

Town of Stuyvesant



PERSONNEL POLICY HANDBOOK

Revised December 1st 2016

**RECEIPT OF
PERSONNEL POLICY HANDBOOK**

I acknowledge receipt of a copy of the Town Of Stuyvesant Employee Handbook and Town Code of Ethics, and understand that I am responsible for becoming familiar with the policies described in it.

I understand that neither the Handbook's policies / Code of Ethics nor any representations made by a Town representative are to be interpreted as a contract between the Town and any of its employees.

I further understand that my employment is voluntarily entered into, that I am free to resign at any time and that the Town may terminate the employment relationship in accordance with NYS Civil Service Law if it determines that it is in its best interest to do so.

(Employee Signature)

(Date)

INTRODUCTION

Welcome to the Town of Stuyvesant and to the challenges and opportunities offered by our unique, municipal working environment. You have been carefully selected to join a group dedicated to the highest standards of public service, responsiveness and professionalism.

To help you adapt to this environment as quickly and smoothly as possible, we've assembled some basic information about our Town on the pages that follow.

The policies described here are not conditions of employment and the language is not intended to create a contract between the Town of Stuyvesant and its employees. The Town reserves the right to modify policies and procedures at any time. Any situation not covered will be decided by the Town Board on a case by case basis.

This handbook supersedes and replaces all previous policies and/or manuals and should be reviewed each year.

All employees will be evaluated by their ability and adherence to policies. An employee's religion, age, sex, national origin, physical impairment, race, color, sexual orientation, veteran's status or any other protected class by law will have no bearing on hiring, promotion, pay or benefits.

We look forward to a successful association and the opportunities that will result from your personal commitment and contribution to the Town of Stuyvesant's continued positive growth.

The Town Board
Town of Stuyvesant, New York

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SECTION ONE

GENERAL RULES, PROCEDURES & INFORMATION

FIRE PROCEDURES

GENERAL INFORMATION

The safety and health of our employees and visitors are the primary considerations in operation of our organization. We must constantly be aware of conditions in all work areas (buildings and grounds) and your cooperation in detecting, reporting and helping to control hazards is of the utmost importance. We are especially concerned about fire hazards and consider this a situation that demands constant vigilance. Any unsafe condition noted by you should be reported immediately to your immediate supervisor or the Town Supervisor.

Fire extinguishers are positioned throughout the buildings and it is required that you know each location. It is also important that you read and familiarize yourself with the instructions on the extinguishers as related to their appropriate use and proper operation.

As we have multiple buildings, it is also required that you know the fire exits and fire alarms in each building.

First aid kits are located in the Town Hall and the Highway Department garage.

Each employee is required to know two additional pieces of information:

- Telephone number for all fire/medical/law enforcement emergencies (dial outside line, if necessary + "911"); you will be asked questions and instructed as to what actions, if any, you and/or others should take;
- Location of assembly area for staff and visitors in the event of a building evacuation:
 - Town Hall: Flag pole
 - Highway Garage: Front parking lot

GENERAL PROCEDURES

Each staff person should operate according to the following points in case of **FIRE** Emergency:

1. If fire is minor/small (e.g. burning wastebasket), pull fire alarm first, then have an associate call the receptionist ("0") or "911" directly, if possible. Then, if you are able, make an attempt to extinguish the fire using the nearest fire extinguisher. Make sure fire is completely out. If you are certain fire is completely out, re-contact the receptionist ("0") or "911" to advise them of your situation. If you are not capable of extinguishing the fire or if you decide

to leave the area, be sure to close any door, whenever possible, so as to limit the spread of fire should it not be completely extinguished. Be mindful of any other person(s) in the area and advise them to leave the area immediately, on your way out.

Under no circumstances should you endanger your personal safety.

2. If you detect a structure fire, pull the fire alarm, and then exit the building/area as quickly as possible. You should notify the receptionist ("0") or "911" as quickly as possible, once you are out of immediate physical danger, or communicate to another person to do so, in order to begin the emergency response cycle. Be mindful of any other person(s) in the area and advise them to leave the area immediately, on your way out. Be sure to close any door, whenever possible, so as to limit the spread of fire. If possible, evaluate the fire to determine if immediate use of a fire extinguisher might extinguish the blaze.

Under no circumstances should you endanger your personal safety.

3. Be aware of employees and visitors in the buildings and on the grounds at all times.
4. If the fire bell is ringing, all personnel should exit immediately through the nearest exit and proceed to the pre-determined assembly point, where an attendance check will be conducted. Each supervisor is responsible for accounting for his or her departmental employees. All visitors are the responsibility of the party they are meeting/working with. It is important that you leave the building as quickly as possible --- do not wait to see what develops.
5. DO NOT, under any circumstances, leave the grounds or re-enter the building, until your supervisor has given approval to do so. In the case of a false alarm, approval to return to the building will also be given by your supervisor.
6. Designate a person immediately during the emergency to act as liaison with arriving emergency units. She/he will move to the parking lot to meet arriving emergency personnel. She/he will inform the first arriving unit of the location and size of the fire and/or location of injured/sick individual(s), and whether all employees and visitors are accounted for. She/he will remain available to the Incident Commander for the duration of the incident to act as liaison with employees, unless relieved of such responsibility by the manager-in-charge, and to provide any requested information.

7. If employees or visitors are missing or unaccounted for, or you have any reason to suspect any individual(s) may be still inside any building, information as to the last known or suspected location of such individual(s) should be directed to the department liaison, who will be awaiting arrival of the emergency unit(s). The liaison will, in turn, relay this information to emergency personnel *immediately* upon arrival.

EMERGENCY MEDICAL PROCEDURES

There may be times when we are required to arrange for emergency medical assistance for someone who has just been injured or is experiencing a serious medical problem.

