



**To: Town of Grand Lake Staff**

**From: Heike Wilson, Town Treasurer**

**Re: Updates with PTO Policy for Year-Round Part-Time Employees**

**Date: September 12, 2022**

To be more competitive in attracting and retaining employees the Town of Grand Lake would like to add PTO benefits to year-round part-time employees. We feel PTO incentives are one of the most attractive incentives to offer employees. Year-round full-time employees working 32 plus hours a week will be considered full-time and accrue full PTO benefits of 10 hours per pay period while Year-round part-time 1 employees who work between 24 to 32 hours a week will accrue PTO at the rate of 3 hours per pay period. Year-round part-time 2 employees who work 24 hours or less will not accrue any PTO.

**Recommended Motion**

I Move to approve Resolution 28-2022 to Amend Town of Grand Lake Personnel Guidelines to include PTO for year-round part-time 1 employees.

-Or-

I Move to approve Resolution 28-2022 to Amend Town of Grand Lake Personnel Guidelines to include PTO for year-round part-time 1 employees.

with the Following Changes:

-Or-

I Move to Deny Resolution 28-2022 to Amend Town of Grand Lake Personnel Guidelines to include PTO for year-round part-time employees.

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**TOWN OF GRAND LAKE**

**RESOLUTION NO. 28- 2022**

**A RESOLUTION for amending the Town of Grand Lake Personal Guidelines as of September 12, 2022.**

**WHEREAS**, Town of Grand Lake is updating the Personal Guidelines Policy to add PTO for part-time 1 employees.

**NOW THEREFORE BE IT RESOLVED BY THE GRAND LAKE BOARD OF TRUSTEES AS FOLLOWS:**

The Personnel Guidelines are amended by the adoption of the additions in the attached Personnel Guidelines and all previous resolutions referring to the Town of Grand Lake Personnel Guidelines are rescinded.

**DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 12<sup>nd</sup> day of September 2022.**

(SEAL)

Votes Approving:

Votes Opposed:

Absent:

Abstained:

ATTEST:

TOWN OF GRAND LAKE

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Alayna Carrell  
Town Clerk

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Stephen Kudron  
Town Mayor

# Town of Grand Lake Personnel Guidelines



~~February 14~~September 12, 2022 - Resolution

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These Guidelines were adopted by Resolution 9 - 1987 approved on the June 22, 1987 Board of Trustees meeting and amended by Resolution 12 – 1988, Resolution No. 18 – 2000, Resolution 7-2004, Resolution 12-2005. Resolution 17-2007, Resolution 1-2009, Resolution 2-201, Resolution 11-2019, Resolution 13-2019, Resolution 2-2022.

Per Resolution 2806-2022 rescinds all previous Resolutions identified above, inferred or practiced approved February 14, 2022 September 12, 2022.

## PART I – MANAGEMENT AUTHORITY

- a) The Town of Grand Lake (the "Town") is dedicated to the principle of a progressive and sound system of personnel administration. The Guidelines objectives embodied in this manual are; to encourage superior performance and long-term commitment to the Town from the staff; and, to clearly articulate the duties, responsibilities, authority and privileges of being an employee of Grand Lake.

## PART II – DEFINITIONS

- a) Full-time – an employee normally scheduled to work thirty-two hours or more in a ~~forty-hour~~ workweek.
- b) Part-time 1 – an employee normally scheduled to work a workweek of more than twenty-four and less than thirty-two~~forty~~ hours in a work week.
- ~~b)c)~~ Part-time 2 – an employee normally scheduled to work less than 24 hours in a work week.
- ~~e)d)~~ Temporary employee – any person employed by the Town on a temporary or seasonal basis, whether full-time or part-time.
- ~~e)e)~~ Exempt Employee – an employee who is not eligible for overtime pay.
- ~~e)f)~~ Non-exempt Employee -- Non-exempt employees are eligible for paid overtime at one and one-half times their rate of pay for all hours worked in excess of 40 hours per workweek.
- ~~e)g)~~ Deferred Compensation:
  - 1. Retirement Trust – 457 Plan -- a program offered by the Town allowing the employee to voluntarily set aside a portion of current year income through payroll deduction for a retirement trust – 457 plans. At the time of adoption of these Guidelines, the IRS had determined that the salary so deducted is not subject to current year federal and state income taxation.
  - 2. Flex Spending Benefit Plan – a program offered by the Town allowing the employee to voluntarily set aside a portion of current year income through payroll deduction for a flex spending benefit plan (a pre-tax medical savings program). At the time of adoption of these Guidelines, the IRS had determined that the salary so deducted is not subject to current year federal and state income taxation.

