

TOWN OF ALLENDALE EMPLOYEE HANDBOOK POLICY AND PROCEDURES MANUAL

2022

This Employee Handbook Policies and Procedures Manual was passed
by a Resolution on August 9, 2022 by the Allendale Town Council.

TOWN OF ALLENDALE, SC EMPLOYEE HANDBOOK POLICIES & PROCEDURES MANUAL

RESOLUTION 2022-

A RESOLUTION ADOPTING A TOWN OF ALLENDALE EMPLOYEE HANDBOOK- POLICIES AND PROCEDURES MANUAL

WHEREAS, the Allendale Town Council desires a comprehensive set of general guidelines and policies governing all personnel matters for all town employees, including employee conduct, workplace conditions, drug and alcohol policies, policies that implement state and federal employment laws, and other aspects of public employment and city service; and

WHEREAS, these policies are intended to apply to all city employees that do not have an employment contract with the Town and to all town employees with employment contracts that do not already address these policy issues; and

WHEREAS, the policies contained in the Employee Handbook, attached to this resolution and incorporated herein by this reference, are general guidelines for the Town's current employment practices and workplace procedures. They are not intended to be a contract, expressed or implied, or any type of promise or guarantee of specific treatment upon which employees may rely, nor a guarantee of employment of any specific duration.

NOW, THEREFORE BE IT RESOLVED by the Allendale Town Council that the Employee Handbook attached hereto and incorporated by reference, is adopted as the Town's Employee Handbook- Policies and Procedures Manual be applicable to all employees. appointed and elected town officials unless preempted by state or federal law or in conflict with an existing employment contract or collective bargaining agreement.

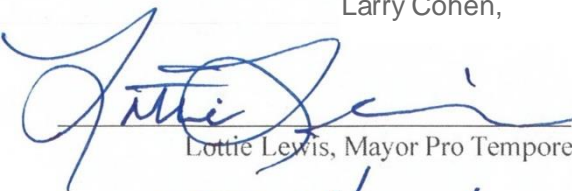
Approved this 9th day of August 2022.

[Signature Page to Follow]

Res. 2012-

SIGNED:

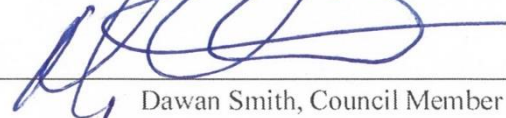
Larry Cohen,



Lottie Lewis, Mayor Pro Tempore



Lee Harley Fitts, Council Member



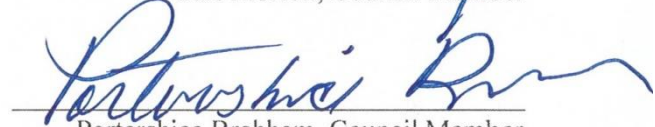
Dawan Smith, Council Member



Hattie Jackson, Council Member



Earl Morrell, Council Member



Portershive Brabham, Council Member

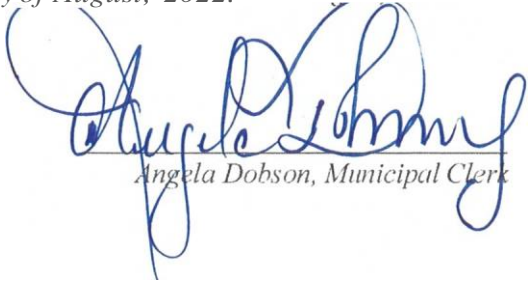
ATTEST:



Bert E. O'Rear, Town Administrator

Certificate of Adoption

I hereby certify //tat the foregoing is a true copy of the resolution passed at lite regular meeting of the Town Council of the Town of Allendale, South Carolina, held on the 9th day of August, 2022.



Angela Dobson, Municipal Clerk

REVISED EFFECTIVE 8/9/2022

THIS IS NOT A CONTRACT

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NOT A CONTRACT OF EMPLOYMENT

IMPORTANT NOTICE

NOTHING IN THIS POLICY AND PROCEDURES MANUAL OR IN ANY SEPARATE POLICY OF THE TOWN OF ALLENDALE ("THE TOWN") SHALL BE DEEMED TO CONSTITUTE A CONTRACT OF EMPLOYMENT. ALL EMPLOYEES OF THE TOWN OF ALLENDALE ARE EMPLOYEES "AT WILL" WHOSE EMPLOYMENT MAY BE TERMINATED AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE. ONLY THE TOWN ADMINISTRATOR WITH THE AUTHORITY OF TOWN COUNCIL HAS THE AUTHORITY TO ENTER INTO ANY AGREEMENT REGARDING LENGTH OF SERVICE OR REASON FOR TERMINATION AND ANY SUCH AGREEMENT MUST BE IN WRITING AND SIGNED BY THE TOWN ADMINISTRATOR WITH THE AUTHORITY OF TOWN COUNCIL.

EVERY EMPLOYEE NEEDS TO UNDERSTAND THAT THE POLICIES SET FORTH IN THIS HANDBOOK ARE MERELY GENERAL GUIDELINE POLICIES WHICH MAY NOT APPLY TO EVERY EMPLOYEE IN EVERY SITUATION. WHEN IT IS NOT PRACTICAL OR DESIRABLE TO FOLLOW THESE GENERAL GUIDELINE POLICIES, THE TOWN OF ALLENDALE WILL HANDLE THESE SITUATIONS AS THE TOWN DEEMS APPROPRIATE.

I UNDERSTAND THAT THIS POLICY AND PROCEDURES MANUAL IS NOT A CONTRACT OF EMPLOYMENT.

SIGNATURE OF EMPLOYEE

DATE

THIS SIGNED COPY IS TO REMAIN IN YOUR POLICY AND PROCEDURES MANUAL

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Special Note: For ease of readability, these policies follow the traditional English practice of referring to unidentified individuals by the use of masculine pronouns. Whenever such a pronoun is used, it is intended to apply to both males and females.

SECTION I – POLICY ADMINISTRATION

The policies and procedures contained herein shall apply to all Town employees. These policies and procedures do not apply to non-employees.

The responsibility to establish and approve these general guideline policies and procedures with regard to Town employment lies with the Town Council of the Town of Allendale.

Administration of these policies and procedures shall be the responsibility of the Town Administrator. The Human Resources Manager shall have the day-to-day responsibility of administering the policies and procedures as set forth herein and the Administrator may designate others to assist. The Town Administrator shall interpret the policies and procedures, and from time to time recommend to the Town Council appropriate amendments in order to maintain a practical and effective system of general personnel guidelines.

DEPARTMENTAL POLICIES AND PROCEDURES

These general guideline policies and procedures shall not be construed such to limit the authority of any department head to make departmental policies and procedures governing the conduct and performance of its employees. **Such departmental policies and procedures shall not conflict with the provisions of the Town of Allendale Policies and Procedures Manual.** Should a conflict arise between a departmental policy or procedure and the Town of Allendale Policy and Procedure Manual, the policy and procedure in this Manual shall prevail. Departmental policies and procedures are subject to approval by the Town Administrator or his designated representative, and a complete, up-to-date copy shall be kept on file in the Human Resources office. Department policies and procedures shall be kept in an accessible place within each department so as to be available to all department employees during normal work hours. If departmental policies are to be stored electronically, Department Heads must ensure that all department employees have access to proper equipment enabling them to view these policies and procedures. Such department policies and procedures shall, when approved and published as herein provided, have the force and effect of rules of that department, and disciplinary action may be used in the enforcement of the policies and procedures. All disciplinary actions for Town employees shall be in accordance with the Disciplinary Action Policy set forth in the Town's Policies and Procedures Manual.

APPOINTING AUTHORITY

The Town Council has delegated the appointing authority to the Town Administrator who shall appoint all employees of the Town, except as otherwise provided by the Town Charter or the Town Code, and the Town Administrator shall have the authority to dismiss, reduce the pay, discipline, or suspend without pay, any employee appointed by him and under his supervisory direction.

ADMINISTRATIVE POLICIES AND PROCEDURES

The Town Administrator may promulgate and establish administrative guidelines and procedures based on the general policies including but not limited to:

- Hours or work schedules
- Pay plan and pay periods
- Performance appraisal systems

- Personnel records and reports
- Temporary work assignments and transfers
- Use of Town vehicles and mileage reimbursement
- Outside employment
- Length of service and length of service credit
- Safety policies and procedures
- Job-related injury procedures
- Other related internal administrative personnel matters

SECTION 2 – EMPLOYMENT POLICIES

EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the Town of Allendale to provide equal employment opportunities without regard to race, color, religion, sex, sexual orientation, national origin, genetic information, age, disability or veteran status. This policy relates to all phases of employment including, but not limited to, recruitment, employment, placement, promotion, transfer, rates of pay and other forms of compensation, benefits, layoff, recall, termination, selection for training, use of all facilities and participation in company-sponsored activities in accordance with all applicable federal, state and local laws. Our objective is to obtain qualified and/or qualifiable individuals for a position by virtue of job-related standards of education, training, experience and personal qualifications.

AFFIRMATIVE ACTION POLICY

The Town of Allendale promotes a policy of equal employment and advancement opportunity to all persons without regard to their race, color, religion, sex, sexual orientation, national origin, genetic information, age, disability or veteran status. Any employee who believes that he has been discriminated against in violation of this policy should report the matter to his supervisor, Department Director, Human Resources Manager, Town Administrator or Town Attorney.

RECRUITMENT AND APPOINTMENT

The Town endeavors to hire the most suitable candidate for open positions and encourages current employees to apply for positions for which they are qualified. For newly created and vacant positions above entry level, promotions within are supported if it is in the best interest of the Town. Notices of vacancies for a Town position shall normally be published by posting announcements on the official bulletin board in Town Hall, Town Hall Lobby, on the website, in each department and such other places, as the Human Resources Manager deems appropriate. Internal postings, when placed, will be open for at least five (5) work-day period beginning on the day following the posting. The internal deadline will expire at 11:59 p.m. on the deadline date. All internal candidates must use the Town of Allendale's Request for Consideration which is found in the Human Resources Department. The Town may also announce the opening to the general public through classified advertisements and notification to the SC Department of Employment and Workforce as well as a posting on the Municipal Association of South Carolina's website. The Town reserves the right to select outside candidates when the Town determines that it is in the Town's best interest to do so. Entry-level positions will be announced through classified advertising in addition to the website. Additional recruitment methods and sources may be used, as the Town deems appropriate.

A newly created position shall be considered a vacancy and will be advertised as outlined above.

A position may be filled by transferring an employee from a position of the same class or similar class with essentially the same basic minimum qualifications and having the maximum salary rate. Both the Department Heads affected, as well as the Town Administrator, must approve interdepartmental transfers. The relinquishing department may delay the transfer for thirty (30) calendar days in order to obtain a replacement.

All applications shall be on forms prescribed by the Human Resources Manager, as available through the Human Resources Department, and shall be filed with the Human Resources Manager on or prior to the closing date specified in the announcement. All applications shall be signed and by virtue of such signature, shall verify the truth and accuracy of all statements contained therein. The Town will only accept applications during the advertised period of the vacancy and will only accept applications for positions that are currently available. Once the advertised period has expired, applications will no longer be accepted.

Whenever a vacancy is to be filled, the Department Head shall notify the Human Resources Manager in writing of the need and the particulars of the position. If the position has not been previously approved and budgeted, the Department Head shall first obtain written authorization from the Town Administrator to post the position. Authorization from the Town Administrator is also required for newly created positions prior to posting. Internal transfers and promotions are encouraged. However, the Town reserves its right to select outside candidates when the Town determines that it is in the Town's best interest to do so.

Applications will be retained for three years and shall remain the property of the Town of Allendale. Applications of individuals not hired by the Town will not remain active. A new application will be required for consideration for a position with the Town.

The Town retains the right to maintain, at its discretion, an Eligibility List for specified positions. Positions will be advertised when this will occur and interviewed applicants will be notified of their placement if added to the eligibility list. Once established, the eligibility list will be maintained for active recruitment for a designated period of time but not more than six months from the date the position closed.

PREEMPLOYMENT

Medical Examinations

Applicants for positions with the Town shall be required to pass a pre-employment examination based on the essential functions of the position after a conditional offer of employment has been extended. Human Resources will contact the applicant to arrange for the physical. Further, police and firefighter applicants have special fitness for duty physical requirements before an official employment offer can be made. Firefighters must pass a fit for duty physical examination annually for continued employment. The Town shall pay the cost of such examinations but will not be responsible for any follow up appointments recommended by the examining physician. All physical exam reports will be submitted by the medical provider to Human Resources to be maintained in the confidential employee medical file with restricted access. The Human Resources Manager will notify the Department Director/Supervisor of the results.

Police and firefighter applicants will have a special fitness for duty physical requirement prior to an official employment offer can be made. Police Officers and Firefighters must pass a fit-for-duty physical examination annually for continued employment.

Drug Testing

The Town of Allendale shall conduct pre-employment drug testing of all potential new hires, following a conditional offer of employment, in accordance with all applicable state and federal laws. The Town shall pay the cost of such testing. Human Resources will notify the Department Director/Supervisor once the results have been received for further action and file the results in the employee's confidential medical file.

Background Checks

The Town of Allendale shall conduct background checks, including without limitation, credit, business and personal references, and criminal, where such a check is warranted by the nature of the position with the Town. Applicants shall authorize such a check in advance. The Town may also require such background checks upon the promotion of a current employee into a position that warrants such a check. Existing employees shall authorize such a check in advance.

Psychological Examinations

For confidentiality reasons, the exam results will be submitted directly from the medical provider to Human Resources. Human Resources shall notify the Department Director that the applicant is cleared for employment. All psychological exam results will be maintained in the employee's confidential medical file in Human Resources. No copies shall be made.

IMMIGRATION

The Town is committed to employing individuals who are United States citizens or who are aliens legally authorized to work in the United States. We do not illegally discriminate because of a person's citizenship or national origin.

The Town complies with the South Carolina Illegal Immigration and Reform Act of 2008 and will verify the legal status of all new employees through the E-Verify federal work authorization program administered by the U.S. Department of Homeland Security as outlined in the statute. The Town will also require any subcontractors and affiliates to comply with the South Carolina Illegal Immigration and Reform Act.

The Town complies with the federal immigration laws, namely the Immigration Reform and Control Act of 1986 and as a result, every new employee at the Town is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility.

If you leave the Town and are rehired, you must complete another Form I-9 if the previous I-9 with the Town is more than three years old, or if the original I-9 is no longer accurate or if we no longer have the original I-9.

PERSONNEL ACTION FORMS

To place an employee on the Town's payroll, a personnel action form must be completed along with all required and signed documentation from the Human Resources Manager and the Town Administrator. Personnel action forms, prepared by Human Resources and recommended by the Department Director, are required on all personnel matters. The Town Administrator or his designee will review all Personnel Action Forms and may approve the action requested based on the nature of the request and business necessity.

Once a decision is reached regarding an offer, the Department Director will contact the Human Resources Manager. Human Resources will contact the applicant with a conditional offer and for authorization signatures for background checks to be completed. At the completion of a satisfactory background check and negative drug screen results, Human Resources will prepare the Personnel Action Form, obtain necessary signatures and extend the official offer of employment.

