

TOWN OF PALMER LAKE

EMPLOYEE HANDBOOK



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1.0 INTRODUCTION

1.1 Employment At-Will

IMPORTANT:

THIS HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE ORGANIZATION AND SOME INFORMATION ABOUT WORKING AT THE TOWN OF PALMER LAKE. THE HANDBOOK IS NOT ALL INCLUSIVE BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE TOWN'S GUIDELINES. THIS EDITION REPLACES ANY PREVIOUSLY ISSUED EDITIONS.

AT THE TOWN OF PALMER LAKE, NEITHER THE EMPLOYEE NOR THE ORGANIZATION IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A FIXED PERIOD OF TIME. EMPLOYMENT WITH THE TOWN 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, OTHER THAN THE ELECTED OFFICIAL OR TOWN ADMINISTRATOR, HAS 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 ADMINISTRATOR 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 THE EMPLOYMENT, THE ORGANIZATION 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. 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 DESIGNATED HUMAN RESOURCE REPRESENTATIVE.

1.2 Authority of Town Board of Trustees & Town Administrator

The Mayor and Board of Trustees shall exercise their authority to set legislative policy for the Town, and the management of daily operations is directed through the Town Administrator, appointed by the Board of Trustees. The duties of the town administrator shall be ~~as~~ laid forth specifically by job description, along with the following, pursuant to municipal code section 2.08.060.

- (1) Be the chief administrator officer for the town, and be responsible to the mayor and town board for proper administration of all affairs of the town.
- (2) Implement board of trustees policies and directives.
- (3) Perform such other duties as may be prescribed by the board of trustees.

1.3 Equal Employment Opportunity

The Town is dedicated to the principles of equal employment opportunity (EEO). The Town prohibits unlawful discrimination against applicants or employees due to 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.

1.4 ADA and Religious Accommodation

The Town will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the Town or cause a direct threat to health or safety. The Town will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the operations of the Town. Employees needing such accommodation are instructed to contact their supervisor or the Town Administrator immediately.

1.5 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 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's business operations.

The Town may require that an employee provide a note from a 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 the Town Administrator or designated Human Resources representative.

The Town will not deny employment opportunities or retaliate against an employee because of an employee's request for 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 Organization 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.

1.6 Sexual Harassment

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:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to, objection to, or rejection of, such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct 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 always expected to conduct themselves in a professional business-like manner. 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, e-mails.
- 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 Organization has established a program designed to prevent harassment, deter future harassers, and protect employees from harassment. The Organization takes prompt action to investigate and/or address alleged discriminatory or unfair employment practices. The Organization also takes prompt remedial actions, when warranted, in response to complaints of

discriminatory or unfair employment practices. The Organization, therefore, expects employees to make a timely complaint to enable the Organization to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the Town Administrator or to the Town Attorney, who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to go to either of these individuals with your complaint, you should report the incident to the Mayor.

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

Refer to the Anti-harassment Policy.

1.7 Public/Media Relations

Communication with the media needs to be consistent, timely and professional. Therefore, it is required that all official responses to the media be made with authorization from the Mayor, Town Administrator, or a designee. This requirement does not prevent employees from speaking with the media, but employees should not attempt to speak on behalf of the Town unless they have specifically been authorized to do so by the Mayor or Town Administrator.

1.8 Employee Classification

- **Exempt** employees are employees whose job assignments meet specific tests established by the federal Fair Labor Standards Act (FLSA) and state law and who are exempt from minimum wage and/or overtime pay requirements.
- **Non-exempt** employees are employees whose job positions do not meet FLSA or applicable state exemption tests, and who are not exempt from minimum wage and overtime pay requirements. Non-exempt employees are eligible to receive overtime pay for hours worked in excess of 40 hours in a given workweek, or as otherwise required by applicable state law. **NOTE:** Fire and Police staff are under different rules for overtime eligibility.
- **Full-time** employees are those who are normally scheduled to work 40 hours per week.
- **Part-time** means an employee normally scheduled to work fewer than 40 hours per week. Part-time employees may be assigned a work schedule in advance or may work on an as-needed basis.
- **Temporary** employees are those who are employed for short-term assignments (also referred to as seasonal). Temporary employees are generally hired to temporarily supplement the workforce or assist in the completion of a specific project. These temporary employment assignments are of limited duration. (Temporary employees may be classified as exempt or nonexempt on the basis of job duties and compensation.)

1.9 Personnel Records

Personnel records are retained by the Town Administrator, or designee, concerning all employees. Such records may include any documents needed to be kept as documentation of the employer-employee relationships. In addition, administrative records are kept as necessary for payroll and benefits.

