



**Washington County**

**14 East Main Street – P.O. Box 177**

**Granville, New York 12832**

**TOWN OF GRANVILLE – EMPLOYEE HANDBOOK**

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# SECTION 1 – INTRODUCTION

## 1.1 INTRODUCTION

As a member of the Town of Granville team, you take on an extremely important role of serving the members of our community. Together, our mission is to provide cost-effective services that conform to the highest standards of quality.

This Employee Handbook is designed to familiarize you with your employment and to help ensure government compliance, foster positive employee relationships, and contribute to the overall success of the Town in delivering services to the public effectively and efficiently.

Please keep in mind that this is only an overview of the Town’s policies and procedures and employee benefits. Specific questions concerning employment matters should be addressed to your Department Head.

We trust that you will find service with the Town of Granville rewarding, both personally and professionally.

These personal policies serve as a general guide to the Town of Granville’s current employment practices and procedures. As such, we hope they will help you better understand how the Town operates and what is expected of you as an employee. These policies also describe what the Town provides you in terms of compensation, benefits and their support.

## 1.2 DEFINITIONS

**Town of Granville** – For purposes of this Employee Handbook, the Town of Granville may be referred to as the “Town”.

**Town Board** – For purposes of this Employee Handbook, “Town Board” will mean the Town Board of the Town of Granville.

**Elected Official** – For the purposes of this Employee Handbook, “Elected Official” will mean and refer to any of the following elected officials of the Town of Granville:

- Town Supervisor
- Superintendent of Highways
- Town Justices
- Town Board Members
- Town Clerk

**Town Supervisor** – For purposes of this Employee Handbook, “Town Supervisor” will mean the Town Supervisor of the Town of Granville.

**Department Head** – For purposes of this Employee Handbook, “Department Head” will mean the person in charge of any department, agency, bureau, unit, or subdivision of the Town of Granville. This definition will be applicable in the event such person is serving in an acting, temporary, or provisional status in the position of Department Head.

**Supervisor** – For purposes of this Employee Handbook, “supervisor” shall mean the individual so designated by the Department Head to direct and inspect the performance of employees.

**Employee** – For the purposes of this Employee Handbook, “employee” will mean a person employed by the Town, including, but not limited to, an appointed official, an appointed member of a board or commission,

Department Head, managerial employee, confidential employee, supervisory employee, provisional employee, probationary employee, temporary employee, seasonal employee, trainee, volunteer, or student intern, but not an independent contractor.

**Civil Service Law** – For purposes of this Employee Handbook, “Civil Service Law” shall mean the New York State Civil Service Law and shall include the Washington County Rules for the Classified Civil Service.

### 1.3 AT-WILL EMPLOYMENT; PURPOSE

**Statement of Purpose** – The purpose of this Employee Handbook is to communicate the Town’s personnel policies and practices to all employees and Elected Officials. It is extremely important that each employee understand the policies that relate to rules, regulations, procedures, practices, work standards, employment classifications, compensation, and benefits.

**At Will Employment; No Employment Contract Intended.** This Employee Handbook is not a contract of employment, express or implied, and should not be construed as such. That is, in the State of New York, employment can be terminated at any time at the will of either the employer or the employee, subject only to such procedural requirements as may be specified pursuant to New York State Civil Service Law, Town Law, or any other applicable law, rule, or regulation. No supervisor, manager, employee or representative of the Town is authorized to enter into an agreement – expressed or implied – with any employee for employment for a specified period of time, unless specific rights are granted by Civil Service rules or other laws.

**No Legal Standard Intended.** Unless otherwise required by law, the provisions of this Employee Handbook are for Town use only. Notwithstanding the above, a violation of a Handbook provision may form the basis for administrative action by the Town, and in any subsequent judicial proceeding.

**Changes or Modifications** – The Town Board reserves the right to interpret, change, modify, or eliminate any provision contained in this Employee Handbook. In addition, this Employee Handbook is subject to alteration by resolutions of the Town Board, changes in Town and/or departmental rules, or changes in federal, state or local statutes, rules, or regulations. (This is not meant to be a comprehensive list). In the event that any policy or provision in this Employee Handbook changes, the Town will communicate such changes to its employees as soon as is practicable.

**Statutes, Laws and Ordinances** – All policies and procedures referenced in this Employee Handbook are compliant with relevant local, state and federal law as of the effective date of this Handbook. In the event, however, that a federal or state statute, code, rule or regulation or a Town local law, ordinance or resolution should conflict with any provision contained in this Employee Handbook, then such federal or state statute, code, rule or regulation or Town local law, ordinance or resolution shall prevail and the conflicting policy or provision of this Handbook shall be deemed amended to the extent necessary to comply with said statute, code, rule, ordinance or regulation.

**Applicability** – Unless expressly excluded herein, this Employee Handbook will be applicable to all employees, including appointed and elected officials



## SECTION 2 – WORK ENVIRONMENT

### 2.1 EQUAL EMPLOYMENT OPPORTUNITY

The Town is committed to the principles of equal employment opportunity. It is our policy to select the best-qualified person for each position within the Town of Granville. This policy applies to all employment practices and personnel actions, including advertising, recruitment, testing, screening, hiring, selection for training and development, promotion/advancement, transfer, demotion, layoff, termination, separation, rates of pay and other forms of compensation, benefits, overtime, social and recreational programs, and all other conditions and privileges of service in accordance with applicable federal, state and local law.

No employee of the Town of Granville will discriminate against an applicant for employment or a fellow employee because of age, race, creed, color, religion, sex, sexual orientation, gender identity, national origin, ancestry, marital or familial status, genetic predisposition or carrier status, physical or mental disability, domestic violence or victim status or any other protected class under federal, state or local law. In addition, no employee of the Town will discriminate against any applicant or fellow employee because of the person's military or veteran status.

### 2.2 IMMIGRATION REFORM AND CONTROL ACT

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, the Town of Granville is committed to employing only individuals who are authorized to work in the United States. Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. If an employee is authorized to work in this country for a limited period of time, the individual will be required to submit proof of renewed employment eligibility prior to the expiration of that period in order to remain employed by the Town.

### 2.3 AMERICANS WITH DISABILITIES ACT

The Town of Granville is committed to providing equal employment opportunities to qualified individuals with disabilities and complying with all applicable provisions of the Americans with Disabilities Act (ADA). It is the Town's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment due to such individual's disability or perceived disability so long as the employee or applicant can perform the essential functions of the job. It is the Town's policy not to discriminate against qualified individuals with disabilities as related to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

Consistent with this policy of non-discrimination, the Town of Granville will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Town aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Town. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact their immediate supervisor or the Town Supervisor. Upon doing so, such person(s) may ask the employee for input about the type of accommodation that may be necessary or about the functional limitations caused by the employee's disability. The Town reserves the right to request additional information from a healthcare provider or other medical/rehabilitation professionals in order to coordinate the accommodation request; the Town may need the permission of the employee to obtain additional information from their physician or other medical/rehabilitation professionals in order to clearly define the limitations or restrictions caused by the disability. All information received from a healthcare provider or other

medical/rehabilitation professionals is confidential and will not be disclosed. Such information, when received, shall be filed in a medical confidential file (separate from general employment records) with limited access.

## 2.4 NON-DISCRIMINATION/ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE

The Town of Granville is committed to a work environment in which all individuals are treated with respect and dignity. Each employee has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. With that said, the Town expects that all relationships among employees will be professional and supervised free of bias, prejudice and harassment.

**Harassment** is defined by the Town of Granville as verbal, written or physical conduct that demonstrates hostility, intimidation, ridicule or insult towards an individual which is severe and pervasive and has the effect of creating an abusive working environment. It is important to acknowledge that conduct that offends or affects any person, whether or not he/she is the intended target of such conduct, is equally considered harassment.

Harassing conduct includes the use of nicknames/labels, slurs or negative stereotyping; threatening, intimidating or hostile acts; demeaning jokes; and/or written or graphic material that belittles or shows hostility toward an individual or group and that is placed on walls or other Town property or circulated in the workplace, on Town time or using Town equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

This policy includes, but is not limited to, the effect that harassment, discrimination and/or retaliation via the use of social media (on or off work time) has on any employee's ability to perform their job.

Harassment, on the basis of any protected class or characteristic, is also strictly prohibited, including hostility towards an individual because of his/her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital or familial status, citizenship, genetic information or any other class or characteristic protected by law that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an employee's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

**Sexual Harassment.** Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purpose of this policy, the Town of Granville follows the Equal Employment Opportunity Commission Guidelines which define sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

**Bullying.** Bullying is a specific form of harassment. The Town of Granville defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against one or more individuals, at the place of work and/or in the course of employment.” Such behavior violates the Town’s core values.

The Town of Granville considers the following types of behavior examples of bullying:

- Verbal Bullying: slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Physical Bullying: pushing; shoving; kicking; poking; tripping; assault or threat of physical assault; damage to a person’s work area or property.
- Gesture Bullying: non-verbal threatening gestures; glances which can convey threatening messages.
- Exclusion: socially or physically excluding or disregarding a person in work-related activities.

**Workplace Violence.** Workplace violence is also a form of harassment. The Town of Granville strives to provide an environment that is safe and secure for all employees, vendors, clients/customers, business associates, citizens and visitors/guests of the Town. Behavior that is threatening, harassing, intimidating or in any way dangerous or violent is strictly prohibited and will result in serious responsive action.

The Town of Granville considers the following types of behavior examples of workplace violence:

- Verbal or physical harassment.
- Verbal or physical threats (e.g., gossip, rumors, emails, non-verbal behavior).
- Assaults or other violence (e.g., hitting, punching, slamming or throwing an object).
- Any other behavior that causes others to feel unsafe (e.g., bullying, sexual harassment, etc.).

While no organization is completely immune from acts of violence, clear policies and procedures help reduce the likelihood of such events and guide appropriate responses to situations that do arise.

Employees are expected to refrain from conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, vendor, customer/client, business associate, citizen or visitor/guest will not be tolerated. Town resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. The Town of Granville treats threats coming from an abusive personal relationship as it does other forms of workplace violence.

**Retaliation.** Retaliation is defined as any “adverse action” taken against an employee based on their complaint of harassment or discrimination. “Adverse action” may include a significant change in employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities or a decision causing a significant change in benefits.

Retaliation against an employee for reporting harassment or discrimination, or for participating in an investigation of a claim of harassment, discrimination, bullying or any other protected activity, is a serious violation of this policy, and like harassment, discrimination or bullying itself, will be subject to disciplinary action, up to, and including, termination.

**Hostile Work Environment.** A hostile work environment exists when an employee experiences workplace harassment and fears going to work because of the offensive, intimidating or oppressive atmosphere generated

by the harasser. A hostile work environment interferes with an employee's ability to perform their job and creates an abusive or offensive work environment for the employee being harassed or any other employees observing the behavior. A hostile work environment can also affect those working in the same environment as the individual being harassed and the harasser.

**Individuals and Conduct Covered.** These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the Town of Granville (e.g., an outside vendor, business associate, customer/client, citizen or visitor/guest). It also applies to anyone who is affected (either via observation or personal experience) by such conduct – not solely the intended target or focus of such behavior.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside of the workplace, such as during business trips, business meetings and business-related social events.

**Reporting an Incident of Harassment, Discrimination or Retaliation.** Harassment, discrimination or retaliation can be intentional or unintentional. The focus of any investigation by the Town will be on the effect of the alleged harassment on the complaining employee. Employees who are the intended focus of such behavior or who otherwise observe and/or experience such behavior are equally responsible in reporting it.

The Town of Granville encourages the prompt reporting of complaints or concerns so that prompt investigations can be conducted. Therefore, although no fixed reporting period has been established, early reporting and intervention are encouraged because they have been proven to be the most effective method of resolving actual or perceived incidents of harassment, discrimination or retaliation, as defined by this policy.

When possible, the Town encourages employees who believe they are being subjected to such conduct (or who have otherwise observed and/or experienced such conduct) to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often, this action alone will resolve the problem. The Town recognizes, however, that an employee may prefer to pursue the matter through a formal complaint procedure. **DO NOT DIRECT ANY FORMAL COMPLAINTS TO THE HARASSER.**

**Formal Complaint Procedure.** The Town of Granville encourages reporting of all perceived incidents of harassment, discrimination or retaliation regardless of the offender's identity or position. Employees who believe that they have been the victim of such conduct or have otherwise observed such conduct, should discuss their concerns with their immediate supervisor or the Town Supervisor, not necessarily in that order.

**Reporting Violent Behavior.** All employees of the Town of Granville who are affected by harassment, discrimination, violent behavior or retaliation (whether they are the intended victim or observe the behavior) have a responsibility to report violent or threatening behavior. Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to their immediate supervisor or Town Supervisor, not necessarily in that order.

**911.** If there is an immediate act or threat of violence that is considered an emergency situation, individual safety is always the top priority. Employees should call 911 if an emergency situation jeopardizes the safety of an employee, outside vendor, business associate, customer/client, citizen or visitor/guest. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in direct danger, nor should they attempt to intercede during an incident. Employees should not report the behavior to the individual acting in a violent manner.

**Restraining Order.** Employees should promptly inform Management of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence.

**Investigation Claims of Harassment, Discrimination or Retaliation.** It is the policy of the Town of Granville to promptly and thoroughly investigate any reported allegations of harassment, discrimination or retaliation, as defined by this policy. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have experienced or observed the alleged conduct or may have other relevant knowledge. The Town expects the full cooperation of all employees asked to participate in a formal or informal investigation of alleged harassment, discrimination or retaliation. Confidentiality will be maintained throughout the investigatory process to the extent possible and consistent with adequate investigation and appropriate corrective action.

The Town of Granville will not retaliate against employees making good-faith reports of violence, threats or of suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, the Town may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Misconduct constituting harassment, discrimination or retaliation, as defined by this policy, will be dealt with appropriately and may involve actions up to, and including, termination. The severity of the action may not allow rehabilitation and an employee may be terminated after the first offense. The Town Supervisor retains the sole discretion to determine appropriate disciplinary actions for incidents involving harassment.

