

TOWN COUNCIL

STAFF REPORT

Human Resources Department



MEETING DATE:	January 12, 2021
PROJECT:	Consideration of a Resolution to Adopt the Revised Town of Bluffton Employee Handbook
PROJECT MANAGER:	Katherine Robinson, Human Resources Director

RECOMMENDATION:

Consideration by Town Council to adopt by Resolution the revisions to the Town of Bluffton Employee Handbook.

BACKGROUND/DISCUSSION:

Town Council approved adoption of the Town of Bluffton Employee Handbook on October 13, 2004. This provided for subsequent revisions to be approved by Resolution of Town Council. Revisions to the Handbook were made in 2006, 2008, 2015, 2019 and again in 2020.

There was a need to revise some of the existing policies and to create some new policies to the Employee Handbook.

A new Security Awareness Training and Testing Policy was created in response to the increase in cyber threats the Town faces daily. Administrative Leave was added and defined under Time Away from Work, the Probationary Period for Police Department staff was extended and clarified, and finally, clarifications were made to the existing Accident Reporting Procedures.

Changes to existing policies:

- Added and clarified "Administrative Leave" under the Time Away from Work Section.
- Revised the Probationary Period timeline for employees at the Town of Bluffton Police Department.
- Clarifications made to the existing Accident Reporting Procedures.

Added the following new policies:

- Security Awareness Training and Testing Policy

NEXT STEPS:

Upon adoption of Resolution, provide an electronic copy of the updated Policies in the Employee Handbook to all employees, conduct meetings to answer questions and review Employee Handbook.

SUMMARY:

Increases in cyber threats have increased requiring the need for required security training that the new Security Awareness Training and Testing Policy defines and outlines. The revisions to the existing policies were made to provide clarification for the procedures and processes.

ATTACHMENTS:

1. Resolution
2. DRAFT of Updated Town of Bluffton Employee Handbook
3. Suggested Motion

RESOLUTION

A RESOLUTION APPROVING THE ADOPTION OF THE REVISED EMPLOYEE HANDBOOK FOR THE TOWN OF BLUFFTON, SOUTH CAROLINA

WHEREAS, the Town of Bluffton Town Council (the "Town Council") desires a comprehensive set of guidelines and policies governing all personnel matters for all Town employees, including employee conduct, workplace conditions, drug and alcohol policies, policies that implement state and federal employment laws, and other aspects of public employment and service; and

WHEREAS, the Town of Bluffton Employee Handbook was approved and adopted by Town Council on October 13, 2004, and was subsequently revised and amended by Resolution by Town Council in 2006, 2008 and 2015; 2019; 2020; and

WHEREAS, there was a need to revise and clarify the probationary period for the Town of Bluffton Police Department Staff; and

WHEREAS, in response to a rise in cybersecurity attacks there was a need to create and put in place a Security Awareness Training and Testing Policy; and

WHEREAS, there was a need for clarification of Administrative Leave under Time Away from Work; and

WHEREAS, there was a need for clarification to be made in the Town's Accident Reporting Procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON AS FOLLOWS:

1. The Town Council of the Town of Bluffton adopts the Town of Bluffton Employee Handbook, dated January 12, 2021, a copy of which is attached hereto as **Exhibit "A"** and incorporated by reference herein.
2. The attached Employee Handbook shall supercede any previously approved Employee Handbook.

**THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION,
SIGNED, SEALED AND DELIVERED AS OF THIS _____ DAY OF ____, 2021.**

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:

Kimberly Chapman, Town Clerk
Town of Bluffton, South Carolina

ATTACHMENT:

- A. Town of Bluffton Employee Handbook (Revised), January 12, 2021.



Town of Bluffton

An Equal Opportunity Employer

EMPLOYEE HANDBOOK



bluffton
HEART OF THE LOWCOUNTRY™

Town of Bluffton Employee Handbook



ALL EMPLOYEES OF THE TOWN ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY OR NO REASON. NOTHING IN ANY OF THE TOWN'S RULES, POLICIES, HANDBOOKS, PROCEDURES OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. THIS HANDBOOK REPLACES ANY PREVIOUSLY ISSUED POLICIES, WRITTEN OR ORAL, GOVERNING EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER WRITTEN OR ORAL, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, THAT ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING; 2) THE DOCUMENT IS LABELED "CONTRACT"; 3) THE DOCUMENT STATES THE TERM OF EMPLOYMENT; AND 4) THE DOCUMENT IS SIGNED BY THE TOWN / MANAGER OR APPROVED BY VOTE OF COUNCIL.

Adopted June 1, 2008

Updated May 26, 2015

Updated June 11, 2019

Updated July 14, 2020

Town of Bluffton, South Carolina

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I acknowledge receipt of the Town's personnel handbook and understand that it is not a contract of employment. I understand this handbook replaces all previous handbooks, policies, and practices.

[Signature]

Date

[Printed Name]

[Witness / Position]

Date

For employees in the Bluffton police department, the Bluffton Police department standard operating procedures (SOP's) serve as an addendum to this handbook.

EMPLOYEE COPY

Town of Bluffton, South Carolina

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[Signature]

Date

[Printed Name]

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HUMAN RESOURCES COPY

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Lisa Sulka
Mayor

Larry Toomer
Mayor Pro Tempore

Marc Orlando
Town Manager



Council Members
Dan Wood
Fred Hamilton
Harry Lutz

Kimberly Chapman
Town Clerk

Welcome!

Our community shares a deep pride in our town and it is an honor to work with such an engaged citizenry. We look forward to your contributions as a part of the staff entrusted to serve Bluffton. As one of the fastest-growing municipalities in Beaufort County and the Southeast, Bluffton provides a dynamic work culture as we manage our local government's services, issues and operations.

Bluffton's Mayor, Town Council members and staff are results-driven, and customer-service oriented with a commitment to excellence. This collective work ethic is what ensures we accomplish the mission of the Town of Bluffton, which is, "We take care of our citizens, the Town and each other by continuously making our community and organization better."

As Town Manager, it's my privilege to ensure you have the resources to perform your job at the highest level possible. One of these resources includes this Employee Handbook. This Handbook is not a contract; however, it is a reference guide which provides basic employment policies and benefits associated with being a Town of Bluffton employee.

You are encouraged to become familiar with the contents of this Employee Handbook. If you have questions regarding any policy contained in it, please seek clarification from your supervisor, department director, Human Resources or me.

Once again, welcome to the Staff of the Town of Bluffton!

Sincerely,

Marc Orlando,
Town Manager, ICMA- CM

Theodore D. Washington Municipal Building
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910
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Town of Bluffton History

Located in the center of Beaufort County, South Carolina, Bluffton is known as the “Heart of the Lowcountry.” Bluffton offers a strategic location for residents, businesses and guests. Bluffton is also central to other Lowcountry towns and Southeastern attractions such as Hilton Head Island, Beaufort City, Charleston, Savannah, Georgia and Jacksonville, Florida.

Incorporated in 1852, Bluffton was a one-square mile river town. The Town earned its name because of its original one-square mile jurisdiction resided on a bluff above the May River. Bluffton’s “heart” is its May River and it has always been the town’s centerpiece. The river is why area plantation owners and their families first came to Bluffton in the early 1800s. They built summer homes on “The Bluff” to escape the hot, unhealthy conditions of the low-lying rice and cotton plantations. Bluffton’s high ground and cool river breezes from the May River provided that relief. The May River also provided families easy-access to other waterways. What is now known as the Calhoun Street Dock was once a rest stop for boat travelers between Savannah, Beaufort and Charleston.

Bluffton’s coastal way of life has earned it the title of one of “the last true coastal village of the South.” Besides living, working and playing among the Lowcountry’s natural resources, Bluffton residents pride themselves in their sense of community and their non-conforming ways. Often described as “eclectic,” the town is full of artists, art galleries, festivals and parades. Bluffton residents have also been known as a rebellious community. That reputation began in its roots – literally. Bluffton became a hotbed of the separatist movement in 1844. Robert Barnwell Rhett, a South Carolina congressman, spoke to a group of about 500 residents under a big Oak Tree in Bluffton to protest federal taxes and discuss other issues affecting the South. This meeting gave birth to the Secession movement which led South Carolina to be the first state to leave the Union in 1860. That tree still exists today in Bluffton.

The Civil War had a devastating effect on Bluffton as two-thirds of the town was destroyed by fire during the Union’s Bluffton Expedition on June 4, 1863. Those who remained were destitute and it took many years for Bluffton to economically reestablish itself.

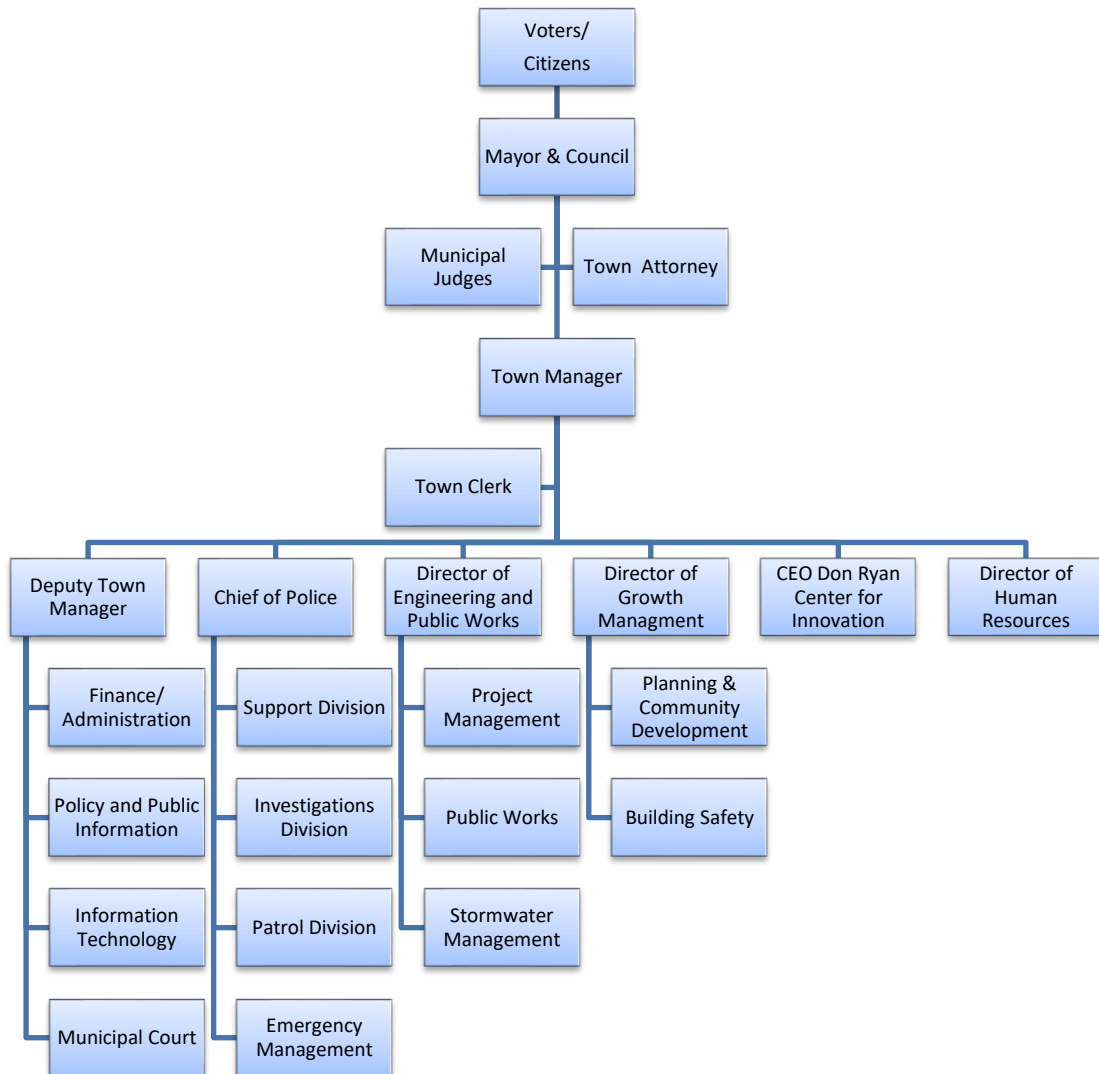
Preserving history and the town’s remaining buildings from the Antebellum/Reconstruction Era has resulted in a surge of tourism and numerous local, regional and national accolades.

While time marches on, the reasons why people come to Bluffton haven’t changed much since its early days. People are relocating to Bluffton for its beauty, culture and high quality of life. The Historic District is still the hub of businesses, shopping and community gatherings. The May River is where people still go to fish, oyster and shrimp. It is a town known as the place to get the Lowcountry’s best seafood. Tourists and residents come to Bluffton to see oystermen harvest May River oysters the old-fashioned way, using their hands, gloves and small boats called bateaus. These oysters are brought to the historic Bluffton Oyster Company where employees, many who have worked there for generations, hand shuck the oysters. The Bluffton Oyster Company is the last hand-shucking factory in the state.

One of the secrets to Bluffton’s population surge and success is preserving the town’s uniqueness as it honors its past. Most towns only have one building, or site or one family’s story to carry on the stories of its former years. Wars, especially the Civil War, Mother Nature’s destruction or the desire to build anew have destroyed the history of most American cities. Bluffton is different. Its Historic District is comprised of numerous historic buildings, homes, sites and landmarks. Town leaders know that its uniqueness is what separates it from other municipalities and they continually invest in the Historic District.

While Bluffton still operates in similar ways, the town, itself, has dramatically changed. In the last few decades, Bluffton’s land mass and population has skyrocketed. Since 1998, Bluffton has exploded from about 750 residents and a jurisdiction of one-square mile (i.e. the Historic District). In 2019, Bluffton is 54 square miles due to multiple annexations and has more than 20,000 residents. Bluffton is the fastest growing municipality in South Carolina and is consistently winning honors, awards and accolades for its high quality of life, low crime rate, progressive economic development initiatives and innovative urban planning.

Town of Bluffton Organizational Structure



Town of Bluffton Mission Statement

We take care of our citizens, the Town and each other by continuously making our community and organization better.

The Town organization is committed to:

- Providing excellent services by continuously looking for improvements in services using best practices.
- Providing award winning fiscal management services to our citizens.
- Providing exceptional customer service that is focused on solutions and meeting the needs of our citizens.
- Providing meaningful public engagement opportunities for our community.
- Providing a work environment committed to teamwork, communication, transparency, ethical behavior and progressive compensation to help employees reach their full potential.
- Providing and using performance measures to determine if our services are getting the intended results.

Town of Bluffton Vision Statement

Bluffton, the Heart of the Lowcountry, a town that appreciates the past, focuses on today and is planning together for a great future.

Bluffton is a welcoming and inclusive community, committed to retaining its historic nature, livable neighborhoods, active lifestyle and respect for the May River. We are committed to work together to create a great community now and one that is also sustainable for the generations to come.

PRINCIPLES

1. Respect

2. Effectiveness

3. Continuous Improvement

4. Leadership

5. Service

6. Trust

VALUES

We respect our citizens and strive to protect their dignity, freedom and privacy.

We provide services in a cost-effective manner.

We strive to continuously improve by seeking feedback from our citizens, and by improving our services through training and professional development.

We believe we must be a pace-setting municipality in our country and in our state.

We maintain an attitude and a commitment of going “above and beyond” in serving our citizens.

We develop and foster a climate of trust and sincerity.

Bluffton's Covenant

As citizens of Bluffton, we hold the following to be true:

- *That social, cultural and economic diversity and inclusiveness are the essence of our community;*
- *That we bear responsibility for the stewardship of nature's blessings entrusted to us in Bluffton and along the May River;*
- *That freedom and civic duty work hand-in-hand to create a culture of individuality and a sense of community;*
- *That our natural, physical and cultural history is worthy of our protection as trustees in order for us to embrace our future.*

Acknowledging these truths, we aspire to the following goals:

- *To build upon our historic foundation a future that celebrates diversity, nurtures neighborliness and ensures a future of opportunity for generations to come;*
- *To enhance the natural beauty and the quality of the May River and its watershed;*
- *To protect the architectural heritage of Old Town Bluffton;*
- *To enhance the canopy of trees and natural landscape throughout Bluffton;*
- *To engage the creative human spirit and the arts within Bluffton;*
- *To protect and enhance the oyster, shrimping and fishing opportunities of the May River;*
- *To provide housing opportunities for all citizens that are decent, affordable, and Bluffton beautiful;*
- *To nurture respect for each citizen.*

SECTION I.

EMPLOYMENT POLICIES

This section discusses some standard policies related to your employment such as the Equal Employment Opportunity (EEO) Policy, the Anti-Harassment Policy, Sexual Harassment Policy, the Town's Fraternization Policy. The Town's Hiring Policy is also covered, which includes the Nepotism/Employment of Relatives Policy. It also provides information on the Americans with Disabilities Act (ADA) and Reasonable Accommodation.

1.0. EMPLOYMENT POLICIES.

1.1 Equal Employment Opportunity (EEO) Policy.

The Town provides equal opportunity to all applicants for employment and administers hiring, conditions and privileges of employment, compensation, training, promotions, transfer and discipline without discrimination because of race, color, religion, gender, disability, sexual orientation, gender identity, genetic information, age or national origin. The Town also prohibits retaliation against employees who have reported discrimination. Any employee who believes that he has been discriminated against in violation of this policy should report the matter to Human Resources, the employee's immediate supervisor or any manager in the employee's chain of command.

1.2 Anti-Harassment Policy.

Various laws and regulations generally prohibit employment decisions from being made on the basis of race, color, sex, religion, national origin, age, genetic information, disability, sexual orientation, gender identity, or similar distinctions. In addition, it is our desire to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, threats, and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

The Town does not tolerate harassment of any kind and forbids retaliation against anyone who has reported harassment in good faith.

Sexual Harassment

Sexual harassment warrants special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when:

- a) Submission to the conduct is an explicit or implicit term or condition of employment; or
- b) Submission to or rejection of the conduct is used as the basis for an employment decision; or
- c) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include explicit sexual propositions, sexual innuendos, suggestive comments, sexually oriented kidding or teasing, practical jokes, jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, put-downs or condescending or derisive comments or terms based on gender, and physical conduct, such as patting, pinching, or brushing against another person. Although most commonly, the perpetrator of such conduct is male, and the victim is female, this policy prohibits such conduct regardless of the gender of the perpetrator or victim.

Disputes sometimes arise as to whether conduct was "welcome" or "unwelcome." Conduct that would violate this policy if it were unwelcome violates the policy if anyone complains of it. However, not all conduct, which is prohibited by this policy, constitutes a violation of the law.

1.3 Fraternization Policy.

The purpose of the Town's Fraternization Policy is to uphold appropriate boundaries between personal and business relationships, which includes the requirement to report participation of such relationships, including those with vendors and other business associates.

Except as otherwise stated below, Town employees may date, develop friendships and relationships both inside and outside of the workplace as long as the relationships do not negatively have an impact on work.

Any relationship that interferes with the Town's business including, but not limited to, the culture of

teamwork, the harmonious work environment or the productivity of employees, will generally be addressed by applying the progressive discipline policy up to and including employee termination.

Adverse workplace behavior or behavior that affects the workplace that arises because of personal relationships will not be tolerated.

The exception to this policy relates to the conduct of managers and supervisors employed by the Town. Employees working in a managerial and/or supervisory role are prohibited from engaging in personal relationships (i.e. dating, etc.) with employees who report to them, whether directly or indirectly. Such conduct may be perceived as favoritism and/or misuse of authority and will not be tolerated.

1.4 Americans with Disabilities Act (ADA).

The Town of Bluffton is committed to equal opportunity in all aspects of employment for qualified individuals with a disability. In accordance with the Americans with Disabilities Act (ADA) and State law, and consistent with the Town's policy on Productive Work Environment, it is the policy of the Town to provide reasonable accommodations in employment to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the operations of the Town's business or would change the essential functions of the position. Retaliation against an individual with a disability for utilizing this policy is prohibited. This guideline governs all aspects of employment including selection, job assignment, compensation, discipline, employment, termination, and access to benefits and training.

Definitions:

Disability. The term "disability" means, with respect to an individual –

- a) A physical or mental impairment that substantially limits one or more major life activities of such individual;
- b) A record of such an impairment;
- c) Being regarded as having such an impairment; or
- d) An impairment that is episodic or in remission if it substantially limits a major life activity when it is active.

Major Life Activities.

- a) ***In general*** – major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
- b) ***Major Bodily functions*** – a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Substantially Limiting. An impairment is limiting if it prohibits or significantly restricts an individual's ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity. The determination of whether an impairment substantially limits a major life activity depends on the nature and severity of the impairment, the duration or expected duration of the impairment, and the permanent or long-term impact of the impairment.

Has a Record of an Impairment. An individual has a record of an impairment if that individual has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities.

Regarded as Having Such an Impairment. An individual meets the requirements of being regarded as having such an impairment if the individual establishes that he or she has been

subjected to an action prohibited under this Act because of an actual or perceived physical or mental impairment whether or not the impairment substantially limits or is perceived to substantially limit a major life activity.

Qualified Individual with a Disability. An employee or applicant for employment who, with or without a reasonable accommodation can perform the essential functions of the position.

Reasonable Accommodation. A modification or adjustment to a position, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to perform the essential functions of the position.

Reasonable accommodations may include, but are not limited to:

- a) Making existing facilities readily accessible to and usable by persons with disabilities;
- b) Job restructuring, modifying work schedules, reassignment to a vacant position; or
- c) Acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

The Town is not obligated to and will not provide personal use items needed in accomplishing daily activities (i.e. eyeglasses, hearing aids, prosthetic limbs, or a wheelchair.)

Essential Job Function. The fundamental duties of the position or the primary reasons the position exists.

- a) The Town does not have to eliminate an essential function from the position, nor does it have to lower quality or performance standards to make an accommodation, as long as those standards are applied uniformly to employees with or without a disability.
- b) The Town does not have to create a new position to accommodate an employee.

Marginal Job Function. A job function that would be considered a secondary non-critical job task.

Although important and necessary to the position, a marginal job function could be reassigned to others and/or performed a lesser percentage of time as occasional essential functions.

Undue Hardship. An accommodation or action requiring significant difficulty or expense when considered in light of factors such as the Town's financial resources. Undue hardship also refers to an accommodation that is unduly extensive, substantial, or disruptive, or one that would fundamentally alter the nature of the position.

Accommodation is a two-way street, and employees are expected to notify Human Resources or other appropriate Town staff if they need an accommodation. Any Supervisor or Department Head receiving a request for an accommodation should report it to Human Resources so that an appropriate resolution can be determined.

Normally, the disclosure of a disability or request for accommodation will result in an interactive process between the Town and the employee to determine what, if any, reasonable accommodation might best enable the employee to perform the essential functions of his/her job. What accommodation, if any, will be determined on a case-by-case basis. If it is not possible to accommodate an employee in his/her current position, then the Town may resort to determining if there are other positions available and to be filled for which the employee can perform the essential functions of the job, with or without accommodation.

1.5 Hiring / Recruiting.

The Town endeavors to hire the most suitable candidate for open positions and encourages current employees to apply for positions for which they are qualified. The Town may also solicit and consider applications from external applicants. Decisions to fill an open position are made by the Department

Director or Chief of Police and approved by the Town Manager. All new positions require prior approval by the Town Manager.

1.6 Nepotism / Employment of Relatives.

People in the same immediate family may not be employed or continue to be employed if one directly or indirectly supervises another or interacts with another in the handling of money or compensation. For purposes of this policy, immediate family is defined as spouse, parent, child, grandparent, grandchild, brother or sister, parent-in-law, grandparent-in-law, brother-in-law and sister-in-law, son-in-law, or daughter-in-law. The immediate family is also considered to include stepparents, stepchildren, stepbrothers and stepsisters when the employee and the step-relative have lived together regularly in the same household. Unrelated employees residing together or otherwise engaged in a close personal relationship (such as domestic partner, co-habitant or significant other) are treated as being within the immediate family of each other for the purposes of this nepotism policy.

If employees become related by marriage and create a situation prohibited by this policy, one of the employees may be asked to give up his/her position. If the employees cannot choose which of them it will be, the employee having the lower budgeted annual compensation may be removed. The removed employee may be considered for other positions within the Town for which he/she is qualified.

Situations not specifically addressed in this policy that, in the Town's opinion, create a conflict of interest or give the appearance of a conflict of interest, will be handled at the Town's discretion. Exceptions to this policy may be made with Town Manager Approval.

1.7 Probationary Period.

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Town uses this period to evaluate the employee's capabilities, work habits, and overall performance.

New employees work on a probationary basis for the first six months after their date of hire. This period is not a guarantee of employment for six months. For the Police Department, all employees will work on a probationary period of one year that will be inclusive of their hire date to one year after they have graduated from the South Carolina Criminal Justice Academy (SCCJA). If the Town determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended, or the employment relationship may end.

Upon satisfactory completion of the probationary period as evidenced by a performance evaluation, employees are assigned to a "regular" employment classification.

During the probationary period, new employees are eligible for several Town-provided benefits and benefits required by law. After becoming a "regular" employee, the individual will become eligible for additional Town-provided benefits subject to the terms and conditions of each benefit plan. Participation and eligibility for benefit plans will be handled in accordance with the respective guidelines of each benefit offered.

Former Town employees rehired following a break in service may be required to satisfy a new probationary period, as determined by the Town Manager.

1.8 Employee Performance.

Performance appraisals will be conducted with each employee. Employees will be evaluated and will be given feedback concerning their job performance. Performance appraisals may be used in decisions concerning pay, promotions, discipline, transfers, training, employee development, and continuation of employment. However, no employee has a right to a pay increase because of a good evaluation.

Appraisal Periods. Initial Probationary Period for employees is 6 months following employment date. All other regular employees will be reviewed annually. Employee promotions or transfers will also have a 6-month probationary period. Employees at the Police Department who are promoted will have 12-month probationary period. Appraisals will also be conducted when an employee's performance falls below expectations.

If a performance appraisal has been completed within one month of the above occasions, a new appraisal does not need to be completed. Between scheduled appraisals, Supervisors should discuss with employees on an informal basis any performance issues that require attention. Supervisors should keep records of any significant incidents and provide a copy of the documentation to Human Resources.

Appraisal Procedures. The chain of command applies to the process as outlined below:

- Supervisors evaluate each employee;
- Final evaluations are reviewed by Department Directors or Chief of Police;
- Town Manager evaluates all Department Directors and approves all performance evaluations.
 - a) Supervisors should prepare a written appraisal of each employee's job performance. The appraisal should include the Supervisor's comments and recommendations, and performance goals for the next evaluation period.
 - b) Department Heads/Chief of Police should review each Supervisor's written evaluation for each employee to help assure that the evaluation has been completed properly in as fair and objective a manner as possible.
 - c) After the written evaluation has been reviewed and approved by the Town Manager, the Supervisor and employee should meet to discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and set objectives and goals for the coming period. The employee should be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee and Supervisor then should sign and date the evaluation and forward it to Human Resources for review and inclusion in the employee's personnel file.

