

2.15 Town Vehicle Usage.

It is the policy of the Town to provide vehicles for business use, to allow employees to drive on Town business, and to reimburse employees for business use of personal vehicles according to the guidelines below.

- a. Town of Bluffton employees whose jobs require regular driving for business as a condition of employment are required to take and pass an on-line defensive driving course offered through the National Safety Council. This benefit is no cost to the employee. Successful completion of the course is required as a condition of employment and must be done within three months of the employee's hire date.
- b. Employees may not drive vehicles for Town business without the prior approval of their Supervisor.
- c. Motor Vehicle Records (MVR) will be obtained and evaluated annually based on established criteria indicated below before any employee or designated person is allowed to operate a municipal vehicle or private vehicle on municipal business. This information may be obtained in summary format (listing only points and status) or a full MVR may be ordered.
 - a. The following MVR evaluation criteria (on or off the job violations) may be used in the determination of driving privileges for the Town.
 - Driver's License points that exceed 4
 - Three (3) or more moving violations within the preceding 36 months
 - Driving under the influence of alcohol or drugs
 - Hit and run accident/reckless driving
 - Operating a vehicle under a suspended or revoked license
 - Homicide, assault, or felony arising from the operation of a motor vehicle
 - d. No driver of Town vehicles or equipment is permitted to carry passengers in or on any vehicles with these exceptions:
 - a. Other employees on Town business.
 - b. Others engaged in advising or assisting in matters relating to Town business.
 - e. Traveling to and/or from social events, places of entertainment, etc. unless acting as an official Town representative is prohibited.
 - f. The privilege of driving a vehicle home at the conclusion of their shift is a benefit provided by the Town to specific roles. Just as with other benefits, the Town has the right to modify or discontinue this privilege at any time.
 - g. Commuting is defined as regular driving between work and home. Commuting positions must be approved by the Town Manager.

h. Commuting in a Town vehicle is a taxable benefit. The amount of this benefit is calculated by the Finance Department according to current IRS regulations for Lease Value Rule.

i. Town Manager's use of a commuter vehicle is defined by the contract.

j. Vehicle assignments: At the written request of the Department Head and approval of the Town Manager an employee may be assigned to a vehicle for 24-hour assignments.

a. The 24-hour assignment authorizes an employee to utilize a Town vehicle for Town business and transportation between his/her home and worksite.

b. Employees assigned to a vehicle for 24-hour assignments will be required to report odometer readings as requested by the Finance Department.

k. Town vehicles will be assigned to those departments that have demonstrated a continuing need for them. Assignments will be made by the Town Manager. Additional vehicles are maintained in a motor pool for use as needed.

l. Employees whose jobs require regular driving for business as a condition of employment are required to drive a Town vehicle if available. When no Town vehicles are available, employees may use their own vehicles for business purposes, but only with the prior written approval of their Supervisor and the employee must sign a waiver. Employees will be compensated at a rate per mile as determined by the Director of Finance but in no case more than the current IRS rate.

m. Employees who need transportation during their normal work may be assigned a Town vehicle for their use. All other employees needing transportation for Town business may use vehicles assigned to their department or those drawn from the motor pool. As a last alternative, when no Town vehicles are available, employees may use their own vehicles for business purposes, but only with the prior written approval of their Supervisor and the employee must sign a waiver. Employees will be compensated at a rate per mile as determined by the Director of Finance but in no case more than the current IRS rate.

Mandatory Rules:

- a. Seat belts must be used when operating a Town vehicle.
- b. All traffic rules and regulations must be strictly obeyed.
- c. Any and all issues, concerns and problems found while operating a Town vehicle must be reported immediately to the department head in writing.
- d. Defensive driving must be emphasized when operating a Town vehicle.
- e. The operator is responsible for assuring the vehicle is operationally safe.

- f. Unsafe vehicles are not to be used. An unsafe vehicle must be repaired prior to usage.
- g. Town vehicles must be kept clean at all times.
- h. Never leave keys in an unattended vehicle.
- i. When operating a Town vehicle, employees must follow “the rules of the road” and use extra caution during inclement weather.
- j. Employees must pull over to a safe place before using cellular phones.

NOTE: Town of Bluffton Police will follow *Department’s Standard Operating Procedures*.

