TOWN OF ABINGDON, VIRGINIA

PERSONNEL HANDBOOK

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1. Introduction

I. General Information

A. This document contains the primary employment policies and procedures that provide guidance to effectively manage human resources within the Town of Abingdon. While no set of written policies can include every possible situation, these policies, when used as a whole, provide overall guidance for reasonable, consistent, decision-making.

B. All employees of the Town of Abingdon, those persons who work for the Town in return for financial compensation, except elected officials and independent contractors, are governed by this common set of employment policies. The Town Manager may make exceptions to these policies in special or unusual situations when, in his/her opinion, an exception would be in the best interest of the Town Policy. Exceptions are documented and maintained in the Human Resource Department.

The policies are intended to provide effective guidance and sufficient flexibility to allow independent judgment, while ensuring accountability to the public and consistent, equitable, decision-making. No member of the Town administration, other than the Town Manager, has the authority to modify any of the terms or provisions of these "Employment Policies and Procedures."

II. Organizational Vision, Mission and Values

Town Council's vision for the community includes the organizational vision, "Working together, we will be a progressive community shaped by new ideas and solutions, a skilled and innovative workforce, and citizen leadership-all distinguished by responsible and traditional values, involvement, new technology and quality citizen services." Inherent in Town Council's vision, the mission of the employees of the Town of Abingdon is to deliver services to Town residents, workers and visitors in an efficient, effective and equitable manner and to build a stronger community.

The core values that guide the organization's actions and decision-making are the following:

A. **Respect** – appreciating the mixture of similarities and differences in beliefs and behavior of employees and citizens.

B. **Honesty** – telling the truth, refraining from cheating and stealing and avoiding conflicts of interest.

C. **Customer Focus** – demonstrating a commitment to internal and external customer service.

D. **Personal Responsibility** – taking ownership and accepting the consequences of one's actions.

E. **Integrity** – consistently applying these core values even when doing so is difficult or unpopular.

III. Ethics

The Town expects employees to hold themselves and their coworkers to the highest ethical standards. Employees are expected to act and make decisions based on public service principles and the organizational values to achieve positive results.

Public service principles include, and are not limited to:

A. Build trust though honesty and transparency.

B. Seek no personal gain.

C. Treat everyone fairly.

D. Build the community through good stewardship.

Keeping in mind that how results are achieved is as important as the results themselves, employees are expected to consider an ethical perspective and to seek advice and guidance whenever there is any doubt about whether actions or decisions are appropriate. Such advice and guidance is available from many sources including Supervisors, Department heads, the Human Resources Director, the Town Attorney and/or Town Manager.

IV. Employment Relationship

The Town believes that all employees, regardless of role, position, status or salary, make a critical contribution in achieving the Town's mission. The Town is committed to providing a safe, non-discriminatory and alcohol and drug free workplace where employees can work in supportive relationships and interact responsibly with colleagues and citizens. Managers and employees are partners in ensuring that the residents of Abingdon receive appropriate services.

V. Employment at Will

Virginia is an "employment at will" state and employees of the Town of Abingdon do not have a contract of employment. Neither these policies, nor any other document constitutes an express or implied employment contract or any right to continued employment. These policies are not intended to and do not imply or create a vesting or a contract entitling Town employees to any specific benefits or policies of the Town. The contents of this manual and the Town of Abingdon's policies and procedures may be changed at any time.

VI. Overall Administrative Responsibilities

The Director of Human Resources shall normally develop policy recommendations, and the procedures necessary for implementation of policy, and shall serve as a source of expertise on the intent and application of the Town's Employment Policies. In cases where several policies apply to the same situation, or where conflicts appear to exist, the Town Manager and/or Director of Human Resources are authorized to make a determination as to the intent and application of policy. The Town Manager has final authority for the approval and administration of employment policies and procedures.

VII. Department Head Responsibilities

Department head and other designated management officials are held to higher responsibilities and leadership standards due to their respective departmental rankings. Accordingly, department head and other designated management officials shall perform the following specific personnel management functions, including but not limited to:

A. Develop organizational structures and staffing levels based on service needs and resource availability.

B. Establish and communicate work expectations, develop operating procedures, manage performance and maintain an effective work environment.

C. Issue departmental rules and operating procedures necessary for the efficient and effective functioning of the department; however, such rules and operating procedures shall not conflict with any portion of these Employment Policies and must be coordinated in advance with the Human Resource Department.

D. Schedule activities within their departments including hours of work, rest and lunch periods, time to prepare for work and clean-up time.

E. Select applicants for recommended employment and assign duties and responsibilities to employees within their management area.

F. Recommend promotion, demotion, reassignment, discipline, termination and other personnel related recommendation for their departments.

G. Make salary recommendations as outlined in the Employment Policies.

H. Identify training and development needs and provide for on-the-job training (OJT).

I. Ensure that financial and procurement policies are followed appropriately, including making the best use of fiscal resources, consultants and approved contracts.

J. Department heads may delegate, wholly or in part, the personnel management functions listed above, with final approval provided by the Town Manager.

VIII. Policy Maintenance

Employment policies and procedures are issued and maintained by the Director of Human Resources. Policies shall take effect on the date of Town Council and/or Town Manager approval, as appropriate, and shall supersede all previously issued policies. When changes to previous policies and procedures are approved, information regarding changes will be communicated to the workforce. The Human Resource Department will fully implement all provisions of the policies in a timely and reasonable manner.

2. Employment

I. Equal Opportunity Employment Policy

The Town of Abingdon is an Equal Opportunity Employer (EOE) and is fully committed to the principles of equal employment opportunity. The Town maintains and promotes equal opportunity for all employees, and applicants for employment, in accordance with relevant state and federal laws. The Town will not discriminate on the basis of race, color, religion, sex, national origin, age, physical or mental disability unrelated to the ability to perform the essential functions of the position. The Town of Abingdon will make all decisions regarding recruitment, hiring, promotions, reassignments, training and other terms and conditions of employment without unlawful discrimination.

A. All employees of the Town of Abingdon are supervised by, and are responsible to, the Town Manager and his/her designee, and will adhere to all directives issued by the Town Manager as well as all ordinances and resolutions enacted and adopted by the Town Council. However, the chain of command flows from the immediate supervisor(s) of employee, to department head then to Director of Human Resources, then to Town Manager and his/her designee.

B. Town of Abingdon will not tolerate any form of discrimination, including sexual or racial harassment, of its employees. Allegations of discrimination will be thoroughly investigated and disciplinary or corrective action taken as warranted. Reprisals against employees who file complaints of discrimination are prohibited; however, such protection does not condone unfounded or vindictive accusations of others. The Town protects the legitimate interests of all parties concerned in a dispute involving allegations of discrimination. *(Refer to Chapter 5, Employee Responsibilities for more information).*

C. Reporting Guidelines: Individuals, who feel they have been subjected to discrimination including sexual harassment, are strongly encouraged to respond by using any or all of the following procedures:

1. Information and advice about discrimination may be obtained by contacting the Director of Human Resources or the Town Clerk. Every precaution will be taken to ensure confidentiality at this informal, information gathering stage.
2. Town employees are strongly encouraged to follow the chain of command to report any incident of discrimination to his/her immediate supervisor, appropriate department head, or the Director of Human Resources. Supervisors, appropriate department heads or other officials, in conjunction with assistance from Director of Human Resources, will immediately address any act of discrimination of which they become aware.

3. Town employees may use mediation or the formal Grievance Procedure if, after reporting any allegation of harassment and following the appropriate chain of command, the issue could not be resolved.

4. Additional information regarding discrimination, including sexual harassment definitions and reporting responsibilities can be found in Chapter 5, "Employee Responsibilities."

II. Town of Abingdon Diversity Plan

The Town of Abingdon's goal is to hire and retain a workforce that is representative of the Community and reflective of the relevant available labor pool. To achieve this goal, the Town is committed to the following actions designed to attract, diverse, qualified applicants:

A. The Town shall use non-discriminatory, equitable process to fill all positions. All persons wishing to apply for a vacant position, advertised to the public, will have the opportunity to do so.

B. Recruitment advertising may include a variety of formats and targeted resources such as print, the Internet, other media and firms specializing in minority recruitment to attract a diverse pool of qualified applicants for all vacancies.

C. All recruiting announcements will contain the following statement: "The Town of Abingdon is an Equal Employment Opportunity Employer."

D. Recruitment and selection training for hiring officials will be held periodically and will include interview techniques, cultural awareness, human relations, and objective hiring practices.

E. External Communication:

1. The Town's job vacancy announcements may be available on the Town's website and interested organizations are encouraged to check it regularly.
2. The Human Resource Department will communicate with representative educational institutions, including vocational schools, for purposes of recruitment.

F. The Town's Diversity Plan is to hire without regard to differences and to develop valuable dimensions within each employee so that when combined, these differences form a mixture of talent and skills unique to the group. In order to use everyone's talents to achieve business goals, the Town will embrace and recognize all differences to include but will be not limited to race, ethnicity, gender, age, physical and mental abilities, religious beliefs, political beliefs and other ideologies. Each individual will be respected for the skills and talents they can provide to a collective team.

G. Assignment and Responsibilities for the Diversity Plan:

1. General Responsibility: All employees are expected to contribute to maintaining a respectful workplace. The actions of every employee are important to achieve Diversity Plan goals.

2. Supervisory Personnel: Supervisory personnel are responsible for supporting a respectful and non-discriminatory environment. Management decisions including those regarding hiring, promotion, working conditions, job assignments, training programs and opportunities for serving on committees and panels shall be based on job-related factors. Supervisory personnel are the primary source of information for employees under their direct supervision concerning the EOE Policy and Diversity Plan.

III. Criminal Convictions

Criminal charges and convictions may pose detrimental effects upon continued employment. Being convicted of a crime, depending upon the severity and circumstances involved in the given situation, can impact an employee's status and may lead to discipline up to and including termination.

On-Duty Charges: Any employee charged with any kind of unlawful activity while on duty shall notify his/her Department head and the Town Manager within twenty-four (24) hours after the charges are placed/arrest is made.

Off-Duty Charges: Any employee charged under a federal or state statute of committing any kind of felony, driving under the influence or a misdemeanor involving moral turpitude (acts which include lying, cheating or stealing), shall notify his/her Department head and the Town Manager within five (5) business days after the charges are placed/arrest is made.

Non-exclusive elements of the Town will consider in evaluating charges and/or convictions and their effect, if any, on his/'her employment include the nature and severity of the charges and/or convictions, including their relationship to the employee's position and responsibilities and the potential impact upon the Town's operations and liabilities.

IV. Merit Principles and Selection

A. A merit system is a system by which selections, appointments and promotions in public service are based on qualifications and competence rather than political favoritism, seniority or other non-job related factors. The Town supports the principles of a merit system for selection and performance evaluation to recognize and reward job-related factors.

B. Initial selection to classified positions and promotion to higher level positions shall be based upon open competition among qualified applicants. Employees are encouraged to apply for positions in which they are interested and qualified. Town employees will be given serious consideration for vacancies based upon qualifications necessary for the position sought.

V. Recruitment

A. The Director of Human Resources shall develop and maintain effective recruitment processes that attract a candidate representative of the community and possessing the education, skills and abilities to meet the current and future needs of the Town.

B. Requisitions: Newly established, or vacated positions, shall normally be authorized for filing through a requisition process initiated by the department with the vacant position. A request to fill the position including appropriate justification regarding the operational need for the position, salary information and other pertinent data shall be completed and forwarded to the Town Manager for approval. Upon approval, the requisition is forwarded to Human Resources to begin the recruitment process.

C. Filling of Vacancies: Vacant positions may be filled by recruitment from inside and/or outside sources, as appropriate, in coordination with the selecting Department head or designee. Vacancies may also be advertised with the local employment commission, newspapers and electronic media, other government agencies, journals, private recruiting firms, colleges, professional and civic organizations, churches and other sources. The Town supports cross training, job rotation and promotion from within and may confine competition for vacant positions to members of the Town workforce or a specific department if determined to be in the best interests of the Town.

D. Advertisements: Vacancy listings and/or postings shall be developed and used to attract applicants for most Town positions. Normally, vacancies shall be advertised for a minimum of five (5) business days and applications will be accepted only when a position is posted. However, high turnover positions may remain continuously under recruitment in order to maintain pools of qualified candidates and to quickly fill such positions as vacancies occur. In addition, the Director of Human Resources may accept applications for employment at any time in anticipation of future needs. Such applications may be included in future competitive processes.

E. Application Process: The Director of Human Resources shall provide the methods and means by which interested parties and current employees may apply for positions under recruitment. Typically, application for Town employment requires completion of computer-based employment application forms which allow applicants an opportunity to accurately reflect their education, training, and previous work experience. Alternate employment application forms may be accepted when it is in the best interest of the Town. The Director of Human Resources, individual departments, or outside firms, agencies or consultants, as approved by the Director of Human Resources, may administer the process.

F. Examinations: The application process may include examinations such as alcohol and drug testing, skill testing, written examinations, personal interviews, assessment centers, physical agility testing,

medical, physical and/or psychological assessment, as determined appropriate and lawful, where such examinations would relate to specific roles.

1. Every person taking a rated or scored examination is entitled to inspect his/her own rating or score and examination materials; however such materials shall not be made available to the general public. Inspections shall normally be permitted during regular business hours in the Director of Human Resources in the presence of appropriate staff.
2. Every person engaged in a rated or scored examination may request correction by providing documentation to the Director of Human Resources that the examination has been incorrectly rated or scored. Examination materials shall be maintained for a period of two (2) years.

G. Background Checks: In the interest of public welfare and safety, all positions such as those in public safety, positions that include working with children, those responsible for handling money and others, require that applicants successfully complete background checks including, but not limited to, personal reference checks, criminal history and child abuse registry to ensure that the applicant's past conduct is compatible with the nature and requirements of the position under consideration. An applicant for a position that requires driving a vehicle shall provide a copy of his/her official Department of Motor Vehicles (DMV) record or shall authorize the Town to obtain a copy of the DMV record. The applicable department, in conjunction with the Director of Human Resources, shall determine the positions and specific checks that will be utilized. In all cases, appropriate state and federal laws shall be followed.

H. Qualifications: Qualifications are the education, experience, competencies, skills, abilities, knowledge and other attributes determined most likely to predict successful job performance in a position or group of positions with similar requirements and levels of responsibilities. Acceptable background information and driving record, when required, are included in the attributes necessary to meet minimum qualifications.

I. Screening of Applicants: A screening process shall determine those candidates who meet the qualifications for the position(s) to be filled. Such screenings may include, but are not limited to, a review of submitted applications, resumes, education and experience credentials, references, preliminary interviews and other relevant information. Town of Abingdon employment records will be reviewed as a part of the screening process, when an applicant is a current or former employee of the Town. Screening may be completed by Director of Human Resources, Department head(s) or outside public or private agencies, as deemed appropriate by the Director of Human Resources.

J. Periodic Medical Examinations: Some positions with the Town, such as public safety employees, require periodic physical examinations or medical tests as a condition of employment. In positions where regular physical examinations are required, the Town is responsible for the cost of the exam and any test or procedure related to the basic physical exam. Problems or conditions which need medical treatment, and any additional

medical exams needed as a result of the basic physical exam, are the responsibility of the employee. Questions regarding responsibility for such medical costs shall be directed to the Director of Human Resources before additional treatment or testing is performed.

VI. New Employee Orientation

When a conditional offer of employment is given to an applicant, the on-boarding process will be scheduled by the Director of Human Resources. Ideally, this on-boarding process should be completed before the first day of employment. Employee orientations may be held for new employees or during times when policies have been changed. All appropriate payroll and benefit paperwork needs to be completed before the first day of employment.

VII. Position Categories

A. All Town positions fall into one of the following two categories:

1. Full-Time – those positions approved by Town Council and confirmed individually in the annual budget, based on an on-going full-time service need. Employees work a continuing schedule as it applies to their department's regular work hours, normally 2080 hours annually. The positions are included in the Town's pay plan and assigned to a pay grade and range. Employees are eligible to receive all Town benefits.
2. Part-Time – those positions approved individually in the annual budget based on an on-going service need or structure shall not exceed 28 hours in a work week subject to state and/or federal mandates and/or regulations. Part-time positions will not be eligible to receive Town benefits.

VIII. Employment of Special Categories of Individuals

A. Nepotism:

1. To maintain the highest level of trust and support from the community, to avoid situations that might result in unfair or preferential treatment of employees and/or the public, and to avoid any appearance of conflict of interest, the Town limits the employment and work assignment of employees, regardless of category, that are related to each other or to current Town Council members.
2. Members of the same family are eligible for employment with the Town; however, such employment may not result in a Public Official or an employee directly or indirectly supervising a member of his/her immediate family.
3. In the event that a relative, as defined herein, is deemed to possess qualifications, experience and expertise superior to other applicants within the full candidate pool for that position, the Town Manager may make a determination with regard to an official job offer. This policy

applies to all categories of full-time and part-time employment and shall not apply to temporary and/or seasonal positions which can be filled at the discretion of the Town Manager.

3. Definitions:

a. Town Council members are those individuals serving a current term of office as a part of the Town's elected governing body.

b. Public Officials are individuals elected or appointed to a position.

c. Employees are individuals hired through competitive processes to serve the Town of Abingdon.

d. For the purpose of this policy, immediate family is defined as a spouse, parent, spouse's parent, child, brother, sister, grandparent, grandchild, brother or sister-in-law, legal guardian and equivalent step-relations, as well as non-related individuals residing in the same household.

e. Indirect supervision includes, but is not limited to, being in a position to affect the terms and conditions of another's employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation.

4. Guidelines:

a. No Public Official, or employee, of the Town of Abingdon may directly or indirectly supervise or otherwise have access, control or influence over work activities or salary decisions for immediate family members.

b. Employees may not be hired, promoted, demoted or transferred to a work assignment that creates a situation in conflict with this policy.

c. With respect to indirect supervision, employees in positions senior to their immediate family members are responsible for recognizing situations in which employment interactions may be in violation of this policy and must recuse themselves from any involvement, or decision-making, pertaining to their family member.

d. When the relationship between employees changes, such as through marriage, adoption or living arrangements, creating a situation that violates this policy, employees must notify their Supervisor immediately and must be in compliance with the policy within three (3) months.

e. In certain situations, such as public safety emergency response or weather related emergencies, employees that do not normally fall within the Supervisory chain of

command, including family members, may work together and/or supervise one another for the duration of the emergency.

B. Employment of Non-US Citizens: Non-US citizens possessing requisite documentation to legally work in the United States legally shall be considered for selection, promotion and all other personnel actions on the same basis and under the same processes as US Citizens.

C. Employment of Virginia Retirement System (VRS) Retirement Benefit: A retired individual receiving a VRS retirement benefit may not be employed in any full-time position unless he or she agrees to suspend the VRS benefit payments for the duration of the employment.

D. Age Requirements: Persons under the age of 16 shall not be employed in full-time or part-time positions. The employment of persons under the age of 18 shall conform to Virginia labor laws governing the employment of minors. Sworn Public Safety employees holding full-time positions must be at least 18 years of age but no more than 70 years of age.

IX. Driving Policy

Effective service to the citizens and efficient use of Town resources requires safe, accident free, operation of the motor vehicles used to perform official duties while adhering to all applicable laws, statutes and ordinances pursuant to Code of Virginia, §46.2, *et. seq*. This policy establishes the guidelines and procedures which govern vehicle operations, including driving and accident record review, as well as the disciplinary and rehabilitative measures that may be implemented. These guidelines rely on a three-pronged philosophy of acceptable driving history, driver's training and on-going accountability for individual actions. The Town's core value of personal responsibility, taking ownership and accepting the consequences of individual actions, is the central component of these guidelines. The Director of Human Resources, in conjunction with the Legal Department, will ensure that all state and local requirements relevant to requests for information and official driving records are followed including appropriate security of all forms, records and documentation.