The procedures discussed in this policy are only guidelines. The Town may, in its sole discretion, modify or revoke them in whole or in part at any time. Therefore, these procedures are not a promise or contract, express or implied, and the Town retains the right to determine whether and how they will be applied, depending on the circumstances.

1.9 Telecommuting Policy

Overview

The Town of Bluffton ("the Town") considers that telecommuting can be a viable alternative work arrangement in cases where the individual and their job are suited to such an arrangement. Telecommuting may allow an employee to work at home, on the road, or in a satellite location for all or a portion of their regular workweek. Telecommuting is a work alternative that may be appropriate for some employees and some jobs. It is not an entitlement; it is not a Town-wide benefit; and it in no way changes the terms and conditions of employment with the Town.

Telecommuting is also an option in instances where business cannot be conducted at Town Hall or at the employee's normal workstation or office location. This can be due to a number of reasons to include, but not limited to temporary construction activity, emergency and/or health conditions which preclude the ability to enter the workplace (please reference the Town of Bluffton's Declared Emergency [Temporary Telecommuting Policy](#)).

Telecommuting Procedure:

1. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.
2. Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel; or formal, as outlined below. All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the Town.
3. Any employee may be eligible for telecommuting consideration with Town Manager approval.
4. Eligible positions will be recommended by the Department Head, reviewed by Human Resources, approved by the Town Manager and will be based upon functional role and business needs. A [Telecommuting Agreement](#) must be completed prior to implementing a telecommuting schedule.
5. Any approved telecommuting arrangement may be discontinued, at will, at any time by either the telecommuter or the Town.
6. The approval of employee's telecommuting request does not mean that another employee who later may fill the same position will be authorized to telecommute. Also, a telecommuting employee who changes positions or whose responsibilities change may be subject to review and possible cancellation of previous telework arrangements.
7. Prior to telecommuting, employee is required to attend on-line security training.
8. Telecommuters must be available by phone or other electronic communication during the agreed upon telecommuting hours of work.
9. Supervisors should remind staff to take breaks and not work excessively in front of the screen. Teleworking is about achieving an expected level of productivity.
10. The employee and supervisor will agree on the number of days of telecommuting allowed each week, the work schedule the employee will customarily maintain, and the manner and frequency of communication. The employee agrees to be accessible by phone or modem during the agreed upon work schedule.
11. Telecommuters who are hourly employees or non-exempt, will record all hours worked in the same manner as if they were working on Town Premises. Accrual of overtime or compensatory time will be administered under the same provisions as if the work were performed at the regular work location. Overtime work must have prior Supervisor approval.
12. Telecommuters who are salaried or exempt do not ordinarily complete a timecard at their regular place of work. However, when telecommuting, they will keep a record of actual time worked at the alternate work location for the purposes of demonstrating accountability to their agreed upon work schedule.

13. Before entering into any telecommuting arrangement, the employee and supervisor will evaluate the suitability of such an arrangement paying particular attention to the following areas:
- a. Job Responsibilities - the employee and supervisor will discuss the job responsibilities and determine if the job is appropriate or suitable for a successful telecommuting arrangement.
 - b. Employee Suitability - the employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
 - c. Equipment needs, work-space design considerations and scheduling issues.
 - d. Tax and other legal implications for the business use of the employee's home based on IRS and state and local government restrictions. Responsibility for fulfilling all obligations in this area rests solely with the employee.
14. The supervisor and employee will establish a routine communication schedule to monitor assigned work projects and tasks. Evaluation of telecommuter performance will be consistent in both content and frequency with that received by employees working at the office.
15. Telecommuting is NOT designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family prior to entering into a telecommuting agreement.
16. Employees entering into a telecommuting agreement may be required to forfeit use of a personal on-site office or workstation in favor of a shared arrangement to maximize Town office space needs.
17. The availability of telecommuting as a flexible work arrangement for employees of the Town can be discontinued at any time at the discretion of the Town. Every effort will be made to provide 30 days' notice of such a change to accommodate commuting, childcare and other problems that may arise from such a change. There may be instances however, where no notice or less notice is possible.

Equipment

1. The Town will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including software, modems, phone and data lines, facsimile equipment or software, photocopiers, etc.) and who (the Town or the employee) will supply the equipment for telecommuting for each telecommuting arrangement on a case-by-case basis. The Town's Information Technology Department will serve as a resource in this matter. Equipment supplied by the Town will be maintained by the Town. Equipment supplied by the employee, if deemed appropriate by the Town, will be maintained by the employee. The Town accepts no responsibility for damage or repairs to employee-owned equipment. The Town reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the Town is to be used for business only. The telecommuter shall sign an inventory of all office property and agrees to take appropriate action to protect the items from damage or theft. Employees are responsible for the proper care and return of all Town property and

equipment assigned to their possession. Unless other arrangements are made upon termination of employment, all Town property will be returned to the Town no later than the final day of employment.

2. After equipment has been delivered, a designated representative of the Town may visit the employee's off-site workplace to inspect for possible work hazards and to suggest modifications. Repeat inspections may occur on an as-needed basis. Injuries sustained by a telecommuting employee who is working at home are not normally covered by the Town's worker's compensation policy. If a telecommuting employee is convinced that an injury which he/she has sustained at home was directly related to performance of his/her duties for the Town, he/she is responsible for notifying the Town of such injuries in accordance with the Town's worker's compensation procedures applicable to all other employees. The telecommuting employee is solely liable for any injuries sustained by visitors to his/her office workplace.
3. The Town will supply the employee with appropriate office supplies (pens, paper, etc.) to be charged against the employee's department budget for successful completion of job responsibilities. With Supervisor approval, the Town will also reimburse the employee for all other business-related expenses such as phone calls, shipping costs, etc. that may reasonably be incurred while performing job responsibilities.
4. Consistent with the Town's expectations of information asset security for employees working at the office full-time, telecommuting employees will be expected to ensure the protection of proprietary Town and customer information accessible from their off-site workplace. Steps include, but are not limited to, use of the locked file cabinets and desks, regular password maintenance, locking your computer when stepping away from the workstation, and all other steps appropriate for the job and the environment.
5. The telecommuting employee will establish an environment appropriate for work purposes. The Town will not be responsible for costs associated with set-up of employee's off-site workplace such as remodeling, furniture or lighting, nor for repairs nor modifications to the off-site office space, nor for increased utility costs. Employees will be offered appropriate assistance in setting up a workstation designed for safe, comfortable work.

Amendment of Policy

This policy may be cancelled, suspended, or amended at any time by the Town Manager.

1.10 Promotions and Transfers.

The Town of Bluffton may look first within its own ranks prior to filling a position from the outside. However, the Town reserves the right to consider external candidates before making an employment decision.

All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their Supervisor, Department Head, or Human Resources. To be considered for an open position, an employee must have successfully completed their first 6 months of probationary employment, have a satisfactory performance record and have no disciplinary actions during this same period. With Town Manager approval, some of the time of this 6-month period can be waived if the early transfer is necessary to meet operational needs. Generally, this will happen primarily with departmental internal transfers. Employee's eligibility for promotion will be determined by the requirements of the new job. If eligible, the employee must submit a Town of Bluffton Employment Application, cover letter and resume to Human Resources.

Job openings and promotions for which management solicits candidates from within the Town normally will be posted on the Town's website and communicated through email. However, as it considers appropriate, management may fill job openings or make promotions without posting notices.

When job openings or promotion opportunities are posted:

- a) Supervisors and Department Heads may initiate the procedure within the same time and propose employees for the position. The Department Head should forward a written recommendation for promotion of an individual to Human Resources, which must be approved by the Town Manager;
- b) If no recommendation for promotion is provided, interested employees may apply to Human Resources prior to the deadline specified in the posting, if one has been set;
- c) With approval, Human Resources may solicit outside candidates during or after the posting period, if one has been set.

A newly promoted employee is on probation in their new position for six months. A promotion probation period allows an employee to demonstrate that they are well suited for the promotion.

If the department head concludes at any time during the probationary period the newly promoted employee is not suited for the position, the employee will be removed from that position. If there is a vacancy in the employee's former position and it has yet to be filled, they may return to that former position. If there is no such vacancy, the employee may be considered for the filling of other vacancies for which they are qualified. If no other position is found for the employee, they may be placed on a personal leave of absence or terminated. This action does not prohibit an employee from applying for future vacancies with the Town.

1.11 Secondary Outside Employment.

- a) No employee may engage in paid outside regular or temporary employment, whether full-time or part-time, without first using the Request for Approval of Secondary Employment Form to obtain the acknowledgement of their Manager/Supervisor, and the approval of the employee's Department head and the Town Manager. An employee who plans to engage in self-employed activities must also provide a copy of their Bluffton business license or a statement confirming that no work will be conducted in the Town of Bluffton. A new Secondary Employment Authorization Form must be completed each time employment changes. Authorization may be withdrawn at any time if, in the opinion of the Town, the secondary employment violates any part of this policy. A form does not need to be completed in the case of volunteer work when it is conducted during an employee's regular business hours (please see [Corporate Social Responsibility Program](#)).
- b) Employees must not engage in any private business or activity during work time. Further, employees may not receive any income or material gain from individuals outside the Town for materials produced or services rendered while performing their jobs for the Town.
- c) Employees must not use Town facilities or resources (i.e. phone, fax, copier, printer, computer, office supplies, etc.) to engage in private employment activities.
- d) An employee may not engage in or accept private employment or render any service for private interest when, in the Town's opinion, such employment or service is determined to be incompatible with, creates a conflict of interest with, or gives the appearance of a conflict of interest with the employee's Town duties. If, in the Town's opinion, approved outside employment interferes with job duties or the ability to meet Town requirements, the employee may be required to modify the outside employment.
- e) Note also that employees of the Town may be subject to call-in during periods of outside employment and will be expected to report for Town duty.

1.12 General Office Safety Guidelines.

Thinking and working safely can prevent most accidents. You can become aware of the most common hazards in the office environment. Employees are responsible for maintaining their work areas in a clean and orderly fashion. To fulfill this responsibility, each employee should, at a minimum, do the following:

- a) Place coats, boots, umbrellas, and other items of clothing out of the way so that work stations are not unnecessarily cluttered.
- b) Take time to reach out and hold on to the chair as you sit down.
- c) Keep floors and walkways clear of electrical, telephone and computer cables, boxes, etc. They are tripping hazards.
- d) Close one drawer in a filing cabinet before opening another. This prevents the file cabinet from tipping.
- e) Close the drawer in your desk before getting up.
- f) Close file drawers before walking away from the file cabinet. This prevents the danger of people walking into an open file drawer or desk drawer.
- g) Store supplies inside cabinets, not on top of them. Store heavy items in lower drawers or on low shelves.
- h) Watch out for slippery surfaces. Spilled drinks or water from umbrellas are typical hazards and need to be cleaned up/or identified immediately.
- i) Look where you are going. Do not block your view by carrying loads higher than eye level.
- j) Do not read while walking. It does not save enough time to justify the risk.
- k) Walk, do not run. Please slow down.
- l) Do not climb on chairs, desks or boxes. Use a stepladder instead.
- m) Hold onto handrails when using stairways.
- n) Do not lift boxes and items that are too heavy for your own personal strength; ask for assistance.
- o) Do not overload wall sockets and extension cords.
- p) Do not touch electrical switches, sockets, plugs, etc. with wet hands.
- q) Watch for unsafe conditions such as defective equipment, burned out lights, loose steps, torn carpet, etc. and report them to your supervisor immediately.
- r) Prior to the end of the workday, clean and store all tools and equipment and properly secure any items, papers, or information of value.
- s) Supervisors are responsible for having their employees maintain their work areas according to the requirements of this policy. Supervisors should:
 - Monitor the facilities and equipment and issue maintenance requests where appropriate;
 - Arrange for the removal of any items from the workplace that are not needed for the flow of business or the enhancement of employee comfort;
 - Report to the Facilities Supervisor any existing or potential workplace hazards and safety

violations; and

- Ensure the proper disposal of all trash, waste, and scrap; recycling as appropriate.
- t) The Town will attempt to maintain the temperature, lighting, and noise level of its facilities at a level that is comfortable for employees and also appropriate for the nature of its operations. Employees should inform their Supervisor of any concerns about working conditions.
- u) In the event of an injury, the steps for Worker's Compensation should be followed.

1.13 Injury While on Duty.

The Town of Bluffton endeavors to maintain a safe working environment. However, if an employee is injured while on duty and the incident is properly reported they will be compensated for time off due to the injury in accordance with the Workers Compensation Law.

All accidents must be reported immediately to a supervisor and to Compendium Services within 24 hours. Supervisors must fill out the Workers Compensation Checklist and Documents and send to Human Resources as soon as possible. Compendium Services will fill out the First Report of Injury Report and refer that employee to a health care provider.

Injuries may be reviewed as to the cause and whether corrective measures are needed. Employees who incur time loss may be counseled and disciplinary action may be taken if carelessness and negligence caused the injury.

Time lost because of injury while on duty will be counted when computing length of service for PTO purposes.

1.14 Fire & Disaster Plan.

In case of fire or disaster, all employees should depart through the nearest and safest exit. It is the responsibility of all employees to ensure that they know the nearest exit in any/all of their work facilities.

In case of a disaster, it is the employee's duty and responsibility to report to the Town of Bluffton and to their work or safe area unless instructed otherwise. Under no circumstances will an employee go to the scene of the disaster unless so instructed by a Town of Bluffton authority.

1.15 Employee ID Cards.

Within the first week of hire date, employees will be issued a Town of Bluffton ID card, Security Badge or a Fob. These items are property of the Town, and it is the responsibility of all employees to ensure these are not misused in any way. If any of these items are lost, stolen or broken, a replacement cost of \$5.00 may be charged per incident to the employee if misplaced more than once.

A lost or stolen security access card or Fob must be reported to the Information Technology (IT) Department immediately so that it can be deactivated.

Each employee will be allowed one replacement ID card without charge.

SECTION II.

EMPLOYEE CONDUCT

This section reviews the Town's Guidelines for topics such as Conflict of Interest, Gifts and Gratuities, and Business Entertaining. It reviews Daily Schedules and Attendance, Tardiness, Tobacco Use, the Town Dress Code, and Emergency Situation Protocol. It also briefly introduces Town Policies such as Computer Usage, Social Media, and the Drug Free Work Place Policy, which are all attached. Employee Behavior and Expectations is covered along with the Town of Bluffton Code of Conduct.

2.0. EMPLOYEE CONDUCT.

2.1 Core Beliefs.

The Town expects employees to conduct themselves in a courteous and professional manner. Some conduct is unacceptable and may result in discipline up to and including discharge. Please refer to [Employee Behavior and Expectations](#), [Employee Discipline](#) and [The Town of Bluffton's Code of Conduct](#) for more details.

Our Core Beliefs:

The Town of Bluffton's core beliefs are as follows – Mayor and Council, managers and employees take pride in serving our customers:

- a) Our customers provide the primary source of the Town's income and each employee's job security. To promote excellent relations with our customers, all employees must represent the Town in a positive manner and make customers feel appreciated when dealing with the organization.
- b) Employees with customer contact are expected to know the Town's services and to learn what customers want and need.
- c) Employees are encouraged to report recurring customer-related problems to their supervisor.
- d) Employees should be prepared to pay careful attention to customer complaints and deal with them in a helpful, professional manner. If a controversy arises, the employee should explain the Town policy respectfully and clearly. Customers who become unreasonable, abusive, or harassing should be referred to the employee's Supervisor if the employee cannot resolve the problem (Please see [Emergency Situation Protocol](#)).
- e) Employees should be polite and thoughtful when responding to customers. A positive contact with a customer can enhance goodwill, while a negative experience can destroy a valuable relationship. The following telephone procedures should be observed at all times:
 - i. Use a pleasant tone of voice, give the name of the department, and identify yourself;
 - ii. If the person with whom the caller wishes to speak is on another line, ask if the caller wants to be placed on hold;
 - iii. If a caller has been placed on hold, carefully monitor the time and offer to have the call returned if the person called is not available within a reasonable period;
 - iv. When a caller leaves a name, number, or message, make sure it is recorded correctly and given promptly to the appropriate individual.

2.2 Ethics Guidelines.

Conflict of Interest

Town employees are covered by state ethics laws that prohibit public employees from using their position with the Town for their own personal gain or to benefit a family member or business associate. State law also prohibits employees from making governmental decisions on matters in which they, their family or business associates have an economic interest. Employees must notify their supervisors in writing of any matter in which they, their family or business associates have an economic interest and in which they must act on behalf of the Town. The supervisor must send the notification to the Town Manager for review. If the Town Manager determines a potential conflict or appearance of conflict of interest exists, the matter will be reassigned to another employee.

Gifts and Gratuities

No employee may directly or indirectly solicit, accept or receive a gift under circumstances in which it could be inferred that the gift was intended to influence the employee in the performance of his/her official duties or was intended as a reward for an official act on their part.

A gift is defined as any benefit, favor, service, privilege, or thing of value that could be interpreted as influencing an employee's impartiality.

A gift includes, but is not limited, to meals, trips, money, loans, rewards, merchandise, foodstuffs, tickets to sporting or cultural events, entertainment, and personal services or work provided by Town suppliers or contractors.

The objective of the above information is not to prohibit the acceptance of items of nominal value that are distributed generally to all employees.

2.3 Business Entertaining.

It is the policy of the Town to authorize certain employees to engage in business entertaining on behalf of the Town and to pay for or reimburse these expenses according to the guidelines below.

- a) Employees may entertain business associates on behalf of the Town only if they have been authorized to do so by their Supervisor. Authorization should define the general circumstances and expense limits of the approved forms of entertainment. The Town strongly encourages staff to patronize Town of Bluffton businesses when entertaining business associates.
- b) Employee entertainment expenses will be paid or reimbursed if they are reasonable, are directly related to or associated with the Town's business and are properly approved by the Supervisor. Employees who incur entertainment expenses which do not meet these standards will be personally responsible for them.
- c) To be approved by the Supervisor, employee entertainment expenses must be submitted and documented on the appropriate finance form (Visa DI Receipt Form, Visa RQ Receipt Form, or Check Request Form). The finance form should contain a detailed itemization of the expenses incurred and a statement of the date, place, and business reason for the entertainment, as well as the names of those present and their business relationships to the Town. Entertainment reimbursement claims must be accounted for separately from any other expense reimbursement claims. Vouchers must be accompanied by receipts.
- d) The Town will not reimburse employees for alcohol expenses. Any employees engaged in functions which involve alcohol are expected to be aware of the dangers arising from the consumption of alcohol and to exercise moderation and good judgment at all times.

2.4 Daily Schedule & Attendance.

With the exception of the Bluffton Police Department, regular office hours are 8 a.m. to 5:30 p.m. Monday through Thursday and from 8:00 a.m. to 1:00 p.m. on Friday. These hours may be changed according to business necessity as determined by the Town Manager.

Tardiness: Tardiness will be dealt with by supervisors.

Absences: The Town is under no obligation to pay for work hours (non-exempt) when an employee is not present for their assigned workday.

Employees absent from their regular work day must advise their supervisor before the start of their scheduled reporting time.

When absent, employees are to provide supervisors with daily status on their return to work.

A doctor's note is required for a return to work when an unplanned absence due to illness is three or more consecutive days.

An unauthorized or unexplained absence of three consecutive workdays may be treated as resignation without notice.

Weekend & Holiday Duty: Duty assignments will be rotated in an as fair and as equitable manner as possible consistent with the Town's needs in Departments where weekend and holiday coverage is necessary.

Police Department: Police Officers must follow policies outlined in the *Police Department Standard Operating Procedure Handbook*.

Flextime: Flextime is a variable work schedule, in contrast to traditional work arrangements requiring employees to work a standard 8:00 am to 5:30 pm day. Under flextime, there is typically a core period of the day when employees are expected to be at work (for example, between 10 am and 4pm), while the rest of the working day is flextime, in which employees can choose when they work, subject to achieving total daily, weekly or monthly hours in the region of what the employer expects, and subject to the necessary work being done. All flextime scheduling must have department head approval. It is the responsibility of department heads to be aware of the work schedule of all employees within their department.

2.5 Hours of Work.

It is the policy of the Town of Bluffton to establish the time and duration of working hours as required by workload and production flow, customer service needs, and any applicable laws.

- a) The normal full-time workweek consists of 39 hours and runs Thursday to Wednesday. The normal workday, with the exception of Friday, will consist of eight and a half hours of work with an hour unpaid meal period. Friday's workday consists of 5 hours of work with no break period. Brief rest or coffee breaks are considered as time worked.
- b) The schedule of hours for employees will be determined by each Department Head, Supervisor or designee. The Department Head will inform employees of their daily schedule of hours of work, including meal periods and rest or coffee breaks, and of any changes that are considered necessary or desirable by the Town.
- c) Department Heads, at their discretion and within their budget, may schedule overtime or extra shifts. Supervisors will assign overtime as needed. Non-exempt employees are not permitted to work overtime without the prior approval of their supervisor or Department Head. For the purposes of overtime compensation, only hours worked in excess of 40 during a workweek will be counted. Sworn non-exempt law enforcement officers are paid overtime after 86 hours worked in a 14-day work period.
- d) Department Heads, at their discretion, may allow non-exempt employees to make-up lost time during a given workweek. However, make-up time will not be allowed if the lost time is the result of conditions the employee could control, if there is no work the employee is qualified to do, or if adequate supervision is not available.
- e) Employees may be asked from time to time to work non-standard work hours in support of objectives and tasks consistent with the Town of Bluffton's Vision and Mission statements.

The following points should be noted regarding work time and time off:

- a) Non-exempt employees are not permitted to begin work before their normal starting time or to continue working after their normal quitting time without their Supervisor's prior approval;
- b) All employees are required to take scheduled lunch or meal breaks;

- c) Non-exempt Absence Reports should be checked and signed by the Supervisor involved. Time not worked for which an employee is entitled to be paid (personal day or paid time off) should be recorded by the employee on the Absence Report. Any authorized overtime should be recorded by the employee on the non-exempt time sheet form approved by the Supervisor and must be submitted to Finance prior to the end of the pay period;
- d) Absences are not considered as hours worked for overtime pay purposes.
- e) Part-time employees must complete a supervisor approved time sheet;
- f) Non-exempt employees are required to complete an Absence Report Form showing all hours absent from work. Exempt employees are required to complete an Absence Report Form for half, partial and full days absent from work. Absence Reports should cover the pay period and be submitted Friday by noon.
- g) Exempt employees are not required to fill out hourly time records but must account for absences. In addition, exempt employees will not receive overtime compensation or compensatory time off, except in [Special Pay Provision](#) cases. However, exempt employees who have worked far in excess of the normal schedule may be permitted by the Town Manager or his/her designee to take some time off without drawing on paid leave balances

2.6 Punctuality and Attendance.

It is the policy of the Town to require employees to report for work punctually and to work all scheduled hours and any required overtime. Excessive tardiness and poor attendance disrupt work flow and customer service and will not be tolerated.

- a) Supervisors notify employees of their starting time, ending time, and coordinate break period times. Employees are expected to be engaged in carrying out their duties during all scheduled work time and should be ready to begin working at their scheduled starting time.
- b) Employees must notify their supervisor as far in advance as possible whenever they are unable to report for work, know they will be late, or must leave early. The Town's Absence Report Form must be completed by the employee and approved by the employee's supervisor. If the supervisor is unavailable, notification should be made to the next in the employee's chain of command. In the event the absence exceeds 3 consecutive work days and is medically related, a doctor's excuse authorizing your return to work is required.
- c) Employees will be compensated during authorized absences in accordance with the policies contained in the Town's Employee Handbook. Non-exempt employees will not receive compensation for time missed because of tardiness or early departure if the time missed exceeds seven (7) minutes after starting time or before quitting time. Failure to notify the Town properly of any absence may result in loss of compensation during the absence.
- d) Non-exempt employees who are delayed in reporting for work more than 30 minutes and who have not notified their supervisor of their expected tardiness may be suspended for the balance of the day without pay.
- e) Employees that report for work in a condition considered not fit for work, whether for illness or any other reason, will not be allowed to work as determined by the Department Head and Supervisor. An Absence Report must be submitted with necessary documentation to substantiate absence (i.e. doctor's excuse).
- f) Employees generally are expected to report for work during inclement weather conditions if the Town does not declare an emergency closing. Non-exempt employees who are unable to report because of weather conditions will be allowed to use paid-time off or given unpaid leave at the Town's discretion. Non-exempt employees who are late because of weather conditions will be

given a chance to make up their missed time, within the same workweek, if work schedules and conditions permit with their supervisor's permission.

- g) Generally, non-exempt employees will not be permitted to work before or after scheduled starting or quitting times for the purpose of making up time lost because of tardiness, unauthorized absence, authorized absence, or any other reason if the result will be that the employee works more than 39 hours during the workweek for staff employees and 86 hours for police officers in a 14-day workweek.
- h) Unexcused Absences: Employees must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding their tardiness or absence, and, when applicable, certify that they are fit to return to work. The supervisor should record the information in the employee's file.
- i) Employees must obtain permission from their supervisor in order to leave the Town premises during working hours; this excludes their meal period. In addition, employees who are away from the premises for business reasons are required to inform their supervisors of their whereabouts during working hours.
- j) All employees must notify someone within their immediate surroundings when they leave for a meal period to ensure proper coverage of their job duties during their absence.
- k) An absence is considered to be unauthorized if the employee has not followed proper notification procedures or the absence has not been properly approved.
- l) Employees who are absent from work for three consecutive days without giving proper notice to the Town will be considered as having voluntarily quit. At that time, the Town will formally note the termination and advise the employee of the action by certified mail to the employee's last known address.

2.7 Tobacco Free Workplace.

The Town of Bluffton is committed to promoting a healthy work environment for its employees, customers, contractors and visitors. As part of this commitment, the Town's work environment includes a tobacco-free entity. As required by the Town of Bluffton Ordinance 2008-21, Section 18-160 and motivated by our desire to provide a healthy work environment for our employees, the following tobacco-free policy has been adopted and shall apply to all Town of Bluffton employees.

Policy: It is the policy of the Town of Bluffton to prohibit smoking and the use of any tobacco products. "Tobacco and smoking products" include all tobacco-derived or containing products, including but not limited to cigarettes (i.e. clove, bidis, kreteks), electronic cigarettes, cigars and cigarillos, pipes, water pipes, smokeless tobacco products or substitutions (spit and spitless, chew, pouches, snuff) or any other device intended to simulate smoked tobacco. This does not apply to nicotine replacement therapy, which is designed to assist tobacco users to quit tobacco.

