



TOWN OF GEORGIA

PERSONNEL POLICIES AND RULES HANDBOOK

As revised and adopted by the Selectboard May 22, 2017

PERSONNEL POLICIES AND RULES HANDBOOK

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TOWN OF GEORGIA
PERSONNEL POLICIES AND RULES

PART ONE – GENERAL PROVISIONS

I. INTRODUCTION AND AT-WILL EMPLOYMENT

- A. Title and Authority.** These personnel policies and rules shall be known and cited as “The Town of Georgia Personnel Policies and Rules” and are hereby adopted by the Town of Georgia Selectboard pursuant to the provisions of Title 24, Vermont Statutes Annotated, Sections 1121 and 1122.
- B. At-will Employment Status.** Unless otherwise provided by statute or written contract, **employment with the Town of Georgia is at-will and not for any definite period or succession of periods of time. The Town may terminate employment at any time, with or without cause.** These Policies and Rules are not, and should not be construed as, an express or implied contract and they do not modify any existing at-will status of any Town employee.
- C. Prior Town Policies and Rules.** These Policies and Rules supersede and replace all prior handbooks, manuals, policies, benefits, and practices of the Town regarding employment and personnel matters, including but not limited to those regarding the Town of Georgia Fire Department / aka Town of Georgia Volunteer Fire Department and Georgia First Response. The Selectboard reserves the right to, on an individual or group basis, add, amend or delete any and all policies, rules, or benefits stated herein at any time, with or without advance notice, and in its sole discretion. Any such changes will be communicated to all employees. A copy of these Policies and Rules shall be available at the Town Office.
- D. Comprehensiveness.** These Policies and Rules are not intended to be comprehensive with regard to Town employment or to address all possible applications of, or exceptions to, the policies, rules, and benefits described herein. Specific questions concerning eligibility for a particular benefit or the applicability of a particular policy or rule to an individual should be addressed to a department head or the Selectboard.
- E. Conflicting Provisions.** Where a conflict exists between these Policies and Rules and any collective bargaining agreement or individual employment contract, the latter will control.

II. PERSONS COVERED

- A. In General.** These Policies and Rules shall be applicable in their entirety to all persons employed by the Town of Georgia, including Georgia Fire Department employees and Georgia First Response employees, except as otherwise herein stated.
- B. Clerk and Treasurer and Library.** The Town Clerk and/or Treasurer and/or Library Trustees may adopt the entire Personnel Handbook as applicable to their appointees and hires, in which case all such appointees and hires shall be treated for all purposes as employees of the Town, fully subject to this Personnel Handbook and all other Town employment rules and benefits.
- C. Elected Officials.** With respect to Town business, Members of the Selectboard shall conform to the conduct provisions and policies in Part Three of this Handbook. Other elected officials and the Library Trustees may adopt such provisions and policies as being applicable to themselves and/or their appointees or employees (if not already covered as Town employees or by adoption of the Personnel Handbook in full).
- D. Job Descriptions.** The Selectboard may approve written job descriptions for all employees which will

describe the duties and responsibilities and the essential job functions of the position as well as the qualifications required to hold the position. The Selectboard reserves the right to modify the job descriptions.

III. ADMINISTRATION

- A. **Selectboard Administration.** Except as otherwise stated herein, these Policies and Rules shall be administered by the Selectboard or its authorized representative(s), and all references herein to the Selectboard shall include such authorized representatives.
- B. **Library Board of Trustees.** With regard to Georgia Public Library employees, the administration of rules and regulations is reserved to the Library Board of Trustees. The Selectboard and Library Trustees may agree to consult regarding such administration, and may further agree to Selectboard oversight and handling of matters such as payroll and benefits.
- C. **Department Heads.** For the purposes of administration of these policies and rules, "department head" shall be defined as follows unless otherwise designated: The Highway Department Head shall be the Road Foreman; The Department Head of the Municipal Offices, and for employees not covered under another department, shall be the Town Administrator; The Fire Department Head shall be the Fire Chief; The Georgia Public Library Department Head shall be the Library Trustee Chair; the Georgia First Response Head shall be the Georgia First Response President.
- D. **Resolving Employee Concerns.** An employee should present concerns related to these Policies and Rules, or otherwise related to employment with the Town, to his/her department head. If not resolved, the employee may submit to the Selectboard a written request to address such concerns and the Selectboard may in its discretion choose to address the matter.

IV. HIRING and EQUAL EMPLOYMENT

- A. **Selectboard Hiring Authority.** Except as specified otherwise herein, only the Selectboard is authorized to appoint employees to work for the Town.
- B. **Hiring criteria.** All appointments to positions in the service of the Town of Georgia shall be made based on merit and competence and the needs of the Town. Education, experience, aptitude, knowledge, skills, character, physical fitness (where necessary for the essential functions of the position), personality, and all other qualifications deemed necessary for the satisfactory performance of the duties of the position to be filled shall be considered and weighed as appropriate.
- C. **Equal Employment Opportunity.** It is the policy of the Town to provide equal employment opportunity to all persons. The Town does not discriminate against employees or applicants for employment based on race, color, religion, sex, sexual orientation, age, national origin, marital status, disability, veteran status, ancestry, pregnancy, gender identity, place of birth, HIV status, or any other basis recognized under local, state or federal law ("Protected Bases"). This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, training, compensation, layoff, and termination.
- D. **Physical Examination.** Applicants may be offered positions in which good health or physical abilities are required for the essential functions of the job. Any such offer of employment may be conditioned upon a satisfactory physical examination at the expense of the Town.