Employees who file a complaint of harassment, discrimination or retaliation, as defined by this policy, and the respective individual(s) against whom the allegation(s) was/were filed, will be promptly notified of the outcome of the investigation. False and malicious complaints of harassment or discrimination may be the subject of appropriate disciplinary action, up to, and including, termination.

Any employee with questions or concerns about this policy or procedure should seek further information from their immediate supervisor or the Town Supervisor.

## 2.5 COMPLAINT PROCEDURES

The Town recognizes that sometimes situations arise in which an employee feels that he or she has not been treated fairly or in accordance with Town policies. For this reason, the Town provides its employees with procedures for resolving complaints.

Step1: An employee should first try to resolve any problem or complaint with his/her immediate supervisor.

Step 2: When communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of Town policies and procedures, the employee should attempt to resolve the problem with his/her Department Head. The responsible Department Head will usually submit the problem, in writing, to the Town Supervisor. The written complaint must contain, at a minimum:

- A description of the problem;
- A specific policy or procedure which the employee believes has been violated or misapplied;

- The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;
- The remedy sought by the employee to resolve the complaint.

The written complaint must be filed within five working days after the Department Head's response at step two.

The Town Supervisor may meet with the parties, either individually or together, and will respond in writing to the aggrieved employee within ten working days of the meeting. The Town Supervisor's response and decision shall be final and binding.

Certain employees may have more than one source of dispute resolution rights, i.e. The Town's Civil Service rules, and this complaint process. Employees who are covered under civil service rules should follow grievance procedures set out in their respective civil service rules and should follow grievance procedures set out in their respective civil service rules, where applicable. In all other cases, the procedures described in this section shall be used. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an Employee.

## SECTION 3 – EMPLOYMENT POLICIES

### 3.1 RECRUITMENT PROCESS

When a position becomes vacant or when a new position is requested, the Department Head shall review the position, its job description and the need for such a position prior to any posting or advertisement of the vacancy. The Department Head will prepare and submit a written request to fill the position to the Supervisor. The position will be posted and/or advertised only after the Town Board has approved the request. Positions will generally be posted for a minimum of a three (3) week period.

### 3.2 APPLICATION FOR EMPLOYMENT

All applicants for any position (both internal employees and new candidates) must fully complete, date and sign an Employment Application (a resume will not be accepted in lieu of a completed Employment Application, although it may be submitted in addition to the application). Applicants must provide the Town of Granville with complete and accurate information regarding their qualifications. Misrepresentations or omissions on an Employment Application, or any other form required as part of the application or employment process, may remove applicants from consideration for employment or may result in disciplinary action, up to, and including, termination.

The completed Employment Application will be made part of the personnel file for new employees and for internal candidates. An Employment Application for a candidate who was not selected for employment will be maintained in the personnel department for a minimum of twelve (12) months, and will be reviewed as suitable opportunities become available.

Applicants for positions for which the applicant is expected to operate a motor vehicle must be at least eighteen years old and will be required to present a valid New York State driver's license upon employment with any necessary endorsements. Driving records of applicants may be checked as part of a Background Check. Applicants with poor driving records, as determined by the Town, may be disqualified for employment with the Town in positions requiring driving.

### 3.3 BACKGROUND CHECKS

Prior to becoming an employee, a job-related background check may be conducted for new employees as part of the hiring process (if required by law or Town policy). A comprehensive background check may consist of a Social Security number search, prior employment verification, professional reference checks and educational confirmation. A credit, criminal, health examination, and/or driving record history may also be a part of such background check based on business or position requirements. As a result of what may be required by a particular position, an employee may be subject to additional job related background checks throughout his/her tenure with the Town of Granville, and will be notified of such in those instances. Applicants may be disqualified from employment as a result of background checks. The Town may contract with any competent agency or individual to prepare and/or administer the examination.

### 3.4 RESIDENCY REQUIREMENT

The Deputy Town Clerk and Deputy Highway Superintendent must be residents of the Town of Granville. In addition, all full-time town highway employees must reside within 30 miles from the Town Highway Building located on County Route 24 in the Town of Granville.

### 3.5 OTHER PRE-EMPLOYMENT REQUIREMENTS

The Town may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the Town.

In addition, Civil Service Competitive positions require Civil Service exams. Appointments to Civil Service Competitive positions are made according to a candidate's eligibility based on the results of these exams.

In addition, applicants/employees who have unsupervised access to children and developmentally disabled adults may also be asked to complete a disclosure statement.

### 3.6 MEDICAL EXAMINATIONS

Certain applicants for employment (to whom a conditional offer of service has been made) are required, in order to ensure that such employees are able to perform their expected duties safely, to meet all medical requirements for their position prior to rendering any services on behalf of the Town of Granville. When a medical examination is requested, the medical examination will be conducted by a Town-appointed physician and at the Town's expense. Employment and assignment will be conditional pending the receipt of a satisfactory physician's report.

Current employees may also be required to undergo periodic medical examinations. When necessary, these exams will evaluate an employee's ability to perform the essential functions of the position or need for possible accommodation. Such examinations will be conducted for all employees in the same job category and will be scheduled at reasonable times and intervals. The exams will be conducted at the Town's expense.

If a medical examination is required, all information provided to the Town will be maintained in a confidential medical file. All applicants required to take a medical examination will be required to sign a standard consent and release permitting the examining physician to disclose the results of the physical examination to the Town.

If the Applicant questions the result of the physical examination, he/she will be given an opportunity to comment, submit additional information, including statements from other physicians, and/or request another physical examination.

A candidate may be withdrawn from consideration if found physically unable to perform the essential functions of the position (with reasonable accommodation, if needed), the candidate refuses to submit to a medical examination or complete medical history forms, or if the medical examination reveals the use of alcohol and/or controlled substances as is prohibited by the Town's Drug Testing Policy.

### 3.7 DRUG TESTING

The Town of Granville is committed to providing a safe, efficient and productive work environment for all employees. Therefore, job applicants (to whom a conditional offer of service has been made) will be required (and current employees may be asked) to submit to drug testing in order to determine illegal use of drugs or alcohol. Any applicant who fails a drug test will not be accepted for employment. Any current employee who refuses to submit to drug testing is subject to disciplinary action, up to, and including, termination of employment.

*For more information regarding the Town of Granville's Drug and Alcohol-Free Workplace and Workforce Policy see Section 8 of this handbook.* In addition, if you have specific questions regarding the Town's testing policy, please direct them to your immediate supervisor or the Town Supervisor.



### 3.8 EMPLOYMENT OF FORMER EMPLOYEES

When former employees apply to be rehired, they will be evaluated on the same basis as all other applicants. Consideration will be given to past job performance, the circumstances surrounding previous separation of employment and the former employee's ability to meet the required job duties of a particular position.

Employees rehired within thirty (30) days following separation will retain his/her original date of hire and may continue to accrue benefits at the same rate as before the separation. Insurance benefits may also be continued, so long as allowed under state and federal law and so long as the plan documents allow.

Employees rehired after a break of more than thirty (30) days will receive a new date of hire. They will be treated the same as new employees for purposes of all benefits, unless otherwise approved in writing by the Town Board.

### 3.9 EMPLOYMENT CLASSIFICATIONS

For the purpose of this handbook, the following terms are defined as follows:

- **Regular, Full-Time:** Employees who are regularly scheduled to work for a full-time schedule of 35 or more hours per week. Regular Full-time employees are eligible for all of the benefits offered by the Town, subject to the terms, conditions and limitations of each specific benefit program.
- **Regular, Part-Time:** Employees who are regularly scheduled to work less than 35 hours per week, but no fewer than 20 hours a week. Regular, part-time employees are not eligible for benefits offered by the Town, except as required to state or federal law.
- **Temporary Employees:** Employees who are working on a temporary basis for a limited duration due to busy seasons, peak workloads, special projects or emergencies. Temporary employees are not eligible for any Town benefits, except as required by state or federal law.
  - Temporary employees may be hired without competitive requirement or examination, although all hiring processes must otherwise comply with state and federal law.
  - Temporary employees may not work more than seventy hours (70) a month for more than five (5) months in a twelve-month period.
- **Professional Service Employees:** Employees whose schedules vary based on their professional responsibilities with the Town and whose hours are otherwise not standard and/or limited. Such employees include certain employees who are elected, appointed or otherwise employed by the Town. Specific roles such as Budget Officer and Town Attorney fall within this employment classification.
- **Volunteers:** People who assist with the provision of Town programs/services, however do not provide the same services as, or eliminate positions held by, regular employees. Volunteers are not paid for their services, except as required by state or federal law.
- **Community Service Workers/Court-Appointed Workers:** As appropriate, the Town may consider the placement of individuals who are referred by the courts to perform community service or other service-oriented tasks.

Employees are also classified as either "Exempt" or "Non-Exempt," as determined by the federal Fair Labor Standards Act (FLSA).

- **Exempt:** Employees who are exempt from the wage and overtime provisions of the FLSA, including certain managerial, supervisory, executive, administrative, professional and sales employees. Such employees

must also be paid on a salary basis, meet a minimum salary threshold and perform certain job duties in order to be classified as exempt.

- **Non-Exempt:** Employees who do not meet the FLSA exemption standards, and therefore, are eligible to receive overtime for all hours worked beyond forty (40) in a defined workweek.

### 3.10 EVALUATION PERIOD

During the ninety (90) days of employment, the Town of Granville and all new staff (including new hires, promotions, transfers and re-hires) are given an opportunity to evaluate whether the employment relationship should continue long-term. The evaluation period provides the Town and employee an opportunity to determine real-time, through actual job performance, the suitability of the relationship. Following the ninety (90) day evaluation period, the employee's performance will be evaluated by his/her Department Head. An employee who satisfactorily completes the evaluation period, will be notified of his/her employment status.

During the evaluation period, an employee may voluntarily terminate employment without notice, or if the performance of the employee is not satisfactory as determined by the Town, the employee may be released with or without notice. Extensions of the evaluation period may be approved to properly evaluate the employee's performance; provided, however, that such extension is permissible under the provisions of any applicable civil service rules or regulations governing the position in question.

The completion of the evaluation period should not be considered a guarantee of permanent employment within the parameters of the at-will employment relationship. The Town of Granville evaluates employees on a regular basis and reserves the right to terminate an employee at any time during or after the evaluation period.

### 3.11 EMPLOYEE INFORMATION AND EMPLOYMENT RECORDS

The Town of Granville maintains an employment file for each employee for record keeping purposes. The official employment files for all employees are located at Town Hall and are under the direct supervision of the Town Supervisor. Each employee's employment file may include: an original employment application, employee resume, job description, performance appraisal reports, disciplinary action notices, special commendation information, educational achievement records, employee status change history (affecting work and salary), and other business-related documentation. Medical information, if any, will be kept in a separate medical confidential file with extremely limited access.

An employee's employment records will only be accessible by the Town Supervisor and will be kept confidential. Certain employment records may be made available to an employee's Department Head or direct supervisor on a need-to-know basis, but only under the supervision of the Town Supervisor. In addition, an employee may access his/her own employment records, but only following a minimum of 24 hours' advance notice and under the direct supervision of the Town Supervisor. All employment files are the property of the Town. Nothing will be expunged from an employee's employment records once filed, unless required by federal, state or local law. However, upon request and approval, the employee may obtain a copy of item(s) in his/her employment records.

Employees should notify the Town Supervisor of any changes to his/her address, telephone number(s), dependent(s) age and status, marital status, etc. In addition, employees should also notify the Town Supervisor

regarding the birth or adoption of a child, change in emergency contact information and change of next of kin and beneficiaries.

### 3.12 PROMOTIONS

The Town encourages current Town employees to apply for vacant Town positions for which they are qualified. Promotions and transfers are based on qualifications and documented performance. When considering two or more candidates and the qualifications and documented performance are equal in the judgement of management, promotion will be based on seniority. The Town reserves the right, however, to look for a candidate outside of the Town if there may be a better match for any position.

Receipt of a promotion or transfer does not constitute commitment for continued employment in the new position, nor is there a guarantee that the employee will be able to return to their former position if they are unsuccessful in the new job. However, if an employee in a Civil Service Competitive position takes a promotion, and either the employee or the Town determines that the employee should not continue in such position, he/she does have the right to go back to the previously held position during the Evaluation Period.

### 3.13 TRANSFER OF EMPLOYEES

When required and/or determined a business necessity, the Town may transfer an employee from one position to another. A request for transfer by an employee may be made in writing and submitted to the Town Supervisor for consideration. A transfer may be made if the Town Supervisor determines it is in the best interest of the Town and the employee, and is otherwise authorized by applicable civil service rules or regulations governing the position in question. Transfers do not automatically warrant a pay increase.

### 3.14 DISCIPLINARY ACTION

Whenever possible, the Town of Granville maintains a policy of “progressive discipline” for certain offenses, which is designed to identify problems and attempt to rectify them. The intent of this practice is to require the employee and supervisor talk about undesired behavior(s) or action(s), and set reasonable goals and time frames for corrective actions. If the desired improvement is not achieved, the process will move to subsequent steps. At all times the disciplinary process should focus on the undesired behavior(s) or action(s), and not on the employee.

There are certain actions and behaviors which will warrant progressive disciplinary action, up to, and including, termination. The Town’s success in providing excellent service to its citizens and maintaining good relationships with the community depends on its employees. Therefore, the Town has provided for your guidance certain conduct which, if engaged in, would be detrimental to our objective and could lead to disciplinary action, including discharge. The following specified conduct is illustrative and not comprehensive:

- Misrepresentation or withholding of pertinent facts in securing employment.
- Unauthorized use or possession of the Town’s facilities/property. Unauthorized use of position with the Town for personal gain or advantage. Accepting unlawful gratuities or bribes. Lying.
- Smoking in any unauthorized posted area or creating of fire hazards in any area.
- Violation of dress or hygiene standards. Violation of the town’s telephone, vehicle and equipment use policy.
- Failure to properly secure Town Property.
- Loitering after completing a day’s work which results in the disruption of the Town’s business or the work of other employees. Vending, soliciting, or collection contributions for any purpose whatsoever during working time on the premises without the permission of the supervisor.