The Tobacco-Free Workplace policy applies to all areas of buildings occupied by Town employees; all Town-sponsored off-site conferences and meetings; all vehicles owned or leased by the Town; all visitors (customers and vendors) to Town premises; all contractors and consultants and/or their employees working on Town premises; all temporary employees and interns.

- a) The use of tobacco and smoking products are prohibited while on duty and within the Town controlled properties.
- b) The use of tobacco and smoking products are prohibited in/on Town-owned operated or leased vehicles and equipment.
- c) The use of tobacco and smoking products is prohibited during paid working hours.

- d) The Town strongly discourages the use of tobacco and smoking products on properties adjacent to Town's properties or Town-controlled areas.

Appropriate signage will be placed at the entrances to the building advising employees and visitors that the Town of Bluffton maintains a tobacco-free environment. This policy relates to all facilities and vehicles at all times, including before and after normal working hours.

For employees that use tobacco there will be a monthly \$40 Tobacco Use Premium, if any dependents covered under the employee's plan uses tobacco, there will be a \$60 Tobacco Use Premium. Every employee completes this form upon hire. If it is found that the employee has been smoking or has started smoking and not notified PEBA by completing a new form, they will be subject to penalties determined by PEBA.

Assistance to Tobacco Using Staff

The Town of Bluffton encourages all smoking employees using tobacco to quit. Professional assistance including smoking cessation advice and information is available for staff who desire to quit using tobacco. As a part of the State Health Plan, PEBA Perks offers a free Tobacco Cessation Program that is for subscribers, their covered spouses and covered dependent children age 13 or older. For further information, please contact Human Resources.

2.8 Employee Substance Abuse Policy.

It is well-recognized that substance abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of the Town to comply with the state and federal Drug Free Workplace Acts, to comply with applicable federal regulations, to establish and maintain alcohol and drug-free workplaces, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and the use of controlled substances on or off the job.

For these reasons, the Town adopts the Drug Free Workplace Policy (Please refer to [ATTACHMENT A](#)).

2.9 Computer and Internet Policy.

The Town of Bluffton is committed to protecting its employees, partners, and the Town of Bluffton itself from illegal or damaging actions by individuals conducted either knowingly or unknowingly.

This policy applies to all departments, contracted entities, and other individuals or groups that use Town of Bluffton equipment. Any of these arms of the Town of Bluffton may develop more specific information technology policies for application within the department, but none may write more lenient policies.

Network-related systems, including but not limited to computer equipment, printers, software, operating systems, storage media, e-mail and phone systems, are the property of the Town of Bluffton. These systems are to be used for business purposes in serving the interests of the Town of Bluffton and of our clients and citizens in the course of routine operations.

Effective security is a team effort involving the participation and support of every Town of Bluffton employee and all other persons affiliated with the Town who deal with information and/or information systems.

Employees have no expectation of privacy in any personal data or items stored in or transmitted on the Town's systems and networks.

Please refer to [ATTACHMENT B](#) for the Town of Bluffton Computer and Internet Acceptable Use Policy.

2.10 Security Awareness Training and Testing

This policy specifies the Town of Bluffton internal information security awareness and training program to inform and assess all staff regarding their information security obligations.

The Town of Bluffton is aware of how susceptible our digital information is to attacks. In order to protect information assets, all users must be informed about relevant, current information security matters, and motivated to fulfill their information security obligations.

This policy applies throughout the organization as part of the corporate governance framework. It applies regardless of whether staff use computer systems and networks, since all staff are expected to protect all forms of information assets including computer data, written materials/paperwork, and intangible forms of knowledge and experience. This policy also applies to third party employees working for the organization whether they are explicitly bound (e.g., by contractual terms and conditions) or implicitly bound (e.g., by generally held standards of ethics and acceptable behavior) to comply with our information security policies.

In general, this policy applies to all Town of Bluffton Network Users, including Town Council members and contractors, with access to Town of Bluffton systems, networks, Town of Bluffton information, nonpublic personal information, personally identifiable information, and/or customer data.

The Town of Bluffton Information Technology (IT) department requires that each employee upon hire and, at a minimum annually thereafter, successfully complete Introduction to Security Awareness for New Town Employees. Certain staff may be required to complete additional training modules depending on their specific job requirements upon hire and at least quarterly. Staff will be given a reasonable amount time (generally 14 days) to complete each course so as to not disrupt business operations.

Please refer to [ATTACHMENT C](#) for the Town of Bluffton Security Awareness Training and Testing Policy.

2.11 Social Media Policy.

Town of Bluffton departments may utilize social media and social network sites to further enhance communications with various stakeholder organizations in support of Town goals and objectives. Town officials, Town committees, and staff have the ability to publish articles, facilitate discussions and communicate information through various media related to conducting Town business. Social media facilitates further discussion of Town issues, operations and services by providing members of the public the opportunity to participate in many ways using the Internet.

Add value to the Town of Bluffton through your interaction. Provide worthwhile information and perspective.

For these reasons, the Town adopts their Social Media Policy (Please refer to [ATTACHMENT D](#))

2.12 Electronic Mail Records Retention.

The purpose of this policy is to guide Town staff to appropriately and effectively use electronic mail or email. Email communication is an integral part of the Town of Bluffton's business and with technology rapidly changing; this policy does not address every situation. The purpose of the Town's policy is to set forth general principles for the use of email. (Please refer to [ATTACHMENT E](#) for the Town of Bluffton Electronic Mail Records Retention and Destruction Policy).

2.13 Cellular Phone Usage Policy.

Town Issued Cell Phone Usage

The Town of Bluffton may issue cell phones to employees whose jobs require them to be accessible for work-related matters or to make work related calls while away from their designated place of work.

- a) Cell phones and cell phone accessories issued by the Town are Town property. Employees must comply with Town requests to make their Town-issued cell phones available for any reason, including upgrades, replacement, or inspection. The Town will issue an itemized list of equipment given to each employee upon issuance of a cell phone. The employee is required to sign acceptance of the items. Employees who leave our employment for any reason must turn in their Town-issued cell phones and all cell phone accessories to include cables, cases, chargers and any other items purchased by the Town in good working order, normal wear and tear excepted. The cost of these items is considered an advance of wages that may be deducted from the employee's final paychecks.
- b) Employees are not permitted to use their cell phones (hand-held or hands-free devices) while driving Town-owned vehicles or their own vehicles on Town time. See [Distracted Driving](#).

Personal Use of Town-Issued Cell Phones:

Town-issued cell phones are to be used only for business purposes. Although occasional, brief personal phone calls using a Town-issued phone are permitted, personal use that exceeds this standard is prohibited. What is reasonable will be determined by the Town. The best way to avoid violating this policy is to avoid personal use of the phone. Employees are expected to stay within the limits of their respective phone plans.

Security of Town-Issued Phones:

Employees are responsible for the security of Town-issued cell phones and the information stored on them. Always keep your cell phone with you when traveling; never leave it in your car or hotel room. If your Town-issued cell phone is lost or stolen, notify the Technology Director immediately. Never store confidential Town information on a cell phone.

When using a cell phone, remember that your conversations are not necessarily private. Those around you can hear your conversation. To protect the confidentiality of Town information (and avoid annoying others), please make cell phone calls in a private place.

Cell phone transmissions may be intercepted. For this reason, employees should not conduct highly sensitive or confidential conversations by cell phone. If you have questions about what types of conversations are appropriate for a cell phone and which are not, please ask your Supervisor. Please know that all cell phone data (text messages, call history, etc.) are subject to FOIA (Freedom of Information Act).

Safety Issues for Cellular Phone Use

Employees are expected to refrain from using their phone while driving. Safety must come before all other concerns. The Town expects employees to use common sense and good judgment when using a cell phone at work, home, public areas and operating a vehicle.

Employees who are charged with traffic violations resulting from the use of a cell phone while driving will be solely responsible for all liabilities that result from such actions.

2.14 Mail.

The Town of Bluffton cannot be responsible for distributing any personal mail to an employee or to the post office.

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 driving 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) Employees whose jobs require regular driving for business as a condition of employment must be able to meet the driver approval standards of this policy. In addition, employees holding those jobs must inform their Supervisors of any changes that may affect their ability to meet the standards of this policy. For example, employees who lose their licenses must report this to their Supervisors.
- d) Town vehicles will be assigned to those departments that have demonstrated a continuing need for them. Assignment will be made by the Town Manager. Additional vehicles are maintained in a motor pool for use as needed.
- e) 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 approval of their Supervisor. 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*.

Distracted Driving

It is the policy of the Town of Bluffton that any employee who operates a vehicle or machinery while performing work for the Town of Bluffton not be distracted by poor driving behaviors.

The Town of Bluffton has a vital interest in maintaining a safe, healthy and efficient working environment for its employees. Driving distracted, while on-the-job, is a serious safety and health risk,

not only to the driver, but to other occupants in the vehicle and other vehicles on the road.

Distracted driving occurs when a driver is delayed in recognizing a potential hazard because of something inside or outside the vehicle diverting the driver's attention away from the road. Such behaviors include, but are not limited to:

- Reading while driving
- Use of hands-free devices
- Use of hand-held devices
- Texting
- All other uses of wireless electronic devices
- Personal grooming
- Viewing maps for directions

Accident Reporting Procedures:

- Employee will immediately report accident / injury to supervisor.
- Supervisor will ensure that Law Enforcement Agency having jurisdiction has been contacted.
- An accident report must be filed by Law Enforcement Agency and provided to the Supervisor, who will then submit to the Fleet Manager.
- In accordance with the Drug Free Workplace Policy, the Supervisor will notify HR for Drug Testing. A refusal to get drug tested can result in disciplinary action up to and including termination.
- HR will coordinate Drug Test for Employee.
- Supervisor must make a report to Workers Comp/Compendium for First Report of Injury.

Use overall good judgment in the assessment of the need for safety, security and personal well-being.

* Please refer to the [Drug Free Workplace Policy](#) or contact Human Resources with any questions.

2.16 Traveling on Business.

All forms referenced in the policy below are located within the Travel folder under Finance Forms

It is the policy of the Town that business travel must be approved in advance and should be engaged in and reimbursed according to the guidelines below. This policy is established in accordance with applicable Internal Revenue Service (IRS) guidelines.

- a) Each Department Head is responsible for ensuring that employees review this policy and understands its intent and requirements prior to departure on their first business trip. Absent extraordinary circumstances, all travel should be undertaken in an economical and efficient manner.
- b) Department Heads must approve any employee travel in advance. (See [Travel Advance Request Form](#).) Travel must be in connection with the official business of the Town. Town funds will only be expended on conventions, conferences, project-related meetings, workshops, or seminars (hereinafter collectively referred to as "meetings") when:
 - i. The main purpose of the meeting is in connection with the official business of the Town and directly relates to the performance, duties and responsibilities of the Town employee;
 - ii. The meeting provides a direct educational benefit supporting the work and public purpose of the Town;
 - iii. The essential duties and responsibilities of the person seeking to attend the meeting are

- compatible with the objectives of the particular meeting, and
- iv. Attendance for the meeting is approved prior to submitting a requisition, departure and/or incurring expenses.
- c) Mileage reimbursement
- i. It is the policy of the Town to reimburse mileage to any employee using their personal vehicle for business travel at the rate specified by the Internal Revenue Service each year. For the current mileage rate log on to <https://www.irs.gov/tax-professionals/standard-mileage-rates> or a lesser amount as declared by the Town Manager. The Town will also provide reimbursement for any tolls and parking charges.
 - ii. Those employees who receive a monthly car allowance are not entitled to additional mileage reimbursement for local business travel. However, trips that exceed 100 miles one way may be reimbursed only for the amount that exceeds 100 miles.
 - iii. Business travel will be measured from Town Hall or other Town of Bluffton Office building where the employee typically operates from to the business destination, regardless of the employee's starting point, (i.e. home residence.)
- d) Under normal circumstances, employees should make all travel arrangements for transportation and lodging. Those employees traveling on business for more than one day must reserve a Town vehicle by receiving approval from their Department Head.
- e) The Town may issue guidelines specifying or restricting travel booking requirements. Under normal circumstances, employees should use the most appropriate form of transportation available, book the least expensive fares, and stay in and eat at reasonably priced establishments. Employees must adhere to the per diem schedule for the city which they are traveling. Log onto <http://www.gsa.gov/travel/plan-book/per-diem-rates> for the current rates or refer to the Town's Public Drive.
- f) Employees should provide their Supervisor with a copy of their itinerary before leaving on business travel, itineraries should also be included with all reimbursement and purchasing card reconciliations.
- g) Employee expenses for approved travel will be paid or reimbursed when properly documented by the employee and approved by the Supervisor. Examples of expenses normally paid or reimbursed include transportation, meals, and lodging. Alcoholic beverages cannot be included for reimbursement. Employees who know or anticipate that they will have a special request for travel expense reimbursement should ask for approval from their Supervisor before incurring the expense. Any travel expenses considered unreasonable under the circumstances will not be paid or reimbursed and are the employee's personal responsibility.
- h) Travel Advances: Employees may obtain a cash advance for approved business travel by submitting a written request to the Finance Department (see the Travel Advance Request Form attached or click on the Public drive, under Finance Forms, then Travel, then Travel Advance Request.) Employees whose jobs are designated as requiring extensive travel may be issued Town purchasing cards for payment of business expenses. Advances may be made for 100% of the meal expenses. Travelers requesting an advance of funds shall indicate the amount needed on the Travel Advance Request form, have it approved by their immediate Supervisor, and forward it to the Finance Department for final approval allowing for seven (7) days to process. Under extenuating circumstances, the Finance Department may approve an immediate processing of payment. Cash advances and Town credit and purchasing cards are Town property, and their use must be properly documented and approved.
- i) Meal Reimbursement: Employees required to travel on Town business may charge to the Town,

or be reimbursed for, the cost of meals during their travel. In addition, employees may charge or be reimbursed for meals associated with approved business entertaining or with the approved activities of civic and professional organizations. The purpose of the entertainment and list of participants must also be noted.

- j) Employees participating in an approved business conference during meal periods are eligible for meal reimbursement if a meal is not included in the cost of the business conference.
- k) Employees eligible for meal reimbursement must present a Travel Expense Report Form with receipts. Meal expenses must be reasonable and should follow the per diem schedule, www.gsa.gov/travel/plan-book/per-diem-rates?contentType=GSA_BASIC&contentId=17943
- l) The eligible employee's Supervisor must approve all meal expense documentation with the appropriate finance form ([Purchasing Card Receipt Form](#), [Visa DI Form](#), [Visa RQ Form](#), or [Check Request Form](#)) and send it to the Finance Department for processing and payment.
- m) Rental Car: The use of a rental car is permitted only when it is in the interest of the Town to do so. Ask for a government rate or take the lowest rate available. Personal use days if added to the employees approved travel schedule will not be reimbursed by the Town. Airport shuttles, taxis and other methods of public transportation are encouraged when they provide a more economical alternative for the Town.
 - i. Insurance should not be purchased from the car rental agency since employees are already covered under workers' compensation insurance and the insurance reserve.
 - ii. For less than three (3) employees traveling together, the Town will reimburse for the cost of a compact car. Upgrades to mid-size are permissible if three (3) or more employees travel together.
 - iii. If rental cars are retained over a weekend, such expenses are personal except when used to travel on a weekend to another location on Town business or if it would be cheaper for the employee to retain the vehicle over a weekend by paying a weekly rate rather than a daily rental rate.
 - iv. The employee should make sure the tank is full when picking up the car. The car should also be returned with a full tank of gas.
- n) Travel to and from Airport Terminals: Travel to and from airport terminals will be by the least costly method available consistent with business requirements (e.g., airport bus or limousine, taxi, air commuter, or personal automobile [including parking or storage fees]). On trips of more than one day's duration, long-term parking must be used and receipts must be attached to the expense report. (See [Travel Expense Report Form \(Automated\)](#) or [Travel Expense Report Form \(Handwritten\)](#)).
- o) Baggage Expenses: Charges imposed by a carrier on personal luggage will be reimbursed by the Town. Personal luggage that exceeds weight or other established limitations will be borne by the employee unless the Supervisor who authorized the trip approves a particular exception. The Town will pay any charges for business materials that an employee is specifically authorized to carry in or as part of the employee's personal luggage.
- p) Room Expenses: Employees are expected to use sound business judgment in selecting accommodations. In many cases, a government rate is available and employees should request this rate when registering at the hotel. If late arrival is guaranteed and the reservation must be cancelled, the cancellation must be made within the time required. The Town will not pay for no-shows with the exception of illness or extraordinary circumstances beyond the control of the employee (documentation must be provided.)

- i. All charges shown on the expense report form should be itemized to show hotel charges, meals, telephone charges, etc. In-room movies and use of mini-bars are considered personal expenses and therefore, not reimbursable.
- q) Other Expenses: The Town provides a maximum of \$10.00 a day for miscellaneous out-of-pocket expenses. As an example valet tips, baggage handling or room service tips.
- r) Combined Business and Personal Travel: The Town will pay for the cost of the business segment, and the employee will pay for the difference between that and the total. If the total is equal to or less than the business segment, there are no additional charges.
- s) Guest on a Trip: If an employee chooses to take a guest on an approved business trip, the additional expense incurred is personal. The Town will reimburse expenses to the extent that it would have cost for the employee alone.
- t) Airline Clubs: Fees for membership in airline clubs are considered personal expense and, therefore, not reimbursable.
- u) Registration Fees: To receive reimbursement of registration fees not paid prior to the trip, the registration receipt must be supported by a copy of the program or agenda of the meeting itemizing registration fees, meals (if any), and lodging included in the registration fee.
- v) Expenses Paid by Other Agencies: Meetings for which the traveler will be reimbursed by another agency, organization, or institution are excluded from these provisions.
- w) Reporting Travel Expenses: A travel expense report should be filed within five (5) working days after completion of a trip (see [Travel Expense Report Form \(Automated\)](#) or [Travel Expense Report Form \(Handwritten\)](#)). Any travel advances and/or Town-paid expenses should be noted on this report. The employee shall submit the travel expense report and all necessary receipts to the Finance Department for reimbursement once it has been approved by their immediate Supervisor.
- x) Job Applicant Travel Expenses: Job applicants selected for interviews may be reimbursed for mileage and subsistence expenses in accordance with this policy. In the event lodging and/or air travel is involved, the Town will determine all necessary arrangements for the applicant according to this policy.
- y) Approvals and Review: Expenses incurred as the result of business travel requires the approval of the Department Director. Implicit in the approval is that the approver has personally reviewed the details of the expense report. Final review, prior to reimbursement, is the responsibility of the Finance Department.
- z) For policies and procedures governing reimbursement for business entertaining while traveling. (See [Business Entertaining](#).)
- aa) Time spent by non-exempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) traveling away from home on Town business during normal working hours is considered hours worked for pay purposes. (See [Hours of Work](#).)
- bb) Employees traveling on Town business are representatives of the Town and are expected to maintain a high level of professionalism and to follow all of the Town's policies and rules. (See [Employee Behavior and Expectations](#).)

2.17 Employee Dress Code.

The Town of Bluffton approves business casual attire for employees, while recognizing that we interface daily with the public for whom we work.

When attending, presenting or representing the Town of Bluffton at public meetings and Town Council meetings, your attire is expected to be professional.

The Town's dress code encourages employees to use their best judgment when choosing their appropriate work attire. Department Heads may use discretion about enforcing dress code in their department that may differ from this policy.

Professional appearance is an important factor in building the confidence of others, and Town employees should take pride in their appearance. The following are guidelines for choosing your work attire.

All Town Employees

This is not an all-inclusive list; the Town reserves the right, on a case-by-case basis, to use its discretion when deciding appropriate workplace dress. Exceptions may be made for staff with outside work duties.

Tops: Long and short-sleeved shirts, polo/golf shirts, blouses, and sweaters are appropriate.

Bottoms: Slacks, capris, skirts, dress jeans, are appropriate. Dress jeans are commonly referred to as jeans with five (5) pockets, but not limited to this description. They are not limited to the color blue; they should be free from noticeable stains and not have visible holes and/or well-worn spots; the bottom pant leg is hemmed and not frayed, and they should not have any type of large logo.

Banned are t-shirts with brand labels, slogans, or "messages," torn or dirty clothing, shorts (except for outside work), jogging or workout clothing, flip flops, strapless, spaghetti straps or halter tops and miniskirts.

Clothing must fit properly. Extremely tight-fitting clothing is not acceptable. Oversized clothing and "sagging" and/or "low-riding" clothing is not acceptable. The pants or skirts should not be tight, and skirts should be no shorter than the top of the knee.

It is inappropriate to expose midriffs, belly buttons and anything that may be thought to be too revealing for the workplace.

At its discretion, the Town of Bluffton may allow employees to dress in a more casual fashion than is normally required. On these occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear, or similarly inappropriate clothing.

Personal Appearance:

- Hair should be clean, combed, and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length.
- Sideburns, moustaches, and beards should be neatly trimmed.

Jewelry/Tattoos:

Piercings visible to the public may not be worn while working (other than appropriate earrings in the ear lobe). Inappropriate tattoos should not be visible in the workplace.

The appropriateness of these items will be determined by the Department Head, with a final determination by the Town Manager.

Employees with Town Uniforms

Designated departments and individuals are required to wear Town-provided uniforms. Department heads are accountable for requiring their employees to wear proper Town-provided uniforms, including proper safety eyewear and footwear.

2.18 Press Releases.

It is the policy of the Town to cooperate with the news media and to release newsworthy information.

The only persons authorized to release information are the Public Information Officer, Community Relations Manager, the Town Manager or designee.

2.19 Workplace Violence.

It is unacceptable for any employee to use any threatening act, remark or gesture in the workplace. There is no excuse for violence or threats of violence by anyone at any level at, or associated with, the Town of Bluffton. The Town of Bluffton is committed to maintaining a workplace that is free from violence or threat of violence. All incidents and threats will be thoroughly investigated.

- a) Violence in the workplace is defined as an implied, suggested, actual physical act or gesture that threatens the safety of an employee and/or client.
- b) All employees have the right to expect a place of employment that is free from behavior that can be considered harassing, abusive, disorderly, or disruptive. Any violent behavior or behavior that creates a climate of violence, hostility or intimidation will not be tolerated, regardless of origin.
- c) This policy includes, but is not limited to, the following behaviors and situations:
 - i. Violent or threatening physical contact (including fights, pushing, and physical intimidation.);
 - ii. Direct or indirect threats, including “joking” threats;
 - iii. Threatening, abusive or harassing telephone calls;
 - iv. Possession of a weapon on Town property;
 - v. Destructive or sabotaging actions against the Town or employees’ personal property.
 - vi. Stalking;
 - vii. Violation of a restraining order;
 - viii. Threatening acts or abusive language that leads to tension within the work environment.
- d) Any person who makes threats, exhibits threatening behavior, or engages in violent acts on Town of Bluffton property shall be removed from the premises as quickly as safety permits, and shall remain off Town premises pending the outcome of an investigation. No existing Town of Bluffton policy, practice or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing.

Any employee can report concerns to his or her immediate Supervisor, Human Resources, or any member of management.

2.20 Emergency Situation Protocol.

The Town of Bluffton is committed to maintaining a workplace that is free from violence, threats of violence and concerns for personal safety from the public toward employees in any of our job sites. We want our employees to feel safe and understand their responsibility and actions during and following such a situation where there may be a threat to safety.

If an employee feels threatened, experiences or witnesses violence or has an immediate concern about a member of the public or a fellow employee in any situation, then that employee should call 911 as soon as practical and possible.

Situations like this could be times when a member of the public or a co-worker enters a Town of Bluffton workspace or you overhear a co-worker say something that might be of an immediate concern to your or

someone else's safety. This situation could also occur outside of the workplace when conducting Town duties. Every situation cannot be addressed but generally, the employee witnessing such a scene of feeling threatened or in danger should:

- a) Call 911 as soon as practical and possible (note: do not worry about who should call; keep in mind multiple calls to 911 are never a problem).
- b) Make notes as soon as possible about what you saw, who was present, what was said and date/time of incident.
- c) The Senior Staff member at the work site should gather statements about the situation from everyone present regarding the situation.
- d) The Senior Staff member, or designee, at the work site should send an e-mail as soon as possible and practical to their Department Head, Police Chief and Town Manager explaining what happened. The Subject line for this should be "911 on ____ (date) at ____ (location)" [If the situation occurs at Town Hall where the Town Manager works, then the Town Manager may designate HR or someone else to gather the documentation and make a record the incident].
- e) The Police Chief will ensure that the employee, division and/or department experiencing the threat receives follow-up and communication following the 911 call.
- f) HR will follow up to organize utilizing EAP for individual or group meetings as necessary.

Reminders:

- a) Your Safety is ALWAYS most important.
- b) Should a member of the public ask about whether a particular employee is in or not, you should never disclose that he/she is on vacation; but rather state "I'm not sure if he/she is in right now, but if you'll give me your name and number, I'll make sure they know you stopped by."
- c) All calls made to 911 should be calls that require immediate police assistance, they would be considered IN PROGRESS or JUST OCCURRED. All other calls that do not require immediate police assistance should be made into a non-emergency number into Beaufort County Communications such as 843-524-2777. However, if there is ever a question in your mind whether you need immediate assistance then you should call 911.

Note: this protocol should be reviewed by each Division Manager with all staff at least once every six months.

2.21 Concealed Weapons.

It is the policy of the Town of Bluffton that employees, excluding police officers, may not, at any time possess or use any weapon, while on any property owned, leased, operated or controlled by the Town, or in a Town vehicle, or at Town work sites. Weapons include, but are not limited to, guns, knives (any size) or swords, explosives, and any chemical whose purpose is to cause harm to another person.

- a) Regardless of whether an employee possesses a concealed weapons permit or is allowed by law to possess a weapon, weapons are prohibited on any Town property or in any location in which the employee represents the Town for business purposes.
- b) Possession of a weapon is authorized for Town of Bluffton Police Officers.

2.22 Facility Security.

It is the policy of the Town to make reasonable efforts to provide for the security of its property, its employees, and authorized visitors to its premises.

- a) The Town's Director of Engineering or their designee, oversees the Town's facility security policies and procedures.