## PART III – WORKDAY AND WORKWEEK

- a) Workday Defined.  
The normal workday is eight hours plus a 30 to 60 minute unpaid lunch break. Two paid breaks per day of 15 minutes each are allowed, one before lunch and one after lunch.
- b) Workweek Defined.  
For the purpose of calculating overtime, the workweek period begins at 12 Midnight Saturday and ends at 11:59 p.m. Friday.

#### PART IV – OVERTIME

- a) For purposes of computing Overtime, the first forty (40) hours must be actually worked or be an authorized holiday. PTO days taken during the workweek by the employee will not be considered a workday for purposes of computing overtime. All PTO must be authorized in advance by the Departmental Supervisor, Town Manager or the designated supervisor in the Departmental Supervisor's and/or Manager's absence. The Town Manager and Supervisors shall have the authority of reducing hours usually scheduled to be worked in any day during a work week in order to avoid causing any employee to work over 40 hours in a work week.
- b) Temporary Employees to be Paid for Overtime.  
Hours worked in excess of forty (40) hours per workweek by temporary employees shall be paid as overtime at the rate of one and one-half times the temporary employee's hourly wage.
- c) Employees to be Paid for Overtime.  
The overtime policy of this section is adopted to comply with the Federal Fair Labor Standards Act. (1) forty hours per work week, (2) twelve hours per workday, or (3) twelve consecutive hours without regard to the starting and ending time of the workday (excluding duty free meal periods), whichever calculation results in the greater payment of wages. Overtime is compensated at one and one-half times the regular rate of pay for the employee.
- d) Holiday Rate.  
Employees required to work on authorized holidays shall be paid overtime at the rate of two hours for every hour worked.

#### PART V – PAY

- a) Pay/Salary Grades  
Employee pay is determined per Town salary grades based on job classifications. Job classifications are used to objectively and accurately define and evaluate the duties, responsibilities, tasks and authority level of a job.
- b) Payday.  
Payday is determined by the Board and shall not be less than two paydays a month. Should a normal payday fall on a weekend or authorized holiday, payday shall be on the previous normal working day. All employees are required to keep a daily record of their time & activities. The form and content of such time shall be as determined by the Town Manager. Time shall be recorded daily and submitted to the employee's supervisor at the end of the workweek.
- c) On Call  
Employees that are required to be On-Call must be available to answer in the case of emergency in person within 60 minutes of the received call. On-Call employees must

be in a ready to work state at all times. The use of alcohol or drugs that are not prescribed by a physician are prohibited while an employee is On-Call.

d) Call Back

Call-back overtime work is irregular or occasional overtime work performed by an employee on a day when no work is scheduled or at a time which requires the employee to return to the place of employment from an off-duty status. Call-back overtime work is deemed not less than 2 hours in duration for pay or compensatory time. (Call-back time is not intended for regular monitoring of systems. Regular monitoring shall be scheduled to comply with a 40-hour work week.)

e) Pay for Exempt Employees

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a weekly basis.

f) Deductions

The Town is committed to complying with requirements which allows properly authorized deductions. If the employee believes an improper deduction has been made to gross pay, immediately report this information to the Town Treasurer or Town Manager. Reports of improper deductions will be promptly investigated. Prompt reimbursement will be made if determined that an improper deduction has occurred.

## PART VI – TIME REPORTING

a) Non-Exempt Employees

Non-Exempt employees are required to record time daily. At the conclusion of each pay period (Monday for the previous week). Employees must submit their time to their immediate supervisor for final approval. It is necessary for employees to indicate whether the recorded hours are for time worked or for time off.

Non-Exempt employees must take a full 30-minute lunch period. Notify your supervisor immediately, if your lunch is shorter than 30 minutes or if your lunch is interrupted by work.

b) Exempt Employees

Exempt employees are required to report to their department manager time off from their regular work schedule each pay period.

These records are the only ones used by the organization to calculate employee pay and paid time off balances. It is very important that they are accurate and complete. Non-exempt employees are expected to submit accurate and complete time records reflecting all hours worked. In the event an employee keeps a personal time record in addition to the Town Manager's timecard form, they must provide them to the Town if they find a discrepancy between the Town's records and their personal time record. Employees should contact their supervisor with any questions about how their pay is

calculated. Employees must promptly notify their supervisor of any mistakes in their time record or pay.

