



To: Mayor and Council
From: Jay Brunvand
Date: April 16, 2025
Agenda Item: Resolution 20 – Series 2025 Adopting the Minturn Employee Manual

REQUEST:

Staff is requesting the Council to approve Resolution 20 – Series 2025 Adopting the Minturn Employee Manual.

INTRODUCTION:

Town Staff have been working for some time to address necessary changes to our existing Employee Handbook. The current handbook was created in 1998 and in the ensuing years has seen no material change. As a result, and with the consultation and recommendations of Employers Council of Colorado, the book was essentially completely reorganized and rewritten. I have attached a brief memo and the proposed manual for your review and discussion during the April 16 council meeting.

ANALYSIS:

The proposed manual is a new and rewritten adaptation of our Employee Manual. Although I will explain the changes and the effects of those changes, all of them have been approved by Employers Council legal and brings us into current compliance with employment law and best practices.

This rewrite is much more than an update. The proposed manual streamlines the manual to cover practices and benefits and removes procedural items such as how we advertise jobs, review salary ranges, employment orientation, performance reviews, and other policy items that are better kept in a separate Policy Manual, not an Employee Manual.

During the Council Meeting of April 16, the Council reviewed and commented on the document. During the interceding period this document has been presented with the document, all changes were reviewed and staff is prepared to adopt this as our official Employee Manual. Upon adoption of this document the current manual will be replaced with this revised edition and all staff members will complete the acceptance page and the manual.

COMMUNITY INPUT:

N/A

BUDGET / STAFF IMPACT:

N/A

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 to practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Resolution 20 – Series 2025 adopting the Minturn Employee Manual as presented.

ATTACHMENTS:

- Rewritten Employee Manual

**TOWN OF MINTURN
RESOLUTION NO. 20 – SERIES OF 2025**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
MINTURN, COLORADO, APPROVING THE REVISED MINTURN
EMPLOYEE MANUAL FOR THE CURRENT AND FUTURE EMPLOYEES
OF THE TOWN OF MINUTRN, COLORADO**

WHEREAS, the Town of Minturn, in the County of Eagle and State of Colorado (the “Town”), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado (the “State”) and the Town Charter (the “Charter”); and

WHEREAS, the Town of Minturn Town Charter Section 5.5 sets forth the requirement of the Town of Minturn to have and maintain an employee manual on behalf of the employees of the Town of Minturn; and

**NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF MINTURN AS FOLLOWS:**

1. The Minturn Employee Manual is attached hereto as Exhibit A, is hereby approved.

**INTRODUCED, READ, APPROVED, RESOLVED, AND ADOPTED this 21ST day of
MAY, 2025.**

EARLE BIDEZ, MAYOR

ATTESTS:

JAY BRUNVAND, CLERK



TOWN OF MINTURN

P.O. Box 309 (301 Boulder Street)
Minturn, Colorado 81645-0309
970-827-5645

TOWN OF MINTURN

EMPLOYEE HANDBOOK

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TOWN OF MINTURN PERSONNEL POLICIES

FULL STAFF DISTRIBUTION

Manager	1
Town Clerk/Treasurer	1
Deputy Clerk/Events	1
Town Planner	1
Code Enforcement	1
Public Works and Water Plant	4
Total	9

IMPORTANT NOTICE (DUE PROCESS)

This handbook is designed to acquaint employees with the town of Minturn and some information about working here. The handbook is not all inclusive but is intended to provide employees with a summary of some of the Town of Minturn's guidelines. This edition replaces any previously issued editions.

Neither the employee nor the Town of Minturn is committed to an employment relationship for a fixed period of time. Employment with the Town of Minturn is at-will. Either the employee or management has the right to terminate the employment relationship at any time, for any reason. The language used in this handbook and any verbal statements by management are not intended to constitute a contract of employment, either express or implied, nor is there a guarantee of employment for any specific duration.

No representative of the town of Minturn, other than the elected official or town manager, has authority to enter into an agreement of employment for any specified period and such an agreement must be in writing, signed by the elected official or town manager and the employee.

The contents of this handbook are summary guidelines for employees and therefore are not all inclusive. Except for the at-will nature of employment, the Town of Minturn reserves the right to suspend, terminate, interpret, or change any or all of the guidelines mentioned, along with any other procedures, practices, benefits, or other programs of the Town of Minturn. These changes may occur at any time, with or without notice. No employee handbook can anticipate every circumstance or question. After reading the handbook, employees that have questions should talk with their immediate supervisor or the Town of Minturn.

