

Town of Royalton



Personnel Policy And Rule Handbook

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TOWN OF ROYALTON

PERSONNEL RULES

Section 1: NAME OF ADMINISTRATIVE RULES AND AUTHORITY

These rules shall be known and cited as “Personnel Rules” and are hereby adopted pursuant to the provisions of Title 24, Vermont Statutes Annotated, sections 1121 and 1122.

Employment with the Town of Royalton is at will, and is not for any definite period or succession of periods, and may be terminated either by the employee or by the town at any time without notice, except as provided by this manual. Wages or salary and any accrued and unused vacation allowable under these rules and regulations shall be due to the employee only to the day and hour of termination.

This manual and the provisions contained herein do not constitute a contract of employment in whole or in part. The Selectboard reserves the right to add, amend or delete any benefits or policy stated herein at any time, except as otherwise committed to by formal contract agreements.

Section 2: PERSONS COVERED

These rules and regulations shall be applicable to all persons employed by the Town of Royalton with the exception of Elected Officers, their appointees, members of Boards and Commissions, employees of the School District, persons employed in a professional capacity to make special and temporary studies, investigations and/or inquiries, and other positions to which no compensation is attached.

Section 3: ADMINISTRATION

These rules and regulations shall be administered by the Selectboard or their authorized representative. Amendments to these Personnel Rules shall be by resolution of the Selectboard.

Section 4: RECRUITMENT

The policy of the Town of Royalton is to maintain and promote equal employment opportunity. The town will select candidates for employment on the basis of the candidate’s qualifications for the job and treat employees fairly with respect to all aspects of employment, including compensation, evaluation and opportunity for training and advancement without regard to age, sex, race, religion color, sexual orientation, place of birth, ancestry, physical or mental condition, gender identity, genetic disposition, national origin, veteran status, or any other protected status under applicable state or federal law. Equality in such opportunities has been and is the basic policy of the town. Any employee who believes that any practice or action of the town is inconsistent with this policy of non-discrimination should bring such matter to the attention of the Selectboard promptly and should pursue the grievance policy and procedures set forth in these Personnel Regulations if the matter is not resolved.

As part of the pre-employment procedure, former supervisors, former employers, and references provided by applicants shall be checked. Reference checks made by personal or telephone contact shall be documented. These reference checks shall be completed prior to an offer of employment and the information shall be made part of the application file. All such information is confidential.

When an emergency hiring situation is declared by the Selectboard, any or all of the application process requirements may be waived to ensure provision of continuous Town services to its citizens.

Section 5: SELECTION

All appointments to positions in the service of the Town of Royalton shall be made based on the applicant's knowledge, skills, and ability to perform the essential functions of the job.

Section 6: APPOINTMENT / PROBATIONARY PERIOD

Type of Appointments

Full-Time:

A full-time employee works at least 37.5 hours per week on a continuing basis (indefinite term). The full-time employee is subject to all rules and regulations and receives all benefits and rights as provided by the Personnel Rules.

Student Appointments:

Student appointments have the purpose of affording students of public administration or other professional areas an opportunity to gain actual work experience and provide service to the Town. Such appointments are for a definite period of time, not to exceed 12 months, and require the approval of the Selectboard or their authorized representative and may be paid or non-paid. Student appointees shall not be eligible for employee benefits but shall be subject to all personnel rules pertaining to performance and conduct.

Emergency Appointments:

In order to prevent stoppage of public business or loss or serious inconvenience to the public, appointment of employees on a temporary basis may be authorized by the Department Head with the approval of the Selectboard or their authorized representative in accordance with these rules for a period not to exceed sixty (60) days. Such appointees shall not be eligible for employee benefits.

Regular Part-Time Employees:

Regular part-time employees are employees who work less than the normal week but on a regular basis. Regular part-time employees working 18 or more hours per week shall be subject to all rules and regulations and receive all benefits and rights as provided by the Personnel Rules, on a prorated basis.

Part-time Employees:

Regular part-time employees who work fewer than 18 hours per week are not eligible for employee benefits under these personnel rules.

Limited Term Appointments:

Limited term appointments are made when a special project requires the addition of employees for a specific time period, or to fill a position of an employee on a leave of absence. Limited term employees are not eligible for employee benefits under Personnel Rules unless they are 18 years and older and work on average of 18 or more hours per week more than 20 weeks per year.

Seasonal Employees:

Seasonal employees are hired for a specific project of short duration and are not eligible for employee benefits under these Personnel Rules unless they are 18 years and older and work on average of 18 or more hours per week more than 20 weeks per year.

Probationary Period

All new employees will be required to complete a six-month probationary period. The purpose of this probationary period is to determine whether the employee is suited for the job. During the probationary period, an employee may be terminated at any time at the sole discretion of the Selectboard. Notwithstanding any other provision of this policy, an employee terminated during the probationary period will have no right to appeal such termination.