Facilities' responsibilities include:

- i. Recommending, implementing, enforcing, and auditing all security procedures;
 - ii. Evaluating, installing, maintaining, and operating all security devices and systems;
 - iii. Communicating with and maintaining relationships with the Bluffton Police Department (BPD);
 - iv. Developing systems to issue and control employee identification devices and keys and to identify and control the Town's physical assets;
 - v. Monitoring all solicitations and controlling access by nonemployees to Town premises;
 - vi. Contacting the BPD to investigate theft, vandalism and disturbances occurring on Town premises or involving Town property; and
 - vii. Communicating facility security procedures to employees and training employees with respect to their security responsibilities.
- b) Employees may be issued keys or fobs for their work area and identification badges that are to be in their possession while on Town property.
- c) New employees will be issued written instructions on security system operations and receive a demonstration during orientation.
- d) Customers, suppliers, and guests must identify themselves to the receptionist at each location. Special contractors working on Town property will be issued a Town identification badge for entering the building while they are working within our buildings.
- e) Other than authorized law enforcement, all employees, customers, suppliers, and guests are prohibited from possessing firearms or other weapons on Town property or in Town vehicles.
- f) Employees may be searched, questioned, and subject to surveillance whenever the Town believes this is necessary to maintain security. All personal property brought onto the Town's premises, such as vehicles, packages, briefcases, backpacks, purses, bags, and wallets, are subject to inspection. In addition, the Town may inspect the contents of lockers, storage areas, file cabinets, desks, and work stations at any time and may remove all Town property and other items that are in violation of Town rules and policies. (See [Personal Property](#).)
- g) Employees may enter or remain on the Town's premises outside their normal working hours only when authorized to do so by their supervisor.
- h) Employees are expected to exercise reasonable care for their own protection and that of their personal property while on the Town premises and while away from the premises on business. The Town assumes no responsibility for loss, damage, or theft of personal property. (See [Personal Property](#).)
- i) Employees are expected to ensure that work areas and facilities are locked and secured (alarm set) before departing when being the last one to leave per office protocol.
- j) Employees that discover or witness accidents, disturbances, hazards, vandalism, or any illegal activity on Town premises should follow these steps:
 - i. Call 911 if the situation is life threatening or an illegal activity is in progress;
 - ii. Notify the Public Works Manager or a representative. An incident report, statement, photos, or other documentation may be required. Facilities staff will follow up with

appropriate staff and agencies. Corrective actions will be coordinated by the Public Works Division;

- iii. Notify immediate Supervisor. Copies of all submitted documentation will be provided to the reporting employee;
- iv. Be available for follow up questions and activity, if necessary.
- k) Employees should submit a work request through their desktop shortcut to: [Public Works Ticket Link](#) for facility related security, safety or potentials hazards that are not immediate threats. Urgent matters should be addressed to the Director of Engineering.
- l) Supervisors should refer to the Town's Contact List or department telephone protocol if one is established for matters that occur after hours and/or on weekends or holidays.

Employees are expected to know and comply with the Town's security procedures and should report any violations or potential problems to the Director of Engineering. Violations of Town security rules or procedures will result in disciplinary action, up to and including termination. In addition, illegal acts committed by employees will be reported to law enforcement authorities.

2.23 Town of Bluffton Property.

- Proper care and usage of equipment is imperative at all times;
- Waste, destruction, improper usage or theft is prohibited.
- No Town of Bluffton property will be removed from the premises without specific prior approval of a supervisor. Removing property or equipment without authorization may result in disciplinary action.
- Employees are responsible for the proper care and return of all Town property and equipment assigned to their possession.

Personal Property

When personal property of an employee is brought into the workplace the Town of Bluffton will not be responsible for any maintenance or repair. Any private property or equipment used by employees at the Town facilities must receive advance approval by the department head. Employees have no expectation of privacy or security of personal items brought or stored on Town premises.

Lost and Found Items

Articles found in or on the Town of Bluffton property should be turned over to the employee's department director or Chief of Police immediately;

2.24 Audio Tape/Video Recording.

Employees are prohibited from audio or video recording other employees or Town officials unless the employee/official to be taped/recorded has given his/her express permission or unless authorized by the Town Manager, the Chief of Police, or an outside law enforcement agency.

2.25 Solicitation.

No employee may engage in or allow solicitation for any cause, distribution of literature, or sale or receipt of services in any working area of the Town of Bluffton during working time.

An employee who is not on working time, such as a lunch period or break, may not solicit another employee who is on working time.

In special cases, with prior approval by the Town Manager, certain types of solicitation for community funds or community projects may be conducted.

2.26 Sanitary Work Space.

It is important that the Town of Bluffton set the example for cleanliness and healthful sanitation. Each employee is asked to assume the responsibility for seeing that papers, rags, bottles, or any other refuse is properly disposed.

2.27 Employee Behavior and Expectations.

a) Disciplinary Action

As is the case with all organizations, instances arise when an employee must be disciplined. Under normal circumstances, the Town endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however retain the right to administer discipline in any manner it sees fit. The discipline imposed may range from an oral or a written warning to suspension to demotion to discharge. The Town may impose some other form of discipline, as well. The discipline imposed in any particular situation is at the sole discretion of the Town and nothing in any of the Town's policies or by virtue of any past practice of the Town requires the Town to follow any particular course of discipline. Supervisors and department heads must submit terminations to the Town Manager for review.

- i. Employees must sign counseling memoranda, policy statements, performance evaluations and other similar documents. The employee's signature does not necessarily indicate agreement with the contents of the document, only that he/she has been notified of the contents of the document.
- ii. If the employee refuses to sign the document, he/she is considered to have resigned. At its sole option, the Town may suspend the employee without pay and, if he/she does not sign the form by 5:30 p.m. at the close of business the next scheduled work day, unless another time has been determined, he/she will be presumed to have resigned.

b) Code of Conduct

The following is a list of offenses that will reflect against your Performance Review and promotion opportunities and may require disciplinary actions up to and including termination. This list is not inclusive of all behaviors that may potentially result in disciplinary action. The disciplinary action that is appropriate for any particular misconduct is at the sole discretion of the Town. The Town reserves the right to discipline employees for any reason. Failure of management to discipline an employee shall not constitute a waiver of the Town's future right to discipline its employees. At the time of disciplinary action, an employee's Supervisor will inform him/her of the conduct that is the basis for the action.

Employees Shall:

1. Be courteous and professional in their dealings with the public.
2. Adhere to the Town of Bluffton Mission Statement.
3. Be punctual in reporting for duty at the time and place designated by their supervisor.
4. Be committed to one's work and loyalty to the Town of Bluffton.
5. Act impartially and not give preferential treatment to any private organization or individual.
6. Protect and conserve Town property and not use it for other than Town authorized activities.
7. Satisfy in good faith their obligations as citizens, including all just financial obligations such as child support or other court ordered payments.
8. Adhere to all State and Federal employment laws.

9. Avoid political activity and campaigning.
10. Immediately report a work-related accident to your supervisor.
11. Immediately report personal injury or property damage to your supervisor.
12. Report for duty, and for all assignments, at the time and place required and be prepared and equipped to perform job duties or assignments.
13. Notify management of a suspended or revoked driver's license (especially those employees that operate a Town Vehicle), or if you receive a citation for a moving violation while in a Town vehicle, or if you are convicted of a moving violation whether in a Town or personal vehicle.
14. Remain awake on-duty. If unable to do so, they are required to notify a supervisor who will determine the proper course of action.
15. Avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this policy.
16. Maintain their financial obligations to their creditors to prevent collection agencies from contacting the Town. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that a good faith effort to settle all accounts is being undertaken.
17. Adhere to Town of Bluffton policies, procedures, or protocols as described in the Employee Handbook, Departmental Standard Operation Procedures, or as communicated by management from time-to-time.

Employees Shall Not:

1. Violate the Town's EEO Policies prohibiting against any employee based on race, age, color, creed, sex, religion, or national origin; and any other status protected by applicable local, state, or federal nondiscrimination laws, harassment of any employee, which may include slurs, provocative conduct or offensive jokes or stories; or other acts that make the working environment unpleasant for fellow workers.
2. Employees shall not engage in harassment of any kind (i.e. sexual, racial, etc.) toward fellow employees, customers, or others.
3. Use abusive, violent, profane or insulting language or gestures and will attempt to remain calm, regardless of provocation.
4. Violate safety rules, neglect, or engage in unsafe practices.
5. Leave a post, assignment or their shift without having been properly relieved. Employees shall notify their supervisor as soon as possible if an emergency arises and they must vacate their assignment.
6. Fail to provide information or falsify Town records or provide falsified records to the Town for any purpose.
7. Be neglectful or careless.
8. Mishandle customer payments or deposits, cash on hand, receipts or financial records.
9. Misuse Town Intellectual Property, specifically including confidential and proprietary information about the Town's business activities, plans, or employees which is not publicly known or disclosed by the Town.

10. Use unauthorized absences or excessive tardiness as defined by Department Head.
11. Display an inability, unwillingness or failure to perform the duties assigned in a satisfactory manner or refuse to carry out instructions.
12. Use physical violence, threats of physical violence or assault or other behavior that would cause other Town employees to be concerned for their personal safety.
13. Carry weapons in the workplace unless specifically authorized by the Town.
14. Lie to any supervisor or other member of management, or any other form of dishonesty.
15. Hold financial interests that conflict with their job duties.
16. Divulge confidential information or allow the improper use of such information to further any private interest.
17. Use public office for private gain.
18. Engage in outside employment or activities, that conflict with official Town business and responsibilities. (See [Secondary or Outside Employment](#))
19. Employees must disclose waste, fraud, abuse, and corruption to appropriate Town authorities.
20. Show lack of good judgement.
21. Interfere with the work of others.
22. Threaten, coerce, or intimidate fellow employees.
23. Show insubordination, including disrespect for authority, or other conduct, which tends to undermine authority.
24. Publicly criticize instructions or orders they have received. Should an employee take exception to an order or policy, it should be taken to the next highest-ranking supervisor for resolution.
25. Be disrespectful either through gestures or defamatory statements.
26. Publicly criticize the Town, its policies or other employees by talking, writing, or expressing in any other manner, where such talking, writing or other expression is defamatory, or obscene, or unlawful or tends to impair the operation of the Town. The Town considers the internet and other written and electronic media as public domain.
27. Steal, misappropriate or destroy Town property or equipment or the property or equipment of other employees or customers.

Moral Turpitude:

1. Employees of the Town in safety sensitive positions (safety sensitive positions include individuals whose position requires them to hold a Commercial Driver's License (CDL) and Sworn Law Enforcement Officers) are subject to random drug testing. Any employee found with illegal substances in their system or on their person (not in conjunction with their assignment) will be terminated for cause.
2. An employee with a conviction of or plea of guilty or no contest to a charge of theft, violation of drug laws, sexual misconduct, offense involving moral turpitude, or offense which affects the Town's reputation, or which reasonably could create concern on the part of students, parents, fellow employees, or the community may be terminated for cause.
3. Any employee convicted of a felony will be terminated for cause. If an employee is charged with a felony and an investigation reveal by a preponderance of the evidence that the

employee committed the act, they may be terminated for cause.

4. Any employee convicted of a misdemeanor will be subject to disciplinary action with the possibility of termination for cause. If an employee is charged with a misdemeanor and an investigation reveal by a preponderance of evidence that the employee committed the act they may be terminated for cause.

2.28 Filing a Grievance.

- a) The Town of Bluffton adopts a grievance procedure in accordance with the "County and Municipal Employees Grievance Procedure Act," Section 8-17-110, et seq., Code of Laws of South Carolina, 1976.
- b) Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the Town Manager under Section 5-13-90, Code of Laws of South Carolina, 1976, as amended to remove any employee when necessary for the good of the Town.
- c) The Town will attempt to settle any employee grievance as expeditiously as possible. Should the grieving party fail to observe the time limits set out in this Section, their grievance shall be considered abandoned. Any grievance not answered by the Town within the prescribed time limits shall automatically advance to the next higher step.

Please refer to [Attachment F](#) for the Town of Bluffton Grievance Procedure.

2.29 Protocol for Handling Employee Issues.

Employees should follow chain of command when reporting a problem or requiring an issue to be resolved.

Employees should follow the Grievance Procedure when they have a complaint if they feel they have been treated in violation of the Town policies with regard to any matter pertaining to his/her employment by the Town.

The expectation is that employee problems should be resolved at the employee/supervisor level; however, if the problem is with their supervisor, the employee does have the ability to go to their next-level-supervisor in the chain of command.

When a supervisor is made aware of an employee problem, they have a duty to act and should solve it to the best of their ability and document the solution through their chain of command. Once the problem is resolved, the solution should be documented through their chain of command with a copy in the personnel file of all parties involved.

If the problem is not able to be resolved at this point, then the employee's supervisor should reach out to their manager up to and including the Department Director or Police Chief. Once the problem is resolved, the solution should be documented through their chain of command with a copy in the personnel file of all parties involved.

If the problem is not able to be resolved at the level of Department Director or Police Chief, then the Town Manager should be made aware of the unresolved conflict for resolution and/or legal input.

When Legal advice is required, the Town Manager, or his/her designee, will communicate with the Town Attorney.

Human Resources is available at any time to provide consulting to the Supervisor, Department Head or Police Chief at any time in this process.

As with any written communications, all employees are to be cautious with information put in writing and in text messages and be mindful of the Freedom of Information Act.

SECTION III. EMERGENCY & PANDEMIC POLICIES

3.0 Emergency and Pandemic Policies

3.1 Families First Coronavirus Response Act (FFCRA)

The Act requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020. ([ATTACHMENT H](#))

For COVID-19 related reasons, employees receive up to 80 hours of paid sick leave and expanded paid child care leave when employees' children's schools are closed or child care providers are unavailable.

Paid Leave Entitlements

Generally, employers covered under the Act must provide employees: Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- 2/3 for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at 2/3 for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

Eligible Employees:

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

Qualifying Reasons for Leave Related to COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. Has been advised by a health care provider to self-quarantine related to COVID-19;
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. Is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. Is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

Enforcement

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD. 5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or 6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

3.2 COVID-19 Travel Advisory Notice

Overview:

Employees will be required to comply with the Governor's orders regarding travel. The Executive Order is defined below along with some guidelines for business and personal travel. Because most areas are experiencing accelerating spread in the community, more areas could be added to this list. Employees are strongly urged to reconsider non-essential personal travel until the state of emergency is over.

Executive Order 2020-15:

- A. I hereby order and direct that an individual who enters the State of South Carolina from an area with substantial community spread, to include the Tri-State Area (consisting of the States of New York, New Jersey, and Connecticut) and the City of New Orleans, Louisiana, shall isolate or self-quarantine for a period of fourteen (14) days from the time of entry into the State of South Carolina or the duration of the individual's presence in South Carolina, whichever period is shorter. This Order shall not apply to individuals employed by airlines and individuals performing or assisting with military, healthcare, or emergency response operations. Any individual required by this Order, or any directives issued in connection therewith, to isolate or self-quarantine shall be responsible for any and all costs associated with such isolation or self-quarantine, including transportation, lodging, food, and medical care.*
- B. I hereby authorize and instruct the South Carolina Department of Health and Environmental Control ("DHEC") to provide any necessary and appropriate supplemental guidance regarding the interpretation, application, or enforcement of this Order.*

Travel for Business Reasons

Effective 3/13/2020: All conference and work-related travel have been suspended effective immediately and indefinitely.

Travel for Personal Reasons

The Town may or may not approve your personal travel or your personal leave time depending on your position and the severity of the emergency.

Our Special Pay Provision Policy states:

- i. During and following a declared emergency, scheduled leave may be canceled and employees on leave may be recalled.
- ii. Employees on paid or unpaid leave who are not recalled to duty during or following an emergency are not subject to special pay provisions until such time as their leave ends and they return to duty.
- iii. If an employee does not report to work or check in at the designated time and/or location during a declared emergency, the employee may be considered to have resigned from employment with the Town.

In addition to our Special Pay Policy:

- A. Employees will be required to receive Supervisor's and Department Head's approval for all personal travel. After your Supervisor's and Department Head's approval, you must contact Human Resources to inform them on the details of your trip which includes where you will be traveling and the dates of your travel.
- B. Even though you may not have traveled to a "hot spot" or area identified in an Executive Order from the Governor, you may be asked to quarantine for up to 14 days upon your return in order to protect your fellow co-workers and ensure continuity of Town operations. This quarantine time will not be covered under the new Emergency Paid Sick Leave ([Please refer to FFCRA Details](#)) unless you meet one of the six qualifying reasons for taking the leave. The employee will be required to use accrued leave or go on leave without pay, if accrued leave is not available for the 14 days of quarantine.

3.3 Pandemic Personal Protective Equipment (PPE)- COVID-19

Overview

In response to the COVID-19 and based upon recommendations from the Center for Disease Control and Prevention below, the Town of Bluffton is requiring all personnel that are still working in the community and dealing with the public within the social distancing parameters to wear cloth face coverings. All sworn personnel are also being required to wear gloves and masks when dealing directly with the public within the social distancing parameters. The Town of Bluffton Police Department will be using a combination of N-95 respirators and cloth face coverings.

This policy is in effect beginning April 9, 2020 through the duration of the pandemic event. Failure to follow this policy may lead to disciplinary action up to and including termination.

The Center for Disease Control Face Covering Recommendations

- a) The Center for Disease Control (CDC) has recommended the use of cloth face coverings in public settings where other social distancing measures are difficult to maintain. They also advise the use of simple cloth face coverings to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others. The cloth coverings are not surgical masks or N-95 respirators.
- b) Recommendations for when one should wear a cloth face covering: A cloth face covering should be worn whenever people are in a community setting.

3.4 Temporary Telecommuting Policy

NOVEL Coronavirus COVID-19 Response

Overview

In response to a declared emergency, such as COVID-19, and based upon recommendations from the South Carolina Department of Health and Environmental Control and the Center for Disease Control and Prevention, the Town of Bluffton is authorizing temporary telecommuting assignments to designated positions.

- 1.0** Eligible positions will be determined by the Department Head, reviewed by Human Resources, and approved by the Town Manager and will be based upon functional role and business needs.
- 2.0** Telecommuting is an alternative work arrangement in which work is performed at an alternate work location. Telecommuting is neither a benefit nor an entitlement and in no way changes the terms and conditions of employment. Telecommuting may be appropriate for some employees, supervisors and duties, but not necessarily viable for everyone. Telecommuting may be fixed and ongoing, working from an alternate location each week.

Telecommuting may require more frequent interaction and communication between the telecommuter and their supervisor since neither can rely on seeing each other in the workplace. Daily contact should occur to verify that the Telecommuter is actively working and to resolve any problems that may arise. After both parties are accustomed to the telecommuting arrangement, the Supervisor and Telecommuter may communicate at a level consistent with employees working at the office or in a manner and frequency that seems appropriate for the job and the individuals involved.

Supervisors should remind staff to take breaks and not work excessively in front of the screen. Teleworking is about achieving an expected level of productivity.

- 3.0** When possible, telecommuting will be approved prior to the emergency event.
- 4.0** As referenced in 1.0, [Telecommuting Agreements](#) must be approved by the Town Manager and signed by the Employee prior to implementing.
- 5.0** Regular Full-Time or Part-Time employees are eligible to Telecommute. Other employees may also telecommute with Town Manager approval.
- 6.0** Telecommuters must be available by phone or other electronic communication during the agreed upon telecommuting hours of work.
- 7.0** Telecommuting agreements may be discontinued at any time at the sole discretion of the Town Manager.
- 8.0** Equipment and Alternate Work Environment. Equipment needs will be evaluated under standard policies and procedures, regardless of location. In the event standard policies and procedures do not address every need, the Department Director and Telecommuter will

explore potential options and solutions. There may be times where the needed equipment presents an unbudgeted or duplicative cost or requires support that the Town cannot provide. If the Town cannot provide or support the equipment, the Telecommuter may choose to use their own equipment and be responsible for the purchase, modification, repair and maintenance of the equipment and software used for telecommuting. The Telecommuter shall only use properly licensed software for Town business.

The telecommuter should ensure that they have the capabilities (i.e. internet and wifi connection) prior to starting to work remotely. They will need to ensure that they have VPN access and have the appropriate software on their computers. If the employee experiences any technical difficulties, they will put in a Help Desk Ticket as they would normally do for IT assistance. Furthermore, it will be the responsibility of the employee to have their passwords to sites and programs that they use regularly saved somewhere or with them physically.

The Telecommuter will establish an appropriate work environment for work purposes. The Town will not be responsible for costs associated with initial setup of the Telecommuters work environment, such as remodeling, furniture or lighting, nor for repairs or modifications to the environment.

Unless otherwise informed, the telecommuter will be reimbursed for their internet costs for the period of time worked remotely. Instructions will be provided by the Finance Department as to how the employees submit their invoices for reimbursement.

- 9.0** The Telecommuter shall be responsible to maintain any equipment issued to them.
- 10.0** The Telecommuter represents that the alternate workplace is a safe and healthful work environment including proper ergonomics. The Telecommuter shall act in a responsible manner to avoid injury. The Telecommuter understands that failure to take proper health and safety precautions in the alternate workplace may result in discontinuation of the Telecommuting Agreement.
- 11.0** The telecommuter will be responsible for all materials, that they are kept confidential and will not leave their computers on/unlocked in any open space.
- 12.0** Town of Bluffton policies and procedures remain in effect while telecommuting. All Telecommuters are expected to adhere to all applicable policies while working remotely.
- 13.0** Injuries sustained by the Employee while at their alternate work location, and in conjunction with his/her regular work duties are normally covered by workers' compensation. Telecommuting employees are responsible for notifying their supervisor and Human Resources of such injuries in the same manner as if the injury occurred at a work location on the Town's premises. The Town is not liable for any injuries sustained by family members or other visitors to a Telecommuter's alternate work location.
- 14.0** Consistent with the Town's expectations of information security and compliance with public record laws, the Telecommuter will ensure the security and protection of information accessible from their alternate work location. The Telecommuter will check with their supervisor when security matters are an issue. No confidential information (including administrator passwords) will be downloaded to any data storage device (including but not

limited to hard drive, CD, DVD, or USB stick). Any information that is considered confidential or protected will not be removed from the regular office without the Department Director's specific express approval in writing.

- 15.0** The Town will provide appropriate office supplies and reimbursement for business related expenses that are reasonably incurred in accordance with job responsibilities and in compliance with the Town's business expense policy on the same basis as when working at the regular work location.
- 16.0** Telecommuters who are hourly or non-exempt, will be required to record all hours worked on a timesheet detailing the work completed and the time spent on each task. Accrual of overtime or compensatory time will be administered under the same provisions as if the work were performed at the regular work location. Overtime work must have prior Supervisor approval.
- 17.0** Telecommuters who are salaried or exempt do not ordinarily complete a timecard at their regular place of work. However, when telecommuting, they will keep a record of actual time worked at the alternate work location for the purposes of demonstrating accountability to their agreed upon work schedule and to document projects, assignments and tasks that they are working on. The timesheets should indicate the work completed and the hours spent on each task.
- 18.0** Leave used on a planned telecommute day will be administered under the same provisions as leave used from the regular work location.
- 19.0** Telecommuting is not designed to be a replacement for appropriate childcare. Although a Telecommuter's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands.
- 20.0** The Telecommuter and the Supervisor mutually agree to adhere to and evaluate a daily work plan. The Supervisor will review the proposed work plan and approve, adjust or decline the proposal based on reasonable priorities.
- 21.0** The Telecommuter will complete a detailed timesheet indicating the work completed and the time worked on each task to their supervisor. The Supervisor shall verify the quality and quantity of work done in accordance with the established daily work plan (see 21.0). In the event the Telecommuter does not provide the required timesheets, and/or the Supervisor cannot verify the quality and quantity of work done, there may be disciplinary action up to and including termination, or the telecommuting agreement may be discontinued.

3.5 Emergency Management Training Policy

- 1.0** As part of emergency preparation, designated Town personnel, including all Department Directors, are required to take the appropriate National Incident Management System courses (NIMS) or any other prescribed/required/recommended courses from state or third party vendors for their position as directed by the Emergency Manager.
- 2.0** Failure to complete required training may be subject to disciplinary action up to and including termination.

3.6 Special Pay Provisions Policy

Purpose: The purpose of this policy is to determine how employees are to be paid when Town offices are closed due to inclement weather or declared emergencies.

Policy: When inclement weather, confined emergency or other emergency situations require Town office closings and/or additional working hours by essential Town personnel, the Town Manager can declare the implementation of Special Pay Provisions. When Special Pay Provisions have been declared, special pay rules, as set forth in this policy, will take effect.

This policy describes special pay provisions applicable to non-exempt (hourly) and exempt (salaried) employees, whether performing their regular responsibilities or reassigned as a result of inclement weather, confined emergency or a declared emergency. See Table 1 for an overview of this policy.

All Town employees are considered to be essential to Town operations prior to, during and following declared emergencies until otherwise released by the Town Manager. Failure to check in when required or report when scheduled may result in disciplinary action up to and including termination. An employee communication from the Town Manager or designee will be provided to advise work schedules for essential staff.

It is not possible to anticipate every possible contingency. Additional measures may be taken, and based upon the severity of the event, the time parameters of this policy may be adjusted by the Town Manager or designee as needed to support actions in the best interest of public safety.

Definitions:

Essential Staff: all staff are considered essential until informed otherwise by their supervisor, or someone upwards in their chain of supervision and will be advised when to report for duty during times of inclement weather, natural disaster or any emergency situation.

Emergency Stand-By: this is the time when an employee is required to be at work during emergency conditions and must remain at or near an assigned emergency operations center or other facility as designated by the Town Emergency Operations Center Commander.

Work-Ready Status: this refers to employees not required to work during any emergency, but who should be able to report within 24-hours notification.

Short Term Emergency: Generally will be a period of time of not more than 4 days when work locations are closed due to inclement weather or a confined emergency.

Response and Recovery Period: this refers to the time period when an emergency situation is not resolved, and the Emergency Operations Center may still be in full or partial operation.

Temporary Supplemental Compensation: pay authorized at the sole discretion of the Town Manager for certain or all Employees who meet the following conditions: (i) the exposure to unusually hazardous working conditions is temporary; (ii) any exposure is likely to result in serious incapacitation, long period of time lost, or possible loss of life; (iii) exposure or accidents are likely to occur frequently in spite of reasonable safety precautions; and (iv) the unusually hazardous working conditions have not been considered in the determination of base pay for qualifying Employee(s).

Inclement Weather/Short-Term Emergency Situation:

The Town Manager may close one or more Town work locations due to inclement weather, confined emergency or other short-term emergency situation. During such closures, the following pay provisions will be in effect:

- a) Employees whose work locations close and the employee is unable to telecommute, will be considered to be on paid administrative leave and will receive their regular straight time earnings if scheduled to work during the hours of closure.
- b) Employees on approved leave for any reason will not receive administrative leave pay.

- c) Employees who are deemed essential and whose jobs require that they report are expected to report to work as instructed. These employees will be provided a PTO credit for their hours worked up to a maximum of 12 hours.
- d) When operations at or for the work location resume, employees are expected to return to work. Employees who are unable to return to work due to the emergency will have leave charged to their PTO accrual. Employees who do not return to work or report in may be subject to disciplinary action up to and including termination.

