermittent or a reduced schedule leave is a medical necessity for leaves under paragraphs (3), (4), and (6), above. Other documentation or certification may be required to show that such an intermittent or a reduced schedule leave is necessary in the case of a leave of a “qualified exigency” under paragraph (5), above.

If FMLA leave is for birth and care, or placement for adoption or foster care, as described in paragraphs (1) and (2), above, use of intermittent leave is subject to the Town’s approval.

When an employee takes intermittent or reduced schedule leave, time spent working will not be counted against the employee’s FMLA entitlement.

Employees taking intermittent or reduced schedule leave will be paid for the time they work, and the leave time away from work will be unpaid unless the employee qualifies for workers’ compensation, short-term disability, or other benefits. If an employee is a salaried employee, the Town will adjust the employee’s salary based on the amount of time actually worked.

While an employee is on intermittent or reduced schedule FMLA leave, the Town may temporarily transfer the employee to an available alternate position that better accommodates the employee’s recurring leave and that has equivalent pay and benefits.

Employees who take intermittent leave for a planned medical treatment have an obligation to make a “reasonable effort” to schedule the treatment so as not to disrupt unduly the Town’s operation

Status Of Employee Benefits: Employees are required to use any accrued, unused earned time off days during FMLA leave unless the FMLA leave is otherwise paid through workers’ compensation benefits, short-term disability benefits, or other benefits. The substitution of paid leave time for unpaid leave time does not extend the FMLA leave period. Also, the employee’s FMLA leave may run concurrently with other types of leave.

During an approved FMLA leave, the Town will maintain the employee’s health benefits under the same terms and conditions applicable to employees not on leave.

If paid leave is substituted for unpaid FMLA leave, the Town will deduct the employee’s portion of the health plan premium as a regular payroll deduction.

If an employee’s leave is unpaid, or is paid through workers’ compensation, short-term

disability benefits, or other benefits not provided through the Town's payroll system, the employee must pay his or her portion of the premium by making arrangements with the Town.

Health and other benefit coverage may be canceled if the employee's premium payment is more than thirty days late.

If an employee elects not to return to work at the end of the leave, the employee will be required to reimburse the Town for the cost of the premiums paid by the Town for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or because of other circumstances beyond the employee's control. If the FMLA leave is for a condition that is covered under the Town's short or long term disability insurance, covered employees may apply for benefit coverage.

Benefit entitlements based on length of service will be preserved at the level earned as of the commencement of the leave, but will not accrue further during the leave period. For example, an employee on leave will not accrue additional sick/personal days.

Requesting Leave: Employees must complete the appropriate FMLA leave request forms. These forms are available from the Finance/Human Resources Office.

If an employee's need for leave is foreseeable, such as for the birth of a child or planned medical treatment, you must give the Town Administrator thirty days' prior written notice. In cases of planned medical treatment, please make efforts to schedule the treatment to avoid disrupting the Town's operations.

If the need for leave is not foreseeable, the employee must give notice to the Finance/Human Resources as soon as practicable (generally, either the same day or the next business day of learning the employee's need for leave) and the employee must comply with all of the Town's policies regarding absences from work. Failure to provide such notice may be grounds for delaying the leave. If the employee is unable to notify the Town of his/her need for leave personally because of illness, the employee should ask someone else to call on his or her behalf.

Medical Certifications: If an employee is requesting leave because of the employee's serious health condition, a covered family member's serious health condition, or for the serious injury or illness of a covered servicemember, the employee must provide a medical certification from the appropriate health care provider. It is an employee's responsibility to provide a complete and sufficient certification. In the case of a leave request to care for a covered family member, the certification should include a statement from the medical provider that the employee is needed to care for the family member. Please obtain a medical certification form from the Finance/Human Resources Office for the health care provider to use. If possible, the employee should provide the medical certification before the leave begins. If that is not possible, the employee must provide the medical certification within fifteen days of requesting leave. If the employee

does not provide the required medical certification in a timely manner, the employee's leave may be delayed. If you do not provide the certification at all, the Town will not be able to determine whether you are eligible for FMLA leave and your leave will be denied. The Town reserves the right to authenticate or clarify any medical certification if necessary.

In the case of an employee's own serious health condition, or that of the need to care for a family member's serious health condition, the Town, at its expense, may require an examination by a second health care provider designated by the Town. If the second health care provider's opinion conflicts with the original medical certification, the Town, at its expense, may require a third health care provider agreed upon by the employee and the Town to conduct an examination and provide a final and binding opinion.

The Town may also require subsequent medical recertification. Failure to provide requested recertifications within fifteen days may result in delay of further leave.

Certifications for a Qualifying Exigency: Employees who request a leave for a "qualifying exigency" arising from an immediate family member's call to active duty or impending call or order to active duty will be required to provide a copy of the family member's active duty orders or other documentation issued by the military indicating the member is on active duty or call to active duty status in support of a contingency operation. Other documentation certifying the exigency necessitating the leave will also be required.

Confirmation of Familial Relationship: Employees requesting a leave of absence based on a familial relationship, may be required to provide reasonable documentation or statement of family relationship. This documentation may take many forms, including but not limited to a child's birth certificate, a court document, etc.

Reporting While On Leave: If an employee takes leave because of his or her own serious health condition, to care for a covered family member with a serious health condition, to care for a covered servicemember with a serious illness or injury, or for a qualifying exigency, the employee must contact the Finance/Human Resources on a regular basis to provide updates about the status of the need for leave (e.g. the medical condition of the employee or the individual for whom the employee is caring, or other circumstances necessitating leave) and the employee's intention to return to work. In addition, the employee must give notice as soon as practicable (within two business days if feasible) if the dates of leave change or are extended or initially were unknown.

No Work While On Leave: The taking of another job (including self-employment) while on FMLA leave or any other authorized leave may lead to disciplinary action, up to and including termination.

Returning To Work: At the end of an authorized FMLA leave, the employee will be reinstated to his or her original position or an equivalent position. However, certain highly compensated employees or "key employees" may be denied restoration to their

prior or equivalent position if keeping the job open for the employee would result in substantial economic injury to the Town. Key employees are those employees who are among the highest paid ten percent of employees within 75 miles of the worksite.

If an employee takes leave because of his or her own serious health condition, the employee will not be reinstated until the employee provides a fitness for duty certificate from his or her health care provider confirming that the employee is medically able to resume work and perform the essential functions of his or her job. The return-to-work medical certification forms are available from the Finance/Human Services Department. The Town reserves the right to clarify and authenticate such certification.

Coordination With Maternity Leave: As stated in our Maternity leave policy, the Town provides employees with a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, and related medical conditions. If an employee is also eligible for FMLA leave, the employee's FMLA leave and Paternity Leave will run concurrently. Please refer to the Town's Paternity Leave policy for more information regarding Paternity Leave.

For purposes of coordinating FMLA and maternity leaves, maternity disability leave will be treated in the same manner as the FMLA leave of absence described in paragraph (4) above. Maternity disability leave begins when an employee is medically determined to be disabled and ends when medically determined to be able to return to work. If a Maternity disability leave is for the number of available FMLA leave weeks or less, the employee may take additional FMLA leave pursuant to paragraph (1) or (2) after the end of the disability period, not to exceed the number of remaining available leave weeks and will be reinstated in accordance with this FMLA policy. If a maternity disability leave exceeds the number of available FMLA leave weeks, then reinstatement will be governed by the paternity leave policy.