EMPLOYEE ORIENTATION

All new employees shall participate in an orientation session on the first day of employment (prior to if necessary). Human Resources will conduct the initial orientation to include mandated employment and payroll paperwork, an explanation of benefits and leave, provide a copy of the Town of Allendale Policies and Procedures Manual with discussion and advise of other pertinent employment information.

The Department may provide a tour of the Town's departments along with an explanation of the function of the department and its relation to all other Town departments and orient the employee to the new job responsibilities.

An employee's employment with the Town of Allendale is not for any specific time or guaranteed for same, and may be terminated at will, with or without prior notice. Successful completion of the introductory period is not a guarantee of a right to continued employment.

The Town of Allendale believes that an orientation meeting is essential to beginning a mutually rewarding working relationship. The meeting is an opportunity to acquaint newly hired employees with the Town and discuss policies, procedures, and benefits with them. It also affords the opportunity to complete all necessary new hire paperwork to ensure all federal, state and internal documents are completed in a timely manner. Therefore, except where necessity requires or it is essential and excused by the Town Administrator, all new employee's first day of work will include orientation.

INTRODUCTORY PERIOD

All new employees, rehires and all current employees who have been transferred or promoted to a new position will be evaluated during an Introductory Period of no less than six (6) months.

This period is a continuation of the selection process and is a time in which the new employee should make extra effort to demonstrate that he is well-suited for the job. The introductory period ends successfully when the department director, evaluates the new employee in writing and authorizes his classification as a "regular" employee. Employees who do not receive a satisfactory evaluation by the end of the Introductory Period may be granted additional time in 30-day increments if there were extenuating circumstances that prohibited the employee from successful completion of training or the Department Head feels that there is a potential for improvement. Due to specialized training, certain departments within the Town may require a longer introductory period of up to one year. This introductory period will be discussed with the employee at the time of his hire. Supervisors may recommend the termination of a newly hired employee at any time. Transferred or promoted employees who are unable to perform satisfactorily in their new jobs may, at the discretion of the Town Administrator, be returned to their original position if a vacancy exists or may be terminated.

This introductory period is not to be construed as a minimum guarantee of employment. All Town employees are employed on an "at-will" basis.

EMPLOYMENT STATUS

Regular Full-Time employees are those that have completed their introductory periods successfully and fill a full-time position with the Town. Employees in this status are normally scheduled to work 40 hours (but at least 35 hours) per week, but for exclusive purposes of the Affordable Care Act, full time employment is defined as 30 hours per week. However, the Town does not guarantee any minimum number of hours of work per week. Regular full-time employees working at least 30 hours per week in accordance with the Affordable Care Act are generally eligible for fringe benefits.

Regular Part-Time employees are those that have completed their introductory periods and fill a part-time position with the Town. Employees in this status are normally scheduled to work less than 30 hours each week but may be called upon to work above their normally scheduled hours of work when workloads require. Regular part-time employees are not eligible for fringe benefits (exception Town Judge).

Introductory employees are part-time and full-time employees who have not yet completed their introductory period.

Temporary employees are those hired for a limited period of time or work seasonally as needed throughout the year. Such employees may work part-time or full-time hours depending on the needs of the Town. Temporary employees are not eligible for fringe benefits.

Summer employees are those hired for the summer months and programs only. Summer employees are not eligible for fringe benefits.

Intern employees are those appointed by the Town Administrator that are currently enrolled at an accredited higher education institution, are at the junior or senior level in an undergraduate program, or currently enrolled as a graduate student at an accredited educational institution and are majoring in a specific field of study which aligns with positions currently offered for employment by the Town of Allendale. These appointed interns are paid an hourly wage. Intern employees are not eligible for fringe benefits. Intern employees are typically scheduled to work no more than 24 hours per pay period.

NEPOTISM

It is well accepted that employment of relatives in an organization has the potential of causing serious conflicts and problems. In addition to claims of partiality in treatment at work and possible charges of harassment, personal conflicts from outside the work environment can be carried into day-to-day working relationships even across departments. It is the Town's policy that relatives of persons employed may be hired only if they will not be working in the same department. Under no circumstances will employees in the same immediate family be employed or continue to be employed if one directly or indirectly supervises another or has responsibility for reviewing the work of the other family member. If the relative relationship is established after employment through marriage, the individuals concerned shall decide who will resign their position or transfer if there is an available vacancy in another department. If that decision is not made within 30 calendar days, the employee having the lower budgeted annual compensation will be terminated.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the employees may be separated by reassignment or termination of employment. Generally, the employment of relatives of employees in any Town position is strongly discouraged to avoid these issues.

For purposes of this policy, immediate family includes spouse, parent, child, grandparent, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, and nephew. Step-relatives are considered family members under this policy. This policy also applies to individuals who are not legally related but who are domestic partners, romantic partners or co-inhabitants in an apparently romantic relationship.

If it is determined that such a relative relationship exists and the employees did not come forward with this information both voluntarily and timely, both employees will be terminated upon its discovery even in situations where the relationship no longer exists.

Immediate family members, as outlined above, of elected officials are not eligible for employment with the Town of Allendale.

Situations not specifically addressed in this policy which, in the Town's opinion, create a conflict of interest or give the appearance of a conflict of interest, will be handled at the Town's discretion.

The Town reserves the right to make an exception to this policy in an emergency or under extraordinary circumstances.

WEAPONS IN THE WORKPLACE

The Town respects your legal right to own, possess and transport firearms, large knives and other legal weapons. However, bringing or possessing any weapons, whether legal or illegal, concealable or not, into or in any Town building, structure or vehicle is **strictly prohibited** unless the employee is required to have firearms or weapons as part of their job for the Town of ALLENDALE.

NON-DISCRIMINATION/ANTI-HARASSMENT POLICY

The Town of Allendale's policies, as well as various laws and regulations, generally prohibit employment decisions from being made on the basis of race, gender, religion, national origin, genetics, age, disability, veteran status, or any other factor that is prohibited by law. In addition, it is our policy to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

All employees, including but not limited to non-supervisory staff, Department Heads, supervisors, and managers are expected to comply with this policy and take appropriate measures to ensure that discrimination or harassment does not occur.

If you feel that this policy has been violated by anyone with whom you come into contact on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the public, you must **immediately** report this incident. A timely response to discrimination or harassment is essential to protect employees from further unwelcome behavior. It also provides the best opportunity for the Town to expeditiously and effectively address the matter with the least possible adverse impact on all parties concerned.

You may report the incident either to your supervisor, your Department Head, the Human Resources Manager, or the Town Administrator. Any Department Head, supervisor or manager who does not report to Human Resources any discrimination or harassment complaints that are brought to their attention may be subject to disciplinary action.

In the event you believe that the Town Administrator of the Town is the alleged harasser, you **MUST IMMEDIATELY** contact the Town Attorney.

In most instances, the Human Resources Manager will initiate an investigation into the complaint and shall issue written notices within five (5) days of receiving the complaint, to complainant(s) and those accused of discriminatory or harassing acts. The notice shall acknowledge receipt of the complaint and that an investigation will be conducted. Complaints will be kept as confidential as possible, consistent with its effective investigation. Witness interviews will be conducted, and persons interviewed during the investigation will be informed that statements made to the Human Resources Manager are not confidential, and while the Town's policy is to strictly control distribution of investigative reports, such reports may be released as the result of subsequent litigation.

The Human Resources Manager will take reasonable and prudent measures to preserve evidence.

In addition to the prohibitions on discrimination, it is unlawful to retaliate against an employee for filing a complaint of discrimination or harassment. Allegations of such retaliation will be investigated in the same manner as reports of discrimination or harassment. Discipline for making a complaint of discrimination or harassment that the complainant knows to be false is not retaliation.

Within thirty (30) days of the receipt of a complaint, a final report will be provided to the Town Administrator and shall include:

- A summary of the allegations and how they were reported;
- Summaries of the interviews with any alleged victims;
- Summaries of interviews of any employees accused of wrongdoing;
- Summaries of interviews of other witnesses who may possess information relevant to a fair resolution of the complaint;
- Any documents or other tangible evidence, or photographs or descriptions of such evidence, as appropriate, along with notation of where such evidence is being kept for safekeeping, and

- A recommendation to the Town Administrator for proper conclusion to the investigation.

ANTI-SEXUAL HARASSMENT POLICY

The Town has taken special steps to prevent employees from being subjected to inappropriate conduct in the workplace. Sexual harassment violates an individual's basic civil rights, undermines the integrity of the workplace, and adversely affects employees, whether or not they are the direct target of harassment. Sexual harassment is a form of discrimination on the basis of sex and is prohibited in the workplace by the policies of the Town, as well as state and federal law. It is also unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

All employees, including but not limited to non-supervisory staff, Department Heads, supervisors, and managers are expected to comply with this policy and take appropriate measures to ensure that sexual harassment does not occur.

The Town's "Non-Discrimination/Anti-Harassment" policy addresses all forms of harassment in a single policy. The Town wishes to highlight in this policy a particular form of harassment which is often described as "sexual harassment."

Sexual harassment is a form of sex discrimination and means unwelcome advances, requests for sexual favors, and other inappropriate behavior which, because of an individual's gender, has the effect of creating a hostile, intimidating, or otherwise unpleasant work environment; submission to such conduct is made either explicitly or implicitly a term or condition of employment; or submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual.

Sexual harassment can be either verbal, physical, auditory, or visual. It can be either subtle or overt. Sexual harassment refers to behavior that is not only unwelcome, but which can also be personally offensive, fails to respect the rights of others, lowers morale and interferes with work effectiveness, or violates a person's sense of well-being. Both men and women can be the victims of sexual harassment, and it can occur in situations where one person has authority (or the appearance of authority) over another, and can also occur between peers.

The following, in no particular order, are some of the more obvious types of behavior the Town considers to be highly inappropriate in the workplace:

Verbal: Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats, unwelcome sexual flirtations, persistent requests for dates, degrading words relating to sex or gender, other verbal comments of a sexual nature, and graphic commentaries regarding an individual's body.

Non-Verbal: Sexually suggestive or offensive objects or pictures, written comments, suggestive or insulting sounds, leering, whistling, obscene gestures.

Physical: Unwanted physical contact, which may include, without limitation, touching, pinching or brushing the body, coerced sexual intercourse, and assault.

Listed above are general descriptions of some of the types of conduct which **may** constitute sexual harassment or which can lead up to sexual harassment, depending upon the circumstances. Importantly, not all of the prohibited conduct listed above rises to the level of which would meet the legal definition of this term. The Town of Allendale does not want you to have to worry about whether conduct which makes you feel uncomfortable meets or does not meet a particular legal definition. What the Town wants, and insists upon, is that you notify the Town immediately in the event someone else's conduct offends you or otherwise makes you feel uncomfortable.

If you feel that this policy has been violated by anyone with whom you come into contact on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, you must **immediately** report this incident. A timely response to sexual harassment is essential to protect employees from further unwelcome behavior.

It also provides the best opportunity for the Town to expeditiously and effectively address the matter with the least possible adverse impact on all parties concerned.

You may report the incident either to your supervisor, your Department Head, the Human Resources Manager, or the Town Administrator. Any Department Head, supervisor or manager who does not report to Human Resources any sexual harassment complaints that are brought to their attention may be subject to disciplinary action.

In the event you believe the Town Administrator is the alleged harasser, you **MUST** IMMEDIATELY contact the Town Attorney.

In most instances, the Human Resources Manager will initiate an investigation into the complaint, and shall issue written notices within five (5) days of receiving the complaint, to complainant(s) and those accused of sexual harassment. The notice shall acknowledge receipt of the complaint and that an investigation will be conducted. If applicable, the notice shall also state that any prohibited activity is to cease immediately. Complaints will be kept as confidential as possible, consistent with its effective investigation. Witness interviews will be conducted, and persons interviewed in the course of the investigation will be informed that statements made to the Human Resources Manager are not confidential, and while the Town's policy is to strictly control distribution of investigative reports, such reports may be released as the result of subsequent litigation. The Human Resources Manager will take reasonable and prudent measures to preserve evidence.

The Human Resources Manager shall ensure that an investigation is conducted when any instance of sexual harassment comes to their attention, even in the absence of a written complaint.

In addition to the prohibitions on sexual harassment, it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for assisting in an investigation. Allegations of such retaliation will be investigated in the same manner as reports of sexual harassment. Discipline for making a complaint of sexual harassment that the complainant knows to be false is not retaliation.

Within thirty (30) days of the receipt of a complaint, a final report will be provided to the Town Administrator and shall include:

- A summary of the allegations and how they were reported;
- Summaries of the interviews with any alleged victims;
- Summaries of interviews of any employees accused of wrongdoing;
- Summaries of interviews of other witnesses who may possess information relevant to a fair resolution of the complaint;
- Any documents or other tangible evidence, or photographs or descriptions of such evidence, as appropriate, along with notation of where such evidence is being kept for safekeeping, and
- A recommendation to the Town Administrator for proper conclusion to the investigation.

STATE STATUTE – STUDENT LOANS IN DEFAULT STATUS

We must adhere to the state statute regarding certain student loans in default status. Below is a copy of the statute.

SECTION 59-111-50. Persons defaulting on certain student loans precluded from employment by State.

No person who has willfully defaulted on a National Direct Student Loan, a National Defense Student Loan, a Guaranteed-Federally Insured Student Loan, a Nursing Student Loan, a Health Professions Student Loan or a Law Enforcement Educational Loan shall now or hereafter be employed by the State or any of its departments, agencies or subdivisions until all defaults are cured and loan payments made current; provided, however, that if such person and his lender voluntarily enter into an agreement after default under which terms the debt will be repaid and the lender confirms this agreement in writing with the state agency,

department or subdivision, the loan shall not be considered in default and the default shall be considered as cured so long as the person complies with the terms of the agreement.

HISTORY: 1980 Act No. 375, Section 1.

The Town of Allendale could allow an employee that defaults on a National Direct Student Loan, a National Defense Student Loan, a Guaranteed-Federally Insured Student Loan, a Nursing Student Loan, a Health Professions Student Loan or a Law Enforcement Educational Loan up to fifteen (15) business days to voluntarily enter into an agreement after default under which the terms the debt will be repaid and the lender confirms this agreement in writing to the Town of Allendale. This would make it so that the loan shall not be considered in default and shall be considered cured as long as you comply with the terms of the agreement. Employee would have to provide documentation on a monthly basis that he/she is staying in compliance with the agreement. If the employee willing allows their loan to default, their employment with the Town of Allendale will terminated immediately.

SECONDARY EMPLOYMENT

Outside employment shall in no way conflict with or be detrimental to the employee's work for the Town. Employees currently engaged in or considering outside employment must immediately report such activity or interest to their Department Heads in writing and may not continue or begin such employment without approval of the Department Head and the Town Administrator. The letter along with the determination of the Department Head and Town Administrator shall be placed in the employee's personnel file. Approved requests shall be subject to periodic review.

Employee's not currently working secondary employment must notify and receive approval from his Department Manager and the Town Administrator **prior** to beginning any outside employment. Personal work or use of the Town's tools, equipment, vehicles, uniforms, facilities, or paid-time for non-Town business or personal benefit is prohibited unless specifically approved. Employees are not to conduct personal business or any non-Town business while on Town property or time.

Employees out on any type of sick or personal leave are prohibited from working any outside employment during the period of time they are out of work without the expressly written authorization of the Town Administrator.