Section 7: WORK AUTHORIZATION STATUS

All new Town employees must provide the Selectboard or their authorized representative with proof of work authorization in conformance with federal law. Failure to provide such proof shall result in non-hiring or immediate dismissal.

Section 8: EVALUATIONS

All employees of the Town of Royalton will be evaluated once a year. Such evaluations will be in writing and signed by both the employee and the Department Head following a conference during which the evaluation is discussed. The signature of the Employee does not indicate that he or she agrees with the evaluation but only acknowledges that the evaluation has been shown and discussed.

The signed, written evaluation will then be provided to the employee and a copy shall be placed in the employee's file. The employee may, through an appointment during business hours, view his/her file in the presence of the Selectboard or their authorized representative. Any annual evaluation with a rating of less than satisfactory may result in corrective action that may include a probationary period of up to ninety (90) days. Improved performance and subsequent evaluation may result in the probationary status concluding. Failure to improve during the probationary period may result in corrective or disciplinary action that may include suspension without pay or termination of the employment relationship. During a probationary period, there will be no reduction in pay or loss of fringe benefits.

Section 9: DISCIPLINE AND DISCHARGE

General Policy

The Town of Royalton exists to provide services to its citizens and therefore has a responsibility to perform these services in the most effective and efficient manner possible. The same is required of Town employees. Discipline and/or discharge will result from any action or inaction resulting in anything less than satisfactory performance. All employees will be fairly and consistently subject to the disciplinary and discharge procedures, given the facts of the individual case.

Employee Actions or Inactions Resulting in Discipline and/or Discharge:

The Selectboard and/or their authorized representative may discipline or immediately dismiss an employee whenever in his/her opinion the employee's work or conduct so warrants. Reasons for discipline or dismissal may include, but are not limited to: insubordination, use or being under the influence of drugs or alcohol while on duty, dishonesty, recklessness on the job, failure to obey a reasonable order either verbal or written, falsification of application forms, fighting on duty, convictions for offenses against the law which would affect the employee's performance, violation of any Town rules which result in serious personal or property damage, use of abusive language toward a superior or the general public, abuse of sick leave, failure to request leave in advance, leaving without permission, unexcused absences, chronic absenteeism, unexcused and/or excessive lateness; carelessness, negligence, short cuts, horseplay, gambling, sleeping on duty, theft, disregard for safety rules, possession of firearms or dangerous weapons on duty without supervisor's permission, willful damage to company property and falsifying work records. This list is not inclusive and is exemplary only.

Dismissal

A dismissed employee will be notified of such action during a conference with the Selectboard or their authorized representative with a witness present and will include the incident necessitating the action and/or the rule or rules violated. An employee so dismissed shall also be informed in writing of the appeal procedure provided under these Personnel Rules.

Section 10: APPEAL PROCEDURE

Appeals from dismissal, demotion or suspension shall be made by an employee by applying in writing within five (5) working days of such dismissal, demotion or suspension, to the Selectboard. If a hearing is requested, the Selectboard shall hold a hearing as requested by employee within three (3) weeks of receipt of employee's written request for a hearing. At the hearing, the employee, at his/her discretion, may be present, present testimony, be represented by counsel, examine the evidence against him or her and/or cross-examine any witness. The Selectboard shall make their decision and inform the appellant within seven (7) days of the hearing. If the action of the Selectboard is in favor of the employee, he or she may be restored to his or her original position with full pay for the period since dismissal or suspension. The Selectboard can also reduce the disciplinary action to suspension without pay or reprimand. The decision of the Selectboard shall be final.

Section 11: GRIEVANCES

Policy

It is the intent of the Town of Royalton to address grievances informally. Supervisors as well as employees are encouraged to make every effort to resolve problems as they arise. However, it is recognized that there may be grievances which will be resolved only after a formal appeal and review. When this is the case the procedure listed here under will be followed.

Procedure

An employee who believes that inequitable treatment has been received because of some conditions of employment may personally or through representatives appeal for relief from that condition. The employee is expected to initially discuss any grievance with the immediate supervisor. If the matter cannot be settled at that level, the employee may elect to discuss the matter with the Department Head. If the employee feels that the grievance has not been satisfactorily adjusted by the Department Head, he or she may present it to the Selectboard for consideration.

Section 12: CONDUCT OF EMPLOYEES

Hours of Service

With the approval of the Selectboard, the appointing authority shall prescribe the number of hours per day and per week of actual attendance on duty for employment in positions under their jurisdiction. The hours so established shall be construed as the normal work day or work week.

Regular work hours may be changed and employees may be expected to work additional hours that may exceed forty hours in a given week, as circumstances require. All road crew employees are required to be available for work on an on-call basis, especially during the winter months. All Town employees are required to be available for work in the case of an emergency, weather-related or otherwise.

Summer Work Schedule

The Royalton Highway Department has the option to work four ten hour days Monday through Thursday from May 15 to Sept 15 (Weather permitting) One staff person must be on call Fridays. A schedule of on call staff will be given to the Royalton Town Administrator at the beginning of each month during this time period.