Declared Emergencies:

- a) The provisions of a Declared Emergency become effective when all the following conditions are met:
 - i. The Mayor of the Town of Bluffton has declared that a State of Emergency exists in the Town; or a state of emergency for an area encompassing Bluffton has been declared by the Governor or other competent authority; and
 - ii. The Town has suspended normal Town operations and is operating under emergency conditions, as determined by the Town Manager; and
 - iii. The Town has activated its Emergency Operations Center and is operating under OpCon 1 (see OpCon Definitions in Table 2).
- b) Pay During first 120 hours (5 days) of Declared Emergency:
 - i. Non-exempt (hourly) essential employees required to work during this period are eligible to receive 1.5 times their regular rate of pay for all hours worked. This rate of pay is applicable even if they have taken PTO during the pay cycle.
 - ii. Exempt (salaried) essential employees required to work during this period are eligible to receive 1.5 times an hourly rate for hours worked, which is determined by dividing the employee's weekly salary by the number of regularly scheduled work week hours.
 - iii. Non-exempt and exempt employees who are scheduled to work but instructed not to report because of the declared emergency will receive their regular rate of pay for regularly scheduled work hours. Any Town building or alternate work location is subject to opening at any time as conditions allow. Employees should be reachable by phone or other means during normal work hours to receive communication updates or information. Employees are expected to remain in a work-ready status and able to report within 24 hours unless otherwise specified by the Town Manager, or designee.
 - iv. Emergency Stand-By
 - 1) An employee is considered to be on emergency stand-by when he/she is required to work during this period and must remain at or near an emergency operations center, other company facility, motel or some other assigned place. During the emergency stand-by time at a shelter-in-place designated location, he/she will receive pay at their regular rate of pay.
 - 2) Employees scheduled to work during a Declared Emergency are expected to be fit for duty during the duration of the event. Employees will be expected to rest when not on duty, but remain subject to immediate recall to remain alert, sober and competent to perform assigned duties. Employees who feel they are not able to perform assigned tasks due to a unique circumstance may request a waiver from duties and will receive no pay for these hours.
- c) Payroll Following First 120 hours (5 days) of Declared Emergency
 - i. Non-exempt and exempt employees not assigned responsibilities during the first 120 hours of a declared emergency should expect to receive work assignments by the

- end of that period. If they remain unassigned at the end of the 120-hour period, administrative pay will cease until they are assigned responsibilities. These employees may use accrued PTO, personal day, or compensatory time (non-exempt employees) to receive compensation during this period.
- ii. Non-exempt employees who are required to report in and assigned work during the declared emergency will receive their regular pay and overtime consistent with the overtime regulations applicable to their classification.
 - iii. Exempt (salaried) employees who are required to report in and assigned work during the declared emergency will receive their regular pay. The Town Manager must authorize the continuation of any overtime compensation for exempt employees. Should such authorization be given, exempt employees are eligible to receive overtime pay equal to the hourly rate of pay calculated in *b).ii* above for all hours worked over 40 during the work week.
 - iv. Overtime compensation payments to exempt employees may continue during the response and recovery period. The duration of such payments will vary by department and function as determined by the Town Manager, or designee. Once a department returns to normal work schedules, overtime for exempt employees will cease.
- d) Declared Pandemic Emergency:
During a Declared Emergency due to a Pandemic such as COVID-19 or the like, the Town Manager, in his/her sole discretion, may authorize Temporary Supplemental Compensation (in addition to or in lieu of Emergency Pay) for certain or all Employees who meet the following conditions: (i) the exposure to unusually hazardous working conditions is temporary; (ii) any exposure is likely to result in serious incapacitation, long period of time lost, or possible loss of life; (iii) exposure or accidents are likely to occur frequently in spite of reasonable safety precautions; and (iv) the unusually hazardous working conditions have not been considered in the determination of base pay for the qualifying Employee(s). Temporary Supplemental Compensation may be issued in the form of a weekly stipend, monthly stipend, an increase in base pay rate, and/or an increase in Emergency Pay.
- e) Deviation from Policy: The Town Manager reserves the right to consider unique pay situations as they arise throughout an Emergency Period and may make exceptions or supplement the provisions of this Policy as s/he deems necessary in his/her sole discretion. Instances not covered by this Policy shall be decided on a case-by-case basis by the Town Manager or appropriate designee.
- f) Elected Officials and Municipal Judges will be paid their regular compensation.
- g) Applicability of Approved Leave
- i. During and following a declared emergency, scheduled leave may be canceled and employees on leave may be recalled.
 - ii. Employees on paid or unpaid leave who are not recalled to duty during or following an emergency are not subject to special pay provisions until such time as their leave ends and they return to duty.
 - iii. If an employee does not report to work or check in at the designated time and/or location during a declared emergency, the employee may be considered to have resigned from employment with the Town.
- h) Resuming Normal Operations
- i. If an employee does not report for work when required or does not request and receive approval for time off, the employee may be considered to have resigned from employment with the Town.

Table 1

SPECIAL PAY PROVISIONS			
	Inclement Weather/Short Term ER Situation	Declared Emergency - First 120 Hours	Declared Emergency - Following 120 hours
Employees NOT REQUIRED to report in	Employees who work in locations that are closed will be paid Admin Leave during short term ER situation	Non-Exempt and Exempt employees scheduled to work but not required to come in will receive their regular rate of pay for their scheduled hours.	Non-exempt and exempt employees not assigned responsibilities may use PTO, or compensatory time or personal leave.
Employees REQUIRED to report in	Employee in positions where they are required to work will be paid for their time worked and will receive an hour of PTO for every hour worked up to a maximum of 12 hours.	Non-Exempt and Exempt employees required to work will be paid 1.5 times their hourly rate of pay or hourly equivalent rate of pay for all hours worked during the Declared Emergency	Non-exempt employees required to work will receive their regular pay and overtime consistent with the overtime regulations. Exempt employees required to work will be paid their regular rate of pay, unless such overtime is approved by the Town Manager.
Employees on LEAVE STATUS	Employees on approved leave would not get Admin Leave and will utilize their PTO, Personal Time or Comp Time as approved for leave.	Employees on approved leave will utilize their PTO, Personal Time or Comp Time as approved for leave until such time as their approved leave ends. The Town may cancel PTO in some circumstances if necessary.	Employees on approved leave will utilize their PTO, Personal Time or Comp Time as approved for leave until such time as their approved leave ends. The Town may cancel PTO in some circumstances if necessary.

Table 2**OpCon Operation Conditions**

OpCon 3 - Maintain normal daily operations.

OpCon 2 – Enhanced Awareness. A disaster or emergency is likely to affect the state. Emergency operations plans are implemented. The State Emergency Operations Center is partially activated if necessary.

OpCon 1 – Full Alert. A disaster or emergency is imminent or occurring. The State Emergency Operations Center is fully activated. All state emergency response team personnel are activated or ready to deploy.

SECTION IV.

PAYROLL

INFORMATION

In addition to providing employee payment information, such as how pay is received and how often, this section defines the different employment statuses and the various special pay provisions that may occur.

4.0. PAYROLL.

4.1 Exempt Employees.

An exempt employee is an employee who, because of his/her positional duties, responsibilities and level of decision making authority, is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees are expected to work whatever hours are necessary to accomplish the goals and deliverables of the position. However, exempt employees are expected to work at least 39 hours per work week.

4.2 Non-Exempt Employees.

A non-exempt employee is an employee who, because of the type of duties performed, the usual level of decision-making authority, and the method of compensation, is entitled to overtime. Non-exempt employees must account for hours and fractional hours worked. Non-exempt employees are compensated for all hours worked and receive overtime or compensatory time for all hours worked over 40 in one work week. Non-exempt law enforcement officers receive overtime or compensatory time for all hours worked over 86 in a two-week work period.

4.3 Full Time Employee.

A regular full-time employee is one who is scheduled to work a minimum of 39 hours per week on a regular basis, has completed their probationary period, and whose employment is for no definite term. However, the Town does not guarantee any minimum number of hours of work per week. Regular full-time employees are generally eligible for benefits and will begin accruing Paid Time Off (PTO) upon beginning employment. PTO may be used during the initial probationary period. Regular full-time employees are required to participate in the appropriate South Carolina Retirement plan.

4.4 Part Time Employee.

A regular part-time employee is one who is hired to work fewer than 39 hours per week, but may be called upon to work more than their normally scheduled hours of work when workloads require, and whose employment is for no definite term. Regular part-time employees are generally eligible for limited benefits and will be required to participate in the South Carolina Retirement System (SCRS), if criteria meet SCRS requirements.

4.5 Temporary Employee.

A temporary employee is one who works for a defined period of time or until a project(s) is completed. Temporary employees do not receive benefits.

4.6 Overtime/Compensatory Time.

All non-exempt non-police employees receive overtime compensation or compensatory time off at a rate of 1½ hours for all hours worked over 40 in one work week. While the Town endeavors to give notice of overtime work requirements, overtime may be required without notice. All overtime work must be approved in advance.

Police officers receive overtime compensation or compensatory time off for hours worked above 86 each 14-day pay period. All overtime must be authorized in advance by the supervisor and noted on the employee's time card or time distribution sheet.

4.7 Payment of Wages.

All employees are paid by direct deposit to the bank or financial institution of their choice on Thursday every two weeks. If the regular payday occurs on a holiday, employees will be paid on the preceding working day before the regular payday.

Each payday employees will receive an email pay statement from the Finance Department.

Employees should examine their paychecks/pay stubs immediately to ensure they have been properly paid for all hours and that no improper deductions have been made. Any payment errors must be reported to the Finance Department within 5 business days of the pay date.

The Town deducts from employees' gross pay, taxes and withholding that are required by the taxing authorities. The Town may also deduct from employees' pay the employees' share of any premiums or plan contributions for insurance, retirement, and similar plans that are elected by the employee or mandated by law or plan rules. The Town may make other deductions as required by law or order of court. Additionally, employees can authorize deductions, in writing, for other purposes.

Cash, debts owed the Town, fringe benefits, or any other Town property not repaid or returned by him/her at the time of his/her termination are considered advances of wages the value of which may be deducted from the employee's final pay check(s).

The Town will continue to send pay stubs to employees on leave or no longer employed with the Town via personal email; if a personal email has not been provided, they will receive their pay stubs through the US Postal Service.

Payroll Deductions

The following deductions are made automatically:

- a) Federal income taxes;
- b) State income taxes;
- c) Social Security;
- d) Medicare;
- e) Employee benefits and retirement contributions;
- f) Deductions required by law or court order.
- g) Any additional deductions elected by employee.

4.8 Special Pay Provisions.

Please refer to [Special Pay Provisions](#) under Section III Emergency and Pandemic Policies.

SECTION V.

EMPLOYEE BENEFITS

This section provides information pertaining to the benefits provided to employees including health insurance, dental and vision insurance, the South Carolina pension plans, Life Insurance, and Supplemental Life Insurance. The Town's tuition reimbursement program, and wellness program are also covered.

5.0. EMPLOYEE BENEFITS.

5.1 Health, Dental & Life Insurance.

The Town currently offers a competitive benefits package to serve as your foundation for good health, peace of mind, and financial security. Unless specifically noted, each benefit is available only to regular full-time employees. Certain benefits such as medical, dental and vision are available to employees who average 30 or more hours per week and Town Council members. The employee benefits program is subject to change as directed by the South Carolina State Board of Budget and Control, Legislative mandates, or Town needs, as such the Town is not responsible for any changes in or elimination of benefits or benefit plans. Employees will be notified of changes in the benefits program when updates occur.

Please see Human Resources for specific information on the Town's benefit plans or visit PEBA's website for the most current Insurance Benefits Guide (IBG) <https://www.peba.sc.gov/2020ibg.pdf>

Health and Dental Insurance

All regular full-time employees, employees who work 30 hours or more per week, and Town Council members are eligible to participate in the Town's health plan through the South Carolina Public Employee Benefit Authority (PEBA). If an employee elects to be covered, the cost for the coverage will be deducted from each paycheck. The Town covers the premiums for the employee portion of the State Health and the State Dental plans. The employee will be responsible for the cost of any additional dependent premiums selected.

5.2 Flexible Spending Accounts.

Flexible Spending Accounts are a tax-saving way to pay health care and dependent care expenses that you would typically pay out-of-pocket. Expenses such as deductibles, copayments, coinsurance, prescriptions, dental procedures and eyeglasses can quickly add up, and dependent care expenses can add up even more. The FSA's let you pay these expenses with pretax dollars.

Contributions are deducted from your pretax pay in equal amounts during the year. This means you save money, as contributions are not subject to Social Security tax, federal income tax or state income tax.

Medical Spending Accounts and Dependent Care Spending Account enrollments are only valid for one year and be re-enrolled during the Annual Open Enrollment Period in order to continue. Your account(s) will not automatically renew each year.

5.3 Pension Plans.

South Carolina Retirement System

All regular full-time and part-time employees and Town Council are required by law to join the South Carolina Retirement Systems. Seasonal and temporary employees have the option to opt out of the memberships.

The Town offers two plans for employees, the South Carolina Retirement System (SCRS) and the Police Officer Retirement System (PORS). Each employee/participant is required to contribute a certain percentage of their gross salary to the Retirement System. The actual contribution amounts are subject to change per legislation but will be provided upon hire date. The employee contributions are deducted on a pre-tax basis. Employee contributions earn interest.

More information on these programs can be found in the Retirement Handbook on PEBA's website <https://www.peba.sc.gov/resources.html>

5.4 Disability.

Eligible employees enrolled in the State Health Plan have basic long-term disability protection at no cost. The Basic Long-Term Disability Plan protects a part of your income if you become disabled. It includes: a 90-day benefit waiting period; a monthly benefit of 62.5 percent of your pre-disability earnings, reduced by deductible income; a maximum \$800 monthly benefit; and a maximum benefit period to age 65 if you become disabled before age 62. If you become disabled at age 62 or older, the maximum benefit period is based on your age at the time of disability.

5.5 Supplemental Long-Term Disability (SLTD).

This optional disability insurance plan provides more protection for you and your family. Supplemental long-term disability is a voluntary benefit for which the employee pays. This benefit provides: Competitive group rates; Survivors benefits for eligible dependents; coverage for injury, physical disease, mental disorder or pregnancy; a return-to-work incentive; SLTD conversion insurance; a cost-of-living adjustment; and lifetime security benefit. There are two options either a 90-day or 180-day benefit waiting period that includes: a monthly benefit of 65 percent of your pre-disability earnings, reduced by deductible income; a maximum \$8,000 monthly benefit; and a minimum \$100 monthly benefit. For more details visit PEBA's website <https://www.peba.sc.gov/longtermdisability.html>

5.6 Workers' Compensation.

Town employees are covered by workers' compensation for on-the-job injuries. Benefits are governed by state law and not set by the Town. Employees must report any on-the-job injury, regardless of severity, to their supervisor immediately. For more information, please see [Injury While on Duty](#).

5.7 Employee Assistance Program (EAP).

The EAP is a confidential counseling, assessment and referral program designed to help you manage your life. Just as health insurance is designed to address your physical wellbeing, your EAP is designed to address your emotional and mental health, as well as manage your work/life issues to achieve a healthy balance. EAP also provides legal and financial consultation services, as well as the WorkLife Benefit which provides assistance with elder care, childcare, adoption, education, and other worklife matters. All calls made to the EAP are kept private and confidential.

5.8 Educational Assistance.

The Town supports continuing education efforts made by Town employees through the reimbursement of tuition. The following rules apply:

Eligibility

- a) A qualifying employee must be full-time and active with a recent performance evaluation of satisfactory or better. Employees working as an intern, temporary, part-time or on a leave of absence are not eligible for educational assistance.
- b) A qualifying employee must have completed their probationary period.
- c) A qualifying employee must be performing at a satisfactory level or better and not be on a performance improvement plan due to disciplinary action. Employees who have been issued disciplinary action within 90-days of request for course approval and/or request for course reimbursement may not be eligible for tuition reimbursement approval or reimbursement.
- d) For courses to be eligible for reimbursement, the course work must be completed at an educational institution that has regional or other accreditation recognized by area educational institutions. In addition, the completed course work must receive recognized/transferable credits

to include GED course work. Exceptions may be made to this policy for certain recognized certification programs when the Town identifies a need that can be met through a particular program.

- e) An employee who leaves Town employment will have to reimburse the Town for any educational reimbursements received during the previous 12 months unless waived by the Town Manager.

Policy

- a) Requests for educational assistance must be approved prior to enrollment. Written requests should be submitted to an employee's department head on the Education Approval & Reimbursement Form for review and recommendation.
- b) An Education Approval & Reimbursement Form for the current fiscal year should be used for each class. The employee's department head or designee will review that the employee is qualified for tuition reimbursement and meets the eligibility guidelines and may recommend approval for the request, based on funding availability.
- c) This form must be forwarded to Human Resources to verify available budgeted funds for approval.
- d) Normally, class attendance and completion of study assignments must be accomplished outside of the employee's regular working hours. Educational activities are not to interfere with the employee's work assignments unless authorized by Department Head. Unsatisfactory job performance may result in forfeiture of educational assistance.
- e) Funding is based on first-come, first-serve basis, limited to an amount each fiscal year determined by budget. This amount will be noted on the Education Approval & Reimbursement Form and this amount is per employee per fiscal year and is subject to budgetary constraints.
- f) At the completion of the approved course(s), the employee must submit the following items within 30 days:
 - i. Signed original approval form;
 - ii. Proof of completion with a grade of C or better on university/college letterhead or transcript showing the quarter/semester, course name and grade. If the class is Pass/Fail, proof of the Pass score is required on university/college letterhead or transcript showing the quarter/semester, course name and grade.
 - iii. Receipt or ledger statement showing the paid cost of the course which should include the College/university invoice or statement indicating fees charged and the amount paid (the invoice must contain the school's name and address. Copies of cancelled checks and/or credit card statements can be provided but must be attached to the invoice from the educational institution.
- g) An employee separated from Town employment during class enrollment periods will lose eligibility for reimbursement and may have to reimburse the Town for prior reimbursements from the previous 12 months unless approved by the Town Manager.
- h) Certain classes related to licensing and skill requirements may be taken on Town time and at the Town's expense. Department head must give prior approval to any class taken during work time and budgeted funds must be available.

5.9 Educational Bonus Policy.

The Town supports continuing education efforts made by Town employees through the reimbursement of tuition and training for certifications related to positions. Further, in our efforts to provide excellent levels of service to our citizens, the Town of Bluffton continuously strives to train and educate its employees and believes that the organization benefits from having a workforce that achieves certain academic attainment and certain specialized training and certifications.

It is the policy of the Town of Bluffton that all full-time regular employees of the Town of Bluffton may be eligible to receive a bonus provided they meet the eligibility requirements defined below and budgeted funds are available.

a) Eligibility

- i. All academic degrees must be awarded from an accredited college or university. Only those institutions accredited by the US Department of Education are recognized.
- ii. All certification programs must be from an organization or agency approved by the Department Head and used to further the skills and job knowledge for the employee.
- iii. It is the responsibility of the employee to request consideration of any educational bonus through his/her Department Head.
- iv. The respective Department Head will consider requests for educational bonus pay using the required payroll form and will make recommendation to the Town Manager along with justification and review by Finance Director.
- v. The Town Manager will have final approval or disapproval of all requests.
- vi. It is understood that application of any academic degree and certifications must be relevant and useful in the conduct of job duties and responsibilities.
- vii. An employee is not eligible if on probation or most recent performance evaluation is less than satisfactory.

b) Educational Bonus

- i. An Educational Bonus may be awarded as long as eligibility requirements are met, and budgeted funds are available.
- ii. An Educational Bonus amounts are shown below and may be paid for the following (amount to be grossed up for net amount paid to employee):

Associates Degree	\$250
Bachelor's Degree	\$500
Master's Degree	\$750
Certification	Amount varies as pre-determined by Department Head
- iii. The Educational Bonus amount will be reviewed every year by the Town Manager to plan for budgeted funds.
- iv. If an employee receives an Educational Bonus and leaves within one-year to work for another employer, the amount of the Bonus will be re-paid to the Town through payroll deduction on the employee's final pay.
- v. Funding of the Bonus is determined by budget.
- vi. Completion of a degree or a certification is not a guarantee that a Bonus will be paid.

- vii. For consideration of an Educational Bonus, an employee must submit:
 - Copy of transcript from accredited college or university showing completion of degree; for a certificate program, a copy of completion from the certifying agency or organization.
 - Memorandum to Department Head detailing degree or certificate earned and requesting consideration of Educational Bonus.
- viii. For approval of Educational Bonus, a Department Head will review information from employee and complete a Payroll Status Change Form noting appropriate bonus amount attaching copies of information from employee.
- ix. Department Head will have Finance Director review and request approval from Town Manager.
- x. Department Head will notify employee of approved Educational Bonus and submit through Payroll with a copy to Human Resources for training file.

5.10 Wellness Programs.

The Town encourages employee wellness and encourages them to take advantage of some of the incentives available to them through Public Employee Benefit Authority (PEBA).

- a) PEBA Perks provides a comprehensive range of activities, programs, services, and information designed to help State employees, retirees and their covered dependents enjoy a happier, healthier life. As a part of the employee insurance program, PEBA Perks focuses on disease prevention, early detection, disease management, and offers educational resources on diverse issues such as diabetes, tobacco cessation, weight management, stress management, and nutrition.

5.11 Discretionary Awards.

It is the policy of the Town to provide employee recognition and incentive awards to an employee or team upon Supervisor recommendation. This program is intended to reward staff employees whose achievements have resulted in a particular benefit to the Town of Bluffton. Awards are in the Town's discretion, and no employee is entitled to an award.

This policy applies to all employees of the Town.

- a) Upon supervisor recommendation, through memorandum or e-mail, an employee or team may be considered for recognition in the following areas:
 - i. Achieves excellence in a project or effort which falls outside normal job duties or requirements;
 - ii. Resolves a critical problem or addresses an exceptional opportunity;
 - iii. Exhibits an unusually high level of competence, imagination, persistence, or persuasion in achieving a goal or objective;
 - iv. Demonstrates an outstanding effort (above and beyond expectations) and leadership in support of team members; or
 - v. Receives special training certifications.
- b) Recognition may be given in the form of monetary or non-monetary awards.
 - i. Non-monetary recognition for excellence must be approved by the employee's Supervisor. Non-cash recognition awards, such as a plaque, cannot exceed a value of \$50.

- ii. Monetary awards may not exceed \$1,000 per individual, per award. Supervisors should consider the amount of time and effort involved with the accomplishment to determine an acceptable amount.
- iii. Monetary recognition is recommended utilizing the Payroll Status Change Notice Form and requires approvals from the employee's Department Head, Finance, Human Resources, with final approval from the Town Manager.

5.12 Recognition Programs.

In addition to saying "Thank You" and recognizing others for their performance and achievements, the Town has two recognition programs in place for employees to recognize their peers.

Star Awards

Employees recognize their fellow employees by presenting them with a star, which is obtained through HR. At the end of each month Human Resources draws a name from all the employees recognized that month and announces that month's Lucky Star.

The Lori McLain Award

Once a year employees nominate their fellow employees who have gone above and beyond and is someone who truly embodies the Town's [Mission](#) and [Vision](#) Statements. The Lori McLain Award Committee selects the winner who is recognized in front of his/her peers and presented with the Lori McLain Award.

SECTION VI.

TIME AWAY FROM WORK

This section reviews employee Paid Time Off (PTO), PTO accrual rates, Holiday Pay, Employee Personal Days, Jury Duty, and the Town's Corporate Social Responsibility Program.

6.0 TIME AWAY FROM WORK.

6.1 Paid Time Off (PTO).

It is the policy of the Town to grant Paid Time-Off (PTO) to full-time employees in accordance with the guidelines established below.

- a) Employee PTO accrual will start on the first day of employment. Holiday pay will also start on the first day of employment.
- b) PTO is a cumulative bank of time for sick days, vacation time, and bereavement leave.
- c) Full-time employees will accrue PTO according to the following schedule:

0-5 years employment: 5.20 hours / pay period

6-9 years employment: 6.80 hours / pay period

Over 9 years employment: 8.32 hours / pay period

NOTE: There are 26 pay periods per calendar year.

Exceptions to the published accrual schedule may be made by the Town Manager.

- d) PTO hours do not accrue while an employee is on any type of unpaid leave status (including workers' compensation, FMLA, active military duty, or leaves of absence).
- e) Employees may not take PTO until they actually accrue the time.
- f) Employees who think there is a discrepancy in the calculation of their PTO pay or eligibility may request a review of that calculation by the Finance Department. If possible, this request must be made within five business days of the pay date of the alleged discrepancy.
- g) PTO pay for full-time employees will consist of the employee's regular rate of pay for the PTO period and will be paid on the regularly scheduled payday.
- h) Employees should submit an Absence Report form to their supervisor with as much advanced notice as possible. Employees must submit requests for PTO for medical or dental appointments as far in advance as possible for scheduling purposes. Whenever possible, employees' request for specific periods of leave will be honored. However, consideration of workloads, work distribution, and other similar factors, which could result in severe work interruption, may necessitate changes to the request or denial of the request for leave. The supervisor is responsible for approving or denying all requests for leave.
- i) Unless otherwise approved by the Town Manager, accrued PTO will be issued to a terminating employee in their final payroll as long as an employee has provided a 2-week (Department Heads are required to provide 30 days' notice), and the employee has not been terminated for disciplinary reasons.
- j) The Town has the authority to determine whether or not employees terminated for disciplinary reasons are eligible to be paid for accrued PTO.

6.2 Required Time Off and Limitations.

Following the first anniversary of employment, full-time employees are required to take a minimum of 40 hours in PTO each year.

If the required 40 hours are not used, these 40 hours will be forfeited and will not be paid in cash. Taking fractions of days off is discouraged for less than half days.

6.3 Cash Payment of PTO and Maximum Accrual.

The maximum PTO accrual for any employee to bank or carry over is 720 hours (90 days).

Twice a calendar year, employees may have the option to cash-out PTO time as determined by budget and communicated by Finance. The following guidelines must be met in order to process a cash-out.

- a) PTO cash-outs may occur in December and June of each calendar year. Employees must follow the procedures established and provided by Finance.
- b) 40 hours is the maximum amount you can cash-out during eligible cash-out-month. A maximum of 80 hours may be cashed out during a twelve-month period.
- c) The remaining PTO balance must be 40 hours or greater after this cash-out.

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 work days 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 work day. 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.

The Town of Bluffton observes the following twelve (12) paid holidays:

New Year's Day	Labor Day
Martin Luther King Day	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

6.5 Personal Day.

A personal day is an increment of time according to your regular schedule (example: 8 ½ hour work day). This is in a separate bank from an employee's PTO accrual. A Personal Day must be taken in the full day increment and the hours do not carry over from year-to-year. A Personal Day must be taken before December 31st of each year.