E. Drug Testing. All applicants may be required to submit to a drug test at the expense of the Town after an offer of employment has been made conditioned on a negative test result. All such applicants for a position requiring a CDL license shall be drug tested. All such information shall be shared only as reasonably necessary or as required by law. CDL licensed applicants and employees should familiarize themselves with the Town's Controlled Substance and Alcohol Testing Policy For Employee-Commercial Motor Vehicle Drivers.

F. Proof of Citizenship. All applicants offered positions of Town employment must provide proof of citizenship or legal immigration status in conformance with federal law.

G. New Hire Probationary Period. All appointments shall be made with a probationary period to determine whether the employee is suited for the job as follows:

1. The initial probationary period shall be one hundred and eighty (180) days.
2. A department head may extend the probationary period, with the written approval of the Selectboard, provided the total probationary period shall not exceed twelve (12) months.
3. Approximately one month prior to the end of the probationary period, the department head shall submit a written performance review of the employee to the Selectboard including a recommendation regarding the employee's status.
4. Employees may be paid at a probationary rate during this probationary period.
5. During the probationary period and with the prior approval of the Selectboard, a department head may discharge an employee from employment without observation of any other procedures or employee appeal.

H. Driver Authorization And Evaluation. All Town employees, as well as volunteers, must receive prior Town authorization in order to operate municipal vehicles. The Town may require employees and volunteers to submit to authorization procedures on a periodic basis. The following are the minimum required for authorization:

1. Safe and lawful operation of municipal vehicles is a requirement of an authorized driver.
2. Employees must possess a valid driver's license of the proper type and class for the vehicles operated.
3. The Town may require employees and applicants to periodically authorize the Town to access department of motor vehicle records.
4. An employee must notify his/her department head within forty-eight (48) hours of being charged with a moving violation, regardless of whether during performance of Town duties and regardless of whether operating a private vehicle or Town vehicle.

V. TYPES OF APPOINTMENTS

A. In General. All of the following types of appointments are employment with the Town. All appointed employees are subject to all applicable Town policies and rules pertaining to performance and conduct, including those set out in these Personnel Policies and Rules.

B. Full-Time. A full-time employee works at least 40 hours per week on a continuing basis (indefinite term). Full-time employees receive in full all benefits the Town provides pursuant to these Personnel Policies and Rules.

C. Student Appointments. Student appointments have the purpose of affording an opportunity to gain

actual work experience and provide service to the Town. Such appointments are for a definite period of time, not to exceed 12 months, and may be paid or non-paid. Student appointees shall not be eligible for benefits.

- D. Emergency Appointments.** When necessary, appointment of employees on a temporary basis may be authorized by the department head with the approval of the Selectboard for a period not to exceed sixty (60) days. Such appointees shall not be eligible for benefits.
- E. Permanent Part-time Employees.** Permanent part-time employees are employees who work less than 40 hours per week but on a regular basis. Permanent part-time employees working at least 30 hours per week, as well as permanent part-time employees hired on or before January 1, 2014, shall receive benefits on a graduated scale, and all other permanent part-time employees shall not be eligible for benefits except as otherwise herein stated. The graduated scale for permanent part-time employees is calculated based on the percentage of a 40-hour week the employee works. For example a 30 hour work-week is 75% of a 40-hour week, and so the employee would receive a 75% benefit level. For group health and dental insurance, a permanent part-time employee must work at least 32 hours per week to be eligible.
- F. Part-time and Seasonal Employees.** Part-time and seasonal employees are employees who work on a seasonal or irregular basis and are not eligible for benefits.
- G. Limited-term Appointments.** Limited term appointments are made when a special project requires the addition of employees for a specific time, or to fill a position of an employee on a leave of absence. Such employees may receive benefits at the discretion of the Selectboard.
- H. Fire Department and First Response Employees.** The Selectboard shall appoint a chief, an assistant chief, and captains of the Fire Department as it deems necessary. Firefighters shall be appointed by the Fire Chief subject to these Policies and Rules and prior approval by the Selectboard. Fire Department and First Response employees are not eligible for benefits and are not permanent part-time employees.

VI. PERSONNEL RECORDS

- A. Maintenance and Access.** Personnel records will be maintained for each employee of the Town. An employee or employee's designated representative may inspect or copy his or her own personnel records at a mutually agreeable time during regular office hours. The Town reserves the right to have an authorized representative present at the time its files are examined or copied. Personnel records will be maintained in a secure fashion and shared only to the extent necessary or as required by law.
- B. Reference Requests.** Except as otherwise required by law, the Town will normally limit its response to a request for personnel information concerning a current or former employee to dates of employment and positions held. Upon receipt of written authorization by the employee, the Town may provide or release further information.

VII. EMPLOYEE PAY

- A. Regular Pay and Hours of Service.** With the approval of the Selectboard, the department head shall prescribe the number of hours per day and per week of actual attendance on duty for Town employees, which may be in excess of forty (40) hours. The hours so established shall be the normal work day or work week.