General Obligations

Every employee shall fulfill to the best of their ability the duties and responsibilities of the employee's position. The employees shall, during their hours of duty, be subject to such other laws, rules and regulations that pertain thereto, and devote their full time attention and efforts to their office and employment. Employees shall not use their positions to secure special privileges or exemptions for the employee or others. Employees shall not use Town property or equipment, without written authorization from the Selectboard or their authorized representative, for the employee's private use or for any use other than that which serves the public interest. Such private use of Town property or equipment is prohibited.

Attendance

Employees are expected to maintain satisfactory attendance and timeliness. If an employee anticipates missing work, the employee should contact his or her supervisor as soon as is reasonable practicable and not later than the beginning of the employees shift. Excessive absenteeism or tardiness may result in discipline.

Section 13: OUTSIDE EMPLOYMENT

The primary occupation of all full-time employees shall be with the Town. Employees may not engage in any outside business activities during their normal working hours. Employees are prohibited from undertaking outside employment that interferes with their job performance or constitutes a conflict of interest.

Prior to accepting any outside employment, employees will disclose their intent to do so in writing and obtain prior clearance from the Selectboard that such employment does not constitute a conflict of interest.

A conflict of interest means a direct or indirect personal or financial interest of an employee, his or her close relative, household member, business associate, employer or employee. A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

Section 14: POLITICAL ACTIVITY

No employee may use his or her official authority for the purpose of interfering with or affecting the nomination or election of any candidate for public office, or demand or solicit from any individual direct or indirect participation in any political party, political organization or support of any political candidate. Employees are prohibited from using Town facilities, equipment or resources for political purposes and from pursuing political activities while working.

This personnel policy is not to be construed to prevent employees from becoming or continuing to be members of any political party or organization, from attending political party or organization meetings or events, or from expressing their views on political matters, so long as these views are clearly articulated as being those of the individual and not of the Town, and these activities do not interfere with the individual's ability to effectively perform his or her duties and take place or are expressed during non-working hours. Nor is this personnel policy to be construed as prohibiting, restraining or in any manner limiting an individual's right to vote with complete freedom in any election.

Section 15: NEPOTISM

The Town of Royalton in recognition of the potential for a conflict of interest to occur in the workplace where a close relative is responsible for supervising or evaluating the work performance of another close relative – prohibits the hiring or transferring of relatives, when doing so will result in a close relative supervising or evaluating another close relative, or a close relative supervising or evaluating the immediate supervision of another close relative. A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

Section 16: ALCOHOL AND DRUG USE

The Town intends to maintain a drug-free workplace and workforce. The use of alcohol or drugs, including the abuse of prescription drugs, are not tolerated in the workplace or at work-related events.

As a Town employee, you are prohibited from working, or presenting yourself for work, while under the influence, or impaired by, of drugs (including marijuana), controlled substances, and/or alcohol. This policy is designed to promote our goal of providing a safe, healthy and productive work environment. This policy covers all employees, including drivers and other employees who also are subject to drug testing programs performed in accordance with Federal Department of Transportation (DOT) requirements.

It is the policy of the Town to prohibit the manufacture, distribution, transfer, display, transportation, sale, dispensation, possession, consumption or use of drugs (including marijuana), controlled substances, and/or alcohol by Town employees at the workplace and/or during working hours. Prohibited behavior includes manufacturing, growing, distributing, transferring, displaying, transporting, selling, dispensing, possessing, consuming, using, or being under the influence of drugs (including marijuana), controlled substances, and/or alcohol during work hours, on work premises, while engaged in work activities away from work premises, or during work-related events.

For the purposes of this policy, the term “drug” includes both: (a) all state and/or federally controlled substances, including look-alike and designer drugs, and drug paraphernalia, and (b) prescription medications that have not been prescribed for current use by an authorized medical practitioner or that are being used contrary to the prescribing medical practitioner’s instructions. Employees may work when they are using a drug legally prescribed by an authorized medical practitioner, except when the substance will adversely affect their ability to safely perform their job duties. Controlled substances include but are not limited to the following substances: marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), barbiturates, benzodiazepine, methadone, methaqualone, and propoxyphene.

Violations of this policy may subject employees to disciplinary action, up to and including termination of employment and referral for prosecution. The Town also may provide information and recommendation to participate in an appropriate drug assistance or rehabilitation program.

An employee who engages in any of the above behaviors will be subject to disciplinary action up to and including termination.

Section 17: USE OF TOWN EQUIPMENT

Except as provided in Section 16, (next one) the use of Town equipment or property for personal use is strictly prohibited. Employees should have no expectation of privacy regarding anything stored in or on Town-owned property or Town-owned equipment, including but not limited to desks, filing cabinets, lockers, and vehicles. Employees should expect that such areas may be searched at any time to retrieve work-related materials or to investigate violations of workplace rules.