Coordination With Other Town Policies; Reference To FMLA And Federal Regulations: In the event of any conflicts between this policy and other Town policies, the provisions of this policy will govern. The FMLA and the FMLA regulations issued by the U.S. Department of Labor contain many limitations and qualifications that are not stated in this policy. The Town reserves the right to apply the terms of the FMLA and the FMLA federal regulations.

Any questions relative to FMLA leaves, including eligibility requirements, should be directed to the Finance/Human Resources Office.

MATERNITY LEAVE

All female employees may take an unpaid leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions. A maternity leave begins when an employee is medically determined to be disabled and ends when she is medically able to return to work. Employees will be required to take FMLA leave, if they are eligible for such leave, concurrently with maternity leave,

as described in our FMLA policy.

Employees must use their accrued vacation and sick/personal time before taking unpaid leave under this policy. Employees on maternity leave may also be eligible for short-term disability benefits.

Employees on maternity leave who are not eligible for FMLA leave or who have exhausted their FMLA available leave weeks will be allowed to continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue medical insurance coverage by making arrangements with Finance/Human Resources Office to pay the entire amount of the appropriate monthly premium in advance of each month.

When the employee is physically able to return to work, the original job or a comparable position will be made available unless business necessity makes this impossible or unreasonable. An employee who cannot be returned to the original or a comparable position will remain eligible to apply for any available position within the Town.

PERSONAL LEAVE OF ABSENCE

The Town recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under our policies. A personal leave of absence may be granted at the sole discretion of the Town to employees who have exhausted their leave available under our other leave policies, including vacation, sick, personal, maternity leave and FMLA, and is normally only granted for compelling reasons.

Personal leaves of absence will be unpaid, and an employee on an unpaid personal leave of absence is not entitled to accrue any benefits, including, but not limited to, holidays, and earned time days. However, if the leave of absence is for medical reasons, eligible employees may apply for workers' compensation or short-term disability benefits. The forms for these benefits are available from the Finance/Human Resources Office

Employees who are granted a personal leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue health insurance coverage by making arrangements with the Finance/Human Resources Office to pay the entire amount of the appropriate monthly premium in advance each month. Benefit accruals will be suspended during the leave and will resume upon return to active employment.

To request a personal leave of absence, please contact your Department Head, who will review your request and forward to the Town Administrator and Board of Selectmen for review and approval. You may be asked to provide a written request for the leave and/or a health care provider's certificate stating the reason for the leave and the expected date of return to work. If granted, personal leaves typically will not exceed

sixty days. All requests to extend personal leaves are subject to the approval of the Board of Selectmen with at least two weeks notice for an extension. Extensions may be granted in thirty day increments, with additional requests for extension to be provided with at least seven days notice. An employee who has taken leave for medical reasons must submit a fitness for duty certificate from his or her healthcare provider before reinstated to work.

Requests for leave will be considered on a case-by-case basis, taking into account the Town's staffing needs and other factors. If a personal leave is granted, you may not accept other employment of any kind, including a business of your own, while you are on leave. If you are granted a personal leave of absence, you must inform us when you are able to return to work.

We will make reasonable efforts to reinstate employees returning from personal leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other requirements. Please understand that we cannot guarantee reinstatement from a personal leave. If the Town is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from his or her employment with the Town.

MILITARY LEAVE

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as "uniformed services") will be provided with leaves of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act ("USERRA").

Military leaves of absence will be paid for the first ten days of the leave and subsequently unpaid, unless otherwise required by law. You may elect to take part of, or all of, your accrued vacation time with pay during your military leave of absence, but you are not required to do so.

Notice of Leave Request: An employee needing time away from work for service or training in the uniformed services should make the Finance/Human Resources Office aware of the need for leave as soon as the employee receives the written or verbal orders. It is requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

An employee's request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Reasonable time off will be decided by the Town Administrator based on a case by case basis.

Health Coverage: If a military leave lasts less than 31 days, the employee's health insurance will be continued and the employee will pay his/her regular contribution for the cost of health insurance. Payment for insurance with less than 31 days leave may

be paid in advance or upon return through payroll deductions.

If a military leave lasts 31 days or more, then the employee's health insurance coverage will cease and the employee will be eligible to elect to continue his or her health insurance coverage at his or her own expense for up to 24 months, in accordance with USERRA. The cost for continuation coverage will be the full cost of the premium.

When the employee returns to work, he or she will be reinstated to the health insurance benefit with no waiting period, even if coverage terminated during the leave.

Return to service: Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes. If applicable, the employee may elect to make up any missed contributions or elective deferrals, but is not required to do so.

Reinstatement: Employees wishing to be reinstated following military leave should promptly notify their Department Head and the Finance/Human Resources Office of their desire to be reinstated. If the leave is for service of less than 31 days, then the employee should return to work on the first full regularly scheduled work day following completion of service, allowing for 24 hours of rest and time for safe transportation back from the service. If the service lasts 31 to 180 days, then the employee should notify their Department Head and the Finance/Human Resources Office of the desire for reinstatement within 14 days of completing service. If the military leave lasts more than 180 days, then the employee should notify their Department Head and the Finance/Human Resources Office of the desire for reinstatement within 90 days of completing service.

The Town will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in service, and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

Disabled Service Members: If a returning employee was disabled or a disability was aggravated during uniformed service, the Town will make reasonable accommodations and efforts to help the employee become qualified to perform the duties of his or her reemployment position.

Statement Against Discrimination and Retaliation: The Town will not discriminate in hiring, employment, reemployment, or any benefits of employment against any individual because of that individual's service in the United States uniformed services. The Town also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to Finance/Human Resources Department

BEREAVEMENT LEAVE

Full-time and part-time employees will be granted time off from work without loss of pay in connection with the death of a relative in accordance with the following policy.

In the event of the death of a member of a full-time or part-time employee's immediate family, the Town provides three days paid time off. The three work days usually include the day before the funeral and a day after. Pay for part-time employees will be pro-rated based on the number of hours, if any, the employee regularly works on those days. "Immediate family" includes spouse (or legally recognized equivalent for out-of-state employees), children (including biological or by adoption), step-children, parents, brothers, sisters, step-parents, step-brothers, step-sisters, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren of the employee. Additional time, at the discretion of the Town Administrator, may be granted to attend the funeral of another relative, close acquaintance or of another locally notable individual.

JURY DUTY

The Town considers it a civic duty to serve on a jury if summoned and will grant you leave in order to serve on a jury. An employee shall be excused from employment for the day or days required in serving as a juror or witness in any court of the United States or the employee's state of residence. For part-time and temporary employees, jury or witness duty will be considered an excused unpaid absence. A full-time employee called for jury duty shall be granted paid leave for the first ten days for the period of the civil involvement, and any absence thereafter will be unpaid leave, unless otherwise required by state or federal law. Employees who are compensated for jury duty shall be paid the difference between their regular day's pay and the amount of compensation they receive for performing their jury duty. If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off, excluding sick leave benefits.