To keep personnel records current, the employee shall notify the Town Administrator, or designee, of any change in the employee's contact information, health/life insurance changes, emergency contact information, or any other information needed to maintain accurate records. Each employee is also responsible to update their supervisor, Administration and/or payroll with records concerning any licenses or certification required for the performance of his or her job, as well as any documents showing that education or training relevant to employment has been completed.

1.10 Outside Employment

No Town employee shall engage in outside employment which interferes with the proper and effective performance of the employee duties or attendance requirements, including overtime work, that may result in a conflict of interest, or that might require them to disclose or act on confidential information acquired by Town employment. Requirements of employment with the Town shall have priority over any requirements of outside employment.

2.0 WORK ENVIRONMENT

2.1 General Rules of Conduct

The Town expects all employees to act in the best interest of the Town and its constituents. It is the responsibility of all employees to observe all rules, guidelines, operating procedures, and directives of the Town. ~~The Town~~ It is further expected ~~eds~~ that each employee will behave with courtesy and respect toward other employees and members of the public. Specific rules of conduct adopted by the Town or described in these guidelines are not meant to be all inclusive, but rather address some common and serious potential problems. Refer to the Town Code of Conduct Policy.

2.2 Dress and Appearance

All employees of the Town must maintain an appearance that is neat, clean, and appropriate to the position and area in which the employee works. **NOTE:** Fire and Police shall adhere to approved uniforms for each department.

2.3 Drugs and Alcohol

The Town is committed to a safe, healthy, and productive work environment for all employees that is free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision making. This includes working after the apparent use of marijuana, regardless of marijuana's legal status. Furthermore, working after the use of alcohol, a controlled substance or abuse of any other substance is prohibited.

In accordance with the Drug-Free Workplace Act of 1988, the Town prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during Town time, on Town premises, or other work sites. Any employee who is convicted or pleads guilty or no contest under a criminal drug statute for a violation occurring in the workplace must notify the Town within five days of such conviction or plea. Testing is an important element in the Town's efforts to ensure a safe and productive work environment. The Town has issued a separate statement for this testing program. Please refer to this separate statement, the designated Human Resources representative, or your supervisor if you have specific questions. Refer to the Drug-Free Workplace Policy.

2.4 Safety

It is the responsibility of each employee to learn and observe all applicable safety practices, guidelines, directives, or procedures. Safety-related questions should be directed to each employee's immediate supervisor. Violation of safety practices, guidelines, directives, or procedures may result in disciplinary action up to and including termination. Employees are expected to schedule and attend mandatory safety training on a regular basis as directed by their supervisor. Employees are also expected to report any unsafe conditions or behavior to their supervisor.

The Town has safety rules with which employees are expected to comply. These rules are not exclusive; employees are expected to do their job in a reasonable and safe manner whether department specific safety rules apply or not. It is the responsibility of each employee to read and understand all Town safety rules. Disobeying a safety rule may result in disciplinary action up to and including termination. Safety policies may be established by each department.

2.5 Reporting Accidents/Workers' Compensation

The Town supports the prevention of work-related injuries. However, when a work-related injury or illness takes place, no matter how minor, a report must be made as soon as practical to the employee's immediate supervisor for review and completion to the Town Administrator, or designee. Such report must be made within 24 hours whenever possible and is required within ten (10) business days to be eligible for coverage. When necessary, employees must seek prompt medical treatment from one of the plan designated providers. Appropriate reporting and treatment must be followed to provide the employee coverage for the cost of medical treatment.

2.6 Equipment Maintenance/Housekeeping

Each employee is responsible for the condition of equipment used on the job. Equipment that is damaged, worn, or in need of maintenance should be reported to appropriate personnel. Employees should direct any concerns regarding the use of equipment to their immediate supervisors.

Cleanliness and orderliness are important to the operation of the Town. Employees are responsible to keep their work areas clean and orderly.

2.7 Smoking

Smoking and other tobacco use are not permitted anywhere in the Town's indoor facilities, automobiles, or within fifteen (15) feet of the main entrance into a building, or in any other area where the Town prohibits smoking or other tobacco use.

2.8 Violence-Free Workplace

The Town is committed to preventing workplace violence and to maintaining a safe work environment.

Conduct that threatens, intimidates, or coerces another employee, or a member of the public at any time will not be tolerated.

All threats of (or actual acts of) violence, both direct and indirect, should be reported as soon as possible to an immediate supervisor and/or the Town Administrator. This includes threats by employees, as well as threats by citizens, vendors, solicitors, or other members of the public. When reporting a threat of violence, be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor and/or the Town Administrator.

The Town Administrator, or designee, will promptly and thoroughly investigate all reports of threats of (or actual acts of) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. To maintain workplace safety and the integrity of its investigation, the Town may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct in violation of these guidelines will be subject to disciplinary action up to and including termination.