- Unauthorized operation or using machines, tools, or equipment to which the employee has not been specifically assigned.
- Unauthorized recording of another employee's time. Both employees can be subject to disciplinary action.
- Habitual lateness for work. Absence without proper notification to immediate supervisor, excessive absenteeism, or insufficient reasons for absenteeism. Loitering, goofing off, failing to assist others in a work situation.
- Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the Town or our employees, on or off premises. Disorderly conduct, including fighting on the premises. Rudeness, discrimination, intimidation, coercion, use of obscene language, gesture or lack of courtesy to the public or fellow employees. Immoral conduct while on duty.
- Intentional falsification of records/paperwork required in the transaction of the Town business.
- Inability, inefficiency, negligence, or insubordination, including a refusal or failure to perform assigned work. Concealing defective work.
- Failure to observe safety practices, rules, regulations, and instructions. Negligence that results in injury to others. Failure to wear required safety clothing and equipment.
- Failure to promptly report to your immediate supervisor an on-the-job injury or accident causing damage to or involving an employee, customer, visitor, Town equipment, or Town property.
- Dishonesty or theft, including deliberate destruction, damage, or removal of the Town's or other's property from the premises, or any job site.
- Possession, use, sale, or being under the influence of alcohol and/or drugs or other controlled substances while on Town business (including standby duty). The only exception to this rule shall be for an employee using or possessing a controlled substance prescribed by a doctor if such employee has given his/her supervisor prior notice of such use and/or possession and such does not impair safe and/or efficient work performance.
- Possession of explosives or weapons on the premises or at any job site.
- Conviction of a gross misdemeanor or felony.

In the event that discipline is necessary, the Town may choose to give an employee any of the following, depending on the particular conduct which led to such discipline: oral warning, written warning, suspension, demotion or termination. All discipline, verbal or written, should be documented, acknowledged by the employee and placed in his/her employment records. The Town of Granville reserves the right to accelerate the progressive disciplinary process depending on the severity of the incident. In potentially hostile situations, an employee may be immediately suspended or put on Administrative Leave pending the results of a review and investigation. Please note that Section 75 of the New York Civil Service law may apply to employees who are in permanent appointed positions. As such, accelerating the progressive disciplinary process for those employees may not be allowable pursuant to the law. Employees in those positions should refer to the Civil Service Manual for specifics regarding discipline.

The choice of what discipline to apply in any particular case is solely up to the Town. The use of discipline less than termination in any particular case does not change the at-will nature of the employment relationship. Employees who are exempt from overtime laws will not be suspended without pay for disciplinary purposes for periods less than a full workweek, unless the infraction involves violation of safety rules of major significance.

### 3.15 ADMINISTRATIVE LEAVE

On a case-by-case basis, the Town may place an employee on administrative leave with or without pay for an indefinite period of time, as determined by the Town Board, to be used in the best interests of the Town pending an investigation or other administrative proceedings. New York Civil Service law prohibits leave without pay for more than thirty (30) days for employees in permanent appointed positions.

### 3.16 SEPARATION OF EMPLOYMENT

Separation from employment within the Town of Granville can occur for several different reasons:

- **Resignation:** In general, the Town asks that an employee who chooses to end his/her employment with the Town of Granville provides the Town Supervisor with at least two (2) weeks' notice. Thoughtfulness is appreciated and will be noted favorably should an employee ever wish to reapply with the Town.

Note: The Town reserves the right to provide an employee with two (2) weeks of pay in lieu of notice in situations where job or business needs warrant such action.

- **Retirement:** Employees anticipating retirement are expected to provide at least three (3) months' advance notice in writing. Employees should work with the Town Supervisor to determine conditions and benefits available following retirement.
- **Job Abandonment:** Employees who fail to report to work or contact the Town for three (3) consecutive workdays shall be considered to have abandoned their job without notice, effective at the end of their normal shift on the third day. Employees who are separated due to job abandonment are ineligible to receive accrued benefits.
- **Termination:** Town of Granville employees are employed on an at-will basis, and the Town retains the right to terminate an employee at any time, for any reason, with or without cause, and with or without notice.
- **Layoff:** The Town Board may lay off employees for lack of work, budgetary restrictions, reorganizations or other changes that have taken place.

Please note that New York Civil Service law may provide for different timing and process for the separation of employment categories noted above. Employees in permanent appointed positions should review such law as it relates to separation for guidelines.

An employee separated from employment with the Town may elect a cash payment of accrued vacation time upon separation of employment, providing the separation was due to reasons other than termination due to gross misconduct, and, if a resignation, that proper notice was given by the employee, or as is otherwise required by federal or state law.

All Town property in the employee's possession, such as, but not limited to: Town vehicles, credit cards, uniforms, tools, keys, safety equipment, manuals, identification cards/badges, or other Town property or files, must be returned to the Town Supervisor prior to the employee's last day of work.

### 3.17 FINAL PAYCHECK

An employee's final paycheck for all outstanding hours worked will be provided on the next regular payday following the employee's separation date.

### 3.18 REFERENCES

It is the Town's policy to verify employment information only. The Town will only release an employee's hire date, separation date, payroll history and the position he/she held on his/her last day of work. Personal or professional letters of referral by Town employees are a violation of Town policy and should not be requested from, nor provided by, a supervisor or employee. All reference requests should be directed to the Department Head.

## SECTION 4 – HOURS AND ATTENDANCE

### 4.1 HOURS OF WORK

The Town does not have standard hours or a standard schedule that applies across all jobs. As such, a Town employees' standard workweeks may vary from day-to-day depending on a particular job, department, shift or working conditions. Department Heads are responsible for advising their employees of their specific working hours.

Each employee is expected to complete a normal workday and workweek as scheduled. In addition, employees may, on occasion, be required to work additional hours as required to meet Town needs and workload. If overtime is required, employees will be expected to work any additional time necessary, assigned and approved by their Department Head. *For information on Overtime, see Overtime Policy in this employee handbook.*

### 4.2 ATTENDANCE

Each employee's attendance is important to the smooth operation of business and maintenance of required job responsibilities. Excessive absenteeism and tardiness is not only inconvenient, but it also causes costly problems. While it is recognized that an occasional illness or extenuating personal circumstance may cause unavoidable absence from work or tardiness, regular, on-time attendance is required for continued employment at the Town of Granville.

Employees are expected to personally notify the Town of any absence or tardiness. Employees should contact their supervisor directly to report any absence or lateness as soon as is practicable, but at least within thirty (30) minutes of their regular starting time, so that arrangements may be made to cover their work, if necessary. If their supervisor is not available, then the employee should notify his/her Department Head. If an absence continues beyond one day, the employee is responsible for reporting in each day or as requested by the supervisor. Each Department Head is responsible for maintaining an accurate attendance record of his/her employees.

Any employee who fails to maintain an acceptable attendance record will be subject to disciplinary action, up to, and including, termination. In addition, unexcused absences or tardiness will affect future promotions and/or raises. Finally, an employee absent from work for three (3) consecutive working days without informing his/her supervisor or Department Head will be considered to have abandoned his/her job and to have voluntarily resigned.

### 4.3 RECORDING TIME WORKED

All non-exempt employees are responsible for accurately reporting all hours worked on forms supplied by the Town. Employees failing to accurately record time work are subject to discipline. Exempt employees must submit a time sheet showing days and hours worked and utilization of accrued leave. No time and leave credits shall be deemed earned unless accurate records of time and attendance have been kept in accordance with the procedures established by the Town Supervisor, or as is otherwise required by state or federal law.

### 4.4 SEVERE WEATHER CONDITIONS AND EMERGENCY CLOSINGS

During times of inclement weather or natural disaster, it is essential that the Town continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work without endangering their own personal safety. With that said, though, on rare occasions, severe weather or an

emergency situation (such as fire, power failure, flooding, etc.) can disrupt Town of Granville operations and circumstances may necessitate early closing, late opening or cancellation of work. A determination on opening or closing in any of these circumstances will be made at the discretion of the Town Supervisor. Unless notified otherwise, employees are expected to report to work as scheduled. If an employee is unable to get to work or leaves early due to weather or other extreme conditions, he/she may charge the time as a vacation day, floating holiday, use compensatory time or leave without pay. In this case, the employee must advise his/her supervisor by phone if he/she is not able to come in or will be tardy pursuant to regular Attendance Policy.

#### **4.5 CALL BACK**

All employees are subject to call back in emergencies or as needed by the Town to provide necessary services to the public. A refusal to respond to a call back is grounds for immediate disciplinary action, up to and including, termination.

Employees called back to duty will be paid their appropriate rate of pay for hours worked or at the overtime rate for hours worked over the applicable overtime threshold.

#### **4.6 MEAL BREAKS**

All full-time employees and those working six (6) or more hours per day must take a thirty (30) minute unpaid meal break between 11:00 a.m. and 2:00 p.m. (meal periods may vary, as scheduled by an employee's supervisor, and will depend on the particular needs and requirements of each department). Employees who work shifts that are more than six hours long and the shift begins between 1:00 p.m. and 6:00 p.m. must take a 45-minute meal break, scheduled as close as possible to the shift's midway point. If at any time an employee's shift starts before 7:00 a.m. and continues past 7:00 p.m., he/she may take an additional 20-minute meal break between 5:00 and 7:00 p.m. Employees may not take "meal break" time at the end of a work shift in order to leave work early. Employees are entitled to leave their work area or building during a meal break. Proper coverage must be maintained when scheduling meal time.

#### **4.7 BREAK PERIODS**

Non-exempt employees receive one 15-minute paid break for every four (4) hours worked. All breaks shall be arranged so that they do not interfere with Town business or service to the public. Town Highway employees shall take their break at the work site; provided, however, that when such employees are working away from the Town Highway Building, the supervisor (or his designee) may authorize one employee go for coffee for the entire crew.

#### **4.8 LACTATION BREAKS**

The Town of Granville will provide a reasonable amount of break time to accommodate a female employee's need to express breast milk for the employee's infant child for up to three (3) years following the birth of a child. The break time should, if possible, be taken concurrently with other break periods already provided. However, an employee will be allowed extra reasonable break time, as needed, to express milk throughout the day. The Town will also make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area, for the employee to express milk in private.

Employees should have an open dialogue with their supervisor regarding break time needed to express breast milk under this policy in order to make sure that additional break time needed will not seriously disrupt operations. In the unlikely event that the need for break time to express breast milk becomes excessive and/or disruptive, the employee's supervisor reserves the right to speak with the employee about possible alternative



solutions. If necessary, the employee may be allowed to work before or after her scheduled workday to make up this time.

No provision of this policy applies or is enforced if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state or local law or regulation.

## SECTION 5 – PAY AND WAGE ADMINISTRATION

### 5.1 PAY RATE SCHEDULE (NON-EXEMPT EMPLOYEES)

The Town has established certain pay rate schedules for non-exempt employees based upon work classifications. Each position within the Town is classified into one of the Town's classifications for wage payment purposes, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard and amount of supervision required for the specific job title. Each classification is designated a particular pay or pay range shown on the Town wage schedule and individual job descriptions. The length of time in a classification is a general guideline only and being employed by the Town for any particular period of time does not necessarily mean automatic promotion.

### 5.2 EMPLOYEE PAY RATES

Employees shall be paid within the limits of the Town's Pay Rate Schedule as noted in this handbook. Usually, new employees will start their employment at the minimum wage rate for their classification. However, a new employee may be employed at a higher rate when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum.

Any pay increases are contingent on satisfactory performance and financial ability to pay such increases. If and employee's performance is consistently unsatisfactory, the Town Board may defer a pay increase for a stipulated period of time or until the employee's job performance is satisfactory, based on a Department Head's recommendation.

The Town Board may propose an across-the-board pay adjustment (e.g., a cost of living increase) from time-to-time, raising the salaries of all positions by a specified amount within a defined group of classifications. Such adjustments, if any, will not change an employee's pay anniversary date.

### 5.3 PAY PERIOD AND CHECK DISTRIBUTION

The Town of Granville's standard workweek for purposes of the pay period and check distribution starts on Sunday at 12:01 a.m. and ends on Saturday at 12:00 p.m. Full-time Town employees are paid weekly on Thursday of each week; other Town employees are paid at such intervals as may be established from time to time by the Town Board. If a regularly scheduled payday falls on a holiday, paychecks will be distributed on the previous scheduled working day. Please note that at no time and for no reason may an employee receive advanced pay for additional pay periods. Checks will only be paid in regular intervals as scheduled and pursuant to this policy.

### 5.4 PAYROLL DEDUCTIONS

The Town is required by law to make certain deductions from every employee's paycheck. Among these are applicable federal, state and local income taxes as well as contributions to Social Security and Medicare. These deductions are itemized on each check stub. Authorized voluntary deductions will also be withheld from an employee's paycheck and itemized on his/her check stub (e.g., participation in Town-sponsored benefit and retirement plans). Finally, certain penalties imposed in good faith, as authorized under state and federal law, will be noted. Any other mandatory deductions to be made from paychecks, such as court ordered garnishments or those otherwise required by law, will be itemized on your check stub at the time the Town is required to make such deductions, if ever.

The amount of these deductions will depend on each employee's earnings and on the information he/she provides on his/her W-4 Form regarding the number of exemptions claimed. Employees should check each check stub to ensure that it reflects the proper number of withholdings. The W-2 Form each employee receives annually reflects how much of an employee's earnings were deducted for these purposes.

## 5.5 W-4 FORMS

It is the employee's responsibility to complete and submit an accurate W-4 Form to the Town. This includes completing an initial W-4 Form during onboarding for new employment and completing an updated W-4 Form as changes occur in one's personal life. Employees should also review his/her W-4 Forms each year to confirm that all exemptions and withholding are correct.

## 5.6 PAYROLL RECORDS

The official payroll records are kept by the Town Budget Officer. Each Department Head shall turn in on a weekly basis a signed work record for each employee within their department, noting hours worked, compensatory time used, leave time taken and overtime worked.

The Town Supervisor shall sign work records for the Department Heads.

## 5.7 OVERTIME

Occasionally, employees are requested to work beyond their regularly scheduled work hours. In this instance, non-exempt employees will be eligible for overtime compensation. Non-exempt employees will be paid at the rate of one and one-half times their regular hourly rate of pay for all time worked in excess of forty (40) hours in a workweek.

