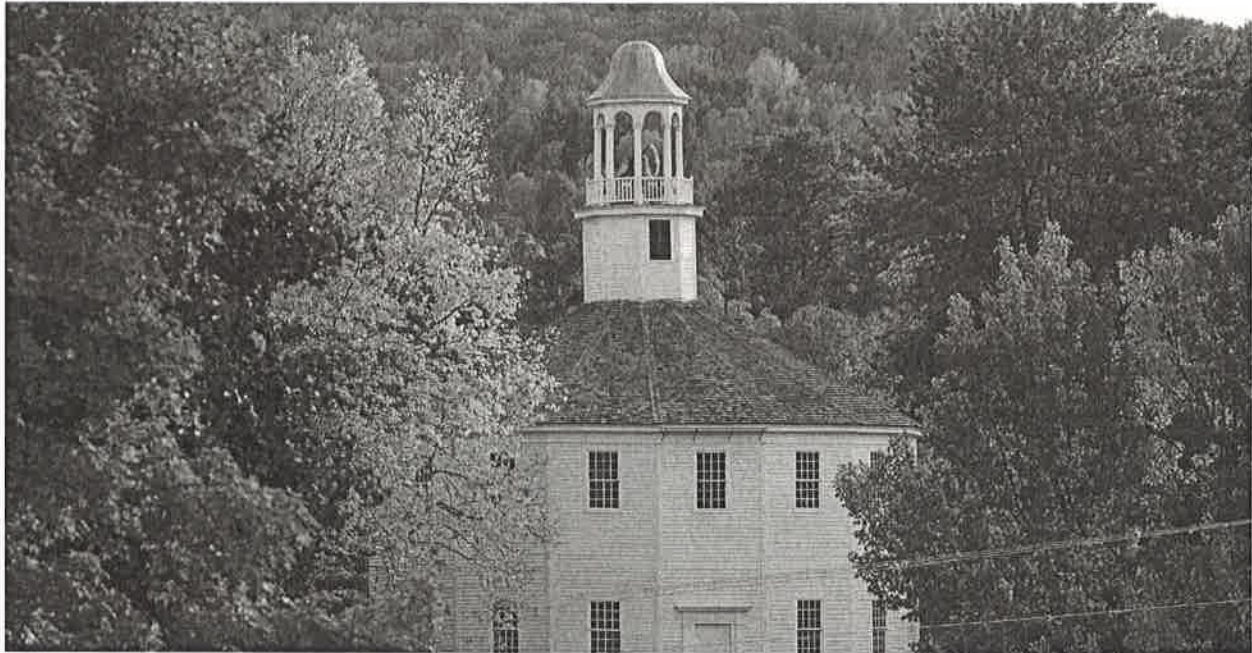


TOWN OF RICHMOND



PERSONNEL GUIDELINES

ADOPTED MAY 7, 2018

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PERSONNEL GUIDELINES

SECTION I

NAME OF ADMINISTRATIVE GUIDELINES AND AUTHORITY

The following policies and procedures and description of employee responsibilities shall be known and cited as the "Personnel Guidelines" or "Guidelines" and are thereby adopted pursuant to the provisions of Title 24, Vermont Statutes Annotated, Chapter 33, Subchapter 11, sections 1121 and 1122.

The Selectboard may amend these Guidelines at any time.

SECTION II

PERSONS COVERED

These guidelines shall be applicable, to the extent provided in the following Sections, to Provisional Employees, Part-time Employees, On-call Employees, Police, Temporary/Seasonal Employees, Full-time Hourly Employees, Employees appointed by the Town Clerk or Town Treasurer and Full-time Salaried Exempt Employees. These Guidelines shall not apply to elected officials, members of Boards or Commissions, employees of the School District, election officials, or persons in positions to which no compensation is attached. In general, these guidelines are followed by the Richmond Free Library staff, but do deviate in a few areas such as; personnel management and governance, as can be seen in the Richmond Free Library's Policies.

**Where this conflicts with the Police Department Rules & Regulations or Collective bargaining contracts, those documents will supercede these regulations.

SECTION III

ADMINISTRATION OF THIS POLICY

These guidelines shall be administered by the Town Manager. Amendments to these guidelines shall be by resolution of the Selectboard.

For the purpose of these guidelines, the Town of Richmond operates on a fiscal year basis, beginning July 1 of one year and ending June 30th of the next year. Any reference to "year" means the Town's fiscal year.

When the employee involved is a Department Head, functions assigned in these Guidelines to a Department Head shall be, performed by the Town Manager.

SECTION IV

RECRUITMENT

A. Equal Employment Opportunities:

The Town will recruit, employ, and promote all employees without regard to race, religion, ancestry, national origin, sex, sexual orientation, place of birth, age or handicap, but subject to bona fide occupational qualification requirements as provided by law and the employment laws relating to qualified handicapped individuals pursuant to Title I and Title V of the Americans with Disabilities Act.

B. Vacant Positions:

New or vacant positions will be posted on employee bulletin boards. Employees indicating interest in the position will be given consideration based on their respective job qualifications, in relation to the job qualifications of other applicants. However, the decision as to whether to fill the position with a person who is a current Town employee or otherwise shall be discretionary with the Town Manager.

Whenever a Department Head desires to create and fill a new position, he or she will submit to the Town Manager a proposed job description, including suggested compensation rate, together with a written statement substantiating the need for the proposed position. The Wage and Classification Plan amended on February 5th, 2018, shall provide the Department Head with guidance for this process. All positions being approved by the Town Manager is subject to approval of the job description by the Selectboard.

C. Advertising and Application:

The Town Manager may advertise any new or vacant position in a newspaper of general circulation as he/she deems appropriate. However, any new or vacant Department Head position must be advertised. Any such advertisements shall include the title of position, salary range, date of availability, and a brief description of necessary skills and duties to be performed.

D. Transfers:

The Town Manager may transfer an employee to a new, vacant, or different position, either within or outside of his or her Department, after consultation with that employee, provided that the transfer does not result in a reduction of compensation or other benefits.

E. Reference Checks:

As part of the pre-employment procedure, former supervisors, employers, and references provided by applicants shall be checked. Reference checks made by personal or telephone contact shall be documented in writing. Wherever possible, three reference checks shall be completed prior to an offer of employment and the information shall be made a part of the application file. All such information is to be handled as privileged and confidential information and shall be kept in a personnel file accessible only to the employee, the employee's supervisor, and the Town Manager.

SECTION V

SELECTION

All appointments to positions in the service of the Town of Richmond shall take a variety of factors into consideration. Education, experience, aptitude, knowledge, skills, physical fitness (where necessary for the essential functions of the position), personality, or any other qualifications deemed necessary for the satisfactory performance of the duties of the position to be filled shall be considered with weights assigned to each factor, as may be deemed proper by the Town Manager or his/her authorized representative or such advisory examining committee as may be appointed.