6.4 Holiday Pay.

It is the policy of the Town to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed, unless notified in advance.

a. Full-time employees or employees who work 30 hours or more a week, are eligible to receive their regular rate of pay for each observed holiday, unless notified in advance. Part-time employees are eligible to receive holiday pay only for holidays on which they normally would be scheduled to work and only for their regularly scheduled number of hours, only if they are notified in advance. Temporary non-exempt and exempt employees and employees on leaves of absence or on layoff are not eligible to receive holiday pay.

b. To receive holiday pay, an eligible employee must be at work or taking pre-authorized time off on the workdays immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent on one or both of these days because of an illness or injury, the Town may require verification of the reason for the absence before approving holiday pay.

c. A holiday that occurs on a Saturday or Sunday generally will be observed by the Town on either the preceding Friday or following Monday, whichever day is observed by the federal government.

d. The Town recognizes that some employees may wish to observe, as periods of worship or commemoration, certain days that are not included in the Town’s regular holiday schedule. Accordingly, employees who would like to take a day off for those reasons may do so if it will not unduly disrupt the Town’s business and if the employee’s Supervisor approves. Employees may use paid time off balances or unpaid leave for these occasions.

e. The Town may schedule work on an observed holiday as it considers necessary. Normally, work on an observed holiday will be paid as if the day were a regularly scheduled workday. Should this be necessary, employees will be given a “floating” holiday that may be taken, with the prior approval of their Supervisor, at another time during the year. Such floating holidays must be taken within six months or they will be forfeited.

f. If an observed Town holiday falls on a day that an eligible full-time non-sworn employee is not regularly scheduled to work, the employee will be entitled to an alternative holiday.

- a. The Town via the employee's department will determine the specific day that will be designated as the alternative holiday.
- b. Employees will not have the option to choose a different day for their alternative holiday.
- c. The alternative holiday will be scheduled within the same workweek as the observed Town holiday.
- d. The determination will be based on operational needs and fairness in scheduling.
- e. Alternative holiday schedule will be communicated to employees as soon as the observed Town holiday is finalized.

The Town of Bluffton observes the following thirteen (13) paid holidays:

New Year's Day	Labor Day
Martin Luther King Day	
<u>President's Day</u>	Veteran's Day
Good Friday	Thanksgiving
Memorial Day	Heritage Day (<i>Friday after Thanksgiving</i>)
Juneteenth Day	Christmas Eve
Independence Day (July 4 th)	Christmas Day

1.1 Equal Employment Opportunity (EEO) Policy.

1.2 Anti-Harassment Policy.

Objective

Town of Bluffton is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Town of Bluffton expects that all relationships among persons in the office will be business-like and free of explicit bias, prejudice and harassment.

Town of Bluffton has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. Town of Bluffton will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any employee who has questions or concerns about these policies should talk with the Director of Human Resources or a member of the Human Resources Department.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of Town of Bluffton prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

Equal employment opportunity

It is the policy of Town of Bluffton to ensure equal employment opportunity without discrimination or harassment on the basis of race (including hairstyle/texture), color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national

origin, genetic information, or any other characteristic protected by law. Town of Bluffton prohibits any such discrimination or harassment.

Sexual harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, “sexual harassment” is defined, as in the Equal Employment Opportunity Commission Guidelines, as:

- Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:
 - a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment,
 - b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
 - c) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment:

- a. quid pro quo and
- b. hostile work environment.

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

Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual’s work performance, or c) otherwise adversely affects an individual’s employment opportunities. Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer’s premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or by someone not directly connected to Town of Bluffton (e.g., an outside vendor, consultant or customer).

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

Reporting an Incident of Harassment, Discrimination or Retaliation

Town of Bluffton encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, Director of Human Resources, a member of the Human Resources Department or the Town Manager. See the complaint procedure described below.

In addition, the Town of Bluffton encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. The Town of Bluffton recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy. Supervisors and/or Department Heads must report all incidents to the Human Resources Director immediately.

Complaint Procedure

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor or human resources.

Town of Bluffton encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Complaint forms can be found at à Document Management System à Town Wide à Human Resources – For Staff à Forms à Complaint Form

Complaint Form.pdf

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A complaint form is also available at the end of this document.