Overtime may not be worked without prior approval from an employee's Department Head. Department Heads shall ensure that no unauthorized overtime hours are worked.

Occasionally, there are circumstances where the Town will pay "Special Overtime." Special Overtime will be paid at a rate of two and one-half times their regularly hourly rate of pay for all time worked on a Town-recognized Holiday (as noted in this employee handbook). In no case will Special Overtime be paid unless an employee has already worked forty (40) or more hours during the workweek.

## 5.8 COMPENSATION UPON SEPARATION OF EMPLOYMENT

Upon separation of employment with the Town, the employee will receive the following compensation on the next regularly scheduled payday:

1. Regular wages for all hours worked up to the time of separation, which have not already been paid.
2. Any overtime or holiday pay due as of the time of separation, which has not already been paid.
3. A lump sum payment of any accrued but unused vacation pursuant to the policy in this employee handbook.
4. A lump sum payment of any accrued but unused sick leave pursuant to the policy in this employee handbook.

## SECTION 6 – EMPLOYEE BENEFITS

### 6.1 BENEFITS OVERVIEW

The Town of Granville offers the below highlighted benefits for eligible employees and their families. The Town reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein. In addition, the Town may decide to discontinue one or more benefits. Covered and eligible employees will be notified of such changes or discontinuations as soon as practicable and as required by federal and state law. Further, the Town reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

Employee benefit plans are often somewhat complex. For this reason, plan-specific Summary Plan Descriptions, plan summaries, plan booklets, etc. should be referenced for specific guidelines and information. Where benefits are governed by a formal plan document or master policy, the terms of that policy will govern. Questions concerning benefits and/or insurance claim information should be directed to their Department Head.

The information contained in this handbook regarding employee benefits is not a contract to provide these benefits to any employee.

### 6.2 CHANGES IN EMPLOYMENT RECORDS

As noted earlier in this handbook, to aid employees and their families in matters of personal emergency or to administer benefits, the Town needs to maintain up-to-date personal information. Changes in name, address, telephone number(s), marital status, number of dependents or changes in next of kin and/or beneficiaries should be given to Town Supervisor promptly.

### 6.3 HEALTH INSURANCE BENEFITS

Eligible Town employees and officials may participate in the Town's insurance programs twenty (20) days from date of hire. The programs and criteria for eligibility will be explained upon hire. The Town contributes toward the cost of premiums in the amounts authorized by the Town Board. The remainder of the premiums, if any, shall be paid by the employee through payroll deduction. The Town reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, with prior notice to affected employees. Please see the following regarding eligibility and contributions:

- **Full Time Employees.** Full-time employees working 35 or more hours per week are eligible for health insurance benefits. Town and employee contributions to the plan will be announced by the plan administrator during the annual open enrollment period prior to the first day of each plan year.
- **Part-Time Employees and Elected Officials.** Part-time employees or part-time elected officials may elect to have health insurance coverage, so long as the cost of coverage is paid in full by such employee or official. Please note that part-time employees or elected officials now receiving coverage that the Town contributes to will be grandfathered with coverage at the current contribution rate until the end of the current term. If this employee is reelected or appointed, he/she will be required to pay the full cost of coverage pursuant to the above.
- **Dependents.** A dependent will be covered as specified in the insurance policy; with that said, he/she will remain otherwise eligible up to the age of 26 pursuant to the Affordable Care Act.

- **Retiree Coverage.** The Town offers health insurance coverage to eligible full-time Town employees and eligible elected Town officials (hereinafter each an “eligible retiree” or “retiree”) after they retire from Town employment or service. Coverage is also made available to the eligible retiree’s eligible spouse and/or dependents.
- **Eligibility.**
  - Retired Employees. A retired full-time Town employee will be eligible for coverage if each of the following requirements are satisfied:
    - The retiree (i) has at least ten (10) years of continuous service with the Town; (ii) has retired directly from the Town; (iii) was covered, or eligible to be covered, under the Town’s health insurance plan on his/her last date of employment with the Town; (iv) has been granted a retirement benefit from the New York State Retirement System; (v) has not left employment with the Town due to disciplinary action; and (vi) is not receiving health insurance benefits from other employment or from the employment of his/her spouse if the spouse’s benefits cover the retiree; and
    - The Town is not prohibited from providing coverage to the retiree by state or federal law, the terms of its insurance plan(s), or an order of a court of competent jurisdiction.
  - Spouse/Dependents of Retired Employees. The spouse or dependent of a retired full-time Town employee meeting the eligibility requirements for health insurance coverage will also be eligible for coverage if each of the following requirements are satisfied:
    - The spouse/dependent was covered, or eligible to be covered, under the retiree’s health insurance plan(s) at the retiree’s last date of employment with the Town; and
    - The Town is not prohibited from providing coverage to the spouse and/or dependent (as the case may be) by state or federal law, the terms of its insurance plan(s), or an order of a court of competent jurisdiction.
  - Retired Part-Time Elected Officials. A retired part-time elected Town official will be eligible for coverage if each of the following requirements are satisfied:
    - The retiree (i) has at least twenty (2) years of continuous service as a part-time elected official of the Town; (ii) is fifty-five (55) years of age or older; (iii) has left office; (iv) was covered, or eligible to be covered, under the Town’s health insurance plan on his/her last day in office; (v) has not left office due to disciplinary action; and (vi) is not receiving health insurance benefits from other employment or from the employment of his/her spouse if the spouse’s benefits cover the retiree; and
    - The Town is not prohibited from providing coverage to the retired official by state or federal law, the terms of its insurance plan(s), or an order of a court of competent jurisdiction.
  - Spouse/Dependents of Retired Elected Officials. The spouse or dependent of a retired part-time elected Town Official meeting the eligibility requirements for health insurance coverage will also be eligible for coverage if each of the following requirements are satisfied:
    - The spouse/dependent was covered, or eligible to be covered, under the retiree’s health insurance plan(s) on the retiree’s last day in office; and
    - The Town is not prohibited from providing coverage to the spouse and/or dependent (as the case may be) by state or federal law, the terms of its insurance plan(s), or an order of a court of competent jurisdiction.
- **Conditions and Terms of Coverage.**
  - The Town will make available to the eligible retiree the same health insurance plans offered to then current employees.
  - The Town Board may, through Town Board resolution, change the plans at any time, including,

but not limited to, type of coverage, retiree contributions and type of carrier.

- The Town will pay a variable amount towards health insurance coverage for eligible retirees during their lifetimes, as follows:
  - Employee Retiree Benefit Class 1:
    - For retired full-time employees hired before November 14, 2024 who are at least fifty-five (55) years old and have twenty (20) or more years of service with the Town:
      - The Town shall pay ninety percent (90%) of the cost of the retiree’s coverage and the retiree shall pay ten percent (10%) of such cost; and
      - The Town shall pay seventy percent (70%) of the cost of the retiree’s spouse and/or dependents’ coverage and the retiree shall pay thirty percent (30%) of such cost. .
    - For retired full-time employees hired before November 14, 2024 who are at least fifty-five (55) years old and have between ten (10) and twenty (20) years of service with the Town:
      - The Town shall pay eighty percent (80%) of the cost of the retiree’s coverage and the retiree shall pay twenty percent (20%) of such cost; and
      - The Town shall pay fifty percent (50%) of the cost of the retiree’s spouse and/or dependents’ coverage and the retiree shall pay fifty percent (50%) of such cost.
  - Employee Retiree Benefit Class 2:
    - For retired full-time employees hired on or after November 14, 2024 who are at least fifty-five (55) years old and have twenty (20) or more years of service with the Town:
      - The Town shall pay sixty-five percent (65%) of the cost of the retiree’s coverage and the retiree shall pay thirty-five percent (35%) of such cost; and
      - The Town shall pay forty percent (40%) of the cost of the retiree’s spouse and/or dependents’ coverage and the retiree shall pay sixty percent (60%) of such cost.
    - For retired full-time employees hired on or after November 14, 2024 who are at least fifty-five (55) years old and have between ten (10) and twenty (20) years of service with the Town:
      - The Town shall pay fifty-five percent (55%) of the cost of the retiree’s coverage and the retiree shall pay forty-five percent (45%) of such cost; and
      - The Town shall pay thirty percent (30%) of the cost of the retiree’s spouse and/or dependents’ coverage and the retiree shall pay seventy percent (70%) of such cost.
  - Part-Time Official Retiree Benefit Class:
    - For retired part-time elected officials who are at least fifty-five (55) years and have twenty (20) or more years of service with the Town:
      - The Town shall pay fifty percent (50%) of the cost of the retiree’s coverage and the retiree shall pay fifty percent (50%) of such cost; and
      - The Town shall pay zero percent (0%) of the retiree’s spouse and/or dependents’ coverage and the retiree shall pay one hundred percent (100%) of such cost.
  - All Retiree Benefit Classes:
    - In the event the retiree predeceases the eligible spouse and/or dependents, the surviving spouse and/or dependents may continue coverage provided he/she/they pay the full premium cost of such coverage.
    - Coverage of a spouse or dependent at the time of divorce or legal separation is in

accordance with plan documents and COBRA requirements.

- In the event a retiree adds dependents (including a spouse) to his/her plan(s) following the date of retirement and such change results in an increase in the cost of coverage, such increased cost of coverage shall be paid one hundred percent (100%) by the retiree and zero percent (0%) by the Town.
- The Town will pay a variable amount towards health insurance coverage for the surviving spouse or dependents of Town retirees who are enrolled in a Town-provided health plan at the time of their death, as follows:
  - Surviving Spouse/Dependents Benefit Class 1:
    - For the surviving spouse and/or dependents of retired full-time employees hired before November 14, 2024, the Town shall pay fifty percent (50%) of the cost of coverage and the surviving spouse and/or dependents, as the case may be, shall pay fifty percent of such cost.
  - Surviving Spouse/Dependent Benefit Class 2:
    - For the surviving spouse and/or dependents of retired full-time employees hired on or after November 14, 2024, the Town shall pay zero percent (0%) of the cost of coverage and the surviving spouse and/or dependents, as the case may be, shall pay one hundred percent of such cost.
  - Surviving Spouse/Dependent Benefit Class 3:
    - For the surviving spouse and/or dependents of retired part-time elected officials, the Town shall pay zero percent (0%) of the cost of coverage and the surviving spouse and/or dependents, as the case may be, shall pay one hundred percent of such cost.
- Retired employees or officials with health insurance coverage may join Medicare upon his/her 65<sup>th</sup> birthday if coverage is to be continued past this date.
- The portion of the Town's premium cost for retiree health insurance coverage which is payable by the retiree or his/her dependents (the "Retiree Contribution Amount"), must be remitted to the Town as follows:
  - Payment must be made by good personal check, money order, or bank check (cashier's or teller's check) payable to the Town of Granville and mailed or delivered personally to the Town's Budget Officer, the Town Clerk or a Deputy Town Clerk so as to be received not later than by 4:00 o'clock (4:00) p.m. on the fifteenth (15<sup>th</sup>) day of the month immediately preceding the month in which the Town's premium payment is required to be remitted to the health insurance carrier or its agent. Cash will NOT be accepted.
  - Payments made by mail should be addressed either to: (i) Joel Carpenter, 34 Main Street, Granville, New York 12832; or (ii) Town of Granville (Attn: Town Budget Officer), P.O. Box 177, Granville, New York 12832.
  - Payments made directly may be delivered in hand either to: (i) Joel Carpenter, 34 Main Street, Granville, New York 12832; or (ii) Granville Town Clerk or Deputy Town Clerk, Granville Town Office Building, 14 East Main Street, Granville, New York 12832.
- In the event a Retiree Contribution Amount is not timely received, the Town may cancel (or cause to be cancelled) the corresponding health insurance coverage. Should such cancellation occur, the insured retiree (or his/her dependents, as applicable) may rejoin the health plan at the next open enrollment, or, if sooner, upon the occurrence of another qualifying event; provided, however, that anyone whose insurance is terminated twice for non-payment will not

be permitted to rejoin the plan unless required by state or federal law.

- All health insurance coverage and benefit provisions set forth above are subject to the contractual provisions, definitions, terms, conditions, limitations and exclusions of the Town's underlying health insurance policies and plan documents. In the event of any conflict between the health insurance benefit provisions contained in this Handbook and the provisions of the Town's underlying health insurance policies and plan documents, the terms of the insurance policies and plan documents shall control all decisions concerning eligibility, coverage and benefits.
- All health insurance coverage and benefit provisions set forth above are subject to revision, modification, or termination, with or without notice, at any time, and from time to time, through Town Board resolution.

#### 6.4 COBRA AND OTHER CONTINUATION COVERAGE

Employees and their covered dependents who participate in the Town's offered health insurance plan will have the opportunity to continue medical benefits for a period of up to 36 months under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) and New York State continuation coverage when group medical coverage for the employee and the employee's covered dependents would otherwise end due to a qualifying event:

The following are qualifying events for covered employees if they cause the covered employee to lose coverage:

- Termination of the employee's employment for any reason other than gross misconduct; or
- Reduction in the number of hours of employment.

The following are qualifying events for the spouse and dependent child of a covered employee if they cause the spouse or dependent child to lose coverage:

- Termination of the covered employee's employment for any reason other than gross misconduct;
- Reduction in the hours worked by the covered employee;
- Covered employee becomes entitled to Medicare;
- Divorce or legal separation of the spouse from the covered employee; or
- Death of the covered employee.

In addition to the above, the following is a qualifying event for a dependent child of a covered employee if it causes the child to lose coverage:

- Loss of dependent child status under the plan rules. Under the Patient Protection and Affordable Care Act, plans that offer coverage to children on their parents' plan must make the coverage available until the adult child reaches the age of 26.

In the event of divorce, legal separation or a child's loss of dependent status, the employee must notify the plan administrator within 60 days of the occurrence of the event. The plan administrator will notify the individuals eligible for continuation coverage of their right to elect COBRA continuation coverage.

Instead of enrolling in COBRA continuation coverage when group medical coverage for the employee and the employee's covered dependents would otherwise end due to a qualifying event, there may be other coverage options for that employee and his/her dependents through the Health Insurance Marketplace, Medicaid or



other group health plan coverage options (e.g., a spouse’s plan) through what is called a “special enrollment period.” Some of these options may cost less than COBRA continuation coverage.