Equal Employment Opportunity and Unlawful Harassment

The Town of Minturn is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race (including traits historically associated with race, such as hair texture and length and protective hairstyles), sex, sexual orientation, gender identity, gender expression, color, religion, creed, national origin, ancestry, disability, military status, genetic information, marital status, or any other status protected by applicable state or local law.

ADA and Religious Accommodation

The Town of Minturn will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the Town of Minturn or cause a direct threat to health or safety. The Town of Minturn will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses an undue hardship on the Town of Minturn.

Pregnancy Accommodation

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. If an employee requests an accommodation, the Town of Minturn will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of their position. A reasonable accommodation will be provided unless it imposes an undue hardship on the Town of Minturn's business operations.

The Town of Minturn may require that an employee provides a note from their health care provider detailing the medical advisability of reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact their department head or the Town Manager.

The Town of Minturn will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

EEO Harassment

The Town of Minturn strives to maintain a work environment free of unlawful harassment. Unlawful harassment includes any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual (or group) because of that individual's (or group's) membership in, or perceived membership in, a protected class, that is subjectively offensive to the individual alleging harassment, and is objectively offensive to a reasonable individual who is a member of the same protected class. Harassment does not need to be in-person and can occur over electronic media, such as Zoom or other electronic platforms. Prohibited behavior may include but is not limited to the following:

- Written form, such as cartoons, emails, posters, drawings, or photographs.
- Verbal conduct, such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct, such as assault or blocking an individual's movements.

This policy applies to all employees, including managers, supervisors, coworkers, and non-employees, such as customers, clients, vendors, consultants, etc.

Sexual Harassment

Because sexual harassment raises issues that are, to some extent, unique in comparison to other types of harassment, the Town of Minturn believes it warrants separate emphasis.

The Town of Minturn 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:

- Submission to such conduct or communication is made explicitly or implicitly a term or condition of employment.
- Submission to, objection to, or rejection of, such conduct or communication is used as a basis for employment decisions affecting an individual.
- Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and business-like manner at all times. Conduct that may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, and emails.

- 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 requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on a protected class, including sexual harassment, please use the following complaint procedure. The Town of Minturn has established a program designed to prevent harassment, deter future harassers, and protect employees from harassment. The Town of Minturn takes prompt action to investigate and/or address alleged discriminatory or unfair employment practices. The Town of Minturn also takes prompt remedial actions, when warranted, in response to complaints of discriminatory or unfair employment practices. The Town of Minturn, therefore, expects employees to make a timely complaint to enable the Town of Minturn to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the Town Manager who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable.

The Town of Minturn prohibits retaliation against an employee for filing a complaint under this policy or assisting in a complaint investigation. If you perceive retaliation for making a complaint or participating in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If the Town of Minturn determines that an employee's behavior violates this policy, disciplinary action will be taken, up to and including termination of employment.

Employee Classifications

Employees of the Town of Minturn are classified as either exempt or nonexempt under federal and state wage and hour laws, and are further classified for administrative purposes, such as the administration of fringe benefits like paid vacation or holidays. These classifications do not determine eligibility for participation in the Town of Minturn's group health plan. Eligibility for participation in the Town of Minturn's group health plan is governed by the terms of the plan documents as well as applicable law. To obtain a copy of the Summary Plan Description or to discuss whether you are eligible to participate in the Town of Minturn's group health plan, please contact the Town Clerk. The following classifications are used throughout this Handbook.

Exempt Employees:

Employees whose positions meet specific tests established by the Federal Fair Labor Standards Act (FLSA), and state law. Exempt employees are exempt from minimum wage and are not eligible for overtime pay.

Exempt Employee – Partial-Day Absence:

As a public entity, the Town of Minturn has a duty to taxpayers for public accountability in its actions. If an exempt employee who accrues sick and vacation pay is absent for less than one workday when accrued leave is not used by an employee because accrued leave has been exhausted or the employee chooses to use leave without pay, the pay will be docked from the employee's salary.

Non-exempt Employees:

Employees whose positions do not meet FLSA and state exemption tests and who are not exempt from minimum wage and/or overtime pay requirements. Nonexempt employees shall be paid time and one-half of their regular rate of pay for any work in excess of 40 hours per workweek (excluding duty-free meal periods).

Overtime/Compensatory Time:

All nonexempt employees must record all time worked and all compensatory time taken on departmental timesheets. All overtime must be approved in advance by the supervisor. Overtime at the rate of time and one-half the employee's base rate will be paid to nonexempt employees when work is performed in excess of 40 hours in one week. For purposes of calculating overtime, the workweek begins at 12:00 a.m. midnight Sunday and ends at 11:59 p.m. Saturday. The 40-hours threshold is based on actual hours worked in the week.