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Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Town of Bluffton will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported to Human Resources immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as Town of Bluffton believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to the Town via the Town's Grievance Procedure.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

2.29 Chain of Command

Employees are expected to honor their chain-of-command when presenting formal recommendations, registering formal or informal complaints, or attempting resolution of problems. The Town endorses an open-door policy in which employees of all levels are encouraged to interact openly with employees of all other levels and stimulate synergy and creativity among one another.

Employees are also expected to enjoy the right of formal appeal, without retaliation, of adverse actions to higher levels of management. Such policy assumes, nonetheless, that the “chain-of-command” management has been given the opportunity, failed to deal satisfactorily with the issue, and has been informed of the employee’s intent to carry the issue to a higher level or management. If a member of the chain-of-command, or his/her behavior, is the issue, and an employee cannot discuss the issue with that person, the employee is expected to carry the issue to the next higher level in the chain-of-command, until exhausted at the Town Manager.

The employee may bring sensitive issues to Human Resources directly. Human Resources will normally refer the individual back to some level in the chain-of-command who can appropriately deal with the problem or suggestion and serve as a liaison with the employee and chain-of-command manager to help reach a resolution or final answer. If satisfaction is not achieved through the chain-of-command, the formal employee Grievance Procedure is available to the employee.

All matters that are brought to Town Council must be channeled through the Town Manager, or his/her designee who are the link with Council in Town matters. Under the Town of Bluffton’s Council/Manager form of government, the Town Manager is the end of the chain-of-command for employees and has final say in all administrative matters. An employee(s) seeking to bring Council pressure to bear on the Town Manager or other town employees, or to seek favored treatment by direct appeal to Town Council members is considered a violation of the chain of command and subject the employee to disciplinary action at the discretion of the Town Manager.

Employees are to be cautious and mindful with information put in writing and in text messages for issues falling under this policy, as they may become part of one’s personnel file and/or be subject to the Freedom of Information Act.



Objective

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Any employee who has questions or concerns about these policies should talk with the Director of Human Resources or a member of the Human Resources Department.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of Town of Bluffton prohibit disparate treatment on the basis of any protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

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Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; sexualized



HARASSMENT POLICY – PROPOSED REVISIONS 2024

comments or gestures, even when this behavior is not motivated by a desire to have sex with the victim; asking intrusive questions about a person's sexual orientation, gender identity, gender transition, or intimate body parts; and other physical, verbal or visual conduct of a sexual nature.

Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, pregnancy, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, epithets, slurs or negative stereotyping; displaying offensive material or other hate symbols; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

Harassment can occur even when the harasser is wrong about the victim's protected characteristic or is in the same protected category.

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In addition, the Town of Bluffton encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. The Town of Bluffton recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

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Complaint Procedure

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Town of Bluffton will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported to Human Resources immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as Town of Bluffton believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to the Town via the Town's Grievance Procedure.

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CHAIN OF COMMAND POLICY

Chain of Command

Employees are expected to honor their chain-of-command when presenting formal recommendations, registering formal or informal complaints, or attempting resolution of problems. The Town endorses an open-door policy in which employees of all levels are encouraged to interact openly with employees of all other levels and stimulate synergy and creativity among one another.

Employees are also expected to enjoy the right of formal appeal, without retaliation, of adverse actions to higher levels of management. Such policy assumes, nonetheless, that the "chain-of-command" management has been given the opportunity, failed to deal satisfactorily with the issue, and has been informed of the employee's intent to carry the issue to a higher level or management. If a member of the chain-of-command, or his/her behavior, is the issue, and an employee cannot discuss the issue with that person, the employee is expected to carry the issue to the next higher level in the chain-of-command, until exhausted at the Town Manager.

The employee may bring sensitive issues to Human Resources directly. Human Resources will normally refer the individual back to some level in the chain-of-command who can appropriately deal with the problem or suggestion and serve as a liaison with the employee and chain-of-command manager to help reach a resolution or final answer. If satisfaction is not achieved through the chain-of-command, the formal employee Grievance Procedure is available to the employee.