A. All newly hired employees that drive Town vehicles must satisfactorily complete a Director of Human Resources sponsored Defensive Driving course as scheduled by the Defensive Driving Instructors within ninety (90) days of hire. Current employees that drive Town vehicles must maintain an acceptable Driving Record and attend a Town sponsored Defensive Driving course in accordance with the plan established by the Virginia Municipal League, which requires training to be held annually.

B. Driving Record reviews for current employees include annual review, for cause review, periodic review and when an employee applies for or seeks promotion to a position that requires driving a Town vehicle. A minimally acceptable driving record for a current employee includes the following components:

1. -4 or fewer demerit points
2. No DWI/DUI convictions within the last three (3) years

3. At least three (3) years of continuously valid licensing

4. An overall pattern of safe vehicle operation and driving habits

C. The following conditions are unacceptable and normally prevent an employee from operating a Town vehicle until his/her driving record improves to a minimally acceptable level, or he/she meets other specific requirements established by the Director of Human Resources:

1. -5 or more demerit points

2. DWI/DUI conviction within the last three (3) years

3. A license suspended due to driving violations, or accidents, unless the employee has completed three (3) full years with no subsequent moving violations, at-fault accidents or penalties. A license suspended due to administrative penalties is a concern but would not typically disqualify an employee unless there is evidence of him or her having knowingly driven with a suspended license.

D. Consequences:

1. In the situation where a current employee's Driving Record is minimally acceptable, but indicates that one additional violation of any kind will place him or her in the unacceptable category, the employee will be notified and required to satisfactorily complete a DMV certified Driver Safety and Awareness Course, also known as the Driver Improvement course. The Director of Human Resources will deliver the Driver Safety and Awareness Course on a regular basis or an employee may attend a certified course offered elsewhere in the Town. In either case, the employee is responsible for any cost incurred to take the course. Attendance at a Driver Safety and Awareness course offered by the Director of Human Resources is normally considered regular working time. Failure to complete a certified course, within the time period designated in the notice of requirement, may result in driving restrictions and/or disciplinary action.

2. An employee charged with an on or off-duty DWI/DUI is required to inform his/her Supervisor of such charge and is normally prohibited from driving a Town vehicle until a decision regarding the charge is rendered by the Courts. Assignment to a non-driving position, if available, is at the discretion of departmental management. If a non-driving position is not available, the employee may be required to take appropriate leave or be placed on administrative leave without pay pending the outcome of court proceedings. An employee charged with on or off-duty DWI/DUI is also subject to the "Drug and Alcohol Testing" provisions of the Town's Employment Policies and Procedures.

3. An employee who drives or is found to have knowingly driven a Town vehicle with a suspended or revoked driver's license is subject to appropriate disciplinary action. In addition, the employee may be subject to quarterly Driving Record review for a period of one (1) year.
4. Disciplinary action, up to and including termination from employment with the Town, may be initiated when an employee has an unacceptable driving record, and/or loses his/her driving privileges via revocation or suspension. Disciplinary action may be taken if an employee engages in misconduct or demonstrates poor performance relative to operating a Town vehicle as determined by his/her Supervisor.
5. Action taken in accordance with the Town's disciplinary policies may be in addition to driving prohibitions implemented by the provisions of this Driving Policy.
6. In unusual situations, Department heads and the Director of Human Resources may consider an employee's performance and overall employment history prior to the implementation of driving restrictions. In some cases, due to significant liability concerns, driving restrictions may be implemented regardless of court actions.
7. If, based upon agreement between the Director of Human Resources and relevant Department head, an employee may be allowed to continue driving Town vehicles. After an employee is convicted of a DUI, he or she must successfully complete the Virginia Alcohol Safety Action Program (VASAP) when mandated by the Division of Motor Vehicles (DMV); obtain a restricted license through the DMV enabling him/her to drive to work, complete a course of action determined appropriate to have license reinstated, authorize DMV record checks at least quarterly and have no subsequent recordable citations or accidents.

X. Safety

The Director of Human Resources coordinates and communicates a Safety Program for all employees beginning with New Hire Orientation and continuing throughout employment. The goal of the Safety Program is to protect the safety and health of Town employees, assist in preventing accidents and injuries, increase efficiency of operations, and save money for the taxpayers of the Town. Each Town employee is fully responsible for implementing the provisions of the Safety Program as it pertains to operations under his/her control.

A. Personal Protective Equipment: Personal Protective Equipment (PPE) is any device or material worn to protect a worker from exposure or contact with any harmful substance or force. Examples include but are not limited to, hardhats, goggles, face shields, safety glasses, steel-toed boots/shoes, gloves, ear plugs and

sunscreen. PPE's should be used in conjunction with administrative controls to provide for employee safety in the workplace.

Department heads and Supervisors are responsible for determining appropriate hazard controls for each work application. Each Department head and/or Supervisor is responsible for issuing proper safety equipment to employees and shall follow the Occupational Safety and Health Administration's (OSHA) guidelines and standards to include *29 CFR 1910.132; 29 CRF 1910.133; 29 CRF 1910.135; 29 CRF 1910.136; 29 CFR 1910.138;* and *29 CRF 1910.335*.

If any Department head or Supervisor determines that training is needed on how to properly wear PPE's, they must contact their department's appointed Safety Team Member to schedule training. Each department's Safety Team Member will confer with the Director of Human Resources when training is needed for employees.

If a particular PPE is required on the job and is not worn and an accident occurs, enforcement of the policy may occur in the form of disciplinary action for failure to wear the appropriate PPE. Supervisors will document any interactions such as coaching or reminding employees about proper PPE use along with other safety issues related to the work/job. Documenting these interactions demonstrates management's commitment to safety and can help reduce liabilities if legal issues arise.

XI. Reporting Employee Accidents and Incidents

Employees involved in an on-the-job accident or incident which results in an injury or potential injury, no matter how slight, must report the accident to their Supervisor immediately. The Supervisor must complete the Employee Incident/Accident Report form in writing. Failure to report any such injury may result in the loss of Workers' Compensation benefits.

In the event of an accident causing serious injury the employee or co-workers should immediately call ***911***.

Job-injuries will be handled in accordance with Workers' Compensation laws pursuant to Virginia Code, Title 65.2. An employee who is injured while on the job must notify the Nurse on call at *877-243-0898* within forty-eight (48) hours to be eligible for coverage provided under the Workers' Compensation Act. As part of our Drug and Alcohol Free Work Place, an employee may also be required to submit to testing as a result of an injury on the job. A panel of physicians will be provided, and must be used initially should an employee be injured on the job. If a specialist is needed, the panel physician will arrange for an appointment. Payment could be denied if an employee fails to follow this procedure.

Town employees who are involved in a motor vehicle accident must contact 911 immediately to report the accident. All motor vehicle accidents occurring on private property or public highways are to be investigated by the local police department or Virginia State Police. Employees involved in an on-the-job

accident or incident which results in an injury or potential injury, no matter how slight, must report the accident to their Supervisor immediately. Said employee involved in said accident/incident and **issued a citation** will be required to submit to alcohol testing, either breath and/or saliva, at the scene of said accident/incident and will be required to submit to drug testing within thirty-two (32) hours. Said employee will be suspended until the results of said alcohol and drug testing are returned to the Director of Human Resources and discussed with employee's department head, Supervisor and Town Manager. Employee will be required to complete a defensive driving course within three months of returning to said employment.

In the event that the employee **is not charged** with a moving violation, employee will be required to submit to drug testing within thirty-two hours. Said employee will be suspended until the results of said alcohol and drug testing are returned to the Director of Human Resources and discussed with employee's department head, Supervisor and Town Manager. Employee will be required to complete a defensive driving course within three months of returning to said employment.

The Director of Human Resources will assist in the investigation of all accidents/incidents in an effort to prevent a similar situation from occurring in the future. A review of the accident/incident will be reviewed by a committee comprised of the department head or Supervisor, Director of Human Resources and the Police Chief.

XII. Initial Employment Period

A. The Town of Abingdon uses an initial employment period as an integral part of the employment process, for employees holding full-time and part-time positions, to determine the suitability of an employee for his/her position. The initial employment period shall be used to assess new employees' work performance, interpersonal behavior and conduct and to allow sufficient time for an employee to adjust to his/her position and work environment.

B. Length of Initial Employment Period: The initial employment period shall be six (6) months from the date of hire or date that an employee attains a full-time position.

C. Extension of Initial Employment Period: Six (6) months is normally sufficient time to evaluate the suitability of the employment relationship but, in rare instances, an extension of the initial employment period may be warranted. Department heads may, with specific, job-related justification, extend the initial employment period for an additional period not to exceed six (6) months for a total of twelve (12) months. Extensions of the initial employment period shall be in writing and shall be included in the official personnel file located in the Human Resource Department. The extension must be discussed with the Human Resource Department and communicated to the employee prior to the end of the original initial employment period. The employee shall be notified in writing of the specific reasons for such extension as well as the specific performance results necessary to ensure on-going employment. An example of an appropriate justification for an extension of the initial

employment period is when a new employee has experienced an injury or illness and is unable to work for an extended period of time. In such a situation, an extension of the initial employment period equal to the length of the absence from work, up to six (6) months, may be needed to adequately observe and evaluate the employee's performance. Public Safety employees attending the Police Academy will start probation period the first work day following graduation from Academy.

D. Disciplinary Actions during Initial Employment Period: Employees who have not completed their initial employment period may be subject to disciplinary action as outlined in Chapter 5, "Employee Responsibilities" as determined to be appropriate by the Supervisor and/or Department head. Employees disciplined and/or separated from employment during the initial employment period have no appeal or grievance right against such disciplinary action(s).

XIII. Scheduling of Work

A. Typical Work Schedule: Town employees' work schedule follows the official business hours of Monday through Friday from 8:30 a.m. to 5:00 p.m., with a one-half to one hour lunch period, unless covered by a Supervisor approved alternative work schedule. A regular work day is a day in which work is performed according to the assigned work schedule or approved leave must be taken.

B. Alternative Work Schedules:

1. Individual departments and work groups may set alternate work schedules, as needed, to effective services.

C. Lunch periods: In most situations, employees are expected to take a meal break during the course of the assigned work time. Employees shall consult their Supervisor regarding scheduling meal breaks or requests for alternate schedules.

D. Travel time:

1. Travel from home to the workplace is not considered work or paid time. However, once an employee reports to work, required travel from one location to another during the duty period is considered work and shall be counted as paid time.
2. The time needed to travel to destinations outside of the normal work location, or to and from out of town or state destinations in excess of the usual travel from home to the workplace, required to conduct Town business is normally considered paid time and shall be included in hours worked for overtime purposes. Examples of Town business requiring such travel include training events, conferences or meetings in other localities or similar situations.

XIV. Separation from Employment/Retirement

A. Resignation is a separation from employment initiated by an employee. Employees who leave their position due to resignation shall normally provide at least two weeks written notice to their Department head. Supervisors shall document verbal resignations in writing.

1. In the event that an employee is within his/her initial employment period, the two week notice is encouraged but not required.
2. Once a resignation is submitted by the employee, either verbally or in writing, it may not be withdrawn unless the Department head, or designee, agrees to such a withdrawal.

B. Retirement is a separation from employment that may be initiated by an eligible employee, as in the case of voluntary retirement, or by management, as in the case of mandatory retirement because of age in sworn public safety positions. In either situation, VRS rules apply.

C. Separation Without Prejudice shall be used to separate an employee who is unable to report to work due to circumstances beyond his/her control such as Reduction in Force; an incapacitating medical condition that is not or cannot be resolved; the loss of a required license; circumstances causing conflict with Town policies, such as nepotism; incarceration; or similar situation. Employees shall normally be given seven (7) calendar days advance written notice of the separation without prejudice.

D. Separations due to disciplinary action are described in Chapter 5, "Employee Responsibilities."

E. An employee may be separated at any time during the Initial Employment Period if he or she fails to perform at an acceptable level, fails to demonstrate acceptable dependability, conduct or suitability for the position and/or needs of the Town.

F. If an employee wishes to use annual, and/or compensatory leave time prior to separation, department procedures for requesting and granting leave time must be followed. An employee who has unused annual leave, adjusted hours and/or compensatory time in excess of two-weeks shall normally be paid for such unused paid time off in a lump sum payment ($5,000 initial limit) at the time of separation rather than remaining on the payroll until all such time off is exhausted. (*See Chapter 3 - Benefits, XVIII Full Time Leave Benefits)*.

G. Workload, staffing shortages and other circumstances may prevent paid leave being granted to the employee, in which case the employee shall be paid for all accumulated annual leave, compensatory time and adjusted hours at the time of separation, as appropriate.

H. Prior to, or at the time of separation, the employee must return all Town owned materials and equipment to the Supervisor. The employee must also make arrangements and provide a forwarding address to receive the final paycheck and statement of annual earnings (Form W-2). The Director of Human Resources may contact the separating employee to discuss benefit options and schedule an exit interview.

I. Exit Interview: An exit interview is a meeting between a separating employee and the Director of Human Resources. The interview is encouraged in all voluntary separations, including retirements, and is normally held no later than two weeks after the employee's last day of service. During the exit interview, the employee may complete an exit interview form, discuss his/her reason(s) for leaving and learn about the status of benefits, reinstatement privileges and retirement, if applicable. The exit interview is not intended as a counseling or grievance session. The information gained from the employee on subjects such as pay, benefits, training and working conditions provides important feedback that may contribute to improved job satisfaction for Town personnel.

XV. Reinstatement

An employee who voluntarily leaves Town employment in good standing may be reinstated, if re-employed within one year from the date of separation, at the Department head's discretion and approval of the Town Manager.

XVI. Personnel Files

A. Personnel files contain written material about an employee's employment. Written information related to employment is considered a personnel file regardless of where the records might be physically located. Official personnel files for each Town employee are maintained in the Payroll and Human Resource Offices only. Individual departments may also maintain files relevant to departmental employees as long as those files are in a locked, secure location. Employees, Supervisors, and Department head(s) may identify materials to be included in the personnel files, subject to management approval.

B. Documents that are a part of the personnel file include, but are not limited to, job specification, grade or pay range assignment, employment application/resumes, employee pay and benefit information, performance evaluations, disciplinary actions, counseling documentation, supervisor's job-related notes, employment agreements, commendations and education materials.

C. All medical information, such as Family Medical Leave certifications, ADA materials including requests for accommodations, results of physicals or drug/alcohol testing, is maintained in files maintained separately from personnel files.

D. In accordance with the Government Data Collections and Dissemination Practices Act, every employee has the right to review his/her personnel file(s). In addition, employees may challenge, correct and/or include a written statement to provide information related to any document in the personnel file(s). All employees will notify Director of Human Resources to make any changes. For example, employees can change their address, phone number, marital status, number of dependents, and beneficiary information as needed throughout the year.

1. Requests for review may be made to Human Resources through a variety of means such as e-mail, memo and telephone or in person.
2. The file will be made available as soon as reasonably possible.
3. Copies of materials within the file will be provided at the employee's request.
4. The file may not be removed from the office.
5. A staff member from Human Resources, the Department head or the Supervisor shall be present during the review.

XVII. Release of Information

A. The Director of Human Resources treats information provided by employees as confidential. **ALL** requests for employment information or employment verification shall be forwarded to the Director of Human Resources for appropriate response, in accordance with relevant laws and regulations.

B. The Director of Human Resources may release specifically requested information to employees or former employees, other Town departments and local, state and federal agencies in order to allow those departments and agencies to perform their necessary duties as follows:

1. Information Requested by Employees: Current and former employees of the Town have the right to review any information in their personnel files. An employee, or designee, may review the contents of his/her official personnel file by visiting the Director of Human Resources during normal office hours. Proof of identity must be provided before the personnel file may be reviewed.
2. Information Requested by Town Departments: Routine information such as dates of employment, job title and salary history shall be given to representatives of Town departments, if the department has a valid need for the information and the information is concerning an employee of that department. Information requested by another Town department shall not normally be provided unless the requesting department has a valid need for the information, such as when an employee from another department is being interviewed for a position.
3. Information Requested by Individuals outside the Town: Requests for information concerning Town employees are often received from federal agencies, credit bureaus, individual employers and others.

   The following information is given in response to such requests:

   a. Verification of name.

   b. Verification of employment.

   c. Present employees – verification that the person is employed by the Town and the job title.

   d. Former employees – verification of dates of employment and the job title, not including the reason for separation.

e. Salaries of employees who earn in excess of $10,000 annually are a matter of public record and must be released upon request.

f. Additional information may be released upon presentation of a valid subpoena or court order.

Any requests from an outside agency must be accompanied by an original, signed, notarized release of information form before any employee information can be released to the outside agency. No representative of the outside agency may meet with current employees or arrive on any Town property without authorization of the Director of Human Resources or the Town Attorney.

3. Benefits

An array of Town provided benefits combined with direct salary or wages establish a total compensation package that supports the Town's goals of attracting, rewarding and retaining employees who are representative of the community and fully able to deliver services at acceptable levels. The benefits are outlined within this chapter.

I. Right to Make Changes

From time to time, conditions or circumstances may require that the Town make changes, additions, or deletions to its benefits program for both active employees and retirees, as the Town determines are appropriate. This policy does not grant employees or retirees vested benefits. In other words, employees and retirees are not guaranteed current or future benefits, unless required by federal or state law.

II. Medical and Dental Coverage

A. Eligibility: Group medical and dental coverage is currently available for all full time employees and their eligible dependents. Enrollment takes place at new hire on-boarding and coverage typically begins the 1st day of the month following the date of full-time hire and thereafter during Open Enrollment periods. Employees may make changes in their coverage during open enrollment periods and when a life qualifying event occurs that allows changes such as marriage, divorce and birth or adoption of a child.

B. Cost of Coverage: The Town currently pays the full cost for the employee's coverage (single coverage). Employees who elect to cover their eligible dependents are responsible for a portion of the cost of the dependents' coverage. Payment for dependent coverage must be made through payroll deductions and is automatically processed on a pre-tax basis unless, the employee submits a written waiver to the Director of Human Resources.

III. Group Life Insurance

A. All full time employees are eligible for the Town's basic group life insurance plan. The life insurance plan is administered by the Virginia Retirement System (VRS) and underwritten by a provider selected by VRS.

B. Coverage for death due to natural causes is two times the annual base salary, rounded up to the nearest thousand dollars. The accidental death benefit is four times the annual salary. The Town currently pays 100% of the cost for the basic group life insurance plan.

IV. Optional Group Life Insurance

A. All full-time employees are eligible to purchase optional group term life insurance for themselves, their spouse and their children.

B. The employee is responsible for 100% of the cost of the optional life insurance.

C. Employees may purchase coverage in amounts of 1, 2, 3, or 4 times their annual salary. The amount of coverage available to spouses and children depends upon the amount of coverage selected by the employee.

V. Retirement

A. All full-time employees are enrolled in the Virginia Retirement System (VRS) based upon the date of hire. An employee hired between the first and fifteenth of the month, begins coverage on the first of the month of hire. An employee hired after the fifteenth of the month begins coverage the first of the following month.

B. VRS is a state retirement system and all rules and regulations regarding contributions and retirement benefits are made by the State legislature. The Town, as a member employer, must comply with all regulations as set forth by the legislature.

C. An employee may request a refund from VRS, or a portion of retirement contributions, upon termination from employment in accordance with VRS regulations.

D. Retirement benefits are based on three factors: years of service; the plan an employee is enrolled in (Plan I, Plan II or Hybrid); and the age at the time of retirement. Details concerning the Virginia Retirement System are covered in the Handbook for VRS Members, available at ***www.varetire.org***.