SECTION VI

APPOINTMENTS, PROVISIONAL PERIOD AND PROMOTION

A. Categories of Employment

There are six categories of employment for the Town of Richmond:

- 1.) Provisional Employee: Any employee hired on the basis that he or she will be a Part-time Employee or Full-time Employee upon successful completion of the provisional period or upon successful completion of an extension of the provisional period as noted under VI (B) shall, be a Provisional Employee.
- 2.) On-call Employees: These are employees who are employed on the basis that they will be working mutually agreed periods of time on short notices.
- 3.) Temporary/Seasonal Employees: These are employees who are employed on the basis that they will be working for no longer than a specified period of time, length of a project, or season.
- 4.) Part-time Employees: These are employees who have completed their period of provisional employment, who are neither On-call nor Temporary/Seasonal, and who are employed on the basis that they will be working less than thirty (30) hours per week.
- 5.) Full-time Hourly or Salaried Exempt Employees: These are employees who have completed their provisional employment, and are employed on the basis that they will be working thirty (30) hours or more per week.

B. Provisional Period

While the normal provisional period of a newly hired Provisional Employee is 90 days, a longer provisional period not exceeding 90 additional days may be approved by the Town Manager in his/her discretion or on the recommendation of the Provisional Employee's Department Head. Law enforcement personnel have a statutory one year provisional period. During the provisional period, the Provisional Employee shall be deemed an employee at will, notwithstanding anything elsewhere in these Guidelines. Near the end of the provisional period, a Provisional Employee shall be formally evaluated in writing by his/her Department Head, or the Town Manager if the Provisional Employee is a Department Head and shall be notified of his or her status as a Part-time or Full-time employee, as the case may be, or of termination of employment. Provisional Employees are eligible for the benefits described in these Guidelines applicable to the category of employment for which they were hired upon successful completion of the provisional period, except that leave benefits, other than Town holidays, identified in Section XV shall be accrued but not taken until completion of the provisional period, unless otherwise agreed to in a letter of hire. Health insurance benefits shall not be offered until completion of the provisional period unless a separate agreement is developed between the new employee and the Town Manager.

C. Proof of Citizenship

All Town of Richmond employees hired after November 6, 1986 must provide the Town Manager or his/her designee with proof of citizenship or legal immigration status in conformance with federal law. Failure to provide such proof shall result in non-hiring or immediate dismissal.

D. On-Call and Temporary/Seasonal Employees - Eligibility for Benefits

On-call and Temporary/Seasonal Employees are not eligible for any of the benefits, including health and disability insurance benefits, provided in these Guidelines. Worker's Compensation insurance, however, will be maintained for them.

E. Acknowledgement of Employment Status -

All employees identified under Section II – Persons Covered, will, when hired or as otherwise requested by the Town, sign a form acknowledging their status as such and their awareness that certain benefits are either not available or are limited as provided in these Guidelines.

No On-call or Temporary/Seasonal Employee will become a Part-time or Full-time Employee without the Town Manager's prior written approval, regardless of whether their employment continues beyond a mutually agreed or specified period of time, project completion, or the end of a season, and regardless of whether they may work 30 hours or more in a week or weeks. Similarly, no Part-time Employee will become a Full-time Employee without the Town Manager's prior written approval, regardless of whether the hours worked in a week or weeks are 30 hours or more.

F. Promotion Policy

Promotions shall be discretionary with the Town Manager, based upon the employee's ability to handle increased duties and responsibilities.

SECTION VII

PAY PLAN

Each employee shall fill out his/her time sheet and submit same to his/her supervisor for approval. All time sheets will ultimately be turned in to the Town Manager for final approval.

No overtime pay or compensatory time is available to those employees with full-time, salaried, exempt positions unless otherwise approved by the Town Manager.

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. An employee absent without leave will forfeit pay for the time that they are absent. When absent on authorized sick or vacation leave each employee shall be paid at the regular rate unless overtime pay is due as described below.

A. Overtime and Compensatory Time

In accordance with the provisions of the Fair Labor Standards Act, as amended, it shall be the policy of the Town of Richmond to pay one and one half (1 1/2) times the hourly rate of pay to all employees (except salaried employees) for required work performed; (1) in excess of forty (40) hours during a given weekly pay period, (2) in excess of their scheduled shift hours (either eight (8) or ten (10) hours are minimum) or 3.) On the following days:

- 1.) weekends not scheduled to work, or
- 2.) holidays per Section XV, D, Holidays

When calculating "hours worked" to meet the minimum forty (40) hours required prior to overtime, the following leave benefit hours shall also count toward "hours worked":

- 1.) Vacation Hours
- 2.) Holiday Hours
- 3.) Bereavement
- 4.) No more than 48 hours of sick leave per year

Employees who receive one and one half times their hourly rate of pay to compensate them for working on a weekend not scheduled to work or a holiday agree to accept this pay rate to fully compensate them for the actual holiday or weekend not scheduled to work.

When the demands of the job or safety concerns require an employee to work overtime, the employee's supervisor or the Town Manager, if the employee is the supervisor may approve compensatory leave in lieu of overtime pay. Any compensatory time an employee takes will be paid at one and one half times their hourly rate of pay. Such compensatory time must be used up within six months of its being earned. If it is not used up within the six month period, the employee will be paid for this time at one and one half times their hourly rate of pay.

B. Minimum Hours - Call Out

Hourly employees called out to duty by their Department Head or Town Manager at hours not normally scheduled and not contiguous to a scheduled work day shall be paid for a minimum three (3) hours work at one and one half times their hourly rate of pay. Hourly employees called out to duty by their Department Head or Town Manager at hours not normally scheduled that are contiguous to a scheduled work day shall be paid at one and one half times their hourly rate of pay for the actual hours worked. Supervisors do have the option to shift work schedules to avoid overtime pay. Minimum hours, if not required by a supervisor, not an emergency, and not part of a shift, pay at straight time. This could include work-related court time and staff meetings.

C. Personal Vehicles

All employees utilizing personal vehicles for official Town business shall receive Department Head approval or approval by the Town Manager if the employee is a Department Head prior to such use. Travel reimbursement shall be approved at the current rate as set by the State of Vermont, and adjusted annually on January 1st. Under no circumstances shall Town fuel be used in personal vehicles.

D. Winter Highway Maintenance -Shift and Compensation

Each weekday inspection shift will be four hours, from 3:00 AM to 7:00 AM whether the roads are in good condition or not. The employee will receive two hours of overtime pay and two hours of straight comp time pay for this shift. Comp time must be used by November 1st following accrual or will be paid out at straight time.

For each weekend day, the inspection shift will be from 4:00 AM to 7:00 AM. The employee will make the inspection and will receive three hours of overtime pay regardless of the condition of the roads. If the road conditions warrant additional work, the employee will be directed by the Highway Foreman on how to proceed. If, after the inspection, there is no further work to be done the employee is to leave work, and will be paid for the three-hour callout even if the inspection time is less than three hours.

E. Administrative Office Closure

If the offices are closed during a normally scheduled work day due to weather or power emergency, the employees shall be paid for a regular scheduled day. There may be additional compensation for the employees who worked during this event or emergency.