## **6.5 RETIREMENT BENEFITS**

The Town makes contributions on behalf of all eligible employees to the Social Security System, in addition to those contributions made by the employee through FICA payroll deductions.

All regular full-time and eligible part-time employees are covered under the New York State and Local Employees Retirement System. Benefit labels and contribution rates are set by the State of New York. Employees intending to retire should notify their Department Head of their intent to retire at least three (3) months prior to the date of retirement.

## **6.6 WORKERS’ COMPENSATION**

If you are injured or become ill on the job or are exposed to an occupational disease, illness or accident, then you will be covered by the Washington County Workers’ Compensation Program, which may include medical care, compensation and vocational rehabilitation. The cost of Workers’ Compensation is paid entirely by the Town.

Any injuries sustained while at work, however slight the injury may be, must be reported immediately (within 24 hours) to the employee’s supervisor so that an accident report can be completed. If appropriate, the report may be filed with the New York State Workers’ Compensation Board and Washington County Workers’ Compensation Insurance plan to determine whether the employee is eligible to receive Workers’ Compensation benefits. Such benefits provide weekly payments based upon a statutorily specified amount of the employee’s regular earnings as well as payments for medical and hospital expenses arising out of an occupational illness or injury.

Employees are expected to keep the Town informed of their status on a regular basis and to notify the Town when a return to work date has been established by their treating physician. A doctor's statement indicating whether the employee can return to work with or without restrictions is required. In the event that work restrictions are indicated, the Town of Granville reserves the right to evaluate if the restrictions can be reasonably accommodated. A physical examination by a physician of the Town’s choice may also be required, at the Town’s expense, prior to returning to work.

Any time lost by an employee due to an occupational illness or injury covered by Workers' Compensation insurance will be credited as active service for all Town benefits. The Town will comply with all state and federal laws pertaining to Workers' Occupational Diseases and Workers' Compensation.

## **6.7 UNEMPLOYMENT INSURANCE**

The Town pays unemployment insurance taxes on behalf of employees. These taxes fund the payment of unemployment insurance benefits should an employee become eligible to receive them.

## **6.8 HOLIDAYS**

The Town customarily provides paid time off to employees for the following eleven (11) observed holidays, during which time Town offices are traditionally closed, plus one (1) floating holiday. Employees will be notified prior to the beginning of each calendar year of the dates on which the holidays will be observed during that particular year. Please note that the Town may, in its sole discretion, schedule work on a holiday depending on workload and job requirements. The Town may also adjust the days on which holidays are

observed from year-to-year.

- New Year's Day (January 1<sup>st</sup>)
- Presidents Day (3<sup>rd</sup> Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4<sup>th</sup>)
- Labor Day (1<sup>st</sup> Monday in September)
- Veterans Day (November 11<sup>th</sup>)
- Columbus Day
- Thanksgiving Day (4<sup>th</sup> Thursday in November)
- Election Day
- Christmas Eve (December 24<sup>th</sup>)
- Christmas Day (December 25<sup>th</sup>)

Please note that at the Town's discretion, employees may only be required to work a partial day on New Year's Eve Day (December 31<sup>st</sup>) and Good Friday (two days before Easter). The schedule for such days will be communicated in advance each year. Employer-paid holidays which fall on a Saturday will be observed the preceding Friday; paid holidays falling on a Sunday will be observed on the following Monday.

Regular part-time and temporary employees do not receive holiday pay.

No work will normally be required of an employee on a holiday. However, in the event that a regular full-time non-exempt employee is required to work a holiday, he/she will be paid for the holiday plus one and one-half times his/her regular rate of pay for all hours worked on the holiday. If such employees are required to work a holiday and have already worked forty (40) or more hours during that particular workweek, he/she will be entitled to "Special Overtime" at a rate of two and one-half times his/her regular rate of pay for all hours worked on the holiday. Such time must be pre-authorized by the Department Head.

Regular part-time employees and temporary employees will be paid at their regular straight-time rate for hours worked on a holiday.

## 6.9 RELIGIOUS HOLIDAYS

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with his/her Department Head's approval, use his/her floating holiday or take the day off using vacation time.

## 6.10 VACATION TIME

**Policy Statement.** The Town recognizes that rest and relaxation are mutually beneficial to the Town and its employees and also realizes that personal business cannot always be done outside of the workday. It is the policy of the Town of Granville to provide vacation time with pay, for eligible employees, as reward for past service and to furnish employees with sufficient relaxation and rest to enter the ensuing year mentally and physically refreshed. Vacation time is provided in addition to time provided for designated purposes such as holidays, sick leave, jury duty, military leave and other required leave. The fundamental objective of this policy is to maximize scheduled time off while also minimizing disruption to operations.

**Eligibility.** Regular full-time employees are eligible for paid vacation leave in accordance with this policy. A part-time, temporary or seasonal employee is not eligible for paid vacation leave but may be allowed to take

time-off without pay provided the employee has prior approval from the Department Head.

**Allowance.** Each employee’s vacation time allowance is based upon years of continuous service with the Town and will begin to accrue and be available for employee use following one (1) year of service. Vacation leave is based on the average number of hours an employee is normally scheduled to work each week. An employee may take vacation leave only after it has been credited. The employee will be credited on January 1 for the vacation leave earned during the previous year.

**Continuous Service.** Continuous Service shall mean uninterrupted service. An authorized leave of absence without pay (e.g., Disability, Worker’s Compensation, FMLA, etc.), or a resignation followed by reinstatement within one year following such resignation, shall not constitute an interruption of continuous service. Unless prohibited by federal or state law, however, the duration of the absence from work without pay will be excluded from the computation of length of continuous service. Vacation is earned only for monthly pay periods during which an employee is in full pay status for at least fifteen working days during such monthly pay period.

**Vacation Schedule.** A regular full-time employee will be credited with paid vacation leave in accordance with the following schedule:

<u>After Completion Of:</u>	<u>Vacation Leave</u>
<u>1<sup>st</sup> through 3<sup>rd</sup> years</u>	<u>5 days (40 hours)</u>
<u>4<sup>th</sup> through 9<sup>th</sup> years</u>	<u>10 days (80 hours)</u>
<u>10<sup>th</sup> year and after</u>	<u>15 days (120 hours)</u>

Please note that the Town, at its sole discretion, may deny requests for vacation time, especially during busy periods (e.g., November 15 – January 1). With that said, requests for vacation time should be made as far in advance as possible based on this policy and will be granted on a first come, first served basis. As noted below, in case of multiple requests at the same time and for the same period, seniority may provide priority.

**Use it or Lose it.** Town vacation time is granted each year on January 1, and must be used by the end of the year. There will be no carryover of vacation time to the next calendar year. Vacation time that remain as of the last day of each employment year will be forfeited without pay.

**Scheduling of Vacation Time.** Leave requests must be completed and submitted in advance, preferably at least two (2) weeks prior to the desired vacation date(s). Each Department Head is responsible for scheduling its employee’s vacation so that it is least disruptive to his/her team as well as overall Town operations. Employees may be denied permission to take vacation if it unduly disrupts operations. Seniority may provide priority in terms of multiple vacation requests for the same time period. No vacation leave will be granted in excess of the amount accrued.

Utilization of vacation time by employees is allowed in hourly, daily, or weekly increments.

**Annual Vacation Payout.** An employee may choose to receive compensation for up to 24 hours of accrued vacation time each employment year, so long as 16 hours of vacation accrued remain for the benefit of the

employee. The written request must be approved by the Town Supervisor and the appropriate Department Head.

In the event of a deficit in other leave categories, available vacation will be used to reconcile the deficit prior to any vacation payout.

**Unused Vacation Time at Separation of Employment.** An employee will receive a cash payment for all accrued vacation time upon separation of employment, providing the separation was due to reasons other than termination due to gross misconduct, and, if a resignation, that proper notice was given by the employee, or as is otherwise required by federal or state law.

## 6.11 SICK LEAVE

**Eligibility.** A regular full-time employee is eligible for paid sick leave in accordance with this policy. A regular part-time, temporary or seasonal employee is not eligible for paid sick leave.

**Allowance.** All full-time regular employees accrue sick leave at the rate of eight (8) hours for each calendar month of continuous employment, subject to the limits set forth below in the paragraph titled "Accumulation". The employee will be credited on the first day of the month after the sick leave has been earned. Sick leave is based on the average number of hours an employee is normally scheduled to work each week.

**Accrual During Leaves of Absence.** An employee will accrue sick leave credits while on paid leave of absence, but not while on unpaid leave of absence unless required by federal or state law.

**New Employee.** A newly hired regular, full-time employee will not be credited with sick leave credits prior to completing employment during his/her probationary evaluation period, at which time the employee will be credited with eight (8) hours of sick leave for each full calendar month of continuous employment worked during the probationary period, to be credited on the first day of the month after the sick leave has been earned. Sick leave is based on the average number of hours an employee is normally scheduled to work each week.

**Accumulation.** As a reward to those employees who do not routinely draw on their sick time, sick leave may be accumulated to a maximum of 480 hours (60-days).

**Allowable Uses of Sick Leave.** Paid sick leave is a benefit for full-time employees **who are unable to perform their duties due to the employee's illness or the illness of a dependent or immediate family member**. Sick time is not to be used as a personal day or as a vacation day. Rather, sick leave should be used to cover those situations in which an employee is absent from work due to:

- Employee's own health condition
- The need to care for members of the employee's immediate family; to care for the employee's parents who are ill
- Medical or dental appointments for the employee or dependent child(ren), provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day
- Exposure to a contagious disease where on the job presence of the employee would jeopardize the health of others
- Use of a prescription drug which impairs job performance or safety

- Additional leave beyond bereavement leave for a death in the immediate family, to be authorized by the Supervisor or his/her designee

**Notification of Sick Leave Use.** Unless there is an emergency, an employee is expected to notify his/her supervisor of the need to take Sick leave as soon as is practicable, but at least by the time at which such employee's shift was due to begin. For absences of more than one (1) shift, employees must call before every shift for which he/she requires additional Sick leave, unless the employee has been pre-approved for another type of leave (e.g., FMLA) or is out on disability.

**Verification of Sick Leave.** Employees will be required to provide documentation from a medical care professional after being out for three (3) or more consecutive shifts under this policy, which shall include the date the employee was seen by a medical care or other professional and that the employee is authorized and able to return to work. For certain positions, the Town may require a Town-appointed medical care professional to examine the employee or provide a second opinion prior to their return to work to be sure they can meet the physical requirements of their job. This will be done on a case-by-case basis.

At any time, employees may be sent home and be required to use sick leave if a supervisor determines that the employee's illness may jeopardize the health of other employees.

**Abuse of Sick Leave.** The Town expects that an employee will use Sick leave appropriately pursuant to this policy. An employee who, after investigation, is found to have abused the use of sick leave or falsified supporting documentation, may be subject to disciplinary action. Additionally, employees who are absent for three (3) or more consecutive shifts without notifying their supervisor of the unscheduled absence and need for Sick leave, absent extenuating circumstances, will be considered as having abandoned their job and having voluntarily resigned.

**Unpaid Leave.** Employees who use all their accumulated sick leave and require more time off due to illness or injury may, with the Town Board's prior approval, request an unpaid leave. Such requests will be granted on a case-by-case basis.

**Unused Sick Leave at Separation of Employment.** An employee will receive a cash payment of accrued sick leave upon separation of employment, providing the separation was due to reasons other than termination due to gross misconduct and, if a resignation, that proper notice was given the employee, or as otherwise required by federal or state law.

## 6.12 PERSONAL TIME

All full-time regular employees will be granted twenty-four (24) hours of personal time on January 1 each calendar year. New full-time regular employees who are employed mid-calendar year will be granted a pro-rated amount of personal time as of their date of hire. Please note, such employees will earn and may use personal leave during the evaluation period.

Regular part-time and temporary employees do not earn personal time.

Employees do not earn personal time benefits during any unpaid leave pursuant to this employee handbook unless required by federal or state law.

### 6.13 BOOT ALLOWANCE

All full-time regular employees of the Town Highway Department will be provided one (1) pair of new work boots annually, at a cost not to exceed the Town's applicable boot allowance (currently \$200.00) at the time of purchase. Work boots will be purchased by, or under the supervision of, the Town Highway Superintendent and must meet departmental regulations. The amount of the boot allowance shall be established annually by the Town Board, in consultation with the Town Highway Superintendent.

## SECTION 7 – FAMILY, MEDICAL AND OTHER LEAVES OF ABSENCE

### 7.1 FAMILY AND MEDICAL LEAVE ACT (FMLA) LEAVE

All employees who have been employed by the Town for at least one (1) year and for at least 1,250 hours during the preceding 12-month period shall be provided with job-protected, unpaid leave pursuant to the Family and Medical Leave Act of 1993 (FMLA). Job-protected leave allows employees (other than “highly compensated key employees”) to take leave and then be returned to the same or an equivalent position upon their return from FMLA leave. FMLA will generally be unpaid leave, however if leave is requested for any of the reasons listed below, an employee must first use all accrued paid time off. The remainder of the leave period will consist of unpaid leave. Total leave taken, whether paid or unpaid, cannot exceed the FMLA allotment of time as explained in the following paragraphs.

**Reasons for Leave.** Eligible employees may be granted a total of twelve (12) weeks of FMLA leave during a 12-month period for:

The birth of the employee’s child and in order to care for the child;

The placement of a child with the employee for adoption or foster care;

To care for a spouse, child or parent who has a serious health condition;

A serious health condition that renders the employee incapable of performing the functions of his or her job;  
or

Any qualified exigency arising out of the covered active duty or impending call or order to duty of a family member (spouse, son, daughter or parent) in the Armed Forces.

The entitlement to leave for the birth or placement of a child for adoption or foster care will expire twelve (12) months from the date of the birth or placement. Eligible employees may be granted up to twenty-six (26) weeks of unpaid FMLA leave during a single 12-month period if they are a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member, defined as a member of the Armed Forces who suffers an injury or illness that was incurred or aggravated while on active duty that renders that person unable to perform the duties of the member’s office, grade, rank or rating.