When an employee is required to use their personal vehicle for town related activities the amount that the town may pay shall be based on the current federal mileage reimbursement rate.

Section 18: USE OF TOWN COMPUTER SYSTEM

For purposes of this policy, "computer system" means all computers and devices and any related hardware, equipment, components, or software, including, but not limited to, host computers, file servers, workstation terminals, laptops, tablets, smartphones, internal or external communication networks, the world wide web (www), the Internet, commercial online services, bulletin board systems, backup systems, and the internal and external e-mail systems accessed via the Town’s computer equipment.

All electronic communications regarding Town business should be, to the furthest extent possible, conducted via official Town computer systems. A Town employee should avoid conducting Town business using his or her personal computer, device, or account.

The Town computer system is to be used by employees for the purpose of conducting Town business. Occasional, brief, and appropriate personal use of the Town computer system is permitted, provided it is consistent with this policy and does not interfere with an employee's job duties and responsibilities.

Employees should have no expectation of privacy or confidentiality regarding anything created, sent or received on the Town computer system. The Town may monitor at any time its computer system without warning or any specific notice to employees including any and all computer transactions, communications and transmissions for any reason including, but not limiting to ensuring compliance with this policy and evaluating the use of its computer system. All files, documents, data and other electronic messages created, received or stored on the Town computer system are open to review and regulation by the Town and may be subject to the provisions of Vermont's Public Records Law.

Employees may not introduce software from any outside source on the Town's computer system without explicit prior authorization from their supervisor. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce into the Town computer system.

Employees who have a confidential password to access the Town's computer system should be aware that this does not mean the computer system is for personal confidential communication, nor does it suggest that the computer system is the property of that person.

Transmission of electronic messages on the Town computer system shall be treated with the same degree of propriety, professionalism, and confidentiality as written correspondence. The following are examples of uses of the Town computer system which are prohibited:

- Communications that in any way may be construed by others as disruptive, offensive, abusive, discriminatory, harassing, or threatening;
- Communications of sexually explicit images or messages;
- Transmission of chain letters or solicitations for personal gain, commercial or investment ventures, religious or political causes, outside organizations, or other non-job-related solicitations during or after work hours;
- Access to Internet resources, including web sites and news groups, that are inappropriate in a business setting;
- Any other use that may compromise the integrity of the Town and its business in any way.

Section 19: CONFLICTS OF INTEREST

Every employee of the town shall carry out his or her job in a way that ensures that neither the individual employee nor any other employee of the municipality will gain a personal or financial advantage from his or her work for the municipality and so that the public trust will be preserved. All decisions made by municipal employees shall be made based on the best interest of the community at large rather than the interests of any particular individual or employee.

An employee shall not participate in any official action if the employee has a conflict of interest in the matter under consideration. A "conflict of interest" shall mean a direct or indirect personal or financial interest of the employee, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother- or sister-in-law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the employee or before the municipality.

An employee shall not personally, or through any member of his or her household, business associate, employer or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in a cause, proceeding, application or other matter pending before the municipality.

An employee shall not use resources not available to the general public, including but not limited to town staff time, equipment, supplies, or facilities for private gain or personal purposes.

An employee may accept a nominal gift or gratuity in connection with an action associated with their official duties on behalf of the town with an estimated monetary value not exceeding \$20 once per calendar year, with the understanding that employees may not directly or indirectly ask, demand, exact, solicit, accept or receive any gift, gratuity, act or promise beneficial to that individual, or another, which could influence any action or inaction associated with their official duties on behalf of the Town, or create the appearance of impropriety in connection with any actions or inactions associated with their official duties on behalf of the town. Nor shall any employee authorized to procure or to recommend procurement of materials, supplies or services corruptly, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive or agree to receive for the employee or another person, any benefit or benefits from the person providing or soliciting the provision of such materials, supplies or services with the exception of items of a de minimus nature valued \$20 or less (such as vendor booth “freebies”).

No person in the service of the Town of Royalton shall either directly or indirectly give, render, pay or receive any service or other valuable thing for or on account of or in connection with any appointment, proposed appointment, promotion or proposed promotion. Any employee who receives a gift or is offered a gratuity in excess of \$20 from any source by virtue of the fact that he or she is a town employee shall within twenty-four hours inform the Department Head. Failure to report such gifts or gratuities, or offer thereof, may present grounds for suspension or dismissal. The Department Head shall, in turn inform the Selectboard or their authorized representative of all gifts and/or gratuities offered or received by the department whether individual or collective. The Selectboard will decide whether or not such gifts and/or gratuities may be accepted.