All matters that are brought to Town Council must be channeled through the Town Manager, or his/her designee who are the link with Council in Town matters. Under the Town of Bluffton's Council/Manager form of government, the Town Manager is the end of the chain-of-command for employees and has final say in all administrative matters. An employee(s) seeking to bring Council pressure to bear on the Town Manager or other town employees, or to seek favored treatment by direct appeal to Town Council members is considered a violation of the chain of command and subject the employee to disciplinary action at the discretion of the Town Manager.

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PAID TIME OFF (PTO) DONATION POLICY

Purpose:

The Town of Bluffton recognizes that employees may have a family medical emergency (or death), resulting in a need for additional time off in excess of their available Paid Time Off (PTO) time. To address this need, the PTO Donation Program permits employees to donate accrued PTO leave hours from their unused balance to eligible, regular full-time employees who have exhausted all available leave due to a medical emergency or personal serious injury/illness for themselves or their family members in accordance with the policy outlined below. This policy is strictly voluntary.

Definitions:

Medical emergency, defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child/stepchild, or parent. Also, please note that an employee may use this leave to care for a child/stepchild who is 18 years of age or older if the child/stepchild is incapable of self-care because of a disability as defined by the ADA, has a serious health condition as defined by the Department of Labor under the Family Medical Leave Act (FMLA), and needs care because of the serious health condition.

Serious Injury, Injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty, loss of a fetus, a fracture, permanent consequential limitation of use of a body organ or member; significant limitation of use of a body function or system, a medically determined injury or impairment of a non-permanent nature, which prevents the injured person from performing substantially all of the material acts, which constitute such person's usual and customary daily activities for thirty days or more.

Guidelines

This policy is for a medical emergency or a personal serious injury (or death) to an eligible, regular full-time employee or their immediate family member. It is not intended to cover an employee, spouse, child/stepchild or parent of an employee who is experiencing a normal illness (one that generally lasts less than 30 days), an illness or injury that is covered by Worker's Compensation, Long Term Disability (LTD), Supplemental Long Term Disability (SLTD), an injury that occurs while the employee is on military duty or an injury that has incurred during the course of committing a crime. Donated leave is not available for any illness that is not considered serious. For example, you may not receive donated leave if surgery or a hospital stay was not required or because you were out several days with a virus or sinus infection.

Eligible, regular full-time Employees may request up to 12 weeks of donated leave time resulting from a medical emergency or serious illness of an immediate family member. A week is determined by the number of hours you normally work. Leave is taken as full weeks.

Employees taking leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employee's wages.

Donor Eligibility

Employees must be employed with and have worked for the Town of Bluffton for 1,250 hours during the 12 months prior to the donation in order to be eligible to donate PTO time.

Recipient Eligibility

To be eligible to receive donated PTO time, an employee must be a regular full-time employee that has been employed with and worked for the Town of Bluffton for 1,250 hours during the 12 months prior to the time request. Employees are ineligible to use time under this policy during any disciplinary suspensions.

Donation of PTO Time

Employees who would like to donate to the PTO Donation Bank must complete a PTO Donation Authorization and submit it to the Human Resources Department. Donating employees will agree to the following terms:

- The donation of PTO time is strictly voluntary.
- Donated PTO time will go into a leave bank for use by eligible recipients.
- Banked time will be awarded (if available) equally among eligible full-time regular employees who have not received donated leave.
- Recipient identity **will not** be disclosed to donating employees.
- Donated paid leave will be converted to dollars based upon the current rate of pay of the donor. When the leave is withdrawn, it will be based upon the current rate of pay of the recipient.
- Employees cannot borrow against future PTO time to donate.
- The minimum number of PTO hours that an eligible employee may donate is 4 hours per calendar year; the donating employee must have at least 40 remaining in their PTO balance and have used (or have scheduled to use) 40 hours of PTO before the end of that calendar year.
- Employees will be given the opportunity to donate PTO time throughout the year and during the annual Paid Time Off (PTO) Payout opportunity at the end of the year.
- Employees who are currently on an approved leave of absence cannot donate PTO time.
- Employees who donate time may not claim an expense, a tax deduction, or a charitable contribution for any of the leave time donated.