6.6 Jury Duty.

Employees are encouraged to be good citizens.

When called upon to serve jury duty, the Town of Bluffton will pay up to two (2) weeks per calendar year regular pay for jury duty.

Employees called for jury duty are to submit a copy of the summons to the department head in advance so that adjustment in staffing and scheduling can be made. The summons should be attached to the Absence Report and the box "Other" be checked. Proper documentation from the court must be provided to department head upon return to work.

Employees on jury duty may be required to work all or any portion of a workday that they are not actually participating in jury duty. The employee is responsible for notifying the department head of any times when not required to be present for jury duty.

In the event that the court provides a daily stipend for serving on the jury, the employee will reimburse the Town for total amount received for jury service, less mileage which will be calculated at the Federal reimbursement rate. Copies of the check or payment from the court should be attached to the Absence Report and submitted to Finance for processing.

a) Court Appearance

- An Employee's court ordered subpoena for non-work reasons does not qualify for paid leave;
- PTO can be used for such occurrences;
- Employees must immediately notify their direct supervisor as to how long they expect to be away from their job.

6.7 Administrative Leave

Administrative leave is a temporary leave from a job assignment that may be with or without pay.

This may happen when an employee requests time off for personal reasons, when the Town closes early, when an investigation into the employee's conduct is pending, or for other reasons not related to medical conditions.

The amount of time for Administrative leave is determined by the Department Head and approved by the Town Manager. The Department Head may request approval for up to 60 days of Administrative Leave with or without pay from the Town Manager. AT the end of the 60 days, the requesting Department Head must justify any continuance to the original request. The employee is to remain available daily between 8:00 a.m. to 5:30 p.m. and required to check in with their supervisor daily unless otherwise noted and may be subject to call backs.

Full-time employees may also be granted, on an individual basis, administrative leave with or without pay by their Department Manager for reasons that are not related to any medical condition

On a case-by-case basis, the Department Manager may grant as many as two seven-day periods of administrative leave without pay with the approval of the Town Administrator for special circumstances when all paid leave is exhausted.

6.8 Voluntary Time-Off Without Pay.

The Town of Bluffton may allow employees to take up to ten (10) standard work day days of voluntary time off without pay during a fiscal year under the Voluntary Time Off Without Pay program.

- a) If the Town finds it necessary to mandate a furlough, pursuant to this policy, employees who have taken voluntary leave without pay within the calendar year may be able to substitute their voluntary leave without pay time in lieu of the furlough, under certain conditions pursuant to the Town Manager's decision.
- b) Employees must have pre-approval from their Director to take voluntary leave without pay. One's voluntary leave without pay should not interfere with the work schedules of other employees within the department, resulting in an additional workload to others.
- c) Voluntary leave without pay, for both exempt and non-exempt employees, must be taken in full-day increments. This leave should be scheduled in advance with the Supervisor's permission.
- d) This policy is available to employees in full-time positions only.
- e) If a holiday falls during the voluntary leave without pay time, the employee will not receive holiday pay.
- f) Paychecks will be reduced by the gross pay amount of leave hours as the leave is taken.
- g) Additional leave without pay may be approved over and above the 10 calendar days with the Supervisor's permission.
- h) The Town will be responsible for making the employer contributions for those employee benefits that require employer and employee contributions. The employee remains responsible for making their portion of contributions while on leave without pay. The employee may need to contact the Finance Department to make arrangements if the voluntary leave is for an extended period.
- i) If Voluntary Time-Off without Pay is taken over an entire pay period, no PTO will be accrued for that pay period.
- j) Employees must fill out the Town's Absence Report Form to request voluntary leave without pay and submit to their Director for approval.

6.9 Corporate Social Responsibility Program.

Purpose: To establish a Corporate Social Responsibility (CSR) Paid Time Off (PTO) Program for employees to support qualified charitable volunteer opportunities in the Bluffton community.

Policy: To set forth the terms, conditions, and processes regarding the Town of Bluffton's Corporate Social Responsibility (CSR) Paid Time Off (PTO).

The CSR PTO is designed to encourage The Town of Bluffton employees to undertake charitable acts within the local Bluffton community and provide eligible employees the opportunity to take up to 12 hours paid time off to volunteer in the community during their regular work schedule. A request for CSR PTO is reviewed by the Supervisor and approved by the Department Head. Designated paid holidays, regularly scheduled PTO and jury duties are not included in CSR PTO.

Responsibility: Each employee is responsible for understanding the details of the CSR Program. Employees are further responsible for completing the Request Form and Acknowledgement and Liability portion prior to the volunteer activity and attaching to their Absent Report form for time away. The Employee must also have an authorized person or Volunteer Coordinator at the charitable organization sign a Completion Form to verify the employee participated in the charitable activity to confirm attendance and volunteer time. The Completion Form must be turned in to Human Resources within 48

hours of the completed activity. Failure to submit the Completion Form may result in employee's time off counted against PTO hours or, if there is not PTO hours available, be time off without pay.

The Department Head (or designee) is responsible for understanding the details of the CSR program and for approving the CSR PTO for eligible employees.

Human Resources is responsible for ensuring the CSR Program supports the local Bluffton community, verifies the 501(c)(3) status of agency/organization, consults with management to ensure the appropriate implementation of the policy and obtaining completed Completion Forms to be attached to Absence Report form following volunteer time.

Eligibility

Employees. Employees meeting the following requirements are eligible for CSR PTO:

- a) Employed with the Town of Bluffton for 6 months or more and earn PTO.
- b) Temporary employees and Intern employees are not eligible for CSR PTO.
- c) Employees on any form of leave, suspension, probation, or have received disciplinary action during the previous 6 months are not eligible for CSR PTO.

Charities. Unless otherwise approved by the Town Manager, the charities must:

- a) Serve the local Bluffton communities in which the employee works and be designated as a 501(c) (3) organization.

Guidelines.

- a) Employee involvement with charitable organizations is encouraged regardless of eligibility for CSR PTO.
- b) CSR PTO will be scheduled consistent with the goals and Mission of the Town of Bluffton.
- c) "Day," as used throughout this policy, means the employee's standard work day.
- d) The Department Head and Supervisor shall have the right to specify the number of employees within the department who may be absent from work at any one time and may deny CSR PTO based on staffing and workload needs.
- e) Employees must sign the CSR Request Form and an Acknowledgement and Liability Form prior to each CSR volunteering activity.
- f) Employees must complete the CSR Completion Form and return it to Human Resources within 48 hours of the completed activity or time off may be charged to employee's PTO bank.
- g) No costs incurred during the volunteer day may be charged to the Town of Bluffton as an expense.
- h) Employees who take CSR PTO and (a) are found to have falsely documented their volunteer hours, or (b) worked for an organization other than an approved organization, or (c) otherwise misrepresented their actions or the nature of the work, will forfeit the equivalent hours of normal PTO and may face disciplinary action up to and including termination of employment.
- i) CSR PTO used will not be considered hours worked for purposes of calculating overtime.
- j) If the CSR PTO activity time is less than an entire regularly scheduled work day, it is up to the non-exempt employee to make arrangements with his/her supervisor to either use personal PTO for the remainder of the day or return to work. Exempt employees will need to coordinate with their supervisor if/when they return to work if their CSR time is less than their regularly scheduled work day.

- k) CSR PTO hours do not carry over from year to year and are not paid out at the time of departure from employment with the Town of Bluffton.

Procedures

Prior to volunteer time/event, the Employee completes the CSR Request Form and signed Authorization and Acknowledgement and Liability portion to their Supervisor for review. Upon approval by Supervisor and Department Head, the Request Form is forwarded to Human Resources to complete the Verification of Agency/Organization. Employee should submit a time off request for CSR PTO (up to 12 hours/year allowed for CSR PTO).

Upon completion of the volunteer activity, the employee must submit the CSR Completion Form and obtain the signature of the Volunteer Coordinator at the agency where the volunteer work was performed and submit it to Human Resources within 48 hours of activity completion.

Human Resources will provide the Completion Form and Request Form to Finance to attach to Absence Request Form.

6.10 Leaves of Absence - Family Medical Leave Act (FMLA).

(Applies Only to Employees Employed 12 Months or Longer and Who Have Worked 1250 Hours or More in the Preceding 12 Months, both Prior to Commencement of Leave.)

General: Employees who meet the length of service and hours worked requirement described above have rights under the Family and Medical Leave Act. As a general rule, employees must request leaves of absence under this law and policy, but in appropriate situations, employees may be placed on leave status without application.

a) Reason for Leave of Absence

- i. Medical and Family Leave. An eligible employee may be entitled to a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform his/her job, if the employee's spouse, child or parent has a serious health condition and the employee must be absent from work in order to care for that relative, or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household shall end 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household.
- ii. Military Caregiver Leave. An eligible employee whose spouse, parent, child or next-of-kin is a covered service member or covered veteran of the Armed Forces of the United States may be entitled to leave of absence to care for the service member or veteran if he/she is, or was, injured while on covered active duty, including if he/she aggravates an existing injury.
- iii. Qualifying Military Exigency Leave. An eligible employee whose spouse, parent or child is a member of the regular Armed Forces of the United States and is on active duty or called to active duty on a foreign deployment, or who is a member of the National Guard or Reserves and is on or called to qualifying active duty in federal service may be entitled to a leave of absence due to one or more qualifying exigencies arising out of the active duty or call to active duty. Qualifying exigencies are: (1) Short-notice deployment (i.e., notice of 7 days or less); (2) Military events and related activities; (3) Childcare and school activities (regular or routine childcare by the employee does not count); (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; (8) Parental

care (regular or routine parental care by the employee does not count); and (9) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

Proof of need for leave of absence may be required regardless of the type of leave taken.

b) Length of Leave

- i. Medical and Family Leave. An eligible employee may take the equivalent of a total of 12 work weeks of leave during any 12 consecutive months for his/her own serious health condition, that of a parent, spouse or child, or to care for a newly born or newly received child. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary.
- ii. Military Caregiver Leave. Leave to care for an injured service member or covered veteran may be taken for up to 26 work weeks in a single 12-month period. Any leave taken by the employee for any other FMLA-qualifying reason will count against the 26 weeks of leave permitted to care for an injured service member.
- iii. Qualifying Military Exigency Leave. Leave taken because of a qualifying exigency is available for up to 12 work weeks in any 12 consecutive months. Leave taken because of a short notice deployment is limited 7 days from the date of notice and leave taken to be with the service member during periods of rest and recuperation are limited to 5 days per period of rest and recuperation. Leave taken to attend post-deployment activities must be taken within 90 days of the end of active duty service.

c) Coordination of Leave and Paid Time Off

An employee who must be absent due to his/her own serious health condition will be paid for time lost from work from PTO balance, if any. An employee who must be absent for any other FMLA-qualifying reason will be paid for time lost from work from accrued annual leave balances, if any. Leave taken under this policy counts towards the employee's 12 weeks of leave (or 26 weeks, where appropriate) regardless of whether all or part of the employee's leave is paid.

d) Effect of Leave on Accrual of Fringe Benefits

- i. Health benefit plan. 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.
- ii. Accrual of paid leave. Unpaid time lost from work due to leave granted under this policy is not considered time worked for the purpose of accrual of paid time off.

e) Employee Responsibility

Employees who request leave under this policy must give 30 days' advance notice or such lesser amount of notice as is possible in the particular circumstances. When the need for leave is unforeseeable, the employee must follow the normal procedure for reporting an absence. Employees may not engage in side employment or work for another employer without the express written permission of the Town Manager.

f) Termination of Leave of Absence

A leave of absence under this policy will end when the need for the leave of absence ends, or when the maximum leave described above has been taken, whichever occurs sooner.

g) Reinstatement

At or before the conclusion of the FMLA leave of absence the employee is entitled to reinstatement to his/her former position or to a position equivalent to his/her former position. The employee must demonstrate that he/she is fit for duty and must give reasonable notice of intent to return to work.

h) Extension of Leave without Benefits

An employee who is unable to perform the duties of his/her position due to his/her own disability and who has exhausted his/her entitlement to leave under the Family and Medical Leave Act by taking 12 consecutive weeks of leave may, at the discretion of the Town Manager, upon written application, be granted up to an additional 14 weeks of leave. This additional leave of absence does not entitle the employee to reinstatement or to payment of any portion of his/her health benefit plan premiums. If the employee is able to return to work prior to the exhaustion of his/her extended leave, he/she may be returned to his/her previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he/she is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, he/she may be continued on extended leave of absence status until he/she is returned to active duty status or his/her extended leave of absence expires, whichever occurs sooner.

Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave which would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Such extended leaves are granted only at the discretion of the Town Manager.

i) Separation of Employment

An employee's employment may terminate if he does not return to full active employment status at the conclusion of his/her leave of absence or extended leave of absence. This does not affect the employee's ability to reapply for the position at a later time. Further, employees with circumstances that warrant special consideration should bring those circumstances to the attention of management.

j) Special Situations

- i. Spouses. When both a husband and a wife are employed, their combined right to a leave of absence because of the birth or placement of a child, or to care for a newly born or placed child or to care for a parent with a serious health condition is 12 weeks in a 12 month period, or 26 weeks in a single 12 month period to care for an injured service member or covered veteran.
- ii. Key Employees (salaried employee in highest paid 10% of all employees). Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

k) Notice of Rights

Federal law requires that we provide you with the notice of your rights (Please refer to [Attachment G](#)).

6.11 Military Leave.

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of such laws change from time to time, and for that reason no effort is made to set forth the law in this policy. (Please refer to [Attachment I](#) for Your Rights Under the Uniformed Service Employment and Reemployment Rights Act (USERRA).

6.12 Physical Disability and Personal Leave.

An employee who does not qualify for Family and Medical Leave may be entitled to a leave of absence when unable to work because of personal illness, pregnancy, or injury on or off the job. Such an

employee may also apply for leave of absence for personal reasons. Leaves are granted only at the discretion of the Town Manager upon recommendation by the employee's department head.

Employees are requested to apply for leaves of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.

Physical disability leave begins on the first day of absence.

After the employee has exhausted his/her PTO, as a general rule, an employee on leave of absence is not entitled to wages, certain other voluntary benefits and does not accrue PTO. Certain exceptions may be established by law.

Employees desiring to return to work from an unpaid leave of absence must notify his/her department head and Human Resources in writing at least ten (10) days prior to their desired date of return. If the Town finds that the employee is fit to resume his/her duties, the employee may be placed in his/her former job if a vacancy exists which is to be filled. If no such vacancy exists, the employee may be placed in any job in which there is a vacancy which is to be filled and for which he is best suited. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued. An employee who has not been reinstated within three (3) months following the commencement of a leave of absence is subject to termination but may request an extension. This action does not affect the employee's eligibility to be considered for hire as a new employee.

SECTION VII.

LEAVING EMPLOYMENT

This section discusses the end of an employee's employment with the Town of Bluffton. This includes the amount of notice that should be provided, equipment turn-in, and PTO payout. The Town of Bluffton's Retiree Re-Employment Program is also discussed.

7.0 LEAVING EMPLOYMENT.

7.1 Termination.

It is the policy of the Town to terminate employment because of an employee's resignation, discharge from employment related to performance related issues, retirement, the expiration of an employment contract, a reduction in the workforce, or death of an employee.

- a) Employees must provide written notice of their intent to resign to the Town Manager. Failure to give written notice may result in ineligibility for reemployment.
 - i. Department Heads should give 30 Days' notice;
 - ii. All other employees should give at least two weeks' notice.
- b) Employees who are absent from work for three consecutive days without being excused or giving proper notice will be considered as having voluntarily quit.
- c) Supervisors should send notices of resignation or recommendations for termination to the Director of Human Resources for review. This information should be accompanied by supporting documents, such as performance appraisals or disciplinary reports. All terminations must be approved by the Town Manager before any final action is taken.
- d) Human Resources will conduct an exit interview as close to the employee's last working day as possible.
- e) Terminating employees receive their final pay on the next pay date after the employee's last day of employment.
- f) Human Resources will meet with the exiting employee and collect all Town property in their possession, such as Town identification cards, keys, credit cards, tools, cell phones, and computers, and any other Town property. Human Resources will also inform employee of any owed balances/funds due on generator and/or computer loans. The Police Department is responsible for their own department employees. The value of items not returned is considered and advance of wages that may be deducted from the employee's final pay. Condition of the returned items must meet the expectations of the department head.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

- g) Accrued PTO will be paid in the terminating employee's last paycheck or no later than the next pay period thereafter. Employees terminated for disciplinary reasons or who have not provided adequate notice of resignation, are not entitled to payment of accrued PTO.
- h) Terminating employees may be eligible for future employment if recommended by their Supervisor.
- i) Requests for employment references should be made in writing to Human Resources. Human Resources will provide position title, provide a verification of dates of employment, and salary with the Town.
- j) When an employee is terminated, resigns or otherwise leaves the employment of the Town of Bluffton, the employee will receive pay for the compensatory time (hourly employees only) not taken. The employee will be paid at his/her regular rate for compensatory hours.
- k) All terminating employees are asked to provide Payroll and Human Resources with their most current mailing and email address, and keep both departments updated if they move within the next 12 months.

7.2 Return to Service – Town of Bluffton Retiree Re-Employment Program.

The Town of Bluffton recognizes the value of employing experienced individuals who have a working knowledge of our organization, our working philosophy, and the character, skills and knowledge that benefit the organization.

The following retiree re-employment guidelines will serve to clarify the definition of a “retiree” for purposes of this policy, and to establish specific program guidelines. Questions regarding this program should be referred to Human Resources.

“Retiree” as defined for purposes of this policy is an individual who has retired from the SCRS or PORS retirement program and was employed for at least five (5) consecutive years with the Town of Bluffton immediately prior to retirement from the SCRS or PORS program. A re-hired Retiree must be terminated from employment and have at least a thirty (30) calendar day break in service prior to being re-hired.

Any exceptions to this program must be approved by the Town Manager.

Request for Employment Process

A retiring employee, who would like to submit a formal request to be considered for re-employment in accordance with this policy, will be asked to follow the Retiree Re-employment Application process listed below.

- a) At least forty-five days prior to the date of retirement from SCRS or PORS, the employee should schedule a meeting with the Human Resources Office for the purpose of (a) obtaining specific information and review of the program criteria, and (b) obtaining the Retiree Re-employment Application Request Form.
- b) At least thirty (30) days prior to the date of retirement from SCRS or PORS, the employee should schedule a formal meeting with his/her department head for the purpose of discussing and submitting the formal request to participate in the Retiree Re-Employment program.
- c) The department head will meet with the Human Resources Office for the purpose of reviewing the employee’s employment performance records.
- d) The department head will submit a recommendation to the Town Manager indicating approval or rejection of retiree’s request for re-employment. The department head will provide an explanation as to his/her recommendation.
- e) The Town Manager will review the retiree’s request and the department head’s recommendation. The Town Manager will make a final decision as to whether the request will be accepted or rejected. Each request will be considered on a case-by-case basis taking into consideration what is in the best interest of the Town’s organization.
- f) The Town Manager will send his/her decision in writing to the retiring employee generally at least ten (10) days prior to the employee’s last day of employment. Copies of the decision will be sent to the department head.

Important Notice

It is to be understood by all parties that at no time will the Town guarantee employment status to an employee retiring from the SCRS or PORS retirement program. Reemployment with the Town is entirely at the Town’s discretion and based on the needs of the Town.

Approved Returning Retiree

A retiring employee under SCRS or PORS who has been approved by the Town Manager for re-employment status in accordance with this policy, will be subject to the following:

On the last day of employment prior to reemployment the employee will return all uniforms, equipment and identification to his/her department, unless the Town Manager approves the employee retaining any such items. All official records will record an official termination date from the Town of Bluffton as indicative of employee's last day of employment.

Classification status: The returning employee may be reassigned to the previous job title at the time of termination, or to any position, at the sole discretion of management.

Pay Status: The returning employee may be reassigned to the starting pay of the grade/salary level or beyond entry level based on qualifications and experience in management's sole discretion. Any exception to the entry level will require a written request and justification by the Department Head and approval by the Town Manager. If the retiree is rehired into another position (a position not held at the time of retirement) the retiree will be placed in the appropriate pay range based on qualifications and experience as determined by Human Resources and approved by the Town Manager. Any exception to the entry-level will require a written request and justification from the Department Head and approval of the Town Manager.

Benefits & Annual Evaluation: The returning employee may retain the current level of annual leave accrual. A performance evaluation assessment will be established for the returning retiree. The returning retiree's annual evaluation will follow the Town's established Performance Evaluation Program. The department head with approval from the Town Manager, will determine annually if it is in the best interest of the Town whether or not to continue the employment status of the retiree. This does not guarantee employment for one-year periods, or for any particular time. Employment remains at-will.

- a) The employee will be paid out accrued PTO according to the Town's policy.
 - i. The employee will be paid out up to the first forty-five (45) days of "accrued" leave in accordance with the Retirement System benefit program. (For Town of Bluffton purposes this is PTO). For a detailed explanation of the Retirement System average final compensation calculation using the 45 days, see: <http://www.peba.sc.gov/rfaqs.html>
 - ii. All additional unused PTO will be paid out in the final paycheck or one lump sum payment.
- b) The Town will recognize the Retirement Systems break in service of thirty (30) consecutive calendar days before an eligible retiree may be re-employed by a participating agency. The retiree will be terminated for one full day and then must be available to return to work on the thirty-second (32nd) day following the day of termination.
- c) Subsequent to approval of the application for entry into the Retiree Re-employment Program, the retiree will not be eligible for promotion nor participation in a promotional assessment unless approved by the Town Manager.
- d) A retiree returning to work under this program will continue to be an "at will" employee and will be treated in the same manner as a probationary employee for grievance purposes.

The retiree will report to the Human Resources office on the first day of re-employment for the purpose of receiving information regarding pay and benefits, along with a new Town ID card. Immediately following, the employee will report to the assigned department for work. The department will re-issue, where applicable, uniforms and equipment. The department head and/or the employee's Supervisor will meet with the returning retiree within the first five (5) days of re-employment, or as soon as possible, for the purpose of reviewing the work conditions, performance review program, work expectations and other

items on the supervisor's checklist for new hires that apply.

Important: Return to work rules for SC Retirement System members changed January 2, 2013. In general, anyone who retires after January 2, 2013 and who retires prior to age 62 (SCRS) or 57 (PORS) is subject to an earnings limitation of \$10,000.00 per year. For more information, please visit PEBA's website (retirement.sc.gov), or call your PEBA Retirement customer service representative at 800-868-9002.

SECTION VII.

ABOUT THIS HANDBOOK

This section briefly discusses the handbook and potential revisions as well as giving credit to the photographer who took the cover photo.

8.0 About this Handbook.

Town of Bluffton Employee Handbook

Created on October 13, 2004

Adopted June 1, 2008

Updated November 10, 2015

Updated 06/11/2019

Updated on 7/14/2020

8.1 Amendments to the Handbook.

Amendments to the Handbook

Any section or provision of this handbook can be amended or changed by the Town Manager with or without notice.

We have made every effort to make this handbook as complete and as helpful to you as we can, but changes happening as quickly as they do, further revisions will undoubtedly be necessary.

Additional and/or updated information also can be found in the Human Resources for Staff folder.

If you need any clarification on any of the topics covered in this handbook, please do not hesitate to contact Human Resources.

Cover Photo

Cover photo courtesy of Scott Schroeder Photography.



DRUG FREE WORKPLACE POLICY

General Rule

All employees of the Town are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.). Further, this prohibition applies to the misuse, abuse or any unlawful use or possession of otherwise legal drugs. This prohibition applies to use at any time, both on the job and off the job. Town employees are permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

All employees of the Town are prohibited from using or possessing alcoholic beverages on Town premises or time. (The term "Town premises or time" includes: Town vehicles and private vehicles on Town premises; parking lots and recreation areas; and any circumstances in which an employee is representing the Town, such as attending off-premises business meetings or conferences. Employees are not prohibited, however, from having unopened containers of alcoholic beverages in their personal vehicles.) The Town Manager may approve moderate alcohol use at designated social or business functions.

All employees of the Town are prohibited from reporting to or being at work while under the influence of alcohol. (An employee is considered to be "under the influence of alcohol" if he/she has any detectable amount of alcohol in his/her system.) An employee taking prescribed medication which might affect his/her ability to perform his/her job is required to advise his/her supervisor. The Town will determine whether the employee may continue to work. Employees may be required to submit to a drug screen.

These prohibitions also apply to leased employees and contractors employed by the Town or working on Town property.

1) Applicants for Employment

Applicants tentatively selected for employment must undergo a pre-employment drug test. The Town does not hire applicants tentatively selected for employment who refuse to submit to a drug test or who test positive for use of illegal or unauthorized substances or the illegal use of authorized substances. An applicant who is rejected under this policy may be considered for future vacancies if he/she can demonstrate that he/she is no longer a user of any such substances. For example, the applicant may successfully complete a drug abuse treatment program and pass a more thorough drug test conducted at the applicant's expense. (This may include participation in and successful completion of a rehabilitation program as well as a negative drug test result on a more thorough drug test.)

2) Current Employees

A. All Town employees are subject to drug testing by urinalysis or other acceptable means recognized by the Town where "particularized suspicion" of drug use in violation of this policy exists or under other lawful conditions.

1. Particularized suspicion is deemed to exist when:

- a. Information that an employee has used drugs or substances in violation of this policy is provided by a reliable informant;
- b. An accident occurs. "Accident" is defined as:
 - 1) an accident involving a fatality;
 - 2) an accident causing personal injury; or
 - 3) an accident involving property damage/ damage to the vehicle.



DRUG FREE WORKPLACE POLICY

NOTE: DOT regulated employees (CDL Drivers) are subject to special rules for post-accident testing and will be tested following an accident in accordance with DOT regulations.

- c. An employee exhibits any of the following:
 - 1) extreme mood swings;
 - 2) slurred speech;
 - 3) unusual clumsiness;
 - 4) staggering;
 - 5) dilation of pupils;
 - 6) sleeping on the job or lethargy;
 - 7) excessive unexplained sweating;
 - 8) other aberrational behavior;
 - 9) an employee has been arrested for or convicted of a violation of drug laws; or
 - 10) an employee has tested positive for drugs or otherwise violated this policy within the past five years.
- B. All Town employees are subject to alcohol testing where "particularized suspicion" of alcohol use in violation of this policy exists.
 - 1. Particularized suspicion is deemed to exist when:
 - a. information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant;
 - b. an accident occurs. "Accident" is defined in the same manner as it is in Section 2b of this policy.
 - c. an employee exhibits behavior consistent with alcohol use such as but not limited to:
 - 1) erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.);
 - 2) the apparent odor of an alcoholic beverage on an employee's breath;
 - 3) other aberrational behavior such as but not limited to excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.
 - d. an employee has admitted violating the Town's alcohol policy;
 - e. an employee is arrested for or convicted of an alcohol related offense;
 - f. an employee has tested positive for alcohol in violation of this policy, or otherwise violated this policy, within the past five years.
- C. Particularized suspicion testing is conducted upon the approval of the Town Manager or his/her designee.
- D. All sworn law enforcement officers, employees who are required by their jobs to possess a Commercial Driver's License or employees whose jobs the Town regards as "safety-sensitive" are subject to random testing to determine compliance with this policy. A list of safety sensitive positions is attached as Appendix A. Random selection testing is unannounced.