No elected or appointive officer or employee of the Town of Royalton shall be beneficially interested directly or indirectly in any contract with the Town, regardless of amount; or furnish any material, or perform any labor, except in the discharge of his or her official duties, unless such contract shall have been awarded upon bids advertised for by publication. Such publication shall be at least two (2) times in a newspaper having general circulation within the town; the second publication shall be at least seven (7) days prior to the opening of such bids. No officer or employee of the Town shall take part in any decision concerning the business of the Town in which he or she has a direct or indirect financial interest, aside from his or her salary as an officer or employee, greater than any other citizen or taxpayer in the Town. This section shall not apply in the event of an emergency where immediate action shall be deemed more important to the Town than the receipt of formal bids.

Section 20: RESIGNATION

An employee who resigns his or her employment with the town shall be deemed to be terminated in good standing if he or she gives reasonable notice to the Selectboard or their authorized representative of the employee’s intention to resign and if other circumstances of the termination are such as to justify good standing.

Section 21: HARASSMENT AND SEXUAL HARASSMENT

The Town of Royalton is firmly committed to prohibiting discrimination throughout the employment process against individuals because of race, age, sex, religion, color, creed, national origin, ancestry, place of birth, sexual orientation, gender identity, qualified individual with a disability, or any other legally protected status. Employees are entitled to a workplace free of discrimination, including harassment based on any of the above factors. The Town of Royalton will not tolerate such conduct at the workplace. If an employee believes that he/she has been subjected to such discrimination or harassment, the reporting procedure outlined below for

complaints of sexual harassment should be followed. Questions should be directed to Human Resources.

Sexual Harassment

The Town of Royalton prohibits sexual harassment of its employees and others who perform work for the Town, such as volunteers, interns and independent contractors. Sexual harassment is unlawful under federal and state law. The Town of Royalton is committed to providing a work place free from this unlawful conduct. Every employee shall be provided with a written copy of this sexual harassment policy upon hire and each time changes are made.

Definition of "Sexual Harassment"

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

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

Examples of sexual harassment may include, but are not limited to the following, when such acts or behavior come within one of the above definitions:

- Unwelcome sexual advances;
- Suggestive or lewd remarks or gestures
- unwanted hugs, touches or kisses;
- requests for sexual favors;
- pornographic posters, cartoons or drawings;
- sexual epithets, jokes and banter;
- written or oral references to sexual conduct;
- comments on an individual's body or sexual activity; or
- retaliation for complaining about sexual harassment.

Retaliation against an employee for reporting sexual harassment or harassment based on any legally protected status as outlined above, or for cooperating in an investigation of a complaint of such harassment, is unlawful. It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliatory action which affects the working environment of any person involved in the complaint or investigation. Employees who believe they are being retaliated against, you should follow the complaint procedure outlined below.

Complaint Procedure

The Town of Royalton is committed to taking action when it learns of potential sexual harassment. Any employee who feels that he/she has been the victim of sexual harassment should contact the Town Administrator Rose Hemond at 763-7967 or any member of the Royalton Selectboard.

The Town of Royalton will take all necessary steps to ensure that the matter is promptly investigated and addressed. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Generally, the Town of Royalton's investigation will include an interview with the person filing the complaint and the person alleged to have committed the harassment. Possible witnesses may be contacted.

If it is determined that harassment has occurred, the Town of Royalton will act promptly to stop the offending conduct and, when appropriate, impose disciplinary action. Any employee who has been found to have harassed another employee will be subject to disciplinary action up to and including termination.

Although employees are encouraged to file their complaint of harassment through the Town of Royalton's complaint procedure, the following agencies also process complaints of harassment:

Vermont Attorney General's Office

Civil Right Unit
109 State Street
Montpelier, VT 05602
(802) 828-3171 (voice)
(802) 828-3665 (TTY)

Equal Employment Opportunity Commission

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Tel. (800)-669-4000(voice)
1-(800) 669-6820 (TTY)

Section 22: HEALTH INSURANCE

The Town offers group health insurance contribution for the benefit of its eligible full and part time employees. Part-time employees who are regularly scheduled to work at least 20 hours a week are eligible to receive the above benefits on a prorated basis, subject to the eligibility requirements of the insurance carrier. Please see the Town Administrator for more information on your eligibility and potential contribution amount.

The Town reserves the right to change insurance carriers, or to add, delete or amend insurance benefit programs in its sole discretion. The town also reserves the right to change the amount or percentage of its contribution to the cost of any group health insurance program. Employees will be provided with advance notice of any change in the contribution rate.

Section 23: RETIREMENT

The Town of Royalton participates in the Social Security Program and all employees are required to participate in this program.

The Town of Royalton participates in the Vermont Municipal Employee Retirement System (VMERS). Participation is required of all employees and elected officials who are regularly scheduled to work at least 24 hours per week and at least 1040 hours per year. This program is open to employees and elected officials from their effective date of hire. Employees must contribute a percentage of earnings through payroll deductions in accordance with the VMERS rate. The town will also contribute a percentage of earnings for each eligible employee/elected officials each pay period in accordance with the VMERS rate. Earnings (as referred to in this section) are the gross earnings, before any salary reduction and including any overtime pay. Changes in the required amounts are made by VMERS on occasion. If this occurs, employees will be informed. Retirement benefits are provided as set forth by statute.