The Town and its officials shall not be held responsible or liable for any injury and/or incident occurring during outside employment hours. This includes but is not limited to travel to and from secondary employment. It is the responsibility of the employee to obtain insurance if required by the secondary employer for coverage while working the outside employment position. Outside employment is NOT covered under the Town's Workers' Compensation Insurance.

If outside employment is approved, the Town reserves the right to require the employee to discontinue the secondary employment or to reduce it to an acceptable level in order to continue employment with the Town.

SECTION 3 - CLASSIFICATION PLAN

DEVELOPMENT OF THE CLASSIFICATION PLAN

The Town Administrator shall prepare and recommend a position classification plan and make necessary amendments from time to time. The plan shall provide a complete inventory of all municipal positions. The Classification Plan shall be based upon an analysis of the duties and responsibilities of all positions, which shall be grouped into classes on the basis of current duties and responsibilities, to the end that all positions in the same class shall be sufficiently alike to permit the use of a single descriptive title, to require the same or comparative training and experience qualifications, to require the same or comparative tests of competence, and to be equitably compensated within the same pay range.

A class may contain one position or more than one position, as determined by the Town Administrator.

COMPOSITION OF THE CLASSIFICATION PLAN

The Classification Plan shall consist of class descriptions for all classes, each including the following:

- a) A descriptive title.
- b) A section dealing with the nature of work, general responsibilities, supervision exercised and received, methods by which work is assigned and reviewed, hazards and other measures of responsibility and difficulty.
- c) A section containing examples of essential job functions of the duties performed in positions of the class. This listing shall not be all inclusive or limiting and shall in every case end with the phrase "performs related work as required."
- d) A section giving the knowledge, abilities, skills and physical attributes desired of applicants for entrance into positions allocated to the class.
- e) A section indicating the training and experience required of applicants for entrance into a position allocated to the class.
- f) A section listing the minimum qualifications required to perform essential job functions.
- g) A section indicating the possession of a specific license issued by a licensing board when required by legal provisions as a condition of employment.

USE OF THE CLASSIFICATION PLAN

The Classification Plan shall be used as a guideline:

- a) In determining pay rates for the various classes of work;
- b) In recruitment efforts;
- c) In measuring abilities and qualifications needed to perform the work of the class;
- d) In determining lines of promotion;
- e) In developing employee in-service training programs; and
- f) In determining personnel service costs in relation to fiscal planning.

POSITION DESCRIPTIONS

Position descriptions shall be prepared and kept current by the Human Resources Manager for each class of work. They are to be interpreted in their entirety and in relation to others in the Classification Plan. Particular titles, phrases, or examples of work are not to be isolated and treated as the full definition of the class. Position descriptions are deemed to be descriptive and explanatory of the kind of work performed and neither inclusive of all duties which may be performed nor restrictive of duties which may be assigned or required.

JOB TITLES

Job titles shall be used in personnel, accounting, budget and financial records. No person shall be appointed to or employed in a regular position under a title not included in the Classification Plan.

MAINTENANCE OF THE CLASSIFICATION PLAN

The Human Resources Manager is charged with the responsibility for the proper and continued maintenance of the Classification Plan so that it will reflect accurately the duties being performed by each employee covered by these provisions and the class to which each position is allocated.

SECTION 4 – COMPENSATION PLAN

COMPOSITION OF THE COMPENSATION PLAN

The Compensation Plan shall consist of a listing of the titles of all position classifications together with assigned pay range and the rates of pay for each class.

ADMINISTRATION OF THE PAY PLAN

Administration of pay rates within pay ranges will be the responsibility of the Human Resources Manager with the approval of the Town Administrator. All positions in the Town service requiring similar qualifications and having similar duties and responsibilities shall be similarly compensated as closely as possible in accordance with the current classification plan.

PREPARATION OF THE COMPENSATION PLAN

The Town Administrator shall be responsible for preparing and recommending to the Town Council a compensation plan extending to all classes of work for positions in the municipal service covered in this plan. The range of pay for each class shall be such as to reflect the differences in duties and responsibilities among classes and shall be related to compensation for the general geographical area in which competition for available personnel may be reasonably considered to exist. A range of pay shall be assigned to each of the different classes of positions. The Town reserves the right to make exceptions to this assignment.

SERVICE ANNIVERSARY DATE

The service anniversary date of an employee shall be the date the employee is hired or rehired. If an employee is rehired within three months of leaving the Town, the original service date may be retained upon the approval of the Town Administrator.

FACTORS IN THE COMPENSATION PLAN

Pay ranges shall be related directly to the position classification plan and shall be determined with due regard for the following factors:

- a) The range specified for other classes.
- b) The relative difficulty and responsibility of the class.
- c) The educational and experience requirements of the class.
- d) The availability of applicants in particular occupational categories.
- e) Prevailing rates of pay for similar employment in private establishments and other public jurisdictions, with the most weight given to those sources which would be expected to compete with the Town for the available supply of personnel.

- f) The current geographical cost of living.
- g) The financial policies and resources of the Town.
- h) Other economic considerations.

THE BASIC PAY SCHEDULE

The basic pay schedule shall be in broad banded amounts. It shall consist of a series of pay ranges with each pay range having a minimum and maximum salary. All employees of the Town of Allendale are at-will employees. This policy does not guarantee any specific length of employment, nor does it guarantee any specific amount of compensation.

PAYROLL PROCEDURES

All employees shall be paid bi-weekly. Any payments for authorized overtime work shall be determined by converting the bi-weekly rate to the hourly rate. The Town Administrator or his delegated authority may develop such payroll and personnel forms as are necessary to give effect to this section.

DEVELOPMENT OF THE COMPENSATION PLAN

The Town Administrator may make comparative studies of factors affecting pay rates as often as he deems necessary. Studies should be made periodically and when possible, prior to the beginning of a fiscal year so that findings may be incorporated into the plan in time for planning the next fiscal year. Across the board adjustments shall be made by increasing or decreasing all rates by an approximate percentage amount to permit rounding.

APPOINTMENT RATE

The minimum rate established for a class shall be paid upon appointment; appointment rates above the minimum may be authorized by the Town Administrator on recommendation of department heads. Such authorizations shall be based on the exceptional qualifications of the appointee or the inability to employ adequately qualified personnel at the minimum rate.

PAY INCREASES

Periodically, employee pay rates shall be reviewed to determine eligibility for within range increases in accordance with policies determined by the Town Council.

PAY RATES ON TRANSFER, PROMOTION OR DEMOTION

In promotion, an employee will be evaluated during an Introductory Period of six (6) months. When an employee accepts an assignment in a higher pay grade, the employee's salary will be increased either 3.5%, 5% or 7% based on the grade of the position or increased to the minimum of the job grade of the new position, whichever is greater.

In demotion, the employee's salary shall be reduced up to 7% for one pay grade and 10% for more than one pay grade if it falls within the pay range established for the class to which the employee is demoted. In the unlikely event that the salary does not fall within the lower pay range, the salary will be reduced further to a rate within the pay range established for the class to which the employee is demoted, unless such a reduction would take the employee's salary below the federally published minimum wage in which case the reduction would cap at minimum wage.

In a lateral transfer, an employee is transferred between departments and/or divisions of the Town

government to a position in the same pay grade, the salary rate of the employee will remain unchanged.

CALL BACK TIME

When an employee who has exceeded the threshold hours for overtime is called back to work on an emergency, the minimum overtime payment shall be one hour of work at the rate of time and one-half in accordance with state and federal law. This overtime payment shall only be made to employees who have already qualified for overtime at the time of the call back. Police and Fire personnel shall be compensated for work in excess of their regular work period as provided in the Fair Labor Standards Act.

When an employee is called back to work and does not work a full hour, the minimum credit for returning will be one hour. This time may be credited to straight time to meet the week's schedule or overtime as outlined above.

BEGINNING SALARY

The minimum rate of pay for a grade shall normally be paid to any person on his original appointment to a Town position. Original appointment above this rate may be made, subject to one or more of the following conditions:

The applicant must clearly exceed the minimum requirements for the position as set out in the Position Description.

The position opening must have received advertising in the local or regional publications for a reasonable length of time.

SEPARATION PAY

Upon separation from Town employment, a regular employee will be paid any salary due and unused but accumulated vacation leave as follows, subject to any mandatory caps on leave accumulation as Council may from time to time establish:

Non-exempt employees giving **and** working a two-week notification of their resignation will be eligible to receive their accumulated but unused vacation pay up to a maximum of six workweeks as appropriate to each individual employee. Please refer to leave policies for maximum hours allowed. Whether the employee will be required to work that notice is at the discretion of the Town Administrator upon the recommendation of the department director. Employees who do not give **and** work the proper notice or who are terminated for disciplinary reasons will not be paid for accumulated but unused vacation. Employees who are working a two-week notice will not be eligible to use general leave or compensatory leave of more than two days. Sick leave may be granted with authorization by a medical provider. An employment separation date may not be moved forward or back to compensate for any accumulated leave.

In the event of the employee's death, unused accumulated vacation shall be paid to the legal representative of the employee's estate or any other properly designated individual.

Exempt employees giving **and** working a thirty (30) day notification of their resignation will be eligible to receive their accumulated but unused vacation pay up to a maximum of six work weeks as appropriate to each individual employee. Please refer to leave policies for maximum hours allowed. Whether the employee will be required to work that notice is at the discretion of the Town Administrator. Employees who do not give **and** work the proper notice or who are terminated for disciplinary reasons will not be paid for accumulated but unused vacation.

OVERTIME AND COMPENSATORY TIME

The Town recognizes that occasionally non-exempt employees may be required to work overtime in order to provide essential governmental services. It is the policy of the Town that non-exempt employees who are required to work overtime be compensated for their extra efforts. Since uncontrolled overtime can result in dramatically heightened costs, the Town must ensure adequate management of overtime situations is instituted.

Overtime must be approved in advance by the Department Head in accordance with the guidelines established by the Town Administrator, except in the case of an emergency. Employees who refuse to work overtime or fail to appear when notified and scheduled to work overtime may be subject to disciplinary action up to and including dismissal. Working unauthorized overtime may also subject an employee to disciplinary action.

Compensation for non-exempt employees covered by the Fair Labor Standards Act, who are authorized by their Department Head and/or the Town Administrator to work more than forty (40) hours in a workweek, will be at the rate of 1.5 times the hourly rate of pay for each hour in excess of forty (40) hours within the seven-day, defined workweek. The Town of Allendale does not provide or offer compensatory time to any non-exempt employee. The Town Administrator may make exception to this rule in emergency situations or at his discretion when it is in the best interest of the Town.

Police personnel shall be compensated for work in excess of their regular work period as provided in the Fair Labor Standards Act. Commissioned non-exempt police and detention officers shall receive overtime compensation when actual hours worked in a pay period (14 days) exceed 86.0 hours

Holiday, vacation, sick or any other type of leave taken (except conference leave) will not be counted as hours worked when computing overtime. The Town Administrator may, at his discretion, make an exception to this provision.

Exempt employees, by definition, are exempt from the overtime and compensatory time off requirements of the Fair Labor Standards Act. Hence, exempt employees have no legal entitlement to compensatory time off. Compensatory time off **may** be granted to exempt employees at the discretion of the Town Administrator. Any decision to provide compensatory time off to an exempt employee would be purely gratuitous on the part of the Town.

SALARY BASIS

It is the policy of the Town to comply with the Fair Labor Standards Act ("FLSA"). The FLSA is a federal law which requires that most employees be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. The FLSA does provide exemptions from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, outside sales employees and certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis of a minimum of \$455 per week. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the FLSA regulations. You will be classified as an exempt or a non-exempt employee upon your employment with the Town. Your job and its corresponding duties may be re-evaluated periodically to determine exempt status.

Note: All salaried and/or exempt employees are expected and are required to work at least forty (40) hours per week to remain at a salaried/exempt status, unless other arrangements have been made with the Town Administrator or the employee is under an employment contract and arrangements have been made between the Town and the employee. These agreements must be in writing and signed by both parties.

"Salary basis" is defined as a predetermined amount of compensation each pay period on a weekly or less frequent basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions that follow, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the business necessity, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Deductions from pay are permissible when an exempt employee is (a) absent from work for one or more full days for personal reasons other than sickness or disability; (b) for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; (c) to offset amounts employees receive as jury or witness fees, or for military pay, or (d) for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

The Town is not required to pay the full salary for the initial week of employment where the employee has not worked the entire work week, nor in a week where the employee has been terminated and has not worked the entire work week; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. Under these circumstances, either a partial day or full day deduction may be made.

Improper deductions are prohibited from the salaries of exempt employees or any other such deductions that violate the FLSA. If you believe that an improper deduction has been made to your salary, you must report this information immediately to your supervisor or the Town Administrator. Reports of improper deductions will be promptly investigated, and if it is determined that an improper deduction has occurred, you will be promptly reimbursed.

PAYMENT OF WAGES

Prior to January 1, 2023, all employees will be paid weekly on Friday of each week after 2pm. Starting with the first payroll in January 2023, all employees will be paid bi-weekly on Friday after 2pm at their work site unless the Town makes other arrangements with a particular employee or if the Town participates in direct deposit. If the normal payday falls on a holiday, payroll checks will be distributed on the workday prior to the holiday. The Town requires all employees to participate in direct deposit. If for some reason direct deposit payroll cannot be completed due to banking regulations, software failure, or loss of power which prevents payroll from being transmitted on time so that the employees bank account(s) are credited by Friday of each pay period, the Town will issue paper checks in lieu of direct deposit to each employee scheduled to receive pay.

In addition to legally mandated deductions for taxes and social security, the Town will deduct from employee paychecks any authorized benefit payments (insurance, retirement, etc.). Additionally, the Town may from time-to-time advance money to an employee for travel advance or the purchase of tools and other equipment (which become the property of the employee upon payment in full). The advance shall be repaid by payroll deduction over a mutually agreeable period of time.

Cash, debts owed by the employee to the Town, travel advance balances, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, beepers, computers, and other items belonging to the Town and advanced or issued to an employee and not repaid or returned by him at the time of termination are considered "advances of wages," the value of which will be deducted from the employee's final paycheck(s). By accepting or continuing employment, the employee authorizes these deductions.

Failure to receive proper pay/benefits: If an employee does not submit a grievance or otherwise complain in writing within fourteen (14) calendar days of the date on which he knew or reasonably should have known that he failed to receive a benefit(s) or proper wages in accordance with Town policies, he forfeits all rights to such benefit(s) or wages. If the benefit(s) or proper wages should be corrected for future earnings, the changes will be made effective the following pay period after notification but not retroactively.

If an error occurs that results in overpayment, the employee should notify the supervisor and payroll immediately. Once an error is discovered, the employee and supervisor will be notified in writing of the amount of overpayment and advised of the scheduled repayment.

TEMPORARY ASSIGNMENT TO HIGHER LEVEL POSITION

Where a regular employee is qualified for and is temporarily required to serve in and accept the responsibility for work in a position of a higher grade within their department, and which will involve a period of time covering thirty (30) workdays or longer, such employee shall receive a rate of pay in the pay range of the temporary position while so assigned. This assignment is subject to the approval of the Department and the Town Administrator. The employee's salary will be increased by 3.5% or increased to the minimum job grade of the temporary position, whichever is greater. The employee may not be temporarily assigned for a period longer than one hundred eighty (180) calendar days unless it is due to a military deployment or an extended leave of absence due to a workers' compensation injury/illness. In those unusual

circumstances when the temporary assignment is extended beyond six months, an additional 3.5% pay increase will become effective at that time and continue until the temporary assignment ends. Once the temporary assignment ends, all additional pay associated with that assignment will terminate.