Employees summoned for jury duty must inform their Department Head as soon as possible, and must present a copy of the summons to their Department Head. If released from jury duty on any day, the employee is expected to return to work if such release allows the employee to work at least one-half of a normal daily schedule.

WITNESS DUTY

The Town encourages employees to appear in court for witness duty when subpoenaed to do so. If employees have been subpoenaed or otherwise requested to testify as witnesses by the Town or duties related to employment, they will receive paid time off for the entire period of witness duty. Employees will be granted unpaid time off to appear in court as a witness when subpoenaed by a party other than the Town for testimony not related to duties of employment. Employees are free to use available paid

leave, excluding sick leave benefits to receive compensation for this period of absence

Employees subpoenaed for witness duty must inform their Department Head as soon as possible, and must present a copy of the summons to their Department Head. If released from the court on any day, the employee is expected to return to work if such release allows the employee to work at least one-half of a normal daily schedule.

LEAVE OF ABSENCE FOR VICTIMS OF CRIME

The Town will grant an employee unpaid time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was a victim. For purposes of this policy, a “victim” is any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

Employees may also qualify for leave under this policy if they are part of the immediate family of a homicide victim or part of the immediate family of a child under the age of 18 or an incompetent adult who is the victim of a crime. For purposes of this policy, “immediate family” means the father, mother, stepparent, child, stepchild, sibling, spouse, civil union partner, grandparent, or legal guardian of the victim, or a person who is otherwise in an intimate relationship with and residing in the same household as the victim.

An employee needing time off under this policy should notify the Department Head as far in advance as possible. The employee may be asked to submit copies of the notices of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency involved in the prosecution of the crime. Employees must comply with any requests to submit these notices, and failure to do so may result in denial of the leave of absence. The Town will maintain any such notices or records in confidence, and will disclose them only on a need to know basis.

The employee will be notified as soon as practicable whether the leave request is granted or denied. The Town will initially grant up to five days of unpaid leave. Requests falling within the definitions of this policy will typically be granted unless the leave of absence would cause an undue hardship on the Town. An “undue hardship” for purposes of this policy means significant difficulty and expense. In determining whether an undue hardship may exist, we will consider the size of our operations, the employee’s position, and our need for the employee to be at work.

Leave taken under this policy is unpaid, although an employee may elect to use his or her accrued earned time.

The Town will not discharge, threaten, or discriminate against an employee for taking leave under this policy, and employees taking leave under this policy will not lose any seniority during the leave of absence.

VI. MEDICAL BENEFIT PLAN

Eligible employees may participate in our medical insurance plan. Full-time employees may enroll in either a single, two-person, or family plan after meeting the eligibility criteria stated in our plan documents. Further information concerning this benefit as well as enrollment forms can be found in the Summary Plan Description available from the Finance/Human Resources Office. To assist you with the cost of this insurance, the Town currently pays a portion of the premium for single, two-person, or family coverage. The balance is to be paid by the employee through an authorized payroll deduction. The Town may adjust these contribution amounts periodically in its discretion.

Salaried and Regular full-time employees are eligible for medical insurance upon thirty days of continuous service or as soon as the plan allows enrollment after the thirty day period. The Town will pay 100% of the premium cost for the employee and 80% of the premium for the 2-person or family plan.

Part-time employees regularly working between 21 and 39 hours per week are also eligible for medical insurance upon thirty days of continuous service or as soon as the plan allows enrollment after the thirty day period. The Town will pay 50% of the premium cost of the premium cost for the employee and 50% of the premium for the 2-person or family plan.

The Town will also make available a Flexible Spending Account for health costs as well to all employees at no charge for the basic plan for the employee.

Employees choosing not to take the Town's Health Insurance and who demonstrate coverage under another plan will receive a buy-out based on the level of health insurance coverage for which the employee would be eligible as of July 1. This value of this buyout will be based on one half of the Town's share of health insurance premium for the Matthew Thornton (or prevailing equivalent plan), or a prorated value for the remaining weeks in the health insurance year based on the Employee's election to participate in the buyout program. At least 25% of the buyout must be placed in the Employee's Flexible Spending Account (up to the account maximum allowed) and the balance of the remaining avoided premium cost to the Town will be paid to the Employee in equal payments through the Town's regular payroll process

Please see the Finance/Human Resources Department for more details.

DENTAL PLAN

Eligible employees may participate in our dental insurance plan. Full-time employees may enroll in either a single, two-person, or family plan after meeting the eligibility criteria stated in our plan documents. Further information concerning this benefit as well as enrollment forms can be found in the Summary Plan Description available from the Finance/Human Resources Office. To assist you with the cost of this insurance, the Town currently pays a portion of the premium for single, two-person, or family coverage. The balance is to be paid by the employee through an authorized payroll deduction. The Town may adjust these contribution amounts periodically in its discretion.

Salaried and Regular full-time employees are eligible for dental insurance upon thirty

days of continuous service or as soon as the plan allows enrollment after the thirty day period. The Town will pay 100% of the premium cost of the premium cost for the employee and 80% of the premium for the 2-person or family plan.

Part-time employees working between 21 and 39 hours per week are also eligible for dental insurance upon thirty days of continuous service or as soon as the plan allows enrollment after the thirty day period. The Town will pay 50% of the premium cost of the premium cost for the employee and 50% of the premium for the 2-person or family plan.

Please see the Finance/Human Resources Department for more details.

RETIREMENT PLAN

The Town participates in the New Hampshire Retirement System. Both the Town and the Employee pay a percentage of earnings of full-time appointment employees into the system. Participation by both the Town and employee is mandatory under state law. Employees with questions can refer to the Finance/Human Resources office as well as www.nhrs.org for updated information.

The Town may also offer a voluntary deduction 457(b) plan. This is a employee directed retirement savings plan that allows employees to supplement any existing retirement benefits by saving and investing before-tax dollars through voluntary salary contribution. All associated fees and charges are the responsibility of the employee. The Town, through the Finance/Human Resources office can provide plan and enrollment information and will work with the employee to manage any deductions and changes in deductions.

SHORT-TERM DISABILITY

Full-time employees are currently eligible to enroll in our short-term disability insurance after completing one month of employment. This insurance is designed to provide some income for you in the event that you suffer a non-occupational illness or injury. There may be waiting periods that apply before the benefits will begin.

Our short-term disability benefits are governed by detailed plan documents that are available from the Finance/Human Resources Department.

If you are enrolled in our short-term or long-term disability benefits and you suffer an illness or injury, please notify the Finance/Human Resources Office immediately. The Office will tell you which forms must be completed and the medical information that must be supplied to apply for the benefits.

If and when an employee becomes eligible to receive short-term disability benefits, the insurance provider will issue a check to the employee for net pay, less any deductions for other benefits and taxes that would be regularly deducted from the employee's pay. The Town will receive the employee's deduction amount directly from the insurer and the Town will apply those monies to the employee's other benefits and taxes as well as

the Town share where necessary.

Should the employee choose to receive sick and/or vacation pay to make up the difference in the weekly pay from their normal gross this balance, less any taxes and other required deductions, will be paid to the employee by the Town in a separate check.

Employees receiving short-term disability benefits will not accrue earned time for any wage equivalents paid through the benefit program during the time the employee receives the benefit. If the employee uses Earned Time or Sick Account time to make up the difference between weekly pay and the disability benefit, earned time will be accrued on a pro-rated basis for the use of such previously accrued hours.

COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”) provides eligible employees and their eligible dependents with the opportunity to continue medical and dental insurance for a period of time, at their own expense, if they would otherwise lose coverage due to certain qualifying reasons. Upon a qualifying event as outlines in the Act, the employee will receive notice from the Town or its Benefit Administrator that outlines detailed rights granted under COBRA. Please see the Finance/Human Resources Office for more information about COBRA.

WORKERS’ COMPENSATION INSURANCE AND REPORTING WORKPLACE INJURIES

On-the-job injuries are covered by Workers’ Compensation Insurance, which is provided at no cost to the employee. We ask for your assistance in alerting the Town to any condition which could lead or contribute to an employee accident.

Reporting Injuries: If you are injured on the job, no matter how slightly, you **must** report the incident immediately to the Finance/Human Resources Office. Employees must complete the necessary workers’ compensation forms following any injury. The Workers’ Compensation carrier must also be contacted prior to seeking medical attention (unless it is a life-threatening injury).

Weekly Income Benefits: The amount of the weekly worker’s compensation benefit is set by the New Hampshire Department of Labor. The weekly benefit is currently based upon 60% of an employee’s average weekly wages. These benefits are paid by our workers’ compensation carrier to eligible employees.

Temporary Alternative Duty: Employees with work-related injuries may also be entitled to temporary alternative duty in accordance with New Hampshire’s workers’ compensation laws and Town policies as outlined below.

Reinstatement: A full-time employee who has sustained an on-the-job injury will be reinstated to his or her former position upon request within eighteen months of the initial injury if the position exists and is available, and the employee is not disabled from

performing the duties of the position. If the former position has been eliminated, the employee shall be reinstated in any other existing position which is vacant and suitable with reasonable accommodations for the employee's limitations. A fitness-for-duty certificate may be required before an employee is permitted to return to work.

Under New Hampshire law, an employee's reinstatement rights expire eighteen months from the date of injury. An employee also will not be reinstated if he/she has accepted a job with another employer at any time after the date of the injury or if there is a medical determination that the employee cannot return to his/her former position. Other circumstances concerning reinstatement will be governed by the New Hampshire Department of Labor requirements.

TEMPORARY ALTERNATIVE DUTY POLICY

In accordance with the provisions of RSA 281-A: 23-b, the Town will provide temporary alternative work opportunities for employees who suffer a work-related injury or illness. The Town believes that it is important to provide meaningful work during the time of healing and strengthening following a work-related illness or injury; to retain the knowledge and expertise of the employee and maintain the dignity and respect of the employee associated with their respective positions.

When practicable, employees will be returned to their regular duties with modifications consistent with a healthcare provider's stipulated work restrictions. In the event that such restrictions make it impracticable for an employee to perform his or her normal job duties, even with modification, the employee may be reassigned to different duties or a different work schedule and may include assignment to a different department with the Town.

The specific assignment of duties shall be determined on a case-by-case basis pursuant to the healthcare provider's restrictions and the work available at the time of the injury or illness.

The Temporary Alternative Work Program will be available to employees for a period of time extending as long as the circumstances of the illness/injury requires, but not longer than four months as dictated by the treating physician and as such duties are available.

The treating healthcare provider and the ill/injured employee share the responsibility of providing to the Town the NH Workers' Compensation Medical Form. This form provides information relating to the employee's capabilities necessary to structure a temporary duty program. The Department Head, in collaboration with the Town Administrator, will work with the employee to facilitate a safe return to work program within limitations listed by the treating physician. If necessary, the Town may contact the treating physician for additional information or request an independent medical examination report to address the proposed alternative work. The proposed alternative work and independent medical examination will then be forwarded to the treating provider for review and approval. The treating provider must approve the work program.

After each subsequent visit, or at least every thirty days, the ill/injured employee will be responsible for providing an updated medical form completed by the treating healthcare provider and returned to the Department Head or Town Administrator. Additional modifications will be made to the return to work program as required.

Upon release by the healthcare professional, the employee will assume normal duties of his or her regular position.

UNEMPLOYMENT INSURANCE

The Town pays into the unemployment compensation fund established by the State of New Hampshire. Individuals may be eligible for unemployment compensation benefits through the New Hampshire Department of Employment Security upon discharge from employment pursuant to applicable laws and regulations.

SOCIAL SECURITY

Social Security is a payroll deduction representing your contribution to the federal government's Social Security Program. The Town also contributes money on your behalf to the Social Security Program. Employees working in eligible positions will have contributions and deductions made to Social Security on their behalf.

VII. ON THE JOB

ATTENDANCE

Attendance and punctuality are important factors for your success in the Town. However, the Town is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise.

If an employee is unable to report to work, or if an employee will arrive late, the employee must contact his or her supervisor and have such contact acknowledged (via phone, e-mail, text message.) The supervisor should be given as much time as possible, and at least thirty minutes, to arrange for someone else to cover the position until the employee arrives. If the employee knows in advance that he or she will need to be late or absent, the employee is required to request, in writing, this time off directly from the Department Head.

For late arrivals, the employee should indicate when he or she expects to arrive for work. If the employee is unable to call in because of an illness, emergency or for some other reason, the employee should arrange to have someone call on his or her behalf.

Absence from work for two consecutive days without notifying the Department Head will be considered a voluntary resignation. Furthermore, three unapproved absences in a 90-day period, or a consistent pattern of absence, will be considered excessive, and the reasons for the absences may come under question.

Tardiness or leaving early is often as detrimental to the Town as an absence. Three

such incidents in a 90-day period will be considered a “tardiness pattern” and will be considered excessive, and the reasons for tardiness or leaving early may come under question. Other factors, like the degree of lateness, may be considered.

All employees should be aware that excessive absenteeism, lateness, or leaving early may lead to disciplinary action, up to and including dismissal from employment.

Attendance records will be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as disciplinary, termination, and layoff decisions.

CONFIDENTIALITY

The Town’s information and records relating to Town business, operations, plans, projects, strategies, employees, or citizens may be confidential. Therefore, employees must treat all matters accordingly.

No Town information, including, without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the Town) may be removed from the Town’s premises without permission from the Department Head or Town Administrator.

Additionally, the contents of the Town’s records may not be disclosed to anyone, except as required by law.

Employees unsure about the confidential nature of specific information are expected to seek clarification from the Town Administrator. All requests for information made under the auspices of RSA 91-A, should be directed to the Town Administrator for review and compliance as soon as possible following receipt. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

COMPUTER USE AND COMMUNICATIONS EQUIPMENT POLICY

The Town provides communication tools including computers, fax machines, telephones, voice mail, e-mail, and access to the Internet to help you do your job. This policy is designed to help you understand our expectations for the use of these resources and to help you use these resources wisely.

All employees should be aware that the Town has the right, but not the duty, to monitor the computer, network, fax, voice mail, e-mail, and Internet use of all employees. ***For this reason, employees should not have any expectation of privacy in their use of our computers or other communications equipment, including e-mail and voice mail systems. All content generated or viewed with or by town owned computers, telephones and mobile equipment may be considered a publicly releasable record.*** The Town reserves the right to suspend individual user accounts for violation of this policy and to take disciplinary action up to and including termination of

employment for the misuse of these resources or other violations of this policy.