When an employee is injured or sick and requires treatment beyond simple first aid, the Columbia County Emergency Dispatch Center (“911”) should be contacted and given as much information about the emergency as possible. Accessing an outside phone line, and dialing 911 can reach them.

State the nature of the medical emergency. Follow instructions given by the emergency dispatcher.

It is Town policy that at no time should an employee who requires emergency treatment be driven by another employee to a medical facility for care.

POWER FAILURE EMERGENCY PROCEDURES

There may be times when we experience a power failure. If an emergency (fire, medical, etc.) were to occur during a power failure, utilize a phone, which is independent of electrical power (always an outside line) to report the incident to Columbia County Emergency Dispatch Center.

If you are working after hours or weekends and experience a power failure, call National Grid at 1-800-375-675 then call the Town Supervisor and/or Highway Supervisor to inform them of the situation. This is especially important during cold weather months.

CONDUCT

The use of abusive and inappropriate language is not tolerated. Mutual respect is expected to be practiced among all employees at all times. Abuse of authority will also not be tolerated. Fighting or violence of any kind is strictly prohibited. See Workplace Violence Section 6 pg. 35

CONFIDENTIALITY

An element of our job is the integrity each individual brings to the job.

In the course of our responsibilities, we are all exposed to information about Town matters that may be considered proprietary and strictly confidential. As a result, a great deal of trust is placed in each of us to exercise good judgment and discipline to maintain a high ethical standard in utilizing the information only as required.

Irresponsible discussion of Town business is considered a serious breach of ethics. Abuse and indiscreet disclosure of confidential information to anyone outside the Town organizations will result in disciplinary action.

The Town Clerk is the appointed FOIL officer for the Town. Any request for Town documents or other information received by any employee shall be immediately forwarded to the Supervisor, except in the case of Town Court documents.

DISCRIMINATION

No form of race or age discrimination will be tolerated. Respect for the individual is an important value in the Town of Stuyvesant. Any conduct or actions, which violate the civil or moral rights of anyone in the Town, will not be tolerated and should be immediately reported to the supervisor in question. Complaints will be investigated and dealt with appropriately.

DRESS CODE

Our location allows for a degree of informality at certain job levels, but it must be kept in mind that we are civil servants of the residents of the Town, and a professional operation and employee appearance must reflect this. Employees should dress suitably for their positions, with appropriate attire mandatory for specific meetings. Your Supervisor has the final determination as to what is inappropriate for your department.

DRUG & ALCOHOL FREE WORKPLACE

Pursuant to the federal Drug-Free Workplace Act, the Town of Stuyvesant has established a drug-free awareness program.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. Any employee engaging in such prohibited activities shall be subject to disciplinary actions, up to and including dismissal. Each employee, by accepting employment with the Town of Stuyvesant, agrees to abide by these prohibitions and agrees to notify the employer of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such conviction.

We are a public service organization, which requires professionalism and integrity to meet the needs of our constituents. To insure that these standards are maintained, our policy

concerning alcohol consumption and drug abuse is set out below:

1. Alcohol and controlled substances, unless a physician legally prescribes such, are not permitted on Town property.
2. No employee should indulge in the drinking of any alcohol beverage while on duty or come to work under the influence of alcohol or medication (i.e. prescription pain killers or medication that may make an employee drowsy) to an extent that such would make them unfit to adequately perform their assigned tasks. The Town has the right to determine what constitutes adequate performance.
3. In accordance with the law, no employee during working hours or during time allotted for meals should use, sell or possess any habit-forming drug, narcotic or controlled substance unless such is legally prescribed by a physician.

EQUAL EMPLOYMENT OPPORTUNITY

EEO refers to all Federal and State anti-discrimination laws and provides all persons the right to be evaluated based on their ability.

It is the policy of the Town of Stuyvesant to ensure equal employment opportunity for all applicants and employees regarding all personnel related matters, including, but not limited to recruitment, hiring, placement, promotion, compensation, benefits and training. In all such activities, the Town of Stuyvesant will not discriminate against any qualified persons because of age, gender, marital status, race, creed, religion, color, national origin, citizenship, disability, veteran status or sexual orientation.

GAMBLING

No gambling of any kind will be allowed on Town property and can lead to disciplinary action, up to and including termination.

GIFT ACCEPTANCE

When an employee accepts gifts from a resident or supplier, the employee becomes particularly susceptible to the charge that he/she has been influenced by such customer or vendor. For this reason, the Town of Stuyvesant strongly discourages the acceptance of gifts in any form from residents, suppliers, or any other party the employee deals with in connection with his/her employment. Specific guidelines and information are set forth in the Town of Stuyvesant Ethics Policy.

However, an employee may accept small gifts from such individuals, subject to the provisions Article 18 of the General Municipal Law.

Under NO circumstances may an employee accept money from a resident or supplier. In the event cash is offered, the employee should politely decline, and then inform his/her supervisor of the offer.

LAW ENFORCEMENT

The Town reserves the right to protect its interests and those of its employees with regard to observing laws. In cases where it is suspected that local, State or Federal laws are being violated, the appropriate law enforcement agency will be contacted for investigation.

PARKING

The Town, at no cost to the employee, provides parking facilities. Parking is at your own risk and the Town assumes no liability for the safety/security of your vehicle or its contents.

Use caution while driving in the parking lots and the roads around town property. Speed limit is 10 mph in and around the parking lots. Also observe the entrance/exit signs. The public roads leading to/from town facilities may have sharp corners and hidden driveways, please use extreme caution and prudent speed on these roads.

If you are the last car to leave in the evening, be sure that all doors and windows are locked in the building you are exiting and lights off, if applicable.

In case of inclement weather, the Highway Department may select areas for alternate parking.