An employee may be temporarily assigned for a period not to exceed thirty (30) workdays to any position in the same or lower grade without impacting salary. Any extension to this assignment must be approved in advance by the Town Administrator. All employees of the Town of Allendale are at-will and are not guaranteed any length of employment with the Town.

SECTION 5 – LEAVE POLICIES & TIME AWAY FROM WORK

The Town provides eligible employees in designated circumstances both compensated and uncompensated leave. The following policies establish the circumstances for which the Town will provide compensated or uncompensated authorized absences. Under no circumstances may a Department Head or supervisor grant compensated time off that is not specifically authorized by policy. Compensated time cannot be granted as a reward or incentive unless pre-approved by the Town Administrator. The Town does require regular and predictable work attendance but is considerate of the needs for the eligible employees to incur unpaid absences necessitated by personal or family circumstances. Employees requesting leave are required to use the applicable accumulated paid leave before being placed on leave without pay (except when the absence is due to a disciplinary action or military leave).

HOLIDAYS

It is the policy of the Town of Allendale to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed. The Human Resources Office will publish the approved schedule of holidays the Town will observe during each calendar year before the beginning of the year. The minimum holidays are: (Note: Additional Holiday's may be added by proclamation of the Town Council. The Town Administrator upon approval of the Town Council will issue a list of all observed holidays for the following calendar year, no later than December 15th of each year.) The list below is a list of permanent holidays that the Town will observe.

New Years' Day;
Martin Luther King Day;
Memorial Day;
Independence Day;
Labor Day;
Veterans Day;
Thanksgiving Day;
Christmas Day;
Employees Birthday;
Two Optional Holidays.

In addition, all eligible employees will be granted 2 personal "**Optional Holidays**" to be used at the employee's discretion, upon prior approval of their supervisor. The Optional Holiday's may be used to observe a Holiday that the Town has not chosen to observe. The Optional Holiday must be used by December 31st each year, or it will be forfeited. The Optional Holiday is also forfeited, if unused, at the time of separation from the Town. Special Requirements for Optional Holiday's: 1) In departments having seven (7) or more employees, only two (2) employees may request off on the same date; 2) In departments of five (5) or less employees, only one (1) employee may request off for a specific date; 3) Optional Holiday off requests are accepted on a first-come, first-served basis. No later than December 20th of each year, the Town Administrator will send out to all employees their vacation requests for the following calendar year. Employees will be allowed to request holidays based on seniority. See the MOU regarding requesting Holiday & Vacation Days.

Full time regular employees who work a minimum of 37.5 hours are eligible for holiday pay. Part-time and temporary employees do not receive holiday pay.

To receive holiday pay, an eligible employee must be at work and work their full scheduled shift or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of approved paid leave. If an employee is absent on one or both of these days because of an illness or injury, the Town reserves the right to verify the reason for the absence before approving holiday pay. Holidays are to be used in full shift increments.

A holiday that occurs on a Saturday will generally be observed by the Town the preceding Friday. A holiday that occurs on a Sunday will generally be observed by the Town the following Monday.

When a holiday occurs on a normally scheduled workday, approved absences on that day are considered the holiday. No other type of leave can be substituted. Holiday compensatory time will be accumulated in the fire and police department as it applies to particular schedules to ensure all eligible employees receive the same number of holidays. For the purposes of compensatory time, only commissioned Police Officers may accumulate compensatory time if they are scheduled to work on an observed Holiday. In these cases, the compensatory time awarded will be at the rate of (1.5) one and one-half of the regular hourly rate. The Commissioned Police Officer has the option of whether they want to receive compensatory time or be paid in cash for worked holidays. The Commissioned Police Officer must sign a form at the time they are hired or after these policies become effective on whether they choose to receive cash compensation or compensatory time for worked holidays. Should the Commissioned Police Officer choose to receive compensatory time, any compensatory time accumulated must be taken within (30) thirty days of when the compensatory time is awarded. If the Commissioned Police Officer has not taken the accumulated compensatory time within the (30) thirty days following the accrual, then the Town will automatically convert the accrued compensatory time into cash payment on the next scheduled payroll at the rate of (1.5) one and one-half times the base hourly rate. All other employees will observe the designated holiday.

Because Town operations must continue, emergency personnel schedules require that some employees work on holidays. In this event, employees are given holiday compensatory hours if worked or if the holiday is one of their normally scheduled days off. The only exception shall be for those non-exempt employees required to work the actual day of Christmas Eve, Christmas Day and Thanksgiving Day. The non-exempt employees working these specific holidays will receive additional pay for those normally scheduled hours. Holiday compensatory time will not be an option for these three days. Holiday pay will be automatically assigned in the timekeeping system to occur. For all other holidays, the non-exempt employee will automatically accumulate holiday pay. Any overtime hours in the two/three "pay holiday" weeks for those non-exempt employees who actually worked the applicable holiday will also be paid. Exempt employees are not eligible for holiday pay and may be awarded holiday compensatory hours only.

It is expected that allowing a longer period of time for the use of holiday compensatory hours will better accommodate the needs of employees and the Town. The timekeeping system will credit the employee's holiday compensatory balance once the holiday occurs.

The Town recognizes that some employees may wish to observe, as periods of worship or commemoration, certain days that are not included in the Town's regular holiday schedule. Accordingly, employees who would like to take a day off for those reasons may do so if it will not unduly disrupt the Town's business and upon approval of the employee's supervisor. Employees may use accumulated days of paid absence for these occasions, or request an exception to policy for unpaid, excused absence.

WORK BREAKS

As a benefit to the Town employees, the duties of each workday will usually be interrupted at a mutually convenient time **if the day's work schedule permits**. Normally, these breaks are as directed by your supervisor. Breaks are a voluntary benefit provided for our employees. **They are not required** by federal, state, or any other laws. There could be times when it might not be possible to stop working for a break. At such times, your cooperation will be expected and genuinely appreciated.

In accordance with 29 U.S.C. §207(r)(1), employers with fifteen (15) or more employees must provide reasonable unpaid break time to lactating mothers to express breast milk up to one year following the birth of a child provided that such break time does not unduly disrupt operations. The Town of Allendale will make reasonable efforts to provide a private location other than the restroom facilities.

Employees will not be retaliated against for exercising their rights under this policy.

Employees should discuss their nursing/pumping schedule with their supervisor to ensure understanding and the least possible interruption of work. Employees should identify a location in which expressed breast milk can be safely stored during work hours. The employee must clearly label any milk that is stored in a common area.

SICK LEAVE

Please see accrual chart found on page 28 of this handbook for accrual amounts and only full time employees (32 may accrue leave. Any employee beginning employment with the Town of Allendale after the 15th day of the month shall not begin their accumulation of such leave until the next full calendar month. Sick leave does not accumulate on a pro rata basis. Sick leave does not accumulate any month that an employee is on unpaid leave of more than 10 days.

Sick leave of more than three (3) workdays will require a request for Family Medical Leave (please refer to FMLA policy). In those instances, paid sick leave and FMLA run concurrently. Sick leave provides for an employee's salary to continue while FMLA protects an employee's job and benefits. Intermittent absences based on recurring health problems that qualify for sick leave also fall under FMLA.

Employees may request FMLA when absent less than five work-days if the absence qualifies (please refer to FMLA policy).

Sick leave may not be used for more than six consecutive calendar months at any one time. In coordination with the policy under "FMLA, Extension of Leave without Benefits", automatic termination occurs if the employee is not returned to active employment at the end of six months. The employee may be terminated earlier if the extension beyond the FMLA period of twelve weeks is not approved or if the physician states the employee will not be able to return to work within the six-month period.

Sick leave will be granted for personal illness or injury, or an illness or injury of an immediate family member defined as a spouse, parent or child. Family members in this policy follow the same definition as stated under FMLA. Sick leave use for the illness/injury of an eligible family member is limited to six weeks per year. If additional leave beyond six weeks is requested under FMLA for an eligible family member, general or compensatory leave will be approved up to the maximum of twelve (12) weeks total. Employees are required to notify their immediate supervisor personally prior to, but no later than, thirty (30) minutes before the start of the workday. In an emergency, notification should be made as soon as it is practical and may be made by someone other than the employee. Failure to provide notification within one hour after the start of work, without a reasonable explanation, may cause the employee to be denied sick leave. The supervisor **must be contacted on each subsequent day of absence.**

Failure to appear for work **and** call the supervisor to notify the Town of an absence for three (3) consecutive days will be considered job abandonment and the employee will be administratively terminated. Such an employee will not be eligible to receive pay for unused, accumulated vacation, and may be ineligible for rehire. Leaving a voicemail, sending a text message or sending an email does not qualify as notification to the employee's supervisor. The employee is required to verbally speak with the supervisor a minimum of one-hour prior to any unscheduled leave. If circumstances beyond the employee's control are such that they are not able to notify their supervisor a minimum of one-hour prior to any unscheduled leave, the employee is required to notify their supervisor no more than 24 hours after the first day of unscheduled leave. Calling the Town Administrator to inform him of unscheduled leave does not qualify for proper notification unless the employee directly reports to the Town Administrator. (See chain of command/staff structure to determine proper notification/chain of command)

Sick leave may also be used for medical and dental appointments, optical examinations (including fitting for glasses), or other treatment by recognized practitioners and counseling associated with physical, emotional, mental illness, and substance abuse problems.

When a recognized holiday falls during a sick leave period, that day will not be counted as a day of sick leave but as the holiday. When an employee becomes sick during annual leave, he may substitute sick leave, if available, to cover the period of illness. To do this, employees must, upon return to work, promptly report his situation to his immediate supervisor and submit a written request for substitution.

Upon separation from employment with the Town, all sick leave accumulated by an employee shall be recorded in his personnel records. Sick leave, up to 120 hours accrued, shall be made upon separation of employment, if the employee is separating voluntarily or has given proper notice.

A medical certificate may be required at the discretion of the Town for the approval of sick leave. The Town may also require certification of an employee's ability to return to work and to perform the essential functions of the job.

False claims or falsification of any written evidence relating to sick leave by any employee shall be cause for disciplinary action up to and including termination. Such employee shall be subject to action by the Town for remedies under the law for recovery of all monies paid to such employee.

BEREAVEMENT LEAVE

An employee will be paid for time actually lost from straight time scheduled work up to three (3) consecutive calendar days for bereavement leave for the death of a member of his immediate family. For purposes of this Bereavement Policy, immediate family members shall include spouse, child, parent, brother, sister, aunt, uncle, grandparent, grandchild, parent-in-law, grandparent-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law. Step-relatives are included in the definition of immediate family members. The death of a permanent resident in the employee's home, regardless of legal relationship, will also qualify the employee for bereavement leave.

Bereavement leave must be approved by the employee's supervisor and recorded on the employee's timesheet. Bereavement leave must be taken within five (5) days preceding or after the death.

MILITARY LEAVE

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. An employee going on military leave shall present a copy of his orders to the appropriate Department Head not more than three (3) days after receiving them. The provisions of such laws change from time to time and for that reason no effort is made to set forth the law in this policy. Employees on military leave may apply for accumulated general leave or compensatory leave during this absence. Otherwise, the time will be charged to leave without pay.

Employees requesting voluntary military leave shall do so under the Personal Leave policy and must request such leave with as much advance notice as possible.

JURY DUTY

Hours actually spent on jury duty, when the hours of jury duty conflict with an employee's work hours, will be considered paid leave provided that proof of duty is verified by the employee's Department Head. Any period of time for which an employee is excused from jury duty because of illness will be charged to sick leave.

An employee will be paid for wages lost from scheduled straight-time work due to jury service up to a maximum of fifteen workdays per calendar year. In order to qualify for this payment an employee called for jury service must give his Department Head notice of such service within two workdays of the time the employee receives notice. The employee must report to work if released by the court on any day of jury service, unless, at the discretion of the employee's Department Head, reporting to work would be impractical due to travel time, etc. It is the employee's responsibility to keep his Department Head periodically informed about the amount of time required for jury duty. Employees may keep any compensation received from the court system for jury duty.

WITNESS DUTY LEAVE

Employees subpoenaed to appear in court as a witness on behalf of the Town of ALLENDALE will have leave with pay for such period as his court attendance may be required when the hours of court duty conflict with the hours of his work, provided that proof of appearance is verified by the employee's Department

Head.

If the Courthouse is within reasonable commuting distance, the employee is expected to report for work when released from witness duty if it does not conflict with court obligations. It is the employee's responsibility to keep his Department Head periodically informed about the amount of time required for court appearances.

Employees may keep any compensation received from the court system. Time spent by an employee in court for a work-related case on behalf of the Town of Allendale is considered as hours worked.

PRIVATE LITIGATION

Approved absence of a Town employee in order to appear in any capacity in private litigation or in litigation against the Town as a plaintiff is charged to annual leave or leave without pay.

BUSINESS-RELATED ABSENCE

Town employees will be compensated when absent from work for the purpose of attending Town-approved training courses or other approved business or professional meetings. Leave for training must be requested and approved or denied by the supervisor. Absences associated with the Tuition Reimbursement program are not considered business-related absences and require the use of the employee's accumulated paid leave.

Where travel is necessary for this absence, employees should familiarize themselves with the Town's travel policy contained in this manual.

VACATION LEAVE

The Town of Allendale will grant vacation leave to eligible employees to provide a period of recreation and rest, and to provide an opportunity to change from the day-to-day routine in order that employees may be better able to meet the obligations and requirements of their work.

The established vacation year is the calendar year, January 1 through December 31 each year. Vacations are accumulated based on the employee's length of service and on the time worked during each month.

Full time employees of the Town shall be eligible to use accumulated vacation once accumulated. Employees may not take paid vacation time until they have actually accumulated the time.

Full time regular employees will accumulate paid vacation time according to the following schedule on page 28. Employees working less than 32 hours per week are considered part time and do not accrue leave.

The maximum earnings are six weeks per year.

After December 31st of each year, unused accumulated vacation leave in excess of five work weeks as appropriate to each individual employee shall be credited to sick leave. Nothing in this provision shall be construed as requiring the payment of unused vacation time that has been credited to sick leave.

Employees giving **and** working a two-week notification of their resignation will be eligible to receive their accumulated but unused vacation pay not to exceed six workweeks as appropriate to each individual employee.

Whether the employee will be required to work the two weeks' notice is at the discretion of the Town Administrator upon the recommendation of the department director. Employees who do not give **and** work the proper notice or who are terminated for disciplinary reasons will not be paid for accumulated but unused vacation. In the event of the employee's death, unused accumulated vacation, up to six weeks, shall be paid to the legal representatives of the employee's estate or any other properly designated individual.

If a paid holiday falls within an employee's vacation period, the holiday is not considered a vacation day but counted as the holiday.

Vacation pay for regular full-time employees will consist of the employee's regular rate of pay for the vacation period and generally will be paid on the regularly scheduled payday. Employees must work at least ninety (90%) of their normally scheduled time each month, not including time off for paid absences, vacations, or holidays, in order for the month to count for vacation accumulation purposes.

Employees who feel that there is a discrepancy in the calculation of their vacation pay or eligibility may request a timely review of that calculation by the Human Resources Department.