#### **PART VII – Paid Time Off (PTO)**

a) PTO

Full-time non-exempt employees and exempt employees accrue PTO at the rate of 10 hours per pay period. Full-time employees may bank up to 328 hours of PTO. PTO may be used at the request of the employee and at the convenience of the Town.

Part-Time 1 employees accrue PTO at the rate of 3 hours per pay period. Part-Time 1 employees may bank up to 100 hours of PTO. PTO may be used at the request of the employee and at the convenience of the Town.

Part-Time 2 or Seasonal employees do not accrue PTO.

b) Sick Leave for accruals prior to 02/14/2014.

Employees who earned and elected to keep sick leave accruals may use sick leave as follows. Sick leave shall be used only:

1. When the employee is ill or physically incapacitated;
2. For care of an illness of the employee's spouse, children, siblings, parents, grandparents, grandchildren, or spouse's parents;
3. When an employee has been exposed to a highly contagious disease which may jeopardize the health of others;
4. For a scheduled doctor or dentist appointment.
5. When sick leave of more than three (3) consecutive days is requested, the Town Manager may request that the employee obtain a doctor's note or other evidence of illness from the employee.
6. Please see Section (g), Extended Leave of Absence – Medical, below for guidelines on extended absences (10 days or longer).

c) Authorized Holidays.

Authorized holidays with pay for all full-time employees are:

New Year's Day  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Christmas Day

d) Jury Duty.

For two days or less without Town Manager approval, employees do not lose pay or leave accrual while serving on jury duty or while appearing as a witness in a court proceeding on behalf of the Town or while, pursuant to a subpoena. Employees are entitled to retain the fees paid them in addition to their pay for jury and court service.

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e) Reserve Military Duty.

Any employee who is a member the National Guard, State Militia, or reserves is eligible for fifteen days of leave each calendar year. The employee shall produce documentation from the United States authenticating the duty. While in military training, such employees shall continue to accrue normal leave and benefits and shall receive their normal salary up to fifteen days. The employee shall retain seniority, status, efficiency rating, vacation, sick leave, and other benefits. Should military leave extend beyond fifteen days, the provisions of laws governing the rehire of veterans shall continue to apply.

f) Funeral Leave.

Funeral leave with pay of up to three (3) days will be granted for funerals of the employee's spouse, siblings, children, parents, grandparents, grandchildren, or spouse's parents or children.

g) Injury Leave.

See workers compensation section in VIII (b) below.

#### **PART VIII – MEDICAL LEAVE AND WORKER'S COMPENSATION**

a) Extended Leave of Absence – Medical.

A medical leave of absence of not more than three months may currently be granted to full-time employees. This unpaid leave is for absences arising from illness, injury or pregnancy.

For a medical leave to be granted, the following conditions must be met;

1. The employee has completed ninety (90) day of full-time employment with the Town.
2. The Town Manager is notified by the employee as soon as possible of the need for medical leave
3. The employee submits to the supervisor a written statement from the attending physician outlining the reason for leave and the estimated time needed.
4. Approvals are obtained from the Town Manager prior to leave.
5. All available Comp Time, sick leave and earned vacation are used at the beginning of the leave of absence.

b) Extension.

When the estimated period of leave is less than three months, and an employee needs to extend the leave another medical provider's statement is required indicating the new estimated length of leave.

c) Return to Work.

An employee ready to return to work from leave must present a doctor's statement indicating ability to return to work.

The Town may reinstate an employee ready to return from a medical leave of absence when, in the opinion of Town, it is practical to do so. The Town does not guarantee reinstatement of an employee to the former job. When the employee is available to

return to work, the employee is free to apply for any vacancy available and may be considered along with other applicants.

d) Benefits

The Town continues (medical/life) insurance benefits for an employee on leave for a maximum of three months as long as the employee continues to pay the employee's portion of the premium.

Vacation, sick and floating holidays will not accrue during a medical leave of absence. Holiday, funeral pay, or jury duty pay will not be granted during the leave.

e) Fail to Return to Work.