SECTION VIII

COOPERATION AND EVALUATIONS

The Town of Richmond strongly encourages all employees to bring to their supervisor's attention and to the other members of the management staff, ideas and suggestions that may improve service to the public, or contribute to safer and/or more efficient working conditions.

Employee programs, wages and working relationships are intended to permit each employee to achieve personal satisfaction and growth in his or her work. However, in any group of people working together, honest differences of opinion will arise. Any time you have a problem or complaint, we urge you to discuss the matter with your supervisor. This process should begin with an employee's Department Head or the Town Manager if the employee is a Department Head. If the employee's problem or complaint has not been resolved, by the Department Head the process should continue on with the Town Manager or to the Selectboard if the employee is a Department Head.

All employees of the Town of Richmond will be evaluated annually prior to the beginning of each fiscal year on July 1st. The specific timeline for conducting employee evaluations is outlined in the document entitled "Annual Employee Performance Appraisal." This document will be updated annually by the Town Manager and reviewed with Department Heads. Such evaluations will be in writing and signed by both the employee and the Department Head or the Town Manager if the employee is a Department Head following a conference during which the evaluation is discussed. Department Head's evaluations will be completed by the Town Manager. The signature of the employee does not indicate that he or she agrees with the evaluation, but only that the evaluation has been shown to and discussed with him/her.

The signed, written evaluation will then be provided to the employee and a copy thereof placed in the employee's personnel file. The employee may, at any time during business hours, view his/her file in the presence of his/her Department Head or the Town Manager.

With the approval of the Town Manager, any annual evaluation with a rating of less than satisfactory may result in making a Part-time or Full-time employee a Provisional Employee, to whom the provisions of Article VI (B) shall apply, for a period not exceeding ninety (90) days, with an evaluation at the end of the period and notification of retention or dismissal. At the beginning of the provisional period the Town Manager or the Department Head upon approval of the Town Manager shall submit a corrective action plan to the employee which will identify areas of concern, specific actions to be taken by both the employee and supervisor, the time by which these objectives will be accomplished, and the consequences that will result should the employee fail to comply with this corrective action plan.

During this provisional period there will be no reduction in pay or loss of benefits.

Supervisors Review:

At any time, an employee can be requested to provide input into a review of their supervisor or coworker. These reviews will remain anonymous and will be collected by the supervisor, the Town Manager if the employee being reviewed is the Department Head or the Selectboard if the employee is the Town Manager.

SECTION IX

GENERAL RESPONSIBILITIES, DISCIPLINE AND DISCHARGE

A.) General Policy

The Town of Richmond exists to provide services to its citizens and therefore has a responsibility to perform these services in the most effective and efficient manner possible. As a representative of the Town it is expected that all employees will be courteous and helpful in their contact with other Town employees and residents of the community.

The following is a partial list of employee responsibilities:

- 1.) It is expected that employees will be prompt and regular in attendance, use working hours for work, and leave only after regular working hours. Working hours for each employee's department will be communicated by the Department Head or Town Manager.
- 2.) Employees are expected to be cooperative, to treat each other with mutual respect, and to maintain a positive work attitude at all times. A cheerful, polite attitude not only makes work enjoyable, but makes it easier for fellow workers and is absolutely essential when meeting and serving the public.
- 3.) Possessing or being under the influence of alcoholic beverages or controlled substances will not be permitted during working hours.
- 4.) Employees shall make safety a matter of continuing concern and act at all times with the understanding that a safe way to do a job is the most efficient and only acceptable way. Safety is included as part of the performance evaluation of all employees.
- 5.) All employees shall be as neat in appearance as their job permits and shall keep their place of work as neat as possible.
- 6.) All employees will avail themselves of those educational opportunities offered by the Town to enhance their understanding, enjoyment, and effectiveness in his or her position of employment.
- 7.) All employees will perform their duties in a careful, diligent, and competent manner.

B.) Disciplinary and/or Discharge Procedures

- 1.) The Town Manager may immediately dismiss a Part-time or Full-time Employee for any of the following job related reasons, without first resorting to any other disciplinary procedure. These reasons include but are not limited to: embezzlement, theft, or dishonesty; gross incompetence, possession of firearms or dangerous weapons on duty without the supervisor's permission, use of or being under the influence of drugs or alcohol; falsification of records; fighting; conviction of an offense which would likely affect the employee's performance; conduct including disregard for safety rules resulting in or likely to result in serious personal injury or property damage; failure to report an accident involving Town property or personnel to the employee's Department Head, Town Manager or other superior; use of abusive language toward any person employed by or acting on behalf of the Town in any capacity, or toward any member of the general public; sexual harassment and any other harassment protected by law, willful damage to property; gross disregard of the interests of the Town; reckless conduct or gross disregard of the obligations of the employee of the Town; any other egregious conduct which is sufficient to warrant immediate dismissal. All of the foregoing are included within the term "Acts or Omissions Justifying Immediate Dismissal."
- 2.) The following shall apply to any Violation, meaning any act or omission of a Part-time or Full-time Employee, other than an Act or Omission Justifying Immediate Dismissal, including but not limited to failure to carry out reasonable orders and directions of the Town Manager, Department Head or superior or other insubordination, violations of these Guidelines, acts or omissions demonstrating an attitude which negatively impacts the productivity of other employees, abuse of sick leave, failure to request leave in advance, leaving without permission, unexcused absences, chronic absenteeism, unexcused and/or excessive lateness, carelessness, horseplay, sleeping on duty, disregard for workplace policies, failure to attend to duties, or poor performance:
 - a.) For the first Violation, the employee shall be given an oral reprimand. Every effort shall be made to do so outside of the presence of others. A written record of the oral reprimand shall be entered in the employee's personnel file and remain active for a six month period.
 - b.) For the same or any other Violation occurring within six months of the oral reprimand, the employee shall be given a written reprimand; the reprimand will be issued to the employee in conference with the Department Head or the Town Manager if the employee is a Department Head and shall detail the incident necessitating the action and any corrective action to be taken.
 - c.) For any Violation within six months of the written reprimand, the Department Head in consultation with the Town Manager or the Town Manager if the employee is a Department Head may apply one or more of the following; making the employee a Provisional Employee, to whom the evaluation Provisions of Article VI (B) shall apply, for a period not exceeding 90 days and/or, suspension without pay for up to 15 working days, and/or temporary or permanent demotion. The employee shall be notified of such action or actions in writing during a conference with the Department Head

or the Town Manager if the employee is a Department head. The written notification shall include a description of the incident necessitating the action and any corrective action to be taken. A copy of the written notification signed by the Department Head or the Town Manager if the employee is a Department Head shall be entered in the Employee's personnel file. If a provisional period is imposed, Article VI (B) shall apply as to requiring an evaluation at the end of the period and notification of dismissal or retention in employment.