Leave Accrual Chart for Sick Leave and Vacation Time

<u>Years of Service</u>	<u>Sick Leave Hours per Month</u>	<u>Sick Leave Hours Per Year</u>	<u>Sick Leave Days Per Year</u>	<u>Vacation Hours Per Month</u>	<u>Vacation Hours Per Year</u>	<u>Vacation Days Per Year</u>
0 - 1	8.00	96.00	12.00	3.333	40.00	5.00
2 - 3	8.50	102.00	12.75	6.667	80.00	10.00
4 - 6	9.00	108.00	13.50	8.000	96.00	12.00
7 - 11	9.50	114.00	14.25	11.335	136.02	17.00
12 - 16	10.00	120.00	15.00	13.335	160.02	20.00
17 - 21	10.50	126.00	15.75	15.335	184.02	23.00
22 - 26	11.00	132.00	16.50	16.667	200.00	25.00
27 - 34	11.50	138.00	17.25	20.000	240.00	30.00
35+	12.00	144.00	18.00	23.334	280.01	35.00

Employees must submit vacation requests to their supervisor. Management reserves the right to designate when some or all vacations must be taken. Supervisors are responsible for ensuring adequate staffing levels and should attempt, when feasible, to resolve vacation scheduling conflicts based on the timing of the approvals or if equivalent, based on the length of service. However, employees who want to change their plans after the vacation schedule has been set lose their priority consideration.

Employees who have accumulated a vacation leave of two weeks or less may take their full accumulation of vacation at one time. Those who have an accumulation of more than two weeks normally may only take a maximum of two weeks consecutively, with the balance to be taken separately. Exceptions to this policy must be approved by the Town Administrator. Employees on a leave of absence other than a military leave of absence are required to use accumulated paid compensatory time (if non-exempt) and vacation time as part of the leave prior to leave without pay. In addition, employees on an unpaid leave of absence will not accumulate any new vacation time during the leave.

OCCUPATIONAL INJURY OR ILLNESS LEAVE

In the case of a bona fide occupational injury or illness arising from the performance of an employee's job which necessitates absence from assigned duties, it shall be the policy of the Town that the State Worker's Compensation Program shall be the primary source of income maintenance subject to occupational injury pay provisions outlined in this section.

Employees may elect to also use accumulated paid leave to compensate the difference between workers' compensation (66 2/3% of base pay) and their base pay per pay period. All workers' compensation leave must be approved and coordinated through the Human Resources Manager.

INCLEMENT WEATHER

The Town Administrator may authorize, at his discretion, the closing of Town offices or a delayed opening, in the event of hazardous weather conditions or emergencies that dictate such action. Employees will be notified by either the Town of ALLENDALE notification system or the television stations as early as possible. If there is any question as to whether to report to work, employees should contact their immediate supervisor and not another employee. This policy will not apply to emergency personnel such as police officers, firefighters and public service workers due to the nature of their jobs. In the unusual event the Town Administrator officially closes offices, non-exempt employees will charge the leave to accumulated general or compensatory leave. If the employees prefer to make-up the hours, the hours must be worked during the same workweek as the office closing. The Town Administrator may declare a "Make-Up Day(s)" in the event the offices are closed multiple days.

VOTING

An employee eligible and registered to vote in any election held within the states of South Carolina or North Carolina shall be given leave from duty (if on duty) for a maximum of two hours to allow for voting time between the time of opening and closing of polls. Employees are encouraged whenever possible to utilize this time in conjunction with starting or ending hours of work. The employee may be required to show a current eligible voter registration card to the supervisor prior to release for voting purposes.

FAMILY AND MEDICAL LEAVE ACT

The federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2008 requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12 week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy. The Town of Allendale does not meet the threshold of 50 or more employees, however, the Town has adopted this FMLA policy for eligible employees.

Eligibility for FMLA LEAVE

Employees are eligible for FMLA leave if they:

1. Have worked for the Town for at least 12 months; *and*
2. Have worked at least 1,250 hours for the Town during the 12 calendar months immediately preceding the request for leave.

Employees with any questions about their eligibility for FMLA leave should contact Human Resources for more information.

Basic FMLA Leave

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during a 12-month period for one of the following reasons:

1. To care for the employee's child after birth or placement for adoption or foster care;
2. To care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition;
3. For incapacity due to the employee's pregnancy, prenatal medical or childbirth; or

4. Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

Married couples – Domestic Partnerships

In cases where a married couple or domestic partners are employed by the Town, the two spouses/partners together may take a *combined total* of 12 weeks' leave during any 12- month period for reason #1, or to care for the same individual pursuant to reason #4.

Military Family Leave

There are two types of Military Family Leave available.

1. **Qualifying exigency leave.** Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, is on active duty or called to active-duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include:
 - Short-notice deployment (up to 7 days of leave)
 - Attending certain military events
 - Arranging for alternative childcare
 - Addressing certain financial and legal arrangements
 - Periods of rest and recuperation for the service member (up to 5 days of leave)
 - Attending certain counseling sessions
 - Attending post-deployment activities (available for up to 90 days after the termination of the covered service member's active-duty status)
 - Other activities arising out of the service member's active duty or call to active duty and agreed upon by the Town and the employee.
2. **Leave to care for a covered service member.** There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

When both husband and wife or domestic partners work for the same employer, the aggregate amount of leave that can be taken by the husband and wife to care for a covered service member is 26 weeks in a single 12- month period.

Use of leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave.

Pay, Benefits, and Protections during FMLA Leave

Leave is unpaid.

Family Medical Leave is unpaid leave (although employees may be eligible for short- or long-term disability payment benefits under those insurance plans) if leave is taken because of an employee's own serious health condition (although employees may be eligible for short- or long-term disability payments and/or workers' compensation benefits under those insurance plans).

Coordination of paid time off for unpaid leave

An employee who must be absent for an FMLA-qualifying reason will be paid for time lost from work from accumulated paid time off balances, if any. Leave taken under this policy counts toward the employee's 12 weeks of leave (or 26 weeks, where appropriate) regardless of whether all or part of the employee's leave is paid. An employee's Family Medical Leave runs concurrently with other types of leave, i.e., paid vacation.

For leave taken for a qualifying exigency, the employee must use paid personal, vacation, or Family Leave time concurrent with unpaid FMLA leave. The same rules apply as if the employee took FMLA leave to care for a family member with a serious health condition or for the birth or placement of a child.

For leave to care for a seriously injured or ill family member in the military an employee must use paid personal, vacation, family leave, sick, or medical leave time concurrent with unpaid FMLA leave. The same rules apply as if the employee took leave for his or her own serious health condition. The employer will not provide paid sick leave or paid medical leave in any situation in which the employer would not normally provide any such paid leave.

Medical and other benefits

During an approved family medical leave, the Town will maintain the employee's health benefits as if the employee continued to be actively employed. Where paid leave is used concurrently with unpaid Family Medical Leave, the Town will deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the employee must pay the employee and the employer portions of the premium by submitting payment through the Finance Department on the same day that payroll would have been received by the employee.

An employee's healthcare coverage will cease if the employee's premium payment is more than 30 days late. If the payment is more than 15 days late, the Town will send the employee a letter to this effect. If the Town does not receive the co-payment within 15 days after the date of that letter, the employee's coverage may cease. If the employee elects not to return to work for at least 30 calendar days at the end of the leave period, the employee will be required to reimburse the Town for the cost of the premiums paid by the Town for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

Return to job at end of FMLA Leave

Upon return from FMLA leave, employees may be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms, if the position the employee left has not been filled. The Town reserves the right to fill positions vacated by employees on FMLA when it is in the best interest of the Town, and it is necessary to have the position filled to assist the citizens of the Town or as to not put an undue burden on the employees left to cover that position.

Employee Responsibilities When Requesting FMLA Leave

If the need to use FMLA leave is foreseeable, the employee must give the Town at least 30 days' prior notice of the need to take leave. When 30 days' notice is not possible, the employee must give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstance). Failure to provide such notice may be grounds for delaying the start of the FMLA leave.

Requests for FMLA leave must be submitted to the Human Resources Manager. When submitting a request for leave, the employee must provide sufficient information for the Town to determine if the leave might qualify as FMLA leave, and also provide information on the anticipated date when the leave would start as well as the duration of the leave. Sufficient information may include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or continuing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. Employees also must inform the Town if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also will be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

When an employee requests leave, the Town will inform the employee whether he or she is eligible under the FMLA. If the employee is eligible, the employee will be given a written notice that includes details on any additional information he or she will be required to provide. If the employee is not eligible under the FMLA, the Town will provide the employee with a written notice indicating the reason for ineligibility.

If leave will be designated as FMLA-protected, the Town will inform the employee in writing and provide information on the amount of leave that will be counted against the 12- or 26-week entitlement.

An employee's employment will automatically terminate if he does not return to full active employment status at the conclusion of his leave of absence or the exhaustion of all paid leave time accumulated but unused.

Key Employees (salaried employees in highest paid 10% of all employees) –such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

Secondary employment (otherwise known as "moonlighting") while out of work on FMLA or medical leave of absence without the express written permission of the Town Administrator is prohibited.

This policy does not create contract rights. In no case will an employee have a greater right to a job than he would have had if he had not taken leave under this policy.

SECTION 6 – INSURANCE AND RETIREMENT BENEFITS

Regular, full time Town employees will be enrolled in the group health and dental insurance plan and the long-term disability and life insurance program through PEBA.

Full time employees and their eligible dependents may enroll in the medical and dental insurance program upon employment through PEBA, the cost of which may be shared between the Town and the employee. If two employees become related and are considered one family, the Town will enroll in one family coverage for those individual employees. The effective date of the coverage is the first day of the calendar month following thirty (30) days of employment. In the event an employee is authorized a leave of absence with pay, the coverage is continued. In the event an employee is authorized a leave of absence without pay in excess of thirty (30) calendar days that is not covered under the Family Medical Leave Act, the employee must make his own arrangements to pay the insurance premiums during this period.

The Town will pay the employee portion of the employees medical, dental and vision insurance coverage in addition to the employer portion for single coverage only. Should the employee choose to cover their spouse/partner or qualified dependents (employee/spouse or employee family) the employee will be responsible to pay the difference between the single employee coverage and the spouse/dependent coverage. The employee must sign up for benefits at the time of employment or during open enrollment only, unless there is a qualified event which would allow adding additional coverage.

NOTICE OF RIGHT TO HEALTH CARE CONTINUATION COVERAGE (COBRA)

The Town of Allendale complies with the federal law, Consolidated Omnibus Budget Reconciliation Act of 1985, P.L. 99 272, and later amendments, otherwise known as COBRA.

This section of the handbook contains important information about your right to continue your health care coverage under the group health plan offered by the Town as well as other health coverage alternatives that may be available to you through the Health Insurance Marketplace.

Covered employees and their dependents that lose insurance coverage for any of the following reasons are eligible to continue their coverage through COBRA: termination, reduction in working hours, divorce or legal separation, death of the employee, eligibility for Medicare or loss of dependent child status under the insurance plan. All administrative rules and processes, as well as changes in plan benefits and premiums apply to those on continuation coverage.

In the event of divorce or legal separation, or the loss of dependent child status under the plan, a covered employee or dependent must notify the Human Resources Manager within 60 days to maintain the right to continue coverage. At that time, the Human Resources Manager will provide enrollment materials to the employee or covered dependent within fourteen (14) days of that notification.

The covered employee or dependent has sixty (60) days to elect continuation of coverage from either the date that coverage would ordinarily have ended under the plan by reason of a qualifying event or the date of notification, whichever comes later. Election of continuation of coverage is established by completing and returning enrollment materials to the Human Resources Manager.

COBRA premiums will be billed by the applicable insurance provider and the first premium will be due within forty-five (45) days of the date of election. Subsequent premiums must be received within the terms set forth by the provider. Failure to make timely payments will result in termination of coverage without notice.

Continuation of COBRA coverage will end for any of the following reasons: The Town of ALLENDALE discontinues its insurance plan, the premium payment is not made in a timely fashion, or the person who elected continuation of coverage becomes covered under another insurance plan or Medicare. Continuation coverage will end after eighteen (18) months if the qualifying event was termination or reduction in hours, in which case coverage may extend to twenty-nine (29) months. Continuation coverage will otherwise end after thirty-six (36) months.

There may be other coverage options for you and your family in addition to COBRA coverage. When key parts of the health care law take effect, you will be able to buy coverage through the Health Insurance Marketplace. In the Marketplace, you could be eligible for a new tax credit that lowers your monthly premiums, and you will be able to see what your premium, deductibles and out-of-pocket costs will be before you decide to enroll. Being eligible for COBRA does not limit your eligibility for coverage for a tax credit through the Marketplace. Additionally, you may qualify for a special enrollment opportunity for another group health plan for which you are eligible, such as a spouse's plan, even if the plan generally does not accept late enrollees, if you request enrollment within thirty (30) days.

New Health Insurance Marketplace Coverage Options and Your Health Coverage

When key parts of the health care law take effect in 2014, there will be a new way to buy health insurance: the Health Insurance Marketplace. To assist you as you evaluate options for you and your family, this notice provides some basic information about the new Marketplace.

What is the Health Insurance Marketplace?

The Marketplace is designed to help you find health insurance that meets your needs and fits your budget. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. You may also be eligible for a new kind of tax credit that lowers your monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October 2013 for coverage starting as early as January 1, 2014.

Can I Save Money on my Health Insurance Premiums in the Marketplace?

You may qualify to save money and lower your monthly premium, but only if your employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that you're

eligible for depends on your household income.

Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through the Marketplace and may wish to enroll in your employer's health plan. However, you may be eligible for a tax credit that lowers your premium or a reduction in certain cost-sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from your employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer provides does not meet the "minimum value" standard set by the Affordable Care Act, you may be eligible for a tax credit. An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is not less than 60 percent of such costs.

Note: If you purchase a health plan through the Marketplace instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution -as well as your employee contribution to employer-offered coverage- is often excluded from income for Federal and State income tax purposes. Your payments for coverage through the Marketplace are made on an after-tax basis.

How Can I Get More Information?

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. Please visit HealthCare.gov for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.

Information about Health Coverage Offered by the Town of Allendale:

If you choose not to enroll in the health care plan sponsored by the Town of Allendale, you and your family may be able to obtain health coverage through the Marketplace, with a new kind of tax credit that lowers your monthly premiums and with assistance for out-of-pocket costs.

If you decide to complete an application for coverage in the Marketplace, you will be asked to provide the following information. Please note that this information is numbered to correspond to the Marketplace application.

- | | |
|--|------------------------|
| 1. Employer Name: | Town of Allendale |
| 2. Employer Identification Number (EIN): | _____ |
| 3. Employer Address: | 1296 Main Street South |
| 4. Employer Phone Number: | 803.584.4916 |
| 5. Town: | Allendale |
| 6. State: | South Carolina |
| 7. ZIP Code: | 29814 |

HEALTH INSURANCE MARKETPLACE COVERAGE

The Town of Allendale complies with the Patient Protection and Affordable Care Act of 2010 (ACA). Section 1512 of the ACA amended the Fair Labor Standards Act (FLSA), requiring employers to provide a notice to employees of coverage options available under the ACA. Beginning January 1, 2014, individuals and employees of small businesses will have access to affordable coverage through a new competitive private health insurance market – the Health Insurance Marketplace.