- B. Regular work week.** The designated work week shall commence at 12:00 a.m. on Sunday morning and end at 11:59 p.m. on Saturday night. Each employee shall fill out his/her weekly time sheet and submit same to his/her department head for approval.
- C. Overtime.** Nonexempt employees are eligible to receive overtime pay at a rate of one and one-half (1½) times their regular pay for time actually worked in excess of forty (40) hours per workweek. Exempt employees are not eligible for overtime; they are expected to work as many hours as required to perform the duties of the position. Employees shall be paid to the nearest quarter (¼) hour for overtime purposes.
- D. Overtime Authorization.** No employee may work over forty (40) hours in a given workweek without prior authorization of his or her department head or the Selectboard with the exception of Highway employees whose work week is 45 hrs. Acceptance of a directive to work overtime is considered a condition of employment. At the department head's or Selectboard's discretion, an employee's work schedule may be adjusted during a workweek to avoid overtime.
- E. Compensatory Time.** In lieu of a cash payment, any nonexempt employee may request compensatory time which accumulates at the rate of one and one-half (1½) hours for each hour worked in excess of forty (40) hours in any workweek. Highway employees have 40 hours straight time and 5 paid hours at time and one half as their base work week, anything above 45 hrs. is also compensable to them as in sentence one above. Compensatory time is subject to the following:
1. At the end of each pay period in which overtime is worked, each employee shall notify his/her supervisor of an election to take compensatory time instead of reimbursement by monetary payment.
 2. An employee may accrue a maximum of forty (40) hours of compensatory time, after which overtime will be monetarily paid.
 3. At the Town's discretion, an employee may be compensated with monetary payment in lieu of use of compensatory time (at their regular rate of pay) or instead of accrual of compensatory time.
 4. Requests for use of compensatory time must be submitted to the department head.
 5. An employee will be permitted to use compensatory time within a reasonable period after making the request, if such use does not unduly disrupt Town operations.
 6. Compensatory time usage shall not be counted as time worked for purposes of determining overtime accumulation.
- F. Highway Department Call-In Pay.** A permanent full-time or permanent part-time Highway Department employee shall receive call-in pay as follows:
1. Weekdays. For a weekday call-in after 3:30 p.m. and before 3:00 a.m. of the following day, the employee shall receive a minimum of four (4) hours of compensation at overtime rates for the call-in. If the employee actually works less than four (4) hours, but is called back during the same period, he/she will only be paid for the initial four (4) hours of call-in pay.
 2. Weekends. For a weekend call-in, the employee shall receive a minimum of four (4) hours of compensation at overtime rates for the call in. If the employee actually works less than four (4) hours, but is called-in within 24 hours, he/she will only be paid for the initial four (4) hours of call-in pay.
 3. Holidays. For a holiday call-in, the employee shall receive a minimum of four (4) hours of compensation at 2.5 times their regular hourly compensation for the call in. If the employee actually

worked less than four (4) hours, but is called in during the same holiday, for the same or any other reason, they will only be paid for the initial four (4) hours of call in pay. If the employee actually works more than four (4) hours.

4. Extended Call-Ins. For any call-in during which the employee actually works more than four (4) hours, he/she will be paid at the applicable call-in rate for all hours worked. Work assigned to a called-in employee must be reasonably related to the reason for the call-in.

G. Fire Department and First Response Employee Salary Procedure

1. Minimum Call-In. Georgia Fire Department (“GFD”) and Georgia First Response (“GFR”) employees shall be paid a minimum of one hour, with fifteen-minute increments after one hour, for calls, approved training, and approved maintenance meetings.
2. Reporting in. Employees responding to a call shall notify the Incident Commander (IC) of arrival and departure times as soon as practicable. Failure to so notify the IC will result in being paid only the one-hour minimum. If a call is cancelled prior to the employee’s arrival, notice must be given to the department head or a designee within 24 hours of the call to be eligible for payment.
3. Time sheets. The IC shall enter employees’ arrival and departure times on a time sheet, as well as the begin time (first tone) and end time (all equipment back in service or per IC) for the call. For employees employed by both GFD and GFR, time recorded for a call shall be recorded as representing one department only and shall be paid as such.
4. Pay period. Paid training time will begin and end per the training officer or department employee in charge of the training. Payment to GFD and GFR employees will be on a bi-weekly basis. The payroll period begins on a Sunday and ends on the second following Saturday. All time sheets for pay must be submitted to the department head (Chief for GFD, President for GFR, or their designee) no later than the Sunday following the end of the payroll period. Approved timesheets are to be turned in to the Town Treasurer or designee the following Monday. Payroll will then be processed that Monday and paychecks issued the following Thursday.
5. Rate of pay. Rate of pay for Georgia firefighters and GFR employees shall be in compliance with both State and Federal minimum wage laws. Officers shall be paid at a rate \$2 per hour more than firefighters and regular GFR members. Employees of Georgia Fire and GFR attending approved training outside the Town of Georgia shall be paid an additional \$10.00 per day stipend provided the employee submits a training certificate to the Town Treasurer through the chain of command within two weeks of receiving it.

Amended by Georgia Selectboard at open meeting on January 8, 2018.

PART TWO – BENEFITS AND LEAVE

VIII. GROUP HEALTH AND DENTAL INSURANCE

- A. In General.** The Town offers group health and dental insurance programs to its employees upon hiring. If any questions arise regarding the implementation or interpretation of any insurance plan, the terms and conditions of the actual plan documents shall govern. Benefit levels for eligible part-time employees are calculated as described in section V.
- B. Continuation of Coverage.** Upon the occurrence of certain “qualifying events,” persons covered under the Town’s group health and dental insurance plans may be entitled to continue coverage, at their own cost, for a limited time period. Upon the Town learning of a qualifying event, notice will be issued to covered persons of terms and conditions for such continuation of coverage. Reasons for termination of continuation include failure to make timely payment of premiums to the Town.
- C. Cafeteria Plan.** The Town of Georgia has established a Cafeteria Plan in accordance with IRS regulations for the purpose of providing cash in lieu of certain benefits. The Cafeteria Plan Document controls all terms and conditions and may be requested from the Town.
- D. Availability of Benefits.** This Handbook does not guarantee ongoing availability of insurance benefits. The Town reserves the right to change insurance carriers, or to add, delete or amend insurance benefit programs in its sole discretion. The Town also reserves the right to change the amount or percentage of its contribution to the cost of any group insurance programs.