- d.) For any Violation within a one-year period following the placing of the employee on provisional status and/or suspension without pay, and/or demotion, the Town Manager may dismiss the employee.
 - e.) If the employee successfully completes a 6 month or one year period described in (a)-(d) above without a Violation, a subsequent Violation shall again be a first Violation.
- 3.) Notwithstanding anything elsewhere in these Guidelines,
- a. the dismissal or suspension of a regular police officer for the negligence or dereliction of official duty, or conduct unbecoming an officer, shall be controlled by 24 V.S.A. Sec. 1932,
 - b. the revocation of the appointment of the assistant clerk shall be controlled by 24 V.S.A. Sec. 1170, and the revocation of the appointment of assistant treasurer shall be controlled by 24 V.S.A. Sec. 1573, and upon any such revocation, the person whose appointment is revoked shall thereupon cease to be a Town employee.
- 4.) Notwithstanding anything elsewhere in these Guidelines, the discipline and dismissal procedures set forth above shall apply only to Part-time and Full-time Employees. Any Part-time or Full-time employee who is placed on a disciplinary Provisional Employee status is considered to be an at will employee.

On-call Employees who are not Full-time or Part-time employees and Temporary/ Seasonal Employees are employees at will and not covered by SECTION IX B above.

- 5.) No failure of the Town to take any disciplinary or dismissal action in any one instance shall constitute a waiver of the Town's right to take any disciplinary or dismissal action in the event of any subsequent Violation or Act or Omission Justifying Dismissal.

C.) Termination

Upon an employee's termination of service with the Town, an employee shall be reimbursed for unused accrued vacation time per Section XV Leaves of Absence; Vacation of these guidelines. If a terminating employee has already taken vacation leave which has not yet accrued, that employee must reimburse the Town. Reimbursement shall be at the rate of pay equal to their current rate of pay. Upon termination of employment, an employee will be compensated for both the completed work period and for any accrued vacation time.

Any payment due the terminating employee in light of vested interests in the Town's retirement program shall be determined according to the terms of the retirement system.

The terminated full-time employee is entitled to the availability of Town health insurance at his or her expense for a period of time as indicated by the Cobra Regulations (information available from the Town Manager or his/her designee).

D.) Layoff

Any Town employee may be laid off whenever it is necessary to reduce the number of employees in any department because of a change in the function or organization of a department, financial restrictions, changes in work demands, elimination of job categories, or related reasons. Employees so affected shall be notified not less than ten (10) working days in advance of the action to be taken.

To the extent possible, layoffs within a department shall be made in inverse order of seniority. However, seniority shall not be the determining factor regarding layoff. The Department Head or the Town Manager if the employee being considered for layoff is a Department Head may provide a written recommendation which specifies the following:

- 1.) The special contributions, skills, and performance of a less senior department employee; and,
- 2.) Reasons why departmental operations would be best maintained through the retention of a position filled by a less senior employee.

Recall of previously laid off employees shall be in reverse order of any layoffs.

In the event of a layoff, the full-time employee is entitled to the availability of Town health insurance at his or her expense for a period of time as indicated by the Cobra Regulations (information available from the Town Manager or his/her designee).

SECTION X

APPEAL PROCEDURE

- A. Appeals from placement on provisional status, suspension without pay, demotion, dismissal or layoff may be made by an employee by applying in writing within five (5) working days of such placement on provisional status, suspension without pay, demotion, dismissal or layoff to the Town Manager. If the appeal is being made by a Department Head against a decision made by the Town Manager to place said Department Head on provisional status, suspension without pay, demotion, dismissal or layoff, the appeal will be made to the Selectboard
- B. If a hearing is requested, the Town Manager or Selectboard if the hearing is requested by a Department Head against a decision made by the Town Manager, shall hold a hearing as requested by the employee within three (3) weeks of receipt of the employee's written request for a hearing. Such hearing will not be open to the public unless otherwise requested by the employee.
- C. 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 witnesses.
- D. The Town Manager or Selectboard if the hearing is requested by a Department Head against a decision made by the Town Manager, shall make his/her or their decision and inform the appellant within seven (7) days of the conclusion of the hearing.
- E. If the action of the Town Manager or Selectboard as explained above is in favor of the employee, he or she shall be restored to his or her original position with full pay for the period since being placed on provisional status, suspension without pay, demotion, dismissal or layoff. The Town Manager or Selectboard, as explained above can also reduce the disciplinary action to placement on provisional status, suspension without pay, demotion or reprimand.
- F. The decision of the Town Manager or Selectboard, if the decision is regarding an appeal from a Department Head, shall be final and binding on the employee.

SECTION XI

GRIEVANCES

A. Policy

It is the intent of the Town of Richmond to resolve grievances informally, and 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 hereunder will be followed.

A grievance is any matter considered by the employee as grounds for complaint, except in the case of personnel action arising out of reprimands, placement on provisional status, dismissal, demotion, layoff or suspension. Adjustment for such complaints is separately provided for in Section X, Appeal Procedure.

B. 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. All grievances shall be put in writing as grounds for subsequent discussion and action. The employee is expected to initially file and discuss any

grievances with the immediate supervisor. If the matter cannot be settled at that level, the employee may elect to file and discuss the matter with the Department Head or the Town Manager if the employee is a Department Head. If the employee feels that the grievance has not been satisfactorily addressed by the Department Head, he or she may present it to the Town Manager. If the grievance is being made by a Department Head against an action or decision made by the Town Manager, the grievance will be presented to the Selectboard. The decision of the Town Manager, or Selectboard, if the grievance is being made by a Department Head, shall be final.

SECTION XII

CONDUCT OF EMPLOYEES

A. Hours of Service

The normal work week consists of forty (40) hours including eight (8) hours per day or ten (10) hours per day. The Department Head may adjust scheduling or shifts with the approval of the Town Manager. The hours so established shall be construed as the normal work day or work week.

The Department Head may recommend to the Town Manager compensation rates or amounts related to such scheduling or shift adjustment for his/her approval or denial.

B. General Obligations

Every employee shall fulfill to the best of his or her ability the duties and responsibilities of the employee's position. Employees shall, during their hours of duty, be subject to such other laws, rules and regulations that pertain thereto, devote their full time attentions 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, equipment or supplies for the employee's private use or for any use other than that which serves the public interest without written authorization from the Town Manager. Written authorization, when secured, will be for the use of specific property, equipment or supplies.

If a Town employee is in an accident while on duty and/or with Town-owned equipment, necessary reports must be filed under Section XVII, B – Workplace Health and Safety, of these guidelines, in addition to any other reports required by law.

C. Attendance

No employee of the Town of Richmond shall be absent from duty without permission. Any absence of an employee, including the absence of a single day or part of a day, which is not authorized under provisions of these Guidelines, shall be investigated by the appropriate supervisor and shall be reported to the Town Manager or an authorized representative for action. Any such absence may be cause for disciplinary action by the Department Head or Town Manager. Any employee who shall be absent himself or herself without authorization shall forfeit all compensation for the period of such absence. For a period not exceeding three (3) to four (4) hours and for proper cause, Department Heads or the Town Manager shall be able to excuse a subordinate from reporting or being present for duty. Any employee who fails to appear at work and perform his/her normal duties for three (3) consecutive days without reporting the reason to the supervisor shall be considered to have quit their position.