E. The Town reserves the right to participate in another retirement system should it deem appropriate.

F. All employees should be aware that it takes VRS three (3) months to process a retirement application. Therefore, when considering retirement, all employees are encouraged to schedule an appointment with the Director of Human Resources as soon as possible. There are several forms, tax considerations, payroll and other issues that must be resolved before an employee can retire. For example, many employees

depending on their age file for social security as well. Each employee considering retirement must consider continuing health insurance, life insurance, and also how they will handle tax withholding on their retirement income. Another consideration is annual and sick leave balances, if any. Please schedule an appointment with the Director of Human Resources to develop a plan.

To get an estimate of your retirement benefits an employee can fill out VRS-form 60 and mail it to VRS or call 1-888-827-3847. Forms can be found at www.varetire.org

It is also important to inform your Supervisor as soon as possible once you have decided to retire. Retirement is considered a voluntary action similar to a resignation. Department heads will need time to plan and schedule the work as the employee transitions from employment to retirement.

Retirees will receive the following in recognition of their years of dedication: a retirement clock, a framed Town seal, $200 worth of gift cards, and a departmental luncheon organized by the Director of Human Resources.

VI. Deferred Compensation

A. The Deferred Compensation Program is an individual income investment plan authorized by Section 457 of the Internal Revenue Code, which can be used as a supplement to retirement plans and Social Security

B. Eligibility:

1. Employees holding full-time positions are eligible to participate in the Deferred Compensation Program effective with the date of hire.
4. Employees eligible for a distribution from International Town/County Management Association (ICMA-RC) due to their age and retirement status are not eligible to contribute to the deferred compensation program as an active employee.

C. As a part of an overall benefits program, the Human Resource Department coordinates the Deferred Compensation Program. The Program is directly administered by the International Town/County Management Association Retirement Corporation (ICMA-RC), which is specifically organized to promote voluntary retirement plans for local government employees. Participant contributions are deducted on a pre-tax basis. Program participants have numerous investment choices from which to choose. All contributions remain with ICMA-RC until the funds are withdrawn in accordance with ICMA-RC guidelines upon separation from employment, retirement or death.

D. Program Guidelines:

1. Individual voluntary contributions to the employee's Deferred Compensation account shall be made by the employee through payroll deductions. Contributions must be at least $5.00 per pay period and may not exceed the maximum allowed by law.

2. Initial enrollment and changes in deductions shall be submitted to the Human Resource Department. A signed authorization form is required prior to actual deductions or changes.

3. ICMA-RC Responsibilities:

a. The ICMA-RC will assign an account manager to the Town of Abingdon who shall be accessible and periodically meet with employees.

b. ICMA-RC will provide general information and individual account information directly to employees.

The Director of Human Resources coordinates with the ICMA-RC account manager and provides routine information to participants about Deferred Compensation.

VII. Employee Assistance Program

A. The Town currently contracts with Highlands Community Services ("HCS") located in Abingdon, to provide an Employee Assistance Program (EAP) for its employees and their families.

B. Services:

1. Individual: The EAP is a service to help resolve personal problems that may be interfering with work performance or home life. Examples include marital and family conflict, drug and alcohol abuse, financial, emotional, career and employment concerns, and parenting issues.

2. Groups: HCS may work with workgroups directly, or provide intervention strategies as needed, to address issues contributing to poor working relationships or an ineffective work environment.

C. The staff of HCS is bound by contract with the Town and professional standards to keep all information, including visits, conversations, and employee information strictly confidential to the extent allowed by law. HCS will not acknowledge that an employee has contacted them, unless the employee provides written consent to do so or the employee was referred by the Town. When an employee is referred by management, HCS only advises the Town of the contact and whether or not the employee participates.

D. Procedures:

1. Employees or members of their families may self-refer and contact HCS directly. HCS can be contacted at (276) 525-1650. Supervisors may encourage employees to contact HCS or they may make a Supervisory Referral to HCS, as described below, if he or she believes that poor performance or inappropriate behavior is the result of personal problems.

2. Employees who test positively for drugs or alcohol under the Town's Drug Free Workplace Program may be referred to and required to meet with HCS.

3. Supervisors shall follow the procedures outlined below when making a Supervisory Referral:

a. Contact the Director of Human Resources to discuss the referral.

b. Complete the referral form and share with the employee in a face-to-face meeting.

c. If the employee accepts the referral, call HCS to set up an initial appointment.

d. Provide paid time off for the employee to attend the initial appointment with an HCS staff member. If subsequent appointments are needed, appropriate accrued leave shall be used.

e. Employees referred to HCS are expected to cooperate with recommendations and treatment plans. Failure to do so will result in appropriate management action as employees shall be held accountable for the behavior identified as the reasons for the supervisory referral.

f. If the employee refuses to meet with HCS, the Supervisor shall document such refusal and include it in the employee's official personnel file.

VII. Worker's Compensation Insurance

A. Virginia Municipal League provides Workers' Compensation benefits as mandated by law to all employees. The program provides compensation and medical payments in the event that an employee is unable to work due to a work-related illness or injury.

B. If an employee has an accident that arises out of and in the course of employment, the employee must report the accident to his/her Supervisor immediately. Failure to report the accident promptly may result in loss of compensation and payment of medical expenses.

C. The Virginia Workers' Compensation Act is administered by the Virginia Workers' Compensation Commission. The Town complies with all rules and regulations as set forth by the Commission regarding the handling of Workers' Compensation claims.

D. The following claim procedure must be strictly followed; otherwise it could result in the employee paying the cost of his/her medical treatment.

An injured employee must do the following:

1. Immediately report all accidents or occupational illnesses to his/her Supervisor.
2. Complete an accident/incident report for each and every occupational incident. (*See Form in Appendix)*
3. Select a physician from the Town's "Panel of Physicians" list.
4. Call Virginia Municipal League, toll-free at 877-234-0898, 24 hours a day/ 365 days a year. Please identify your member number as 095 for the Town of Abingdon, Virginia.

NOTE: If the employee does not use a physician from the Town's panel, the employee is financially responsible for any incurred medical expenses.

F. Employer Responsibilities:

1. The Human Resource Department, working with VML, oversees Workers' Compensation in compliance with the Workers' Compensation Act of Virginia.
2. When a work-related injury or illness also qualifies as a serious health condition under the Family Medical Leave Act (FMLA), absences will be designated as Family Medical Leave concurrent with Workers' Compensation.

IX. Return to Work Program

The Town is committed to providing a safe workplace and returning employees to productive work, as soon as possible, in the event of a work-related injury. The Director of Human Resources shall establish and maintain a return to work program that focuses on an injured employee's abilities rather than disabilities. If an employee sustains a work-related injury and he or she is not able to immediately return to regular duties, modified or transitional work will be identified as soon as possible. Human Resources, and the relevant department will work together to provide temporary modified work if possible.

X. Sick Bank Program:

Effective 01/01/2016 the sick bank program will be discontinued. The Town of Abingdon will utilize the Short Term Disability Program outlined below for any employees who need to take leave for a short-term illness or disability.

XI. Short Term Disability Program:

1. The town will provide a Short Term Disability program for its employees. The Short Term Disability program will consist of weekly benefits for up to 125 days (total) within the same fiscal year.
2. Eligibility:
   a. One-year waiting period for non-work related claims
   b. First day benefit for work-related claims
   c. **MUST** provide physicians certification outlining short term disability/illness

Days of Income Replacement: Non-Work Related Disability

Note: The Town of Abingdon will not pay short term disability benefits caused by, contributed by or resulting from a participant's commission of a felony/misdemeanor, nor does it cover disabilities incurred during any period where an employee is incarcerated.

Months of continuous Service with Town of Abingdon	Workdays at 100% Income Replacement	Workdays at 80% Income Replacement	Workdays at 60% Income Replacement
0-12	0	0	0
13-59	0	0	125
60-119	25	25	75
120-179	25	50	50
180 or more	25	75	25

Days of Income Replacement: Work-Related Disability

Months of continuous Service with Town of Abingdon	Workdays at 100% Income Replacement	Workdays at 80% Income Replacement	Workdays at 60% Income Replacement
Less than 60	0	0	125
61-119	85	25	15
120 or more	85	40	0

3. Taxes and other deductions will be automatically withheld from the employee's check for the benefit of the employee. This will prevent the employee from having to come in monthly to pay for any health insurance, optional life and/or any other deductions that are withdrawn from the employee's check.
4. The employee must complete the Short Term Disability application (page XX) and turn in (with supporting physician's certification) to their supervisor.
5. The Short Term Disability program will be administered by the Town through a committee comprised of the employee's Department head, Director of Human Resources and the Assistant Town Manager/Town Manager. The decision of the committee is final.
6. It is the responsibility of the employee to notify their supervisor of any change in condition. If any information requested by the Town is not provided by the employee, the Town reserves the right to cease the payment of benefits to the employee.
7. The employee must have exhausted all annual, sick and compensatory benefits before applying for Short Term Disability.
8. An employee with a Worker's Compensation claim pending is not eligible to receive Short Term Disability benefits.
9. Short term disability benefits end when the employee returns to work.
10. Short Term Disability will run concurrently (at the same time) as FMLA (Family Medical Leave Act) for employee related illness upon certification from the employee's physician.
11. Pregnancy – Up to six weeks of post-partum income replacement following a normal delivery or C-Section. (Must be a full time employee with the Town for a minimum of 1 year)*See table of benefits above.

Town of Abingdon
Short Term Disability
Application

Employee Name:	**SS#:**
Date of Birth:	**Department:**
Reason for absence:	
Employee Signature/Date	
Supervisor Signature/Date	
Town Manager Signature/Date	

Short-term disability is equivalent to a maximum 25 weeks (125 business days) in any one fiscal year. The employee will be paid according to the guidelines listed in the table outlined in the Short Term disability policy. The employee understands that FMLA will run concurrently with Short Term Disability for an employee's personal illness.
(See full policy on page 29 of the Town of Abingdon employee handbook.)

To be completed by Physician

Nature of short-term illness or disability:
Return to work date:

I hereby certify that the above named employee of the Town of Abingdon is totally unable to work due to the short-term illness or disability indicated above.

Physician's Signature/Date	
Print Name:	
Address:	

XII. Credit Union

The Town currently has three (3) credit unions to choose from:

Virginia Credit Union;
United Southeast Federal Credit Union; and
Eastman Credit Union

Each credit union offers various financial products to employees. None of the credit unions serving the Town receives any operational funding from the Town. The relationship with each credit union is based solely on providing employees with more options for their financial needs. All full-time employees and their immediate family members are eligible to become members of any of the credit unions. All employees may direct any questions about the credit unions to the Director of Human Resources.

XIII. Take Home Vehicles

1. In general, there is no absolute need for any Town employee to take a Town-owned vehicle home every evening. The decision to allow a Town employee to take a public vehicle home shall be based on a determination that allowing or requiring the vehicle to be taken home will be demonstrably beneficial to the delivery of services to the citizens through enhanced productivity or cost savings. The Town Manager shall have the final authority to determine if an employee may take a Town-owned vehicle home on a regular basis.
2. The objective of the take home vehicle policy is to ensure that public property, specifically vehicles, is used properly in the public interest and not to the personal advantage of Town employees.
3. Employees are not authorized to take home Town-owned vehicles except under the following circumstances:
   a. The employee is on twenty-four (24) hour call for emergency response where rapid or immediate response time is required.
   b. The employee is on stand-by and drives a vehicle specially equipped to fulfill a departmental mission.
   c. A determination has been made, and approved by the Town Manager, that allowing or requiring a vehicle to be taken home will be beneficial to the delivery of services to the citizens of Abingdon through enhanced productivity or cost savings.
   d. On a case by case basis, with Department head approval, to facilitate attendance at work functions at locations and/or times where it would be more convenient or more productive, to attend while proceeding to or from home without having to obtain a Town-owned vehicle from a central location (e.g., evening meetings, travel out of town, job site inspections). Such approval shall end when the specific reason for taking the vehicle home has passed.
   e. As stipulated in an agreement, pre-approved by the Town Manager.

f. With the approval of the Town Manager, employees previously allowed to take vehicles home prior to the implementation of this policy.

4. The use of a take home vehicle is subject to the following conditions:

a. There shall be no personal use of Town-owned vehicles unless such use is incidental and minimal, such as travel to or from lunch on the way to or from work, or during lunch break, if the errand requires only a minor deviation of one mile or less from the normal route traveled.

b. Individuals allowed to take home a Town-owned vehicle shall reside within the Town of Abingdon unless there is a clear demonstration of the value of allowing the vehicle to be taken out of the Town and such use is approved by the Town Manager.

c. There shall be an annual review of take home vehicles justified for emergency response to include the number of times the vehicle was actually used for emergency response after being taken home.

d. An employee utilizing a take home vehicle shall be taxed according to prescribed IRS rules and regulations for any compensatory benefits received from the use of a Town-owned vehicle. Any employee who does not elect to take a vehicle home or use it for any personal use will not receive a 1099.

e. Under no circumstances shall a spouse, dependent or any other person not employed by the Town be permitted to operate a take home vehicle. If a Town vehicle is involved in an accident, please contact the Director of Human Resources and the Abingdon Police Department. If a spouse or other person not employed by the Town is in the vehicle when an accident occurs, that person will not be covered by the Town's insurance.

f. Unless waived by the Town Manager, every take home vehicle shall have decals markings and other identification as prescribed for Town-owned vehicles.

XIV. Travel

Mileage Reimbursement

Mileage reimbursement rates are the current reimbursement rates set for the by the Internal Revenue Service.

https://www.irs.gov/Tax-Professionals/Standard-Mileage-Rates

Overnight Lodging

All requests for overnight lodging must be approved by the Town Manager, Assistant Town Manger, or Department Head prior to registering for a conference or training. Lodging, expenses are limited to the actual cost of the room; first consideration is given to the hotel hosting the event. Lodging will not be approved for events less than two hours travel time between the Town and the event site for single day events.

Meal Expenditures

Itemized receipts are required for all reimbursement of meal expenses and shall not exceed the per diem meal allowance: Daily and Partial Day Per Diem would simplify this using Department of Accounts Meals and Incidental Travel Expenses (M&IE) which is based off of the US General Services Administration rates.

http://www.doa.virginia.gov/Admin_Services/CAPP/CAPP_Topics/20335-2015.pdf#page=19

http://www.gsa.gov/portal/content/101518

http://www.gsa.gov/portal/category/100120

The weighted average for the State of Virginia rounded would be $62 per full day of travel and $46.50 per partial day (First and last day of travel)

- $10.00 Breakfast
- $15.00 Lunch
- $25.00 Dinner

If meal(s) cost is included with any convention, conference, training or seminar fees, then a meal expense for that meal(s) will not be reimbursed.

Receipts

Upon completion of travel, employees shall submit their itemized receipts with an expense report within five days.

Disallowed Expenses

- Lost or stolen articles
- Alcoholic beverages
- Damage to personal vehicles, clothing or other items
- Services to gain entry to a locked vehicle
- Movies charged to hotel bills
- All expenses related to personal negligence of the traveler such as fines (Fees) to change flights or excess baggage fees
- Entertainment expenses
- Travel insurance
- Towing charges
- Non-conference expenses for family, spouses and/or guests

The above list is NOT all inclusive. Travelers should use prudent judgment and remember that all travel expense accounts are open to the public.

Social Media Posting

It is highly recommended that Town employees avoid posting pictures to any social media site while they are traveling for the Town of Abingdon.

Accidents

Employees involved in an accident while traveling on business must promptly report the incident to his/her immediate supervisor. If personal injuries are involved, the employee must contact the employer's Workers' Compensation "Nurse on Call" at 1-877-243-0898 as soon as possible to explain the nature of the injuries.

A drug test may be required in any situation, depending on the circumstances of the accident. A drug test will be required immediately (same day) following the accident if the Town employee is found to be at fault for the accident.

If the employee is being treated for injuries, the drug test must be performed by the medical facility providing the treatment.

Automobile Repairs

The Town is not responsible for any automobile repairs to an employee's personal vehicle. If a Town owned vehicle needs repairs while the employee is on Town business, the employee must immediately contact their supervisor prior to having repairs made. The supervisor will advise the best course of action for that situation.

If the employee has tried unsuccessfully to reach their department head or supervisor and must make a decision, it is recommended that the employee either:

1) Leave the disabled vehicle in a secure location and contact someone to pick you up and return you to Abingdon **or**
2) Procure a rental vehicle for return trip to Abingdon

XV. Equipment Idling and Vehicle Policy

With the exception of police vehicles, all Town departments shall refrain from allowing vehicles to idle in one location for a period of time exceeding five (5) minutes. In the event that the driver of the vehicle is leaving the vehicle, he/she shall turn off the ignition until such time as he/she returns. This policy aims to reduce the impact of vehicle emissions by encouraging the application of sustainable principles to vehicular use.

Practicing anti-idling activities will reduce air pollution, promote energy conservation, reduce noise pollution, and will reduce wear and service needs of vehicles and equipment. Supervisors in each department will enforce this policy and counsel employees who do not follow the policy.

Further, each Department head within the structure of the Town government shall monitor and discourage use of vehicles to job sites which serve to transport single individuals to the same except upon rare instances. As an alternative, Department heads shall encourage the planning and arranging of vehicular transportation to take full advantage of ride/share, comprehensive and efficient planning of meetings and use of audio/video conferencing whenever possible and practical.

XVI. Coomes Recreation Center Membership:

The Town, in its sincere interest in the well being and actual health and wellness of its employees, extends free membership for the Coomes Recreation Center to its full and part time employees, employee's spouse and dependent children living in the home of the employee. The Town staff invites and encourages all employees to use this benefit towards improving and maintaining personal fitness and health. Town retirees shall have a lifetime membership to the Coomes Recreation Center.

XVII. Service Award Program:

This program recognizes employees based on five year service increments for his/her dedicated service to the Town of Abingdon. Employees currently receive a plaque from the Town Manager describing the number of years of service and a lapel pin with the years of service. This Service Award is presented at the beginning of the Town Council meeting for the month that the employee service award would have been

completed. This program will be continuing with different awards presented based on the years of service as additional items become available.

XVIII. Full Time Leave Benefits

A. **Annual Leave**: Annual leave is paid time off from work for vacation, recreation or other personal purposes.
   a. If an employee is hired before the 15th day of the month, he or she will receive both annual and sick leave allotments for that month. If an employee is hired after the 15th day of the month, no accrual will be given for that month.

Years (Months) of Service	Days Earned Each Year	Maximum # of Days that Can Be Accumulated
0-4 Years (0-59 Months)	12	24 (192 Hours)
5-9 Years (60-119 Months)	15	30 (240 Hours)
10-14 Years (120-179 Months)	18	36 (288 Hours)
15-19 Years (180-239 Months)	21	42 (336 Hours)
20 + Years (240 + Months)	24	48 (384 Hours)

1. **Maximum Accrual:** Total years of service for full-time annual leave accrual purposes shall be computed from the date of appointment or conversion to a full-time position. All employees are encouraged to take their accrued vacation time each year. However, if an employee does not take their vacation time, it will roll over to the next fiscal year. When vacation time is rolled over, it will be capped at the maximum hours allowed. ***Vacation hours will no longer roll over into the sick leave bank.*** If an employee has accrued maximum vacation time, they will not be able to accrue any additional vacation hours.
   Example: John has 20 years of service. John can accrue a maximum number of 384 hours. John does not take any vacation in 2015 and has 384 hours at the end of the year. John's 384 hours will rollover into 2016. John will not be able to accrue any more vacation hours because he has the maximum accrued hours in his vacation bank. Once John starts using his vacation hours, he will continue to accrue vacation time again, but cannot exceed his maximum 384 hours.
2. **Effect of Reassignment**: Promotion, demotion, transfers or reassignment does not affect the amount of accumulated annual leave.
3. **Separation of Employment:** Upon separation from employment, a full-time employee (or the employee's estate in case of the employee's death) will receive payment for a maximum of 100% of annual leave. A maximum payment of $5,000 for total accrued time (annual/sick) will be made with the balance to be paid out in keeping with normal pay periods until total amount accrued is fulfilled. Accrual of annual/sick time is discontinued upon separation of employment.
4. **Scheduling:** Annual leave is normally scheduled in advance with the approval of the Supervisor. Employees must comply with established departmental procedures regarding scheduling of annual leave such as completing appropriate leave request forms.
   a. Annual leave may be applied for using "Request for Leave" form directed to the Supervisor or Department head. Time off should be requested as far in advance as possible to ensure adequate coverage by the department.
   b. All approved leave requests must be forwarded to Payroll after Supervisor/Department head approval.
5. **Approval:** Approval of annual leave is at the discretion of the Supervisor and may be denied in situations necessary to keep an operation or shift adequately staffed or when an employee has been absent from work for

significant periods of time for other reasons. Employees may be called back to work from approved annual leave for valid reasons such as an emergency.