**Applications for FMLA Leave.** In all cases, employees requesting leave must complete an application for FMLA leave and return it to his/her supervisor. The completed application must state the reason for the leave, the duration and the expected starting and end dates of the leave.

An employee intending to take FMLA leave because of an expected birth or placement, or because of a planned medical treatment, must submit an application for leave at least thirty (30) days before the leave is to begin.

If leave is to begin within thirty (30) days of the application, the employee must give notice to his/her supervisor *and* to the Town Supervisor as soon as he/she is aware of the need for leave (typically within at least two (2) business days of learning of the need for leave).

An application for leave based on the serious health condition of the employee or the employee’s spouse, child, or parent must also be accompanied by a “Medical Certification Statement” completed by an applicable

health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition and the appropriate medical facts regarding the condition.

If the employee is needed to care for a spouse, child or parent, the certification must so state along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of his or her job.

**FMLA and Workers' Compensation.** Leave taken under Workers' Compensation may invoke FMLA if the employee is otherwise eligible for FMLA and the Town designates such leave as FMLA leave (and properly notifies employee of such designation). In accordance with FMLA, if an employee has elected to receive Workers' Compensation benefits, the Town will not require the employee to substitute accrued paid time off during this period, except during the unpaid waiting period. The employee may elect (but is not required) to use accrued paid time off to supplement any Workers' Compensation benefits received. If the Workers' Compensation leave has been properly designated as FMLA leave by the Town, it will be counted against the employee's bank of FMLA leave.

**Employment Restrictions during FMLA Leave.** While on an approved FMLA leave, the employee may not be employed by another employer during the same hours that the employee would normally be scheduled to work for the Town of Granville.

**Benefits Coverage during Leave.** During a period of FMLA leave, an employee will be retained on the Town's health plan under the same conditions that applied before leave commenced. However, the employee must continue to make any contributions that he or she made to the plan before taking leave. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage.

If an employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the Town for payment of health insurance premiums on the employee's behalf during the FMLA leave, unless the reason the employee fails to return is a serious health condition which prevents the employee from performing their job or due to circumstances beyond their control. An employee is not entitled to the accrual of any paid time off or other employee benefits that would have accrued if not for the taking of the leave. An employee who takes FMLA leave will not lose any seniority or employment benefits that accrued before the date leave began.

**Return from Leave.** An employee must complete a "Notice of Intention to Return from Family or Medical Leave" before he or she can be returned to active status. If an employee wishes to return to work prior to the expiration of the FMLA leave of absence, notification must be given to the employee's supervisor and the Town Supervisor at least five (5) working days prior to the employee's planned date of return.

**Restoration to Employment Following Leave.** Following an employee's FMLA leave (except in the case of "highly compensated key employees") he/she will be restored to his/her former position *or* to a position with equivalent pay, benefits and other terms and conditions of employment. The Town of Granville cannot guarantee that an employee will be returned to his or her original job. A determination as to whether a position is an "equivalent position" will be made by the Town.

**Failure to Return from Leave.** The failure of an employee to return to work upon the expiration of an FMLA leave will subject the employee to immediate termination of employment unless an extension is granted. An employee that requests an extension of FMLA leave due to the continuation, recurrence or onset of his or her



own serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for an extension, in writing, to the employee's supervisor and the Town Supervisor. This written request should be made as soon as the employee realizes that he or she will not be able to return to work as planned. The Town will treat such a request as one for an unpaid leave of absence. These requests will be considered on a case-by-case basis.

**Intermittent or Reduced Schedule Leaves.** FMLA leave may be taken intermittently or on a reduced schedule basis, upon the Town's receipt of medical certification of the need for such leave and with Town Supervisor's approval. If intermittent leave or reduced schedule leave is requested, the Town may temporarily transfer the employee during the period of that intermittent or reduced schedule leave to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave. The employee will receive his/her same salary while working the alternative position.

## 7.2 UNPAID LEAVE (NON-FMLA LEAVE)

The Town Board may grant leaves without pay for absence from work not covered by any other type of leave, or if other leave balances are exhausted. Examples of situations for which this unpaid leave may be granted include time off work for personal reasons, such as prolonged illness parenting, caring for an ill relative or pursuing an education.

Only regular full-time and regular part-time employees who have satisfactorily completed their probation period are eligible for unpaid leave. All requests for an unpaid leave of absence will be considered on a case-by-case basis. The following applies to all unpaid leave pursuant to this policy:

- Unpaid leave under this policy may be granted to an employee for a period of up to three (3) calendar months, upon the approval of the Town Board.
- All accrued compensatory, vacation and sick leave must be exhausted prior to being granted an unpaid leave pursuant to this policy.
- An employee's benefits will terminate for any unpaid leave granted pursuant to this policy. Vacation and sick leave do not accrue while an employee is out on unpaid leave. Benefits will be restored upon the employee's return from unpaid leave, so long as the employee remains eligible for such benefits.
- If an employee fails to return to work following an unpaid leave, he/she is presumed to have voluntarily resigned.
- An employee returning from unpaid leave may, at the Town's discretion, return to the same position at a comparable rate of pay.
- If the unpaid leave is due to the serious health condition of the employee, the employee must provide a "Medical Certification Statement" completed by an applicable health care provider to certify that the employee may return to work.

## 7.3 BLOOD DONOR LEAVE

Employees who work a minimum of twenty (20) hours or more per week are entitled to one three (3) hour unpaid leave period in a calendar year for the purpose of donating blood. Employees must provide notice at least two (2) days in advance of donating blood. If the employee needs to donate blood for his/her own surgery or the surgery of a family member in an emergency, the Town will reasonably accommodate a shorter notice period. Employees will be required to show proof of his/her donation through either a notice of blood donation or good-faith effort at blood donation from a blood bank.

#### 7.4 BONE MARROW DONATION LEAVE

Employees who work an average of twenty (20) hours or more each week are eligible to receive up to 24 hours of unpaid leave to donate bone marrow. Employees must provide notice at least 24 hours in advance of a scheduled bone marrow donation. If the bone marrow donation is unscheduled or an emergency, employees should provide notice as soon as possible after receiving the request for a bone marrow donation. An employee must provide his/her supervisor with written physician verification for the purpose and length of each bone marrow leave requested.

#### 7.5 MILITARY LEAVE

It is the Town of Granville's policy to support the United States, and in that regard, those of its employees and their spouses who are members of the armed forces or military reserves. The Town will grant such leave as may be required in order to enable its employees to comply with required military and/or reservist activities. Such leaves will be granted in accordance with applicable laws and regulations of the United States, including the Uniformed Services Employment and Re-Employment Rights Act (USERRA) and other such state and federal laws and regulations that control such matters as reemployment or continuation of benefits.

Regular full-time employees will receive paid military leave of up to one hundred twenty (120) working hours per year for military service. In general, if military service extends beyond one hundred twenty (120) working hours the additional leave will be unpaid. Exempt employees who serve longer than one hundred twenty (120) working hours should contact the Town Supervisor to discuss whether further paid leave will be provided. All employees who are not eligible for paid Military leave are provided unpaid leave for a period of their military service pursuant to this policy.

In general, employees are required to give advance notice of their service obligations to the Town, unless military necessity makes this impossible or it is otherwise impractical or unreasonable. The Town requests that employees provide their military orders to the Town Supervisor so that arrangements for leave can be made as early as possible before a departure.

Employees must also notify the Town of their intent to return to employment in accordance with the requirements of applicable law. In general, employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service, in accordance with applicable law. They will also be treated as though they were continuously employed for purposes of determining benefits based on length of service, to the extent required by applicable law. Continuation of health insurance benefits is also available, as required by applicable law, based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

The Town of Granville will also provide up to eighty (80) hours of unpaid leave to certain spouses of military members during a qualified leave period. For purposes of this policy, a "qualified leave period" is a period during which the military service member is on leave from deployment during a period of military conflict.

For purposes of this policy, Military service includes active military duty and Reserve or National Guard training. An employee is required to provide their supervisor or Department Head with copies of their military orders as soon as possible after they are received.

## 7.6 VICTIMS OF CRIME LEAVE

The Town of Granville will grant reasonable and necessary leave from work, without pay, to employees who are victims of a crime to attend or participate in legal proceedings pertaining to the crime. Affected employees must give the Town reasonable notice that leave under this policy is required.

## 7.7 JURY AND COURT APPEARANCES LEAVE

When an employee is required to serve as a juror or is subpoenaed to serve as a witness in any court proceeding during business hours, time off, up to twenty-four (24) hours, with pay will be granted as follows:

- The employee must notify the Town upon receipt of a summons or subpoena so that arrangements can be made to accommodate the employee's absence.
- A document from the court which shows the time spent by the employee and the amount paid to the employee must be submitted to the Town.
- The Town will pay the difference between what the court pays the employee and the employee's regular rate of pay.
- Verification of an employee being seated on a jury, being detained in a jury pool, or subpoenaed as a witness may be required.
- An employee who is subpoenaed to serve as a witness for reasons not related to Town business will be allowed unpaid leave. For exempt employees, however, salary payment will continue except for full-day absences.
- If the court dismisses the jury early, the employee is expected to return to work as soon as possible.
- All jury duty leave is considered job-protected leave, so long as the aforementioned notice requirements are met.

## 7.8 VOTING LEAVE

The Town encourages its employees to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide him/her four (4) consecutive hours to vote while polls are open will be granted up to two (2) paid hours off in order to vote. Any additional time off will be without pay. The Town reserves the right to select the hours we excuse the employee to vote. Employees shall notify their supervisor of the need for voting leave as soon as possible, but at a minimum, at least two (2) days before the election.

## SECTION 8 – PERSONAL CONDUCT

### 8.1 CODE OF CONDUCT

The Town of Granville expects that all of its employees will conduct themselves with pride and respect – values associated with their positions, fellow employees, customers and the Town. Employees should always use good judgment and discretion in carrying out the Town’s business. The highest standards of ethical conduct should always be used by employees of the Town of Granville.

All Town employees are expected to represent the Town in a professional manner by being courteous, efficient and helpful. Improper conduct by and between employees and other employees and/or Town associates that may adversely affect the Town or work being done on behalf of the Town, will not be tolerated. Any employee demonstrating improper conduct will be subject to disciplinary action, up to and including, termination of employment.

The Town of Granville expects all employees to abide by certain rules of general conduct and performance at all times. The regulations governing employee conduct and responsibilities have been established in the best interest of the Town, its employees and our citizens and visitors. Accordingly, a violation of these regulations constitutes misconduct on the part of the employee, resulting in the initiation of appropriate disciplinary action. With that said, the Town has established certain minimum standards of personal conduct. Among the Town’s expectations are:

- Basic tact and courtesy towards the public and fellow employees;
- Adherence to Town policies, procedures, safety rules and safe work practices;
- Compliance with directions from supervisors;
- Preserving and protecting the Town’s equipment, grounds, facilities, and resources; and
- Providing orderly and cost-efficient services to its citizens.

The Town is a relatively small organization. To function as efficiently as possible, employees may be asked to perform certain duties considered outside of their regular assignments. This should not be interpreted as a reflection of the employee’s worth to the Town, but instead an important and necessary arrangement for the Town to function efficiently. To make the most efficient use of personnel, the Town also reserves the right to change an employee’s work and the duties originally assigned. If these arrangements become necessary, the employee’s best cooperation is expected.

These rules are guidelines only and are not all-inclusive. Disciplinary action may include, but is not limited to, verbal reprimand, written notice, suspension from work without pay (Administrative Leave) or immediate termination of employment. The Town reserves the right to terminate or discipline any employee as the Town, at its discretion, considers necessary given individual circumstances. In the event an employee is suspended from work for disciplinary reasons, benefits will not accrue nor will benefits be recoverable during the suspension or administrative leave period.

### 8.2 EXAMPLES OF MISCONDUCT

The following are only examples of misconduct for which an employee may be subject to discipline. These examples do not constitute a complete list of the circumstances for which discipline may be warranted.

- Falsification of any records or reports (including time records) pertaining to absence from work, expense accounts, claims pertaining to injuries occurring on the job, claims for any benefits provided by the Town, communications or records including personnel records.
- Gaining unauthorized access to Town of Granville records and files whether they are locked or otherwise.
- Any Arrest for any offense which in the Town's judgment would make that employee severely restricted or unable to perform his/her duties.
- Unauthorized, careless or negligent use or operation of Town tools or equipment. Willful abuse, or deliberate destruction of Town property, tools or equipment or of any property on any job site at any time.
- Giving false fire alarms, or causing false fire alarms to be given, or tampering with safety and protection equipment.
- Striking or manhandling another person or fighting while on the Town business.
- Insubordination: willful and deliberate refusal to follow reasonable orders given by a supervisor, Town Board or Town Supervisor.
- Committing an immoral or indecent act while on Town business.
- Distraction of other employees, or causing confusion by engaging in horse play, practical jokes unnecessary shouting, catcalls, whistling or demonstration while on Town business.

### 8.3 CONFLICTS OF INTEREST

Employees shall avoid outside employment, activities, investments and other interests that involve obligations which may compete with or be in conflict with the interests of the Town of Granville. A conflict of interest can arise in dealings with anyone that the Town does business with (e.g., citizens, visitors, customers, owners, suppliers, banks, insurance companies and/or people in other organizations with whom the Town has a contract and/or with whom it has or makes agreements.

Conflicts of interest should be avoided and may include the following examples:

- Working for any group mentioned above for personal gain (unless otherwise authorized by the Town or the *Outside Employment Policy* below).
- Engaging in a part-time activity for profit or gain in any field in which the Town is engaged.
- Borrowing from, or lending money to, individuals representing organizations with whom business dealings are conducted.

### 8.4 OUTSIDE EMPLOYMENT

The Town makes every effort to keep its employees as fully employed as possible and at a good rate of pay. When an employee is on the job, this means that 100% of his/her effort is required. If an employee chooses to work outside of his/her job and the outside employment competes with what is expected of him/her as an employee of the Town of Granville, opportunities for promotion and advancement with the Town may be limited by his/her decision.