If, for any reason, you must leave your vehicle parked overnight on Town property, your immediate supervisor should be notified.

Disabled vehicles must be removed from Town property within 3 days or they will be towed at the owner's expense.

PERSONAL PROPERTY

Although parking is provided free of charge, the Town of Stuyvesant is not responsible in any way for damage to or theft from your vehicle. It is suggested that you lock your car and use caution while driving into a Town lot or around buildings.

The Town is not responsible for personal property brought into the buildings. We suggest that you carefully secure such property to avoid any possible loss.

If the situation does arise where you find something missing, you should notify your supervisor immediately for investigation.

WORK RELATED PROBLEMS

A work related problem is defined as any problem of an employee resulting from work requirements or conditions under which work is performed.

If there is ever an issue with your immediate supervisor, the Town has an open door policy and employees should feel comfortable coming to the town supervisor or any Council person with their concerns

PERSONAL VISITORS

During business hours, visits of a personal nature by family, friends, former employees, etc. are strongly discouraged. Anyone coming to any Town facility/department must first check in with the main office of the building and is not permitted to walk freely through the buildings and property. The Town cannot be responsible for visitors' safety, vehicles, or personal property.

PERSONNEL RECORDS

Personnel records are created and maintained by the Town. These records contain information that is relevant and necessary for the administration of Town activities or required by law or regulation. These records are considered confidential and will be treated accordingly to protect employees' privacy.

Each employee has the right to review information in his/her personnel file. All requests for inspection must be submitted in writing to the Employee's supervisor or his/her designee stating the purpose and the information that the employee would like to review. The supervisor or his/her designee will review each request and set up an appointment to meet with the employee.

It is the employee's responsibility to inform the Supervisor or his/her designee of changes in information such as name, address, telephone number, marital status, beneficiary designations, emergency contacts, and specific health or medical problems which affects the employee's ability to perform the duties of his/her position.

PUBLICITY

Comments, statements, or publicity of any kind relating to the Town or Town business to be made to the press, media, or public should be discussed with the Department Supervisor, Town Supervisor or Councilman prior. This includes using the Town name, and giving the names of any employees on TV or radio programs, or in newspaper and magazine reports. No employee may make statements to the press, media or public representing them as town policy or town position. All such statements will come from the town board. Failure to adhere to this rule will be grounds for disciplinary action.

RECYCLING

Columbia County has enacted a mandatory recycling law. In order to comply with the law, all employees will need to separate recyclable material from their trash.

Separate containers are provided at each workstation for recyclable paper and your trash. Containers for recyclable plastic and glass are also provided in each building.

As this is the law, employees must comply with our recycling procedures. Your Supervisor will have more details on how this program is handles in your department.

REFERENCE CHECKS

All written or telephone inquiries regarding a current or former Town employee must be referred to the Department Head. No Town employee may issue a reference letter to any current or former Town employee without the permission of the Department head or his/her designee. Any letter of reference must be reviewed and approved by the Department Head or his/her designee before being mailed or otherwise provided.

References should be limited to name, title, years/dates of employment and salary.

SECURITY

All employees are responsible for the security of all items in their possession, which are property of the Town, including keys, documents, equipment, etc. In addition, all employees are responsible for making sure that the windows and/or doors in their work area are closed and locked before leaving for the day.

Anti-Discrimination and Harassment Policy

I. PURPOSE:

It is the policy of the Town to provide and maintain a work environment which is free from unlawful discrimination based on sex (with or without sexual conduct), race, color, religion, national origin, age, disability, sexual orientation, and any other class protected by law (collectively referred to as “discriminatory harassment” or “harassment”). Harassment based on these characteristics is a form of unlawful discrimination and is prohibited in each and every work environment and each and every situation, which directly impacts the work environment.

II. POLICY:

The Town considers discriminatory harassment to be a form of employee misconduct and considers this type of misconduct to be a serious offense which will not be tolerated. Allegations of discriminatory harassment will be investigated thoroughly and if substantiated, will be met with appropriate corrective and/or disciplinary action commensurate with the seriousness of the offense(s) and/or state law.

III. DEFINITIONS:

A. Sexual Harassment is defined as:

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment (e.g., promotion, training, assignments, etc. . .);
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of specific behaviors that may be considered sexual harassment include, but are not limited to:

- * Spoken or written words related to an employee's sex
- * Any sexual advance that is unwelcome
- * Sexually oriented comments
- * Showing or displaying pornographic or sexually explicit objects or pictures in the workplace
- * Offensive touching, patting or pinching
- * Requests for sexual acts or favors

- * Abusing the dignity of an employee through insulting or degrading sexual remarks or conduct
- * Threats, demands or suggestions that an employee's work status is contingent upon her/his toleration of or acquiescence to sexual advances
- * Subtle pressure for sexual activities

Sexual harassment is gender neutral and may involve members of the same or different gender.

B. Other unlawful harassment:

Harassment on the basis of any other protected characteristic is also prohibited. Under this policy, prohibited harassment is verbal or physical conduct that is offensive to or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, sexual orientation, age, disability or marital status, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or

circulation in the workplace (including through e-mail) of written or graphic material that denigrates or shows hostility or aversion toward an individual or group, based on an individual's protected class.