D. Political Activity

An employee shall not use his or her official authority for the purpose of interfering with or affecting the nominations or election of any candidate for public office in the Town of Richmond or any issue before the Voters of the Town. This rule is not to be construed to prevent a Town employee from becoming or continuing to be a member of any political party or from attending political meetings or signing petitions for a candidate for public office.

E. Town Ethics Policy

All Town Employees must comply with the adopted Town Ethics Policy, which may be amended by the Selectboard from time to time. The current Code of Ethics is attached and will be distributed and acknowledged by all employees covered by the Town of Richmond's Personnel Guidelines.

F. Contracts

No employee of the Town of Richmond 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. No 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.

G. Resignation

Should an employee voluntarily decide to leave, it is requested that he or she give at least two weeks' notice. 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 at least two (2) weeks' notice to the Department Head or Town Manager if the employee is a Department Head and if other circumstances of the termination are such as to justify good standing.

H. Fraud Policy

The attached Town policy entitled "Fraud and Other Similar Irregularities" must be strictly followed by all Town of Richmond employees and will be enforced as described within the policy.

I. Supervision of Immediate Family Members

No Town employee may be supervised by an immediate family member. The Town Manager may grant an exception for temporary or seasonal positions that are indirectly supervised by the employee in question.

J. Harassment and Sexual Harassment

Harassment - The Town of Richmond, will not tolerate harassment based on race, sex, religion, national origin, age, disability, color, ancestry, place of birth, or sexual orientation or any other protected status defined by law. Likewise, The Town of Richmond will not tolerate retaliation against an employee for filing a complaint of harassment or for cooperating in an investigation of harassment. Further, the Town of Richmond will address complaints regarding harassment committed in the workplace by employees against non-employees and by non-employees (such as vendors, customers, board members, and other workplace visitors) against employees to the extent possible.

Definition: Harassment is a form of discrimination based on membership in a class protected by law. It involves behaviors that are viewed as offensive or harassing. Examples of harassment include the following: insulting comments of a sexual, racial, or religious nature or references to an individual's age, sexual orientation or disability; aggressive bullying behaviors; inappropriate physical contact or gestures, physical assaults or contact that substantially interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment; retaliation against an employee for complaining about the behaviors described above or for participating in an investigation of a complaint of harassment.

Employees who violate this policy will be subject to disciplinary action, up to and including discharge. An employee subject to harassment is encouraged to report it before it becomes severe or pervasive.

Sexual Harassment - It is against the policies of this employer, and illegal under state and federal law, for any employee, male or female, to sexually harass another employee. The Town of Richmond is committed to providing a workplace free from this unlawful conduct

Definition: 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:

- (1) submission to that conduct is made either explicitly or implicitly a term or condition of employment;
- (2) 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
- (3) the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

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

- . Either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- . touching or grabbing a sexual part of an employee's body;
- . touching or grabbing any part of an employee's body after that person has indicated, or it is known, that such physical contact was unwelcome;
- . continuing to ask an employee to socialize on or off-duty when that person has indicated s/he is not interested;
- . displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters;
- . continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- . referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- . regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- . retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- . derogatory or provoking remarks about or relating to an employee's sex;
- . harassing acts or behavior directed against a person on the basis of his or her sex;
- . off-duty conduct which falls within the above definition and affects the work environment.

It is also unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Reporting Harassment or Sexual Harassment: Any employee who believes that she or he has been the target of harassment or sexual harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of harassment or sexual harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop. An employee who wishes to report harassment or sexual harassment should contact their supervisor or the Town Manager. If the claim of harassment or sexual harassment is against the Town Manager, the report should be submitted to the Chair of the Selectboard, via the Town Clerk. ‘ Once the Town receives a complaint of harassment or sexual harassment, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. A prompt, thorough and impartial investigation will be conducted and employee confidentiality will be protected to the extent possible. If harassment or sexual harassment is found to have occurred, the Town of Richmond will take appropriate action, ranging from a verbal warning up to and including dismissal.

Employees may also contact:
 State of Vermont Attorney's General Office
 109 State Street
 Montpelier, VT, 05609
 (802) (828-3171)

OR

Federal Equal Employment Opportunity Commission
JFK Federal Building
475 Government Center
Boston, MA, 02203
(800) (669-4000) fax (617) (565-3196)

These agencies may conduct impartial investigations, facilitate conciliation, and if it is found that there is probable cause or reasonable grounds to believe harassment or sexual harassment occurred, they may take a case to court.

SECTION XIII

MEDICAL, DENTAL, VISION AND DISABILITY INSURANCE

Upon completion of sixty (60) days an employee hired as a full-time employee will become eligible for health, dental and disability coverage as then offered by the Town, unless a separate agreement is developed between the employee and the Town Manager or the Selectboard if the employee is the Town Manager. The Town also offers a voluntary vision plan to all full and part-time employees and a voluntary dental plan to part-time employees. All premium payments to these plans are made by the employee. Applications to enroll in these plans must be made through the Town Manager's office or his/her designee. Nothing set forth herein shall prevent the Town from charging its employees for health, dental and disability insurance coverage or eliminating such coverage as a benefit should appropriate circumstances arise.

SECTION XIV

RETIREMENT

The Town of Richmond participates in the Social Security Program and all employees are required to participate in this program. In addition, Town employees who work 24 or more hours per week and at least 1040 hours in a year on a regular basis are enrolled in the Vermont Municipal Retirement System upon their date of hire. The complete terms, conditions, and qualifications for this system are set forth in Title 24, Vermont Statutes Annotated, Chapter 125. This information is available at the Town Manager's office or his/her designee. The Town also offers a voluntary Section 457 Deferred Compensation program to all full and part-time employees. All contributions to this plan are made by the employee up to the maximum allowed by law.

SECTION XV

LEAVES OF ABSENCE

A. General Policy

1.) Types of Leave, Full-Time and Part-Time

The following types of leaves are officially established: sick, vacation, parental and family, holiday, personal, bereavement, leave for civic, military and jury duty, and leave without pay. All leaves may be granted by the Department Head or the Town Manager if the employee is a Department Head in conformance with each type of leave. All hours available to a full-time or part-time employee are pro-rated based on a forty (40) hour work week. Full-time employees are defined as those working between 30 and 40 hours per week.

Full and Part-time employees who work the same number of hours per day, five days per week – When recording leave time, these employees will record the five day average number of hours they would have worked when taking leave for a day. For example, if an employee works 25 hours per week for five (5) hours per day, that person would record five (5) hours per leave day taken.

Full and Part-time employees who work fewer than 5 days per week – Leave can be taken in one of two ways with the approval of the employee's supervisor. In both cases the method of taking leave must be consistent for the entire year.

1. The number of leave hours are recorded according to the employees regular work schedule - For example, if an employee works four (4) ten (10) hour days, the employee can take ten (10) hours per leave day. Another example is, if an employee works three (3) seven (7) hour days per week, the employee can take seven (7) hours per leave day. If an employee takes time in this manner, it is with the understanding that this may reduce the actual number of total days that will be available on an annual basis. Holidays that are forfeited must be approved in advance by the employee's supervisor. In addition, the annual holiday leave schedule must be approved in advance by the employee's supervisor.