IX. LEAVES OF ABSENCE

- A. General Policy.** Subject to employee eligibility, the following types of leaves are provided: holiday, vacation, sick leave, parental leave, family leave, injury leave, death in the family, and leave without pay. All Department heads shall produce records of leaves and absences which shall be given to the Town Payroll Officer who is the official timekeeper.
- B. Holidays for Employees.** The following holidays shall be official holidays for employees subject to these Policies and Rules, together with any other day so proclaimed by the Selectboard:

| | |
|--------------------------|------------------|
| New Year’s Day | Independence Day |
| Presidents Day | Labor Day |
| Martin Luther King Day * | Columbus Day * |
| Town Meeting Day | Veterans Day |
| Memorial Day | Thanksgiving Day |
| | Christmas Day |

Holiday benefits are subject to the following:

1. Holidays marked * may be used as a floating holiday with authorization of department head.
2. Employees will have half a day (1/2) before Christmas and half a day (1/2) before News Years Day.
3. All municipal departments and offices shall observe any legal holiday which falls on a Saturday on the preceding Friday and any legal holiday which falls on a Sunday on the following Monday.
4. Full-time non-highway department employees shall be compensated for holidays as though the employee has worked an eight hour day. Full-time highway department employees shall be compensated for holidays as though the employee has worked a nine hour day including one hour of

overtime pay.

5. Any full-time employee who is required to work on a holiday, except floating holidays, shall, in addition to the holiday pay, be paid at their overtime rate of pay or provided compensatory time.
6. Paid holidays shall not be counted as time actually worked for overtime calculation purposes.
7. Eligible permanent part-time employees shall be compensated for holidays on a pro-rated basis as set forth for benefits calculations as described in section V.
8. Full-time employees or eligible permanent part-time employees wishing to observe religious holidays not listed by the Selectboard shall, at their option, be given time off without pay or have the time charged to their vacation.
9. Employees who are absent from work on the date of a holiday and are receiving either Worker's Compensation or weekly indemnity payments from a Town-funded source during the period in which the holiday falls will be ineligible to receive holiday pay from the Town.

C. Vacation. Vacation leave, based on continuous service, shall be granted on the following basis for all full time employees on the anniversary of their hire date:

| | |
|-------------------------------------|-----------------|
| Six months to one (1) year: | Two (2) weeks |
| After completion of ten (10) years: | Three (3) weeks |
| After completion of 20 (20) years: | Four (4) weeks |

Vacation leave is subject to the following:

1. Accrual begins at the end of a successful six-month probation, and after a six-month evaluation conducted by the Selectboard. The equivalent of one-week's vacation leave will be granted at that six-month point.
2. Vacation leave shall be accrued monthly on the last day of the month as follows: Forty (40) hour per week employees will receive vacation pay based on an eight hour day at their regular rate of pay. Forty-five (45) hour per week employees will receive vacation pay based on a 9 hour day at regular pay rate and 1 hour at overtime rate. One week of vacation is the equivalent of one regular work week and represents the number of days and hours which the employee normally works each week.
3. Forty (40) hour per week employees shall accrue vacation at the following rates: Two (2) weeks at a rate of 6.67 hours per month; Three (3) weeks at rate of 10 hours per month; and four (4) weeks at rate of 13.34 hours per month. Forty-five (45) hour per week employees shall accrue vacation at the following rates: Two (2) weeks at rate of 7.5 hours per month; Three (3) weeks at rate of 11.25 hours per month; Four (4) weeks at rate of 15 hours per month.
4. All employees are encouraged to take their vacation leave annually. A maximum of up to one week accrued vacation time may be carried over annually. Should the leave time not be taken during the following year, it shall be forfeited. Vacations will be scheduled at the discretion of the department head and employees should provide maximum advance notice available. Upon termination an employee shall be paid only for accrued vacation to which they are entitled.
5. Employees may be credited for, and use up to, the total number of hours of vacation benefit available for a calendar year in advance of the total numbers of hours actually accrued to date, with the approval of the department head. An employee who has used more vacation time than accrued in a calendar year and, prior to having worked at least 8 months of that year, terminates employment for any reason other than retirement shall have their final compensation reduced by the difference

between the hours accrued and the hours used.

6. New hires will not be eligible for vacation benefits prior to completion of 6 months of service and satisfactory evaluation.
7. The employee shall be paid vacation pay only for vacations actually taken or used as part of a leave arrangement. Vacation may be paid in addition to hours worked for the same pay period at the discretion of the Selectboard, and only when requested in writing by July 1st of the year of the proposed request.
8. Eligible permanent part-time employees will receive prorated vacation leave on a pro-rated basis as set forth for benefits calculations as described in section V. For such employees, if leave time is not taken during the year it is accrued, it shall be forfeited.

D. Sick Leave. Sick leave shall be granted on the following basis and, to the extent not otherwise stated, in conformity with 21 V.S.A. §§ 481 – 486.

1. All employees (1) who work at least an average of eighteen (18) hours per week and (2) who are not in a job scheduled to last 20 weeks or fewer are entitled to sick leave. Accrual shall be one hour of sick leave for every fifty-two (52) hours actually worked, except that employees who are exempt from overtime requirements under federal law shall be assumed to work forty (40) hours per week.
2. In one annual period, sick leave may be used a maximum of five-hundred-and-forty (540) hours (sixty (60) days) for highway department employees and four-hundred-and-eighty (480) hours (sixty (60) days) for all other employees.
3. If the employee has no accumulated sick leave to offset a leave request, sick leave hours (or portion thereof) may be used prior to accrual. If an employee exhausts sick leave, he or she may use vacation time, if authorized by the department head.
4. Sick leave is generally available for the following situations:
 - a. The employee is ill or injured.
 - b. The employee obtains professional diagnostic, preventive, routine, or therapeutic health care.
 - c. The employee cares for a sick or injured parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child.
 - d. The employee is arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking.
 - e. The employee cares for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child because the school or business where that individual is normally located during the employee's workday is closed for public health or safety reasons
5. Sick leave shall be paid at the employee's regular rate.
6. All requests for sick leave are to be made to the department head or, if unavailable, to the Town Administrator, as soon as reasonably possible and prior to the commencement of the leave or, if prior notice is not possible, as soon as reasonable under the circumstances. Employees shall give the greatest advance notice practicable for requests for sick leave planned in advance of the absence.
7. For any sick leave in excess of five (5) days, the Town may require reasonable proof that sick leave

was used for an allowable purpose.