Employees who fail to return at the expiration of their authorized leave may be terminated. If the employee's failure to return is due to a disability under the Americans with Disabilities Act (ADA) or other law, additional accommodations may be provided. Employees must supply sufficient information from their medical provider indicating that they have a covered disability and when they can return to work with or without reasonable accommodation. Accommodation must not cause undue hardship to the employer. Potential accommodations will be determined in an interactive process between the employee and the Town.

f) Worker's Compensation.

The Town is committed to a safe work environment for employees. Employees should report any unsafe practices or conditions to their supervisor.

If employees are injured on the job, no matter how minor, they must immediately report this fact in writing to the Town Clerk.

If medical treatment for an on-the-job injury is needed, it must be obtained from one of the Town's designated physicians. If not, the employee may be responsible for the cost of medical insurance.

## PART IX – BENEFITS

General Benefits are described. Benefit amounts will be updated from time to time per Resolution as appropriated by the Board of Trustees. Full-time employees are considered eligible. Part-time 1 & 2 employees may elect to be covered at their own expense.

a) Employee Insurance.

Eligible employees are covered under the Town's health insurance. Employees may elect to have their spouse and children covered by the Town's health insurance.

b) Dental and Vision Insurance.

Eligible employees are covered under the Town's dental/vision insurance. Employees may elect to have their spouse and children covered.

c) Life Insurance/Accidental Death & Dismemberment.

Eligible employees are covered by Life Insurance and Accidental Death and Dismemberment. Employees may elect to have their spouse and children covered.

d) Health Reimbursement Arrangement (HRA).

Eligible employees are credited with a medical reimbursement amount determined periodically by the Board of Trustees per plan year for medical expenses not covered by insurance (e.g., copayments, deductibles, non-covered medical, dental and/or vision expenses).

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e) Deferred Compensation Program.

Retirement: Eligible employees participate in a deferred compensation program authorized by the Board for a retirement trust – 457 plan.

f) Flex Benefit. The Flex benefit allows employees to have a self-determined amount deducted pre-tax from each paycheck up to a total annual maximum as defined by the IRS. This amount is determined during the open enrollment period. The employee may then submit a claim for reimbursement of eligible expenses, including spouse/dependent expenses even if the spouse/dependent is not enrolled in any of the insurance plans. The plan runs from January through March 15 of the following year and reimbursement may be claimed for any services received within that time frame. Reimbursement must be filed by March 31.

g) Longevity Pay.

Eligible employees are entitled, on their anniversary date, to longevity pay. Employees who left the Town in good standing and who are subsequently rehired shall have the time of their previous employ counted toward longevity pay. Longevity pay will be on the payday following the employee's anniversary date of hire disbursed as gross pay, net of all applicable tax deductions.

h) Clothing Allowance.

Clothing allowance is a taxable benefit paid to employees for the assigned duties within Public Works and the Water Department. The purpose is to replace personal apparel that is soiled, torn and worn due extreme working conditions. Clothing that is branded with the Town logo and provided to employees at no cost shall be presentable in public.

i) Grand Lake Center Fitness Membership.

Fitness membership to the Grand Lake Center at a reduced rate.

j) Housing Allowance.

In the event the Board of Trustees authorize a housing allowance, the purpose is to hire and retain talented personnel designed to make the Town more competitive with other employers.

k) Alternative Benefit.

The Town is honored to employ experienced professionals that may be exempt or not eligible regarding traditional benefit packages. The Town will consider a benefit in lieu of traditional benefit packages.

l) Cell Phone Stipend

Employees whom are not assigned a town cell phone and use their personal cell phones to conduct Town business may be eligible for a cell phone stipend.

m) Memberships.

As appropriated by the Board of Trustees, the Town pays all job-related professional memberships, cost of CDL physicals and Water Department certification testing and renewals.

The Town Manager is responsible for the administration of forms and/or benefit packages and should be contacted by any employee wishing additional information.

## **PART X – PERFORMANCE AND MERIT**

a) Performance Evaluations to be Performed.

Performance reviews are intended to let each employee know how she or he stands per the employee's job description and to assist in the improvement of performance and/or preparation for advancement. The Town endeavors to conduct employee reviews. Please contact and advise your supervisor or the Town Manager if more than a year has passed since receiving formal feedback. At the request of the employee or the supervisor, the employee shall be reviewed more frequently. Each review shall be reviewed and signed by both the employee and the supervisor and then filed in the employee's personnel file. The performance evaluation may be used by the Town Manager to determine merit-based salary increases during their annual budget review.