The Town encourages employees to bring their disputes or differences with other employees to the attention of an immediate supervisor, or the Town Administrator, before the situation escalates into potential violence. The Town is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

3.0 ON THE JOB

3.1 Hours of Work

Normal business hours for Town offices are from 7:30 a.m. until ~~4:30~~5:00 p.m., Monday through Thursday, and ~~8:00 a.m. to 12:00 noon~~enclosed to the public on Friday. **NOTE:** Police, Fire and Public Works employees may be assigned to shifts outside the normal office hours of the Town and shall work those hours designated for their shift and/or position.

3.2 Break Times

Employees are allowed one-half hour lunch break as well as two (2) 10-minute breaks for each workday scheduled for more than five (5) hours, as feasible. All breaks shall be approved by each supervisor, provided that, where possible, lunch breaks shall be scheduled between 11:30 a.m. and 1:30 p.m. Once assigned, lunch and break times shall remain constant unless an employee's supervisor requires minor variations based on the individual work requirements.

3.3 Attendance and Notice of Absence

Regular attendance by all employees is important to the successful operation of the Town. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of business. Employees are expected to maintain a good attendance record and to report promptly for work in accordance with assigned shift schedules.

Employees that are going to be absent or late must contact their supervisor by telephone or text message approximately one half-hour, or as soon as possible, prior to the start of their shift. The reason for and probable duration of the absence shall be provided by the employee. The Town Administrator may request doctor's notes for an absence continuing more than two consecutive days. Failure to call in when absent for three (3) consecutive days shall result in disciplinary action, up to and including termination.

3.4 Tardiness

All employees are required to report in a timely manner. Persistent tardiness of non-exempt employees may be charged as leave without pay. Persistent tardiness of any employee may result in disciplinary action.

3.5 Training and Education

The Town supports education and training programs which improve the skills, qualifications, and performance of Town employees. The Town may pay the fees and costs of education and training programs that are specifically required by the Town, according to the department budget. In addition, the Town may, in its discretion, approve payment of all or a portion of the fees and costs of education or training programs requested by employees. The Town's approval of payment for one segment, portion, or course that is a component of an education or training program does not obligate the Town to pay for any additional segment, portion, or course.

Educational leave is available, with approval of the immediate supervisor and the Town Administrator, to assist employees in developing professional and technical skills related to employment with the Town. Such leave may be granted to attend professional or technical conferences, training seminars, schools, or programs. Requests for educational leave must be made in writing and must clearly state the dates and purpose of the leave requested. Eligible employees may receive up to eight hours of regular compensation during such attendance. Refer to the Employee Travel Policy.

3.6 Promotions

A promotion is considered the advancement of an employee to a position that carries more responsibility and a higher rate of pay. All regular employees of the Town are eligible to be considered for promotions for which they apply and meet the position qualifications.

3.7 Transfers

An employee may be transferred through promotion, successful application for a vacant position, or at the discretion of the Town Administrator.

Promotion, transfer, or rehire will follow the basic guidelines of a new hire. Refer to the New Hire Policy. [Also refer to the Add: Employment of relatives/family members.](#)

3.8 Employee Review

The annual review process will include a mandatory dialogue, which is intended to provide employees feedback concerning employment progress. The discussion between supervisor and employee is required to qualify for an annual wage increase. Employees should contact and advise an immediate supervisor, the Town Administrator or Human Resources designee, if more than one year has passed since receiving formal feedback. The review process is not meant to serve as a substitute for ongoing discussions between supervisors and employees throughout the year but to supplement discussions to plan and assist in employee performance and development.

3.9 Licenses and Certifications

Employees whose jobs require professional license or certification must present documentation of their license or certification prior to employment or upon certification. The Town may pay the cost of obtaining additional licenses or certifications required for the current job and maintaining it in a current status. Employees are responsible for maintaining their license or certification in an active status and provide copies of such licensing, renewal, changes, etc., to the Town Administrator for personnel files.

3.10 Use of Town Equipment (Property)

Town equipment (personal property) is to be used strictly for official Town business, in an appropriate manner, and in accordance with all applicable rules, operating procedures, or directives. No employee shall remove Town equipment/property, or the property of any other employee from Town premises or work sites, without proper authorization. Any employee who steals Town property or the property of any other employee, or who abuses, misuses, damages, or destroys Town property shall be subject to discipline, up to and including termination. Refer to the Use of Town Equipment Policy.

3.11 Use of Town Vehicles

Town vehicles may be used strictly for the purpose and in the manner authorized by the Town. Only authorized and qualified Town employees may operate Town vehicles. All vehicles shall be operated in accordance with all applicable traffic laws and vehicle operators shall be responsible for the condition and proper use of their vehicles.

Unauthorized or improper use of Town vehicles may result in discipline, up to and including termination.