The Marketplace is designed to assist in finding health insurance that meets an individual's needs and budget. The Marketplace offers "one-stop" shopping to find and compare private health insurance options. Individuals may also be eligible for a new kind of tax credit that lowers the monthly premium. Open enrollment times can be found on the U.S. Department of Labor website.

Individuals may qualify to save money and lower their monthly premium, but only if the employer does not offer coverage, or offers coverage that does not meet certain standards. The savings on the monthly premium is predicated upon the individual's household income.

If an individual is offered health coverage from an employer that meets certain standards, he will not be eligible for a tax credit through the Marketplace and may wish to enroll in the employer's health plan. However, he may be eligible for a tax credit that lowers the monthly premium, or a reduction in certain cost-sharing if the employer does not offer coverage to the individual at all or does not offer coverage that meets certain standards. If the cost of a plan from the individual's employer that would cover the employee (and not other members of the employee's family) is more than 9.5% of the employee's annual household income, or if the coverage the employer provides does not meet the "minimum value" standard¹ set by the ACA, the employee may be eligible for a tax credit.

If the employee purchases a health plan through the Marketplace instead of accepting health coverage offered by the employer, the employee may lose the employer contribution, if any, to the employer-offered coverage. Also, this employer contribution, as well as the employee contribution to the employer-offered coverage, is often excluded from income for Federal and State income tax purposes. Employee payments for coverage through the Marketplace are made on an after-tax basis.

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. For more information on the Marketplace, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in the area, go to HealthCare.gov.

¹ An employer-sponsored health plan meets the "minimum value" standard if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs.

For more information about coverage offered by the Town, please check your summary plan description or contact the Human Resources Manager.

Policy: Information about Health Coverage Offered by the Town of Allendale to Employees

This section contains information about any health coverage offered by the Town of Allendale. If you decide to complete an application for coverage in the Marketplace, you will be asked to provide this information. This information is in the order in which it is requested on the Marketplace application.

Employer Name: Town of Allendale

Employer EIN: _____

Employer Address: 1296 Main St. South

Employer Phone #: 803.584.4916

Town: ALLENDALE

State: South Carolina

ZIP Code: 29814

Contact: Human Resources

Phone: 803.584.4916

Email Address: HR@townofallendalesc.us

Here is some basic information about health coverage offered by the Town of Allendale.

:As your employer, we offer a health plan to:

- ☐ All employees.
- ✓ Some employees.
- ✓ Eligible employees are: Full-time employee

With respect to dependents:

- ✓ We do offer coverage. Eligible dependents are: Spouses and dependent children up to age 26
- ☐ We do not offer dependent coverage.
- ✓ If checked, this coverage meets the minimum value standard, and the cost of this coverage to you is intended to be affordable based on employee wages.

Even if the Town of Allendale intends your coverage to be affordable, you may still be eligible for a premium discount through the Marketplace. The Marketplace will use your household income, along with other factors, to determine whether you may be eligible for a premium discount. If, for example, your wages vary from week to week, if you are newly employed mid-year, or if you have other income losses, you may still qualify for a premium discount.

If you decide to shop for coverage in the Marketplace, HealthCare.gov will guide you through the process. Answers to the following questions for employer information will be required when you visit HealthCare.gov to determine if you are eligible for a tax credit to lower your monthly premiums. The Human Resources Manager can provide specific answers to these questions for you upon request.

Is the employee currently eligible for coverage offered by this employer, or will be employee be eligible in the next three months?

- ✓ Yes (If the employees are not eligible today, including as a result of a waiting or introductory period, when is the employee eligible for coverage? _____).
- ☐ No

Does the employer offer a health plan that meets the minimum value standard?

- ✓ Yes
- ☐ No

For the lowest-cost plan that meets the minimum value standard offered only to the employee (do not include family plans): if the employer has wellness programs, provide the premium that the employee would pay if he received the maximum discount for any tobacco cessation programs, and did not receive any other discounts based on wellness programs.

How much would the employee have to pay in premiums for this plan? \$ 0

How often (e.g., weekly, bi-weekly)? Bi-weekly

What change will the employer make for the new plan year?

Employer won't offer health coverage

Employer will start offering health coverage to employees or change the premium for the lowest-cost plan available only to the employee that meets the minimum value standard. (Premium should reflect the discount for wellness programs)

How much will the employee have to pay in premiums for that plan? \$ _____

How often (e.g., weekly, bi-weekly)? _____ Date
of change: _____

RETIREMENT

Enrollment in the South Carolina Retirement System is mandatory for all full time, some part-time employees and all elected officials. Temporary and seasonal employees may be exempt depending on the employee election and current status with the SCRS. The Town, as required by law, will also contribute on the employee's behalf in accordance with South Carolina Retirement System rules and regulations.

Town employees are generally eligible for retirement benefits in accordance with the South Carolina Retirement Systems (SCRS) and the South Carolina Police Officers Retirement System (PORS). Eligible employees are reminded that South Carolina Retirement Systems (SCRS and PORS) benefits are not automatic and require a formal application as well as certain elections.

Employees are requested to give the Human Resources Department six (6) months' notice, but at least ninety (90) days' notice, of their intent to retire under SCRS or PORS

Retiring employees are eligible to receive pay for accumulated but unused vacation up to the maximum of six weeks. All employee benefit plans and programs are subject to amendment or termination, even after retirement, at the Town of Allendale's sole discretion.

Information (literature and guidance) concerning South Carolina Retirement Systems benefits is available from the Human Resources Office and the South Carolina Retirement Systems (1-800-868-9002 and www.scrs.state.sc.us). Please note that, at the request of the employee, the Human Resources Department can arrange for periodic pre-retirement counseling sessions. These counseling sessions will be on site and open to all interested employees.

Retiring employees may be eligible to reapply for employment, and those who are interested in future full time, temporary, or part time employment with the Town of Allendale should make that interest known prior to retirement. Retired or retiring employees who wish to return to employment with the Town must formally reapply for employment during the advertising period of the position of interest. Importantly, retiring or retired employees are not guaranteed reemployment.

If an employee is a member of the SC Retirement System which includes the SC Police Retirement System (SCRS or PORS) or retired from the SCRS or PORS and is interested in returning to employment with the Town of Allendale after retirement, the employee should be advised of the following:

The employee must qualify for retirement under the guidelines of the South Carolina Retirement System (including PORS, etc.).

The Town makes no guarantees regarding any aspect of reemployment and retired employees who desire to return to employment with the Town must understand there are no guarantees regarding hiring, position, work schedules, compensation, etc.;

Requests to be re-employed after retirement will be considered on a case-by-case basis;

The following will be considered by the Town of Allendale upon receipt of request to return to active employment:

- a) Whether a vacancy exists which is to be filled;
- b) The former employee's recent work history, attitude, work ethic, and contributions to the Town;
- c) Whether the former employee has specialized training or skills that will benefit the Town;
- d) The former employee's length of service with the Town; and
- e) Any other relevant factors.

The retired member of the SCRS must be retired for at least fifteen (15) consecutive calendar days prior to returning to employment with the Town of Allendale and meet any other requirements as defined by the SCRS.

Upon initial retirement, the retired member of the SCRS will be paid out for any unused annual leave in accordance with Town policy. However, upon request by the employee and approval by the Town Administrator, the employee may transfer up to ten (10) days of annual leave to the new position.

If a retired member of the SCRS is hired under these guidelines into a position that accumulates leave, the individual may be permitted to accumulate annual leave and sick leave at their prior rate, provided the individual has at least five (5) years of service with the Town and is rehired within six (6) months.

A retired member of the SCRS who is hired by the Town of Allendale into a position that earns leave will not be eligible for a lump sum payment of unused annual leave upon separation of employment.

If a retired member of the SCRS is hired by the Town of Allendale, the Town and the employee will contribute to the SC Retirement System on the retired employee's behalf as required.

All employees of the Town are employed on an "at will" basis which means that either the employee or the Town may terminate the employment relationship at any time, with or without notice. The Town preserves for itself the ability to make all staffing decisions that are in the best interests of the Town, including reassignments, job modifications, job eliminations, and disciplinary action up to and including termination.

SECTION 7 - TRAVEL AND TRANSPORTATION

The Town Administrator or his designee will approve or reject all requests received from Department Heads on behalf of their employees for reimbursable travel in order to conduct Town business or to receive training that will benefit the Town. Approval for the travel must be obtained in advance of the travel. A copy of the meeting agenda, training agenda, seminar agenda or other appropriate documentation must be attached to all requests for reimbursable travel. The Town Administrator may authorize advance funding for authorized travel subject to strict accountability. Requests for such advances must be submitted to the Finance Department through the respective Department Head for approval not less than seven (7) working days prior to the scheduled time of departure. Elected Officials are not eligible for travel advance payments. Elected Officials who incur expenses due to authorized town related travel must submit all receipts for all expenses incurred due to the authorized travel within 5 working days of return and will be reimbursed for authorized expenses based on the current IRS allowances. Costs for conference fees, training fees or participation fees may be paid in advance after approval of the Town Administrator by town credit/debit card, however, if the elected official fails to attend the conference or training or doesn't participate in the training/conference, then the elected official is liable to reimburse the town for all advanced fees paid on their behalf. The Town will only pay for or reimburse for authorized expenses, based on established limits, for the elected official and/or town employees currently employed. Guests or family members who accompany the elected official or town employee is not eligible for reimbursement of expenses incurred as a result of the accompanying guest or family member(s).

Employees who have received advance funding for authorized travel must submit a travel expense report with all receipts within five (5) working days of return. If the employee has a balance from the advance funding, it must be returned with the travel expense report. If the employee fails to pay a balance of the advance owed to the Town, the amount due will be deducted from his next payroll check as an advance of wages. All other travel expense reports shall be completed and returned within thirty (30) calendar days of completion of the authorized reimbursable travel. Receipts must be attached for all expenses. Receipts for the employee's meals are not required if a per diem is paid. Any per diem authorized will be paid at the most recent published IRS rate. Expense reports not properly completed or documented will not be honored.

Travel by public conveyance, whether it be by air, rail, bus or other mode of public transportation shall be accomplished by the employee in the most cost-efficient manner available which best serves the financial interests of the Town. When public transportation is used, expenses for local transportation such as taxicabs and bus fare will be allowed wherever such transportation is necessary for the conduct of business.

Generally, overnight travel is not allowed for destinations within a 60-mile radius of the employee's normal work location. When lodging is required, employees are expected to utilize standard, medium-priced hotels and motels wherever possible. Receipts for lodging expenses must be attached to the expense report. Lodging at the single rate only (or double rate if single is not available) will be reimbursed by the Town. Spouse and family member costs must be borne by the employee.

Whenever a Town vehicle is unavailable and a Town employee is authorized to use his personal vehicle for the purpose of Town business, the employee will be reimbursed at the most recent published IRS rate per mile.

Telephone charges will be permitted expenses when incurred in the conduct of official business. The Town shall also reimburse the employee for registration fees, parking fees, tips, copying fees, or other necessary fees, upon presentation of receipt copies.

Elected officials are not allowed by law to accept advance funding for authorized travel expenses. Elected officials must pay for the expenses individually and submit all receipts for reimbursement to the Town Administrator. Expense reports submitted without original receipts will not be accepted nor will they be reimbursed by the Town.

USE OF TOWN VEHICLES/EQUIPMENT

Those employees whose work responsibilities require the assignment of a Town-owned vehicle will operate the assigned vehicle for the purpose of official use, and if necessary, for the purpose of commuting to and from work only. Employees will comply with all IRS guidelines in regard to take home vehicles. Police Officers who are assigned a take home vehicle are authorized to operate the vehicle to and from work only. Police Officers who drive a town owned vehicle must be in proper uniform or attire at all times. Police Officers must adhere to the departmental dress code at all times while operating a town owned vehicle.

Any unauthorized personal use of such assigned vehicle is forbidden and may subject the employee to disciplinary action. Operators must be responsible for all fines or damages resulting from their own negligence. Operators must possess a valid and appropriate drivers' license for the vehicle being driven. Employees whose jobs may require them to operate a motor vehicle are **required to notify the Town immediately** in the event that any restriction or revocation is imposed on an employee's ability to legally operate a motor vehicle. The employee is also **required to notify the Town immediately** in the event of an accident involving a Town vehicle and to submit a required incident report to their supervisor no later than the next business day.

Town-owned vehicles are to be used only for official Town business. Official business is any activity performed in the scope of the duties and responsibilities of a given position or other additional duties and responsibilities assigned by an employee's supervisor. Employees must be authorized by their supervisor to drive a Town-owned vehicle.

Operators of Town-owned vehicles or motorized equipment must possess and maintain a valid and current driver's license and be in compliance with all applicable local, state and federal traffic laws and regulations when operating those vehicles/equipment. **OPERATORS AND PASSENGERS MUST WEAR SEAT BELTS AND DRIVE IN A SAFE AND COURTEOUS MANNER AT ALL TIMES.**

Vehicles may not be used for the employee's leisure time or activities. No employee is to use a vehicle to transport persons other than Town employees or other authorized personnel, such as volunteers, prisoners or victims of crime.

Employees under the influence of intoxicants or any other controlled substances are prohibited from operating any Town vehicle. Additionally, intoxicants may not be transported in Town-owned vehicle unless it is for law enforcement purposes.

Anyone under the influence of intoxicants or other controlled substances is prohibited from riding in a Town vehicle. (Emergency services and law enforcement are exempted from the prohibitions against transporting controlled substances, intoxicants, and those under the influence.)

Exceptions to this policy statement shall only be permitted during emergencies and with the express authorization of the Town Administrator.

Employees operating Town vehicles must abide by all traffic and safety laws. The Town is not responsible for any ticket or fine received while driving or parking a Town-owned vehicle. Employees must report any tickets or fines, or other violations received while driving a Town-owned vehicle.

In the event of an accident involving a Town-owned vehicle, no matter how minor, the operator and each employee involved must notify their Department Head and local authorities immediately. The operator of the vehicle is to stay at the scene of an accident until it has been properly investigated by the appropriate law enforcement agency and obtain a copy of the accident report, the names of the

witnesses, and the insurance information of all parties involved.

The Department Head must report the incident to Human Resources by phone immediately and submit a written report from all employees involved within twenty-four (24) hours. **Employees are not to directly contact the Town's insurance carrier under any circumstance.**

Immediately following any accident, the Department Head will ensure that each employee involved in the accident is reported to the Human Resources Department to be sent drug and alcohol testing. Employees must report when instructed. Failure to submit to drug and alcohol testing may result in discipline up to and including termination.

Employees who are determined by the Town to be at fault in an accident with a Town-owned vehicle may be responsible for payment of the Town's deductible or may be assessed full costs. If an employee is found to have contributed to an accident with a Town vehicle (a "no-fault" report included), he may be responsible for payment of the Town's deductible and disciplinary action, up to and including termination. This cost may be deducted from the employee's future pay checks.

E-mailing or texting while operating a Town vehicle or equipment is strictly prohibited and may result in disciplinary action, up to and including termination. Extreme caution should be taken when driving and answering phone calls. The employee should move off the road to a safe location whenever possible to make or receive phone calls.