2. The number of leave hours are recorded based on the number of hours worked per week, divided by a five (5) day work week - For example, if an employee works four (4) ten (10) hour days per week, the employee can take 8 hours per leave day. Forty (40) hours divided by five (5) equals eight (8). If an employee takes leave time in this manner, there may be weeks that the employee's paycheck is either greater or less than the employee's average paycheck. For example, if a holiday falls on a day that the employee is not scheduled to work, the employee will receive pay for this day and the employee's check will be greater than average. If an employee takes a holiday on a day that the employee is scheduled to work, the employee's check will be less than average.

B. Sick Leave

A. All full-time employees are entitled to one and one half days of sick leave per month beginning the first of the month following the employee's date of hire. Any employee who commences work for the Town on or after the 16th day of any month shall not be awarded sick leave for that month whereas employees commencing work for the Town before the 16th day shall be awarded one and one half days sick leave for that month. Sick leave days shall equal eight (8) hours pay (or the pro-rated hours for those working less than 40 hours per week) at the employee's straight time rate.

B. Effective February 1, 2016 all part-time employees, defined as those employees working fewer than 30 hours per week, are entitled to one hour of earned sick time for every 40 hours worked at the employee's straight time rate of pay. Sick leave will be administered by the same administrative process as used for full-time employees.

C. Sick Leave time will accrue for all employees who remain in a "paid leave" status during the pay period.

D. Sick leave may be taken if the employee is ill or injured, obtains professional diagnostic, preventative, routine or therapeutic health care or for any of the aforementioned for the employee's parent, grandparent, spouse, civil union, child, brother, sister, parent-in-law, grandchild, foster child or person residing with the employee, or family member for whom the employee is primarily responsible to arrange or provide care for.

Sick leave may be taken if the employee is arranging for social or legal services or obtaining medical care or counseling for the employee or a family member who is a victim of domestic violence, sexual assault, or stalking or is relocating because of any of these issues.

Sick leave may be taken if the employee must care for a family member because the school or business where that individual is normally located is closed for public health or safety reasons.

E. If an employee is sick and cannot report for work, he/she must notify his/her supervisor as far in advance of normal working hours as possible.

F. Employees may accumulate sick leave from year to year to a maximum of 60 days or prorated days in the case of part-time employees.

G. More than four (4) consecutive work days of absence to be compensated under this section shall require a certificate from a licensed physician stating the necessity of the absence.

H. Upon termination of employment voluntarily, involuntarily, or upon retirement, no compensation shall be granted for any unused portion of sick leave remaining. If an employee runs out of sick leave, he or she may use vacation time, if authorized by the Department Head or the Town Manager if the employee is a Department Head.

C. Vacation

New hires may accrue but may not use vacation leave time during their probationary period. Full-time and part-time employees shall accrue vacation hours on July 1 of each year as defined below. The vacation hours accrued are for the forthcoming fiscal year and are seen as a cash advance to the employee. A "full month" is a month in which the employee works from the first day through the last day of the month. If the employee is hired mid-year and is eligible to accrue vacation leave, said leave will be prorated through the end of June.

1.) Full-Time and Part-Time Leave Accruals

New hires may accrue but may not use vacation leave time for the first six months, unless authorized by the Town Manager or the Selectboard if the employee is the Town Manager.

Use of vacation must be authorized by the Department Head or the Town Manager if the employee is a Department Head.

Vacation accruals are as follows:

- 0 - less than 5 years; 2 times their weekly scheduled hours off; or per the employee's letter of hire
- 5 - less than 10 years; 3 times their weekly scheduled hours off.
- 10 or more years; 4 times their weekly scheduled hours off.

All employees who received accruals on July 1st are required to take vacation for rest and relaxation within 18 months which is no later than December 31st of the following year. Employees working less than one full year as of July 1 must utilize any carried vacation hours within six months of July 1 which is no later than December 31st of the following year. Vacation requests will be approved at the discretion of the Department Head or the Town Manager if the employee is a Department Head.

Employees terminating employment will only be paid for unused vacation hours at the rate of pay equal to their current rate of pay. When determining unused vacation hours, the Town will pay an amount equal to:

- 1) Prorated vacation hours for the current year based on the number of full months worked in the current fiscal year divided by 12, times the amount granted to the employee based on the schedule above; plus
- 2) Any unused vacation from the previous fiscal year will also be paid if termination is prior to January 1.

An employee utilizing more vacation hours than the prorated advanced amount shall owe the Town for the difference. Such amount, if necessary, will be deducted from the employee's final pay check.

D. Holidays

The following are the official holidays observed by the Town of Richmond by all full and part-time employees. Holiday hours accrue on a prorated basis based on a forty (40) hour work week.

- | | |
|---|-------------------------------------|
| 1. New Year's Day | 7. Labor Day |
| 2. Martin Luther King Day | 8. Columbus Day (<u>Floating</u>) |
| 3. President's Day | 9. Veteran's Day |
| 4. Town Meeting Day (<u>Floating</u>) | 10. Thanksgiving Day |
| 5. Memorial Day | 11. Friday after Thanksgiving |
| 6. Independence Day | 12. Christmas Day |

Any listed holiday which falls on a Saturday shall be observed on the preceding Friday and any such holiday which falls on a Sunday shall be observed on the following Monday. Any employee who wishes to work on a holiday may, with the approval of their supervisor, take an alternate day. Town Meeting Day and Columbus Day are floating holidays and may be taken at any time during the year.

If the employee must work on the employee's scheduled holiday, the employee will be paid one and one half times for those hours worked. Employees who receive one and one half times their hourly rate of pay to compensate them for working on a holiday agree to accept this pay rate to fully compensate them for the actual holiday.

All employees must observe holidays on the day they fall or within fourteen (14) days, before or after, said day. The employee must schedule the holiday with their Department Head three (3) weeks before the official holiday. The employee will be paid for the holiday hours if requested or not taken more than fourteen (14) days after the holiday.

Employees may work on holidays only with the approval of his/her Department Head or the Town Manager if the employee is a Department Head. Any employee who is required to work on a holiday may elect to receive payment in lieu of taking another day off.

E. Personal Leave, Bereavement Leave and Optional Holidays

Each employee is entitled to two days of personal leave per year. Full and part-time employees may take two days bereavement leave at the discretion of the employee subject to the approval of their supervisor. Generally, personal leave may be used in times of personal emergency, family crisis, or for personal business that cannot be done outside of work hours.

The following limitations apply to personal and bereavement leave days:

1. No employee is entitled to take a personal leave day until he/she has successfully completed the provisional period (see Section VI part B).
2. Employees who wish to observe religious holidays which fall on a normal work day may use their personal leave days for that purpose.
3. Personal leave days must be taken in the year in which they are earned and are not reimbursable. Unused personal leave may not be carried from one year to the next.
4. Bereavement leave days may be taken in the event of the death of a member of an employee's immediate family, meaning spouse, civil union, fiancée, partner, children, foster children, mother, father, sister, brother, mother-in-law, father-in-law, grandparents, grandchildren, step-parents and step-children.
5. If additional leave is requested for bereavement, the employee may substitute available days of sick leave or personal leave for bereavement leave up to a maximum of leave of four (4) days per event or as otherwise approved by the Town Manager.