8. If there is reasonable belief of significant risk of harm to the employee or others, the Town may require an employee to provide a fitness-for-duty certification, a work release, or other documentation from a health care provider before an employee returns to work after an absence during which sick leave was used.
9. Upon termination of employment compensation shall be granted for unused sick leave up to two-hundred-and-forty (240) hours. The employee may also have wages withheld for sick time used but not accrued at time of separation.

E. Parental and Family Leave

1. Eligible employees shall receive leave as described in the Vermont Parental and Family Leave Act (PFLA) upon compliance with all notice and other requirements. The PFLA law will determine employee eligibility, the qualifying reasons for such leave, the length of leave, and return from leave. The Town reserves the right to designate any qualifying leave as PFLA leave. For the purposes of determining the twelve month period in which an employee may be entitled to PFLA leave, the Town will use a rolling twelve-month period measured backward from the date an employee uses such leave.
2. At the time of adoption of this personnel handbook, the Town believes that its employees do not qualify for leave under the federal Family and Medical Leave ("FMLA") law, 29 U.S.C. 2601 et seq., based on the number of employees of the Town. Should Town employees become eligible under FMLA, the Town will provide eligible employees the leave afforded.

F. Civil Duty and Jury Leave

1. All full-time employees entitled to vote in national, state, and municipal elections shall, when necessary, be allowed sufficient time off with pay to exercise this right. Approval of such leaves shall be given by the department head.
2. Employees required to serve on jury duty, or who are compelled to appear for court or agency hearings, shall be given sufficient time off to do so. Should any full-time employee be called for jury duty within any state or federal judicial court, the Town shall pay the employee's salary provided the employee does not attempt to collect compensation provided by the court. For purposes of sick leave and vacation accruals, but not for overtime accruals, employees serving in these capacities shall be counted as having worked the hours or days for which they are attending court.

G. Military Leave. The Town will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4303 et seq., and 21 V.S.A. §§ 491 et seq. Employees who take military leave subject to the provisions of these laws will be granted leave without pay. At the option of the employee, any paid leave accrued prior to the commencement of the leave may be used.

H. Leave of Absence Without Pay

1. All requests for leaves of absence without pay, other than those provided by federal or state law, shall be submitted in writing to the appropriate department head and shall set forth the dates, times, and purpose for which the leave is requested. Department heads shall have discretion to approve/disapprove such requests, except that requests for leaves in excess of five (5) days shall be forwarded to and decided by the Selectboard.

2. If leave of absence without pay is granted, the Selectboard may continue the employee's group health plan coverage by requiring the employee to pay premiums in accordance with a payment schedule established by the Selectboard. Other employee benefits (e.g. sick leave, vacation, etc.) will not accrue during the unpaid leave period.

I. Bereavement Pay. The Town will provide paid leave for up to eight (8) hours (eight (8) hours + one (1) hour of overtime for highway employees) per day of work missed for bereavement as follows:

1. Spouse or child: 5 days including the day of death or day following death (provided they are scheduled work days).
2. Parents, in-laws, sister, and brother: 3 days including the day of death or day after death (provided they are scheduled work days).
3. Brother and sister in law, grandparents, grandchildren, aunts and uncles: 1 day to attend funeral.

X. OTHER BENEFITS

A. VMERS Retirement. The Town participates in the Vermont Municipal Employees Retirement System (VMERS) administered by the State of Vermont. All employees who work on a regular basis for not less than 24 hours per week and for not less than 1040 hours in a year, including vacation time, are required to participate. Enrollment in VMERS is mandatory as soon as you meet the minimum hours eligibility requirements, regardless of status as a provisional employee of the Town. Contribution rates by the employee and by the Town depend on the employee's VMERS Group designation. Questions regarding your VMERS enrollment, eligibility, employee contribution or other questions should be directed to the Office of the State Treasurer, Retirement Division.

B. Meals. The Town will pay for up to three meals per day while an employee is traveling on Town business subject to the following:

1. Town employees must submit a purchase order or reimbursement form, as appropriate, for the meal and related costs to the Town Administrator or department head
2. If a cost-free meal is included as part of an attended event and the employee wishes to dine elsewhere, the cost is a responsibility of the employee.
3. The Town may, at department head/Town Administrator discretion, reimburse/pay for special Town events held for part-time and full time employees that last all day or are specifically held during the meal hours.

C. Training and Development. Employees are eligible for full or partial reimbursement by the Town for education and training costs that are approved in advance by the Selectboard, subject to the following:

1. Employees must submit requests for educational and training programming to their department head, including information such as course of study, purpose, job relevance, cost, dates, times, and name of the institution or source of training.
2. The extent of reimbursement may be affected by factors including but not limited to relevance to the employee's duties, expense of the educational opportunity, and the employee's standing.
3. Costs which may be reimbursed include but are not limited to tuition, registration fees, subscriptions, books, and computer-based resources.
4. Upon completion of the training and/or coursework, the employee must provide documentation to illustrate completion and performance.