Therefore, sick time, vacation, holiday, or other paid or unpaid leave time is not included in calculating the 40-hours threshold.

Full-time:

Employees regularly scheduled to work 32 hours or more in a workweek.

Part-time:

Employees scheduled to work less than 32 hours in a workweek. Those employees working fewer than 32 hours per week are not eligible for some Town benefits. These employees may be assigned a work schedule in advance or may work on an as-needed basis.

Temporary:

Employees who are hired for a pre-established period not to exceed six (6) months, usually during peak workloads, for a specific project or for vacation relief. They may work a full or part-time schedule. They are ineligible for Town benefits.

Volunteers:

The Town of Minturn recognizes volunteers as a vital and necessary part of Town operations. Even though volunteers are not paid staff members, because they act in a quasi-official capacity representing the Town government, all volunteers are expected to adhere to and follow all principles and rules as established and set forth in the employee manual. Furthermore, all volunteers are required to adhere to the same moral, ethical, and character standards required of regular Town employees. Volunteers are required to adhere to the same code of conduct required of Town employees and to follow and adhere to the established chain of command as any other Town employee. Deviation from established Town rules and codes of conduct will subject the volunteer to appropriate disciplinary procedures as outlined in the employee manual.

Benefits Overview

As part of its compensation strategy, the Town of Minturn offers a number of different insurance plans for eligible employees. Employment benefits vary according to the position and status of the employee. To receive certain benefits, eligible employees may be required to meet participation requirements and pay required premiums and other contributions. The Town of Minturn complies with all applicable federal and state laws regarding the provision of benefits to same-sex spouses, domestic partners, and couples in a civil union.

Benefit plans offered by the Town of Minturn are defined in legal documents, such as insurance contracts and Summary Plan Descriptions. In the event information in this Handbook or other employee communication conflicts with the actual terms and conditions of coverage, the plan documents will control. Benefits described in this Handbook, including the types of benefits offered and/or the requirements for eligibility of coverage, may be modified or discontinued from time to time at the Town of Minturn's discretion as permitted by law. The Town of Minturn and its designated benefit plan administrators reserve the right to determine eligibility, interpretation, and administration of issues related to benefits offered by the Town of Minturn.

Employees will have an opportunity to make changes to their benefit selections during the Town of Minturn's annual open enrollment period. Employees who experience a qualifying life event such as marriage, divorce or the birth of a child will also be allowed to make a change.

Medical Benefits Coverage:

All employees and family members are eligible for the Town's group insurance plan and will be given enrollment forms for completion upon their date of hire.

Dental Insurance Plan - provides you and your eligible dependents with dental coverage at group rates.

Vision Insurance Plan – provides you and your eligible dependents with vision coverage at group rates.

Life Insurance Plan - provides certain insurance coverage at group rates.

Long-term Disability Benefits:

It is the policy of the Town to provide group insurance for the purpose of partial income replacement in the case of disability for employees.

Retirement Plan – 401(k) Feature:

The Town maintains an excellent program for your retirement. To participate an employee must have worked a minimum of six (6) months with at least 1,000 hours of service. You must also be at least 21 years of age. Once these requirements are met and enrollment forms are completed, you will be fully vested and enrolled in the 401(k) Plan.

The Town offers an optional 457(k) for employees. Contributions to this program are not matched by the Town but your contribution is tax exempt.

Holidays:

The Town of Minturn acknowledges for each employee ten (10) holidays per calendar year. These days are New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the after Thanksgiving Day, and Christmas Day.

When a holiday falls on a Saturday, it is observed on the preceding Friday. When the holiday falls on a Sunday, the following Monday is observed. Should any one of the observed holidays occur during an employee's vacation period, an additional day of vacation may be granted.

Holiday time is counted as hours worked in the computation of overtime. Full-time employees receive eight hours of holiday pay at their regular rate of pay. Holiday pay for part-time employees is prorated based on their regularly scheduled work hours.