B. Sick Leave: Sick leave is paid time off that is normally used to cover an employee's absence for the reasons listed below:

- Employee's incapacity to work due to illness or injury
- Employee's medical and dental appointments
- Illness or injury of an employee's dependent family member that requires the employee's presence

For the purposes of sick leave usage, a dependent family member is defined as the employee's parent, spouse, child/stepchild or person for whom the employee has been appointed legal guardian.

1. **Maximum Accrual:** Total years of service for full-time sick leave accrual purposes shall be computed from the date of appointment or conversion to a full-time position. Sick leave accrual shall be at a rate of 8 hours (1 day) per month or 96 hours (12 days) per year. The maximum number of hours that can be accrued by any employee is 1,000* (with the exception of grandfathered employees)
2. ***Grandfathered Employees:** A grandfathered employee is an employee who has accrued 1,000 or more sick hours by 12/31/15. These employees will not lose any sick time, but will not accrue anymore unless they fall below the 1,000 hour sick leave maximum.
3. **Effect of Reassignment**: Promotion, demotion, transfers or reassignment does not affect the amount of accumulated sick leave.
4. **Separation of Employment**: Employees who separate employment with the Town of Abingdon via voluntary quit or retirement shall be paid at a rate of twenty-five percent (25%) of the value of their sick leave based upon the balance (up to 1,000 hours*) at the time of separation. If an employee is terminated from the Town of Abingdon, he/she will forfeit payment of any accrued sick leave.
5. **Payment of Sick Leave Balance:** Upon separation from employment, a full-time employee (or the employee's estate in case of the employee's death) will receive payment for a maximum of 25% of sick leave. A maximum payment of $5,000 for total accrued time (annual/sick) will be made with the balance to be paid out in keeping with normal pay periods until total amount accrued is fulfilled. Accrual of annual/sick time is discontinued upon separation of employment.
6. **Scheduling:** Sick leave should be scheduled in advance when possible. (i.e.: doctor's appointments) Otherwise, employees must comply with the established departmental procedures of notifying the supervisor prior to the start of the workday.
    a. All approved leave requests must be forwarded to Payroll after Supervisor/Department head approval.
7. **Medical Certification:** The Town may, at its discretion, require medical certification for any sick leave taken including medical certification indicating that the employee's presence is required for the incapacity of a dependent family member. Acceptable evidence of illness, injury or incapacity of the employee or family member is determined by the Department head.
8. **Abuse of Sick Leave:** When there is reason to believe that an employee is abusing sick leave privileges, such as a pattern of use that indicates an employee is not actually incapacitated, management action including requiring certification and/or disciplinary action may be taken. Examples of patterns that may indicate sick leave abuse include consistently using sick leave as it is accrued, consistently requesting sick leave on Friday's and/or Monday's, consistently requesting sick leave the day after payday, or similar behavior.

C. Leave without Pay: Occasionally, for various reasons, an employee may need to temporarily be released from the duties of his/her employment with the Town. All leave without pay requests must be approved prior to the leave being taken, and must be approved by the Town Manager. Whenever any employee

goes on Leave without Pay status, arrangements must be made for the employee to pay for any deductions that would normally come out of their paycheck.

If an employee fails to report to work promptly at the expiration of the approved leave period, the Town will assume the employee has resigned if no contact has been made with his/her department after three (3) consecutive days.

XIX. Funeral Leave

Funeral leave is leave with pay granted to employees holding full-time positions upon the death of a member of an employee's immediate family for the purpose of attending services, handling the affairs of the deceased or similar needs. For funeral leave, immediate family is defined as the employee's spouse, parent, spouse's parents, child, brother, sister, grandparent, grandchild, brother or sister in law, son or daughter in law, guardian, and equivalent step-relations.

A. Upon request, the Department head shall grant funeral leave for a period not to exceed three consecutive working days, or five consecutive working days in the event that the deceased resided in the same household as the employee. In the event of multiple deaths in the employee's immediate family, each death will be treated separately and funeral leave will be granted accordingly.

B. If more than the allotted number of days leave is required, or if leave is desired for a death other than the immediate family, time off may be granted at the discretion of the employee's Supervisor and charged to other appropriate paid leave.

XX. Holiday Leave

The Town of Abingdon observes the following paid holidays:

New Year's Day (January1st)
Lee Jackson Day (Friday before Martin Luther King Day)
Martin Luther King Day (3rd Monday in January)
President's Day (3rd Monday in February)
Memorial Day (last Monday in May)
Independence Day (July 4th)
Labor Day (first Monday in September)
Columbus Day (2nd Monday in October)
Veteran's Day (November 11th)
Thanksgiving Day (4th Thursday in November)
Day after Thanksgiving
Christmas Eve (December 24th)
Christmas Day (December 25th)

(*Note: Additional holidays may be approved by the Commonwealth of Virginia and observed by Town employees with Council and Town Manager approval)*

A. When the actual holiday falls on a Saturday, the Friday before the actual day shall be observed as the holiday; when the actual holiday falls on a Sunday, the Monday after the actual day shall be observed as the holiday. Occasionally, Christmas and Christmas Eve will fall such that the observation will not follow the normal pattern, in which case the appropriate two-day observation will be determined and publicized in advance. In addition to the above holidays, Town Council may declare other days to be designated as Town holidays.

B. Employees who work in operations which must be continuously maintained, regardless of holidays, shall use the actual calendar holiday, instead of the observed holiday for employees that are required to work on the actual holiday. For example, when December 25 (Christmas Day) falls on a Sunday, Monday, December 26 is the observed holiday for most employees. In this situation, December 25 is the actual calendar holiday and would be used as the holiday for designated personnel.

C. When an employee is required to work on a holiday, Holiday Leave accrues at a rate of one hour for each hour actually worked, during the regular work shift, up to 8 hours per holiday. At the department's discretion, an employee may be paid for these hours at the time they are earned, at their normal straight time rate, or the hours may be used to take time off on another day. Should an employee choose to take another day off in place of the holiday worked; it must be taken within the same month earned, within thirty (30) calendar days.

D. All employees will observe these holidays, except those employees on continuous operation (24 hours). In the event that any 24 hour employee is scheduled to work on a holiday during a normal 40 hour work week, the employee will be paid an additional eight (8) hours at the employee's regular rate of pay. If the holiday worked is in addition to a normal 40 hour work week, the employee will receive time and one-half compensation.

XXI. Other Absences with Pay

A. Court Service/Jury Duty: An employee who is required to perform jury duty or is subpoenaed to appear in court outside of his/her regular duties, except for the reasons included in item No. 2, shall be granted sufficient paid time off to perform such duties. When an employee is summoned to serve as a juror, subpoenaed as a witness or party in relation to the performance of his/her job or is involved as a witness to a crime, such time will qualify as "court service."

1. Court Service Procedures:

   a. An employee who is required to be absent from work because he or she has been summoned as a juror or subpoenaed as a witness must provide his/her Supervisor with a copy of the summons or subpoena as soon as it is received.

b. Upon returning to work after any absence for jury duty, the employee must provide the Supervisor with a certificate from the clerk of court that verifies the service.

2. Absences Due to Other Court Appearances: Employees must charge absences due to court appearances that are outside of the areas outlined above, or due to an employee's personal business involving court appearances, to appropriate paid leave (i.e., annual leave, personal leave, PTO compensatory time or adjusted hours). Some examples of situations which do not qualify as paid court service leave are:

a. Child support cases
b. Divorce proceedings
c. Automobile accidents which occur off the job
d. Civil court summons for non job related civil action
e. Employee charged with violating the law unrelated to their job

NOTE: Department heads, in conjunction with the Director of Human Resources, will determine the applicability of court service leave.

XXII. Military Leave

Military Leave is an employee's approved absence from work due to the performance of military duty on a commissioned or non-commissioned status; on a voluntary or involuntary basis in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, funeral honors duty by National Guard or reserve members, or for an examination to determine a person's fitness for any of the above forms of duty.

A. Employees shall notify their Supervisor immediately, in writing, when they learn of an upcoming need for military leave, and shall provide a copy of the official military orders as soon as possible. The Supervisor should in turn notify the Director of Human Resources and the appropriate Department head.

B. The Supervisor or department head should then inform the Director of Human Resources.

C. In accordance with state law, there shall be no loss of regular pay during military leaves of absence, except that paid leaves of absence for federally funded military duty, to include training duty, shall not exceed fifteen (15) work days per federal fiscal year (October 1 – September 30) and except that no officers or employees shall receive paid leave for more than fifteen (15) work days per federally funded tour of active military duty.

D. For the purposes of paid military leave, a "workday" is defined as 1/260 of the total working hours an employee would be scheduled to work during an entire federal fiscal year (which totals to eight (8) hours). For full-time employees, 15 "workdays" equals 120 hours per year. Weekends are included to the extent that they are part of an employee's regularly scheduled work time. Whenever possible, employees shall try to schedule their military leave at times that have the least impact on the departments' service delivery needs.

E. Employees may take additional types of appropriate paid leave when paid Military Leave is exhausted.

1. An employee whose absence does not exceed five (5) years and is released from service under honorable conditions is eligible for reemployment rights and employment benefits as described under the "Uniformed Services Employment and Reemployment Rights Act of 1994."

XXIII. Work-Related Injury Leave

Such time off without loss of pay or charge to leave shall end at the close of business on the seventh (7th) calendar day. The absence may be covered by Workers' Compensation, if the employee is unable to work after seven (7) calendar days. *(Refer to Workers' Compensation policies for more information)*

XXIV. Administrative Leave with Pay

At the discretion of the Town Manager, an employee may be granted paid time off for a variety of purposes such as employee recognition or reward. In addition, the Town Manager may approve, pending the results of official investigations, pending disciplinary action or other circumstances where the Department head determines that the employee's absence from work is in the best interest of the Town.

XXV. Family and Medical Leave

In accordance with the provisions of the Family and Medical Leave Act (FLMA), as amended, eligible employees are entitled to take up to twelve (12) weeks of job-protected leave during any twelve (12) month period for specified family and medical reasons. The employee, Supervisor(s) and Director of Human Resources shall engage in interactive discussions about the need for FMLA, to coordinate absences, and related matters.

A. Covered Family and Medical Reasons:

1. The birth of the employee's child or the placement of a child with the employee for adoption or foster care.
2. To care for an immediate family member (spouse, child or parent) with a serious health condition.
3. To take medical leave when the employee is unable to work because of a serious health condition.
4. Because of any qualifying exigency as defined below and in applicable Federal regulations arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on active duty in the National Guard or Reserves in support of a contingency operation.

5. To care for a military family member injured in the line of duty.

B. If the employee has accrued paid leave, the employee must exhaust all appropriate paid leave first, as part of the leave required by the FMLA.

C. Serious Health Condition: An illness, injury, impairment or physical or mental condition that involved either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents an employee from performing the functions of the employee's job or prevents an employee's qualified family member from participating in school or other daily activities.

D. Employee Eligibility for FMLA:

1. The employee has worked for at least twelve (12) months for the Town. If the employee was on the payroll for part of a week, the Town will count the entire week. The Town considers 52 weeks to be equal to twelve (12) months.
2. The employee has worked for the Town at least 1250 hours over the previous twelve (12) months before the leave would begin, not including paid or unpaid leave.
3. When both spouses are employed by the Town, they are jointly entitled to a combined total of twelve (12) work weeks of family leave for the birth or placement with the employee of a child for adoption or foster care, and to care for a parent who has a serious health condition.

E. Calculation of Leave: Eligible employees can use up to twelve (12) weeks of the FMLA leave described above during any twelve (12) month period. The Town will use a rolling twelve (12) month period measured backward from the date an employee uses FLMA leave. Each time an employee uses leave, the Town computes the amount of leave the employee has taken under this policy, subtracts it from the twelve (12) weeks, and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken five (5) weeks of leave in the past twelve (12) months, he or she could only take an additional seven (7) weeks under this policy.

F. Maintenance of Benefits:

1. Employees on unpaid leave, which is designated as FMLA leave, will continue to receive, if eligible, health, and life insurance benefits up to the maximum twelve (12) work weeks allowed. These benefits will continue on the same basis as an active employee during this twelve (12) week period.
2. The employee must make arrangements to pay applicable health costs for dependents. Those on unpaid leave must also make arrangements to continue other deductions, such as optional life insurance premiums.
3. If the employee informs the Town that he/she does not intend to return to work at the end of the leave period, the employee's rights to any health care benefits will be only to the extent

provided for by the then current health care plan, if any, provided by the Town for its employees.

4. If the employee chooses not to return to work for reasons other than a continued serious health condition, the Town will require the employee to reimburse the Town the amount the Town contributed towards the employee health insurance during the leave period.
5. Annual and sick leave will not accrue during the Family Medical Leave Act. The use of family or medical leave will not be considered a break in service for vesting or benefits program purposes.

G. Job Restoration:

1. An employee who uses family or medical leave under this policy will be restored to the same job or a job with equivalent status, pay, benefits and other employment terms.
2. Departments will communicate with the Director of Human Resources prior to any employee going out on Family Medical Leave Act. The Director of Human Resources will send out the appropriate notifications of Family Medical Leave Act to employees.
3. Departments will maintain appropriate information, including the dates that each employee has taken FMLA leave; the number of hours of FMLA leave taken by each employee and records of any disputes between the employer and any employee over the designation of leave as FMLA leave. To track FMLA leave hours, Payroll will use the appropriate hours' codes when processing payroll to have the leave designated as FMLA leave.

H. Employee Responsibilities:

1. While on FMLA leave, employees are required to keep their Supervisor informed regarding their status and their intent to return to work.
2. Employees are required to give at least two (2) business days notice if their anticipated date of return to work changes.
3. Employees may be required to provide a Fitness for Duty certification from their medical professional prior to their return to work. Notice of this requirement will be given with the Designation Notice.
4. Policies regarding Maintenance of Benefits, Job Restoration, Use of Paid and Unpaid Leave, and Intermittent Leave and Reduced Work Schedules are the same as FMLA leave.

4. Workforce Development

I. Workforce Development

A. The Town supports on-going employee development with the goal of providing learning opportunities that change behavior, enable employees to meet the Town's current and future needs, and improve employee job satisfaction. The Human Resource Department develops and/or presents a variety of training opportunities that enhance employee development.

The following operating principles are used as primary guidance in developing and maintaining training and workforce development programs:

B. The Workforce Development Program for the Town of Abingdon:

1. Establishes and relies on a partnership for responsible, relevant learning between the employee, his/her Supervisor, and management.
2. Relies on participatory program development utilizing the skills and competencies of all employees to develop curricula, workshops, and classes.
3. Closes gaps between employee skill level and the employee's ability to effectively deliver services.
4. Supports attainment of employees' individual goals.
5. Identifies the return on investment for employees and the organization.
6. Integrates learning experiences with day-to-day job responsibilities.
7. Presents a variety of integrated, developmental learning opportunities for all employees.

II. Employee Recognition

A. Through meaningful employee recognition programs the Town acknowledges individual behaviors that support the organization's vision, mission and values. Formal and informal employee recognition is one of the most effective ways to reinforce the Town's customer service value, support its service objectives, and retain top performers.

B. A variety of employee recognition programs such as outstanding customer service awards, awards for generating tangible cost savings, length of service awards or similar awards program shall be developed, implemented and maintained by Town management.

5. Employee Responsibilities

I. Code of Conduct

Effective service to the citizens relies upon employees and management working together. Individual responsibility is critical to maintaining an effective partnership. The following information outlines the guidelines for employee behavior and the procedures for addressing problems that might arise. These guidelines support the Town's core value of

personal responsibility, i.e., taking ownership and accepting the consequences of individual actions.

A. The Town, through Town Council, requires that employees follow a code of conduct reflecting the highest ethical standards and promoting public confidence in Town government.

B. This code of conduct is established for all employees. The code shall be operative in all instances covered by its provisions, except when superseded by an applicable statutory or charter provision and statutory or charter action is mandatory, or when the application of a statutory or charter provision is discretionary, but determined to be more appropriate or desirable.

C. The effective operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policies are made through the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. The purpose of this code is to establish standards of ethical conduct for employees by setting forth those acts or actions that are incompatible with the best interests of the Town.

D. Responsibilities of Public Office: Municipal employees are agents of the citizens and are entrusted to pursue the public good at all times. As such, they are bound to uphold the Constitution of the Commonwealth of Virginia and to carry out impartially the laws of the nation, state and municipality and foster respect for all government. They are bound to observe, in their official acts, the highest ethical standards and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern.

E. Dedicated Service: All Town of Abingdon employees are expected to be loyal to the objectives expressed by the electorate through the Town Council. Employees shall adhere to the rules of work and performance established as the standard for their positions. Employees shall not exceed their authority, breach the law or ask others to do so, and shall work in full cooperation with other employees, unless prohibited from so doing by law or by officially recognized confidentiality concerns.

F. Fair and Equal Treatment:

1. No employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
2. No employee shall use or permit the use of Town-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such employee in the conduct of official business.

G. Conflict of Interest: As provided in Title 2.2 of the Code of Virginia (The Virginia Conflict of Interests Act), no employee shall engage in any private financial or other interest which might impact the performance of his/her official duties. Employees are also bound by the additional guidance outlined below:

1. Incompatible Employment: No employee shall engage in, or accept, other employment or render services for private interests, when such employment or service is incompatible with the proper discharge of his/her official duties or would impair his/her independent judgment or action in the performance of his/her official duties. With management's approval, employees may engage in other employment that does not interfere with or present a conflict of interest with Town employment.
2. Disclosure of Confidential Information: No employee shall, without proper authorization, disclose confidential information concerning the property, government, or affairs of the Town, which would advance the financial or other special interest of him/her self or others.
3. Gifts and Favors: No employee shall accept any gift or favor, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation, intended to, or which may, influence him/her in the discharge of his/her duties.
4. Representing Private Interests before Town Agencies or Courts: No employee shall represent his/her own or any other private interest before any agency of the Town, unless he/she is doing so as a member of a civic organization or is speaking on an issue of general public interest.