Requesting Donated PTO Time

Eligible, regular, full-time employees may apply for donated leave. Employees who would like to request donated PTO time are required to complete a PTO Donation Request Form. The form will be reviewed by the supervisor and then submitted to Human Resources. Human Resources will determine if the requesting employee is eligible and forward it to the committee for approval if all guidelines are met. Recipient employees will agree to the following terms:

- The Town will ask the employee to provide substantiating documentation of the medical emergency.
- Every 30 days any recipient employee using Donated PTO must notify the Town of the status and intention to return to work in writing, this can be via email or text. Medical certification from a health care provider will also be required for follow-up appointments and for the eventual return to work.
- All paid leave granted under the PTO Donation program is considered wages and is subject to appropriate tax withholding.
- Paid leave under the PTO Donation program may not be liquidated for cash.
- Medical confidentiality will be maintained.

Employees who would like to make a request to receive donated PTO time from their co-workers must meet the following criteria:

- A recipient must be a regular full-time employee eligible to accrue leave.
- The recipient must apply for acceptance to the PTO Donation Program with a PTO Donation Request Form.
- The recipient must be absent from work for at least ten (10) consecutive workdays before they are eligible for donated leave.
- The recipient must have exhausted all PTO time as well as any other accrued paid leave to which he or she is entitled.
- A recipient must be in an unpaid leave status:
 - A recipient must not be receiving or be eligible to receive Workers Compensation.
 - A recipient must certify that they will not be receiving disability benefits for his or her absence from work.

An employee who meets the conditions listed above should contact the HR Department to request leave. The employee will have to complete the PTO Donation Request Form and provide any required medical documentation. The request shall be approved by the employee's supervisor before being submitted to Human Resources. Although the employee's position will be taken into consideration, no decision will be made based on an employee's race, religion, creed, color, gender, national origin, disability, age, marital status, or veteran status.

If the recipient employee has available PTO time in his or her balance, this time will be used prior to any donated PTO time. Donated PTO time may only be used for time off related to the approved request.

Donated leave will be paid to the recipient during the regular payroll schedule. Normal payroll deductions will be withheld, and leave will be reflected on the recipient's W-2 form.

If approved, the recipient will receive donated time if the:

- Employee has received written approval of their donated leave request;
- Funds are available from leave donations or the leave bank;
- Employee is actively employed by the Town of Bluffton;
- Employee provides the required documentation for a family or medical leave of absence and the PTO Donation Program;
- Submits an approved Payroll Status Change Form along with the approved PTO Donation Request Form;
- Employee does not request termination from the program; or
- Employee has not returned to work.

While receiving donated leave, employees are considered to be in leave without pay status and do not:

- Accrue personal Paid Time Off (PTO)
- Receive holiday pay; or
- Earn service credit for the purposes of annual leave increases.

Employees who receive donated PTO time may receive no more than 12 weeks within a rolling 12-month period.

If an employee has remaining donated PTO leave when they return to work, this time will be returned to the donation bank.

Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act.

IF the request is denied, the employee may make a complaint to the Town of Bluffton Human Resources Department who shall look into the reasoning to determine if the decision may be reversed.

Returning from Leave

Recipient employees on approved leave under the PTO Donation Program are required to return to work on the first workday following the end of the requested leave. The Town will require a statement from a health care provider certifying the employee's fitness to return to work. Failure of an employee to return to work upon the leave of absence may subject the employee to disciplinary action, up to and including termination, unless the Town has granted an additional extension.

Employer Termination of Leave

Donated PTO hours will be discontinued:

- If the leave recipient separates from Town employment.
- If the leave recipient, or the family member, no longer suffers from the medical emergency of serious injury for which the donated time was provided.

Review Committee

There will be a review committee established. The purpose of the committee is to review all requests for donated leave and make a recommendation to the Town Manager on whether the request is approved, denied or pending for additional information. The committee will consist of three members. Interested employees shall apply to the Human Resources Department and will be approved by the Town Manager. The members of this committee shall be appointed on an annual basis and will have no term limits.

Solicitation of Leave

This is a voluntary program. Employees are not obligated to donate leave to any other employee and coercion to obtain donated hours is strictly prohibited. Employees are prohibited from soliciting leave for themselves. An employee soliciting leave may be denied use of leave donated during the entire leave period.

Fraudulent Use

Fraudulent use of PTO Donation leave hours will result in immediate discontinuation of Donated PTO benefits and may lead to disciplinary action, up to and including termination.