5. To be eligible for reimbursement, the employee's performance in the program must be at least satisfactory. For programs in which grades are given, the employee should receive a grade of C- or better or the numerical equivalent.
6. At the Town's discretion, employees may be allowed up to five (5) paid or compensatory time days for education and training.

PART THREE – PERFORMANCE AND CONDUCT

XI. EVALUATIONS

- A. Annual Evaluations.** The Town of Georgia shall make a reasonable effort to evaluate all full-time and permanent part-time employees a minimum of once per year. Such evaluations will be in writing and signed by both the employee and the department head following a conference during which the evaluation is discussed. The signature of the employee does not indicate that he or she agrees with the evaluation but only acknowledges that the evaluation has been shown and discussed. Evaluations will be maintained as part of an employee's personnel records.
- B. Evaluation Results.** Any annual evaluation with a rating of less than satisfactory may result in up to a ninety (90) day probationary period. Failure to improve during the probationary period may result in suspension without pay or termination.

XII. DISCIPLINE AND DISMISSAL

- A. General Policy.** Discipline and/or dismissal from employment, including immediate dismissal, may result from less than satisfactory performance or failure to conform to policies or rules of conduct. Discipline and/or dismissal are at the discretion of the employer.
- B. Oral and Written Reprimands.** Depending on the facts and circumstances regarding an employee's performance or conduct, the Town may issue oral and/or written reprimands.
- C. Suspension Without Pay and Dismissal.** Suspension without pay or dismissal from employment may result from less than satisfactory performance or violation of policies or rules of conduct. In such cases, an employee will be provided with (1) prior written notice of the basis for a suspension or termination and (2) an opportunity for a meeting to respond. An employee may have a representative or witness attend the meeting.
- D. Appeal of Suspension or Termination.** An employee who is suspended without pay or discharged from employment without pay may appeal the suspension or termination subject to the following:
1. The employee must request within five (5) business days of notice of suspension or termination a hearing before the Selectboard.
 2. The Selectboard shall make a reasonable effort to hold such hearing within twenty-one (21) calendar days of receipt of the employee's written request for the hearing, and reasonable prior notice shall be provided to the employee.
 3. For appeals of suspension without pay, the Selectboard shall have discretion whether witnesses, evidence, and cross-examination may be presented at the hearing and shall notify the employee in advance.
 4. For appeals of termination, the employee and the Town may present relevant witnesses and other evidence at the hearing and may cross-examine witnesses.
 5. A hearing for appeal of a suspension or termination will normally be held in executive session.
 6. The Selectboard shall make a reasonable effort to render a written decision within fourteen (14) calendar days after the adjournment of the hearing.
 7. The decision of the Selectboard shall be final.

- E. Records.** Reprimands and suspensions shall be made part of the employee's personnel record. Reprimands and suspensions may be removed from an employee's personnel record if there are no performance or conduct issues for a period of six (6) months following the discipline.

XIII. CONDUCT OF EMPLOYEES

- A. Required Conduct.** All employees are considered representatives of the Town and as such are expected to conduct themselves accordingly. The following conduct is required of all employees, except as may be otherwise authorized by law, rule, contractual agreement, or supervisor approval:

1. Employees shall conduct themselves in a courteous, helpful, honest and respectful manner in all their interactions with the public and other employees.
2. Employees shall fulfill all of the duties and responsibilities of their position in an efficient, timely and effective manner.
3. Employees shall pursue the common good in their official activities, and shall uphold the public trust.
4. Employees shall be punctual in reporting to work and shall remain at work until the scheduled end of their workday unless otherwise authorized by a supervisor. Unexpected absences shall be reported as soon as possible.
5. Employees shall devote their full time, attention, and effort to the duties and responsibilities of their position during their scheduled work time, to the exclusion of other activities including but not limited to political activity.
6. Employees shall respect the legitimate privacy interests of their co-workers, superiors, and employer, both as to personal property and work product in the workplace.
7. Employees shall wear attire and equipment appropriate to their position.
8. Employees shall carry out their work in a manner which minimizes risk of personal injury or property damage to the employee, other employees, the Town, and the public.
9. Employees shall carry out their work in a manner which complies with applicable state and federal laws.
10. Employees shall as soon as possible report to a department head a work incident which results in personal injury or property damage. Any such incident warranting emergency services shall be immediately reported to the police or fire and rescue as appropriate. Employees shall not discuss any such incident with anyone other than Town officials, except as may be necessary for rendering of emergency services.
11. Employees shall comply with all applicable Town policies and rules, including department-specific rules and operating guidelines, whether stated herein or elsewhere, and whether in effect as of the date of adoption of this Handbook or as may be adopted in the future or amended from time-to-time

- B. Prohibited Conduct.** Prohibited conduct for all employees includes but is not limited to the following:

1. Employees shall not use, or attempt to use, their positions to obtain special benefits, privileges or exemptions for themselves or others.
2. Employees shall not use, or attempt to use, Town personnel, property, or equipment unavailable to the general public for their private use or for any use not required for the proper discharge of their

official duties.