H. Political Activity:

1. Town employees may participate in political activities while they are off duty, out of uniform and not on the premises of their employment with the Town.
2. For the purpose of this policy, the term "political activities" includes, but is not limited to: "Voting; registering to vote; soliciting votes or endorsements on behalf of a political candidate or political campaign; expressing opinions, privately or publicly, on political subjects and candidates; displaying a political picture, sign, sticker, badge or button; participating in the activities of, or contributing financially to, a political party, candidate or campaign or an organization that supports a political candidate or campaign; attending or participating in a political convention, caucus, rally or other political gathering; initiating, circulating or signing a political petition; engaging in fundraising activities for any political party, candidate or campaign; acting as a recorder, watcher, challenger or similar officer at the polls on behalf of a political party, candidate or campaign; or becoming a political candidate." (VA State Code Title 15.2-1512.2)

3. The components of this section are designed to promote public trust and confidence in Town government by ensuring that it is free of the actual or apparent influence of partisan politics and that employment and advancement in the Town are based upon meritorious performance rather than political service or affiliation. In addition, it protects every employee's right to vote and to keep this right free from interference, solicitation or dictation by any fellow employee, Supervisor or officer.
4. Every employee is encouraged to vote in every appropriate election. Moreover, except during working hours or when officially representing the Town of Abingdon, any municipal employee is free to express his/her opinion as to candidates or issues and to meet with candidates for office.
5. Employees may be candidates for political office but must resign, or shall be released, from employment with the Town upon successful election to political office within the Town of Abingdon or other political office if the responsibilities of that office will interfere with the employee's ability to perform the duties of his/her position with the Town.
6. Under no circumstances shall an employee engage in political activities while performing the official duties of his/her Town position, use any Town property or equipment to engage in political activity or to appear as a candidate while dressed in Town uniforms or clothing that identifies the individual as a Town employee. This prohibition shall not apply to an employee registering to vote or voting.
7. No employee shall use the prestige of his/her position on behalf of any political organization or party. For purposes of this Code of Conduct, a "political organization" shall be defined as "any group, formal or informal, which endorses candidates for elective office at any level of government—national, state or local."
8. No employee shall use his/her official authority to coerce or attempt to coerce a subordinate employee to pay, lend or contribute anything of value to a political party, candidate or campaign, or to discriminate against any employee or applicant for employment based upon political affiliations or political activities.
9. Employees are prohibited from discriminating in the provision of Town services or responding to requests for services, on the basis of the political affiliations or political activities of the person or organization for which such services are provided or requested.
10. Employees are prohibited from suggesting or implying that the Town has officially endorsed a political party, candidate or campaign.

I. Consequences of Violation: Violation of any section of this policy may constitute a cause for disciplinary action up to, and including, dismissal.

II. Work Rules

To ensure orderly operations and provide the best possible work environment, the Town expects its employees to follow rules of conduct that will protect the interests and safety of all employees.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

a. Theft or inappropriate removal or possession of property;
b. Falsification of timekeeping record;
c. Working under the influence of alcohol or illegal drugs;
d. Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment.
e. Fighting or threatening violence in the workplace;
f. Boisterous or disruptive activity and "horseplay" in the workplace;
g. Negligence or improper conduct leading to damage of employer-owned or customer- owned property;
h. Insubordination or other disrespectful conduct;
i. Violation of safety, traffic (state statutes or local ordinance) or health rules;
j. Smoking on Town property, in Town buildings or automobiles;
k. Sexual or other unlawful or unwelcome harassment;
l. Engaging in sexual relations;
m. Sleeping on job;
n. Unauthorized possession of dangerous materials in the workplace, including but not limited to, explosives or firearms;
o. Excessive absenteeism or any absence without notice;
p. Unauthorized absence from work station during the workday;
q. Unauthorized use of telephones, mail system, or other employer-owned equipment;
r. Unauthorized disclosure of business "secrets" or confidential information;
s. Violation of personnel policies;
t. Unsatisfactory performance or conduct;
u. Places the reputation and trustworthiness of the Town in doubt in any way;
v. Creates a hostile work environment by any means; and
w. Engaging in or being charged with and/or convicted of any criminal activity. Criminal charges may pose detrimental effects upon employment status. The nature of the charges, the potential impact upon the Town as employer and the apparent likelihood that the employee did, in fact, commit the act are typical elements that factor into the ultimate employment determination.

III. Suspected Theft and Fraudulent Transactions

A. Fraud is an act which is characterized by deceit, concealment, or violation of trust perpetrated to obtain money, property or services, to avoid payment or loss of services or to secure personal or business advantage or other benefit. The Town Manager typically investigates suspicions of significant theft and/or fraudulent transactions when there is no clear evidence of wrongdoing or the person responsible for it.

B. An employee who has knowledge of an occurrence of work-related fraud, or has reason to suspect that a fraudulent action has occurred at work, shall notify his/her Department head or the Town Manager as soon as possible and shall not discuss the alleged fraud with others. Upon receipt of an allegation, the Town Manager will notify appropriate authorities, develop an action plan and coordinate all investigative processes.

C. Confidentiality is critically important in handling fraud allegations. All participants shall keep the details and results of the investigation, as well as the identities of involved employees, confidential to the extent permitted by law. Information will only be shared on a need to know basis. The alleged fraud and investigation shall not be discussed with the media, other than through the Town Manager's Office or other designated media contact. If the investigation concludes that the allegations of fraudulent activity by an employee are founded, the employee will be subject to disciplinary action and/or legal action.

D. Retaliation against individuals reporting suspected fraud or for cooperating, giving testimony, or participating in any manner in an investigation, proceeding, or hearing is unacceptable and will not be tolerated. However, such protection shall not condone unfounded or vindictive accusation of others.

IV. Secondary Employment

A. To minimize the potential for conflict of interest, the Town discourages secondary employment. An employee who wishes to engage in secondary employment shall discuss such employment with his/her Supervisor and obtain approval from the Town Manager before accepting a position outside of Town employment. Permission to engage in outside employment is at the discretion of the Town Manager, so long as it does not involve a conflict of interest.

B. In the event that previously approved outside employment interferes with the employee's performance, attendance, timeliness or ability to work overtime or emergency hours, the employee may be required to discontinue it or resign from his/her Town position.

C. An employee holding approved outside employment is normally restricted from working the secondary employment on days he or she is on paid leave or Leave Without Pay due to the employee's own illness or injury.

D. Employees who have another job at the time they begin working for the Town must notify their Supervisor of such employment on the date of hire.

V. Working Hours, Punctuality, and Attendance

A. Each department determines the assigned shift and hours worked for the employees within the department. Every employee is expected to be on the job during all hours as assigned. Some type of properly authorized leave, holiday or appropriate flex time must cover time away from duty during regularly scheduled work hours. Cumulative, excessive absences, even if absences have been approved individually, may lead to employment action up to, and including, dismissal. If an employee must be absent, or late, he or she must notify

the Supervisor in advance of the scheduled working time whenever possible. When requesting leave or reporting an absence, the employee must make every effort available to personally contact the Supervisor. Failure to give proper notice of absence or provide a reason for absence unacceptable to the Supervisor will result in an unauthorized absence.

B. Individual departments may have specific requirements regarding advance notice of an intended absence or tardiness; employees shall check with their Supervisor if they have any questions regarding how absence or tardiness is handled within their department. To the extent any provision in this policy would cause an exempt employee under the Fair Labor Standards Act to lose their exempt status, such policy shall not apply.

VI. Discipline

A. In most circumstances, employees perform as expected and demonstrate conduct that reflects credit upon themselves, their co-workers and the Town of Abingdon. When employees fail to conduct themselves in such a manner, it may become necessary to formally intervene to correct the behavior or end the employment relationship.

B. Employees holding full-time and part-time positions, who have completed their initial employment period, are governed by this policy. This policy provides guidance for effective problem resolution and, as such, it may be applied to employees within the initial employment period and those holding temporary positions, at the discretion of the Department head.

C. The overall objective of this policy is to develop and implement solutions to problems as quickly and effectively as possible, so that attention is focused on providing quality service to the citizens and creating a positive work environment for all.

D. Expectations: The Town expects and anticipates that employees will be personally responsible for their behavior but recognizes that, on occasion, it may be necessary to take action to correct inappropriate behavior. Maintaining effective working relationships requires all employees to be aware of and abide by the Code of Conduct, Town Policies and departmental rules and regulations. As far as possible, the Town seeks to remedy underlying causes of problems through such means as counseling, mediation and training.

E. The Town distinguishes between misconduct and unsatisfactory performance (with the exception of acts of gross negligence) by defining unsatisfactory performance as the inability to meet performance expectations due to lack of skills, training, education or other similar circumstances. Unsatisfactory performance is typically addressed through the Town's performance management guide which identifies the specific actions required when an employee demonstrates overall unsatisfactory performance. Misconduct is generally defined as intentional and/or willful disregard for the Town's standards of conduct and/or departmental rules. Employee misconduct is typically addressed through a progressive discipline system.

F. Pre-Disciplinary Actions: It is the Town's intent to resolve problems as quickly and effectively as possible. Therefore, prior to implementing disciplinary action, informal verbal notices and discussions such as counseling and performance guidance sessions may be used to inform an employee that a problem exists and to discuss expected corrective actions.

G. Alternative Actions: In addition to the traditional disciplinary process outlined below, alternative strategies such as individual corrective action plans, discipline without punishment, peer mentoring, mediation, conflict resolution, negotiated separation agreements or demotions may be used on a case-by-case basis, when the alternate strategy best serves the Town's interest and is most likely to solve problems in the least negative and most cost effective way. The Human Resource Department is familiar with a variety of alternative actions and is available to provide advice and guidance.

H. Progressive Discipline: In general, the Town follows a progressive discipline approach, establishing a set of guidelines rather than fixed disciplinary requirements. Progressive discipline encourages employees to become more productive and to conform with behavior to Town expectations and standards. In most cases, an employee will have the opportunity to correct problems before more serious disciplinary actions are necessary. The level of disciplinary action is dependent upon the unacceptable behavior and the circumstances surrounding the behavior. Accordingly, it is not necessary that a progression of disciplinary actions, from less stringent to more stringent, be followed. The Town reserves the right to administer disciplinary action appropriate to the behavior and will take into account the overall situation before decisions are made.

I. Disciplinary Actions: The following actions describe the disciplinary system established as a means to address employee misconduct. Supervisors and department heads may use these guidelines or may elect to use the alternate strategies as listed above as appropriate. The Human Resource Department shall provide assistance to Supervisors, managers and employees in developing approaches to problems which first and foremost serve the Town's interest and also meet the overall policy objective.

1. Warning: A formal conference between a Supervisor or manager and an employee to discuss an incident of misconduct and the corrective action expected. The manager shall document the warning in writing, provide a copy to the employee and maintain the documentation within the department.
2. Reprimand: A letter or other written notice from a Supervisor or manager to an employee identifying uncorrected misconduct. Such letters are used for behavior or violations deemed serious by a Supervisor or where a warning has not helped to change the unacceptable behavior. A copy of such reprimand shall be made a part of the employee's official personnel file maintained by the Human Resource Department.

3. Suspension: Formal action by a Department head that places an employee in non-pay, non-duty status for a specific length of time, expressed in working days. Suspensions from duty and pay for employees exempt from the Fair Labor Standards Act (FLSA) typically must be in full workweek increments. Suspension seriously impacts departmental productivity and the employee's pay and shall only be imposed when a lesser penalty is not appropriate or has not helped to correct the unacceptable behavior and when dismissal is too stringent.

4. Dismissal: An action taken by a Department head to separate an employee from employment for cause, as a last resort, when serious misconduct remains uncorrected or when initial misconduct is so significant that the employment relationship must end.

J. Resignation while charges are pending to dismiss: An employee who wishes to resign from his/her position during the dismissal process may request to do so by submitting a letter of resignation to the Department head. The Department head may accept the resignation, or choose not to accept the resignation, and proceed with the dismissal. If a resignation is accepted in lieu of dismissal, appropriate documentation to that effect shall be included in the employee's official personnel file. The Department head may elect to include additional information at his/her discretion.

K. Separations due to misconduct during the initial employment period: In the case of dismissals which take place during the employee's initial employment period, progressive discipline is not required. In these cases, the department head shall issue a letter notifying the employee of the separation and giving the reason(s) for the action.

L. Establishing the Penalty: The following information contains guidelines that assist a Supervisor and/or Department head in setting a penalty. Disciplinary action is at the discretion of the Supervisor and/or Department head and failure to follow these guidelines does not invalidate the action taken. An effective process for determining a disciplinary penalty includes the following:

1. Collect the relevant facts.
2. Consider the nature, seriousness and consequences of the problem or infraction.
3. Examine issues such as mitigating circumstances and the possibility of genuine misunderstanding on the employee's part.
4. Consider the employee's past employment record, including length of service, and performance levels.
5. Discuss the situation with Human Resources.

M. Situations which show a need for more serious actions may include behavior that jeopardizes the employee's safety or the safety of others, previous offenses, including the nature and recentness, and the impact

of misconduct, gross negligence and/or disruptive behavior on both productivity and employee morale. Cumulative unrelated offenses may also indicate a need for more serious corrective action.

N. Supervisors may consider a variety of factors prior to initiating disciplinary action:

1. Has the employee been provided with adequate training, clear performance expectations and clear information as to the standards of conduct, guidelines and departmental rules?
2. Are the standards of employee conduct and rules being applied fairly and consistently? Have other employees, demonstrating similar behavior or violating similar rules, been treated consistently?
3. Have written records been maintained of previous counseling or reprimands? Has the employee been able to tell his/her side of the situation?

O. Procedures: Authority to initiate the disciplinary actions of warning and reprimands shall normally be delegated to first line Supervisors, subject to review and approval by the established chain of command within a department, including the Department head. The more serious actions of suspension or dismissal, shall be coordinated and signed by the Department head and require notification of and endorsement by the Town Manager's Office and the Human Resource Department prior to issuance. The Human Resource Department will consult with the Town Attorney's Office regarding such actions on an as needed basis.

1. Incidents sometime occur which are of such a dangerous or serious nature that immediate corrective action must be taken. Such cases generally involve real or potential hazards to life and/or property or significant disruption of the Town's mission. In these cases an employee may be immediately suspended from duty for the purpose of removing the employee from the work area. The Supervisor must advise the department head of the situation as soon as possible after the incident takes place. Except in cases of significant safety violations, the employee's absence is charged to administrative leave with pay until such time as an investigation is completed and the employee is notified of any action to be taken by management as a result of the incident, such as a fitness for duty exam, disciplinary action or further investigation. Where inappropriate behavior or actions are believed to be illegal, the department head should notify the appropriate law enforcement agency and the Town Attorney.
2. In all cases, misconduct shall be carefully documented and written actions shall clearly articulate the situation giving rise to the disciplinary action. At a minimum, the written disciplinary actions must state the specific action being taken, such as written reprimand, suspension or dismissal, and contain the following information:

a. What the employee did: Establish a proper factual foundation. Clearly state the specific conduct deemed unacceptable, describing the conduct in complete and explicit terms using plain language. Include dates, names, places, events, witnesses, etc.

b. How the behavior violated an expectation or rule: Include the rule, expectation or standard relating to the behavior. It may be necessary to translate the problem into a recognized expectation, especially when the unacceptable conduct is not tied directly to written expectations, such as poor professional judgment, job carelessness or disruptive behavior. Include reference to previous instances of unacceptable behavior, if any.

c. What the impact of the employee's behavior was on the unit, division or department: Cite the adverse effect of the employee's conduct on departmental or Town operations and other persons, especially where negative public notoriety occurs. Include effects such as real or potential damage to Town property, real or potential harm to citizens or co-workers or real or potential liabilities.

d. What the employee must to do to correct behavior: Provide specific suggestions and/or directives for the employee to correct the behavior. Outline directions on the proper behavior, or level of conduct, expected to be followed in the future. Be clear and unequivocal; include the effective timeline and the consequence if the employee fails to satisfactorily correct the behavior - what will happen if there is not acceptable improvement? Identify any assistance that the employee may receive such as additional training.

e. What the employee's rights are concerning the action: The employee has a right to receive a copy of any documents that could lead to an adverse action prior to it being placed in the personnel file(s). The employee may respond in writing to the action and have that response included in the personnel file(s). Include that the written action will be placed in the employee's personnel file(s) and that the employee may grieve the disciplinary action, if eligible, in accordance with the Town of Abingdon Grievance Procedure.

3. Actions Required for Suspension: Suspensions shall be expressed in working days and shall place the employee in non-pay, non-duty status. A face to face meeting between the employee and the appropriate manager shall take place and the employee shall receive written notice of the intent to suspend, including the reasons for the proposed suspension in advance of the proposed suspension. Employees shall be given an opportunity to respond either verbally or in writing to show-cause why the action should not be taken. The employee's response to the intended action does not constitute a grievance. The employee may be eligible to file a grievance should the

action take place. The employee shall receive a letter of final determination at least 24 hours prior to the onset of the suspension.

4. Actions Required for Dismissal: A face to face meeting between the employee and the Department head, or designee, shall take place (except in rare instances when a meeting is not possible) and the employee shall receive written notice of the intent to dismiss, including the reasons for the proposed dismissal, in advance of the proposed dismissal. In cases where the Department head feels the employee's continued presence on the job during the notice period represents a hazard to employee or others, adversely affects service delivery, morale or the image of the Town, the employee may be suspended from duty and placed on administrative leave, typically with pay, pending the proposed dismissal. The employee shall be given the opportunity to respond either verbally or in writing to show cause why the action should not be taken. The employee's response to the intended action does not constitute a grievance. The employee may be eligible to grieve should the action take place. The employee shall receive a letter of final determination at least 24 hours prior to the effective date of dismissal.

   Example: A Department head completes an investigation and determines the intent to dismiss an employee for major misconduct. About five days prior to the date of dismissal, the director, or designee, meets with the employee and provides the reasons for the intended dismissal. The employee is given a reasonable amount of time, usually 1-3 days, to respond to the reasons and provide information as to why he or she should not be dismissed. The director considers the response and makes a final determination to dismiss or take another action in lieu of dismissal.

   The director does not have to wait a full five days if the employee's response is completed within a shorter timeframe. The director provides the employee a written determination at least 24 hours prior to the actual dismissal.

5. Inappropriate Conduct: Behavior and conduct unacceptable for Town employees are listed. The list is divided into two sections, neither of which is all-inclusive nor in order of severity, but which are intended as guidelines to help Supervisors, managers and Department heads administer discipline in a fair and consistent manner. The specific circumstances of each case shall be considered prior to determining appropriate action.

   a. Examples of Less Serious Infractions: The following infractions include, but are not limited to, examples of those typically addressed through the use of the progressive disciplinary system or an alternative strategy.

      i. Rudeness, in person or on the telephone, to the public or co-workers.
      ii. Careless workmanship or negligence of a minor nature.
      iii. Careless use of Town property resulting in possible or actual damage.

iv. Failure to observe safety practices including failure to use safety equipment such as eye protection devices or safety shoes.
v. First instances of tardiness or absenteeism.
vi. Absence from the work station or department without permission.
vii. Horseplay, pranks or non-work related activities during working hours.
viii. Inappropriate, obscene or abusive language.
ix. Inappropriate use of a Town owned or leased vehicle including conviction of a minor moving violation.
x. Delay or failure to carry out assigned work or instructions in a reasonable period of time.
xi. Conduct having an adverse effect on the Town's interest or on the confidence of the public in Town government that does not result in serious consequences.
xii. Inappropriate use of electronic equipment or systems including the Intranet, Internet or e-mail systems.

b. Examples of More Serious Infractions: The following infractions include, but are not limited to, examples of those typically so significant, disruptive or dangerous that they may require action outside of the progressive disciplinary system such as immediate suspension or dismissal.

i. Insubordination or refusal to follow legitimate instructions of a Supervisor.
ii. Gross negligence.
iii. Unauthorized use of Town documents, records or confidential information.
iv. Secretive or surreptitious audio or video recording of any other Town employee, Supervisor or manager without proper authorization from an employee's Supervisor or manager.
v. Making public statements or Internet postings that interfere with the Town's ability to provide effective and efficient services to the public.
vi. Willful failure to fulfill the responsibilities of the job to an extent that it might or does cause injury to person or substantial damage to or loss of product, machinery, equipment, facilities, or other property or other harm.
vii. Chronic or habitual absenteeism, being away from the workplace, or unexcused tardiness.
viii. Major violation or disregard of established safety rules.
ix. Dishonesty, deliberate misrepresentation, falsification or concealment of a material fact in connection with any official document.
x. Theft, actual or attempted.
xi. Threatened or actual physical violence or verbal abuse.
xii. Use, possession, or being under the influence of alcohol or drugs, during work time except medication prescribed by a doctor and taken in accordance with his/her instructions.
xiii. Disorderly or immoral conduct while on Town premises or on Town business.
xiv. Sleeping on the job (except in the case of employees assigned to 24-hour shifts).
xv. Off duty misconduct of such major import that the employee is unable to fulfill job responsibilities or of such significance that there is an adverse effect upon the Town operations.
xvi. Violation of the Town "Code of Conduct."
xvii. Sexual, racial, or any other form of harassment.
xviii. Criminal or illegal activity that adversely affects the safe and effective operation of Town business.
xix. Use of Town property for personal benefit.
xx. Violation of other major Town policies.