F. Parental and Family Leave

In accordance with Title 21, Section 472, the Town provides parental and family leave to its employees, on the following terms. During any twelve month period any employee who has been continuously employed for one year for an average of at least thirty hours per week or a part-time employee who has been continuously employed for five or more years shall be entitled to take unpaid leave for a period not to exceed twelve weeks:

(1) for parental leave, during the employee's pregnancy and following the birth of an employee's child or within a year following the initial placement of a child sixteen years of age or younger with the employee for the purpose of adoption.

(2) for family leave, for the serious illness of the employee or the employee's child, stepchild, or ward of the employee who lives with the employee, foster child, parent, spouse, civil union, partner, fiancée or parent of the employee's spouse or civil union. "Serious illness" is defined as an accident, disease or physical or mental condition that poses an imminent danger of death, requires in-patient care in a hospital, or requires continuing in-home care under the direction of a physician.

During the leave, the employee may use accrued sick leave and vacation leave, consistent with the Town's other policies. Utilization of accrued vacation leave shall not, however, extend the length of this leave. Family leave time does expire however, in the case of extenuating circumstances, the leave may be extended with approval from the Town Manager. During the leave, the employee's employment benefits shall be continued. During the leave, the cost of any benefits normally paid by the Town shall be paid by the Town, and the cost of any benefits normally paid by the employee shall be paid by the employee.

An employee shall give written notice of his or her intent to take a parental or family leave, including the date the leave is expected to commence and the estimated duration of the leave. In the event of parental leave, notice shall be given six weeks prior to the anticipated commencement of the leave. In the event of family leave, the employee shall provide certification from a physician to verify the serious illness and the amount and necessity of the leave requested. In the event an employee desires to extend a leave past the original estimated duration, written notice of that intent shall be given on the same terms as set forth above.

Upon return from leave, the employee will be offered the same or comparable job at the same level of compensation, benefits, seniority, and other terms and conditions of employment existing on the day the leave began, unless:

- (1) prior to requesting the leave, the employee had been given notice or had given notice that the employment would terminate; or
- (2) during the leave, the employee's job would have been terminated or the employee laid off for reasons unrelated to the leave or the condition for which the leave was granted; or
- (3) the employee performed unique services and hiring a permanent replacement during the leave, after giving reasonable notice to the employee of the employer's intent to do so, was the only alternative available to the employer to prevent substantial and grievous economic injury to the employer's operation.

If the employee does not return to employment (except in the case of serious illness of the employee), the employee shall be required to repay to the employer 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.

G. Short-term or Intermittent Family Leave

An employee shall make a reasonable attempt to schedule appointments for which leave may be taken under this section outside of regular work hours. In order to take leave under this section, an employee shall provide the employer with the earliest possible notice, but in no case later than seven days, before leave is to be taken except in the case of an emergency. In this subsection "emergency" means circumstances where the required seven day notice could have a significant adverse impact on the family member of the employee.

At the employee's discretion, the employee may use accrued paid leave, including vacation and personal leave. Sick leave may be used for medical issues as described in numbers (2), (3) and (4) below.

Short-term or Intermittent family leave may be taken for any of the following purposes:

- (1) To participate in preschool or school activities directly related to the academic educational advancement of the employee's child, stepchild, foster child or ward who lives with the employee, such as a parent-teacher conference.
- (2) To attend or to accompany the employee's child, stepchild, foster child or ward who lives with the employee or the employee's parent, spouse or parent-in-law to routine medical or dental appointments.
- (3) To accompany the employee's parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being.
- (4) To respond to a medical emergency involving the employee's child, stepchild, foster child or ward who lives with the employee or the employee's parent, spouse or parent-in-law.

In addition to the leave provided in Title 21 section 472, an employee shall be entitled to take unpaid leave not to exceed four hours in any 30-day period and not to exceed 24 hours in any 12-month period.

H. Civic Duty, Military Leave and Jury Leave

Leave for Military Duty will be granted in accordance with Federal law. Any employee who is a member of the National Guard, or Military Reserve Unit will be granted necessary leaves of absence for weekend duty or summer camp.

Should any full-time or part-time employee be called to jury duty or be on military leave, the Town shall pay to the employee the difference between the employee's actual salary and that received from the court or through their military pay.

Payment shall be made to the employee based on documentation that the employee submits that indicates proof of payment from either the court or military. If this documentation is not readily available, the Town continue to pay the employee's regular salary for up to five days, until such documentation can be obtained and the Town's records can be reconciled.

I. Leave of Absence Without Pay

All requests for leaves of absence without pay shall be submitted in writing to the appropriate Department Head or to the Town Manager if the employee is a Department Head and shall set forth the purpose for which the leave is requested. Department Heads will recommend approval or disapproval of a request and forward it to the Town Manager for his or her decision.

SECTION XVI

[Reserved for Future Use]

SECTION XVII

WORKPLACE HEALTH AND SAFETY

A. 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 guidelines of the Vermont Occupational Safety Hazards Act (VOSHA). All Department Heads or the Town Manager if the employee is a Department Head 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 VOSHA regulations. Any defective or unsafe equipment or unsafe practice shall immediately be brought to the attention of the Department Head or the Town Manager if the employee is a Department Head who will document the report in writing. Use of such unsafe equipment or practice shall cease immediately.

Employees of the Town of Richmond are required to participate in safety training programs as provided by the municipality.

B. Employee Safety

The Town of Richmond will make every effort possible to enhance safety through training and strive to improve and maintain safe working conditions. However, the success of any safety program depends on the safety consciousness of everyone. You will be informed if there are special safety programs regarding your particular job. Please refer to the following guidelines in the event that any incidents (as defined below) should occur. Reporting forms may be obtained from the Town Manager or through Risk Management Services at VLCT.org.

1.) Town Vehicle: If the incident involves a Town Vehicle, the Police Department must investigate and an accident report must be completed. If a police vehicle is involved, the accident must be investigated by the Vermont State Police. A copy of the accident report must be submitted to the Town Manager's office or his or her designee within 48 hours of the accident. The Town Manager's office will submit this report to the Town's insurance carrier if damage has resulted.

2.) Injury: If an incident involves a realized or possible injury, a State of Vermont "First Report of Injury" form must be completed and submitted to the Town Manager's office within 24 hours of the accident. This report will be submitted to the Town's insurance carrier by the Town Manager's Office or his or her designee. If the employee has been hospitalized or is unable to complete the form, it should be completed by the Department Head or Town Manager if the employee is a Department Head.

3.) Property Damage: Any incident involving realized or possible loss or damage to property must be documented and submitted to the Town Manager. This report will be submitted to the Town's insurance carrier by the Town Manager's Office or his or her designee.