Section 24: SICK LEAVE

Sick leave begins accruing from the effective date of hire. Sick leave is awarded after completion of the one hundred and eighty (180) day probation period. Sick leave is earned at the rate of one (1) day per month of employment for regular full time employees. All full-time employees are entitled to twelve (12) sick days per year. Part time regular employees who work a minimum of 18 hours per week are entitled to sick leave accruing on a pro-rated basis of at least one hour of sick leave for every 40 hours worked. Sick leave may be

accumulated up to a maximum of sixty (60) days; however, upon termination of employment voluntarily, involuntarily, or upon retirement, no compensation shall be granted for any unused portion of sick leave. If an employee runs out of sick leave, he or she may use vacation time, if authorized by the Department Head.

Sick leave days earned shall be paid to employees for work days absent because of illness or injury and shall equal eight (8) hours paid at the employee's regular straight time rate and a pro-rated amount for regular part-time employees. Additional reasons an employee may use accrued sick leave are as follows:

- The employee obtains professional diagnostic, preventive, routine, or therapeutic health care.
- The employee cares for a sick or injured parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, including helping that individual obtain diagnostic, preventive, routine, or therapeutic health treatment, or accompanying the employee's parent, grandparent, spouse, or parent-in-law to an appointment related to his or her long-term care.
- The employee is arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking. As used in this section, "domestic violence," "sexual assault," and "stalking" shall have the same meanings as in 15 V.S.A. § 1151.
- The employee cares for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, because the school or business where that individual is normally located during the employee's workday is closed for public health or safety reasons.

More than three (3) consecutive work days of absence to be compensated under this section may require a certificate from a licensed physician stating the necessity of the absence. In addition, the Town may require such a certificate for any leave requested under this Section. All regular part-time employees are entitled to sick leave benefits on a prorated basis. Sick Leave Donation Policy (page 16) The Selectboards' authorized agent administers all sick leave.

Section 25: PARENTAL AND FAMILY LEAVE

Any employee as defined in VSA Title 21, Section 472, who works over 30 hours per week, shall be entitled to take unpaid leave for a period not to exceed twelve (12) weeks during the employee's pregnancy and following the birth or adoption of his or her child.

Any employee as defined in VSA Title 21, Section 472, who works over 30 hours per week, shall be entitled to take unpaid parental or family leave for a period not to exceed twelve (12) weeks to care for a seriously ill spouse, partner, child, stepchild, ward, foster child, parent, or parent of the employee's spouse.

Accrued sick leave or vacation leave, not to exceed six (6) weeks, consistent with existing policy may be used by the employee during parental or family leave. However, utilization of accrued sick or vacation leave shall not extend the leave provided in subsection "A" or "B" above.

The employer shall continue employment benefits for the duration of the leave. The employer may require that the employee pay the employee's cost of the benefits during the leave at existing employer rates.

Written notice of intent to take parental or family leave shall be given to the employer, including the date leave is expected to commence and estimated duration of the leave, six weeks prior to the anticipated commencement of the leave or as soon as is reasonable practicable. Upon approval by the Selectboard or their authorized representative, an employee may return from leave earlier or later than estimated.

Upon return from parental or family leave, the employee shall be offered the same or comparable job at the same levels of compensation, employment benefits, seniority or any other term or condition of employment existing on the day that leave began. 21 VSA 472.

Except for serious illness, an employee who upon completion of parental or family leave does not return to employment of the Town of Royalton will have to return to the Town the value of any compensation paid to or on behalf of the employee during the leave except payments for accrued sick leave or vacation leave.

Section 26: LEAVES OF ABSENCE

General Policy

The following types of leaves are officially established: holiday, vacation, sick leave, parental leave, family leave, injury leave, death in the family, leave without pay, and in the case of salaried personnel, compensatory leave (time off in lieu). All leaves may be granted by the Department Head in conformance with rules established for each type of leave. All Department Heads shall maintain permanent records of any absence from duty of their employees and these shall be given to the Selectboard designee who is the official timekeeper.

Holidays

The following holidays shall be official holidays together with any other day so proclaimed by the Selectboard:

New Year's Day	Labor Day
President's Day	Veteran's Day
Town Meeting Day	Thanksgiving Day
Memorial Day	Christmas Day
Fourth of July	

Employees will have half a day (1/2) before Christmas and half a day (1/2) before New Year's Day.

All municipal departments and offices shall observe any legal holiday which falls on a Saturday on the preceding Friday and any legal holiday which falls on a Sunday on the following Monday.

Full-time hourly employees shall be considered for holidays as though the employee has worked his or her normal work day. Any full-time hourly employee who are required to work on a holiday shall, in addition to the holiday pay, be paid at one and half times his or her regular rate.

Regular part-time employees shall be compensated for holidays on a pro-rated basis.