C. Individuals and conduct covered:

This policy applies to all applicants and employees of the Town and prohibits harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the Town (e.g., an outside vendor, consultant or citizen).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

IV. PROCEDURE:

1.
 - a. If an individual is subjected to a situation which he/she believes constitutes discriminatory harassment in violation of this Policy, the Town recommends that the employee confront the harasser directly and advise the harasser that his/her behavior is not welcomed and will not be tolerated; note that neither this policy nor state/federal law requires that an individual tell an alleged harasser to stop his/her actions.
 - b. If an alleged incident of discriminatory harassment cannot be resolved directly between the parties involved, a written or verbal complaint should be filed by the affected employee with the employee's immediate supervisor. In the event the employee does not believe it would be appropriate to file the complaint with the immediate supervisor, it may be filed directly to the Town Supervisor at Town Hall.
 - c. All harassment complaints will be investigated as promptly as possible and resolved within a reasonable time after the receipt of the complaint. Following the investigation, the general results will be communicated back to the complainant.
 - d. Retaliation against any individual making a harassment complaint or assisting in the investigation of such a complaint is strictly forbidden. Retaliation, like discrimination and harassment, is against the law and is a serious violation of this policy. Employees who retaliate against other employees who complain about harassment and/or participate in an investigation of harassment will be subject to disciplinary action.

V. MISCELLANEOUS

- a. In the event a complaint of discriminatory harassment is determined to be founded, the Town will take disciplinary action in accordance with the provisions of applicable collective bargaining agreements and/or state law.
- b. Reporting of a false complaint is a serious act. In the event it is found that the individual bringing the complaint has made false accusations, the Town will take appropriate disciplinary action.
- c. All information gathered during an investigation of a harassment complaint will be handled in a confidential manner, to the extent possible.

SMOKING

In the interest of providing a safe and healthy environment for employees and visitors:

SMOKING IS PROHIBITED THROUGHOUT TOWN FACILITIES AND IN TOWN VEHICLES, and elsewhere during all working hours except during scheduled breaks.

SOLICITING FUNDS

Sales of materials, services or private solicitation of funds are not allowed without prior approval from management.

TELEPHONES

Personal calls should be kept as brief as possible. Personal long distance phone charges are not permitted unless a pre-paid phone card is utilized or charges are paid for by collect calling.

TOWN COURT CLOSING PROCEDURE

The Court Clerk, after conferring with and obtaining approval from a Town Justice or Town Supervisor (or Deputy Town Supervisor or a Councilman and Highway Superintendent in the absence of the Town Supervisor), may close the Town Court when extreme weather or other emergency conditions exist.

TOWN HALL CLOSING PROCEDURE

The Town Clerk, after conferring with and obtaining approval from the Town Supervisor (or the Deputy Town Supervisor or a Councilman and Highway Superintendent in the absence of the Town Supervisor), may close the Town Hall when extreme weather or other emergency conditions exist.

TOWN HALL / TOWN COURT CLOSING PAY PROCEDURE

Any employee working at, or scheduled to work at, the Town Hall and/or Town Court, upon the closing of the Town Hall/Court due to a weather-related or other emergency, shall be paid for the number of hours that employee normally works, regardless of the time of close. The employee's personal time will not be charged.

TOWN VEHICLE USE

If Town-owned vehicles are available, they should be used for Town business, if possible.

The Highway Superintendent and/or his designee shall have for his/her use, a Town-owned vehicle at all times when within reasonable distance of the Town, whether or not he/she is on duty. Such vehicle shall be equipped with appropriate Town-owned equipment to be utilized in Town-related emergency situations relating to the Town as they may from time to time arise.

Those assigned use of Town vehicles should treat them with care and report any necessary repairs or problems to your supervisor. While using a Town vehicle, you are responsible for its cleanliness and for the cost of any damage or fine caused by negligence and/or traffic law violations.

Because of liability and safety factors, no Town vehicle can be used for emergency road service for employees.

N.Y. State Law and Town policy mandate that all operators and passengers of Town vehicles must use seat belts at all times.

Town employees and elected and appointed officials who are required to use their private automobiles in the course of transacting Town business will be reimbursed by the Town at a rate established by the Town Board.

Mileage driven while going to or from work is not reimbursable. If it is necessary for an employee or official to travel a longer distance during an otherwise non-reimbursable trip in order to conduct Town business, only the extra mileage relating to that business will be reimbursed. For instance, if an employee normally travels five miles from work to home, but travels an extra mile to stop at the Town Hall to transact Town business, only that extra mile is reimbursable.

The IRS requires that detailed records be kept to document the business use of Town-owned vehicles. A log sheet is available from the Town Clerk to record odometer readings and miles traveled. These forms must be fully completed for each trip and submitted to the Town Clerk on at least a monthly basis.

All traffic and driving laws must be obeyed. Any violation/conviction will remove eligibility for Town use. All tickets/fines are responsibility of employee.

Employees must immediately notify their supervisor if their license is suspended or revoked if driving is a function of their job duties.

USE & CARE OF EQUIPMENT

In your job function, you may be responsible for maintaining and securing certain equipment.

If you have been assigned responsibility for particular equipment, it is vital that the equipment be handled properly and receives the proper maintenance.

Any negligence or abuse necessitating repair to equipment will be billed to the person responsible. No equipment may be removed from Town premises or used for personal reasons without prior approval of your supervisor or Town Supervisor, or his/her designee.

IT IS AGAINST TOWN POLICY TO USE TOWN EQUIPMENT, FACILITIES AND MATERIALS FOR PERSONAL USE.

All employees must dress to meet OSHA and Town requirements while performing assigned work. The use of hard hats/safety glasses is mandatory when working (inside or out) on carpentry, wiring, construction or any other risk situation.

SECTION TWO

PAY

HOURS AND WAGES

1. Employment with our Town will be in one of two different categories:

1.1. Hourly (non-exempt)

If your position is within the hourly category, you are paid by the hour for each and every hour you work. The number of work hours and schedule are as determined by the department supervisor.

Your pay will be your hourly scale multiplied by the hours worked up to 40. After 40 hours your pay will be based on one and one half (1½) times your hourly rate. Your immediate supervisor **MUST** authorize additional hours and/or overtime in advance. Your supervisor must notify the Town Supervisor of any expenses in excess of the budgeted amount prior to the end of the payroll period. Anyone eligible for overtime may be paid the overtime earned or may accrue the time, or take time off instead, as appropriate and with approval of the department supervisor.