The following guidelines apply to all employees:

- Employees should be aware that in addition to having the ability to monitor e-mail messages sent and received on our system (including e-mail messages sent and received from personal e-mail accounts accessed from our system), the Town has the ability and the right to monitor such things as Internet web site visits, newsgroup discussions, chat room discussions, computer network use, and voice mail accounts. Our computers and other communications equipment and the communications, information, and documents created on them are the property of the Town and may be monitored by the Town at any time.
- Our computers and other communications equipment may not be used to violate any federal, state, or local laws or regulations. Use of any Town resources for illegal activity is grounds for immediate termination of employment, and we reserve the right to report the matter to law enforcement authorities. We will cooperate with any resulting law enforcement investigation.
- The Town reserves the right to inspect any and all files stored on our computer network, including any files in private areas of our network, in order to assure compliance with this policy.
- The display or transmission of any sexually explicit image or document by e-mail or through any other means using the Town's system is a violation of our policy on sexual harassment. Our computers and other communications equipment also may not be used to transmit or display ethnic or racial slurs, or any other comment, message, or image that offensively addresses age, race, sex, sexual orientation, genetic information, religion, national origin, disability, veteran status, marital status or other protected status in a manner that may be viewed as harassing, discriminating, or disparaging of others. Transmission of harassing, discriminatory or otherwise objectionable e-mail or files is strictly prohibited.
- Transmission of any religious or political messages is strictly prohibited.
- Access to non-work related obscene, or offensive web sites is strictly prohibited.
- Any use of our computers or other communications equipment for any commercial activity (other than Town business) is strictly prohibited, as is the use of our computers and communications equipment for anything that may not be in the best interest of the Town including, but not limited to, activities that disclose any confidential or proprietary information of the Town.
- Use of another employee's account, user name, or password, or access to their personal files without their consent (by anyone other than authorized representatives of the IT department) is strictly prohibited. Obtaining, or trying to obtain, other users' passwords, or using programs that compromise security in

any way is prohibited.

- All passcodes and passwords are the property of the Town. No employee may use a passcode, password, or voice mail access code that has not been issued to that employee by the Town or that is unable to be independently reset by the Town. Users of the Town's computers, network, and other communications equipment must take reasonable precautions to prevent unauthorized access to our systems. Passwords should not be divulged to unauthorized persons.
- Destruction, theft, alteration, or any other form of sabotage of the Town's computers, programs, software, hardware, networks, websites, files, data, and other communications equipment and resources is prohibited and will be investigated and prosecuted to the fullest extent of the law.
- The breaking into and/or corrupting of any of the Town's computers, network, or other communications equipment is strictly prohibited. Hacking into third party computer or other information systems using the Town's technology is also prohibited, and will be reported to the authorities.
- Any vulnerability in the Town's computers, network, or other communications equipment or resources should be reported immediately to the IT Manager or Town Administrator.
- The use of viruses, worms, or other destructive programs is prohibited. If a virus, worm, or other destructive program is identified, it should be immediately reported the IT Manager or Town Administrator.
- Accessing the Town's files or any other files on the network or the system that you did not create is prohibited unless you have prior authorization the IT Manager or Town Administrator.
- Disruptive behavior such as intentionally destroying or modifying files on the network is strictly prohibited. Any form of tampering, including, but not limited to, snooping, drilling down, or hacking, or introducing malware or spyware is strictly prohibited.
- Confidential information is not to be transmitted over the Internet or otherwise disclosed without prior authorization and proper encryption. All Town data and information is considered confidential unless the Town has granted permission for an employee to disclose that information or unless required by law. Accessing or attempting to access confidential data is strictly prohibited. Confidential information should be used only for its intended purpose. Employees' responsibility for confidentiality continues outside of work. Employees working on Town documents, data, or other business on home computers or other portable technology should obtain express prior approval of the IT Manager or Town Administrator..
- All employees are responsible for taking precautions to safeguard the physical

security of the Town network, Internet, computers, and other communications equipment. Disks, CDs, USB portable drives and other removable drive devices containing sensitive, confidential, or proprietary information should be stored in a locked location, whenever possible. Computers should be logged off when not in use for an extended period of time or when an employee is out of his or her office.

- Employees are not allowed to introduce to our network, Intranet, computers, or other communications equipment media from any external sources, including, but not limited to, CDs, disks, personal digital assistants (including, but not limited to, BlackBerries and palm pilots), USB portable drives, and other removable drive devices without prior approval of the IT Manager or Town Administrator.
- Employees also may not copy, transmit, or otherwise remove any information from our network, Intranet, computers, or other communications equipment to CDs, disks, personal digital assistants, USB portable drives, or other removable drive devices without prior authorization from the IT Manager or Town Administrator.
- The Town retains the copyright to any Town-related material posted to any forum, newsgroup, chat, social media site or World Wide Web page by any employee in the course of his/her duties.
- All information on the network, Intranet, computers, and other communications equipment is the property of the Town. Deleting, altering, or sharing confidential, proprietary, or any other information during employment or after separation from employment is prohibited, unless you have received prior authorization. Upon separation from employment, any computer or other equipment, including CDs, disks, USB portable drives, personal digital assistants, and other removable drive devices, must be returned with the appropriate passwords, identification codes, and other information necessary for the Town to continue using its equipment.
- All employees are required to report any violations, or suspected violations, of this policy.

INCLEMENT WEATHER

Employees generally are expected to report to work during inclement weather. However, there may be occasions when the Town will be closed due to severe inclement weather. You should contact your supervisor or view WMUR for information as to whether the Town will be open for business. The Chairman of the Board of Selectmen in consultation with the Town Administrator will determine, if for the safety and welfare of Town employees, some Town services will be suspended or delayed due to inclement weather. Some Town functions must remain in operation regardless of weather conditions including police, fire and snow removal and therefore this section of the Personnel Manual will not apply.

If the Town's departments are not closed due to severe inclement weather, but you are

unable to get to work, then you must contact your supervisor explain why you cannot get to work. If you do not come to work because of inclement weather, you may use your earned time. If your earned benefits have been exhausted, you will not be paid for the time missed, unless otherwise required by law.

If you are an hourly employee and you come to work and the Town closes because of weather, loss of electricity or an emergency beyond our control, you will be paid a minimum of two hours or the time you worked, whichever is greater.

SOLICITATION AND DISTRIBUTION

No solicitation of any kind is permitted during working time, unless first approved by your Department Head and the Town Administrator. "Solicitation" is defined as requests for contributions, donations, raffles, lotteries, membership in organizations, attendance at events, or other similar conduct. "Working time" is defined as time during which the employee is scheduled to be working, exclusive of established break periods, meal times, and time before and after work hours. This rule applies to solicitations of both charitable and non-charitable causes.

No distribution of any non-work related written materials is permitted in any work area of any kind, unless first approved by the Town Administrator. "Work areas" are defined as any Town office or facility, other than designated break areas.

Employees may solicit or distribute materials only during break time or outside of scheduled work hours. Persons not employed by the Town are likewise prohibited from distributing materials or soliciting employees on the Town premises at any time, unless authorized by the Board of Selectmen or Town Administrator.