Non-exempt full-time employees or regular part-time employees wishing to observe religious holidays not listed by the Selectboard shall, at their option, be given time off without pay or have the time charged to their vacation.

Personal Days

In consideration of Columbus Day, Martin Luther King Day, Bennington Battle Day, and the employee's birthday, each full time employee shall be entitled to up to four (4) Personal Days (also known as floating holidays) per year. Personal days are awarded after an employee completes their one hundred and eighty (180) day probation period. These days shall not be allowed to accumulate from year-to-year. Personal Days will be based on eight hours straight time and shall not be used for the purpose of computing overtime. These "floating holidays" shall be scheduled in advance with the supervisor. Personal days must be used by December 31.

Vacation

Annual vacation leave, based on continuous service, shall be granted on the following basis for all full-time employees:

After one (1) year	-	Two (2) weeks
After five (5) year	-	Three (3) Weeks
After ten (10) years	-	Four (4) weeks
After fifteen (15) years	-	Five (5) weeks

One week is the equivalent of one regular work week and represents the number of days and hours which the employee normally works each week. All employees are encouraged to take their vacation leave annually. A maximum of up to fifteen (15) vacation days may be carried over. Vacations will be taken at the discretion of the Department Head. Upon termination an employee may be paid for accrued vacation not to exceed a total of fifteen (15) days. However, the vacation time may also be taken in brief amounts of time for the personal convenience of the employee.

Regular part-time employees will receive prorated vacation leave based on the average number of hours worked per week. Vacation time must be taken from anniversary date to anniversary date. If leave time is not taken during that year, it shall be forfeited. Vacations will be scheduled at the discretion of the Department Head upon consultation with the employee.

Civil Duty and Jury Leave:

All full-time employees entitled to vote in national, state, and municipal elections shall, when necessary, be allowed sufficient time off with pay to exercise this right. Approval of such leaves shall be given by the Department Head.

Should any full-time employee be called for jury duty within any state or federal judicial court, the town shall pay to the employee the difference between the employees' actual salary and that received from the court?

Bereavement Leave

Employees may be provided with up to 3 paid bereavement leave days (pro-rated for part-time employees) related to the death of a close family member, domestic partner or member of an employee's household. The exact amount of time off is dependent upon the circumstances and subject to supervisor approval. For purposes of this policy, close family member is defined as the following: spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt, uncle, niece, nephew, parent-in-law, or sibling-in-law.

If additional time off is needed, or if time off is needed for the funeral of a friend or a relative who is not an immediate family member as defined above, nor a domestic partner, nor member of an employee's household, the employee's supervisor may grant, on a case-by-case basis, the use of a reasonable amount of accrued sick leave, if available, or, if not, unpaid leave. The amount of such time off, if approved, will depend upon the individual circumstances such as the distance to be traveled, closeness of the employee's relationship with the person who died or the employee's family, and the employee's level of responsibility in making funeral or other arrangements.

Paid bereavement leave does not accrue and thus, when not used, is not carried forward into the next year nor compensated upon separation from employment.

Military Leave:

The Town will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4303 et seq., and 21 V.S.A. §§ 491 et seq. Employees who take military leave subject to the provisions of these laws will be granted leave without pay. At the option of the employee,

any paid leave accrued prior to the commencement of the leave may be used.

Crime Victim Leave

In accordance with 21 V.S.A. § 472c, eligible employees who are crime victims may be entitled to take unpaid leave for the following purpose of attending a deposition or court proceeding related to:

- a criminal proceeding when the employee has a legal right or obligation to appear at the proceeding;
- a relief from abuse, neglect, or exploitation hearing when the employee is the plaintiff
- hearings concerning an order against stalking or sexual assault, when the employee seeks the order as plaintiff.

A “crime victim” is a person who has:

- obtained a relief from abuse order against a family or household member;
- obtained a court order against stalking or sexual assault;
- obtained a court order against abuse of a vulnerable adult; or
- sustained physical, emotional or financial injury as the direct result of the commission or attempted commission of a crime or act of delinquency and is identified as a crime victim in an affidavit filed by law enforcement official with a prosecuting attorney. This also includes the victim’s child, foster child, parent, spouse, stepchild or ward of the victim who lives with the victim, or a parent of the victim’s spouse, provided that the individual is not identified in the affidavit as the defendant.

At the option of the employee, accrued sick leave, vacation leave, or any other accrued paid leave may be used.

Leave of absence Without Pay

All requests for leaves of absence without pay shall be submitted in writing to the appropriate Department Head and shall set forth the purpose of which the leave is requested. Employees are not entitled to leave without pay except in certain circumstances. Department Heads will approve/disapprove and forward to the Selectboard for decision.

Section 27: PAY PLAN

An hourly employee shall be paid for the actual number of hours worked during each pay period. Salaried employees shall be paid an annual rate divided by the number of pay periods per year.

Weekends

When required to work on weekends compensation will be paid at one and one half times the hourly rate.