1.2. Exempt

If your job function is within this category, you will devote whatever amount of time is required to perform the necessary work on a timely and satisfactorily basis, subject to review and approval by the Town Supervisor and/or Town Board.

TOWN-RELATED MEETINGS, CONFERENCES AND/OR TRAINING

Time to attend Board-approved meetings, conferences and/or training would be accounted for as normal working hours, providing they are directly related to Town business or matters, and deemed to be of direct or indirect benefit to the Town. The time allowed would be equal to the time the employee or official would normally work that day. Travel time to and from such activities is allowed and accounted for in determining the hours for that day.

Prior approval by Town Board resolution is required in advance, on a case-by-case basis. In order to be considered by the Town Board, the request must be forwarded to the Board with approval of the department head(s) clearly indicated. If any employee is denied approval of time off by department head(s), the employee has the right to appeal such a decision to the Town Board. Time charges would be to the specific department budget if related to that department, or to a general account as determined by the Town Supervisor and Town Accountant.

Time Certification: If department-related, the department head and Town Supervisor must certify the time sheet. If Town-related, not department-specific, the Town Supervisor must certify on behalf of the Town Board.

OVERTIME

Your Supervisor must approve overtime before it is incurred. Overtime pay is only earned when 40 or more hours are worked and accrual time used is not calculated for the purpose of overtime.

Highway employees that are called by the Highway Superintendent or the Town Supervisor to work outside their normal work hours to address an emergency issue or event within the Town shall be paid time and half for those hours worked, notwithstanding the aforementioned policy.

YOU AND YOUR SUPERVISOR ARE RESPONSIBLE FOR ACCURATELY RECORDING OVERTIME AND VALIDATING THE SPECIFIC NEED FOR SUCH OVERTIME. Your Supervisor has the necessary forms.

State regulations do not allow carryover or "borrowing" time from one week to another.

PAYROLL

Our payroll for Highway Department and hourly employees is at the present time paid bi-weekly. (Paychecks are issued every other Thursday). The payroll week runs from 12:00am Monday through 11:59pm Sunday. Payroll for other employees is paid monthly. Paychecks will be issued by the last Thursday of the month. If greater efficiency dictates the payroll time period being changed, you will be notified in advance.

The creation, increase or decrease of a salary is an action of strict confidence between the Town and you and is based on individual merit.

For this reason, you are expected to hold all Payroll matters in strictest confidence.

All of us have different strengths and weaknesses. Your salary is representative of your worth to the Town in relationship to the many criteria taken into consideration, plus the Town's financial position and other monetary needs.

Discrepancies or questions regarding your paycheck should immediately be addressed to the Town Accountant, or other person as designated by the Town Supervisor.

If for any reason your employment is terminated with the Town, whether voluntary or otherwise, any earned and unused vacation pay will be paid to you. This vacation pay will be made on the payroll period following your departure from Town employment.

When giving notice, two weeks working time is required and owed vacation time cannot be used in lieu of working time up until the last day of employment.

REQUEST FOR TIME OFF

Employees must utilize the Town’s “Request for Time Off” form and submit the request to the department supervisor for approval/signature. Requests must be submitted the number of working days in advance as set forth below, with the original of the approved/signed form to the Town Supervisor.

Personal:	1
Sick/Medical:	1
Vacation:	10
Comp:	10
Floating Holiday:	10

REPORTING YOUR TIME

All employees who keep a time card for any purpose shall submit same to their department head for certification within 24 hours of the end of each pay period (bi- weekly pay period ends at 11:59pm on Sunday; with payroll information submitted on Monday). Following such certification, the department head shall submit the original to the Town Supervisor and shall maintain a copy thereof.

The Town Supervisor or his/her designee shall review the time card in conjunction with the certification for accuracy prior to the payment of the hours contained therein. The Supervisor shall maintain the original time card and corresponding payroll summary sheet for a period of time as prescribed by law. False reporting is cause of immediate termination and considered theft.

Entering time in or out for another employee is a violation of Town Policy and Labor Department regulations, and is subject to disciplinary action.

If you arrive before regular working hours and do not have authorization for overtime, your time-in entry should be delayed until your regular work time starts. Your Time-out entry should be made immediately at the end of the workday, not when you leave.

SALARY

The compensation of Town officers and employees, and all expenses necessarily incurred for the use and benefit of the town, when set and incurred by authority of the town board, are deemed to be valid obligations of the Town.

TRAVEL

The Town Board, in lieu of auditing and allowing the claim of a town officer or employee for actual and necessary expenses for travel, may determine by resolution to allow and pay such officer or employee a reasonable mileage allowance for the use of his/her own vehicle in the course of transacting Town business. Mileage driven while going to or from your normal work station is not reimbursable. If it is necessary for an employee or official to travel a longer distance during an otherwise non-reimbursable trip in order to conduct Town business, only the extra mileage relating to the business will be reimbursed. For example, if an employee normally travels five miles from work to home but travels an extra mile to stop at Town Hall to transact Town business, only that extra one mile is reimbursable.

TERMINATION

A. INVOLUNTARY TERMINATION

Employment with the Town of Stuyvesant is of an “At Will” nature. “At will” means that the employee may resign at any time, and the Town of Stuyvesant may discharge the employee at any time, with or without cause, subject to civil service law. The Town Board must approve any contractual arrangement with an employee.

B. VOLUNTARY TERMINATION

An employee who plans to resign from the Town of Stuyvesant is expected to notify his or her supervisor, in writing, at least two weeks prior to leaving. The supervisor should send a copy to the Town Board immediately.