If the Town, in its sole discretion, feels that outside employment prevents an employee from fulfilling his/her obligations to the Town of Granville, the employee will be asked to either resign from the Town or leave his/her outside employment. All Department Heads and supervisory personnel are expected to enforce this policy, and, by example, refrain from conflicting outside employment.

In any case, no such outside employment may:

- Prevent a Town employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
- Require work during the employee's Town work hours;
- Utilize Town telephones, computers, supplies, or any other resources, facilities or equipment;
- Have contracts with or do business with the Town;
- Be perceived as a conflict of interest or otherwise discredit the Town's public service; or
- Constitute a prohibited conflict of interest under the Town's Code of Ethics or Article 18 of the General Municipal Law.

## 8.5 CONFIDENTIALITY

Because of the nature of the Town's business and because it is a municipality, it requires a strict code of confidentiality of information. No employee shall disseminate any information of a confidential nature to anyone outside of the Town. No employee will store information outside of the Town (either in written or electronic form) about any matter pertaining to the conduct of the Town's business. In addition, any employee engaged in, or responsible for, idle gossip or dissemination of confidential information within the Town, such as personal information, financial information, etc., will be subject to disciplinary action or possible termination of employment.

Lack of discretion in these matters is looked upon very seriously with the Town of Granville. Any employee failing to abide by this policy will be subject to disciplinary action, up to, and including, immediate termination of employment.

## 8.6 POLITICAL ACTIVITIES

Town employees may participate in political or partisan activities of their choosing, provided that Town resources and property are not utilized and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on Town business time, while in a Town uniform or while representing the Town in any way. Employees may not allow others to use Town facilities or funds for political activities.

No Town employee may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit, on Town Property or Town time, for a contribution for a partisan political cause.

Except as noted in this policy, Town employees are otherwise free to fully exercise their Constitutional First Amendment rights.

## 8.7 DRESS CODE AND PERSONAL APPEARANCE

Personal appearance, proper hygiene and appropriate attire are important to our work practices. A neat, well-groomed appearance no matter what the job is important to the employee, his/her fellow workers and in certain cases, is important for safety. All employees should be properly attired for their work environment – dress standards will be established for specific areas/departments with consideration given to factors such as: nature of work, safety, nature of the employee's public contact (if any), prevailing practices of other workers in similar jobs and the preference of the Town Supervisor and Town Board. If an employee is unclear about the Town's dress code or hygiene guidelines, he/she should consult with his/her supervisor before a violation occurs. If an employee reports to work in questionable attire or appearance, a notification and/or discussion will occur with the employee to counsel them regarding the inappropriate nature of the attire. Depending on

the circumstance, the employee may be sent home and directed to return to work in proper attire and/or properly groomed. Continued or frequent departures from these guidelines will not be permitted and any employee who frequently appears for work inappropriately. With that said, attire such as cut-off shorts, gym gear, tank tops, or ripped or torn clothing is unacceptable and not permitted at any time.

## 8.8 DRUG AND ALCOHOL-FREE WORKPLACE AND WORKFORCE

The Town's philosophy on substance abuse has two focuses: (1) a concern for the well-being of its employees; and (2) a concern for the safety of other employees and members of the public.

It is the policy of the Town of Granville to maintain a drug and alcohol-free workplace. The manufacture, distribution, dispensation, possession, use, or being under the influence of unlawful drugs or alcohol on Town premises, in Town vehicles, or during work hours by Town employees is strictly prohibited. This does not apply to persons taking prescription drugs and narcotics, as directed by a physician or dentist, provided such use shall not endanger the worker or others and does not impair the employee during his/her work day. If any employee is required to take prescription drugs during work hours, he/she should notify the Department Head. It is the employee's responsibility to verify with his/her physician, dentist, or pharmacist, as to whether or not a prescription or over the counter drug will impair performance and to notify his/her supervisor of the impairment and the period of time the medication will be used.

**Availability of Rehabilitation or Treatment.** As part of the employee assistance program through the Town's Medical plans, we encourage employees who are concerned about their alcohol or drug use to seek counseling, treatment and rehabilitation. Although the decision to seek diagnosis and accept treatment is completely voluntary, the Town is fully committed to helping employees who voluntarily come forward to overcome substance abuse problems. In most cases, the expense of treatment may be fully or partially covered by the Town's benefit program. In recognition of the sensitive nature of these matters, all discussions will be kept confidential. Employees who seek advice or treatment will not be subject to retaliation or discrimination.

**When Job Performance is Affected.** Although the Town is concerned with rehabilitation, it must be understood that disciplinary action may be taken when an employee's job performance is impaired because he/she is under the influence of drugs or alcohol on the job. An employee may be required to submit to alcohol or controlled substance testing when the Town has reasonable suspicion that the employee is under the influence of any drug, controlled substances or alcohol. In addition to reasonable suspicion, the Town reserves the right to require an employee to submit to a drug or alcohol test for the following reasons:

- For new hires (Pre-Employment);
- For a promotion or change of position;
- When an employee holds a safety-sensitive position; or
- After a work-related accident (Post-Accident).

Refusal to submit to testing, when requested, may result in immediate disciplinary action, including termination.

A Town-designated laboratory or physician will administer testing, if necessary, pursuant to this policy. The employee will be required to sign a consent and release form allowing both the testing and the disclosure of the test results to the Town of Granville. Any employee refusing to consent to a drug or alcohol test or to the release of such test results to the Town will be immediately terminated. All records and information regarding drug and

alcohol test results, and/or treatment programs, will be kept confidential in accordance with all local, state and federal laws.

A positive result to a drug or alcohol test will result in disciplinary action, up to, and including, termination. Employees with a confirmed positive test result may, at their option and at the Town's expense, have a second confirmation test conducted on the same specimen. An employee will not be allowed to submit another specimen for testing.

Any employee suspected of possessing alcohol or illegal drugs, intoxicants or a controlled substance is subject to inspection and search, with or without notice. Employees' personal belongings, including any bags, purses, briefcases, and clothing, and all Town property, are also subject to inspection and search, with or without notice. Employees who violate the Town's drug and alcohol policy will be removed from the workplace immediately. The Town may also bring the matter to the attention of appropriate law enforcement authorities. Any conviction for criminal conduct involving illegal drugs, intoxicants or other controlled substances, whether on or off duty, or any violation of this drug and alcohol policy, including having a positive drug-test result, may lead to disciplinary action, up to, and including, termination.

**Substance Abuse Policy for Operators of Commercial Motor Vehicles.** Town employees who hold commercial driver's licenses ("CDLs"), and who operate commercial motor vehicles while employed by the Town, are subject to similar, but more stringent rules and regulations imposed by the federal government. These regulations require urine drug testing and alcohol breath testing in the following circumstances:

- Pre-employment
- Reasonable suspicion
- Post-accident
- Return to duty testing
- Random testing

CDL holders who test positive must be removed from service and are subject to discipline, up to and including termination. CDL holders should consult the Town's CDL policy for the additional details concerning these rules.

## 8.9 SMOKE-FREE WORKPLACE

The Town of Granville is dedicated to providing a healthy, comfortable, productive work environment for our employees as well as a healthy, comfortable environment for our citizens and visitors. This goal can only be achieved through ongoing efforts to protect non-smokers and to help employees adjust to restrictions on smoking. Therefore, smoking is prohibited throughout Town facilities, including Town buildings, vehicles, offices or other facilities rented or leased by the Town, including individual employee offices.

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and non-smokers. All employees share in the responsibility of adhering to and enforcing this policy. Any conflict should be brought to the attention of the appropriate supervisory personnel.



## SECTION 9 – SAFETY IN THE WORKPLACE

### 9.1 SAFETY

The Town of Granville is committed to the safety of its employees and its property and equipment. To this end, we will utilize a safety program in our daily activities. It is necessary that the Town establish safety rules and regulations to be observed by all employees at all times. Any employee who disregards any Town safety rule and/or regulation is subject to disciplinary action, up to and including, termination of employment.

With regard to these rules, the following will be considered standard procedure for all employees:

- If a safety regulation or procedure is changed so that an employee's safety is jeopardized, the employee should inform the Department Head immediately.
- All questions concerning procedures and/or methods may be directed to the Department Head at any time.
- Employees' decisions should always be guided by the Town's commitment to safety.
- Should a hazardous situation or condition exist and a decision has to be made on safety or getting work done, safety concerns should always take precedence over getting work done.

It is the Town Supervisor's responsibility to see that every employee of the Town of Granville is provided with safe working conditions, all safety regulations are observed and employees use good common sense to protect themselves as well as others. Department Heads will periodically inspect working conditions and may suspend all work activity until an unsafe condition is corrected.

The most important part of safety is YOU. It is your responsibility to abide by the safety rules - these rules are made for your protection. Report any personal injury IMMEDIATELY, regardless of the nature or severity. A copy of each accident report shall be provided to the Town Supervisor. Report all dangerous conditions and unsafe practices to your Department Head.

### 9.2 REPORTING INJURIES AND ACCIDENTS

When any accident, injury or illness occurs while an employee is at work, it must be reported to the employee's supervisor or Department Head immediately regardless of the nature or severity. The Town will provide the proper forms for reporting job-related accidents, injuries and illnesses. Any employee failing to report such occurrences is subject to disciplinary action.

In the event of a vehicular accident involving a Town-owned/leased vehicle or while on Town business, the employee must report all information immediately to his/her supervisor or Department Head. In no instance should responsibility for an accident be expressed to anyone until the proper person in the Town has been notified and permission to make statements has been obtained.

### 9.3 TOWN OF GRANVILLE TOOLS, EQUIPMENT AND SUPPLIES

The Town of Granville will furnish all necessary tools, equipment, and supplies to complete job assignments. Each employee is reminded that all items purchased by the Town are the property of the Town of Granville and represent a valuable asset to the Town. It is the responsibility of the employee to whom tools, equipment, and supplies are assigned to maintain and safeguard these assets as if they were his/her personal property. Please keep in mind that Town of Granville tools, equipment and supplies are to be used while on the job only, and cannot be otherwise used or taken off of the premises for personal use.

An inventory of tools, equipment and supplies will be made periodically. If it is determined that an employee is negligent in the proper storage of tools, equipment, materials or supplies or if they are misplaced or stolen, the employee may be disciplined.

When leaving a work area, it is required that all tools be placed back in designated storage areas or removed from the work area and secured in locked storage where available or as appropriate.

#### **9.4 SAFETY EQUIPMENT**

Employees will be provided with safety equipment if it is a requirement for a particular job. This equipment will be signed for by the employee and replaced at the employee's expense if the equipment is lost, damaged, or stolen. Replacement will be provided if the equipment is shown to be defective.

#### **9.5 CARE OF EQUIPMENT AND FACILITIES**

Employees should be concerned with the care and safe use of Town-owned equipment and facilities. Employees are expected to follow all operating instructions, safety standards and guidelines. Good housekeeping is also expected of every employee.

If any equipment, machines, tools, vehicles etc. appear to be damaged, defective or in need of repair, employees should notify their supervisor or Department Head immediately or as soon as is practicable. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. As noted above, unsafe, destructive, careless, negligent or improper use or operation of equipment may result in disciplinary action, up to, and including, termination of employment.

#### **9.6 PARKING**

Adequate and convenient parking is available for employees. Employees may park in any space that is not marked reserved. Employees are expected to cooperate by not blocking any gate, door or driveway. The Town assumes no responsibility for an employee's vehicle or the contents of the vehicle while on Town property or while parked when employee is conducting Town business.

#### **9.7 SECURITY**

All doors, files, desks, gates and any other equipment with locks must be kept locked securely when not in direct use and at the end of each day. Locks should be checked regularly. Town vehicles should be kept locked at all times when not in use. Lost keys must be reported to the Department Head immediately. Any concerns about security should be directed to an employee's supervisor, Department Head or the Town Supervisor.

In the interest of the safety of employees and security of any Town premises on which employees conduct Town business, Town employees are prohibited from sharing building security codes, if any – such codes are to be kept confidential at all times.

#### **9.8 PERSONAL BELONGINGS**

The Town of Granville recognizes an employee's desire to display mementos pertaining to his/her family or other personal items. While the Town can take no responsibility for the safekeeping of these items, it welcomes its employees to personalize their work areas for added comfort or pleasantness. However, several guidelines must be observed. They are as follows:

- Safety Comes First - No object can interfere with job safety as viewed by the Town.
- Nothing can be displayed that is derogatory to any person or system of beliefs.

- Objects that are inappropriate, clutter the work area or hinder work efforts will not be allowed and must be removed upon request.

Also, the Town furnishes desks, closets, and/or lockers to some employees for security of employee coats, purses, and other personal possessions. The Town does not, however, assume responsibility for any theft or damage to the personal belongings of employees, and reserves the right to search employee desks, lockers, and personal belongings brought onto Town premises, if it perceives or receives a threat to any personnel or Town facility.

## SECTION 10 – TRANSPORTATION AND TRAVEL – POLICIES AND EXPENSES

### 10.1 USE OF TOWN VEHICLES

The use of a Town vehicle is a revocable privilege. In order to remain eligible to use a Town vehicle, employees must meet the following requirements.

1. Per New York law, anyone operating or riding in Town motorized vehicles must wear seat belts at all times.
2. All employees driving Town vehicles must have a valid New York driver's license and it must be kept on his/her person at all times while driving a Town vehicle. The Town reserves the right to make a copy of any driver's license for its own records or the employment file.
3. An employee may not allow any non-Town or unauthorized employee to use any Town vehicle at any time, unless given permission, which is done only rarely and is only done on a case-by-case basis.
4. All employees must drive or ride safely and must follow all state and federal laws (e.g., all drivers and riders must comply with New York seat belt and hands-free cell phone laws).
5. Employees may never operate a Town Vehicle under the influence of drugs, alcohol or any controlled substance. In addition, alcoholic beverages or illegal drugs and controlled substances are never allowed in Town vehicles during their operation.
6. Any accident in a Town vehicle should be reported to the Police immediately, and a report must be requested and provided to the Department Head.
7. Employees must notify his/her Department Head immediately or at least as soon as is practicable about any accidents or citations for moving violations while operating Town vehicles.
8. Town vehicles must be kept clean at all times.
9. Any employee who misuses a Town vehicle will be subject to discipline, up to and including, termination.
10. Any damage to a Town vehicle that is determined to be caused by employee carelessness, neglect or misjudgment is the responsibility of the employee. In the event of damage, the employee may be held personally responsible for such damage.