MOTOR VEHICLE VIOLATIONS

All employees who operate Town vehicles are required within seventy-two hours to notify the Town Administrator if they have been convicted of or plead nolo contendere to any and all motor vehicle violations. If the license of any employee who operates Town vehicles is suspended, revoked, or otherwise restricted, the employee must notify the Town Administrator within one working day of learning of the suspension, revocation, or restriction. No employee is authorized to operate any vehicle on town business while his or her license is under revocation or suspension. Employees who are required to, but are unable to drive, and/or who fail to comply with this policy, may be subject to discipline, up to and including termination of employment.

All employees who operate Town vehicles may be required to provide an official copy of their driving record annually at the Town's expense.

OPERATION OF VEHICLES

Only authorized employees may operate Town-owned vehicles. Unless prior written approval has been granted by the Town, they are not to be used for personal business, except for incidental errands during the course of regular Town business. Using a Town

vehicle outside of these purposes without Town permission will result in disciplinary action, up to and including termination.

Any employee who, as a part of his/her duties, has a need to operate a Town-owned vehicle must hold a valid driver's license and an acceptable driving record. In addition, the Town reserves the right to conduct annual motor vehicle record checks as well. Employees must cooperate in completing any required authorizations or other paperwork for the motor vehicle records checks. Copies of the reports received by the Town will be furnished to the employee upon request. Having a driving record that, in the opinion of the Town, is unsatisfactory, or one that is unacceptable to the Town's insurance carrier, may be grounds for disciplinary conduct, including but limited to loss of driving privileges and/or dismissal.

Safe Operation: As employees of a public agency, it is expected that the driving habits of all employees will serve as an outstanding example to the community.

Any employee who drives a Town-owned vehicle and receives a citation or any other fine or penalty for unlawfully operating any motor vehicle, Town-owned or non-Town owned, shall notify the Town Administrator consistent with the above MOTOR VEHICLE VIOLATIONS policy of the citation and/or fine and also shall be personally responsible for the payment of said fine(s) or any costs associated with the actual fine or legal representation in any such related matter. The improper, negligent, destructive or unsafe use or operation of a Town own vehicle may result in disciplinary action.

Collision: In the event of a collision involving property or vehicle damage, or personal injury, the following steps must be taken:

- The accident must be reported to your supervisor immediately
- An accident report must be completed.
- At the accident scene, contact the local police department for all accidents regardless of the extent of physical damage.
- If applicable, obtain the other driver's name, address, phone number, description of vehicle, insurance company information as well as the name(s) of any witnesses.
- No repairs should be completed on any damaged Town vehicle unless express permission is obtained from the Town Administrator.

Failure to comply with any of the steps may result in discipline up to and including termination.

Seat Belts: Employees are required to wear seat belts when operating or riding in Town-owned vehicles, or in personal vehicles while on Town business. It is required that all passengers in Town-owned vehicles also wear their seat belts, and to the extent required by state or federal law.

Use Of Cell Phones And PDAs: Except in emergency situations, the use of hand-held

cell phones or personal digital assistants to make calls during the operation of a Town-owned vehicle or while driving a personal vehicle on Town business is prohibited. Failure to adhere to this policy could result in disciplinary action. Hands-free headsets or other similar equipment are acceptable. TEXTING WHILE DRIVING IS AGAINST LAW AND EXPRESSLY PROHIBITED BY THE TOWN.

TOWN SECURITY

It is each employee's responsibility to help ensure that proper security measures are exercised at all times. You should be familiar with emergency exits and with alarm systems and the proper steps to take upon hearing them. Any suspicious person or events should be called to the immediate attention of the Police Department.

CONFLICT OF INTEREST

The Town expects its employees and officials to conform to the highest ethical and legal standards. Employees are required to refrain from engaging in any activities that create an actual conflict or the appearance of a conflict of interest. Examples of conduct and behavior that would violate this policy include, but are not limited to, the following:

- Investing in any of the Town's vendors or suppliers (unless the securities are publicly traded and the investments are on the same terms available to the general public, and not based on any inside information), or having any financial interest in a vendor or supplier that could cause divided loyalty or even the appearance of divided loyalty.
- Conducting business with a firm in which the employee or close relative of the employee has a substantial ownership interest without disclosure and concurrent review of any purchases or services by one or more of the following: Town Administrator, Board of Selectmen or individual designated by the Board for impartial review.
- Receiving any gifts or favors in any amount or value from members of the public, or from any Town vendors or suppliers, other than incidental promotional type items or items of limited value that can be shared with other employees.
- Using, directly or indirectly, Town funds, assets, or other resources for any unlawful goal or purpose.
- Using one's position in the Town or knowledge of its affairs for outside personal gains.
- Purporting to act on behalf of the any board, committee or department without prior authorization from that body.
- Engaging in practices that violate federal, state or local laws or ordinances

If an employee feels that he or she may have a potential conflict or be perceived as having a conflict, he or she should discuss the issue with the Department Head or Town

Administrator to develop a course of appropriate action that will not potentially harm the credibility, fairness or impartiality of the Town.

Employees with any questions regarding these guidelines are required to discuss them with Town Administrator who may refer the employee to the Board of Selectmen, prior to engaging in any activity or conduct that may violate this policy, as violations may lead to disciplinary action, up to and including termination.

This section is intended to complement the Town's Conflict of Interest Policy. In the case of any conflict of interpretation between this section and the Town Policy, the Conflict of Interest Policy as approved by Town Meeting shall take precedence.

HIRING OF RELATED INDIVIDUALS

While the Town is committed to hiring the most qualified and capable individuals available for every position, it recognizes the importance of maintaining a collegial and positive work environment. Therefore, no relative may work in the same department as a regular employee if the employment relationship is such that the relative is directly supervised by the employee or where the employment relationship may cause a potential conflict of interest, directly or indirectly impact the working environment, negatively impact public perception or work products of any individual, work group or the organization, unless specifically approved by the Board of Selectmen. Any such approvals shall be reviewed at least annually by the Board of Selectmen.

A relative is defined to include spouse, civil union partner, children, parents, step-parents, step-children, brothers, sisters, immediate in-laws, grandparents, grandchildren, or other person living in the employee's household.

OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their jobs with the Town. All employees will be judged by the same performance standards and will be subject to the Town's scheduling requirements, regardless of any existing outside work requirements. If the Town determines that the employee's outside work interferes with acceptable performance in the Town job, the employee may be asked to modify their terms of outside employment or employment with the Town. Employees may not receive any income or material gain from individuals outside the Town for materials produced or for services rendered while performing their jobs.

SUGGESTIONS AND IDEAS

We are always interested in your constructive ideas and suggestions for improving our operations. We believe that constructive suggestions indicate initiative on the part of an employee, and we encourage employees to submit them. A constructive suggestion notes an issue and offers a reasonable suggestion for improvement.

STANDARDS OF CONDUCT

All employees are required to comply with our standards of conduct, which are intended to promote consistency and harmony in the workplace, and to support the missions and objectives of the Town. We recognize that no list of rules can be all inclusive. Incidents may arise that are not covered by the standards of conduct which may lead to discipline, up to and including termination. The following areas are intended to guide you in recognizing certain behaviors which are clearly prohibited and which are considered by the Town to constitute cause for disciplinary action, up to and including discharge.