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- E. Employees may be tested for the use of controlled substances as part of any “fitness for duty” physical examination mandated by federal/state law or by the Town, or as otherwise allowed by law.
- F. Employees who refuse to submit to an alcohol or drug test when ordered to do so or who adulterate, or substitute test samples are in violation of this policy and subject to disciplinary action, up to and including discharge. Refusal to test includes failure to appear for a test, failure to remain until testing is complete, failure to provide an adequate amount of urine, saliva or breath, failure to undergo a medical examination to evaluate your ability to provide an adequate urine, saliva or breath specimen, or failure to sign a required certification form.

3) Testing Procedure

A. Drug testing.

1. Drug testing will be by urinalysis or other accepted means.
2. The collection of urine samples is performed under reasonable and sanitary conditions.
3. Urine is normally collected under conditions of semi-privacy – that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule. In addition, direct observation will be used in DOT-mandated testing for DOT-regulated employees when allowed or required by DOT regulations.
4. Urine samples are sealed, labeled, and documented in accordance with the procedure of the drug testing collector or laboratory. Tests performed pursuant to DOT regulations will follow the procedures required by those regulations. Labeling, storage, and transportation of samples are performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.
5. Specimens are checked for at least the following six drugs:
 - a. Marijuana †
 - b. cocaine
 - c. opiates
 - d. amphetamines
 - e. phencyclidine
 - f. barbiturates

† **Warning:** Use of any substance containing any trace of THC, such as CBD oil, could produce a positive drug test resulting in termination from employment.

NOTE: Tests performed pursuant to DOT regulations check for only those substances mandated by the DOT regulations.

6. Applicants and employees are provided an opportunity to provide any information which they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.
7. Samples which initially result in a positive finding for drug use are re-tested by the gas chromatography/mass spectrometry (GCMS) or an equivalent method. If the confirmatory



DRUG FREE WORKPLACE POLICY

test results in a positive finding of drug use and is verified by the Town's screening facility's Medical Review Officer, the written report of the Medical Review Officer is conclusive for all employment-related purposes.

8. The Medical Review Officer normally allows an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the Town.
9. A positive-dilute result is treated as positive. A negative-dilute result will result in a retest. Absent satisfactory explanation, a second negative-dilute result may result in the test being considered adulterated. Dilute test results in DOT-mandated tests will be handled according to DOT regulations.

B. Alcohol Testing.

1. A non-evidential screening device may be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the Town, then a confirmatory test is conducted utilizing an EBT (evidential breath testing) device or blood test. The Town uses only DOT approved non-evidential screening devices and DOT approved evidential breath testing (EBT) devices for DOT-mandated alcohol testing. The Town reserves the right to utilize blood testing for non-DOT alcohol tests.
2. Employees will have an opportunity to provide any information which they consider to be relevant to the test.
3. The EBT confirmatory test is conducted by an individual properly certified to use the equipment. (In situations involving DOT regulated employees, the EBT operator should be properly certified in accordance with applicable DOT regulations.)
4. A confirmatory test result generated through the use of an EBT or blood test which indicates a presence of alcohol in violation of this policy is conclusive for purposes of this policy.

4) Notice to Employees

The Town attempts to distribute to all employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee agrees to abide by the policy as a condition of employment.

5) Notice to Employer, State and Federal Grantor/Contracting Agencies, and Law Enforcement Authorities

- A. As a condition of employment, employees agree to notify the Town within five calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. The Town will notify all state and federal grantors/contracting agencies of such employee convictions within ten days as required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.
- B. The Town will notify law enforcement authorities whenever illegal drugs are found in the workplace.

6) Consequences of Violating This Policy

- A. Employees who violate this policy are subject to immediate termination of employment.
- B. Except for sworn law enforcement officers, in lieu of terminating an employee, the Town may in its sole discretion condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of an alcohol or



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drug counseling/rehabilitation program.

- C. If the Town, after considering all of the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as an employee, the employee's continued employment will be subject to the following: continue as an employee, the employee's continued employment will be subject to the following:
 - 1. Referral of the employee for alcohol or drug abuse counseling;
 - 2. Retesting the employee for alcohol or controlled substances before allowing the employee to return to duty;
 - 3. Requiring the employee to authorize any rehabilitation facility to report periodically to the Town during the course of treatment/counseling;
 - 4. Placing the employee on probation for at least six months following the employee's return to duty; and
 - 5. Requiring the employee to submit to unannounced follow-up alcohol and/or drug testing for a period of up to five years.
- D. An employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program and who refuses or fails to participate in a single counseling or treatment session is in violation of this policy and subject to immediate termination.
- E. An employee whose return to duty test sample does not indicate that the employee has discontinued illegal use of drugs or indicates that the employee is in violation of this policy is subject to immediate termination.

7) Coming Forward with Substance Abuse Problems

- A. Employees, other than sworn law enforcement officers, who have substance abuse problems and report them to the Town before being selected for testing, and before the occurrence of an event which normally would result in testing, in the Town's sole discretion may be upon the first violation be subject to Part VII (B) - (E) of this policy in lieu of termination.
- B. An employee who admits to a violation of this policy or tests positive for drugs in violation of this policy, but seeks counseling and remains an employee of the Town, is subject to immediate termination if he/she again either admits to, or is otherwise found to be in violation of this policy.

8) Confidentiality

Any alcohol or drug test results or information supplied by employees and applicants as part of the Town's alcohol and drug testing program are kept as confidential as possible, consistent with the purposes of this policy.

9) Testing Costs

The Town is responsible for the costs of all drug tests to which the Town requires an employee to submit. However, an employee subject to unannounced follow-up testing pursuant to Part VII (B) – (E) is solely responsible for the cost of all follow-up tests.

10) Notification of Test Results

- A. Applicants are notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.



DRUG FREE WORKPLACE POLICY

B. Employees are notified of the results (including the drug(s) discovered) of all positive drug tests.

11) Employee Assistance Program / Drug Free Awareness

The use of illegal drugs and similar substances is a serious threat to our nation's collective health, safety, and welfare. Drug and alcohol abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. In order to prevent these consequences of drug abuse, the Town has implemented this policy. Employees who feel they have a problem with controlled substances should seek assistance.

The Town has also made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations. Information about the Employee Assistance Program is available through the Human Resources Department.

For more information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment Centers" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse." These organizations are most helpful, as are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA), in identifying sources for treatment and assistance. Set forth below is a list of organizations that may provide information or referrals.

1. National Clearinghouse on Alcohol and Drug Information
1-800-729-6686
2. National Council on Alcoholism
1-800-622-2255

Periodically, the Town may make available to employees information regarding substance abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.

Employee Responsibility

Employees on physician-prescribed medication must notify his/her supervisor if his/her healthcare provider has informed him/her that such medication could affect job performance and safety.



COMPUTER AND INTERNET USAGE

Purpose:

The Town of Bluffton is committed to protecting its employees, partners, and the Town of Bluffton itself from illegal or damaging actions by individuals conducted either knowingly or unknowingly.

This policy applies to all departments, contracted entities, and other individuals or groups that use Town of Bluffton equipment. Any of these arms of the Town of Bluffton may develop more specific information technology policies for application within the department, but none may write more lenient policies.

Network-related systems, including but not limited to computer equipment, printers, software, operating systems, storage media, e-mail and phone systems, are the property of the Town of Bluffton. These systems are to be used for business purposes in serving the interests of the Town of Bluffton and of our clients and citizens in the course of routine operations.

Effective security is a team effort involving the participation and support of every Town of Bluffton employee and all other persons affiliated with the Town who deal with information and/or information systems.

Employees have no expectation of privacy in any personal data or items stored in or transmitted on the Town's systems and networks.

Subject Matter: The subject matter of emails should demonstrate good judgment and reflect the professionalism of the Town of Bluffton. Content should pass the test of being able to appear in the newspaper without being embarrassing or offensive to anyone. Avoid whatever could be construed as improper or embarrassing to the Town of Bluffton. Specifically prohibited are political activity and campaigning, religious messages or slogans, illegal activity, and use for a personal business enterprise.

Use care not to divulge confidential or sensitive information.

Town of Bluffton Business: Information technology should be used only for official Town of Bluffton business. Care should be taken to limit the number of non-business-related persons outside the organization who know your Town of Bluffton address. By doing this, you will limit the number of unsolicited, personal, and offensive messages received. Server space is limited and should be reserved for Town of Bluffton use.

Personal Use: Brief and occasional messages of a personal nature may be sent and received. Sending chain letters is prohibited. Personal messages shall not impede Town of Bluffton business. Great care and self-control should be exercised by employees to not send multiple-recipient messages with non-Town of Bluffton business content – for example, jokes, anecdotes, or gossip. Mass mailing and large attachments overload the Town of Bluffton server thereby hindering legitimate Town communications. Only incidental amounts of employee time (time periods comparable to reasonable breaks during the day or during meal periods) may be used to attend to personal messages. Employees should, upon receiving a personal message, read or listen to the message and delete it in a timely manner. What is reasonable is determined by the Town. The best way to avoid violating the policy is to avoid any personal use.

Town of Bluffton printers and paper are not for personal use.

Unknown Sources: Take extra caution when receiving an email message from an unknown source, especially from an address exterior to the Town of Bluffton system. The potential to spread viruses is significant, and opening such a message could have devastating results to the entire Town of Bluffton system. This also applies to all attachments, spoofing emails and

TOWN OF BLUFFTON COMPUTER AND INTERNET USAGE POLICY

phishing emails. Please make sure to properly delete from your Inbox and Deleted Items Folders.

Network Security: Everyone has an obligation to protect Town of Bluffton computer systems and information by adhering to good security practices that limit the threat to unauthorized use, disclosure, modification, destruction or abuse. The Town of Bluffton will provide a system of user identification (user-IDs), passwords, and other network security standards.

Everyone is responsible for activity performed with their personal user-IDs and is prohibited from performing unauthorized activity with other user-IDs. All internal and external connections to the Town network shall be approved by the Town Manager or designee. Inbound access will be given only in cases of bona fide need and when no other more secure method is available. No one shall attempt to gain access to systems without proper authorization or use hardware or software tools on the network that could be used to evaluate or compromise security.

All software and files obtained from non-Town sources via the internet or any other network must be screened with virus-detection software prior to being used. Use caution in downloading software. Adhere to copyright laws and be aware that screen savers, backgrounds, and other such files often contain viruses that will infect computers and networks. File downloads should only occur for Town business purposes. Please limit streaming of audio and/or video due degradation of network bandwidth along with potential infection of malware or virus. All suspected information security incidents must be reported to the Town Manager or designee upon discovery.

Audits: Law enforcement and Town officials may examine any relevant electronic transmissions/transactions in the course of an ongoing investigation of criminal activity.

Privacy: No one should expect a right to privacy in the use of Town equipment. Without his/her knowledge, access to an individual's (1) electronic or voice messages; (2) addresses accessed on the internet, or (3) data on Town of Bluffton equipment that has been used by an employee may be obtained by Department Heads or designees for needs arising in the normal course of business.

Enforcement: Department Heads using Town of Bluffton information technology are responsible for communicating and enforcing this policy. No one shall receive a computer, access to the internet, or voice mail until he/she has agreed in writing to comply with this policy. Such documentation shall be retained in the Front Office and in the individual's personal folder in Human Resources. The Town shall administer and enforce this policy and shall provide any procedures or forms when needed.

TOWN OF BLUFFTON COMPUTER AND INTERNET USAGE POLICY

Town of Bluffton Computer and Internet Acceptable Use Policy

1.0 Overview

The Town of Bluffton's intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to the Town's established culture of openness, trust and integrity. The Town is committed to protecting the Town of Bluffton employees, partners, and the Town of Bluffton itself from illegal or damaging actions by individuals conducted either knowingly or unknowingly.

Network-related systems, including but not limited to computer equipment, printers, software, operating systems, storage media, e-mail and phone systems, are the property of the Town of Bluffton. These systems are to be used for business purposes in serving the interests of the Town of Bluffton, and or our clients and citizens in the course of normal operations.

Effective security is a team effort involving the participation and support of every Town of Bluffton employee and all other persons affiliated with the Town who deal with information and/or information systems.

2.0 Purpose

The purpose of this policy is to outline the acceptable use of computer equipment at the Town of Bluffton. These rules are in place to protect the employee and the Town of Bluffton. Inappropriate use exposes the Town of Bluffton to risks including virus attacks, compromise of network systems and services, and legal issues.

3.0 Scope

This policy applies to employees, contractors, consultants, temporaries, and other workers at the Town of Bluffton, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by the Town of Bluffton.

4.0 Policy

4.1 General Use and Ownership

1. Users should have no expectation of privacy in electronic communications, use of Town of Bluffton property, or internet access. Town of Bluffton reserves the right to review, audit or monitor any Town of Bluffton information system.
2. Email is an extension and property of the Town of Bluffton Government.
3. The Town of Bluffton reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

4.2 Security and Proprietary Information

1. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System will require you to change your password every 90 days. The IT Department will not keep a list of employee passwords, but is available to reset passwords occasionally when issues beyond the control of the individual staff members arise. Please make sure your password contains at least 8 characters with at least one capital letter and one number or special character in the password.
2. Because information contained on portable devices such as laptops, tablets and cell phones are is especially vulnerable, special care should be exercised with portable devices.

TOWN OF BLUFFTON COMPUTER AND INTERNET USAGE POLICY

3. All hosts used by the employee that are connected to the Town of Bluffton Network shall be continually executing approved virus-scanning software with a current virus database.
4. Employees must use extreme caution when opening attachments received from unknown senders, which may contain viruses, bombs, or other invasive executable source codes detrimental to the Town systems.
5. Town of Bluffton reserves the right to filter internet access to ensure a safe working environment and enforce policies.

4.3. Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities. Under no circumstances is an employee of the Town of Bluffton authorized to engage in any activity that is illegal under local, state, or federal law while utilizing Town of Bluffton-owned resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

1. Revealing unauthorized or confidential information.
2. Using Town of Bluffton email addresses for personal use.

System and Network Activities

Examples of inappropriate uses include but are not limited to:

The installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the Town of Bluffton;

Installation of **ANY** software not authorized by the Town of Bluffton; including, but not limited to: Screensavers, games, file-sharing programs, additional browsers, etc.

Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the Town of Bluffton or the end user does not have an active license;

Accessing pornographic or obscene material for other than law enforcement purposes;

Introduction of malicious programs into the network. (e.g., viruses, worms, Trojan horses, bombs, etc.).

Revealing your account password to others or allowing use of your account by others. (This includes family and other household members when work is being done at home);

Using a Town of Bluffton computing asset to transmit or knowingly accept receipt of any communication which is pornographic, obscene, or in the Town's opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, religion, age, national origin, disability or some similar distinction;

Slander, libel, deliberate misinformation; Gaming: betting, gambling, wagering; or

Revealing unauthorized or confidential information.

Email and Communications Activities

1. Sending unsolicited messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (spam).

TOWN OF BLUFFTON COMPUTER AND INTERNET USAGE POLICY

2. Any form of harassment via computer, telephone or paging, whether through language, content, frequency, or size of messages.
3. Unauthorized use, or forging, of header information.
4. Solicitation of email for any other address, other than that of the poster's account, with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.

Social Networks; Personal Web Sites; Blogs

Social networking, personal websites, and blogs have become common methods of self-expression. The Town respects the right of employees to use these media during their personal time. [The Town consents to reasonable limited access to social media sites during working hours or using Town equipment. What is "reasonable" is determined in the sole discretion of the Town. The only sure way to avoid violating the Town's policy on personal social media site access is to not to access such sites at all during working hours or using Town equipment.

Employees must understand that material posted on these media may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts they make. Posts that contain obscene or harassing material, that are unlawful, that contain personal attacks on coworkers, that reasonably call into question the employee's judgment, or that reasonably cause concern among the public may result in discipline, up to and including termination from employment. Similarly, conduct that would violate Town policies if done in person also violates Town policy if done through social media. Employees may not disclose confidential information over social media or similar sites.

Employees who post on media sites and who have identified themselves as a member or employee of the Town on those sites, must make it clear that they are expressing their own views and not those of the Town

5.0 Enforcement

Any employee found to have violated any section of this Internet and Computer Usage Policy may be subject to disciplinary action, up to and including termination of employment.



COMPUTER AND INTERNET USAGE POLICY

Town of Bluffton

Employee Agreement for INTERNET AND COMPUTER USE

Internet and Computer technology includes internet access, electronic and voice message systems, facsimile devices, or other electronic systems used by the Town of Bluffton. I understand this technology is provided by the Town of Bluffton at the Town's expense and therefore is the Town's property. These are tools for my use for Town of Bluffton business transactions, research, records and communications. No one shall receive access to information technology without signing this agreement. Violation of this provision may subject me to discipline up to and including termination.

I agree that:

- I will not knowingly communicate, download, or forward anything that might be construed as harassing, hostile, or offensive to others based on ethnicity, race, gender, disability, age, religion or national origin.
- I will not use the Town of Bluffton's information technology to solicit non-Town of Bluffton business for any personal cause, including political or religious issues.
- I will not send to multiple recipients electronic mail with non-Town of Bluffton business content.
- I will abide by the Town of Bluffton's Internet and Computer Usage policy and procedures.

I understand that:

- Electronic mail is an extension of the Town of Bluffton Government.
- Electronic mail messages can be traced to the sender and recipient even after deleted from computers.

I understand that I have no expectation of privacy in my electronic communications, use of Town of Bluffton property, or Internet access. The Town of Bluffton reserves the right to review, audit, or monitor any Town of Bluffton information technology that I use. The Town may generate a list of all websites I have visited and may retrieve files even though "deleted" by the user.

Examples of inappropriate uses include but are not limited to:

- Illegal activities
- Gaming, betting, gambling, wagering
- Representing personal opinion as that of the Town
- Unauthorized solicitations
- Accessing pornographic material for other than law enforcement purposes
- Revealing unauthorized or confidential information
- Slander, libel, deliberate misinformation



COMPUTER AND INTERNET USAGE POLICY

I agree that:

- I will not knowingly display, print, download, or send any questionable image or message.
- I will immediately advise anyone sending me improper or questionable material that such transmissions should stop.
- If I have a question about whether an activity is inappropriate, I will contact my Supervisor.
- I will not open items that the virus scanner has warned contains a virus and will delete such items immediately.
- I will not use Town of Bluffton email for personal uses of any kind.

Employee Signature

Date

Print Employee Name



SECURITY AWARENESS TRAINING & TESTING

1. Introduction

Technical security controls are a vital part of our information security framework but are not in themselves sufficient to secure all information assets. Effective information security also requires the awareness and proactive support of all network users, supplementing and making full use of the technical security controls. This is obvious in the case of social engineering attacks and other current nefarious exploits, which specifically target human vulnerabilities rather than IT and network systems.

Lacking adequate information security awareness, staff is less likely to recognize or react appropriately to information security threats and incidents. This increases the likelihood of placing information assets at risk of compromise. In order to protect information assets, all users must be informed about relevant, current information security matters, and motivated to fulfill their information security obligations.

1.1 Objective

This policy specifies the TOWN OF BLUFFTON internal information security awareness and training program to inform and assess all staff regarding their information security obligations.

1.2 Scope

This policy applies throughout the organization as part of the corporate governance framework. It applies regardless of whether staff use computer systems and networks, since all staff are expected to protect all forms of information assets including computer data, written materials/paperwork, and intangible forms of knowledge and experience. This policy also applies to third party employees working for the organization whether they are explicitly bound (e.g., by contractual terms and conditions) or implicitly bound (e.g., by generally held standards of ethics and acceptable behavior) to comply with our information security policies.

1.3 Audience

In general, this policy applies to all TOWN OF BLUFFTON Network Users, including Town Council members and contractors, with access to TOWN OF BLUFFTON systems, networks, Town of Bluffton information, nonpublic personal information, personally identifiable information, and/or customer data.

1.4 Document Changes and Feedback

This policy will be reviewed by staff annually and will be updated to include, but not limited to changes to applicable law, updates or changes to TOWN OF BLUFFTON requirements, technology, and the results or findings of audits.

2. Policy Requirements

All awareness training must fulfill the requirements for the security awareness program as listed below:

- The information security awareness program should ensure that all staff achieve and maintain at least a basic level of understanding of information security matters, such as general obligations under various information security policies, standards, procedures, guidelines, laws, regulations, contractual terms, and generally held standards of ethics and acceptable behavior.
- Additional training is appropriate for staff with specific obligations towards information security that are not satisfied by basic security awareness, for example Information Risk and Security Management, Security Administration, Site Security and IT/Network Operations personnel. Such training requirements must be identified in departmental/personal training plans and funded accordingly. The



SECURITY AWARENESS TRAINING & TESTING

training requirements will reflect relevant prior experience, training and/or professional qualifications, as well as anticipated job requirements.

- Security awareness and training activities should commence as soon as practicable after staff joins the organization, generally through attending information security induction/orientation as part of the on boarding process. The awareness activities should continue on a continuous/rolling basis thereafter in order to maintain a reasonably consistent level of awareness.
- Where necessary and practicable, security awareness, training materials and exercises should suit their intended audiences in terms of styles, formats, complexity, technical content, etc. Every member of the staff needs to know why information security is important. Achieving this understanding can often times require different training approaches for individual staff members based on their experience, job responsibilities and learning styles.
- The Town of Bluffton IT Department will provide staff with information on the location of the security awareness training materials, along with security policies, standards, and guidance on a wide variety of information security matters.

2.1 TOWN OF BLUFFTON Information Security Awareness Training

The TOWN OF BLUFFTON Information Technology (IT) department requires that each employee upon hire and, at a minimum annually thereafter, successfully complete **Introduction to Security Awareness for New Town Employees**. Certain staff may be required to complete additional training modules depending on their specific job requirements upon hire and at least quarterly. Staff will be given a reasonable amount time (generally 14 days) to complete each course so as to not disrupt business operations.

2.2 Simulated Social Engineering Exercises

The TOWN OF BLUFFTON IT department will conduct periodic simulated social engineering exercises including, but not limited to phishing (e-mail), vishing (voice), smishing (SMS), USB testing, and physical assessments. The TOWN OF BLUFFTON IT department will conduct these tests at random throughout the year with no set schedule or frequency. The TOWN OF BLUFFTON IT department may conduct targeted exercises against specific departments or individuals based on a risk determination.

2.3 Remedial Training Exercises

From time to time TOWN OF BLUFFTON staff may be required to complete remedial training courses or may be required to participate in remedial training exercises with members of the TOWN OF BLUFFTON IT department as part of a risk-based assessment.

3. Compliance & Non-Compliance with Policy

Compliance with this policy is mandatory for all staff, Town Council and anyone possessing a town issued email address. The TOWN OF BLUFFTON IT department will monitor compliance and non-compliance with this policy and report to the executive team the results of training and social engineering exercises.

Consequences for non-compliance are described in Appendix A of this policy.

3.1 Non-Compliance Actions

Certain actions or non-actions by TOWN OF BLUFFTON personnel may result in a Non-compliance Event (Failure).

Non-compliance Event includes but is not limited to:



SECURITY AWARENESS TRAINING & TESTING

- Failure to complete required training within the time allotted
- Failure of a social engineering exercise, which includes but is not limited to:
 - Clicking on a URL within a phishing test
 - Replying with any information to a phishing test
 - Opening an attachment that is part of a phishing test
 - Enabling macros that are within an attachment as part of a phishing test
 - Allowing exploit code to run as part of a phishing test
 - Entering any data within a landing page as part of a phishing test
 - Transmitting any information as part of a phishing test
 - Replying with any information to a smishing test
 - Plugging in a USB stick or removable drive as part of a social engineering exercise
 - Failing to follow Town of Bluffton policies in the course of a physical social engineering exercise

Certain social engineering exercises can result in multiple Failures being counted in a single test. The maximum number of Failure events per social engineering exercise is two.

The TOWN OF BLUFFTON IT department may also determine, on a case by case basis, that specific Failures are a false positive and should be removed from that staff member's total Failure count.

3.2 Compliance Actions

Certain actions or non-actions by TOWN OF BLUFFTON personnel may result in a compliance event (Pass).

A Pass includes but is not limited to:

- Successfully identifying a simulated social engineering exercises
- Not having a Failure during a social engineering exercise (Non-action)
- Reporting real social engineering attacks to the IT department

3.3 Removing Failure Events through Passes

Each Failure will result in a remedial training or coaching event as described in Appendix A of this document. Subsequent Failures will result in escalation of training or coaching. De-escalation will occur when three consecutive Passes have taken place.

4. Responsibilities and Accountabilities

Listed below is an overview of the responsibilities and accountabilities for managing and complying with this policy program.

The Chief Technology Officer is accountable for running an effective information security awareness and training program that informs and motivates workers to help protect the organization's and the organization's customer's information assets.

The Information Technology Department is responsible for developing and maintaining a comprehensive suite of information security policies (including this one), standards, procedures and guidelines that are to be mandated and/or endorsed by management where applicable. Working in conjunction with other corporate functions, it is also responsible for conducting suitable awareness, training, and educational activities to raise awareness and aid understanding of staff's responsibilities identified in applicable



SECURITY AWARENESS TRAINING & TESTING

policies, laws, regulations, contracts, etc.

All Managers are responsible for ensuring that their staff and other workers within their responsibility participate in the information security awareness, training, and educational activities where appropriate and required.

All Staff, Town Council and anyone with a Town issued email address are personally accountable for completing the security awareness training activities, and complying with applicable policies, laws, and regulations at all times.



SECURITY AWARENESS TRAINING & TESTING

Appendix A – Schedule of Failure Penalties

The following table outlines the penalty of non-compliance with this policy. Steps not listed here may be taken by the TOWN OF BLUFFTON IT team to reduce the risk that an individual may pose to the Town of Bluffton. In cases where the frequency or severity of failures place the network at unreasonable risk as result of user error, the continued employment of the offender may be in jeopardy.