C. SALARY AND BENEFIT PAYMENTS

An employee who terminates voluntarily or involuntarily will be paid through the last day of employment. Non-exempt employees, who have earned overtime pay but have not received it, will be paid based on the overtime policy. Employees will be paid for any unused vacation time earned as may be accumulated in accordance with section 3, vacation policies. All employee benefits terminate as of the date of termination subject to Section 3 herein.

D. SEVERANCE PAY

No employee is eligible for severance pay.

E. EXIT INTERVIEW

The employee’s immediate supervisor, or his/her designee, is responsible for scheduling an exit interview with a terminating employee on the last day of employment and for arranging the return of any Town property including:

- * Identification and/or Security Cards.
- * Office, file and computer keys.
- * Manuals or other files.
- * Uniforms
- * Any additional Town-owned or issued property.

The employee's final paycheck may be picked up on or after their regular scheduled payday. All Town property listed above must be returned by that time.

F. RETIREMENT

The intent to retire from employment with the Town should be communicated in writing to the Supervisor or his/her designee six months prior, or as early as possible, to the effective date. The rules and regulations as set forth by the New York State Comptroller's Office shall govern.

All employees of the Town except for those specifically exempted by statute are eligible to participate in the New York State Local Retirement System. An opt out letter should be kept on file with town Clerk.

SECTION THREE

BENEFITS

For purposes of defining classifications of personnel within the Town of Stuyvesant organization, may be placed in categories as follows:

Elected Officials: Town Supervisor, Town Councilman, Town Clerk, Highway Superintendent, and Town Justice.

Full-Time Employees: Employee scheduled for 32 hours or more per week.

Part-Time Employees: Employee scheduled for less than 32 hours per week.

Temporary Employees: Employee scheduled on a seasonal basis.

Professional Services Employees: Town Accountant, Zoning/Code Enforcement Officer, Assessor.

Contract Employees: Town Attorney, Animal Control Officer

Other: Chair/Planning Board, Chair/Zoning Board of Appeals, Planning Board Member, Zoning Board of Appeals Member, Board of Assessment Review Member, Town Historian.

HEALTH CARE

FULL-TIME EMPLOYEES and Elected Highway Superintendents:

Individuals employed in full-time positions, which shall be defined as positions scheduled for 32 hours or more per week and hired prior to January 1, 2015 shall be eligible to receive health care coverage with the town being responsible for 90% of total costs and the employee being responsible for 10% of total cost through the Town's health insurance policy, in a plan chosen by the town. The individual may choose family, two-person married partner or individual coverage.

Individuals hired after January 1, 2015 will be eligible for individual coverage with the town being responsible for 90% of the individual cost and the employee being responsible for 10% of total cost for the hired individual in the town's chosen health insurance plan. In addition the employee would be responsible for 50% of the increase in cost if a two-person or family plan is chosen.

In the event that a full-time employee or elected official entitled to healthcare coverage who is covered by a spouse or family policy other than the Town's, declines coverage, a buy-back (current amounts are 3,000.00 for a single eligibility, 3500.00 for a double and 4500.00 for a family eligibility) is permitted. The employee or official must have 12-

months of service to the Town prior to December 1st in order to be eligible. The annual disbursement will be processed on/before December 1st of each year.

PART-TIME EMPLOYEES

Part-time employees shall be entitled to purchase healthcare coverage through the Town’s health insurance policy at 100% of the towns cost after a six-month waiting period from his/her start date.

TOWN RETIREES

Full-time town Highway Superintendents only, who have accumulated more than 25 years of service and are above the age of 65, shall be entitled to receive Medicare supplemental individual health insurance selected from the plans offered by the Town. The Town will be responsible for 90% of the cost; retiree will be responsible for 10% of the costs to the town. Spouses or family may remain on the town’s coverage plans but will be responsible for 100% of costs. Full time Highway Superintendents who have accumulated more than 30 years of service and are at or above age 65 shall be entitled to receive Medicare supplemental individual health insurance selected from the plans offered by the Town. The Town will be responsible for 100% of the cost to the Town. Spouses may remain on the Town’s coverage but will be responsible for 100% of costs. Benefits expire upon death of employee. Plan changes may occur during open enrollment period and/or during a major life changing event.

LEAVE POLICIES

Personnel Days

Personal days are accrued on your anniversary date and you will receive 4 days per year. All personal days must be used prior to your next anniversary date and any unused personal days will roll into “sick days” on your next anniversary date.

HOLIDAYS

Except for unusual workload conditions, full-time and part-time employees (shall be entitled to paid holidays which are observed on a day the employee normally works. Remuneration shall be for the hours the employee normally works on that day.

The paid holidays shall be as set forth below:

- | | |
|------------------------|--------------|
| New Year’s Day | Labor Day |
| Martin Luther King Day | Columbus Day |
| President’s Day | Veterans Day |

Memorial Day Thanksgiving Day
Independence Day Christmas Day
Election Day

Depending on one's closely held beliefs, religious holidays other than those outlined above may be substituted if approved by management in advance.

In order to assure orderly workflow, additional time off is not allowed during any week in which holiday occurs, without prior express approval of the department head.

SICK LEAVE

If you are unable to report to work because you are ill, you must call your supervisor as close to your normal start time as possible. In order to receive sick pay, you must call in every day of your absence.

FULL-TIME EMPLOYEES:

During the first 90 days of full-time employment, no employee shall be entitled to paid sick time. After 90 days of full-time employment, employee may earn 1 day/month up to 180 days. At retirement with a minimum age of 55 and 10 years or more of service employee will be paid ½ of their accumulated time at \$70.00 per day. (ex- had 180 days X 50% = 90 X 70.00= \$6300.00) or can put 100% of accumulated sick days @ \$90.00 per day toward paying their healthcare. (ex. 180 X 90 = 16,200.00 credit towards future healthcare costs).