3.12 Conflict of Interest and Misuse of Authority

Town employees shall not place their personal interests above the best interest of the Town, or its constituents, and must not use the authority of their position or information gained from employment in a manner that would be unfair or could reasonably be perceived as unfair to the public. Therefore, employees must not grant any special consideration, treatment, or advantage to any person beyond that which is available to every other person unless otherwise required by law. Furthermore, employees must not accept any personal compensation in return for rendering assistance in obtaining any contract, claim, license, permit, permission, approval, or other economic benefit from the Town. In addition, Town employees shall not:

- Engage in a substantial financial transaction for private business purposes with another employee whom he or she supervises;
- Take any official action directly and substantially affecting to its economic benefit a business or other undertaking in which he or she has a substantial direct or indirect financial interest or business arrangement;
- Disclose or use confidential information acquired during his or her official duties to further substantially his or her personal financial interests;
- Accept a gift of substantial value or a substantial economic benefit which might tend improperly to influence him or her in the discharge of his or her responsibilities, or which could be construed as a reward for action taken during official duties.

Any employee who has a potential conflict of interest due to direct (self) or indirect (meaning immediate family member – parent; sibling; spouse; children by blood, adoption or marriage; grandparent; grandchildren; in-laws) shall disclose such potential conflict to the immediate supervisor.

3.13 Gifts

The Town prohibits individual employees from asking for, or accepting, a gift of any kind from any person that is greater than a certain value. Government employees may accept gifts if any of the following are true:

- The gift is based upon a pre-existing personal or family relationship with the government employee, so long as the gift is motivated by the relationship (like a birthday present to your sister).
- The gift is valued at \$20 or less, so long as the gift is not cash, and the employee accepts no more than \$50 in gifts, in the aggregate, from the same outside source in a calendar year.
- The gift consists of modest refreshments, such as juice and bagels at a seminar, and not as part of a meal.
- The gift consists of free attendance at widely attended gatherings (although some agency restrictions may apply to this exception).

3.14 Employee Complaints

The Town of Palmer Lake encourages an open-door atmosphere. If an employee has an issue or concern that the Town may help solve, employees are encouraged to discuss it with the immediate supervisor or any other member of the Town's management team.

Anyone who retaliates against someone who has, in good faith, reported wrongdoing or suspected wrongdoing may be subject to disciplinary action, up to and including termination of employment.

Employees should share their questions, concerns, suggestions or complaints with their immediate supervisor. If employees are not comfortable speaking with their supervisor or not satisfied with the supervisor's response, employees shall report the concern to the Town Administrator. The Town Administrator shall work with appropriate staff, including the Town Attorney, if necessary, to determine how violations or concerns will be addressed.

Anyone filing a complaint concerning a violation or suspected violation of this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation.

Reports of violations, or suspected violations, will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

3.15 Discipline

The Town expects all employees to conduct themselves with the highest professional, business, and ethical standards and will not tolerate inappropriate or insubordinate conduct. The Town may take disciplinary action as it deems appropriate in any given circumstance, up to and including termination, without any warning, procedure, or formality. Whether an employee's performance, conduct, or behavior warrants disciplinary action is within the Town's discretion. The Town does not intend by these guidelines to create any expectation that any employee will be assured of any form of disciplinary action, such as warnings, notice, or any form of progressive discipline, prior to discipline, up to and including termination.

3.16 Administrative Leave

Employees may be placed on administrative leave with or without pay under such circumstances as may be deemed necessary by the Town Administrator. Employees placed on administrative leave will be advised of the reason for the leave and, if possible, the probable duration of the leave.

3.17 Facilities and Equipment/Inspections

The Town may conduct searches after notice is given and with the employee's consent of employee's personal effects. This may include, but is not limited to, lunch bags, boxes, purses, personal computers, packages, or vehicles.

The Town may conduct searches of the above items without employee consent if a reasonable suspicion exists that illegal activity is taking place and after obtaining a warrant to do so. Any illegal and unauthorized articles discovered may be taken into custody and will be turned over to law enforcement representatives.

Employees do not have a reasonable expectation of privacy in lockers, desks, cabinets, or file drawers, all of which are keyed by the Town and copies of those keys are kept by the Town.

3.18 Use of Town Computer and Telecommunications Resources

All Town computers, devices, and other resources, including Town owned cellular phones, must be used in a responsible, efficient, ethical and legal manner. Failure to adhere to this guideline may result in revocation of access privileges and may result in disciplinary action up to and including termination. Refer to Use of Technology/Communication Policy.

3.19 Use of Electronic Mail

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, regardless if the message is converted to hard copy format after receipt and regardless if the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network. All Town electronic mail systems are owned by the Town and shall be used for conducting official Town business. Other than incidental personal use, any other use is prohibited. Refer to Use of Technology/Communication Policy.