Vacation:

Full-time employees are currently granted paid vacation after completing continuous service as described below:

Vacation Granted Per Year	Length of Service
11 Days (accrued at 3.66hrs per pay period)	0 through 5 year of continuous employment
16 Days (accrued at 5.33hrs per pay period)	Beginning year 5 through 10 full years of continuous employment
21 Days Weeks (accrued at 7hrs per pay period)	10 or more full years of continuous employment

Leave is granted and it is expected to be taken in the year earned. It is realized that this cannot always happen because of other commitments of the employee and family; therefore, the Town will allow the carryover of up to TWO years at the then current accrual rate; however, after reaching this limit, leave not taken will be capped. No vacation leave may be taken during the first six (6) months of employment unless approved to by the Department Head and the Town Manager.

Educational Benefits (Tuition Reimbursement):

The Town supports continuing education of employees. To be eligible for reimbursement, course(s) selected must be directly related/benefit to the job/Town; and the time required for attendance and study must be approved by the Town Manager so as not to interfere with the work schedule. All requests for education benefits must be submitted prior to the beginning of the course(s) to the Town Manager; the amount/duration of this benefit is determined at the reasonable discretion of the Town Manager. The employee must continue to be actively employed at the conclusion of the approved courses for an agreed upon period of time or the prorated cost of training will be reimbursed to the Town.

Domestic Abuse and Crime Victim Leave

Employees subjected to domestic abuse or a victim of a crime may be eligible for a leave of absence. Please see the Town Manager for more information.

Funeral Leave

A **maximum** of five (5) days per year will be granted an employee to attend the funeral of a member of his immediate family (spouse, father, mother, child, brother, sister, grandparent) with prior approval of the Town Manager. Part-Time employees may also be eligible. Funeral Leave will be paid at the employee's normal rate of pay.

Jury Duty

The Town of Minturn recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror. If the employee is excused from jury duty during their regular work hours, they are expected to report to work promptly.

Employees receive regular pay for the first three days of jury duty if they were scheduled to work and they provide confirmation of juror service.

Beginning the fourth day and thereafter, employees, as jurors, are paid \$50.00 per day by the State of Colorado for state, district, or county court jury duty. For jury duty in excess of three days, employees receive the difference between jury duty pay and their regular pay up to a maximum of 10 days (80 hours). Jury duty leave beyond this time is without pay from the Town of Minturn.

Paid Sick and Exigency Leave:

Sick leave is earned at an accrual rate of 4 hours per pay period and caps at 2years accrual.

Paid sick leave may be used if an employee:

- 1) has a mental or physical illness, injury, or health condition that prevents them from working;
- 2) needs to get preventive medical care or to get a medical diagnosis, care, or treatment of any mental or physical illness, injury, or health condition;
- 3) needs to care for a family member who has a mental or physical illness, injury, or health condition or who needs to get preventive medical care or to get a medical diagnosis, care, or treatment of any mental or physical illness, injury, or health condition;

- 4) the employee or the employee's family member having been a victim of domestic abuse, sexual assault, or criminal harassment and needing leave for related medical attention, mental health care, or other counseling, victim services (including legal services), or relocation;
- 5) due to a public health emergency, a public official having closed either (A) the employee's place of business, or (B) the school or place of care of the employee's child, requiring the employee needing to be absent from work to care for the child;
- 6) needs to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member's school or place of care;
- 7) needs to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member; or
- 8) needs to evacuate the employee's place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee's residence.

Paid sick leave may be used in one-hour increments. Employees begin accruing sick time upon hire.

It is your responsibility to notify your manager each day at the beginning of your shift when you cannot come to work because of an illness, injury, medical care, domestic violence, care for family whose school has been closed, evacuation of residence, or bereavement. Also, let your manager know when you expect to return to work. In the event you are absent for four or more workdays, medical or legal certification is required.

If you have an extended illness, accumulated sick time currently provides pay while you are away from work. Unused sick hours currently are carried over from year to year up to 192 hours (12 days x 8 hours x 2 years accrual) so they can be accumulated and used when needed.

Because paid sick time can be accumulated to be used if you are personally sick or injured, you will not receive extra pay or extra time off for your unused sick time. Paid sick time will not be used in the calculation of overtime. Also, you are not paid for unused sick time when you leave.

The Town of Minturn shall not retaliate against an employee for requesting or using paid sick leave.

Additional rules will apply in the case of a public health emergency.

FAMLI Participation

The Town of Minturn has voted to opt-out of participating in the FAMLI state-run family leave program. All employees of the Town of Minturn have the ability to participate in FAMLI on an individual basis. FAMLI provides benefits and protections, including partial

income protection for eligible employees who are temporarily unable to work due to their or a family member's qualifying medical or legal reason, specifically, for the care of a newborn, adopted child, or fostered child; to care for a family member with a serious health condition; for the employee's own serious health condition; for qualifying military exigency leave; or to address safety needs or the impact of domestic violence and/or sexual assault. Partially paid leave is available for up to 12 weeks in a calendar year or up to 16 weeks under certain circumstances related to pregnancy and childbirth. Please see the Town Manager to obtain additional copies of the required notices to employees of local government employers who have opted out of FAMLI that are distributed upon hiring.