Violation of any of these rules, or having an unsatisfactory driving record, may cause the Town to revoke your driving privileges, and may subject you to other disciplinary action.

### 10.2 PERSONAL VEHICLES

Employees may be authorized or required to use their personal vehicles on official Town business from time-to-time. Provided prior approval has been obtained from his/her Department Head, an employee may utilize his/her personal vehicle as needed and as authorized. A mileage rate determined and set at a Town Organizational meeting will be announced on an annual basis, and mileage will be paid based on such rate to an employee who uses his/her personal vehicle on official Town business. Minimum insurance requirements as specified by the Town's insurance carrier must be in effect at the time the employee's personal vehicle is used and the employee may be required to provide the appropriate proof of insurance. At all times, the Town's Driver's License requirements will apply regardless of the fact that an employee is using a personal vehicle (instead of a Town vehicle).

### 10.3 DRIVERS LICENSE REQUIREMENTS

As part of the requirements for certain specific Town positions, an employee may be required to hold a valid New York State Driver's license with required endorsements. If an employee's license is revoked, suspended

or lost, or is in any way not current, valid, and in the employee's possession at all times while expected to or actually operating any Town vehicle, the employee shall promptly notify his/her Department Head. In such a case, depending on the particular circumstances, such employee may be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to his/her Department Head. Depending on the duration of license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action, up to and including termination for those positions that require driving.

#### 10.4 TRAVEL EXPENSE REIMBURSEMENTS

Town employees will be reimbursed for reasonable and customary expenses actually incurred while performing official Town business. The Town will not reimburse for expenses that have already been paid by another program or organization, or if reimbursement is available through another program or organization.

Expenses such as meals, lodging, mileage, parking, bridge tolls, and ferries may be reimbursed with proper approval and/or receipts. Employees and Town officials are responsible for the submittal of their own reimbursement requests. Requests which are not submitted in a timely manner, normally 90 days from the date in which the expense was incurred, may not be approved. Requests for reimbursement are to be submitted on an expense report form signed by the employee and the Department Head, with applicable receipts and/or per diem requests attached.

Meal reimbursement rates (including tax and tip) and automobile mileage reimbursement rates are determined annually by the Town Board at its organizational meeting.

Department Head authorization is required for Town coverage of lodging expenses for employees on official Town business. The travel destination/lodging site must be outside of a 100-mile travel radius of the Town of Granville. Training or conference starting and ending times are to be considered. Return travel time (early dismissal) is often planned for at conferences to permit easier and safer travel; this may eliminate the need for lodging the evening after business, a conference or training. However, certain work activities ending in the evening may not make return travel prudent on that evening.

Alcoholic beverages, traffic and parking tickets, and similar expenses are non-reimbursable.

## SECTION 11 – GENERAL PRACTICES

### 11.1 SOLICITATION AND/OR DISTRIBUTION

Employees are encouraged to take an active part in civic affairs and worthy charitable activities. However, in order to prevent disruption of operations, interference with work and inconvenience to other employees, the Town generally prohibits the distribution of literature of any kind in the workplace. The distribution of literature by employees will be permitted only in a non-work related area and only during non-work related time. Town leadership, including Department Heads and supervisors, reserves the right to remove any postings that could be considered disruptive or offensive.

Employees not scheduled to work, are not permitted to distribute materials and/or solicit, for any purpose, on Town property. Employees are not permitted to use work email, voicemail or other resources as a means to solicit or distribute non-work materials. Activities that disrupt work hours or operations are prohibited. Non-employees are not permitted to distribute and/or solicit, for any purpose on Town property, unless otherwise granted permission by the Town.

Working time is defined as the time when employees are focused on work, and therefore, should not interrupt other employees who are trying to perform their work – with non-work related distractions. Working time does not include the time before or after the scheduled shift or time during break or lunch periods. Work areas include all areas where Town business is conducted.

### 11.2 BULLETIN BOARDS

Any bulletin boards designated to provide employees with Town information on important developments that will affect them or their job, may not be used for solicitation, if even seemingly approved pursuant to the Solicitation and/or Distribution Policy above. The Town limits the use of these bulletin boards for official notices or announcements that have been approved by the Department Head.

### 11.3 PERSONAL MAIL AT THE WORKPLACE

The Town mail system is reserved for business purposes only. Employees will not be allowed to send or receive personal mail at the workplace at the Town's expense.

### 11.4 EMPLOYEE USE OF TOWN CREDIT CARDS OR OPEN ACCOUNTS

Employee use of Town credit cards or open accounts will be permitted with Department Head and Town Board authorization only. Use of Town credit cards or open accounts is for Town Business only; personal use of such accounts is prohibited.

### 11.5 SUNSHINE FUNDS

Employees may voluntarily donate funds in small amounts for the purchase of birthday cards, cakes, flowers, etc., for related events including birthdays, funerals, farewells, or similar events for the benefit of fellow employees. Collection of such "sunshine" funds, if done, is to be done on a work-site basis and will involve not Town funds. Solicitation of sunshine funds must be conducted in accordance with the Town's solicitation policy. The fund coordinator will be a volunteer Town employee. All membership or participation in the fund is to be voluntary.

### 11.6 TELEPHONE/CELLULAR PHONE POLICY

The following outlines the Town's policy regarding phone use during business hours:

- **Town Telephones:** Telephones are to be used for the purpose of conducting Town business. There are a limited number of lines, so they should not be tied up for personal use of the Town's telephones. Personal usage should be limited to emergency situations. The Town reserves the right to intercept and monitor all telephone communications made by employees while working at the Town in accordance with federal, state and local laws.
- **Telephone Courtesy –** For many people, the impression they form of the Town and its operations and employees is made over the telephone. For this reason, employees should answer promptly, identify themselves and extend the caller all necessary courtesies.
- **Personal Cellular Devices:** The Town recognizes the need for personal cellular devices. Cellular devices should be kept on vibrate or silenced during all hours of operation and on any Town of Granville business. Cellular devices used for personal reasons should be limited to meal breaks and emergencies only.
- **Cellphone Use:** Use of cellphones is limited to non-work areas of the facility. Use of cellphones is strictly prohibited while operating any Town vehicle (per the below) or piece of work equipment.
- **Cellphone Use While Driving:** Cell phone use while driving is a common, often harmful, distraction. We are concerned about employee safety as well as the safety of others on the road. For this reason, the use of cell phones while driving without a hands-free device is prohibited. Do not accept or place calls while driving unless it is an emergency; that is, the call cannot wait until safely pulled off the road or until you arrive at your destination. If there is an emergency and an employee must use their cell phone while driving, please use good judgment: keep the call short, use a hands-free device, get to know the phone and its features and suspend conversations during hazardous driving conditions (rain, snow, ice, fog, glare, heavy traffic, etc.). Text messaging while driving on Town business is absolutely prohibited. A violation of this policy is grounds for discipline, up to and including, termination.

## 11.7 INTERNET ACCESS AND ADMINISTRATION

In general, the use of the Internet during work hours is limited to conduct official Town business and to facilitate efficient communications. E-mail can be an effective tool for communication and to avoid potential delays, or to avoid the cost or inconvenience of printing, publishing and mailing paper correspondence. Use of e-mail in Town of Granville government shall be in accordance with this policy and all applicable Federal, State and local laws.

There may be occasions when e-mails are received which the recipient did not solicit and which do not comply with this policy. No employee shall be subject to discipline for receiving such e-mail, provided the employee promptly replies by e-mail to discourage the sender with the following or similar message to the sender:

*"You have sent me e-mail at Town of Granville government which is not in compliance with Town policies. E-mail sent to Town of Granville government e-mail address must be for Town business purposes only. I do not wish to receive e-mail of the nature you sent at work. Please do not send me any additional mail of this kind at a Town of Granville e-mail address."*

The Town of Granville reserves the right to limit access to the Internet for those employees who are required to use it. The Town also reserves the right to monitor the usage of the Internet. This includes the following:

- The blocking of certain sites that have been deemed offensive. Trying to subvert this blocking will be grounds for termination.

- Monitoring the usage rates of the Internet by all employees – both employee and individual usage. The Town reserves the right to publish this information on an internal basis.
- Monitoring the specific sites that each employee visits and the length of each visit.
- File transfers and e-mail deliveries may also be monitored.
- Streaming of audio and especially videos of non-work-related materials is discouraged and may be subject to discipline.

All employee communications and Internet visits made during business hours are considered not to be private. Therefore, treat all activities as such. The Town reserves the right to inspect files and communications that are made to ensure compliance with this policy.

Only specific employees who have budgetary approval may purchase products on behalf of the Town of Granville over the Internet. The Internet is not to be used for purchasing personal products.

The Non-Discrimination/Anti-Harassment Policy and other Town of Granville Conduct policies apply to all Internet conduct. Any person violating this policy may be subject to discipline, up to and including, termination.

Employees may listen to news, weather, or other work-appropriate television stations, radio stations, or streaming media in the Breakroom of the Town Highway Building Breakroom while they are on break (as provided in this Handbook) or during the occurrence of active weather events, if authorized to do so by the Town Highway Superintendent, Highway Department Foreman, or other Town Highway employee in charge of the facility. Employees are responsible to exercise good judgment when accessing streaming media during meal or rest breaks.

## 11.8 ONLINE SOCIAL MEDIA POLICY

The Town of Granville is committed to maintaining a good relationship with employees and with the outside world. If the Town sustains a positive reputation and excellent image in the public eye, it directly benefits the Town of Granville as a whole. The way the public views the Town is vital to promoting its citizenship, increasing its visitors, retaining first-class employees, recruiting new employees and marketing the Town overall.

While we have no intentions of controlling employees' actions outside of work, it is important that Town employees practice caution and use discretion when posting content on the Internet, and especially on social media sites that could affect the Town's operations or reputation. This policy serves as a notice on the use of social media for all employees to read and understand.

The purpose of the Online Social Media Policy is:

- To promote a constructive relationship between the Town and its employees
- To reduce the possibility of risk to the Town or its reputation
- To discourage the use of Town time for personal networking
- To ensure employees are aware of their actions while engaging in the use of social media and the consequences associated with these actions

Social Networking and use of social media is defined as any activity that involves interaction in online communities of people. This interaction includes, but is not limited to, browsing other users' profiles, browsing other users' photos, reading messages sent through social media forums and engaging in online communities' instant messaging services.



The use of social media for business purposes can only be authorized by a Department Head and is restricted to engaging in social media sites for the Town's gain, usually as a task or assignment. This can be done either through a specific Town of Granville account on a given social media site or through a personal account for the purposes of recruiting or marketing for the Town.

An employee having their own individual social media account and using it on their own time is certainly permissible. However, keep in mind that some actions on the employee's personal site are visible for the entire social media community and are no longer only a private matter. While the Town of Granville will not be continuously monitoring employees' personal conduct on social media sites, it might be a good guideline to assume that anything posted on an employee's personal social media profile could potentially be seen by anyone at the Town of Granville. While this section of the policy is a sensitive one, the Town put it in place to protect not only the Town, but also the employee.

The following are guidelines:

- Town employees will not be rude or show unprofessional behavior toward anyone in contact with the Town of Granville. Being insubordinate, threatening, intimidating, disrespectful or assaulting a manager/supervisor, co-worker, citizen, visitor, customer or vendor, will result in discipline.
- Notwithstanding the above, employees should not post or display comments or content about co-workers, managers/supervisors, Town services, citizens, visitors, clients, vendors, suppliers and competition that are obscene, vulgar, threatening, intimidating or harassing in a way that would otherwise violate the Town's policies against discrimination, harassment or hostility on account of age, race, religion, sex, ethnicity, nationality, disability or other protected class, status or characteristic. Nothing in this provision should be read to limit or interfere with an employee's rights to express or discuss his or her opinions regarding the terms and conditions of employment with co-workers and/or third parties.
- Employees may not disclose unauthorized business secrets or other confidential information. Employees should not disclose confidential financial data or other non-public proprietary Town information. Employees should also not disclose confidential information regarding any business partners, citizens, visitors, vendors or customers.
- Employees will respect all copyright and other intellectual property laws. For the Town's protection as well as each employee's own protection, it is critical that employees show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the Town's own copyrights, trademarks and brands.
- Using social media to directly compete with the Town of Granville is also strictly prohibited.

All employees are encouraged to address any questions or concerns to their Department Head that they have about this policy before any violations occur. The terms and conditions of the Town's Non-Discrimination/Anti-Harassment Policy and Complaint Procedure apply to all conduct on Social Media.

## 11.9 MEDIA RELATIONS

The Town Supervisor, Town Attorney, Town Clerk and/or Town Board Members shall be responsible for all official contacts with the news media, including answering questions from the media. The Town Supervisor may designate specific employees to give out procedural, factual or historical information on particular subjects. With that said, all media inquiries should be referred to same.

# EMPLOYEE ACKNOWLEDGMENT FORM

Detach and place in employee's personnel file.

## TOWN OF GRANVILLE

### EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I hereby acknowledge that I have received a copy of the Town of Granville Employee Handbook outlining the rules, regulations, policies, procedures, practices, work standards, employment classifications, compensation, and benefits of the Town of Granville. I further acknowledge that I have read the contents of the Employee Handbook and will contact my Department Head or the Town Supervisor if I have any questions.

I understand that the Employee Handbook is not meant to create a contract of employment, nor should it be construed as creating a contract of employment and that the Town Board of the Town of Granville reserves the right to interpret, change, eliminate or modify any section of the Employee Handbook at any time.

I understand that, unless expressly excluded herein, the Employee Handbook is applicable to all employees of the Town of Granville. I agree to abide by the personnel policies, procedures, rules and regulations outlined in the Employee Handbook.

I understand that the Employee Handbook and the changes contained herein are intended to supersede all prior manuals and guidelines issued by the Town of Granville.

\_\_\_\_\_  
Employee Name (print name)

\_\_\_\_\_  
Department Head Name (print name)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Department Head Signature

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

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