Emergency Call Outs:

A minimum of two (2) hours of compensation will be paid at one and one half times the hourly rate for all emergency call outs.

Overtime:

In accordance with the federal Fair Labor Standards Act, Royalton compensates nonexempt employees at the rate of one and one-half hours for each hour actually worked in excess of forty hours in any workweek. Holidays, sick time, personal and vacation days do not count as hours worked for purposes of calculating either overtime or Labor Standards Act. Each employee shall fill out his/her weekly time sheet and submit same to his/her Department Head for approval. No employee may work over forty (40) hours in a given week without the authorization of his/her supervisor.

Section 28: WORKPLACE HEALTH AND SAFETY

Vermont Occupational Safety Hazards Act (VOSHA)

In the interest of the safety and well-being of Town workers, all employees shall acquaint themselves with the

rules and regulations of the Vermont Occupational Safety Hazard Act (VOSHA). All Department Heads shall be responsible for enforcing safety rules as required by VOSHA and/or adopted by the Town.

All employees shall conduct themselves in a safe manner at all times in accordance with these regulations and shall not violate the VOSHA regulations. Any defective, unsafe equipment or practice, or any known medical or psychological condition which creates a danger to the worker, a co-employee or the public, shall immediately be brought to the attention of the Department Head, Selectboard or their authorized representative, and use of such unsafe equipment or practice shall cease immediately.

Section 29: TOBACCO USE

In recognition of the hazards that tobacco poses to the health of employees, and in accordance with 18 V.S.A. §§ 1421 et seq. and §§ 1741 et seq., the Town hereby prohibits employees' use of tobacco in any form, including electronic cigarettes and vaping, in all publicly-owned buildings, offices and enclosed areas, and in all Town vehicles.

Upon request of an employee, and with the agreement of the other employees, a smoking area may be designated in an unenclosed outdoor place of the publicly owned property. An employee's failure to comply with the smoking policy shall constitute cause for disciplinary action, and the failure of the Town to implement or enforce the policy shall be grounds for a grievance procedure by an aggrieved employee and any violations shall be promptly remedied.

Section 30: DRUG TESTING

In accordance with the Omnibus Transportation Employee Testing Act of 1991 all Town employees who are required to hold commercial drivers' licenses shall be subject to pre-employment and regular random drug and alcohol testing in accordance with the Department of Transportation rules and procedures. Employees who are found to be using drugs or alcohol on the job will be subject to immediate dismissal.

Section 31: PHYSICAL EXAMINATION

Physical Examination: All employees hired for positions in which physical abilities are required for the performance of the essential functions of the job shall be required to have a physical examination at the expense of the Town after a conditional offer of employment has been made. Appointment to a position may be conditioned on positive results of the examination. The specific criteria may be determined by the Selectboard but will be based on the specific requirements of the essential functions of the job. All information obtained as part of the medical exam shall remain confidential and shall not be placed in the employee's personnel file, but in a separate medical file.

Certain positions, such as positions that require an employee to hold a CDL license, may require the employee to have a physical exam periodically, in accordance with state and federal law.

Section 32: PERSONNEL RECORDS AND RELEASE INFORMATION

Personnel records of town employees are considered confidential. Requests for information concerning an employee's or former employee's job history, job performance and circumstances of job termination, and for access to personnel records (other than by town officers, employees and agents who need such access for bona fide town purposes) shall be denied except as follows:

A current or former employee's dates of employment and job title(s) will be provided upon request addressed to the Selectboard; and upon receipt of written waiver and consent to a full release of information executed by the employee or former employee, requests for further information will be answered by the Town. Where the privacy rights of others, or public policy interests of the town, are involved, Town officers may exercise their

discretion in limiting access by third parties to information in personnel files, despite waiver and consent by the employee.

Section 33: SICK LEAVE DONATION POLICY

The Town of Royalton supports an employee donation program created on a case by case basis. The donations will be established and sustained on the following principles and subject to the limits and conditions as described herein:

Once all other leave time is exhausted, an injured or sick employee may request the use of sick time banked by other employees subject to the approval of the Royalton Selectboard. The Royalton Selectboard’ decision shall be final and is not appeal able or grievable.

Sick time, if donated, must be given in eight (8) hour blocks of time. Donors may give a maximum of eighty (80) hours to the Sick Bank per fiscal year. With sick time hour’s bank not exceeding five hundred sixty (560) hours per year. The employee who received the donation may receive not more than two hundred (200) hours of sick time per applicable illness or injury.

Royalton Selectboard February 12. 2019

Larry Trottier (Chair)

Sandy Conrad (Vice-Chair)

Gidget Lyman (Clerk)

Tim Dreisbach

Chris Noble

This Personnel Policy was adopted August 3, 2004 by the Royalton Selectboard.

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This Personnel Policy was amended April 22, 2014 by the Royalton Selectboard.

This Personnel Policy was amended February 12, 2019 by the Royalton Selectboard.