3.20 Use of Social Media

Social media offers many ways for users to interact with one another, such as instant messaging, blogging and commenting, microblogging, events, status updates, online communities, forums, and message boards, podcasts, website link sharing, wikis, video conferencing, and sharing photos and videos. The Town acknowledges that social media changes rapidly and, therefore, the policy is intended to be illustrative rather than exhaustive. Refer to Social Media Policy.

3.21 Inclement Weather

The Town Administrator, or designee, may determine, due to inclement weather, to delay opening the office, or to not open the office, and therefore, to adjust staff reporting time, or to not require the staff to report. In such case, staff unable to work remotely will be paid at the regular rate for regular hours scheduled.

4.0 COMPENSATION

4.1 Pay Guidelines and Procedures

The Town Administration is responsible for administering payroll and benefits, including receiving and resolving employee questions and problems concerning compensation.

4.2 Work Week

A regular work week is a fixed and regularly recurring period of 168 hours – seven consecutive 24-hour periods - designated as the official work week for each employee. This period will be from 12:00 a.m. Sunday through 11:59 p.m. the following Saturday. Employee work schedules may be flexible with approval by the immediate supervisor.

The Police and Fire Departments operate on a 14-day work period from 12:00 a.m. Sunday through 11:59 p.m. the Saturday after the following Saturday (13 days later).

4.3 Pay Schedule

Employees are paid every other Friday. When the pay day falls on a holiday, payroll deposits will typically be provided the day before the holiday.

4.4 Out of Class Pay

An employee temporarily assigned outside of their regular position shall be paid at the appropriate rate for the temporary assignment, after four weeks of serving such assignment, and until they return to their former position.

4.5 Deductions

Federal and state income tax withholding and Social Security and Medicare taxes are automatically deducted from employee paychecks as required by law. Additionally, the following employee benefit deductions may be authorized in writing by individual employees:

- Employee contributions for medical, dental, or vision insurance;
- Employee contributions toward a retirement plan;
- Police and Fire deductions for FPPA and/or association membership fees.

4.6 Garnishment

A garnishment is a legally required deduction of a specified sum from an employee's wages to satisfy a creditor. If the Town is required to garnish an employee's wages, the garnishment will be made in accordance with the law.

4.7 Direct Deposit

The Town requires employees to have their paycheck deposited directly into a depository account. Employees shall authorize in writing the direct deposit of their net earnings with a designated financial institution of their choice.

4.8 Overtime and Overtime Compensation

Non-exempt employees are eligible for overtime. Eligible employees are compensated for all overtime hours at one and one-half (1½) times the applicable hourly rate or will accumulate compensatory time at one and one-half (1½) hours, for each hour worked over 40 in a work week. To the extent that any provision of this guideline conflicts with the Fair Labor Standards Act, the Fair Labor Standards Act shall govern.

All overtime worked must be approved in advance by a supervisor or other authorized representative of the Town. The 40-hour 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 overtime threshold.

Non-exempt employees who work more than forty (40) hours in a work week may, at the employee's discretion, be compensated in compensatory time off in lieu of overtime pay for each overtime hour worked. It is understood that in agreeing to work for the Town, employees agree to accept compensatory time in compensation for overtime worked when deemed appropriate by Town management. Compensatory time tracking is the responsibility of each department supervisor or designee.

Eligible employees are permitted to accumulate up to eighty (80) hours of compensatory time. Employees may be directed to use accrued but unused compensatory time where he or she has accumulated the maximum permissible number of hours. In addition, the employee may be precluded from earning additional compensatory time until hours are used. If the supervisor determines that the employee must work to meet business needs, the employee will be paid overtime rather than earn compensatory time until the employee's accumulated hours fall back to or under the maximum. Supervisors are responsible to track and manage compensatory time for staff throughout the year. Compensatory time should be flexed within a pay period when possible and used prior to accrued paid leave.

Upon termination of employment, employees shall be compensated for any unused compensatory time at their current rate of pay or the average regular rate received by the employee during the last three years of employment, whichever is higher.

NOTE: The Police and Fire department work periods are fourteen (14) days. Eligible Police employees are paid overtime for hours worked over 86 in a work period. Eligible Fire employees are paid overtime for hours worked over 106 in a work period. Sick time, vacation, holiday, or other paid or unpaid leave time is not included in calculating the overtime threshold.

4.9 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 for (40) or more hours per week. The Town is committed to complying with salary basis requirements which allows properly authorized deductions. If an employee believes an improper deduction has been made, the employee shall immediately report it to the Town Administrator or designated representative. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be reimbursed promptly.