## **PART XI – EMPLOYEE RESPONSIBILITIES**

a) Conduct.

Employees are expected to conduct themselves with their peers, superiors, subordinates, and the public at all times in a friendly, professional and courteous manner.

b) Use of Town Property.

Property and equipment owned by the Town are for use in performance of the Town's business. All employees are responsible for the efficient and safe use of such items. Abuse or intentional neglect shall be cause for disciplinary action.

c) Driver's License.

Town employees using Town vehicles and equipment are required to have a valid Colorado driver's license and/or operator's license. Proof of same is required and the expiration date of all drivers' licenses shall be kept on file with Town Hall.

d) Use of Drugs and Alcohol Prohibited.

Alert and rational behavior is required for the safe and adequate performance of job duties. Therefore, working after the apparent use of alcohol, a controlled substance or abuse of any other substance is prohibited. This included working after the apparent use of marijuana, whether or not the employee is a registered user. Furthermore, the possession, purchase or consumption (use), or sale of a controlled substance or alcohol on Town premises or while conducting Town business is prohibited.

e) Unconcealed and Concealed Weapons.

The Town prohibits the possession or use of unconcealed weapons and the use of concealed weapons on Town property, regardless of whether the person is licensed to carry the weapon. This guideline applies to all employees and contract employees, visitors, customers on Town property, regardless of whether or not they are licensed to carry a concealed weapon.

Concealed weapons for which the individual has a permit must be unloaded or properly disarmed so as to render them un-dischargeable or unusable while on Town property. Further the individual with the concealed weapon who has a permit must report to the Town Manager the permit. The employee must be provided the Town Manager the weapon for inspection. Additional precautions may be taken depending upon the circumstances.

f) Gifts.

No employee of the Town shall solicit or accept directly or indirectly any gift, gratuity, favor, entertainment, loan or any other thing of monetary value from any person who: has or is seeking to obtain contractual or other business or financial relations with the Town; or conducts operations or activities that are regulated by the Town; or has interest that may be substantially affected by the performance or nonperformance of the employee's actual official duty.

g) Hiring of Employee's Family Prohibited.

The Town will not consider an employee's spouse, children, parents, siblings, or spouse's parents for full-time employment.

h) Emergency Callout.

Certain positions, as designated by the Town Manager, shall be subject to emergency callout during periods of adverse weather or major interruptions of municipal service. Employees so designated during that time shall hold themselves to be available on short notice (within one hour) to respond to such callouts.

i) Outside Employment.

Outside employment for full-time employees is officially discouraged although not prohibited. Prior to engaging in outside employment the employee is strongly urged to discuss the matter with his or her supervisor. Inability to respond to emergency callouts can and will be considered in performance reviews.

j) Training.

The Town of Grand Lake strongly encourages employee training. Employees are encouraged to identify to their supervisors any seminars, courses, and meetings which in the employee's estimation will further their job education and professional abilities.

The Town will pay the training and testing costs for all certifications, recertification's and licenses that are required for the employee to continue in his official capacity with the Town.

k) Limit of Employee Involvement in Party Politics.

The protection of Town employees from political pressures in the discharge of their official duties necessarily requires limitations on the employee's participation in Town political activities, campaigns, and issues. No employee shall use or permit others to use the authority vested in his or her position to actively support or oppose a candidate for the Town Board of Trustees nor shall an employee actively campaign for or against any candidate for Trustee either on or off the job. Each employee enjoys the right to express his or her opinion as a citizen regarding local issues and to vote, attend political meetings, and join political clubs and organizations.

l) Voice Mail.

The Town voice mail system is intended for transmitting business-related information. Although the Town does not monitor voice messages as a routine matter, the Town reserves the right to access and disclose all messages sent over the voice mail system for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep use to a minimum.

m) Telephones/Cell Phones/Mobile Devices.

Employee work hours are valuable and should be used for business. Excessive personal phone calls can significantly disrupt business operations. Employees should use their break or lunch period for personal phone calls.

Confidential information should not be discussed on a cell phone or mobile device. Phones and mobile devices with cameras should not be used in a way that violates other Town guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information.

For safety reason, employees should avoid the use of cell phones and mobile devices while driving. Employees must park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone device to text while operating a motor vehicle. Texting is permitted only when the vehicle is lawfully parked.