VII. Grievance Procedure

Policy Statement: The Town of Abingdon desires to resolve employee complaints and grievances in a fair and equitable manner. If the department supervisor cannot resolve employee complaints, then the Employee has the Grievance Procedure to use, to resolve the problem.

Employees whose grievance result from work situations deserve, and have the right to submit grievances for orderly resolution with complete freedom from discrimination, coercion, recrimination, restraint, or reprisal. The resolution of grievances promotes more effective employer-employee relationships and is in the best mutual interests of all affected parties.

Coverage: The provisions of this procedure shall apply to all Town employees, and Department Heads. Also excluded from this procedure are sworn police officers whose grievance procedure will be covered separately because it falls under *Title 2.2, Chapter 3002 of the Code of Virginia.*

Determination of Grievability: The grievance procedure is not intended to limit or modify the existing rights of the Town Management in any of the following areas: (a) directing the work of employees; (b) personnel selection; (c) maintaining the efficiency of the Town operations; (d) relieving employees from duties of the Town in emergencies; and (e) determining the methods, means, and personnel required to carry on Town operations.

Whenever a Department Head becomes aware that a grievance has been submitted in writing, he/she shall forward a copy of the grievance to the Town Manager along with a request that the Town Manager decide whether the matter is grievable. In addition, the grievant may request from the Town Manager a determination of grievability. The Town Manager shall decide, within five (5) working days of the request, whether the matter is grievable. A copy of the decision shall be sent to the grievant and the Department Head.

The decision of the Town Manager concerning the issue of grievability may be appealed to the Circuit Court for a hearing on whether the matter qualifies for a grievance hearing. The decision of the court is final and is not appealable.

Proceedings for review of the decision of the Town Manager on the issue of grievability shall be instituted by filing a notice of appeal with the Town Manager within five (5) workdays after the date of the decision and by giving a copy of the filing to all parties. Within five (5) workdays thereafter, the Town Manager shall transmit to the Clerk of the Circuit Court a copy of his/her decision, a copy of the notice of appeal, and the exhibits, with copies to the grievant. Within thirty (30) days of receipt by the Clerk of these records, the Court, sitting without a jury, shall hear the appeal on the record transmitted by the Town Manager and any additional evidence as may be necessary. The Court may affirm the decision of the Town Manager or may reverse or modify the decision. The decision of the Court shall be rendered no later than the fifteenth (15th) day from the date of conclusion of the hearing.

Definition of Grievance: A grievance shall be defined as a complaint or dispute of an employee relating to his/her employment, including but not limited to: (a) disciplinary actions including dismissals (i.e., those resulting from formal discipline or unsatisfactory job performance), demotions, and suspensions; (b) the application or interpretation of the personnel policies, procedures, rules and regulations, (c) acts of reprisal as the result of utilizing the grievance procedure or of participation in the grievance of another Town employee, and (d) complaints of discrimination on the basis of race, color, creed, political affiliation, age, disability, national origin, or sex.

Non-grievable subjects include:

(a) the establishment and revision of wages and salaries, position classifications, or general benefits;

(b) any work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;

(c) the contents of ordinances, or established personnel policies, procedures, rules, and regulations;

(d) failure to promote except where the employee can show established promotional policies or procedures were not followed or applied fairly;

(e) the methods, means, and personnel by which work activities are to be carried on;

(f) except where such action affects an employee who has been reinstated within the previous six (6) months as a result of the final determination of a grievance, termination, layoff, demotion, or suspension from duties because of lack of work, reduction in work force, or job abolition;

(g) the hiring, promotion, transfer, assignment, and retention of employees within the Town government; and

(h) the relief of employees from duties in emergencies. In any grievance brought under the exception above, the action of the Town shall be upheld upon a showing by the Town that:

(1) there was a valid business reason for the action; and

(2) the employee was notified of such reason in writing prior to the effective date of the action.

Grievance Procedures: All grievable disputes, as defined in the preceding paragraphs, will be administered in the specified manner and processed within the stated time limits.

The employee filing a complaint shall have, at every step of the procedure, the right to present witnesses and evidence to support his/her complaint with complete freedom from reprisal.

STEP 1: An employee who has a grievance shall discuss (orally) the problem with his/her immediate supervisor. The employee must present his/her initial grievance to his/her immediate supervisor within five (5) working days of the complaint occurrence. The immediate supervisor shall investigate and respond to the employee within three (3) working days after the employee's initial discussion of the matter with him/her.

STEP 2: If the response to step 1 is not acceptable to the grievant, the grievant may file, within five (5) working days from receipt of the immediate supervisor's response, a written grievance with his/her immediate supervisor with a copy of the grievance forwarded to the respective Department Head. The written grievance must be filed on a completed Grievance form (located in "Appendix A" of Personnel Handbook) and must specify the relief expected.

The Department Head shall meet face to face with the grievant within two (2) working days after he/she had received the determination of grievability from the Town Manager

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A written reply by the Department Head shall be made to the grievant within three (3) working days following the meeting.

STEP 3: If the Department Head's reply from step 2 is not acceptable to the grievant, he/she may request in writing, within three (3) working days from receipt of the reply, a meeting with the Town Manager for further consideration of the grievance. This face-to-face meeting shall be scheduled within five (5) working days from receipt of this request.

The Town Manager shall hear both sides of the dispute, shall investigate the cause for the dispute, and shall provide a written reply to the grievant within ten (10) working days of the meeting.

The grievant may have a representative of his/her choice at this meeting. If the grievant is represented by legal counsel, the Town Manager may also be represented by counsel.

STEP 4: If the reply from step 3 is not acceptable to the grievant, he/she may submit his/her grievance for a hearing before an impartial panel. The request for a panel hearing shall be made on the Panel Hearing Request Form, found in Appendix A. Request for a panel hearing must be received by the Town Manager within five (5) working days after the receipt of the third step reply.

(1) Selection of Grievance Panel- The final step in the grievance procedure shall be a hearing before an impartial three (3) member panel composed of one member appointed by the grievant and one member appointed by the Town Manager. Both such appointments shall be made within ten (10) working days after the Town Manager's receipt of the request for a hearing. The third member of the panel shall be selected by the first two panel members. They shall accomplish this selection within twenty (20) working days after the Town Manager's receipt of the request for a hearing. In the event that agreement cannot be reached as to a final panel member, the Chief Judge of the Judicial Circuit Court shall select the third panel member within thirty (30) working days after receipt of the Town's request for the selection. In all cases, the third panel member shall be chairperson of the panel.

The following persons may not serve on the panel:

a. Persons involved in an earlier step of the particular grievance or with the complaint or dispute that gave rise to the grievance;
b. Managers who are in a direct line of supervision of a grievant;
c. Persons residing in the same household as the grievant and the spouse, parent, child, descendents of a child, sibling, niece, nephew, or first cousin of a participant in the grievance procedure and these relatives of a participant's spouse; and
d. An attorney having direct involvement with the subject matter of the grievance nor a partner, associate, employee, or co-employee of the attorney.

The panel has the responsibility to interpret the application of appropriate Town policies and procedures in the grievance case. It does not have the prerogative to formulate or to change Town policies or procedures.

(2) Conduct of Hearing- The panel shall set the time for the hearing, which shall be held as soon as practicable but no more than ten (10) working days after the panel has been selected, and shall notify the grievant in writing of the date and time of the hearing. The grievant may have present at the hearing a representative or legal counsel at his/her expense. Copies of the grievance file shall be sent by the Town Manager or designee to the panel members.

The conduct of the hearing shall be as follows:

A. The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. A record of the hearing shall be made.
B. At the beginning of the hearing, the panel may ask for statements clarifying the issues involved.
C. Exhibits, when offered by the grievant or the Town, may be received in evidence by the panel, and when so received, shall be marked and made part of the record.
D. The grievant shall present his/her claim, proof and witnesses who shall submit to questions or examination first, followed by the Town. The panel, at its discretion, may vary this procedure but shall afford full and equal opportunity to all parties and witnesses for presentation of any material or relevant proofs.

E. The parties shall produce any additional evidence the panel may deem necessary for an understanding and determination of the dispute. The panel shall be the judge of relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties.

F. The majority decision of the panel shall be final and binding in all its determinations and shall be consistent with provisions of law and written policies.

The panel chairman shall inquire specifically of all parties whether they have any further proofs to offer or witnesses to be heard. Upon receiving negative replies, the chairman shall declare the hearing closed.

The hearings may be reopened by the panel on its own motion or under application of a party for good cause shown at any time before the award is made.

(3) Decision – The decision of the panel shall be filed in writing by the Chairman with the Town Manager not later than fifteen (15) full working days after the completion of the hearing and shall be final, binding and consistent with provisions of law and written policy. The question of whether the relief granted by a panel is consistent with written policy shall be determined by the Town Manager within 15 working days. In such case, when the decision is not made by the Town Managers, it shall be passed to the Commonwealth's Attorney Office of Washington County. The decision shall be made in the format attached to this policy. The panel chairman shall have the authority to extend this time limit as deemed necessary.

Copies of the decision shall be transmitted to the grievant and the grievant's supervisor.

Either the grievant or the Town Manager may petition the Circuit Court for an order requiring implementation of the panel decision.

Non-Compliance with Procedural Requirements: If, after the initial filing of a written grievance, either the grievant or the Town fails to comply, without just cause, with all substantial procedural requirements of the grievance procedure, a decision in favor of the other party on any grievable issue shall result. Such a decision shall not occur however, if the party not in compliance corrects the noncompliance within five (5) work days of receipt of a written notification from the other party of the procedural violation. Such written notification by the grievant shall be made to the Town Manager.

A decision in favor of the other party shall result if either the grievant or the Town fails to comply, without just cause, with all substantial procedural requirements at the panel hearing.

VIII. Drug and Alcohol Testing

The goal of the Town of Abingdon is to establish and maintain a safe and healthy workplace for an employee that is free from drug and alcohol abuse, and to protect the safety of its citizens by providing services in a safe manner. This policy establishes guidelines and procedures for drug and alcohol screening of applicants and employees, as well as disciplinary actions and rehabilitative measures that may be required.

A. Applicants: All job offers made are conditional based upon drug tests results and other background information. The Town of Abingdon requires drug/alcohol screening as part of the required medical examination for all applicants that are offered employment with the Town, rehires including employees seeking transfer or promotion into the following positions:

1. Sworn Police positions
2. Positions requiring a Commercial Driver's License
4. Candidates for other safety sensitive positions that are of a nature such that the potential risk justifies screening.

The successful applicant being offered a covered position will provide a specimen for screening by urinalysis for drugs and other appropriate tests for alcohol. Drug/alcohol screening will be performed under standard medical procedures as determined by the Town, in consultation with its third party laboratory vendor. A positive test for drugs or alcohol shall be grounds for disqualification from employment.

B. Employees:

1. The drug/alcohol screening tests conducted by the Town will include for-cause testing, testing of persons applying for or seeking promotion to covered positions within the Town, testing as a part of some employees' annual or periodic physical exams, in some instances, random testing and other testing necessary to comply with Department of Transportation regulations. Selected testing (e.g., annual or periodic testing as part of a physical, random testing, etc., as contrasted with for cause testing) shall include a consideration of the nature of the jobs and the work-related needs of the department.
2. Employees are expected to report to work on time and in appropriate mental and physical condition for work. In order to accomplish the Town's goals and maintain employee productivity, an employee must:
   a. Not have a detectable presence of illegal drugs in his/her system, have an alcohol concentration of 0.02 (or greater) or the legal limit in Virginia, whichever is less, be under the influence of, nor have his/her ability to perform job duties impaired by alcohol or any other drugs whether legal or illegal, while on duty or on call, while on Town property or while off Town property in an official capacity, or at any time while operating a Town vehicle. Any employee, who as a result of testing is found to have a detectable presence of illegal drugs or an alcohol concentration of 0.02 or greater in his/her system, regardless of when, where or how the substance entered the employee's system, will be in violation of this policy.

      Should a drug test result in "dilute"[1] then the Town has the discretion to order a second test promptly following the initial test. In the event that two consecutive drug test results

[1] For these purposes, the Town's policy will follow that of the third-party laboratory that performs testing for the Town. Dilute samples fail to contain sufficient bodily compounds for readable test results. Dilute results can occur when water is added to a sample either by pre-collection (ingesting) or post-collection (watering-down) methods.

indicate "dilute" it will be considered a positive result and no further testing will occur at the Town's expense.

b. Not use alcohol while on duty or report to work with the odor of alcohol on his/her breath or person.

c. Not consume, use, possess, sell, buy, distribute, or offer to sell, to buy, or to distribute, or to manufacture any illegal drugs or alcohol or any substance that purports to be an illegal substance, any time during the scheduled work day, while on Town property, or while off Town property in an official capacity or at any time while operating a Town vehicle.

d. Submit to a drug or alcohol screening test when requested to do so by the Director of Human Resources, pursuant to the provisions of the Town's Drug/Alcohol Testing Guidelines and/or Department of Transportation regulations as applicable. It shall be the responsibility of the Department head to contact the Director of Human Resources upon such reasonable cause.

e. Provide, within twenty-four hours of request, a current valid prescription for any controlled substance or drug found to be in the employee's possession or identified in a positive drug screening analysis.

NOTE: Failure to provide the prescription shall give rise to a presumption that the employee did not legally possess or use the controlled substance or drug.

Reasonable Cause Testing:

1. The Town of Abingdon may require a current employee to undergo a drug or alcohol screen if there is reasonable cause to believe that the employee is under the influence of drugs or alcohol during work hours.

   Circumstances which constitute a basis for reasonable cause may include, but are not limited to:

a. A pattern of abnormal or erratic behavior, including but not limited to: hyperactivity, unexplained mood or personality changes, paranoia, hallucinations.
b. Information which is provided by an individual who, in the judgment of the Department head, is a reliable and credible source.
c. Work-related accidents or personal injuries that may have been caused by human error.
d. Direct observation of drug or alcohol use.
e. Presence of the physical symptoms of drug or alcohol use, including but not limited to: glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes, onset of unusual perspiration or shakes, unusual drowsiness or sluggishness.
f. Disregard or violations of established safety, security or other operating procedures.
g. Excessive time away from the workplace, excessive absenteeism or tardiness pattern.
h. Possession of alcohol or illegal drugs; or the presence of alcohol, alcohol containers, illegal drugs, or drug paraphernalia in an area subject to the employee's control.
i. Unexplained inability to think or reason at the employee's normal levels.
j. Fighting or combative or assaultive behavior.

D. Random Testing:

1. In compliance with Department of Transportation regulations, all Town employees whose job duties require them to possess a valid Commercial Driver's License must submit to random drug testing.
2. Other departments may also be included in a program of random drug/alcohol testing.

E. Testing during Periodic Physical Examinations: An employee who completes a regularly scheduled physical examination, as a part of his/her job, will undergo a drug/alcohol test as a part of the periodic physical.

F. The failure of an employee to submit to a drug or alcohol screening test shall be considered insubordination and shall subject the employee to immediate disciplinary action, up to, and including, termination from employment. An employee who refuses to take a drug or alcohol screening test shall be immediately placed on administrative leave with pay, pending disciplinary action. The results of a drug or alcohol screening test shall not be used by the Town for any purpose other than to determine adherence to municipal policy, readiness for work, and appropriate discipline.

G. The Town may search, at any time, without employee consent, all areas and property in which the Town maintains either joint control with the employee or full control, including desks, containers, files, lockers and all Town vehicles.

H. Employees must, as a condition of employment, abide by the terms of this policy and report any arrest or conviction under a criminal drug statute for violations occurring on or off Town premises. A report of an arrest or a conviction must be made to the Department head within five (5) days after the arrest or conviction.

I. An employee who is subject to the guidelines of the "Drug-Free Workplace Act of 1989" (the Act), is also subject to additional requirements as follows: Within ten (10) days after learning of an employee's criminal conviction for illegal drug activity within the workplace, the Town will notify the granting agency of such conviction, as required by the Act. Within thirty (30) days after learning of an employee(s) criminal conviction for illegal drug activity within the workplace, the Town will take appropriate personnel action.

IX. Dress Code

A. The Town of Abingdon is a public service organization and expects all employees to dress appropriately for a business environment and in keeping with his/her work assignment. Public image plays an important role in developing and maintaining support for the Town. To maintain the confidence and respect of

the citizens of Abingdon, each employee must exercise good judgment and professional decision-making as they choose workplace attire. This policy establishes a set of guidelines to be used across departmental lines.

B. The following guidelines establish the general expectations regarding employee attire. The following list is not intended to include every possible scenario but presents guidelines for employee and Supervisory decisions:

1. Clothing, jewelry and accessories must not create a safety hazard for the employee or others.
2. All clothing must be in good condition without holes, excessive wear or staining from use or design.
3. Clothing may not display implied or stated profanity.
4. Clothing may not display advertisements or logos for alcohol, tobacco products and/or illegal or racial or sexual connotations.
5. Employees shall be clean, well groomed and demonstrate acceptable personal hygiene.
6. Appropriate undergarments must be worn.
7. Employees shall not wear facial and/or tongue piercing(s).
8. Excessive or offensive (profanity, nudity, illegal acts, racial/ethnic slurs) tattoos must not be visible.
9. Appropriate footwear must be worn.

C. Service Assignments: Employees working in service assignments such as sworn public safety positions, public works, inspections or other operational/field capacities may be issued workplace uniforms that shall be worn while performing official duties.

D. Administrative Assignments:

1. The Town supports "business casual" dress for Monday through Thursday for administrative employees, i.e., those employees working in an office environment. Business casual is a form of attire that is more traditionally and typically includes slacks and shirts or suits for men and slacks/skirts with blouses and dresses or suits for women. Supervisors retain the right to require more formal attire based on the needs of the department or division.
2. The Town also supports “casual” dress on Fridays or the last workday of a shortened workweek. Casual dress is a form of attire that is more relaxed and normally associated with leisure time.
3. Management, including Supervisors, shall retain the right to consider unique situations and may approve alternate employee attire for a variety of reasons such as accommodations for medical conditions, religious practices, inclement weather and Town and/or departmentally sanctioned employee events or activities.

E. Consequences: Employees are expected to abide by the guidelines of the dress code policy and shall be held accountable for decisions that do not meet the guidelines. When an employee's attire does not meet expectations, the immediate Supervisor shall first discuss the matter with the employee to ensure that the employee understands the policy and its application. If the employee refuses to change their attire and/or fails to comply with the dress code, the Supervisor may initiate disciplinary action in accordance with the Town of Abingdon's disciplinary policy.

X. Harassment

Harassment is verbal and/or physical conduct based on sex, race, religion, disability, national origin, age or any other class protected against discrimination by state and/or federal laws, when such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

A. Sexual Harassment is any unwelcome sexual advance, request for sexual favors and/or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct upon an individual is used as a basis for employment decisions affecting such individual.
3. Such conduct has a purpose or effect of substantially interfering with an individual's work performance or creating an intimidating hostile or offensive working environment.