3. Employees shall not engage in dishonest or fraudulent behavior.
4. Employees shall not solicit or accept any form of compensation from anyone except the Town for activities which are related to their position, unless it is provided for by law or approved by the Selectboard. Prohibited compensation shall include any gift, reward, loan, gratuity or other valuable consideration, including free meals, provided to employees, their immediate family, or business associate(s), except: attendance at a hosted meal directly related to the conduct of Town business or where attendance as a Town representative is appropriate; An award in recognition of public service; Occasional, non-pecuniary gifts of insignificant value.
5. Employees shall not engage in any employment, activity, or enterprise which is inconsistent, incompatible, or in conflict with their duties as a Town employee or with the duties, functions or responsibilities of the Town.
6. Employees shall not engage in any outside employment, activity, or enterprise during their work hours.
7. A Town employee shall not attempt to influence the Town with regard to any matter, such as contracts, purchases, and hirings, in which the employee or the employee's immediate family has a financial interest in the matter which is greater than that of the general public.
8. Employees shall not disclose, directly or indirectly, information which they receive or have access to by virtue of their official duties except as necessary to carry-out their duties and as authorized by their superiors or by law.
9. Employees shall not interfere with a lawful request for public information. Providing information must be done in a manner which does not show preference to any particular entity, business or organization.
10. Employees shall not solicit any form of private contract as a result of information gained through their employment.
11. Employees shall not smoke within any enclosed indoor public buildings.
12. Employees shall not report to work or engage in work under the influence of alcohol or drugs, and employees shall not consume alcohol or drugs during their scheduled work time. The only exception to this rule is use of a drug prescribed by a duly licensed health care provider, provided such use is in the manner prescribed and the employee is cleared to work while using such prescription drug.
13. Employees shall not violate the Town's policies, including but not limited to the following: Equal Employment & Anti-Discrimination; Sexual Harassment; Social Media; and all other Town policies applicable to employees which are in effect as of the date of adoption of this Handbook and as may be adopted in the future or amended from time-to-time.

C. Equal Employment & Anti-Discrimination Policy

It is the policy of the Town to provide equal employment opportunity to all persons based on individual merit and competence and the Town's needs. The Town does not discriminate against employees or applicants for employment based on race, color, religion, sex, sexual orientation, age, national origin, marital status, disability, veteran status, ancestry, pregnancy, gender identity, place of birth, HIV status, or any other basis recognized under local, state or federal law ("Protected Bases"). This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion,

training, compensation, layoff, and termination.

Harassment of one employee by another employee or supervisor is prohibited. Harassment means unwelcome conduct that is based on any of these Protected Bases. An employee who commits harassment will be subject to discipline up to and including immediate dismissal. Examples of harassment may include, but are not limited to: offensive jokes, gestures, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, and offensive objects, pictures, or written materials.

Retaliation against an employee who complains about having been subjected to harassment, or who cooperates in an investigation of such alleged harassment, is a violation of this policy.

Any employee who believes he/she has been subjected to harassment, or to retaliation for having brought or cooperated with a complaint or investigation of harassment, should report it promptly to a supervisor. If reporting to a supervisor is not possible, then a report should be made to the Chairperson of the Selectboard or another member of the Selectboard if necessary. Department supervisors and the Selectboard may be contacted through the Town Office located at 47 Town Common Rd. No., St. Albans, VT 05478, by telephone at (802) 524-3524, or by email at georgiatown@Comcast.net.

You may also contact:

- Vermont Human Rights Commission, 14-16 Baldwin Street, Montpelier, VT 05633-6301, telephone (800) 416-2010 (voice), (877) 294-9200 (TTY).
- U.S. Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, telephone (800) 669-4000 (voice), (800) 669-6820 (TTY).

If the Town receives a complaint of harassment or discrimination, or has reason to believe that harassment or discrimination has occurred, it will investigate the matter. Investigations will be conducted in a confidential and discrete manner to the extent possible, and complaints will be disclosed only to those persons necessary to thoroughly investigate and address the matter. If a violation of this policy is found to have occurred, corrective action will be taken and the offending employee shall be subject to discipline including but not limited to dismissal from employment.

D. Sexual Harassment Policy

It is the policy of the Town to promote a workplace that is free of sexual harassment. Sexual harassment in the workplace is unlawful under state and federal law and will not be tolerated by any employee, whether male or female. A copy of this policy will be provided to all employees and elected or appointed officials. Additional copies are available in the Town Office.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, written, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is explicitly or implicitly made a term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual, including, but not limited to placement, promotion, training, or compensation; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creates an intimidating, offensive, or hostile working environment.

Sexual harassment may be indirect or even unintentional, and may include off-duty conduct that affects

an employee's working environment. Examples of sexual harassment may include, but are not limited to, coercion of sexual relations, touching or grabbing an employee's body parts, and sexually offensive comments, name-calling, jokes, gestures, innuendos and other unwelcome sexually oriented statements. Employees of the Town are prohibited from bringing into the workplace or otherwise displaying any written materials or images that may be considered sexually suggestive or offensive in nature. Sexual harassment can also include offensive remarks about a person's sex, such as a man making offensive comments about women in general.

Retaliation against an employee who complains in good faith about having been subjected to sexual harassment, or who cooperates in an investigation of sexual harassment, is a violation of this policy. Retaliation is a recognized form of harassment and will be handled in the same manner as other forms of harassment under this policy.

If you believe you have been subjected to sexual harassment, or retaliation for having brought or supported a complaint of sexual harassment, you are encouraged but not required to directly inform the offending person or persons that such conduct is offensive and must stop. If you do not wish to communicate directly with the alleged harasser or harassers, or if such direct communications have been ineffective, then you should immediately report the matter to your supervisor or, if that contact is not possible, then to the Chairperson of the Selectboard (who has been designated to receive such complaints or reports), or another member of the Selectboard if necessary. Department supervisors and the Chairperson of the Selectboard may be contacted through the Town Office located at 47 Town Common Road, St. Albans, VT or by telephone at (802) 524-3524. If possible, it is helpful to an investigation if the employee keeps a diary of events and names of people who witnessed or were told of the harassment. Upon advance request, reasonable accommodations will be made for persons with disabilities who need assistance with filing or pursuing a complaint under this policy.

Complaints regarding sexual harassment or retaliation may also be filed with the following state and federal agencies:

- Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05609-1001, telephone: (802) 828-3657 (voice), (802) 828-3665 (TTY).
- U.S. Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, telephone (800) 669-4000 (voice), (800) 669-6820 (TTY).