The recipient will be notified in writing whenever the Donated PTO Leave will be or has been terminated or rescinded. Adjustments will be made to the recipients' compensation and leave records, as appropriate, for any period during which the Donated PTO leave has been terminated or rescinded.

These procedures can be modified, or the program can be eliminated by the Town Manager at any time.



PAID PARENTAL LEAVE POLICY

Purpose:

The Town of Bluffton will provide up to six weeks or two weeks of paid parental leave upon the occurrence of a qualifying event to employees who occupy a full-time position. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. The policy will be in effect for births, adoptions or placements of foster children occurring on or after July 1, 2024. Employees in temporary, part-time or seasonal positions are not eligible.

Eligibility:

Eligible employees must meet the following criteria:

- Have been employed by the town for at least 12 months (the 12 months do not need to be consecutive).
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
- Be a full-time, regular employee (part-time, temporary employees and interns are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

- Have given birth to a child.
- Be a spouse or committed partner (long-term, established and verifiable relationship) of a woman who has given birth to a child.
- Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger).

Eligibility determinations are made as of the date of the qualifying event. If an employee does not meet all eligibility requirements as of the date of the birth, adoption, or foster care they are not eligible for the Paid Parental Leave even if they later meet the eligibility requirements.

To qualify for Paid Parental Leave, the adoption, birth or foster care placement must occur on or after July 1, 2024.

An eligible Town employee shall receive no more than one occurrence of six or two weeks of PPL for any twelve-month period, even if more than one qualifying event occurs.

Regardless of the qualifying event (adoption, birth, foster care placement), the entitlement to PPL expires at the end of the twelve-month period beginning on the date of the qualifying event. If the leave is not used by the eligible Town employee before the end of the twelve-month period after the birth, adoption or foster placement, the leave does not accumulate for subsequent use.

Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited and the employee is not paid out for the leave. Paid Parental Leave may not be donated.

Leave Amount



PAID PARENTAL LEAVE POLICY

The amount of Paid Parental Leave available depends on the qualifying event (adoption, birth or foster care placement) and the relationship of the Town employee to the child. Eligible employees are able to utilize PPL as described below:

- **Adoption:**
 - Eligible employees who are primarily responsible for furnishing care and nurture of their child initially placed for legal adoption under the age of 18 on or after July 1, 2024, are entitled to six weeks of PPL.
 - Eligible employees who are not primarily responsible for furnishing care and nurture of their child initially placed for legal adoption under the age of 18 legally on or after July 1, 2024, are entitled to two weeks of PPL.
 - Only one eligible Town employee may be designated the parent primarily responsible for furnishing care and nurture of their child.
- **Birth:**
 - Eligible employees who give birth to a child on or after July 1, 2024, are entitled to six weeks of PPL.
 - Eligible employees whose co-parent gives birth to a child are entitled to receive two weeks of PPL.
- **Foster Care:**
 - Eligible employees who foster a child under the age of 18 in state custody are entitled to receive two weeks of PPL.

Paid Parental Leave Usage

Employees do not have to exhaust all other forms of leave before being eligible to take PPL.

If both parents are eligible Town employees, PPL may be taken concurrently, consecutively, or at a different time than the other eligible Town employee. No child may have more than two parents eligible for PPL.

PPL may not be used before the qualifying event.

Legal holidays are not counted against PPL.

PPL is paid at 100% of the employees' regular, straight time base pay. This does not include any additional pay, such as overtime, supplements, bonuses, bilingual stipend, shift differential pay, on-call pay, or special assignment pay. Weeks are defined as normal hours worked per week, full-time non-sworn staff normally works 39 hours per week and sworn staff normally work 84 hours per pay period or 42 hours per week.

- **Adoption and Birth:**
 - Leave taken for an adoption or birth must be taken consecutively. Therefore, once leave commences, the employee must continue leave until the leave is exhausted or the choose to return to work. Any leave remaining when the employee returns to work is forfeited.
- **Foster Care:**



PAID PARENTAL LEAVE POLICY

- Leave for foster care placement may be taken consecutively or upon request an approval in two, one-week increments. The employee is not permitted to take leave in increments smaller than one week.