SECTION 8 - EMPLOYEE RELATIONS

PERFORMANCE STANDARDS

The Town Administrator shall develop standards of performance and systems of evaluating and recording worthy performance in relation to such standards. The standards of performance shall consider the quality and quantity of work done, the manner in which the service is rendered, the conduct of employees, their faithfulness to their duties, and other such work characteristics as will effectively measure the work performance of employees. Such standards of performance and performance evaluations may be used in determining the suitability of introductory employees and the eligibility of salary adjustments, in discovering employees who should be transferred or promoted, in rating suitability for promotion, and in developing necessary training activities.

The employee performance appraisal report provides a systematic procedure by which each employee can be objectively evaluated in the performance of his job. An employee should be appraised regularly on his performance in meeting the defined position standards established in a job description to be provided to the employee by his Department Head. The performance appraisal form, when completed, becomes part of the employee's personnel record.

Formal employee performance appraisals are to be conducted at established intervals of an individual's employment. For new employees, performance appraisals may be scheduled at the end of their introductory period and for promoted and transferred employees, at the end of six (6) months in their new position. After an employee has achieved regular status, the employee's job performance shall be appraised once a year based on employee's date of hire. Informal appraisals may be conducted periodically, as each supervisor deems necessary.

All performance appraisals shall be conducted by the appropriate supervisor, reviewed by the appropriate Department Head, Human Resources and Town Administrator, and discussed with the employee under the following guidelines:

1. New Employees

- a. Satisfactory performance appraisal. If the introductory employee receives a satisfactory rating and is recommended for regular status by the employee's supervisor, then the employee shall be granted regular status as an at-will

employee of the Town.

- b. Marginal performance appraisal. If the introductory evaluation is marginal, a three (3) month extension of the introductory status may be granted. The extension shall be based on the judgments of the supervisor, the Department Head, and the Town Administrator that the employee can improve in deficient areas. If an extension is granted, a subsequent marginal rating at the completion of the extended time may result in termination of the employee. If an employee is not granted an extension, the employee will be terminated.
- c. Unsatisfactory performance appraisal. If the introductory employee receives an unsatisfactory performance rating, the employee may be terminated.
- d. During the introductory period, a new employee may be terminated at any time if his work performance is considered to be below expected levels. **All employees of the Town of Allendale are at-will employees.**

2. Promoted Employees

- a. Satisfactory performance appraisal. If the promoted employee receives a satisfactory rating and is recommended for regular status by the Department Head, the employee shall be granted regular status as an at-will employee of the Town.
- b. Marginal performance appraisal. If the promoted employee receives a marginal performance appraisal, a three (3) month extension may be granted. The extension shall be based on the judgments of the supervisor, the Department Head, and the Town Administrator that the employee can improve in deficient areas. If an extension is granted, a subsequent marginal rating at the completion of the extended time may result in either transfer or demotion of the employee to an existing vacancy of a lower classification or the employee may be terminated.
- c. Unsatisfactory performance appraisal. If the promoted employee receives an unsatisfactory performance rating, the employee may either be transferred or removed to an existing vacancy of a lower classification or terminated. If transferred or removed, the employee shall be subject to a three (3) month introductory period in the new position.

3. Transferred Employees

- a. The preceding performance appraisal procedures for promoted employees will apply to transferred employees.

4. Regular Employees

- a. Exceptional. Performance far exceeded expectations due to exceptionally high quality of work performed in all essential areas of responsibility, resulting in overall work that was superior.
- b. Exceeds Expectations. Indicates exceptional performance that consistently exceeds the quality and quantity requirements of the position. Very little, if any supervision or guidance is required in completing daily activities and special tasks.
- c. Meets Expectations. Indicates performance that consistently meets the requirements of the position. Works well with minimum supervision. Normally used to designate performance of high quality meeting the standards of the Town of Allendale.
- d. Improvements Needed. Indicates performance that requires improvement. Performance did not consistently meet expectations – performance failed to meet expectations in one or more essential areas of responsibility.

- e. Unsatisfactory. Performance was consistently below expectations in most essential areas of responsibility and/or reasonable progress toward critical goals was not made. Significant improvement is needed in one or more important areas.

- 5. Merit Pay. In those years in which Town Council funds merit increases, procedures for administering increases will be outlined by the Human Resources Department. Merit increases are awarded on the basis of quality of job performance. **Salary increases are not automatic.** They serve as an incentive for employees who desire to improve themselves and show it by their job performance. Merit salary increases will be within salary ranges and must be approved by the Town Administrator in advance of discussion with the employee.

GENERAL TRAINING ACTIVITIES

The Town of Allendale shall in all ways possible encourage training activities for employees and supervisors to the end that service rendered to the Town may be made more effective and the employees may become at the same time qualified for promotion to higher level positions. Also, the Town takes safety very seriously and will routinely conduct safety training so ensure a safe working environment for all employees. If indicated or requested by a Department Head, the Town Administrator shall assist the Department Head on any training problem relating to the development of formal and informal training programs for employees.

PERSONNEL RECORDS

The Town Human Resources Department shall maintain a service record on each employee of the Town containing all information pertinent to the employee's employment including but not limited to such data as employment application, performance evaluation reports, classification and compensation, leave records, special commendations, training and educational activities, promotions, disciplinary actions and terminations. All official training records, internal investigations and an individual medical file will be maintained separately in the Human Resources Office.

In order to maintain accurate, current employee records, it shall be the responsibility of the employee to notify Human Resources of any changes in their personal data.

All personnel records shall be maintained in strict confidence and shall be accessible only by individuals who have a legitimate need to receive such information. Employees may review their employment file by making an appointment with the Human Resources Department. This file is the property of the Town of Allendale and may not be removed or altered without the express authority of the Town Administrator.

Due to confidentiality issues, personnel records shall not be maintained at any other location except in the Human Resources Office or Human Resources Archives.

NEUTRAL REFERENCE

Only the Town Administrator or Human Resources staff will be authorized to provide job references or employment-related information regarding current or former employees. Such inquiries must immediately be directed to one of these individuals. Violation of this policy may result in disciplinary action up to and including termination.

The Town's general policy is to verify only neutral references in response to inquiries by prospective employers seeking information about current or former employees. This means the Town normally will verify to prospective employers only the following information: the beginning and ending dates of employment, position(s) held and with written authorization, confirmation of a former employee's compensation rate or range at termination.

Special Note: This policy is not intended to prohibit Town employees who are listed as personal references on an application form from responding to inquiries from prospective employers, provided the Town

employee who is asked to provide the reference did not/does not supervise, directly or indirectly, the current or former Town employee who is the subject of the reference.

TUITION REIMBURSEMENT POLICY

The Town has established a tuition assistance program for regular, full-time employees having at least one (1) year of continuous service with the Town of Allendale. It is through this policy the Town wishes to encourage employees to continue their personal and professional development by offering tuition reimbursement and other development programs. ***NOTE: This policy must be funded with each fiscal year budget allocations by Town Council. If the town council feels that it is not feasible to budget for this benefit at any time, this policy will not be in force during those fiscal years where funds have not been allocated. FYE 2023 has not been funded.***

Tuition assistance is available for courses taken outside of normal working hours at an accredited college, university, junior college, business school or technical institute. Only those institutions accredited by the US Department of Education are eligible. The following must be presented at least sixty (60) days prior to registering for the course/program: proof of accreditation, the length of the course/program, and an application for tuition reimbursement. In turn, the Town will approve or deny the employee's application within ten (10) business days in order to allow the employee to make other arrangements should the application be denied. The course/program must be:

Directly related to the skills and knowledge required in the performance of the employee's responsibilities; and/or

Directly related to or required in a degree program which is **PRE-APPROVED** by both the Department Head and the Town Administrator.

Applications for this program are available through the Human Resources Department.

When an employee has met the requirements for reimbursement, such reimbursements will be as follows:

Seventy-five (75%) percent of the tuition, up to a maximum of \$400 per credit hour, for undergraduate courses and seventy-five (75%) percent of the tuition, up to a maximum of \$200 per credit hour, for graduate and post-graduate courses.

Fifty (50%) percent of required books subject to a maximum reimbursement of \$300 on books per course.

Application fees, registration, activity fees, taxes, shipping, online access charges or other miscellaneous charges are not eligible for reimbursement. The only expenses eligible for reimbursement are tuition and required books.

For undergraduate study, an employee will receive seventy-five (75%) percent tuition reimbursement (up to \$400 per credit hour) for those courses in which the employee earns a grade of "C" or better. For graduate and postgraduate courses, an employee will receive seventy-five (75%) percent tuition reimbursement (up to \$200 per credit hour) for those courses in which the employee earns a grade of "B" or better. Only fifty (50%) percent tuition reimbursement will be made for those graduate and post graduate courses in which the employee earns a grade of "C". No reimbursement will be provided for a grade of "D" or below. For pass/fail courses, the employee must "pass" the course. Within sixty (60) days of receipt of proof of course completion and grade reports, the employee must submit that information to the Human Resources Department in order to receive reimbursement.

The Town's reimbursement amount will not exceed the full amount of the tuition less any financial aid the employee may have received. The Town reserves the right to contact the educational institution to request any information concerning grants or other funding the employee may have received.

If an employee leaves employment with the Town of Allendale, whether voluntarily or involuntarily, within twenty-four (24) months following completion of a degree/program for which tuition was reimbursed, the employee must repay the full amount of the reimbursement to the Town. If an employee leaves the Town service, whether voluntarily or involuntarily, within twenty-five (25) months to thirty-six (36) months

following completion of a degree/program for which reimbursement was made, one-half of the reimbursed amounts must be repaid to the Town.

No reimbursement will be required if an employee leaves employment with the Town subsequent to thirty-six (36) months following completion of a degree/program for which tuition was reimbursed. "Time worked" credit begins once the employee has completed the degree and/or program, not while maintaining a "student" status. If the employee drops out of the program, "time worked" credit begins from the completion date of the last class taken.

Tuition assistance that is not repaid to the Town will be deducted from the employee's final paycheck(s) as an advance of wages. If the amount of repayment is larger than the amount due to the employee in his final paycheck(s), the Town will make arrangements with the departing employee to repay the amount owed the Town in excess of the deduction. Failure to repay any amount owed the Town under the terms of this section will result in necessary legal action by the Town.

EDUCATION INCENTIVE PAY

In our efforts to provide excellent levels of service to our citizens, the Town of Allendale continuously strives to train and educate its employees and believes that the organization benefits from having a workforce that achieves certain academic attainment and certain specialized training and certification. ***NOTE: This policy must be funded with each fiscal year budget allocations by Town Council. If the town council feels that it is not feasible to budget for this benefit at any time, this policy will not be in force during those fiscal years where funds have not been allocated. FYE 2023 has not been funded.***

It is the policy of the Town of Allendale that all full-time regular employees of the Town are eligible to receive education incentive pay provided they meet the eligibility requirements as defined below:

Education incentive pay is only available to non-Department Head level employees.

All academic degrees must be awarded from an accredited college or university. Only those institutions accredited by the US Department of Education are recognized.

All certifications must be awarded and designated by a recognized and approved organization and/or institution.

It is the responsibility of the employee to request consideration of any education incentive pay through his Department Head.

The respective Department Head will consider requests for education incentive pay and will make recommendation to the Town Administrator along with justification.

The Town Administrator shall approve or disapprove all requests.

It is understood that application of any academic degree or certification must be relevant and useful in the conduct of job duties and responsibilities.

The maximum education incentive pay allowed is \$25.00 weekly (for education, not including certifications).

The Town Administrator will provide a list of Certification Courses that will be considered as Education Incentive Pay qualifiers.

PERSONAL APPEARANCE

Each employee's dress, grooming and personal hygiene should be appropriate to his own work situation. Staff is expected at all times to present a professional, businesslike image to visitors, customers and the public. Acceptable personal appearance is an ongoing requirement of employment with the Town of Allendale. Any employee who is improperly dressed upon arriving at work may be asked to return home to change and will not be paid for the time he is absent from the job. Repeated violations will result in disciplinary action.

Employees in administrative, professional, clerical, and all other personnel not engaged in outside activities or recreational activities are expected to present a professional image at all times. Jeans and casual denim items (regardless of color), tennis shoes, open toe and casual flip flops are not permitted. Other inappropriate attire would include backless garments, shorts above the knee, culottes, tank tops, halter tops or midriff blouses, spaghetti straps, skirts, sundresses, shirts with potentially offensive writing, cartoons or slogans, exercise clothing, sweatshirts and sweatpants, leggings, spandex, t-shirts, cropped tops, low-cut tops or clothing that is see-through or provocative in any manner. In addition, wrinkled, tight fitting, soiled, revealing and damaged clothing is unacceptable. Each workday requires employees to report well groomed, neat and dressed appropriately for the job function. Facial and body piercing and tattoos are not considered to be professional by the Town. Tattoos should be covered by clothing or makeup. Employees are limited to two piercings per ear. Safety concerns may prohibit an employee from wearing any dangling or loose jewelry. Makeup, perfume and cologne should be in good taste. Remember, some employees and customers are allergic to the chemicals in perfumes and make-up, so wear these substances with restraint. If you work in a confined space with other employees that exhibit allergic reactions to the chemicals in perfume and make-up, you are required to discontinue wearing that particular perfume and/or make-up while working with the employee in a confined space. If there is another position available within the Town where it would not require you to work in a confined space with other employees who are allergic to certain chemicals found in perfume and/or make-up, you may request a transfer to that department/area if you are qualified for the open position.

Uniform personnel are expected to keep their uniforms clean and neat, and to be worn according to their respective department regulations. An employee who is designated to wear a uniform and who reports for work out of uniform will be sent home and not paid for the time he is away from work. Uniforms are not to be worn during off-duty hours unless specifically permitted by the Town.

The Town has not adopted a casual day. All employees are expected to utilize good grooming habits and to exercise good personal hygiene at all times.

DISCIPLINARY ACTION

The Town expects employees to meet its standards of performance and behavior and to comply with and carry out Town rules and directives. As is the case with all organizations and entities, instances arise when an employee must be reprimanded, suspended, or discharged, with or without notice. **THE TOWN WILL ADMINISTER DISCIPLINE ACCORDING TO THE SITUATION AND THE TOWN'S NEEDS. IMPORTANTLY, THE TOWN DOES NOT GUARANTEE AND DOES NOT PROMISE THAT PROGRESSIVE DISCIPLINE WILL BE USED. ANY DISCIPLINARY ACTION THAT IS ADMINISTERED WILL BE AT THE SOLE DISCRETION OF THE TOWN.**

All disciplinary actions are to be documented on the appropriate form for the employee's Personnel file. Disciplinary Actions are strictly confidential matters and should be on a need-to-know basis only. Department Directors and supervisors should take every precaution to protect the employee's privacy in these matters.

Prior to presenting the disciplinary action form to the employee, the Department Director will submit the signed document for review to the Human Resources Manager. After the Human Resources Manager reviews the incident for Town-wide consistency and ensures there are no legal or procedural issues with proceeding, the form will be approved and returned to the Department Director. If there are any changes recommended or if it is a suspension or termination, the Town Administrator will also review the documentation and approve the action prior to implementation.

In the event the employee is to be suspended or terminated, a letter, including all applicable rights, will be prepared by the Human Resources Manager for signature by the Town Administrator. The Town Administrator will approve the action and the department director will present it to the employee along with the Town Administrator. The Human Resources Manager will be available, upon request, to be present as a witness or provide support. For practical and safety concerns and in all circumstances, the terminating supervisor should have his supervisor, or the Human Resources Manager present in the meeting.