4.10 On Call Time

Employees may be assigned on-call duty requiring that they be available for call during a specified time period outside their normal working hours. Employees shall be paid straight time for all hours worked, as required by law.

4.11 Reporting Time

All employees shall complete the Town required timesheet (paper or electronic) to record the appropriate time to be paid. Exempt employees shall record the total hours paid by established salary (80 hours). Hours not worked shall also be recorded and coded to the appropriate leave type. Completed timesheets shall be reviewed and approved by the respective immediate supervisor at the end of each payroll period, attesting to the time recorded for payment. Compensatory time tracking is the responsibility of each department supervisor or designee.

4.12 Training Time

Town employees shall be compensated for time spent in Town-required training activities. Compensation will not be provided, however, for the following training unless specifically authorized by the Town Administrator:

- Training undertaken to meet certification requirements mandated by a higher level of government (e.g., the State of Colorado or the United States) for performance of the employee's duties; and
- Training that meets all the following criteria:
 - Attendance is outside the employee's regular working hours;
 - Attendance is in fact voluntary;
 - The employee performs no productive work during attendance; and
 - Training is not directly related to the employee's job.

4.13 Expenses

The Town reimburses employees for expenses reasonably incurred during Town business provided such expenses have been authorized in advance by the Town Administrator or are determined by the Town, in its discretion, to have been necessarily incurred under circumstances where advance approval was not reasonably possible. Employees seeking reimbursement for expenses will be required to document expenses with receipts.

The Town may reimburse employees for use of their personal vehicle for Town business at the federal reimbursement rate per mile unless another agreement for personal vehicle use is established.

All requests for reimbursement of expenses shall be submitted using the Town's expense form. Refer to the Employee Travel Policy.

5.0 BENEFITS

Employees regularly scheduled for (36) hours or more per week are eligible for benefits.

5.1 Insurance Benefits

The terms and conditions of all benefit plans offered by the Town are subject to change from time to time. Town insurance plans may require employee contributions as a condition of participation. The amount of shared premium contribution will be determined by the Town Administrator and may change with each renewal cycle. Required contributions must be authorized through payroll deductions.

5.2 Group Medical, Dental, and Vision Insurance

The Town shall offer medical, dental, and vision insurance coverage for all eligible employees. Information is available from the Town Administrator, or designee, concerning eligibility and available options for benefits.

5.3 Group Life Insurance

The Town shall provide basic coverage for group life insurance for all eligible employees. Specific plan information is available from the Town Administrator or designee.

5.4 Retirement Benefit

The Town shall contribute up to a maximum match of 5% of an employee's wages toward a retirement benefit plan for all eligible employees. Refer to the Summary Plan Description for eligibility definition and plan details.

6.0 LEAVE TIME

Unless otherwise specified below, employees regularly scheduled for (36) hours or more per week are provided the following leave time and vacation benefits.

6.1 Family and Medical Leave

Public sector employers are subject to the provisions of the Family Medical Leave Act (FMLA). However, to be eligible to take FMLA leave, employees must work at a worksite with at least 50 full-time equivalent (FTE) employees within 75 miles. Because the Town does not have 50 FTE within a 75-mile radius, employees are not eligible to take FMLA leave. However, the Town will provide medical leave as outlined below.

Medical Leave of Absence:

A medical leave of absence of not more than three months may be granted to eligible 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 the Town.
- The Town Administrator 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. **NOTE:** The Town may require the employee to obtain an opinion from a medical provider selected by the Town.

Approvals are obtained from the Town Administrator 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 may reinstate an employee ready to return from a medical leave of absence when, in the opinion of the 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.

The Town shall continue (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 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 adequate 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.

The Town provides paid or unpaid leave for use by employees under specific circumstances. Available leave and the circumstances under which it may be used are described below. The use of paid leave shall be approved in advance by each employee's supervisor. Absence from work without advance approval may subject an employee to discipline, up to and including termination. In addition, the Town may prohibit the employee from using any form of paid leave for an unapproved absence regardless of the reason for the absence if it was feasible to obtain advance approval for the absence.

6.2 Vacation

Eligible employees shall accrue vacation with each pay period. All use of vacation time must be approved by each employee's immediate supervisor. Vacation hours may be taken in a minimum of half-hour increments.

All eligible employees shall accrue vacation as follows:

<u>Years of Service</u>	<u>Annual Vacation Leave Accrual</u>	<u>Maximum Limit</u>
0 to <5 years of service	96 hr – (12) 8-hr days	192 hr – (24) 8-hr days
5 to <10 years of service	120 hr – (15) 8-hr days	240 hr – (30) 8-hr days
10 to <15 years of service	168 hr – (21) 8-hr days	336 hr – (42) 8-hr days
15+ years of service	240 hr – (30) 8-hr days	480 hr – (60) 8-hr days

Employees begin accruing vacation leave upon hire, up to the maximum limit for the respective years-of-service tier limit. Each tier's maximum limit is two times its annual accrual. Once the employee reaches the maximum limit at any time throughout the year, they shall not accrue additional vacation leave until the balance falls below the maximum limit. Upon separation of employment, employees are paid at their current regular rate for all accrued but unused vacation time.