Medical Leave

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:

- The employee has completed ninety (90) days of employment with our Town of Minturn.
- The Town Manager is notified by the employee as soon as possible of the need for medical leave.
- The employee submits to the supervisor a written statement from the attending physician outlining the reason for leave and the estimated time needed. (The Town of Minturn may require the employee to obtain an opinion from a medical provider selected by the Town of Minturn).
- Approvals are obtained from the Town Manager prior to the leave.
- All available sick leave and earned vacation are used at the beginning of the leave of absence.
- 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.

An employee ready to return to work from leave must present a doctor's statement indicating the ability to return to work. The Town of Minturn may reinstate an employee ready to return from a medical leave of absence when, in the opinion of the Town of Minturn, it is practical to do so. The Town of Minturn 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.

The Town of Minturn currently continues all employee 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 and sick leave will not accrue during a medical leave of absence. Holidays, funeral pay, or employer's jury duty pay will not be granted during the leave.

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. Accommodations must not cause undue hardship to the employer. Potential accommodations will be determined in an interactive process between the employee and the Town of Minturn.

Part-time employees are not eligible for medical leave except as required for a disability.

Military Family Leave Entitlement

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active-duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post deployment reintegration briefings.

Administrative Leave

The Town Manager may, in cooperation with the affected Department Head, grant unpaid administrative leave. The granting of administrative leave shall be of an agreed upon term and is contingent upon agreement of the affected employee, department head, and the Town Manager. All PTO shall be used prior to the granting of administrative leave. Medical and dental benefits shall be treated as a normal employment separation.

The granting of administrative leave is intended to address peculiar situations and will be dealt with on an individual basis only. Administrative leave is not an employee benefit and therefore, not guaranteed.

Overtime

From time to time, your supervisor may require you to work overtime. In these instances, you will be given as much advance notice as practical.

For nonexempt employees, hours worked in excess of 40 hours per workweek are paid at one and one-half (1 1/2) times the employee's regular rate. The established workweek begins at 12:00 a.m. midnight on Sunday and ends at 11:59 p.m. on Saturday.

For purposes of calculating overtime payments, only hours actually worked are counted. Consequently, hours paid but not worked, e.g., vacation, are not counted.

Exempt employees will be given compensatory time off in lieu of cash payment or overtime. These hours are required to be used within two weeks of earned unless alternative approval is granted. The Town of Minturn may pay out any compensatory time due as it sees fit.

Paydays

Employees may expect paychecks on the 15th and the last day of the month following the regular pay periods. Time sheets are to be handed in two days in advance of each payday. Should the 15th or the last day of the month fall on a weekend or holiday, checks will be distributed on the Friday or the last working day prior to the 15th and the last day of the month.

Hourly employees will be paid a minimum of two hours worked if they report for work as scheduled and their Department Head or Town Manager send them home through no fault of their own. Any time worked beyond two hours will be paid for on the basis of time actually worked.

On each payday, employees receive a statement showing gross pay, deductions, and net pay.

Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans, and individual savings plans may be arranged through the Town Treasurer.

We deposit paychecks automatically into employees' bank accounts. Upon hire, we gather this information from each employee.

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 for each pay period on a bi-

weekly basis. The Town of Minturn is committed to complying with salary basis requirements, which allow properly authorized deductions.

If you believe an improper deduction has been made to your salary, you should immediately report this information to the Town Treasurer. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed.

Time Reporting

Nonexempt employees are required to complete a timecard daily. At the conclusion of each pay period, employees must sign the timecard and submit it to their immediate supervisor for signature and approval. It is necessary for employees to indicate whether the recorded hours are for time worked or time off.

Notify your supervisor immediately if your lunch is shorter than 30 minutes or if it is interrupted by work.

Exempt employees are required to report to their department manager if they have taken time off from their regular work schedule.

These records are the only ones used by the Town of Minturn to calculate employee pay and paid time off balances. It is very important that they are accurate and complete. Nonexempt employees are expected to submit accurate and complete time records reflecting all hours worked. Employees who also choose to keep their own personal time records must provide them to the Town of Minturn if they find a discrepancy between the Town of Minturn's records and their records. Employees should contact the Town Treasurer with any questions about how their pay is calculated. Employees must promptly notify the Town Treasurer of any mistakes in their time records or pay. Employees also must notify their department director if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports will be investigated, and appropriate corrective action will be taken. The Town of Minturn will not tolerate retaliation against employees for making a report or participating in an investigation.