B. The Town of Abingdon will not tolerate any form of harassment of its employees. Allegations of harassment shall be thoroughly investigated and disciplinary or corrective action taken as warranted. Reprisals against employees who file complaints of harassment are prohibited. However, such protection shall not condone unfounded or vindictive accusation of others. The Town shall make efforts to protect the legitimate interests of all parties concerned in a dispute involving allegations of harassment. Employees who feel they have been subjected to harassment should respond by using any or all of the following procedures:

1. Individuals who experience harassment should make it clear to the offending person that such behavior is offensive to them. Should such behavior continue or reoccur, the offended employee should bring the matter to the appropriate Supervisor's attention or to the attention of other appropriate officials.
2. Information and advice about harassment may be obtained by contacting the Human Resource Department, the Town Attorney's office, for consultation and advice. Every precaution will be taken to ensure confidentiality at this informal, information gathering stage.

3. The employee should report the incident to the Director of Human Resources or the Town Clerk who shall take immediate action when they become aware of any act of harassment. An employee may also use mediation or the formal Grievance Procedure to resolve complaints of harassment.

C. An employee who believes that he or she has been subjected to harassment must promptly report such incidents. However, Supervisors have an obligation to act upon any knowledge of harassment in the workplace and to take prompt, corrective action when necessary to maintain a place of employment that is free of harassing, abusive or disruptive conduct. In addressing harassment complaints, the rights of all parties will be protected.

XI. Workplace Bullying

Workplace bullying is repeated abuse behavior, actions, or treatment that could potentially cause harm to another individual or group of individuals. Examples of workplace bullying are, but not limited to, behavior intended to threaten, humiliate, or intimidate another person; sabotage or other work interference which prevents work from being performed; and verbal abuse. Verbal abuse includes acts such as name-calling or any other form of verbal ridicule. No employee shall engage in any act or behavior which could potentially harm the well-being of another either physical or mentally. If any employee is found to have violated this policy, he/she will be subject to disciplinary action, which may include terminate.

XII. Workplace Violence

The Town of Abingdon is committed to maintaining a safe, healthy work environment where employees, visitors and customers are free from the threat of workplace violence. No employee shall engage in any act, on Town property, while performing work-related duties or involving persons related to Town employment, that threatens the safety of an employee, visitor or customer, affects the health, life or well-being of an employee, visitor or customer or results in damage to Town or customer property. Such actions and incidents will not be tolerated under any circumstances. If such an incident occurs, anyone found to have violated this policy will be subject to disciplinary action, which may include termination.

The Town of Abingdon Workplace Violence Policy applies to all employees regardless of funding status or category and to all volunteers, unpaid interns or others working under the supervision of the Town.

A. Guidelines:

1. Organizational Responsibility: The Town will actively support the prevention of workplace violence through the allocation of appropriate resources for assessment, training and intervention. The Town takes acts or threats of workplace violence seriously and will promptly investigate and act upon reports of acts or threats. While unfounded or vindictive accusations of workplace violence will not be tolerated, no one who reports a valid incident will be subject to reprisals or

retaliation. The Town will establish and maintain a core Threat Assessment Team comprised of representatives of the Town Manager, Human Resources and Police to work with and assist departments as needed in evaluating and/or investigating incidents of workplace violence.

2. Departmental Responsibility: Each Town Department shall work with Director of Human Resources and the Police Department to complete a site assessment and take appropriate action to correct, to the extent possible based on available resources, any physical problems that may create potential safety hazards. Within sixty (60) days of receiving the final report of the assessment, each Department shall develop a Departmental Safety Plan and submit it to the Director of Human Resources, for approval. The Plan shall contain specific safety practices and procedures that, when followed, reduce the threat of workplace violence. The Departmental Safety Plan shall be distributed and communicated to each employee within the Department.

3. Managerial Responsibility:

   a. Managers and Supervisors shall work in partnership with employees to maintain a safe, effective working environment. Managers and Supervisors shall attend training on identifying and defusing workplace conflicts.

   b. Managers and Supervisors must intervene when they see behavior or actions in conflict with this Policy regardless of the person engaging in such behavior. Where there is imminent danger, managers and Supervisors shall immediately notify the police. Managers and Supervisors shall evaluate and investigate as needed if an incident of workplace violence is reported, is suspected of occurring or has actually occurred. Managers and Supervisors shall follow up with employees to ensure that safety practices and procedures are consistently followed.

4. Employee Responsibility: Employees are expected to treat other people and property with respect. In most cases employees perform as expected and demonstrate conduct that reflects credit upon themselves, their coworkers and the Town of Abingdon. When employees fail to conduct themselves in such a manner, it may become necessary to intervene as a means of correcting the behavior or ending the employment relationship.

   In the event of immediate threat or commission of a crime, employees shall immediately call the Police Department. Employees are expected to promptly report threats or incidents of workplace violence to their Supervisor or other available Town official. When there is imminent danger to persons or property, employees are encouraged to take reasonable action to safeguard persons or property without putting themselves or others in danger.

5. Prohibited Behavior: In keeping with this policy, the Town of Abingdon prohibits any employee from engaging in acts of violence. Such acts include, but are not limited to:

   a. Verbally or physically threatening, bullying, intimidating, coercing, harassing or assaulting an employee, visitor, customer or citizen.

   b. Sexually harassing an employee, visitor, customer or citizen.

   c. Using, threatening to use, or displaying a weapon of any kind, or any other object that is used for the purpose of injury or intimidation, unless required by official job duties, such as a police officer.

   d. Any acts that damage, or attempt to damage, Town property or the property of an employee, visitor, customer or citizen.

6. Reporting and Investigating Procedures: Any employee who has been threatened, is a victim of a violent act, witnesses any threats or violent acts, or learns of threats or violent acts, shall report such activity to his/her Supervisor as identified above. In the event that violence is imminent, the employee shall call the police immediately. An employee may also report an incident by calling Human Resources. Supervisors, in coordination with the police, Human Resources and/or the Threat Assessment Team, as needed, shall promptly evaluate and investigate each report.

7. Confidentiality: Information about an incident of workplace violence will be shared only with those Supervisors or managers with a legitimate need to know.

XIII. Information Technology Security

The IT Security Policies establish guidelines for the proper and acceptable use of all information systems including e-mail by Town Employees, elected officials, volunteers, interns, and other affiliates who may be authorized to use telephones, devices, hardware, software, and/or network connections provided by the Town of Abingdon. All electronic messages created with, received by, or stored within the telephone, hardware and software systems administered by the Town of Abingdon are the property of the Town and, therefore, are not considered private. Employees do not have a personal privacy right in using the Town's e-mail system.

The Town of Abingdon reserves the right to restrict or remove access or availability of electronic tools for any employee that violates appropriate use and/or security policies and practices. Refer to the IT security policies. Policies included on the Information Technology intranet site for more information. *(See Policy in Appendix)*

XIV. Communication - Electronic and Telephone

All electronic and telephonic communication systems and all communications and information transmitted by, received from, printed from, or stored in these systems are the property of the Town and, as such, are to be used solely for job-related purposes. The Town retains the right to monitor all of its electronic and communication systems at its discretion, including listening to and/or printing and reading all voice mail

and e-mail messages stored in these systems. The use of any software and business equipment including, but not limited to, facsimiles, telecopiers, computers, and copy machines for private purposes is strictly prohibited.

Employees using this equipment for personal purposes do so at his/her own risk. Further, employees are not permitted to use a code, access a file, or retrieve any stored communication unless authorized to do so or unless he/she has received prior clearance from an authorized Town representative. All computer codes are the property of the Town. No employee may use a pass code that has not been issued to that employee or that is unknown to the Town. Employees who violate this policy are subject to disciplinary action up to, and including, dismissal.

To ensure that the use of electronic and telephonic communications systems and business equipment is consistent with the Town's legitimate business interests, authorized representatives of the Town may monitor the use of such equipment from time to time to determine if such use is business-related.

The use of personal cell phones, including texting, is prohibited while operating a Town vehicle during working hours, except when authorized by the Department head or Supervisor. During break and lunch time personal cell phones may be used.

E-mail is an extension of the workplace and any abusive or inappropriate e-mail will result in disciplinary action by the employer that could lead to termination. There will be no allowances for display or transmission of any sexually explicit images, cartoons or messages. The e-mail system will not be used for any communications containing any racial or ethnic slurs or epithets or anything that could be construed as harassing or offensive to others based on sex, age, race, national origin, sexual orientation, disability, color or any other classifications protected by state or federal law. Any message on the e-mail system can be traced to its author even after the message is deleted.

XV. Computer - Internet Usage

Internet access to global electronic information resources on the World Wide Web is provided by the Town to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage.

All internet data that is composed, transmitted, or received via the Town's computer communications systems is considered to be part of the official records of the Town and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the Town. As such, the Town reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through the online connections and/or stored in the Town's computer systems.

Data that is composed, transmitted, accessed, or received via the internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not obtained authorization for its use, then it should not be placed on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Abuse of the Internet access provided by the Town in violation of law or Town policies will result in disciplinary action up to, and including, termination of employment. Employees may also be held personally liable for any violations of this policy. The following non-exhaustive list contains examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

a. Sending or posting discriminatory, harassing, or threatening messages or images;
b. Using the organization's time and resources for personal gain;
c. Stealing, using, or disclosing someone else's code or password without authorization;
d. Copying, pirating, or downloading software and electronic files without permission;
e. Sending or posting confidential material, trade secrets, or proprietary information outside of the organization;
f. Violating copyright law;
g. Failing to observe licensing agreements;
h. Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions;
i. Sending or posting messages or material that could damage the organization's image or reputation;
j. Participating in the viewing or exchange of pornography or obscene materials;
k. Sending or posting messages that defame or slander other individuals;
l. Attempting to break into the computer system of another organization or person;
m. Refusing to cooperate with a security investigation;
n. Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities;
o. Using the internet for political causes or activities, religious activities, or any sort of gambling;
p. Jeopardizing the security of the organization's electronic communications systems;
q. Sending or posting messages that disparage another organization's products or services;
r. Passing off personal views as representing those of the organization;
s. Sending anonymous e-mail messages;
t. Engaging in any other illegal or unlawful activities.

XVI. Social Media Policy

POLICY

- This policy provides guidance for employee use of social media, which should be broadly understood for purposes of this policy to include blogs, wikis, micro blogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a simultaneous manner.

PROCEDURES

- The following principles apply to professional use of social media on behalf of the Town of Abingdon as well as personal use of social media when referencing the Town of Abingdon.
- Employees need to know and adhere to the Town of Abingdon's Code of Conduct, Employee Handbook, and other company policies when using social media in reference to the Town of Abingdon.
- Town employees shall not post on any social media application during working hours (with the exception of breaks/lunch)
- Employees should be aware of the effect their actions may have on their images, as well as the Town of Abingdon's image(s). The information that employees post or publish may be public information for a long time.
- Employees should be aware that Town of Abingdon may observe content and information made available by employees through social media. Employees should use their best judgment in posting material that is neither inappropriate nor harmful to the Town of Abingdon, its employees, or customers.
- Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.
- Employees shall not publish post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the Human Resources Department and/or supervisor.
- Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to the Town of Abingdon Town Attorney, Assistant Town Manager and/or Town Manager.
- If employees find or encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of a supervisor.
- Current or former employees, members, vendors and/or suppliers of the Town of Abingdon should get appropriate permission before referring to or posting images of current or former employees, members, vendors and/or suppliers. Additionally, employees should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.
- Social media use shouldn't interfere with employee's responsibilities at the Town of Abingdon. The Town of Abingdon's computer systems are to be used for business purposes only. Personal use of social media networks or personal blogging of online content is discouraged and could result in disciplinary action. (ex: Facebook, Twitter, Abingdon Topix, and LinkedIn)
- Subject to applicable law, after-hours online activity that violates the Town of Abingdon's Code of Conduct or any other company policy may subject an employee to disciplinary action or termination.
- If employees publish content after-hours that involves work or subjects associated with the Town of Abingdon, a disclaimer should be used, such as this: "The postings on this site are my own and may not represent the Town of Abingdon's positions, strategies or opinions."
- It is highly recommended that employees keep the Town of Abingdon related social media accounts separate from personal accounts, if practical.

Discipline. Violations of this policy may result in discipline up to and including immediate termination of employment.

Note: **Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve terms and conditions of employment, such as wages and benefits.**

Social Media Tips:

1. Keep personal and professional interests separate. Facebook is better suited for personal, family, and friend connections.
2. **Remember:** "the whole world is watching!"
3. Frequently monitor and update your posts.
4. Regard social media as a powerful marketing tool.
5. Use the built-in privacy capabilities of the social networking sites, and consider limiting the access of users you are connected with.
6. Remember that what you put out there is permanent!

Social Media Law Conference 2014/Virginia CLE

XVII. Public Speech

The Town respects and honors the First Amendment rights of its employees to speak out as citizens on matters of public concern and to post personal comments on the Internet (e.g., an employee's own website, blog, Facebook, MySpace, Twitter or similar social networking site). However, a Town employee whose public statements or Internet postings interfere with the Town's ability to provide effective and efficient services to the public, may be disciplined for such comments or postings.

A. Examples of public speech or online postings for which an employee may be disciplined include, but are not limited to public speech or postings that:

1. Impairs discipline or harmony among co-workers.
2. Interferes with the employee's job performance.
3. Interferes with the operation of the Town's business.
4. Discloses confidential or sensitive governmental information.
5. Has a detrimental impact on working relationships that require personal loyalty and confidence.

XVIII. Town Issued Cell Phone; I-pad; Tablet; Laptop Policy

The Town of Abingdon recognizes that certain positions of employment within the Town require that an employee and/or Council Member and/or Council Appointee be accessible when away from the office or during times outside scheduled working hours. For this reason, in addition to economic management and IRS income-related concerns, the Town has carefully studied policies from localities across the Commonwealth regarding the efficiency and effectiveness of the best use of said electronic devices among said Individuals.

The Abingdon Town Manager shall designate certain Individuals who will be eligible to receive and own a cell phone and/or I-pad/tablet/laptop computer. Specific type of configuration, brand and style of equipment will be at the sole discretion of the Town Manager in collaboration with the Information Technology Department. Upon issuance of the equipment the employee individually shall own outright the hardware. In order to meet satisfactory measures of efficiency, effectiveness and comply with IRS regulations pertaining to

the Individual's taxation of benefits received from Town-provided equipment, the Town's primary method of providing electronic devices shall be observed as follows, and each Individual shall:

A. Besides a cell phone and/or additional electronic equipment, designated Individuals shall receive a stipend from the Town each of twenty-six (26) pay periods in the amount equal to the cost of the respective service to each employee, depending upon specifics regarding type, quantity and service required;
B. The stipend amount shall be automatically deducted from the employee's check and will be used to reimburse the Town for the cost of the respective service. No tax consequence shall apply to the individual employee;
C. Upgrade(s) to service or equivalent provided, if any at all, will be at Individual's expense; and
D. A new device, at the sole discretion of the Town Manager and IT Director, shall be provided by the town to the applicable employees issued devices hereunder every two (2) years;
E. The service plan will be provided by the Town to each designated employee and each phone will be assigned a maximum amount of usage, or minutes. Any excesses in usage charges shall be reimbursed by the Individual;
F. The employee, as owner of the phone or device(s), may use the devise same for his/her personal use and any/all personal use shall not be subject to the censorship of the Town or the general public;
G. Any/all Town business conducted on the phone or other device(s) shall be the sole property of the Town and subject to censorship;
H. The Town Manager shall have the sole discretion to terminate use of any service plan, should unnecessary or abusive use of the phone or devices(s) become evident during regular working hours.
I. While the Town recognizes that the Individual does not control incoming calls, the Town expects said Individuals to exercise prudent judgment in keeping personal calls to a minimum during regular working hours, as applicable;
J. Upon separation from the Town, the Individual shall own outright his/her respective phone and/or device(s), however, service as described herein on the part of the Town contract shall be terminated as of the date of the separation, unless a written extension is issued at the discretion of the Town Manager;
K. Upon separation from the Town, the IT Department of the Town shall have the right to inspect the hard drives or memory sticks of any device issued for the sole purpose of gathering and preserving all Town-related data on said device;
L. The Town reserves the right to cancel the benefit described herein (use of cell phone and device(s)) of any Individual for budgetary restraints, job-related need and/or abuse of same as described above.

XIX. Personal Property

The Town cannot be responsible for personal property that is lost, damaged or stolen. If you bring personal property items/belongings into the office or on Town property, you are responsible to keep track of them.

If you do bring personal property, you need to understand that it will not be covered under the Town's insurance and because of limitations on personal homeowners' policies with business property away from the home premises, it may not be covered under your homeowner's coverage either.

Also the Town prohibits any items on the premises or worksite that are sexually suggestive, offensive, or demeaning to specific individuals or groups, along with unauthorized firearms or other weapons unless he/she possess a concealed weapon permit. Employees should understand that all personal property brought onto the employer's premises may be inspected for purposes of enforcing the organization's policies and to protect against theft.

Personnel shall not enjoy the Fourth (4th) Amendment search and seizure requirements on any Town of Department owned locker, vehicle, desk, or other container. All such items are **subject to search without notice**. In addition, all telephone calls made from or to equipment purchased by the Town to be used by employees, may be monitored at any time, without notice to either party.

XX. Parking

Parking is normally provided to Town of Abingdon employees in lots near various work sites. Parking for employees with an authorized handicap decal or license plate is also available near Town work sites. Public parking spaces, including marked handicap spaces, surrounding Town Hall and other Town facilities are designed for use by residents and visitors and shall not normally be used for daily parking by employees.

XXI. Tobacco Products

The Town of Abingdon supports and promotes a smoke-free environment. On-duty employees are prohibited from any tobacco use in any municipal building or Town vehicle. Employees are prohibited from smoking or vaping illegal substances on any of the Town campuses, curtilages in any Town building and/or property upon which same are located, including any Town vehicle. Violations of this policy and/or disregard for failure to comply with this standard of conduct may lead to disciplinary action, up to and including possible termination of employment and any other remedy available at law.

XXII. Inclement Weather

During inclement weather conditions, all municipal offices remain open to serve the citizens of Abingdon and employees are expected to report to work. In situations of extreme weather conditions, the Town Manager shall determine the staffing levels required to meet citizen/customer needs and may allow liberal leave usage so that employees who are concerned about their travel safety may use appropriate accrued leave. In these cases supervisory approval for leave usage is required.

XXIII. Police Officers' Procedural Guarantees

Sworn police officers of the Town of Abingdon are provided certain procedural rights in matters that could lead to dismissal, demotion, suspension, or transfer for punitive reasons. These rights are mandated by

the *Law Enforcement Officers' Procedural Guarantees Act, Code of Virginia, Title 2.1 Chapter 10.1, and Section 2.1-116.1 through 2.1-116.9.*

The rights guaranteed to police officers under this *Act* are as follows:

1. Conduct of Investigation: Whenever an investigation by the Town focuses on matters that could lead to dismissal, demotion, suspension, or transfer for punitive reasons of a law enforcement officer, the following procedures are required:

   a. Any questioning of the officer shall take place at a reasonable time and place as designated by the investigating officer, preferably when the officer under investigation is on duty and at the office of the Abingdon Police Department, unless circumstances dictate otherwise;

   b. Prior to the officer's being questioned, he/she shall be informed of:

      i. the name and rank of the investigating officer and any individual to be present during the questioning; and
      ii. the nature of the investigation.

2. Personal Assets of Officers: No law enforcement officer shall be required or requested to disclose any item of his/her property, income, assets, source of income, debts, or personal or domestic expenditures, including those of any member of his/her family or household, unless this information is necessary in investigating a possible conflict of interest with respect to the performance of his/her official duties, unless the disclosure is required by law, or unless this information is related to an investigation.