Any accrued time can be used towards healthcare @ 90.00 per day. (ex. 20 vacation days @90.00 per day= 1800.00 credit towards future health care costs.

Unused sick leave days may be accumulated to a maximum of 180 days.

Upon termination of employment, an employee not retiring from the town will be reimbursed for half of any unused sick leave days at the rate of Fifty dollars (\$50.00) Dollars per day. This amount shall be added to the Employee's last paycheck.

All employees absent more than three (3) consecutive days are required to provide a doctor's statement. Please note: absences of more than five (5) consecutive workdays may qualify for NYS Disability benefits.

PART TIME EMPLOYEES

Part time employees are not eligible to earn sick-time

Please note: absences of more than five (5) consecutive workdays may qualify for NYS Disability benefits.

VACATION

All full-time employees are entitled to paid vacation time. Remuneration shall be for the hours the employee normally works on each vacation day.

Employees are not entitled to vacation time during the first twelve (12) months of employment. After twelve (12) months, employees will accrue vacation leave on the anniversary date of employment as follows:

Employees are entitled to carry over unused vacation days as long as it does not exceed present year's accumulation plus 15 days. Maximum vacation day carry over is present years accumulation plus 15 days.

1 years' service:	5 days per year	(based on scheduled days worked)
2 years' service:	7 days per year	(based on scheduled days worked)
3 years' service:	10 days per year	(based on scheduled days worked)
After 3 years	10 days and 1 day/year up to 20 days	

Weeks are based on scheduled days worked per week.

Seniority takes precedence for vacation scheduling and staggered weeks will be arranged for best team balance, within each department. The summer vacation schedule will be prepared in the spring.

Vacation requests should have the approval of your supervisor, at least 2 weeks in advance. The earlier you notify of long-range plans/reservations, the better we can try to accommodate them.

The Town does not offer vacation benefits for part-time employees.

Due to the disruption of our regular workflow, the Town discourages taking vacation time immediately before or after a Paid Holiday. Special permission is required for any paid time off that includes a Paid Holiday. The Supervisor or Highway Superintendent will review all such requests and make a final decision.

OVERTIME

Overtime pay is for anytime exceeding regular work hours. Full time employees must be paid a minimum of 3 hours overtime for emergency work at a rate of 1.5 times regular pay. Pay for Holiday Emergency work will be double time plus pay for Christmas, New Year's

and Thanksgiving.

Upon termination, (except termination for cause, such as misconduct, theft, etc.) any earned, but unused vacation time, will be paid to you after the two-week's notice has been worked.

SHOES Each full time Highway Department employee is eligible to be reimbursed for a pair of approved work shoes at a cost not to exceed \$200.00 per year. See reimbursement section 5.

BEREAVEMENT LEAVE

All Full-Time employees shall be entitled to a maximum of three (3) consecutive days of absence with pay as the result of a death in the Employee's immediate family or in the immediate family of that of his/her spouse. Immediate family consists of spouse, son, daughter, parent, grandparent, brother, sister, niece, nephew, mother/father-in-law, brother/sister-in-law, grandparent-in-law, niece/nephew-in-law. Employees are only paid for their scheduled work hours during those three days. Unused bereavement leave days may not be accumulated.

COMPENSATION TIME

An employee who works more than forty hours per week shall be entitled to take as compensation the amount of time equal to 1.5 times the hours worked in excess of forty hours. An employee may not accumulate more than 120 hours of compensation time.

Unused compensation may be paid out at retirement or termination of employment

DISABILITY

Non-Work Related Disability

This is covered under the New York State Disability Benefit whereby the employee will receive payment for 26 consecutive weeks according to current NYS Disability Law. Benefit payments begin after seven consecutive calendar days from the date that the employee becomes disabled as a result of sickness or injury that is non- work related.

On-The-Job Injury

Regardless of the nature or severity, all injuries incurred on the job must be reported to your Supervisor to secure proper medical treatment. The Town insures employees against accidental injuries under the Workers' Compensation Act of the State of New York. This provides indemnification to the injured employee for all medical costs and partial lost wages sustained as a result of an on-the-job injury.

The injury must be incurred whereby the employee was furthering the interest of their employer at the time the accident or injury was sustained.

The Town Accountant has all forms and documents necessary for these Disability programs.

FAMILY MEDICAL POLICY LEAVE OF ABSENCE

Eligibility

Eligible employees may take up to 12 weeks of unpaid family/medical leave within a 12-month period and be restored to the same or an equivalent position upon their return to work. The Town will measure the twelve-month period as a **rolling forward** twelve-month period. The 12-month period in which 12 weeks of leave will be tracked based on the first day of the FMLA leave.

To be eligible for family/medical leave, you must have worked for the Town for at least 12 months and for at least 1,250 hours in the past 12 months; and

Leave Entitlement

Eligible employees may take family/medical leave for any of the following reasons:

- 1) The birth of your child and to care for such child;
- 2) The placement of a child with you for adoption or foster care and in order to care for the newly placed son or daughter;
- 3) To care for a spouse, your child or parent (“covered relations”) with a serious health condition; and
- 4) Because of your own serious health condition that renders you unable to perform an essential function of your position.

Any leave due to the birth and care of a child or the placement of a child for adoption or foster care, and care of the newly placed child, must be completed within one (1) year of the date of birth or placement of the child.

If the leave is designated in response to the birth, adoption, or foster care placement of a child, or to care for a covered relation with a serious health condition, ***you will be required to use your accrued sick, vacation and personal days in conjunction with such leave.***

If leave is designated in response to your own serious health condition, any accrued sick, vacation and personal days or medical/sick leave, if applicable, ***you will be required to be taken in conjunction with such leave.***

Once all accrued time has been expended, the remainder of your leave will be unpaid, unless some or all of your leave is subject to any applicable disability plan or policy.