4.) Other Incidents Requiring a Report: Any incident should be reported by the Department Head or the Town Manager if the employee is a Department Head which is not consistent with routine operations and /or which results in loss or damage to non-Town property that involves a Town employee, interruption of earnings, or any other situation that may expose the Town to liability. The completed report should be submitted to the Town Manager's office the same day the incident occurs, the next morning if the incident occurs at night, or the first working day following a weekend or holiday. This report may be used to initiate an insurance claim and notifies the Town Manager when an incident is of a serious nature or has the possibility to become a liability to the Town. If there is any doubt as to the requirement of an incident report, the Town Manager should be contacted. If the incident does or could involve liability, this report will be submitted to the Town's insurance carrier by the Town Manager's Office or his or her designee.

C. Smoking and Tobacco Policy

The Town of Richmond has established this policy to protect workers by prohibiting smoking and use of smokeless tobacco products in the workplace. The Town understands the importance of providing a smoke-free workplace. With this in mind, the following is a specific policy regarding smoking in the workplace.

The Town of Richmond does not allow smoking on town property for employees. Any area an employee must visit on a regular basis shall not be considered a smoking area. Smoking is permitted during normal break times only, and is never permitted on the premises of any town facility. This smoking policy is intended for every member of our organization, there will be no exceptions.

As your employer, we are responsible for carrying out the provisions of the smoking policy. We anticipate the cooperation of every employee & welcome suggestions. The Town Manager is responsible for enforcement of this policy.

The VT Department of Health may be available to answer questions regarding the interpretation & implementation of smoking laws. The VT Chapter of the American Lung Association can provide assistance on the law, as well as educational materials on the hazards of smoking & information on smoking cessation classes.

For information call: VT State Dept. of Health 802-863-7200 or VT Chapter of the American Lung Association 802-863-6817

This policy applies to all employees, clients, and contractors.

D. Drug and Alcohol Policy

The Town of Richmond has a standard of conduct that prohibits the unlawful possession, use, or distribution of illicit drugs and prohibits alcohol use while on the Town of Richmond's property during work time. Reporting to work or working under the influence of alcohol or drugs is strictly prohibited, unless the drug is prescribed and used in the manner prescribed by a duly licensed physician or dentist and does not interfere with job performance. The Town of Richmond's Drug and Alcohol Testing Policy, as adopted on May 19, 2014, is a policy must be followed to address reasonable suspicion of drug and/or alcohol use by employees.

Further restrictions may apply to CDL licensed drivers and is discussed in the "Town of Richmond's Drug and Alcohol Policy for CMV Operators."

Disciplinary action will be taken for employees, ranging from educational and rehabilitation efforts, up to and including termination of employment and referral for prosecution for violation of this policy. Each situation will be looked at on a case-by-case basis.

E. Critical Incident

Definition - A critical incident is an abnormal or traumatic event which has the potential to overwhelm ones usual coping mechanisms resulting in psychological distress and an impairment of normal adaptive functioning. In the workplace, this might be an event that could result in deficits in employee conduct or productivity. Examples of critical incidents in the workplace include: suicide; homicide; robbery; assault; threats of violence; worksite accidents; industrial and natural disasters; and organizational changes like restructuring or reductions in force. Critical incidents may affect one or more individuals.

Procedure Following a Critical Incident - Any critical incident happening at work will be reported to the Department Head by those involved or witnessing the incident. The Department Head will first ensure the safety and physical well-being of the employees involved which may include hospital visits or examination by a medical professional. Employees may be placed on administrative leave if the Department Head determines it necessary to do so. The Department Head will use their discretion to determine the amount of time needed but it is recommended no more than 3 days of administrative leave.

Following administrative leave, employees may utilize sick leave for additional recovery time or workers compensation leave if required. Once a physician has cleared the employee to return to work the employee must report for duty on their next regularly scheduled work day. The Town reserves the right to request that employees be evaluated by the Town's physician in order to determine eligibility to return to work.

The Department Head will then make a record of the incident, communicate to the Town Manager so that the Town's insurer is notified, and maintain an awareness of the possible need for intervention to support those employees involved and those employees witnessing the incident. Additional intervention may be referral to the Employee Assistance Program, a psychological professional, or other care as required. While the Town provides certain benefits covering these services, other services may be covered by Workers Compensation, the employee's own medical insurance or in the last case, out of pocket.

Support Systems include but are not limited to the following:

EAP – 802-951-4032

Concentra – 802-658-5756

University of VT Medical Center – 802-847-0000

SECTION XVIII

EMPLOYEE DEVELOPMENT

The Town encourages employees to continue their education and has established a reimbursement program for 100% of the direct costs of the course or program that an employee is enrolled in not to exceed \$1,000.00 per year. In order to receive reimbursement for a course, four requirements must be met:

- A.) The course must be approved by the Town Manager prior to enrolling.
- B.) The course must be related to a job in Town government.
- C.) A grade of "C" or better must be obtained.
- D.) Adequate funds must be available in the Town's budget. Whenever feasible, requests for professional development funding shall be made through the Department Head or the Town Manager during the budget process.

An employee may be reimbursed for one course per semester. Reimbursement will also be given for employees who have satisfied the above requirements for a course confirming credit for a high school diploma or GED. Courses taken under this provision shall be outside of the employee's working hours unless approved by the Town Manager and time is made-up at a time approved by the Town Manager. An employee must have worked one full year before becoming eligible for the benefits of this section (with the exception of those departments requiring and offering certification as a condition of employment).

SECTION XIX

IN CONCLUSION AND AMENDMENTS

The Personnel Guidelines are meant to provide you with the information you need to know about policies and procedures in relation to your employment. However, the Town realizes that situations and problems may arise which are not covered in these guidelines and encourages you to communicate these to your Department Head or the Town Manager.

The Town fully supports the employee and believes in meeting your needs to the best of its ability. These guidelines are intended to help meet your needs, but the Town Manager and Selectboard relies upon your continuous contributions and suggestions to help make them aware of areas which require attention.

These guidelines may be amended from time to time by action of the Selectboard. The Board encourages employees to bring suggestions for policy changes to the Town Manager.

END

May 2018

To: All Richmond Public Officials

Attached is a copy of the Town of Richmond Personnel Guidelines.

All of Richmond's Public Officials are required to carefully read the guidelines in the Personnel Guidelines Manual, sign the acknowledgment at the bottom of this page, and return it to the Town Manager's Office at your earliest convenience. The Town Manager's Office must retain this document in the Personnel files.

Thank you for your cooperation.

Acknowledgment

The undersigned certifies that he/she has read all of the Personnel Guidelines.

I am aware that a violation of these rules would be just cause for disciplinary action under Section 10, Enforcement of this Policy.



Bard Hill, Chair

5.21.2018

Date Signed



David Sander, Vice Chair

5/21/2018

Date Signed



Stephen Ackerman, Member

5/21/2018

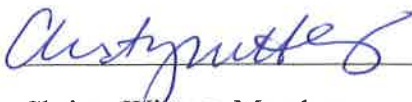
Date Signed



Roger Brown, Member

5/21/2018

Date Signed



Christy Witters, Member

5/21/18

Date Signed