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

If the Town receives a complaint of sexual harassment, or has reason to believe that sexual harassment has occurred, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. Investigations will be conducted in a confidential and discrete manner to the extent possible, and complaints will be disclosed only to those persons necessary to thoroughly investigate and address the matter. The Town is required by law to take action if it learns of potential sexual harassment, even if the person subjected to the harassment does not wish to file a complaint. Supervisors and supervisors are responsible for promptly responding to any complaint or suspected incidents of sexual harassment. Supervisors should report any complaints or suspected incidents of sexual harassment to the Chairperson of the Selectboard.

If a violation of this policy is found to have occurred, corrective action will be taken and the offending

employee shall be subject to discipline including but not limited to dismissal from employment. If the complainant is dissatisfied with the actions taken by the Town, he or she may file a complaint with the state or federal agencies identified above.

E. Computer Use and Electronic Communications Policy

The following are summary guidelines only; employees should contact the Selectboard for more detailed information regarding particular questions, situations, or concerns.

The Town provides a variety of electronic communications systems for use in carrying out its business. All communication and information transmitted by, received from or stored in these systems are the property of Town and, as such, are intended to be used for job-related purposes only. Data and information on the system will not be deemed personal or private.

Personal use, other than brief and occasional use, of electronic communications systems, software, computers and other electronic devices owned, leased or maintained by the Town is strictly prohibited. Employees with Internet access are expressly prohibited from accessing, viewing, downloading, or printing pornographic or other sexually explicit materials.

The Town may access and disclose all data or messages stored on its systems or sent over its electronic mail system. The Town reserves the right to monitor communication and data at any time, with or without notice.

Employees are not authorized to retrieve or read any e-mail messages that are not sent to them and cannot use a password, access a file, or retrieve any stored information unless authorized to do so.

Passwords: Assigned individual passwords to Town computer data, accounts or systems should not be given to other employees, unless so directed by a supervisor, or to any persons outside the Town's employment. The Town reserves the right to override any employee-selected passwords and/or codes. Employees are required to provide the Town with any such codes or passwords if requested by a supervisor. An employee concerned about a supervisor's directive to share a password or login code may bring such concerns to the Selectboard. Passwords should not be stored in computer data files, on the network, or be displayed openly at any workstation.

Emails: No electronic messages may be sent from or to the Town's e-mail system which violate any provision of this Personnel Handbook, including but not limited to The Town's Rules of Conduct Policy, Sexual Harassment Policy, and Equal Employment & Anti-Discrimination Policy. In addition, the e-mail system may not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization. Employees will use the e-mail system or address/account provided by the Town for e-mail communications concerning Town matters, and personal use of Town e-mail systems, addresses, or accounts should be avoided.

Public Records: All files, documents, data and other electronic messages created, received or stored in the course of official Town business may be subject to the provisions of Vermont's Public Records Act and may be covered by the record retention requirements of the State of Vermont's General Records Schedules or Disposition Orders. Accordingly, employees shall not discard or delete any files, documents, data and other electronic messages created, received or stored in the course of official Town business except as in accordance with law. Questions regarding the requirements of the Vermont Public Records Law, General Records Schedules, or Disposition Orders as they apply to particular files, documents or data should be directed to the employee's supervisor or the Selectboard.

Personal Computer Security: Only legally licensed software will be installed on Town computers.

Software (including applications, demos, upgrades) cannot be copied or installed without permission of the Selectboard or its designee. Virus protection software shall not be removed or disabled. Each employee must follow Town guidelines for scanning all incoming communications and media, including but not limited to all data disks and files entering or leaving the Town should be scanned for viruses. Employees should log off of the network when they will be away from their desk for an extended period.

If you do not understand any part of the policy, it is your responsibility to obtain clarification from your supervisor or the Selectboard. If a violation of this policy is found to have occurred, the offending employee may be disciplined including but not limited to dismissal from employment.

ADOPTED this 22 day of May, 2017.

SIGNATURES of SELECTBOARD: _____ (Chairperson)

RECEIPT AND ACKNOWLEDGEMENT OF PERSONNEL POLICIES AND RULES

Please read the following statements and sign below to indicate your receipt and acknowledgement of the Town of Georgia Personnel Policies and Rules Handbook:

- I have received a copy of the Town Of Georgia Personnel Policies And Rules Handbook.
- I understand that it is my obligation to read these Policies and Rules. I understand that the policies, procedures and benefits described in it are subject to change at the sole discretion of the Town at any time.
- I understand that, unless otherwise provided by statute or contract, my employment with the Town is terminable at-will, meaning at any time and for any reason or no reason, regardless of the length of my employment or the granting of benefits of any kind.
- I am aware that the descriptions of benefits in these Policies and Rules are not contractual in nature and do not guarantee any continuance of benefits.
- I acknowledge that during the course of my employment with the Town, confidential information may be made available to me. I understand that any such confidential information must not be used outside of the Town premises or disseminated to persons who are not Town employees, except as authorized and necessary for Town business or as required by law.
- I understand that my signature below indicates that I have read and understand the statements above and that it is my responsibility to familiarize myself with the provisions of these Policies and Rules and to adhere to the policies contained herein, including but not limited to those policies concerning equal employment opportunities, discrimination and sexual or other harassment.
- I acknowledge that the Town may adopt additional policies or amend existing policies which govern or otherwise affect my employment with the Town, and that, upon receipt, I will provide the Town written acknowledgment of my receipt of any such additional or amended policies.
- I understand that this Receipt and Acknowledgment will be placed in my personnel record.

Employee's Name (please print)

Employee's Signature

Dated: _____