When spouses are employed by the Town, they are entitled to a combined total of

12 weeks' leave: (1) for birth, adoption or foster care and in order to care for such a child; or (2) to care for a parent with a serious health condition. Each individual is entitled to 12 weeks' leave because of his/her own serious health condition or to care for the serious health condition of his/her child or spouse without counting leave time taken by the other spouse.

Leave due to a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary.

Notice and Certification

If your need for family/medical leave is foreseeable, you must give 30 days prior written notice. If this is not possible, you must give notice to your department head as soon as practicable (within one or two business days of learning your need for leave). Failure to provide such notice may be grounds for delay of leave.

You must complete the appropriate family/medical leave forms. These forms are available from the Town Clerk.

If you're are requesting leave because of your own or a covered relation's serious health condition, the appropriate health care provider must supply medical certification. Obtain a medical certification form from the Town Clerk. You should provide the medical certification 15 days after you request leave.

If you provide at least 30 days' notice of your need for medical leave, you should provide the medical certification before your leave begins. If you do not provide the required medical certification in a timely manner, your leave may be delayed until it is provided.

The Town, at its expense, may require an examination by a second health care provider designated by the Town, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the Town, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The Town may periodically require updated information from your health care provider.

"Serious Health Condition" is as illness, injury, impairment, or physical or mental condition that involves either:

- any period of incapacity or treatment connected with inpatient care in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or

- continuing treatment by a health care provider which includes any period of incapacity (i.e. inability to work, attend school or perform other regular daily activities) due to:
 - a health condition lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
 - treatment two or more times by or under the supervision of a health care provider; or
 - one treatment by a health care provider with a continuing regimen of treatment;
 - Pregnancy or prenatal care; or
 - Chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider and may involve occasional episodes of incapacity; or
 - A permanent or long-term condition for which treatment may not be effective (a severe stroke or terminal cancer); or
 - Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (i.e. chemo, radiation)

Job Restoration

If you take leave because of your own serious health condition (except if you are taking intermittent leave), you must provide medical certification that you are able to resume work before you return.

Employees failing to complete the return-to-work medical certification form will not be permitted to resume work until it is provided.

No Work While On Leave

The taking of another job while on family or medical leave or any other authorized leave may lead to disciplinary action, up to and including discharge.

JURY DUTY

Any employee who is required to be absent from work to perform jury duty shall be granted leave with no loss of pay for the first three days of jury duty. Employees are only paid for their scheduled work hours during those three days. A copy of jury summons must be submitted to payroll to receive pay.

LEAVE DONATION

Employees of the Town of Stuyvesant may donate paid leave to a fellow employee in order to assist the co-worker in critical need of leave due to his/her serious illness or injury.

MILITARY LEAVE

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted a leave of absence for military service, training or related obligations in accordance with applicable state and federal law. At the conclusion of the leave, upon the satisfaction of certain conditions, an employee generally has a right to return to the same position he or she held prior to the leave or to a position with like seniority, status and pay that the employee is qualified to perform. Furthermore, USERRA and State law prohibit discrimination and retaliation based on a person's membership or service (voluntary or involuntary) in the uniformed services with regard to any aspect of employment.

An employee who is on excused leave from work to attend inactive duty training (drills) or annual military training as part of the reserve corps of any branch of the armed forces of the United States shall receive any differential between the employee's regular pay and that received by the employee for military duty for the first thirty (30) days of leave in a calendar year. An employee who exceeds thirty (30) days of military leave in a calendar year shall be placed on an unpaid military leave for the duration of the leave in that calendar year. The thirty (30) day pay differential shall not apply to active duty call-ups or other military duty.

SECTION FOUR **ABSENCES**

All employees are expected to be present during all normal hours of work for that department. When possible, the scheduling of appointments should be made to avoid the loss of work time. Your cooperation will help insure proper staffing and prevent disruptions in the workflow.

REPORTING

If an emergency arises or you are ill, making it impossible for you to come to work, YOU MUST NOTIFY YOUR SUPERVISOR AS CLOSE TO YOUR NORMAL START TIME AS POSSIBLE. It is necessary that you talk to your supervisor concerning any aspect of a specific job that might need continuation or follow-through in your absence. You must call each and every day of your illness so that your job function can be absorbed in the best possible way. Any day a call is not received will be considered a leave of absence without pay.

TARDINESS

The nature of the Town's business requires a great deal of interdependence among departments and people.

As with absence, late arrival or early departure requires prior approval. In a case where an unexpected situation arises, your supervisor must be notified as soon as possible. If you are working very late the night before, you should make arrangements with your supervisor to allow later starting time the next day.

SECTION FIVE **EXPENSES**

REIMBURSEMENT

In fulfilling your duties, it might become necessary for you to incur cash expenses on behalf of the Town. The Town will reimburse such expenses. Vouchers may be obtained from the Town Clerk or your Supervisor, along with the necessary receipts, should be approved by your supervisor and submitted to the Town Clerk or your Supervisor.

It is imperative that all expenses be submitted within one month and all pertinent details as to reason for expense must be supplied on the accompanying voucher. Late or incomplete vouchers will be rejected.

The Town will operate in compliance with all IRS regulations concerning expenses.

SECTION SIX

WORKPLACE VIOLENCE

The Town of Stuyvesant is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on The Town of Stuyvesant property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. The Town of Stuyvesant has identified response personnel that include a member of management and an employee representative. If appropriate, the Town of Stuyvesant will provide counseling services or referrals for employees.

All Town of Stuyvesant personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person:

Name: Melissa Naegeli

Title: Town Clerk

Department: Town Hall

Telephone: (518) 758-6248

Location: 5 Sunset Drive Stuyvesant NY 12173