An eligible Town employee shall receive no more than one occurrence of six or two weeks of PPL for any twelve-month period, even if more than one qualifying event occurs. An eligible town employee may, however, be able to use PPL for two qualifying events that occur with the same twelve-month period so long as the start date of the second period of PPL is at least 12 months from the end date of the first period of PPL.

Paid Parental Leave and FMLA

PPL must run concurrently with leave taken pursuant to the Family Medical and Leave Act (FMLA) and any other unpaid leave to which the eligible town employee may be entitled as a result of the qualifying event.

However, an eligible town employee shall be eligible for PPL even if the employee has exhausted their FMLA leave, or is not eligible for FMLA coverage, at the time of the qualifying event.

If an employee becomes eligible for FMLA leave while on PPL, the employee must use FMLA leave, and the PPL runs concurrently with FMLA leave.

Payment While Using Paid Parental Leave and Accrual of Other Leave Types

The hours of PPL are calculated based on the employee's average workday.

Eligible town employees shall accrue PTO leave at the normal rate and receive holiday pay while on PPL, if applicable.

Requesting Paid Parental Leave

Employees must complete and sign the PPL Request Form.

Request to use PPL should be submitted at least 30 days prior to start of PPL. If 30 days' notice is not possible, an employee is required to provide notice as soon as practicable.

An employee may withdraw their request for PPL at any time prior to the start of the PPL. However, an employee on FMLA leave may not use leave without pay if PPL is available. The request to withdraw the request must be submitted in writing.

Upon receiving a request for PPL and documentation following the birth or placement of a child, the agency will notify the employee of their eligibility status within five business days or as soon as is practical.

Required Documentation

The documentation required for PPL is provided below. The employee is required to supply only one form of documentation and may choose which documentation to provide based on the applicable qualifying event.



PAID PARENTAL LEAVE POLICY

Qualifying Event	Required Documentation (employee selects one)
Adoption	<ul style="list-style-type: none">• Adoption order and/or agreement confirming the initial date of placement
Birth	<ul style="list-style-type: none">• Birth Certificate• Certified DNA results• Custody Order
Foster Care	<ul style="list-style-type: none">• Foster Care Placement Agreement• Custody Order

Employees must submit the requested required documentation to receive PPL within 30 days of the start of PPL or as soon as is practical after the documentation becomes available. Employees may be permitted to begin PPL following the qualifying event and pending receipt of this documentation. However, if the required documentation is not provided within 30 days of the start of PPL, or as soon as practical after the documentation becomes available, the employee will be required to substitute all other paid leave available and, if sufficient leave is not available, will be placed on Leave Without Pay for the period they were absent from work. Please the documentation required related to FMLA leave is governed by the FMLA. While the request for PPL and the paperwork related to FMLA leave require some of the same information, the PPL request and FMLA paperwork are separate documents.

All documents must include the date of the qualifying event and reflect that the employee is a parent of the child.



Bereavement Leave for Immediate Family and Others

Objective

The Bereavement Leave Policy establishes uniform guidelines for providing paid time off to employees for absences related to the death of immediate family members and fellow employees or retirees of Town of Bluffton.

Eligibility

All full-time, active employees are eligible for benefits under this policy.

Procedures

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor as soon as possible. If an employee leaves work early on the day he or she is notified of the death, that day will not count as bereavement leave.

In addition to bereavement leave, an employee may, with his or her supervisor's approval, use any available vacation for additional approved time off as necessary. Employees may be required to provide documentation with regard to their bereavement leave.

Bereavement pay is calculated based on the base pay rate at the time of absence, and it will not include any special forms of compensation, such as incentives, commissions, bonuses, overtime or shift differentials.

Paid bereavement leave will be granted according to the following schedule:

- Employees are allowed up to four consecutive days off from regularly scheduled duty with regular pay in the event of the death of the employee's spouse, domestic partner, child, stepchild, parent, stepparent, father, father-in-law, mother, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepbrother, stepsister, or an adult who stood in loco parentis to the employee during childhood.
- Employees are allowed one day off from regular scheduled duty with regular pay in the event of death of the employee's brother-in-law, sister-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent.
- Employees are allowed up to four hours of bereavement leave to attend the funeral of a fellow regular employee or retiree of the Town, provided such absence from duty will not interfere with normal operations of the Town.