6.3 Holidays

The Town provides eight (8) hours of holiday pay on the following observed holidays to employees regularly scheduled for (32) hours or more per week, as follows:

- New Year's Day (January 1)
- Martin Luther King Day (3rd Monday of January)
- President's Day (3rd Monday of February)
- Memorial Day (Last Monday of May)
- Independence Day (July 4)
- Colorado Day (observed 1st Monday of August)
- Labor Day (1st Monday of September)
- Cabrini Day (1st Monday of October)
- Veterans' Day (November 11)
- Thanksgiving Day (4th Thursday of November)
- Day after Thanksgiving (4th Friday of November)
- Christmas Eve Day (December 24)
- Christmas Day (December 25)
- One (1) Personal "Floating" Holiday (8 hours) – must be approved by supervisor with a minimum of 24-hour notice (awarded on the employee's first payday on a prorated basis and, each subsequent year, on the first payday in January)

When a holiday falls on a Sunday, the following Monday shall be observed. When a holiday falls on a Saturday, the preceding Friday shall be observed. Eligible employees working less than forty (40) hours shall receive holiday pay equal to the regular hours scheduled.

NOTE: A non-exempt employee who is required/approved to work on an observed holiday will earn the holiday pay and agree to comp the hours worked, unless otherwise agreed to by the department supervisor and Administration.

NOTE: All temporary (or seasonal) employees scheduled to work on an observed holiday receive the regular rate of pay for actual hours worked.

6.4 Sick Leave

Employees begin accruing sick leave upon hire. Paid sick leave may be used in half-hour increments. Upon separation of employment, sick leave is not paid to employees.

Employees regularly scheduled for (36) hours or more per week shall accrue sick leave benefits at a rate of ninety-six (96) hours per year, up to a maximum limit of 720 hours. Once the employee reaches 720 hours of sick leave, they shall not accrue additional sick leave until the balance falls below 720 hours.

All other employees shall accumulate sick leave at the rate of one (1) hour for every thirty (30) hours worked, up to a maximum limit of 48 hours. These employees shall not accrue additional sick leave until the balance falls below 48 hours.

All employees are responsible to notify their immediate supervisor each day prior to the start of a scheduled shift when unable to work because of an illness, injury, medical care or domestic violence; and inform their supervisor when expected to return to work. In the event an employee is absent for more than three days, medical or legal certification is required. This certification should indicate the employee was unable to work due to medical or domestic violence reasons and the length of time this restriction lasted. If an employee has an extended illness, accumulated sick time may provide pay while the employee is away from work. Unused sick hours may be carried over from year to year.

Paid sick leave may be used for the following:

- When an employee has a mental or physical illness, injury, or health condition that prevents them from working;
- When an employee 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;
- When an employee needs to care for a family member who has a mental or physical illness, injury, or health condition, or who needs the sort of care listed above;
- When 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; or
- 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.

- 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.
- To grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member.
- 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.

Because paid sick leave is accumulated to be used for these reasons, employees will not receive extra pay or extra time off for unused sick time. Additional rules may apply in the case of a public health emergency.

6.5 Military Leave

Eligible employees are ~~those employees regularly scheduled for (36) hours or more per week.~~ Employees granted a military leave of absence are reinstated and paid in accordance with the laws governing the veteran's re-employment rights. The Town pays for the first fifteen (15) days of leave per year. After that time, leave is without pay.

6.6 Emergency/ Bereavement Leave

Eligible employees are those employees regularly scheduled for (36) hours or more per week. Employees who suffer a death in their immediate family will be allowed up to three (3) days leave at full pay, or 24 hours in total, representing the regular work schedule for the employee. If the employee requires additional paid time, the employee must request use of sick leave, compensatory or vacation leave, with the approval of the Town Administrator. Temporary and seasonal employees, who need additional time may request time off without pay.

For purposes of this guideline, an employee's "immediate family" includes spouse, children, parents, grandparents, grandchildren or siblings, and the parents, siblings or children of the employee's spouse.

6.7 Jury Duty/Court Time

Eligible employees ~~are those employees regularly scheduled for (36) hours or more per week.~~ Employees who are summoned for jury duty or subpoenaed in connection with their employment during a regularly scheduled work time will be compensated for regular scheduled hours up to two (2) workdays. A copy of the subpoena or order requiring such duty must be submitted to the Town Administrator with a leave request in advance of the absence. In addition, an employee who is absent from work due to jury service must submit a juror service acknowledgement to be compensated for such absence. As a condition of the receipt of such pay, any stipend paid to the employee for jury service or as a witness fee may be paid to the Town or an equivalent amount deducted from the employee's pay.