Hours of Operation

Town hours for the Town Hall and the associated office therein are from 8:00 a.m. until 5:00 p.m., Monday through Friday. Public Works hours vary depending on seasonal needs but need to be available during normal business hours.

Although typically not open on holidays, employees may be asked or it may be necessary to work holidays (either part or full day) as needed to remain timely in their work or to meet necessary deadlines and provision of services.

Meal Periods

Non-exempt employees who work 8 or more consecutive hours will be provided at least one unpaid 30-minute meal break. During the break, employees will be relieved of all duties and permitted to pursue personal activities. If the nature of the business activity or other circumstances exist that makes an uninterrupted meal break impracticable, the employee will be allowed to consume an on-duty meal without any loss of time or compensation.

Performance Appraisals:

The Company endeavors to conduct employee reviews. Please contact and advise your supervisor or Town Manager if more than one year has passed since receiving formal feedback.

Accommodations for Nursing

A private space will be provided, and reasonable time will be permitted for nursing employees to express milk during the workday for up to two years following the birth of a child. The time permitted typically will run concurrently with the time already provided for meal and rest breaks. If the breaks cannot run concurrently and/or additional time is needed, the Town of Minturn and the employee will agree upon a schedule that might include the employee using unpaid leave (if non-exempt), annual leave/vacation time, arriving at work earlier, or leaving later. In the event unpaid leave is used, the employee will be relieved of all work-related duties during any unpaid break.

Employees will be provided with the use of a room, office, or other private area, other than a bathroom or toilet stall, which is shielded from view and free from intrusion from coworkers and the public. The Town of Minturn will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk.

Nursing employees are responsible for using anti-microbial wipes to clean milk expression areas, and for keeping the general lactation space clean for the next user. This responsibility extends to other areas where expressing milk is permitted, equipment is cleaned, and milk is stored.

The Town of Minturn will not demote, terminate, or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

Alcohol and Drugs

The Town is committed to a safe, healthy, and productive work environment for all employees, free from the effects of illegal or non-prescribed drugs and alcoholic beverages. The use of drugs and alcohol alters employee judgment, resulting in increased safety risks, employee injuries, and faulty decision-making. Therefore, the possession, use, or sale of controlled substances or alcohol on Town of Minturn premises or during Town of Minturn time is prohibited. Furthermore, working after the use of alcohol or a controlled substance or the abuse of any other substance is prohibited.

Testing is an important element in the Town of Minturn's efforts to ensure a safe and productive work environment for safety-sensitive positions. The Town of Minturn has issued a separate statement for this testing program to employees for which it applies. Please refer to this separate statement, the Town Manager, or your supervisor if you have specific questions.

Anti-Violence

Any action that in management's opinion is inappropriate to the workplace will not be tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidating, threatening, or violent conduct, vandalism, sabotage, arson, use of weapons, and bullying. Also prohibited is the carrying of weapons onto Town of Minturn property, regardless of whether the employee possesses a concealed carry permit.

Employees should immediately report any such occurrences to their supervisor or to the Town of Minturn Department. We will investigate complaints. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate.

Employees should directly contact law enforcement, security, and/or emergency services if they believe there is an imminent threat to the safety and health of themselves or coworkers.

If you are a victim of domestic violence, please contact Town of Minturn for assistance.

Workplace bullying is repeated mistreatment through verbal abuse, offensive conduct/behaviors, and work interference. If you feel you are subjected to workplace bullying, please contact Town Manager

Conflict of Interest

The Town of Minturn requires that employees protect Town of Minturn information and avoid outside activities or relationships that do or could improperly influence their decisions or actions on the job.

Conflict of interest situations that could arise while moonlighting for a contractor of ours should also be avoided.

Other examples of conflict of interest could be: Serving as a board member or director of a firm, holding financial interest in a business, or being self-employed in an occupation that provides goods or services to the Town of Minturn, or ownership, partnership, or personal involvement in supplier companies or distribution outlets related to Town of Minturn business.

If employees have any question whether a situation is a conflict of interest, they should discuss the matter with their supervisor. If it remains unresolved, refer the matter to [specify name/title] for a final determination.