1. **Absence and Lateness**
Excessive absenteeism and/or lateness; failing to call in when absent; overstaying allotted break time; leaving the work area or work early without permission; misuse of any leave of absence.

2. **Employment Town Records**
Making a false statement on the application form; falsifying Town and employment records.

3. **Attitude**
Using abusive language to any person while at work, creating any type of disturbance, demonstrating a lack of cooperation, verbally abusing, disrespecting, or neglecting visitors or residents of the Town.

4. **Safety**
Violation of safety regulations or endangering the health or safety of other persons; failing to report any work-related accidents.

5. **Employee Relations**
Using abusive or profane language to another employee; negligent or intentional destruction of another employee's personal possessions; threatening bodily harm; intent to strike; striking another employee. Using threatening, abusive or profane language or other provocation which might reasonably be expected to result in a disturbance.

6. **Crime**
Conviction of a crime.

7. **Dishonesty**
Dishonesty to a coworker, resident, visitor or to the Town.

8. **Incompetence**
Repetition of avoidable mistakes to a point that the mistakes demonstrate a disregard for the Town's interest.

9. **Intoxicants**
Bringing, possessing, dispensing, selling, buying or using alcoholic beverages or

illegal drugs on Town property or while on the job; being under the influence of or testing positive for these substances during working hours.

10. **Neglect of Duty**
Negligence in the performance of duties which conflicts with the Town's interest. Neglect of duty resulting in inferior work, equipment breakdown, or waste of materials, supplies or products.
11. **Unsatisfactory Job Performance**
Failing to demonstrate the requisite skills or abilities to satisfactorily discharge the employee's duties.
12. **Weapons**
Possession of any kind of weapons on Town property.
13. **Telephone, Facsimile, Computer, E-Mail, Copier**
Excessive use of Town telephone, facsimile, computer, e-mail, Internet access and/or copier for personal purposes.
14. **Theft or Destruction of Property**
The theft or negligent or intentional destruction of any Town property or the personal property of a coworker, resident or visitor.
15. **Sexual or Other Unlawful Harassment**
Discrimination, sexual or other unlawful harassment, and/or inappropriate conduct in violation of Town policies. Retaliation against anyone who has complained of alleged harassment or discrimination or has participated in an investigation of a complaint.
16. **Insubordination**
Acting in an insubordinate manner toward any supervisor or in disregard of any directive of the Town.
17. **Falsification of Timekeeping Records**
Failure to appropriately document time spent in service to the Town, including incorrectly reporting start, stop and break times, making unauthorized changes to another employee's timesheets
18. **Violation of the Town Policies, Procedures or Rules**
Violating or failing to follow the Town policies, procedures or rules.

DISCIPLINE

It is the policy of the Town to take corrective action against employees who violate rules, regulations, or standards of conduct, or who endanger the safety of others, or perform in an unsatisfactory manner. Generally, there are four types of disciplinary actions used by the Town: documented verbal warning, written warning, suspension

without pay, and dismissal. While the Town will apply the concept of progressive discipline when appropriate, it reserves the right to determine the appropriate level of discipline in any circumstance. In addition, nothing in this policy or Personnel Manual undermines the at-will nature of the employment relationship, which may be terminated at any time by either party with or without cause, and regardless of whether any prior disciplinary action has been taken. The Town may also place an employee on administrative leave, paid or unpaid, on a temporary basis, as permitted under federal and state law.

VOLUNTARY DISPUTE RESOLUTION PROCEDURE

The Town is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion or question received a timely response from a supervisor. The Town strives to ensure fair and honest treatment of all employees. Supervisors, Department Heads and employees are expected to treat each other with mutual respect and to offer positive and constructive criticism.

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

An employee who is not satisfied with the supervisor's response (or the problem involves your supervisor) is urged to go to the Department Head and again try to resolve the issue. If the matter is not resolved by the Department Head within fifteen business days, the Town Administrator is available to discuss the issue. We urge every employee to follow through rather than be dissatisfied. Any complaint will be investigated and the findings and determination reported back to the employee. If an employee still feels that the results are unsatisfactory after review by the supervisor, Department Head and Town Administrator may request in writing a hearing before the Board of Selectmen who will act within fifteen days of receipt.

PERSONNEL RECORDS

The Town maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of your progress as an employee. Your personnel file is our record of information relative to your employment. You may inspect your own personnel file during regular office hours, upon reasonable request. File inspection must be done on your own time, and must be arranged through the Town Administrator. You may read your personnel file, but you may not remove any portion of the file. Upon request, you will be provided with a copy of all or part of your personnel file. The Town will comply with NH RSA 275:56 which outlines legal protection of employee access to personnel files.

If upon inspection of your personnel file, you disagree with any of the information contained in such file, and you and the Town cannot agree upon removal or correction of such information, you may submit a written statement explaining your version of the

information together with evidence supporting such version. The Town will maintain such statement as part of your personnel file and will include the statement in any transmittal of the file to a third party.

It is important that your personnel file includes accurate information regarding who should be contacted in case of emergency. Please notify Finance/Human Resources Office as soon as possible of any changes in your name, address, telephone number, marital status, dependents and/or beneficiaries.

PERFORMANCE APPRAISALS

In order for you to improve your performance and better understand the Town's expectations, the performance of employees will be periodically reviewed. You will generally receive performance appraisals from your supervisor. However, performance review is a continuing process throughout the course of employment, and you may meet with your supervisor to discuss performance more frequently. In addition to formal written reviews, performance will be discussed with you regularly with your supervisor.

Your Department Head will discuss your written performance review, giving you the opportunity to understand the expectations of your position and to examine your strengths, as well as areas in which you need to improve. You will have the opportunity to comment on and sign the review. Your signature on the performance appraisal form indicates that you have seen the appraisal; it does not indicate agreement or disagreement with the content of the review.

A performance appraisal is not a contract or a commitment to provide a compensation adjustment, a promotion, a bonus, or continued employment. Appraisals are only one of several factors that the Town uses in connection with compensation, promotion, and retention decisions.

VIII. EMPLOYEE SAFETY AND HEALTH

HEALTH & SAFETY PROGRAM

Safety is of great concern to the Town. It is important that we all keep safety foremost in our minds to ensure that our work environment is as safe as possible. Safety can only be achieved through teamwork. Each employee, supervisor, and official must practice safety awareness by being alert, anticipating unsafe situations, and reporting unsafe conditions immediately. Please observe the following precautions:

- a. Notify your supervisor of any emergency situations. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
- b. The use of alcoholic beverages, illegal drugs, or the abuse of legal drugs during work hours will not be tolerated. Possession of alcohol or any illegal drugs on Town/ property is prohibited.

- c. The use, adjustment, and/or repair of machines or equipment is to be performed by you only if you are trained and qualified.
- d. Get help when lifting or pushing heavy objects.
- e. Understand your job fully and follow instructions. If you are not sure of a safe procedure for performing work, ask your supervisor.
- f. Know locations, contents, and intended use of all first aid and fire fighting equipment.
- g. Wear personal protective equipment as directed in accordance with the job you are performing.
- h. Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.
- i. All job descriptions include keeping our facilities and lots clean and safe. Every employee must participate in this effort.

Violations of safety precautions may lead to disciplinary action, up to and including termination.