Long distance calls that incur a fee or international phone calls on Town phones for personal purpose is prohibited.

n) Anti-Violence.

Employees must not engage in intimidation, threats or hostile behaviors, physical abuse, vandalism, arson sabotage, use of weapons, carrying weapons on to Town property, or any other act, which in management's opinion is inappropriate to the workplace. In addition, employees must refrain from making bizarre or offensive comments regarding violent events and/or behavior. Employees are expected to report any prohibited conduct to management.

Employees should directly contact proper law enforcement authorities if they believe there is a serious threat to the safety and health of themselves or others.

o) Information Dissemination and Confidentiality.

All employees are expected to protect the public's trust and provide proper dissemination of information within their job description.

Employees may have access to confidential information of the Town, employees and customers. Confidential information includes, but not limited to, information concerning; employee background check data, social security numbers, birth dates, home addresses, utility customers, tax collection, specifically identified as confidential, executive session records, and similar subjects.

Disclosure of confidential information might seriously damage public trust; therefore such action will not be tolerated. Any copying, reproducing or distributing of confidential information in any manner must be authorized by management. Confidential information remains the property of the employer and must be returned to the Town upon separation or at any time upon demand.

## **PART XII – RECRUITMENT, APPOINTMENT, AND PROMOTION**

- a) Vacant and budgeted positions shall be advertised with exception to internal promotions. All applicants for Town positions shall be evaluated in accordance with the Equal Opportunity statement contained in this handbook.
- b) Consideration for open positions shall be given to all qualified employees: first to full-time employees, then to part-time employees, and then to temporary employees. The Town may advertise the position concurrently in order to fill a vacancy expeditiously.

## **PART XIII – TRAVEL GUIDELINES**

- a) Employees traveling on authorized Town business with prior budget approval from their supervisor shall be reimbursed for mileage, meals and lodging as is set out below:
  - 1. Reimbursement for Mileage.  
If possible, travel to out-of-town events should be taken in a town-owned vehicle. If travel is performed by privately owned vehicles, the town will pay for actual mileage traveled from office or home at the rate per mile established by the IRS. Breakdowns or mechanical problems of employees' personal vehicles while being used for Town travel are the responsibility of the employee and NOT the Town.
  - 2. Reimbursement for Meals.  
Meals eaten while on Town business shall be reimbursed at actual cost, as evidenced by receipt but shall not exceed the per diem rates for travel within the Continental United States established by the IRS.

3. Reimbursement for Lodging.

Employees shall be reimbursed for overnight lodging while on Town business at actual costs but shall not exceed the per diem rates for travel within the Continental United States established by the IRS.

b) Reimbursement Process.

Employees requesting reimbursement for travel expenses shall make such request in the form and manner required by the Town Manager.

#### **PART XIV – JOB RELATED DISAGREEMENT OR DISSATISFACTION**

a) Administrative Processing of Job Related Disagreement or Dissatisfaction.

Employees who disagree or are dissatisfied with the Town practice should promptly discuss the matter with their immediate supervisor, where appropriate. If the supervisor and the employee cannot solve to the mutual satisfaction of both parties, the employee may submit, in writing, to the Town Manager but must do so within ten (10) days after taking to the supervisor. The Town Manager shall reply, in writing, within ten (10) days after receipt. If the employee still feels the issue was not resolved, an appeal may be submitted within ten (10) days of the Town Manager's reply to the Board of Trustees, sitting as the Board of Personnel Appeals.

b) Board of Personnel Appeals.

The Board of Personnel Appeals shall conduct a hearing within twenty (20) days after receipt of a written appeal from the employee and shall render its decision in writing within twenty (20) days after the hearing. Employees may be represented by counsel or agent of their own choosing and at the employee's expense. The Town Manager shall be provided with legal assistance at the Town's expense to represent him at the hearing. The Board of Personnel Appeals shall have the authority to compel, by subpoena, any person to appear and testify or produce books and papers relating to such hearing and shall have the authority to swear in witnesses. The decision of the Board of Personnel Appeals shall be final and binding.

c) Failure to Follow Process.

Failure by the employee to follow the steps and the timelines established in this section shall be deemed conclusive evidence that the disagreement or dissatisfaction has been resolved.

#### **PART XV – DISCIPLINARY ACTION**

a) Generally.