Outside Employment

It is the policy of the Town to allow its employees to hold second jobs, as long as they satisfactorily perform their responsibilities. Employees involved in or contemplating

outside work should discuss the issue with their supervisor. The second job should not be in conflict, or perceived to be in conflict, with the Town of Minturn business.

Attendance and Punctuality

Punctuality and regular attendance are essential to the efficient operation of any business. Punctuality and attendance also help employees establish a good working reputation and add to the opportunity of advancement.

If you are unable to report for work for any reason, if you will arrive late or must leave early, notify the Department Head or designee immediately and leave a message before starting time.

Failure to call in when absent for two (2) consecutive days will result in termination.

It may become necessary to formally correct the performance of individuals, and in some cases, to terminate the employment relationship. The Company may impose counseling or disciplinary action, including termination, which, in its judgment, most effectively takes care of the problem. Any action taken by management in an individual case should not be assumed to establish a precedent in other circumstances.

Data Disposal Policy

During the course of your employment, the Town of Minturn will collect certain information that is classified as “personal identifying information,” or PII, under applicable laws. Such information may include, but is not limited to:

- Your first and last name or initials
- Username(s) and password(s)
- Social Security number
- Driver license or other identification card number
- Medical documentation
- Biometric data
- And more

The Town of Minturn may keep these records in paper and/or electronic format.

When such documentation is no longer needed, pursuant to records retention requirements and best practices, the Town of Minturn will either (a) destroy the records or (b) arrange for their destruction, e.g., by shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means.

Inspections

We may conduct searches of employees' personal effects after notice is given and with the employee's consent. This may include, but is not limited to, lunch bags, boxes, purses, personal computers, packages, or vehicles. We may conduct searches of the above items without employee consent if we have a reasonable suspicion to believe that illegal activity is taking place and after obtaining legal authorization.

Safety/Reporting of Injury

The Town of Minturn 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 report this fact in writing as soon as they are able within 10 days after the injury to the Town Clerk

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

Smoking

It is our objective to provide a smoke-free environment within our Town of Minturn. Smoking is prohibited within all areas of the building and within 25 feet of the main entrance into the building. Employees may smoke in designated outdoor areas. This restriction applies to all employees and visitors, at all times, including non-business hours.

Separation of Employment

If you desire to end your employment relationship with the Town of Minturn, we ask that you notify us as soon as possible of the intended separation. Notice generally allows sufficient time to transfer work, cover shifts, return Town of Minturn property, review eligibility for continuation of insurance, and make arrangements for your final pay. Employees who plan to retire are asked to provide sufficient advance notice to the Town of Minturn so we can timely process any pension forms or other retirement benefits to which an employee may be entitled.

The Town of Minturn's computer network, access to the Internet, email and voicemail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the Town of Minturn. All information regarding access to the Town of Minturn's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential Town of Minturn information and may not be disclosed to non-Town of Minturn personnel.

All computer files, documents, and software created or stored on the Town of Minturn's computer systems are subject to review and inspection at any time. This includes web-based email employees may access through Town of Minturn systems, whether password protected or not. Employees should not assume that any such information is confidential, including email either sent or received.

Upon separation of employment, all communication tools should be returned to the Town of Minturn.

Personal Use of the Internet

Some employees need to access information through the Internet to do their jobs. Use of the Internet is for business purposes during the time employees are working. Personal use of the Internet should not be on business time, but rather before or after work or during breaks or lunch period. Regardless, the Town of Minturn prohibits the display, transmittal, or downloading of material that is in violation of Town of Minturn guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time.

Personal use of social media is never permitted on working time by means of the Town of Minturn's computers, Town of Minturn-issued mobile devices, networks, and other IT resources and communications systems. Use of personal mobile devices during work time should be kept to a minimum. Postings by an employee on a blog, wiki, chat room, or social networking site are considered personal communications and are not Town of Minturn communications. All social media postings on behalf of the Town of Minturn must be preapproved and sent by authorized employees. Personal postings by an employee concerning the Town of Minturn are not prohibited, provided they comply with guidelines set forth below or in this handbook.

If you post any comments that promote or endorse Town of Minturn products or services in any way, the law requires that you disclose that you are employed by the Town of Minturn.

You must comply with all applicable laws, including copyright and fair use laws. You may not disclose any sensitive, proprietary, confidential, or financial information about

the Town of Minturn. Confidential information includes trade secrets or anything related to the Town of Minturn's inventions, strategy, financials, or products that have not been made public, internal reports, procedures, or other internal business-related confidential communications. Further detail is provided in the "Confidentiality" section of your employee handbook.