Failure Count	Resulting Level of Remediation Action
First Failure	Mandatory completion of Phishing and Security Awareness Training
Second Failure	Mandatory completion of Comprehensive Awareness Training and face to face meeting with manager
Third Failure	Face to face meeting with their manager and Chief Technology Officer
Fourth Failure	Face to face meeting with the Chief Technology Officer, Deputy Town Manager and the Head of Human Resources Possibility that additional administrative and technical controls will be implemented to prevent further Failure events
Fifth Failure	Meeting with Chief Technology Officer, Town Manager and Head of Human Resources Possibility that additional administrative and technical controls will be implemented to prevent further Failure events
Sixth Failure	Potential for Termination of Employment or Employment Contract



SECURITY AWARENESS TRAINING & TESTING

Appendix B – Methods for Determining Staff Risk Ratings

The following is a list of situations that may increase a risk rating of a TOWN OF BLUFFTON staff member. Higher risk ratings may result in an increased sophistication of social engineering tests and an increase in frequency and/or type of training and testing.

- Staff member is Mayor and Council, Town Manager, Deputy Town Manager or Department Head
- Staff member possesses access to significant Town of Bluffton confidential information
- Staff member is using a Windows or Apple-based operating system
- Staff member uses their mobile phone for conducting work-related business
- Staff member possesses access to significant Town of Bluffton systems
- Staff member personal information can be found publicly on the internet
- Staff member maintains a weak password
- Staff member has repeated Town of Bluffton policy violations



SECURITY AWARENESS TRAINING & TESTING

Appendix C – Glossary of Terms if Applicable

Cybersecurity- The activity or process, ability or capability, or state whereby information and communications systems and the information contained therein are protected from and/or defended against damage, unauthorized use or modification, or exploitation.

Data Breach- The unauthorized movement or disclosure of sensitive information to a party, usually outside the organization, that is not authorized to have or see the information

Firewall- A hardware/software device or a software program that limits network traffic according to a set of rules of what access is and is not allowed or authorized.

Phishing- A digital form of social engineering to deceive individuals into providing sensitive information.

Smishing- security attack in which the user is tricked into downloading a Trojan horse, virus or other malware onto his cellular phone or other mobile device. SMiShing is short for "SMS phishing.

Spear Phishing- an email or electronic communications scam targeted towards a specific individual, organization or business. Although often intended to steal data for malicious purposes, cybercriminals may also intend to install malware on a targeted user's computer.

Spoofing-Faking the sending address of a transmission to gain illegal [unauthorized] entry into a secure system.

Vishing- a social engineering attack that attempts to trick victims into giving up sensitive information over the phone. In most cases, the attacker strategically manipulates human emotions, such as fear, sympathy, and greed in order to accomplish their goals.

Whale Phishing- a highly targeted form of phishing directed at high-level executives or people with powerful positions. Using email communications that appear to be from a trusted sender, whale phishing attacks are designed to get an executive to divulge highly sensitive information or to unwittingly authorize a transfer of funds to a fraudulent account.



SOCIAL MEDIA POLICY

Purpose

Town of Bluffton departments may utilize social media and social network sites to further enhance communications with various stakeholder organizations in support of Town goals and objectives. Town officials, Town committees, and staff have the ability to publish articles, facilitate discussions and communicate information through various media related to conducting Town business. Social media facilitates further discussion of Town issues, operations and services by providing members of the public the opportunity to participate in many ways using the Internet.

For the purpose of this Town of Bluffton Social Media Policy, the following terms are defined as provided below:

- A. Social Media:** Social media is content created by individuals using accessible and scalable technologies through the Internet. Examples of social media include Facebook, blogs, MySpace, RSS, YouTube, Twitter, LinkedIn, Delicious, Flickr, etc.
- B. Blog:** An abridgment of the term web log is a Town of Bluffton website with regular entries of commentary, descriptions of events, or other material such as graphics or video.
- C. Town of Bluffton Author:** An authorized Town of Bluffton official that creates and is responsible for posted articles and information on social media sites.
- D. Article:** An original posting of content to a Town of Bluffton social media site by a Town of Bluffton author.
- E. Commenter:** A Town of Bluffton official or member of the public who submits a comment for posting in response to the content of a particular Town of Bluffton article or social media content.
- F. Comment:** A response to a Town of Bluffton article or social media content submitted by a commenter.
- G. Town of Bluffton Moderator:** An authorized Town of Bluffton official, who reviews, authorizes and allows content submitted by Town of Bluffton authors and public commentators to be posted on Town of Bluffton social media sites.



SOCIAL MEDIA POLICY

1. All Town of Bluffton social media sites shall be:
 - Approved by the Town Manager and the requesting Department Head;
 - Published using an approved Town social networking platform and tools;
 - Created by the Department of Information Technology Web Team, IT personnel or the Public Information Officer, their designee or the Town of Bluffton Moderator. Designees can be any department employee or volunteer designated by the requesting Department Head that has a complete understanding of this policy and has appropriate content and technical experience.
2. All Town of Bluffton social networking sites shall adhere to applicable state, federal and local laws, regulations and policies including the **Information Technology Acceptable Use Policy** and other applicable Town policies.
3. **Freedom of Information Act (FOIA)** and policies apply to social media content and therefore content must be able to be managed, stored and retrieved to comply with these laws.
4. All social network sites and entries shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.
5. Content submitted for posting that is deemed not suitable for posting by a Town of Bluffton social networking moderator because it is not topically related to the particular social networking site objective being commented upon, or is deemed prohibited content based on the criteria in [Item 8](#) of this policy, shall be retained pursuant to the records retention schedule along with a description of the reason the specific content is deemed not suitable for posting.
6. The Town reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.
7. Each Town of Bluffton social networking site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and/or social network site. Where possible, social networking sites should link back to the official Town of Bluffton Internet site for forms, documents and other information. See [Attachment A – Blog Standards](#).
8. Town of Bluffton social networking content and comments containing any of the following forms of content shall not be allowed for posting:
 - Comments not topically related to the particular site or blog article being commented upon;
 - Profane language or content;
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;



SOCIAL MEDIA POLICY

- Sexual content or links to sexual content;
 - Solicitations of commerce;
 - Conduct or encouragement of illegal activity;
 - Information that may tend to compromise the safety or security of the public or public systems; or
 - Content that violates a legal ownership interest of any other party.
9. All Town social networking moderators shall be trained regarding the terms of this Town of Bluffton policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.
10. All social networking sites shall clearly indicate they are maintained by the Town of Bluffton and shall have the Town of Bluffton contact information prominently displayed.
11. Employees representing the Town government via social media outlets must conduct themselves at all times as a representative of the Town and in accordance with all human resource policies. Attachment B – Employee Guidance for Participating in Social Networking.
12. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.
13. Due to the evolving nature of social media, the policies and guidelines are subject to revision by the Town of Bluffton as approved by the Town Manager.



SOCIAL MEDIA POLICY

Attachment A - Blog Standards

Comments submitted by members of the public must be directly related to the content of the articles. Submission of comments by members of the public constitutes participation in a limited public forum.

Town of Bluffton blog moderators shall allow comments that are topically related to the particular article being commented and thus within the purpose of the limited public forum, with the exception of the prohibited content listed in [Social Media Policy - Item 8](#).

Author and Commenter Identification:

1. All Town of Bluffton blog [authors](#) and public commentators shall be clearly identified. Anonymous blog postings shall not be allowed.
2. Enrollment of public commentator shall be accompanied by valid contact information, including a name, address, and email address.

Ownership and Moderation:

1. The content of each Town of Bluffton [blog](#) shall be owned by and the sole responsibility of the department producing and using the blog.
2. Documents and articles submitted to a Town of Bluffton blog shall be moderated by an authorized and trained blog moderator.

Blog Comments & Responses:

1. All blog articles and comments shall be reviewed and approved by an authorized blog moderator before posting on a Town of Bluffton blog.
2. All blog articles and comments submitted for posting with attached content shall be scanned using antivirus technology prior to posting.
3. The linked content of embedded hyperlinks within any Town of Bluffton blog articles or blog comments submitted for posting shall be evaluated prior to posting by the Information Technology Web Team.
4. Any posted hyperlinks shall be accompanied by a disclaimer stating that the Town of Bluffton guarantees neither the authenticity, accuracy, appropriateness nor security of the link, website or content linked thereto.



SOCIAL MEDIA POLICY

Attachment B - Employee Guidance for Participating in Social Networking

The Town of Bluffton understands that social networking and Internet services have become a common form of communication in the workplace and among stakeholders and citizens. Social networks are online communities of people or organizations that share interests and/or activities and use a wide variety of Internet technology to make the interaction a rewarding experience. Employees that choose to participate in social networks as a Town employee should adhere to the following guidelines:

1. Town policies, rules, regulations and standards of conduct apply to employees that engage in social networking activities while conducting Town business. Use of your Town e-mail address and communicating in your official capacity will constitute conducting Town business.
2. Town employees must notify their supervisor and the IT department if they intend to create a social networking site or service to conduct Town business.
3. Departments have the option of allowing employees to participate in existing social networking sites as part of their job duties. Department Heads may allow or disallow employee participation in any social networking activities in their departments.
4. Protect your privacy, the privacy of citizens, and the information the Town holds. Follow all privacy protection laws, e.g., HIPAA, and protect sensitive and confidential Town information.
5. Follow all copyright laws, public records laws, retention laws, fair use and financial disclosure laws and any others laws that might apply to the Town or your functional area.
6. Do not cite vendors, suppliers, clients, citizens, co-workers or other stakeholders without their approval.
7. Make it clear that you are speaking for yourself and not on behalf of the Town of Bluffton. If you publish content on any website outside of the Town of Bluffton and it has something to do with the work you do or subjects associated with the Town, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the Town's positions or opinions."
8. Do not use ethnic slurs, profanity, personal insults, or engage in any conduct that would not be acceptable in the Town's workplace. Avoid comments or topics that may be considered objectionable or inflammatory.
9. If you identify yourself as a Town employee, ensure your profile and related content is consistent with how you wish to present yourself to colleagues, citizens and other stakeholders.
10. Correct your mistakes, and don't alter previous posts written by others without indicating that you have done so. Frame any comments or opposing views in a positive manner.
11. Add value to the Town of Bluffton through your interaction. Provide worthwhile information and perspective.



SOCIAL MEDIA POLICY

Town of Bluffton Social Media Policy Acknowledgement

My signature below acknowledges that I am in receipt of the following Town of Bluffton policy. I understand that all employees are expected to honor this policy.

Employee Signature

Date

Print Employee Name



ELECTRONIC MAIL RECORDS RETENTION AND DESTRUCTION POLICY

I. PURPOSE

The purpose of this policy is to guide Town staff to appropriately and effectively use electronic mail or email. Email communication is an integral part of the Town of Bluffton's business and with technology rapidly changing; this policy does not address every situation. The purpose of the Town's policy is to set forth general principles for the use of email.

II. SCOPE

This policy covers email systems used by the Town of Bluffton in terms of record retention and storage. The Town's records are created and received in both paper and electronic formats. Management of paper and electronic records must be coordinated and controlled to reduce liability, avoid gaps in documentation, eliminate inconsistencies, and avoid unnecessary duplication. It is the Town's policy to provide for efficient retention and disposition of email communications. The Town's goal is for effective email management and to ensure compliance with laws concerning the creation, retention, and access to public records regarding email.

As with other correspondence, it is important to note that it is the content of the electronic mail message that determines the retention requirement.

III. DEFINITIONS

Information created or received by the Town is a local government record if it meets the definition in the Local Government Records Act:

Local Government Record means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business.

This definition does not include extra identical copies of documents created only for convenience of reference or research by employees.

Three types of records commonly written in email transactions relate to the following record series: General Correspondence, Routine Correspondence and Administrative Correspondence.

1. **General Correspondence** means incoming/outgoing and internal correspondence pertaining to the regular and routine operation of the policies, programs, services, or projects of a local government. May also include subject files, which are a collection of correspondence, memos and

printed materials on various individuals, activities and topics. **Records Retention: 5 years**

2. **Routine Correspondence** means correspondence and internal memoranda such as letters of transmittal, requests for publications, internal meeting notices, and similar routine matters. **Records Retention: Administratively Valuable.**

Administratively Valuable means a record should be retained for as long as the record is valuable to the employee in their daily use. This type of record shall be deleted when the record is no longer useful to the employee. A destruction request is not required for these records.

3. **Administrative Correspondence** means incoming/outgoing and internal correspondence pertaining to the formulation, planning, implementation, modification, or redefinition of the programs, services, or projects of a local government and the administrative regulations, policies, and procedures that govern them. May also include subject files, which are collections of correspondence, memos and printed materials on various individuals, activities and topics. **Records Retention: Five (5) years.**

This type of record should be deleted when it meets the retention period. A destruction request is required for these records.

IV. EMAIL RECORDS RETENTION POLICY

The use of electronic media such as email and other forms of electronically stored information (ESI) has replaced paper as the predominant method to capture and store information for most city departments. Due to the volume of email correspondence sent and received, it is unrealistic and inefficient to expect employees to make individual decisions regarding the retention requirements of each email. As a result, the Town establishes that as of the date this policy is signed, all Town email correspondence will be kept in the Email Archive System for a period of five (5) years.

The five-year retention period refers to the email header, message text and includes all attachments. It is the email originators or initial Town recipient's responsibility to ensure that these documents are moved from the email system to electronic storage for the required retention period if longer than the five-year period. **Note:** Enforcement of the above email retention periods is based solely on the date the email first entered the system.

To reiterate, it is the content of the email that determines the required retention period. Email will be retained in the Archive according to the established five-year retention period. This policy will be enforced within our Email Archiving Appliance and will be the responsibility of the Technology Department to maintain compliance, the end user will not be responsible for maintaining the retention policy.

V. RESPONSIBILITY

This policy applies to all employees and Council members that are permitted to use the Town's electronic mail system for sent and received emails.

Electronic documents meeting the legal definition of a Local Government record are subject to all records management requirements set forth in the Town's Records Retention Program for sent and received emails. For messages received from outside

the city, the receiver should maintain the official record according to the retention period for that record series.

VI. MAINTENANCE AND RECORDKEEPING REQUIREMENTS

Local Government records created using an email system will be stored in accordance with the guidelines established by documents as amended from time to time by the South Carolina State Law and Archives Commission.

VII. DISPOSITION

Local Government records may be destroyed with the approval of the Department Head, Town Manager and Town Attorney pursuant to the State and Town regulations governing records retention.

ELECTRONIC MAIL RECORDS RETENTION & DESTRUCTION POLICY

Security measures should be taken to protect email records from unauthorized alterations or deletions. Convenience copies should not be kept longer than the record copies. Backup of email is for security purposes and disaster recovery purposes only. Backup systems are retained and managed by the Information Technology Department.

Destruction of local government records that violates the provisions of the Local Government Records Act is a Class A misdemeanor. Anyone destroying local government records without authorization may also be subject to criminal penalties and fines under the Public Information Act.



GRIEVANCE PROCEDURE/POLICY

Filing a Grievance

- 1) The Town of Bluffton adopts a grievance procedure in accordance with the "County and Municipal Employees Grievance Procedure Act," Section 8-17-110, et seq., Code of Laws of South Carolina, 1976.
- 2) Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the Town Manager under Section 5-13-90, Code of Laws of South Carolina, 1976, as amended to remove any employee when necessary for the good of the Town.
- 3) The Town will attempt to settle any employee grievance as expeditiously as possible. Should the grieving party fail to observe the time limits set out in this Section, their grievance shall be considered abandoned. Any grievance not answered by the Town within the prescribed time limits shall automatically advance to the next higher step.

1. Definition of a Grievance:

- a) A grievance is defined as any complaint by a regular full-time or part-time employee that he/she has been treated in violation of Town policies with regard to any matter pertaining to his/her employment by the Town.
- b) This definition includes, but is not limited to discharge, suspension, promotion and demotion.
- c) An employee's compensation level, salary grade and performance evaluation rating are not grievable, except as it applies to alleged inequities within the employee's department. However, if an employee believes that he/she has not received or been credited with or has otherwise lost wages or benefits to which he/she is entitled, he/she must present their grievance in accordance with this procedure or such wages or benefits may be forfeited.

2. Grievance Procedure:

- a) **Step 1:** The employee shall first discuss the grievance with their immediate supervisor. This must be done within 10 calendar days of the event giving rise to the grievance or the employee's knowledge of the events giving rise to the grievance. If the immediate supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee must take Step 2. In unusual cases if the nature of the grievance is such that the employee feels they cannot discuss it with their immediate supervisor, he/she may bypass Step 1, and proceed directly to Step 2.
- b) **Step 2:** The employee shall follow the chain of command, appealing to each successive level of supervision through that of the Director. All Step 1 and Step 2 appeals may be oral.
 - i. At each level, each supervisor shall have four (4) calendar days to render a decision.

- ii. If no decision is made within this time, the grievance shall be considered denied and the employee may appeal to the next level of supervision.
- iii. If a supervisor at a particular level is unavailable to consider the grievance, the appeal shall be considered denied and the employee may appeal to the next level of supervision.
- c) In the case of a newly hired probationary employee the Director's decision shall be final.
- d) A regular employee may appeal the Director's denial of the grievance to the grievance committee by filing an Employee Grievance Form (See End of Section) with Human Resources. The Employee Grievance Form must include the following information:
 - i. The purpose of the appeal and the requested resolution; and
 - ii. A statement that the chain-of-command has been followed in the appeal as is required by the grievance procedure.
- e) Human Resources can assist in preparing the appeal if requested. The grieving employee, affected Supervisor and any other person (e.g. witness or supervisors) associated with the grievance shall not communicate with a grievance committee member regarding the grievance. In the event a committee member is contacted by any aforementioned party, he/she shall inform the committee chairperson.
- f) Within ten (10) calendar days of receipt of the employee's request, the Chairperson of the grievance committee shall schedule the requested hearing and notify the grievance committee, the employee requesting the hearing, the affected Director, Supervisor, and Human Resources.

3. The Employee Grievance Committee:

- a) The Town Manager shall appoint a committee composed of five (5) employees and two (2) alternates to serve one (1) term of three (3) years, except that the members appointed initially shall be appointed so that their terms will be staggered, and approximately one-third (1/3) of the terms shall expire each year. Upon completion of their first term, members may be reappointed by the Town Manager to one (1) additional succeeding three (3) year term. After serving two (2) consecutive terms, a member may not be reappointed to the committee until a two (2) year period has elapsed.
- b) A member shall continue to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to completion of a member's term shall be for the unexpired term. In the event a vacancy occurs prior to the midpoint of a member's term, the successor member shall complete the unexpired term and shall be credited with serving one (1) full term. For vacancies filled after the midpoint of a member's term, the successor member shall complete the unexpired term but shall not be credited with serving a full term and may thereafter serve up to two (2) full terms.
- c) Members will be selected on a broadly representative basis from among Town employees.
- d) Members of the grieving employee's department or those having formed an opinion on the issues prior to the hearing shall not participate in that employee's hearing.

- e) All grievance complaints, documents, statements, and matters shall be kept confidential by all grievance committee members and all other employees involved.
- f) The committee annually shall select a chairperson from among its members.
 - i. The chairperson shall serve as the presiding officer at all hearings which he/she attends. The chairperson may designate another member to serve as presiding officer in his/her absence.
 - ii. The chairperson shall have authority to schedule and to re-schedule all hearings.

4. Quorum:

A quorum shall consist of at least four (4) members. Alternate members of the committee in attendance may be counted to form a quorum. No hearings may be held or action taken without a quorum being present.

5. General Information about Hearings:

- a) All grievance complaints, documents and statements will be provided to principal parties involved in the grievance. The grieving party and department representative(s) shall forward witness lists and supporting documentation they wish to submit as evidence to the committee via Human Resources for receipt not less than three (3) work days prior to the scheduled hearing. The witness list should include an explanation of witness relevance and expected testimony. Human Resources must forward this information to Committee members and both parties immediately upon receipt.
- b) The chairperson or presiding officer has control of the proceedings. Scripted format is provided as guidance but does not have to be followed verbatim as long as general content is covered by the chairperson. The chairperson shall take whatever action is necessary to ensure an equitable, orderly, and expeditious hearing. Parties shall abide by his/her decisions, except where a committee member objects to a decision to accept or reject evidence, in which case a majority vote of the committee governs.
- c) The committee has the authority to:
 - i. Call for files, records, papers, and other forms of evidence, which are relevant to any investigation and which are subject to the control of the Town Manager;
 - ii. Request or consider affidavits of witnesses;
 - iii. Request and hear the testimony of witnesses;
 - iv. Consider the results of polygraph examinations;
 - v. Secure the services of a recording secretary at its discretion.
- d) The committee has no authority to subpoena witnesses, documents or other evidence. The committee has no authority to compel any Town employee to attend any hearing over his objection.
- e) All proceedings shall be recorded. The official tape recording and the official minutes of all hearings are subject to the control and disposition of the Town Manager. The Human Resources Director is responsible for coordination of the grievance procedure and for the maintenance and control of grievance records.

- f) Witnesses, other than the grieving employee and the department representative, shall be sequestered when not testifying. All witnesses shall testify under oath.
- g) All hearings shall be held in executive session, unless the employee requests an open hearing.
- h) Neither the grieving employee nor the department representative may be assisted by advisors or by attorneys during the hearing itself. However, the committee may request legal advice at any time such advice is considered necessary. Human Resources shall provide assistance in reading written materials to the committee at the request of a grieving employee.

6. Disciplinary Grievance Hearings:

- a) In a grievance hearing involving disciplinary actions imposed by The Directors, Supervisors or their subordinate supervisors, the employee must receive written notice with reasonable detail of the nature of the acts or omissions which are the basis for the disciplinary action.
 - i. This notice may be amended up to 24 hours prior to the commencement of the hearing.
 - ii. The department must demonstrate the disciplinary action was for the good of the Town.
 - iii. The department representative shall make the first presentation to the committee at the hearing. The employee shall make the second presentation.
 - iv. The committee may base its findings and recommendations (and the Town Manager his/her decision) on any additional or different grounds developed from the employee's presentation at the hearing.

7. Non-Disciplinary Grievance Hearings:

- a) In non-disciplinary grievances, the employee must establish that a right existed to which the employee was entitled and that it was denied him illegally or in violation of Town policy.
- b) The employee shall make the first presentation to the committee at the hearing. The department representative shall make the second presentation.

8. Grievance Presentations:

- a) In all grievances, the grieving employee and the department representative shall each be limited to one (1) hour of initial presentation.
- b) The party presenting first shall be entitled to a ten (10) minute rebuttal of the other party's presentation.
- c) The chairperson shall appoint himself/herself or another member of the committee as timekeeper.
- d) In all grievances, presentations may be oral, in writing or both and may be supported by affidavits, sworn signed statements from witnesses, records and other documentary evidence to include but not be limited to photographs and other physical evidence.

- e) Presentations shall be made by the grieving employee (with reading assistance from Human Resources if the employee desires) and by a managerial employee of the affected department.
- f) Neither party may call relevant witnesses or question the other party or any witnesses called by the committee.

9. Decision:

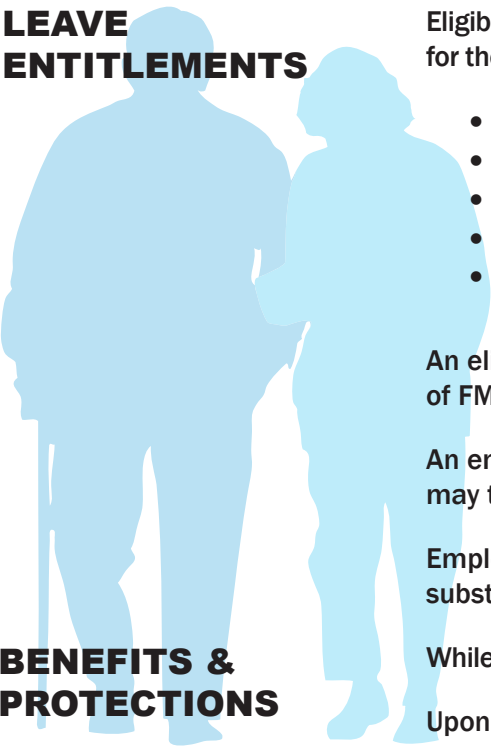
- a) The committee shall, within ten (10) business days after hearing a grievance, make its findings and recommendations and report such findings and recommendations to the Town Manager. In the event of a tie vote, the committee shall make separate findings and recommendations reflecting each position and report each to the Town Manager.
- b) The Town Manager may approve or reject the findings and recommendations of the committee. If the Town Manager approves the recommendation of the committee, copies of the decision shall be transmitted to the grievance committee, to both parties, and to the head of the particular department(s) involved.

If the Town Manager rejects the findings and recommendations of the committee, the Town Manager shall make his/her own decision, within a reasonable amount of time and without further hearing. The decision of the Town Manager shall be final. Copies of the decision shall be transmitted to the grievance committee, to both parties, and to the head of the particular departments(s) involved.

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child’s birth or placement);
- To care for the employee’s spouse, child, or parent who has a qualifying serious health condition;
- For the employee’s own qualifying serious health condition that makes the employee unable to perform the employee’s job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee’s spouse, child, or parent.

An eligible employee who is a covered servicemember’s spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer’s normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual’s FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee’s worksite.

*Special “hours of service” requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days’ advance notice of the need for FMLA leave. If it is not possible to give 30-days’ notice, an employee must notify the employer as soon as possible and, generally, follow the employer’s usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee’s need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

EMPLOYER RESPONSIBILITIES

ENFORCEMENT



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

► PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at $\frac{2}{3}$ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

► ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

► QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; 2. has been advised by a health care provider to self-quarantine related to COVID-19; 3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis; 4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none"> 5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or 6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
|--|--|

► ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:

1-866-487-9243

TTY: 1-877-889-5627

dol.gov/agencies/whd





YOUR RIGHTS UNDER USERRA

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- ☆ you ensure that your employer receives advance written or verbal notice of your service;
- ☆ you have five years or less of cumulative service in the uniformed services while with that particular employer;
- ☆ you return to work or apply for reemployment in a timely manner after conclusion of service; and
- ☆ you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- ☆ are a past or present member of the uniformed service;
- ☆ have applied for membership in the uniformed service; or
- ☆ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at **<http://www.dol.gov/vets>**. An interactive online USERRA Advisor can be viewed at **<http://www.dol.gov/elaws/userra.htm>**.
- ☆ If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- ☆ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: **<http://www.dol.gov/vets/programs/userra/poster.htm>**. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



U.S. Department of Labor
1-866-487-2365



U.S. Department of Justice



Office of Special Counsel



1-800-336-4590

Publication Date — April 2017

RECOMMENDED MOTION LANGUAGE

“I make a motion to approve a resolution amending the Town of Bluffton Employee Handbook to add a new policy created for the protection of Town’s digital information and for clarification to existing policies and procedures.”