3. Notice of Charges: Before any dismissal, demotion, suspension without pay, or transfer for punitive reasons may be imposed, the following rights must be granted:

   a. The law enforcement officer shall be notified in writing of all changes, the basis therefore, and any action that may be taken;
   b. The law enforcement officer shall be given five (5) working days to respond orally and in writing to the charges;
   c. In making his/her response, the law enforcement officer may be assisted by counsel at his/her own expense;
   d. The law enforcement officer shall be given written notification of his/her right to initiate a grievance under the Town's grievance procedure, set forth above. A copy of the grievance procedure shall be provided to the law enforcement officer upon his/her request;
   e. A law enforcement officer may proceed under either the grievance procedure of the Town or the law enforcement officers' procedural guarantees, but not both.

4. Hearing:

   a. Whenever a law enforcement officer is dismissed, demoted, suspended, or transferred for punitive reasons, he/she may, within five (5) working days following that action, request a hearing before a panel, as described below. If the request is timely, a hearing shall be held within fourteen (14) working days from receipt of the request unless a later date is agreed to by the law enforcement

officer. At the hearing, the law enforcement officer and the Town shall be afforded the opportunity to present evidence and to examine and cross-examine witnesses.
The panel shall have the power to, and on the request of either the law enforcement Officer or the Town shall, issue subpoenas requiring the testimony of witnesses who have refused or failed to appear at the hearing. The law enforcement officer and the Town also shall be given the opportunity to be represented by counsel at the hearing. The panel conducting the hearing shall rule on the admissibility of the evidence. A record shall be made of the hearing.

b. The hearing shall be conducted by a panel consisting of one member from within the agency selected by the grievant; one member, appointed by the Town Manager, from within the agency and of at least equal rank but no more than two ranks above the grievant, and a third member from within the agency selected by the first two members. In the event that the two members cannot agree upon their selection, the Chief Judge of the Circuit Court shall choose the third member.

c. In lieu of complying with step three (3) of the grievance procedure, the Town may give the law enforcement officer a written statement of the charges, the basis therefore, and the action that may be taken and provide a hearing as provided for in Paragraph four (4), above. If this option is exercised, the hearing shall be held before the law enforcement officer is dismissed, demoted, suspended, or transferred for punitive reasons.

d. The recommendations of the panel, and the reasons therefore, shall be in writing and shall be transmitted promptly to the law enforcement officer or his attorney and to the chief executive officer of the law enforcement agency. These recommendations shall be advisory only but shall be accorded significant weight.

e. Immediate Suspension – Nothing in this section shall prevent the immediate suspension without pay of any law enforcement officer whose continued presence on the job is deemed to be a substantial and immediate threat to the welfare of the Town or the public, nor shall anything in this section prevent the suspension of a law enforcement officer for refusing to obey a direct order issued in conformance with the Town's written and disseminated rules and regulations. In such a case, the law enforcement officer, upon request, shall be afforded the rights provided under this section within five (5) working days from the date of the suspension.

f. Oral Reprimand Not Prohibited – Nothing in this section shall be construed to prohibit the informal counseling of a law enforcement officer by a Supervisor in reference to a minor infraction of policy or procedure which does not result in disciplinary action being taken against the law enforcement officer.

g. Nothing herein shall preclude a law enforcement officer's use of the Town's grievance procedure in appropriate cases if he/she elects at the outset to proceed under the grievance procedure.

This handbook summarizes the *Law Enforcement Officers' Procedural Guarantee Act as amended on July 1, 2009*. In the event there is a discrepancy between the Act and this handbook, the provisions of the *Act* control.

XIV. News Media/FOIA/Information

To ensure that all Town related information is accurate and up to date, all requests for news comment or release of information are to be referred to the office of the Town Manager. No statement which involves the

Town, its policies, clients or employees is to be released verbally or in writing by any employee; all inquires are to be referred to the person(s) named above.

6. Compensation

I. Pay Actions

Employment actions such as selection, promotions and reassignments typically have a pay action associated with the employment change. The following sections include the usual actions and corresponding pay actions. In most cases, review by the Director of Human Resources and the Finance Director are required prior to applicant or employee notification and implementation of a pay action.

A. New Hire Pay: Pay for newly hired employees is determined based on a variety of factors such as the grade assignment of the position, the employee's level of knowledge, skills and abilities and current market conditions. In no case will a new employee's pay be set below the minimum of the assigned pay grade or above the maximum of the assigned pay grade.

1. Initial Pay Rate: Newly hired employees shall normally have their pay set at the beginning of the pay range established for the position.
2. Pay Rates above Minimum: There may be situations when it is necessary to set pay above the minimum of the pay grade, based on the value of the position to the Town, the knowledge, skills and experience the candidate brings to the position, and market conditions for the particular position. Department heads have the discretion, based upon available resources, to set pay and benefits for a newly hired employee within the pay range. Such decisions must be supported by written justification to the Human Resource Department and verification of available funding by the Finance Department prior to making the offer to the applicant. The justification shall include the value of the position to the department, the knowledge, skills and experience the candidate brings to the position, the impact of above minimum salary on other incumbents and the market conditions for the particular position.
3. Agreements for Pay above Minimum: In some instances, it may be unclear at the point of hire whether the new employee has the necessary skills to warrant a hiring salary above the minimum of the pay grade. In these situations, the Department head may hire the employee at the minimum of the pay grade and award a within grade increase in six months, if the employee meets specific performance conditions. The details of this agreement, including specific performance objectives, amount of salary increase, and date of evaluation and implementation of increase, shall be documented in writing to the employee. Such actions must be coordinated with Human Resources and the funding verified by the Finance Department prior to making an offer to the candidate. A copy of the agreement shall be maintained in the official personnel file in Human Resources.

B. Overtime Compensation: All Town departments have established work schedules as required by workload, production flow, service needs, and the efficient management of resources. In addition to these established schedules, service delivery needs may require overtime work when authorized by management, i.e. more than 40 hours of actual work in one administrative work week. The following pay actions apply when overtime work is authorized.

1. Eligibility for Overtime Compensation: The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours actually worked (productive time) and overtime pay, at one and one-half times the regular rate of pay, for all hours worked over 40 hours in a workweek, unless governed by the 207k public safety exemption. The time needed to travel to destinations outside of the normal work location, beyond commuting time, to conduct required Town business is usually considered productive time.
2. Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees in bona fide executive, administrative or professional positions. Therefore, in compliance with the FLSA, all positions in the Town are designated as EXEMPT or NON EXEMPT. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the regulations. Non-exempt employees are covered by the FLSA and are eligible for overtime compensation for hours worked beyond the threshold established by the FLSA.
3. Overtime Compensation for Non-Exempt Employees: The FLSA requires that non-exempt employees receive overtime compensation at 1.5 times the hourly rate for hours worked in addition to specified hours threshold, normally 40 hours in one administrative work week, except sworn Public Safety positions, which have a threshold established in accordance with section 207k of the FLSA *(refer to Chapter 2, Section XIII, Scheduling of Work).* While paid time off is not included as actual hours worked under the FLSA regulations, the Town provides a more generous benefit than is required by law and includes all paid time off, except sick leave, as productive time worked for overtime compensation purposes. In compliance with State law, all paid hours will contribute to the hours worked threshold for sworn police employees. A non-exempt employee shall not work any time that is not specifically authorized by his/her Supervisor. Non-exempt employees are prohibited from performing any "off-the-clock" work, *i.e,* work performed but not recorded on the timesheet.
4. Exempt employees are not subject to the provisions of the FLSA and therefore, are not typically eligible to receive overtime compensation. However, they may with the approval of their Supervisor, use discretion to adjust their regular work schedule following extended periods of work in excess of 40 hours per administrative work week. While employees in exempt positions are not normally eligible

for overtime compensation, the Town may choose to pay overtime, under certain conditions, to employees classified as exempt under the FLSA guidelines. Such conditions may include unusual, or emergency, circumstances when the employee performs work usually defined as non-exempt and as included in procedures previously approved by the Town Manager.

5. Overtime compensation may be in the form of compensatory time at hour per hour of time awarded for each hour worked over the appropriate threshold or monetary payment, at management's discretion. The Town limits the amount of compensatory time a non-exempt employee can earn in lieu of cash overtime payment to 40 hours (120 hours for uniformed public safety employees) after which monetary payment must be made. While employee preferences may be considered, employees may be required to take accrued compensatory time off as paid leave. Accrued compensatory time should ideally be taken during the same month earned at Supervisor's discretion. Unused compensatory time must be paid within a reasonable period of time upon separation from Town employment or upon promotion or reassignment to an exempt position.

II. Pay Process

A. It is the Town's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that employees are paid properly for all time worked and that no improper deductions are made, each employee must complete appropriate records regarding time worked and leave taken.

B. In addition to required deductions for federal and state income tax, Social Security, and those required by court orders, such as garnishments and child support payments, an employee may also authorize other Town approved pay deductions, such as contributions for dependent medical and dental coverage, United Way contributions, deposits in the credit union or contributions to the Town's Deferred Compensation Program.

C. The Town makes every effort to ensure pay accuracy and each employee shall review his/her check statement when received to make sure that the pay is correct. Occasionally, mistakes may happen. In the event that a mistake does occur, employees are encouraged to notify Payroll and prompt corrections will be made. An employee, who believes that a mistake has occurred, or an improper deduction has been made, must immediately report this information to his/her direct Supervisor or to Payroll. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

III: Garnishment

If the Town receives a Court order to garnish an employee's wages, federal or state laws require compliance therewith. A garnishment, including child support, will reduce the garnished employee's take-

home pay. Should the Town be forced to comply with multiple wage garnishments, it may elect to discipline or discharge the employee because such multiple garnishments excessively consume the Town's resources.

7. Performance Management

Performance Management is a participatory process in which employees and Supervisors work together to ensure that work expectations are identified, communicated and measured. Employee performance management, through feedback and evaluation, is a vital part of personnel management. It is used to enhance performance through appraisal, discussion and coaching which may be formal or informal. Performance feedback is most effective when completed on an ongoing basis to reinforce good performance or to improve performance when needed. Formal, written, performance feedback and appraisal shall be completed annually or every two years. While performance management is a participatory process, Supervisors are responsible for ensuring timely completion.

This policy and the performance evaluation tools are the basis for consistent, equitable application of performance management by all departments, divisions and work units within the Town. The policy provides guidance to employees and Supervisors about the purpose and process of performance evaluation. Implementation of the performance management policy will help employees develop their skills and value to the organization by identifying what the organization expects, by communicating it and by holding employees accountable.

I. Objectives of Performance Management

The primary objectives of the performance management program are:

A. To provide the assessment and development needed to achieve service delivery objectives, to help employees develop in their current jobs, and help prepare them for higher level positions.

B. To provide a means of identifying what the organization expects of employees, of communicating it to them and of holding them accountable for meeting expectations.

C. To ensure that employees are fully aware of performance standards that apply to the job, to let employees know that they can improve their performance and increase their contribution through feedback, coaching, training and developmental activities.

D. To recognize overall work performance by employees.

II. Assessing Performance

Successful performance management relies upon an effective partnership between employees and Supervisors, as well as a clear understanding of the expectations of each job.

Effective performance management will also:

A. Be job oriented, providing an evaluation of performance against specific standards, goals and objectives that are related to realistic workplace practices.

B. Promote employee job satisfaction and morale by letting them know that Supervisors are interested in their progress and development as well as providing regular feedback.

C. Make sense to employees so that employees can clearly understand the areas in which they need improvement, performing tasks adequately or performing above expectations.

D. Be consistent across the organization.

E. Provide a reasonable judgment of sustained performance.

F. Include goals that are Specific, Measurable, Achievable, Realistic and Timely (SMART).

III. Completing the Performance Review

The formal review of performance is based on evaluating employee behavior against the basic competencies needed to deliver public services as well as the specific tasks and expectations of the employee's job.

The following procedures will be used to complete a formal, annual review of employee performance:

A. Administration of the Performance Review:

1. Formal, written review and a face-to-face performance discussion shall be completed as set forth, but periodic discussion and feedback is encouraged.
2. Supervisors and employees must become familiar with the evaluation tool including core competencies.
3. Supervisors are responsible for ensuring timely completion of performance reviews.
4. The employee's immediate Supervisor shall complete the appraisal and, at the discretion of the Department head, coordinate with a second level Supervisor or other manager prior to meeting with the employee to discuss review.
5. The attached form(s) shall be used for annual appraisal, unless an alternative tool has been reviewed by Human Resources and approved by the Town Manager in advance.
6. A copy of the completed evaluation, or results of an alternate tool, shall be forwarded to Human Resources for inclusion in the official personnel file.
7. Specific instructions for using the evaluation tool are included with the tool and shall be followed to complete written evaluations.
8. It is recommended that the employee be asked to complete a self-evaluation and share the result with his/her Supervisor in advance. While the Supervisor is responsible for rating decisions, the employee's perspective, as well as that of the Supervisor, shall be discussed during the face-to-face meeting.
9. Each competency or aspect of the evaluation shall be reviewed separately.

B. Actions Required When Overall Performance is less than Acceptable: When an employee's performance deteriorates to a level that could lead to serious consequences such as reassignment, demotion or dismissal, he/she must be given a reasonable opportunity to bring his/her performance to an acceptable level. Action shall be taken at any time during the rating period if the Supervisor determines an employee's performance to be below an acceptable level. In these situations the employee must be notified of the following:

1. The specific job requirements or performance expectations the employee is failing to perform satisfactorily.
2. What the employee must do to bring the performance to a satisfactory level.
3. What management will do to help the employee improve such as providing additional training, regular feedback or written guidance.
4. The frequency at which the employee can expect to receive interim feedback.
5. A date by which the employee must raise his/her performance to a satisfactory level.
6. The consequences of failing to improve overall performance to a satisfactory level such as reassignment, demotion or dismissal.

C. Deferral of Performance Review: A formal, written performance review may be deferred in cases where an employee has been absent from work for an extended period of time and the Supervisor has not had sufficient opportunity to observe performance. Such deferral shall not exceed the total time of the employee's absence from regularly assigned duties and shall be documented in a memorandum to the Director of Human Resources with a copy provided to the employee.

D. Alternate Performance Management Tools: Department heads, working in conjunction with the Director of Human Resources, may propose alternative performance management tools for all or some employees in their departments when there is a compelling, justifiable business need to do so and such alternative tools meet the objectives of the Town-wide system. Such tools must be reviewed and approved by the Town Manager prior to development and/or implementation and must ensure that the alternate coordinates with other elements of the human resources program such as job descriptions, pay systems and reward programs. A copy of approved alternative tools shall be given to the Director of Human Resources for recordkeeping and shall be reviewed periodically by the appropriate Department head.

Employee Review:

*To be completed by the employee prior to the Performance Evaluation meeting.

What are your most important accomplishments over the past year?
Identify areas in which you need development or further training?
Identify personal goals to make the upcoming year successful:
How can your supervisor help you achieve your goals?
Suggestions/Feedback for supervisor or departmental improvement

_____ _____

Employee Signature **Date** **Supervisor Signature** **Date**

Employee Performance Appraisal Form

Employee Name	
Title	
Review Period/Year	
Date of Hire	
Supervisor Name	
Date of Review	

Definition of Ratings

Top Performer (Rating of 3)

- Consistently and substantially exceed requirements of the position and performs at optimum levels of effectiveness
- Exhibit leadership behaviors consistent with the values and goals of the town
- Considered role models and used as mentors
- Brings new ideas or processes which benefit the town
- Creative problem solver, implementing new ways of working to make positive changes
- Described as distinguished, remarkable, and extraordinary
- Exhibit exceptional quality while meeting challenging demands

Core Performer (Rating of 2)

- Consistently meets requirements of the position and performs satisfactorily and in a reliable manner
- Successfully do their jobs
- Demonstrate leadership behaviors consistent with town goals
- Consistent, ongoing achievement of the established standards
- Described as knowledgeable and reliable

Low Performer (Rating of 1)

- May inconsistently meet or fail to meet requirements and standards for the position
- performance is not at expected levels and/or was not done in a way that demonstrates the town goals and values
- Meets some of the minimum requirements of the position but may need to improve performance to meet expected levels in some areas of performance
- Includes employees who may be new in their job and learning new skills and/or employees who need to improve and develop in their job
- Immediate and sustained improvement is required for this employee
- Managers of these employees should be meeting with the employee on a frequent basis.

Directions for Supervisor

- Employee should be rated on the requirements of their job description and not compared to other employee performance to make the appraisal more objective.
- Rate employee as a 1, 2, or 3 in all categories. Most employees are Core performers and that's ok. That means they are doing their job. Top performers always give that extra effort.
- Add all Ratings to Determine the Employee Rating for the Evaluation Period.

Performance Standard

Customer Service

- Passionate and dedicated to serving the public
- Provides exceptional customer service at every interaction and acts in the best interest of the town

- Establishes and maintains effective relationships in order to gain trust and respect; demonstrates respect for others; engenders trust; responds to citizen concerns in an appropriate and timely manner, owns citizen problems through to resolution

Employee Rating _____

Job Knowledge and Technical Skills

- Possesses functional, technical, business, and professional knowledge and skills to do the job at a high level of accomplishment
- Knows how and when to apply technical procedure, uses curriculum and enhancement materials appropriately and consistently, develops and maintains a positive working environment

Employee Rating _____

Dependability

- Arrives at work in a timely manner on regularly scheduled days as well as leaving and returning from scheduled breaks during the day
- Follows proper call in procedures when unable to report to work, can be depended upon to follow through on commitments and responsibilities

Employee Rating _____

Productivity and Quality

- Produces an acceptable amount of work and is able to handle the workload
- Does what is asked and delivers work on time
- Does work correctly the first time without waste or rework

Employee Rating _____

Accountability

- Demonstrates a sense of responsibility for completing tasks
- Recognizes how his/her performance affects overall goals and objectives
- Works independently under broad or limited supervision.
- Establishes priorities appropriately, demonstrating an understanding of the urgency of tasks and the impact of tasks on the town
- Plans effectively, anticipating issues, taking the initiative to address issues, and developing innovative approaches to resolving issues

Employee Rating _____

Initiative

- Accepts responsibility willingly, creative in solving problems
- Generates ideas for improvements, seeks feedback regarding performance
- Applies new skills, solves problems without being asked
- Takes on or seeks out new tasks and assignments willingly
- Seeks opportunities for development and applies new skills
- Participates enthusiastically in training and professional development to advance skills Learns from mistakes and takes responsibility for improving performance

Employee Rating _____

Teamwork and Interpersonal Skills

- Genuinely cares about and relates to all kinds of people constructively and effectively
- Approaches issues and problems through teamwork and collaborative efforts
- Addresses conflict in a fair, equitable and diplomatic manner
- Shares ideas and information, emphasizes the positive, viewed as a team player
- Focuses on solving problems, supports decisions, is collaborative and inclusive

Employee Rating _____

Planning and Organization

- Is prepared with materials required for performance of job
- Sets and meets reasonable and achievable goals with respect to assignments in area of expertise
- Manages time and resources so that results are achieved with minimum disruption of other work areas

Employee Rating _____

Oral and Written Communication

- Displays clarity and accuracy in all forms of communications, listens well, communicates effectively both orally and in writing
- Demonstrates professionalism in all interactions, and utilizes appropriate communication style based on the audience and situation

Employee Rating _____

Acts with Integrity

- Adheres to and acts in line with town Mission and Values at all times
- Encourages candidness in others and models ethics and integrity in all aspects of the job, maintains confidentiality
- Demonstrates understanding of others' needs or position, honest and diplomatic in interactions, values cultural religious and ethnic differences
- Upholds and enforces town policies, demonstrates respect for citizens and fellow colleagues in interactions and guidance
- Promptly reports incidents to management

Employee Rating _____

Overall Employee Rating for Performance Appraisal Period _____

Top Performers 30-20
Core Performers 20-10
Low Performers Below 10

Goals for next performance appraisal:

1.
2.
3.

Signature of Supervisor _____ Date _____
Signature of Employee _____ Date _____