We encourage you to make complaints to the Town of Minturn using the complaint process. Complaints to the Town of Minturn regarding these issues should be made consistent with the complaint process in this handbook so that the Town of Minturn can address them.

Nothing in this guideline is meant to interfere with employees' right under state law to engage in protected and concerted activity, including employees' ability to discuss terms and conditions of their employment.

Political Participation

The Town of Minturn encourages employees to participate in matters of responsible citizenship. The Town of Minturn will not interfere with the conduct of Town of Minturn employees engaged in political activity, if the activities are confined to hours when the employees are not on duty, are not campaigning in their official Town of Minturn uniforms, and that the activities do not impair the employees' job efficiency or that of others.

Employees whose principal employment is in connection with federally financed activities are subject to the following federal requirements as a condition of such employment:

Covered employees may not use their official authority or influence for the purposes of interfering with or affecting the results of elections or nominations for office.

In addition, they may not coerce, attempt to coerce, command, or advise other covered employees to pay, lend, or contribute anything of value to a party, committee, Town of Minturn, agency, or person for political purposes.

Political beliefs, activities, and affiliations are the private concern of the employee. An employee's work status is not affected by participating or not participating in lawful civic and political activities. No employee of the Town of Minturn can directly or indirectly coerce or command any other employee to pay, lend, or contribute salary, compensation, service, or anything else of value to any political party, group, Town of Minturn, or candidate.

Any Town of Minturn employee may be a candidate for a partisan political office provided that the involvement does not interfere or present a conflict of interest with their job. If involvement is necessary during normal working hours, the individual must take

vacation leave or leave without pay. Employees whose salary comes in part or in whole from federal government sources are subject to the Federal Hatch Act and its revisions.

No employee will be forced to pay any contributions to any political Town of Minturn whatsoever.

Employees will not be required to work for or participate in the support of any political candidate during their off-duty hours.

Software and Copyright

The Town of Minturn fully supports copyright laws. Employees may not copy or use any software, images, music, or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software without authorization. Employees may not use unauthorized copies of software on personal computers housed in the Town of Minturn facilities.

Unauthorized Use

Employees may not attempt to gain access to another employee's personal file of email messages or send a message under someone else's name without the latter's express permission. Employees are strictly prohibited from using the Town of Minturn communication systems in ways that management deems to be inappropriate. If you have any question whether your behavior would constitute unauthorized use, contact your immediate supervisor before engaging in such conduct.

Email

Email is to be used for business purposes. While personal email is permitted, it is to be kept to a minimum. Personal email should be brief and sent or received as seldom as possible. The Town of Minturn prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside Town of Minturn, product, or service through the use of email or anywhere else on Town of Minturn premises at any time. Management may monitor email from time to time. Employees should be aware that emails might be public records and subject to public disclosure.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's email messages.

Voicemail

The Town of Minturn's voicemail system is intended for transmitting business-related information. Although the Town of Minturn does not monitor voice messages as a routine

matter, the Town of Minturn reserves the right to access and disclose all messages sent over the voicemail system for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

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 via any mobile device. Phones and mobile devices with cameras should not be used in a way that violates other Town of Minturn guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information. Employees' use of a cell phone or mobile device to access

Town of Minturn systems is restricted/prohibited without prior authorization. Such access, once authorized, may subject the employee's personal device to discovery requests or Town of Minturn action. Employees authorized to access Town of Minturn systems and information using a personal device must immediately inform the Town of Minturn if the device is lost or stolen.

For safety reasons, employees should avoid the use of cell phones and mobile devices to make calls 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 or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest and lawfully parked.

**ACKNOWLEDGEMENT OF RECEIPT
TOWN OF MINTURN
EMPLOYEE HANDBOOK**

I HAVE RECEIVED A COPY OF THE EMPLOYEE HANDBOOK DATED _____. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

EMPLOYMENT WITH THE TOWN OF MINTURN IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH THE TOWN OF MINTURN, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE TOWN OF MINTURN HAS THE SAME RIGHT.

THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.

THE HANDBOOK IS NOT ALL INCLUSIVE BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE TOWN OF MINTURN'S GUIDELINES.

THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE TOWN OF MINTURN, THEREFORE, RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.

NO REPRESENTATIVE OF THE TOWN OF MINTURN, OTHER THAN THE ELECTED OFFICIAL OR TOWN MANAGER OF THE TOWN OF MINTURN, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE ELECTED OFFICIAL OR TOWN MANAGER AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

Signature

Employee Name

Date