Any subpoenas for matters not related to the employee's affiliation with the Town do not qualify for paid time. Paid leave time may be used if available.

6.8 Voting

Any employee whose work schedule is such that election services are not open during at least three (3) non-working hours on Election Day shall be permitted paid leave for the time spent voting, not to exceed two (2) hours. Notice to the immediate supervisor is required.

6.9 Unpaid Leave

Under circumstances where an employee is not eligible for paid leave, he or she may be granted unpaid leave as permitted by the Town in its discretion. Unpaid leave shall not be granted for more than thirty (30) days and, depending upon circumstances or staffing requirements, may be renewed by the Town Administrator upon its expiration.

Employees shall not accrue vacation or sick leave while on unpaid leave. Employees on unpaid leave who are otherwise eligible to receive group insurance benefits may continue those benefits upon their timely payment of appropriate premiums.

Failure of an employee to return upon expiration of unpaid leave may result in termination of employment.

6.10 Leave Donation Program

The Town recognizes that employees may encounter unexpected personal emergencies that result in a need for additional time off that is more than their available paid leave time allowable. The leave donation program is to address those situations when an employee may donate a portion of accrued but unused vacation leave time to another eligible employee. This policy is strictly voluntary. Refer to the Paid Leave Donation Policy.

7.0 SEPARATION OF EMPLOYMENT

An employee may separate from employment with the Town by resignation, layoff, or furlough or by termination, as described herein.

7.1 Resignations

An employee who resigns in good standing may be eligible to be considered for re-employment with the Town. An employee in good standing is one that does not resign as an alternative to termination, provides the Town a minimum of two (2) weeks' notice, and is cooperative with necessary exit procedures. Employees in a supervisor position are encouraged to provide the Town Administrator a notice of thirty (30) days or more.

Employees who resign are paid for all accrued but unused compensatory time and accrued but unused vacation, after one year of continuous employment, as provided in these guidelines.

Employees who resign with ten or more years of service are eligible for one third of accrued but unused sick leave.

Employees who resign may be eligible to continue coverage under COBRA at their own expense as provided by state and federal law.

7.2 Layoff/Furlough

The Town may layoff or furlough employees for reasons of efficiency, economy, lack of work, or for such other reason as the Town Administrator deems necessary.

Employees who are in good standing, at the time of layoff, may apply for any current or future vacancies with the Town. At the time of layoff, employees are paid accrued but unused compensatory time and accrued but unused vacation leave only. Laid off employees may be eligible to continue coverage under COBRA at their own expense as provided by state and federal law.

7.3 Termination

Employees who are terminated may not be eligible for rehire. In the event termination takes place to eliminate or modify the duties of a position, an employee may be considered for rehire. Terminated employees are paid for accrued but unused compensatory time only. Terminated employees may be eligible to continue coverage under COBRA at their own expense as provided by state and federal law.

7.4 Exit Procedure

Employees who are laid off, resign, or retire shall contact the Town Administrator to provide all information required for separation, return all Town property, participate in an exit interview, and make arrangements for final pay and continuation of benefits if applicable.

8.0 MISCELLANEOUS GUIDELINES

8.1 Political Activity

All Town employees have the right as a citizen to participate fully in the political process. However, employees are prohibited to campaign for any candidate or cause on scheduled work time or utilizing Town resources/property. Employees are prohibited to publicly campaign for any candidate or cause while wearing the Town uniform or Town logo.

8.2 Board Membership of Employees

A Board of Trustees member may not be employed by the Town. Where a Trustee applies for employment with the Town, he/she must resign from the board if employment is offered and accepted. No Trustee may begin employment with the Town until after the effective date of their resignation. Where an employee of the Town is elected to the Town board, they must resign employment from the Town. Failure to do so shall result in termination of employment.

8.3 Data Disposal

During employment, the Town 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:

- Employee 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 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 will either (a) destroy the records or (b) arrange for the destruction (i.e., shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means).

9.0 EMPLOYEE ACKNOWLEDGEMENT

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

**EMPLOYMENT WITH THE TOWN OF PALMER LAKE IS AT-WILL. I HAVE THE RIGHT
TO END MY WORK RELATIONSHIP WITH THE ORGANIZATION, WITH OR WITHOUT
ADVANCE NOTICE, FOR ANY REASON. THE ORGANIZATION 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 TOWN 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 ORGANIZATION THEREFORE
RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT
PRIOR NOTICE.**

Employee Name (printed)

Signature

Date