SAFETY COMMITTEE

The Town maintains an active Safety Committee comprised equally of management and regular employees, which meets quarterly. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please see the Town Administrator for details.

WORKPLACE VIOLENCE

Unfortunately, violence in the workplace has become a reality for many employers. We hope that we never have to face this growing problem. The Town therefore prohibits employees from bringing weapons on our premises, including our parking lots. Moreover, violence and verbal or physical threats of violence of any kind in the workplace or on Town property will not be tolerated, and employees engaging in such conduct will be subject to discipline, up to and including separation from employment. Responsive action may also include notifying the police or other law enforcement and prosecuting violators of this policy. If you become aware of any violence or threat of violence, you must immediately report the matter to the Town Administrator, or if the risk of danger is imminent, the police should be contacted directly, and then the Town Administrator should be contacted as quickly as practicable.

ALCOHOL AND DRUG POLICY

The Town/City is committed to providing a safe work environment that is free from the effects of drugs and alcohol.

Drug and alcohol use in the workplace can create health, safety, and security issues for our employees, citizens and visitors. The Town is committed to providing a safe work environment that is free from the effects of drugs and alcohol. In support of our commitment, the Town prohibits the following conduct and other conduct which, in our determination, is inconsistent with our commitment:

- the manufacture, distribution, sale, dispensation, possession, storage, or use of a controlled substance, unauthorized prescription drug, or drug paraphernalia at any time on Town premises, on Town business, or during working hours;
- the use, manufacture, distribution, dispensation, or sale of alcohol at any time while on Town premises, on Town business, or during work hours;
- reporting to work or otherwise working under the influence of drugs or alcohol, or under the influence of legal drugs that may impair your ability to safely perform your job functions;
- reporting to work in a condition that is not fit for work. In addition to being under the influence as mentioned above, other indications of a lack of fitness for duty are smelling of alcohol, appearing to be hung over, or otherwise appearing or being unable to effectively interact with citizens, visitors and co-workers and work safely and properly without impairment;
- failing to submit to a required fitness for duty exam.

The Town also maintains the following reporting requirements:

- Any employee who is taking medication that may impair his or her ability to safely perform job functions must inform his or her supervisor immediately, and must not perform any work until authorized to do so by the Town.
- If any employee is involved in drug misconduct (including the use or possession of illegal drugs or unauthorized prescription drugs) on Town premises or while working for the Town, the Town reserves the right to report the incident to law enforcement authorities;
- If any person observes an employee exhibiting behavior that may be indicative of impairment by drug or alcohol use, he or she should immediately report the behavior to the Town Administrator

Investigations and Searches:

When the Town determines that there is reasonable cause to suspect that an employee

has violated this policy, the Town reserves the right to inspect, without prior notice, lockers, work areas, desks, cabinets and other Town owned property. Cause to suspect shall be solely in the judgment and discretion of the Town.

Violations of this Policy:

Employees must, as a condition of employment, abide by the terms of this policy. Violations of this policy will result in disciplinary action, up to and including termination, and may also have legal consequences.

Fitness for Duty Exams:

The Town reserves the right to require any employee to submit to a fitness for duty exam when there is a reasonable basis for the Town to believe that the employee may be under the influence of alcohol or drugs or may be otherwise unfit for duty. Fitness for duty exams may include, but not be limited to, tests for the presence of drugs or alcohol. Employees must consent to fitness for duty exams as a condition of employment. The cost of any such fitness for duty exams will be covered by the Town. Within the Town's discretion, an employee may be placed on paid or unpaid administrative leave or suspension pending the results of a fitness for duty exam.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisors or the Finance/Human Resources Office to receive assistance or referrals to the appropriate resources in the area. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the Town's health benefit or other program. Employees with questions about this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Town Administrator without fear of reprisal.

SMOKING POLICY

The Town is committed to providing a safe, healthy, and smoke-free work environment for our employees, visitors, and vendors. Consistent with our commitment and state law, we have declared a no smoking policy within our buildings.

No smoking is allowed in any areas of Town buildings. Anyone wishing to smoke must do so only during authorized breaks in the outside of any Town building and away from the general walkways used to access the main doors of any building. The Town/ hopes and expects that our employees will comply with the non-smoking policy. If you have a concern or complaint with respect to any employee, visitor, or vendor violating this policy, please report such concern or complaint to the Town Administrator.

If an employee fails to comply with these rules, the employee will be subject to disciplinary action, up to and including termination.

WORKPLACE SEARCHES

To safeguard the safety and property of our employees, residents, and the Town and to help prevent the possession and use of weapons and illegal drugs on Town premises, it may become necessary to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from Town property. In addition, the Town reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises in pursuit of our concern to safeguard the safety and property of employees and the Town. Employees should understand that all offices, desks, files, lockers, and so forth, are the property of the Town and are issued for the use of employees only during their employment with the Town. Inspections may be conducted at any time at the discretion of the Town.

Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property, weapons, or illegal drugs, may be subject to disciplinary action, up to and including discharge.

IX. SEPARATION FROM EMPLOYMENT

REQUESTED NOTICE OF DECISION TO TERMINATE EMPLOYMENT

Should you decide to resign from your employment with the Town, we ask that you notify your Department Head of your decision at least two weeks in advance of your planned departure date. Your thoughtfulness will be appreciated, and will allow the Town to maintain work schedules and provide important services to the public.

RETURN OF PROPERTY

Employees are responsible for Town property, materials, equipment and written information issued to them or in their possession or control. Employees on or before their last day of work, must return all property. Any passwords for computers, equipment or web registrations done in the name of the Town should be documented and returned to the Department Head. The Town may take all action deemed appropriate to recover or to protect its property.

EXIT INTERVIEWS

In most instances, employees who terminate their employment will be asked to participate in an exit interview with your Department Head, Town Administrator or the Chair of the Board of Selectmen. The purpose of the exit interview is to discuss any relevant separation benefits and benefit continuation, and to receive feedback from you on ways in which our Town can improve our operations and retention of employees.

RECEIPT AND ACKNOWLEDGMENT OF PERSONNEL POLICIES AND PROCEDURES MANUAL

This Personnel Policies and Procedures Manual is an important document intended to help you become acquainted with the Town of Litchfield. This Manual will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Please read the following statements and sign below to indicate your receipt and acknowledgment of the Manual.

- I have received a copy and understand that it is my obligation to read the Personnel Policies and Procedures Manual. I understand that the policies described in the Manual are subject to change at the Town's sole discretion at any time. I understand that this Manual supersedes and replaces all other previous manuals and personnel policies for the Town/City as of January 1, 2013.
- I acknowledge that I have the right to terminate my employment with the Town of Litchfield at any time without notice. In turn, I acknowledge that the Town has the right to terminate my employment in its sole discretion, subject to any statutory or federal or state constitutional requirements.
- I am aware that the descriptions of benefits in this Manual are not contractual in nature and do not guarantee any continuance of said benefits.
- I am aware that during the course of my employment, confidential information may be made available to me. I understand that this confidential information must not be given out or used outside of Town premises or with non-Town employees, except as required by law.
- I understand that I should consult with my supervisor/department head regarding any questions not answered in this Manual.
- I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the Personnel Policies and Procedures Manual.

Employee's Name (**please print**)

Date:

Employee's Signature