Disciplinary actions are exercised in relation to the seriousness of the employee's misconduct. All offenses are not equal in terms of seriousness and no procedures can thoroughly or provide for an absolute basis from which to judge the magnitude of the



offense or the appropriate response from the Town. Similar offenses shall call for similar actions.

b) Types of Disciplinary Action.

The types of disciplinary actions are: documented oral reprimand, written warning, suspension without pay, and termination of employment.

## **PART XVI – SEPARATION OF EMPLOYMENT**

- a) Employees who wish to resign their positions notify their supervisor or Town Manager in writing of their anticipated departure date. Supervisors or the Town Manager can provide proper forms for written documentation and will go over the “check out” procedure before or at separation.

Employees may be considered for re-employment provided they qualify for the position of interest and while they were employed with the Town maintained satisfactory performance and attendance.

- b) Upon separation of employment with the Town, employees are entitled to:
1. Pay for all hours worked in the current pay period;
  2. Pay for all accrued PTO time at the employee's then current rate of pay; and,
  3. For employees hired before February 14, 2022 who have accrued sick leave. Employees may receive pay for accrued sick leave. If sick leave is paid, separating employees may convert all sick leave at termination date at the rate of two hours sick time = one hour of vacation time.
- c) Prior to issuance of a final paycheck, the employee is required to return or to satisfactorily account for all Town property and equipment, including uniforms, given or issued to the employee in course of his employ. Should the employee fail or refuse to do so, the value of such items shall be deducted from the final check.

## **PART XVII – EQUAL EMPLOYMENT OPPORTUNITY/UNLAWFUL HARASSMENT**

- a) This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. These Guidelines apply to all employees including elected/appointed officials, the town manager, department heads, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.
- b) Sexual Harassment.  
Because sexual harassment raises issues that are to some extent unique in comparison to other harassment, the Town believes that it warrants separate emphasis. The Town strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of employment;
2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment, including but not limited to promotion or demotion; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
4. All employees are always expected to conduct themselves in a professional and businesslike manner. Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by these Guidelines. Such conduct includes, but is not limited to, sexually implicit or explicit communications whether in:
  - i. Written form, such as cartoons, posters, calendars, notes, letters, E-mail;
  - ii. Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted request for dates;
  - iii. Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

c) EEO/Harassment Complaint Procedure.

If you believe that there has been a violation of the EEO Guidelines or harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure. The Town expects employees to make a timely complaint to enable the Town to promptly investigate and correct any behavior which may be in violation of these Guidelines.

Report the incident to the Town Manager who will investigate the matter and take appropriate corrective action. If you do not feel comfortable reporting the incident to the Town Manager, report the incident to the Town Clerk. Your complaint will be kept as confidential as practicable. If you feel that you cannot go to either of these individuals with your complaint, you should report the incident to the Mayor.

If the Town determines that an employee's behavior is in violation of this Guidelines, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.

The Town prohibits retaliation against an employee for filing a complaint under these Guidelines or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The situation will be promptly investigated.

## Signature Page

I \_\_\_\_\_ (employee name) have received a copy of the Town of Grand Lake Personnel Guidelines dated \_\_\_\_\_. I understand that I am to become familiar with its contents. Further I understand as initialed by each statement below:

- \_\_\_\_\_ Employment with the Town of Grand Lake is at-will. I have the right to end my work relationship with the Town, with or without notice for any reason. The Town has the same right.
- \_\_\_\_\_ The language used in this handbook and any verbal statements or management are not intended to constitute a contract of employment, either expressed or implied, nor are they a guarantee of employment for specific duration.
- \_\_\_\_\_ The Personnel Guidelines are not all inclusive but intended to provide me with a summary of some of the Town's guidelines.
- \_\_\_\_\_ This edition replaces all previously issued Personnel Guidelines and benefits as adopted by previous Resolutions. The need may arise to change the guidelines described in this document, except for at-will nature of employment. The Town therefore reserves the right to interpret them or to change without prior notice.
- \_\_\_\_\_ No representative of the Town of Grand Lake, other than the elected officials has the authority to enter into an agreement of employment.
- \_\_\_\_\_ Benefit amounts may be adopted per Resolution or summarized in a separate document. The Town of Grand Lake is a Statutory Town, an incorporated municipality, within and under the laws of the State of Colorado. All voluntary Benefit amounts listed are financial obligations that require annual appropriations.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Date of Hire

\_\_\_\_\_  
Signature

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