No one other than the Town Administrator is authorized to suspend or terminate an employee.

Suspensions are without pay (paid leave cannot be substituted). In extreme situations where there will be outside agencies/parties investigating the incident, the Town Administrator may approve an administrative suspension with pay or may allow the employee to use accumulated leave in some instances. Otherwise, the suspension will be without pay. In those situations where, after a full review of the incident, it is determined that a lesser disciplinary action (if any) is more appropriate, pay will be reinstated retroactively.

Once an employee is sent home on an administrative suspension, the individual cannot return to work without the documented approval of the Town Administrator. While on administrative suspension, the individual is not allowed to enter the workplace in areas that are not normally open to the public. Employee work areas, offices, etc., are not areas that would be open to the public.

Types of disciplinary action:

Disciplinary action taken against an employee may include:

- a) Informal counseling (documents verbal counseling)
- b) Employee Counseling
- c) Written Warning
- d) Suspension without pay
- e) Probation
- f) Demotion and/or
- g) Dismissal.

THE TOWN DOES NOT GUARANTEE AND DOES NOT PROMISE THAT PROGRESSIVE DISCIPLINE WILL BE USED. EMPLOYEES SHOULD HAVE NO EXPECTATION THAT PROGRESSIVE DISCIPLINE WILL BE USED.

Examples of Conduct Warranting Disciplinary Action

It is not possible to list all acts and omissions which may result in disciplinary action. The disciplinary action that is appropriate for any particular misconduct depends upon a number of factors including but not limited to the length of the employee's service, the quality of that service, the employee's prior disciplinary record, the seriousness of the misconduct, and the impact of the misconduct on others. **THE DISCIPLINARY ACTION WHICH IS ADMINISTERED FOR ANY PARTICULAR ACT OR ACTS OF MISCONDUCT RESTS IN THE SOLE DISCRETION OF THE TOWN.** The following list is merely representative of some of the more obvious types of misconduct which may result in discipline up to and including discharge:

- 1) Incompetence.
- 2) Unauthorized absence.
- 3) Insubordination, including disrespect for authority or other conduct which tends to undermine authority.
- 4) Intentional failure or refusal to carry out instructions.
- 5) Unauthorized possession or removal, misappropriation, willful destruction, theft or conversion of Town property or the property of others.
- 6) Violation of safety rules, neglect, or engaging in unsafe practices.
- 7) Interference with the work of other employees.
- 8) Threatening, coercing, or intimidating fellow employees.
- 9) Dishonesty, including falsification of time records or any official or legal document.
- 10) Willful disregard of others.

- 11) Excessive tardiness or absenteeism.
- 12) Failure to provide or falsification of any information required in the employment application.
- 13) Failure to report properly an accident or personal injury.
- 14) Neglect or carelessness resulting in damage to Town property or equipment or the property or equipment of others.
- 15) Repeated convictions during employment on misdemeanor and/or traffic charges. (This provision is in no way intended to limit the Town's ability to terminate the employment relationship for a single incident or an incident that does not result in a conviction. See #17 below.)
- 16) Introduction, possession, or use of illegal or unauthorized prescription drugs or intoxicating beverages on Town property or while on duty anywhere; working while under the influence of illegal or unauthorized drugs or intoxicating beverages; or the off-the-job illegal use or possession of drugs. (For purposes of this policy, an employee shall be determined to be "under the influence" if he has any detectable amount of any such substance in his system.) Only the Town Administrator has the authority to permit moderate alcohol use at designated social or business functions.
- 17) Acts of misconduct at any time which are unbecoming of a representative of the Town, and which reflect unfavorably upon it. (This necessarily includes "charges" of misconduct.)
- 18) Sleeping on the job or giving the appearance of sleeping on the job.
- 19) Inappropriate behavior or conduct directed toward or affecting a co-worker or member of the public.
- 20) Unsatisfactory performance.
- 21) Violation of the Town's policies and procedures.
- 22) Participating in or failure to report potential or known harassment or potential or known discriminatory activities or practices.
- 23) Any other reason deemed appropriate by the Town.

GRIEVANCE PROCEDURE

From time to time, conflicts and problems arise in the workplace. The Town has put in place a "complaint and grievance procedure" which is designed to give employees a swift and informal means of communicating their concerns to the Town. The Town believes that the majority of concerns and disagreements can be resolved through thoughtful, informal discussion between the parties involved. This procedure may be utilized by all regular employees who have successfully completed their introductory period and is adopted in accordance with the "County and Municipal Employees Grievance Procedure Act," Section 8-17-110, et seq., Code of Laws of South Carolina, 1976, as amended.

A grievance is defined as any complaint by an employee that he has been treated unfairly, unlawfully, or in violation of Town policies, with regard to any matter pertaining to his employment by the Town. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion, and demotion. In most cases, compensation is not a proper subject for consideration under this procedure.

While the Town cannot guarantee that initiating a grievance will result in a specific "change" or "correction" to the satisfaction of a grieving employee, the Town believes it to be very important for employees to have a clearly defined avenue through which significant concerns can be aired and possibly resolved quickly.

An employee who feels that he has a grievance must follow the following procedure:

1. He must discuss the grievance with his immediate supervisor. The problem/issue may be presented orally or in writing but must be brought forward within ten (10) calendar days of its occurrence or of the employee's knowledge of its occurrence.

If his supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee must take Step 2. Where the grievance is against the Town Administrator, the employee must follow Step 1 and then utilize Step 4 if not satisfied by the response of the Town Administrator.

2. The employee must follow the chain of command in his department, appealing to each successive level of supervision. All Step 1 and Step 2 appeals may be oral or in writing. At each level, each supervisor shall have two (2) workdays (Saturdays and Sundays excluded) of receiving the grievance to render a decision. Where the decision of the supervisor must be mailed to an aggrieved employee, the decision shall be sent by certified mail with return receipt requested. If no decision is made within this time, the grievance shall be considered denied. If a supervisor at a particular level is unavailable to consider the grievance, it shall be considered denied and the employee shall appeal to the next level of supervision.
3. If the head of the department in which the employee is employed denies the grievance, this decision shall be final as to any grievance brought by an introductory employee. Other employees may appeal to the Employee Grievance Committee the denial of their grievances by Department Heads by completing a written request for appeal at the Town's Human Resources Department. **This must be done within 14 calendar days** of the time at which the facts on which the grievance is based became available to the employee. The written request for appeal must include the following information:
 - The purpose of the appeal and what recommendation is requested of the Grievance Committee; and
 - A statement that the chain-of-command has been followed in the appeal as is required by the grievance procedure.

The Human Resources Department will assist in preparing the appeal, if requested.

Within ten (10) days of receipt of the employee's request, the Chair of the Grievance Committee shall schedule the requested hearing and notify the Grievance Committee, the employee requesting the hearing, the affected department, and the Human Resources Department. The hearing shall be held as quickly thereafter as schedules will permit but within thirty calendar days of the request.

THE EMPLOYEE GRIEVANCE COMMITTEE

The Town Administrator shall appoint a Committee composed of five (5) employees to serve for terms of three (3) years, except that the members appointed initially shall be appointed so that their terms will be staggered, and approximately one-third continues to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term shall be for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of the Town Administrator. All members shall be selected on a broadly representative basis from among Town employees. Members employed in the same department as the grieving employee and members having formed an opinion on the issues prior to the hearing, shall not participate in that employee's hearing.

The Committee annually shall select its own chairperson from among its members. The chair shall serve as the presiding officer at all hearings which he attends but may designate some other member to serve as presiding officer in his absence. The presiding officer will have control of the proceedings.

He shall take whatever action is necessary to ensure an orderly and expeditious hearing.

Parties shall abide by his decisions, except when a Committee member objects to a decision to accept or reject evidence, in which case the majority vote of the Committee will govern.

A quorum shall consist of at least three (3) members, and no hearings may be held without a quorum.

The Committee shall have the authority to call for files, records, and papers which are pertinent to any investigation, and which are subject to the control of the Town Administrator; to call for or consider affidavits of

witnesses; to request and hear the testimony of witnesses; to consider the results of polygraph examinations; and to secure the services of a recording secretary in its discretion. The Committee shall have no authority to subpoena witnesses, documents or other evidence, nor shall any Town employee be compelled to attend any hearing. All proceedings shall be documented by minutes or recorded. Witnesses, other than the grieving employee and the department representative, shall be sequestered when not testifying. All witnesses shall testify under oath.

All hearings shall be held in executive session unless the grieving employee requests at the beginning of the hearing that it is held in open session. The official minutes of all hearings shall be subject to the control and disposition of the Town Administrator and maintained by Human Resources Office.

Neither the grieving employee nor the department may be assisted by advisors or by attorneys during the hearing itself. However, the Committee shall have an attorney available to it at any and all times it considers necessary, and the Human Resources Department shall provide assistance in reading written materials to the Committee at the request of a grieving employee. The Human Resources Department shall assist in the preparation of the written decision of the Committee based on its input and notes. The written decision shall be signed by the Committee members.

In disciplinary actions by Department Heads and their subordinate supervisors, the employee must receive in reasonable detail written notice of the nature of the acts or omissions that are the basis for the disciplinary action. This notice may be amended at any time 24 hours or more before the commencement of the hearing. The department must demonstrate that the disciplinary action is for the good of the Town. The department shall make the first presentation. The Committee may base its findings and recommendations (and Town Council its decision) on any additional or different grounds developed from the employee's presentation.

In non-disciplinary grievances, the employee must establish that a right existed and that it was denied him unfairly, illegally, or in violation of a Town policy. The employee shall make the first presentation.

In all grievances, the grieving employee and the department shall each be limited to one (1) hour of initial presentation. The party required to make the first presentation shall be entitled to a ten (10) minute rebuttal of the other party's presentation. The Chair will appoint himself, another committee member or the Human Resources Manager to serve as the timekeeper.

In all grievances, presentations may be oral, in writing or both. They may be supported by affidavits or unsworn signed statements from witnesses, records, other documentary evidence, photograph and other physical evidence. Presentations are made by the grieving employee (with reading assistance from a member of the human resources department if the employee desires) and by a managerial employee of the affected department. Parties may request the committee call witnesses, and a list of potential witnesses should be submitted to the Committee five (5) days prior to the hearing. The Committee shall at its discretion call the witnesses it feels are necessary to the hearing and are not required to call the witnesses requested by either party. However, neither party may question the other party or question any witness called by the Committee.

The Committee shall, within 20 days after hearing an appeal, make its findings and recommendations and report such findings and recommendations to the Town Administrator for transmittal to Town Council. The Town Administrator will review the findings and recommendations and forward them, along with his recommendation(s), to the Town Council. Town Council will receive the information at the next regularly scheduled meeting. If Council adopts the recommendation of the Committee, that shall be the final decision. Copies of the decision shall be transmitted by the Committee through the Human Resources Manager to the employee and to the head of the particular department involved. If, however, Town Council rejects the recommendation of the Committee, Council shall make its own decision without further hearing, and that decision shall be final. Copies of the Council's final decision shall be transmitted to the employee and to the head of the particular department involved.

In an instance where the matter being grieved is against the Town Administrator, the process **must be followed from steps one through three**. Employees who wish to grieve an action of the Town Administrator may not go directly to Town Council; they must follow the process as outlined. The Human Resources Manager shall appoint an ad hoc Grievance Committee to avoid the sitting committee from being conflicted. The ad hoc Committee shall conduct the hearing as prescribed herein, with the Committee's

report being made to Town Council. This shall conclude the appointment of the Committeemembers. Town Council may either adopt the findings of the Committee or present its own decision without further hearing. That decision shall be final. Town Council shall not participate in any other grievance hearings other than those held for grievances filed against the Administrator.

Special Note: Nothing in this policy shall be construed to prohibit an employee from bringing a problem or concern to the attention of a superior outside the normal chain of command. However, all employees should understand that the superior may direct the complaining employee to attempt to first resolve the situation through his immediate supervisor or to follow the established grievance procedure framework.

Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the Town to terminate any employee when the Town considers such action to be necessary for the good of the Town.

SECTION 9 – HEALTH AND SAFETY

SAFETY

The Town works diligently to promote maximum standards of safety and good health among employees. The Town has appointed a Safety Committee who may conduct investigations of working conditions and provide subsequent recommendations to the Department Heads for a safer workplace. Employees are expected to follow all safety rules and to assist in identifying dangerous conditions by notifying the Safety Committee of such conditions. Please refer to the Town's Safety Manual for specific procedures regarding safety.

Safe working conditions are of primary importance for all Town employees and the goal of all departments. It shall be the responsibility of every employee to observe safe practices in all daily activities. Safety practices in accordance with basic safety standards are to be implemented and continuously monitored, including but not limited to the following: exercising maximum care and good judgment at all times to prevent accidents and injuries; obeying safety rules and exercising caution in all work activities; notifying supervisors before the beginning of the workday of any medication taken that may cause drowsiness or other side effects that could lead to injury. Any flagrant violation of safety rules may result in disciplinary action up to and including termination.

Each employee should completely understand the following in order to have a good foundation in safety training:

1. Operators are to utilize safety belts and equipment while operating any Town equipment.
2. The Town of Allendale is sincerely interested in preventing accidents.
3. Accidents may occur; however, accident prevention is required.
4. Safeguarding of equipment and of the workplace shall be done thoroughly. Management shall take all necessary precautions.
5. Each employee shall be expected to report any unsafe conditions encountered in the workplace to the supervisor.
6. The supervisor will provide job instructions. No employee shall be expected to undertake any job until authorized to do so by the supervisor.
7. If an injury does occur, regardless of degree, it shall be reported to the supervisor and the Safety Manager immediately.

In addition to these points, any safety rules such as the wearing of eye protection or hard hats, etc., shall be understood and enforced. Any flagrant violation of safety rules may result in immediate disciplinary action up to and including termination.

Please refer to the Town's Safety Manual for specific policies and procedures regarding safety.

Tobacco Affidavit

A completed and signed non-tobacco use affidavit is required annually for credit each year. Please be aware that falsification of information on the affidavit may result in tobacco related medical insurance claims being denied.

ON-THE-JOB INJURIES

When an employee is injured on the job, he must immediately report the injury to his supervisor. If medical treatment is needed, the supervisor will be responsible for providing transportation and notifying the Human Resources Manager who will notify the medical provider and the workers' compensation carrier of the incident. The supervisor must then obtain the necessary medical treatment as set forth below:

In an emergency situation, the employee should be taken by emergency vehicle to the nearest emergency facility. For all other injuries, the employee should be taken to the designated Town facility for treatment. Unauthorized treatment may result in the employee paying for the treatment at his own expense.

The following forms must be completed and returned no later than the following workday for review by the Human Resources Manager who will complete the First Report of Injury/Incident Report:

Employee's Incident Notification Report

Medical Authorization Form

Supervisor Report if indicated

Eyewitness Report if indicated

All employees who are injured and need medical treatment and those who are involved in any type of accident involving equipment/vehicles if damage is sustained should be taken by a supervisor to the Occupational Health facility for drug/alcohol testing as soon as practically possible. It is necessary to notify the Human Resources Manager when sending an employee for testing in order that the appropriate contacts and correct tests are administered to expedite the process.

Prior to returning to work after medical treatment is rendered, the employee should present to the Human Resources Manager the doctor's release to full duty or light duty. If this occurs when offices are closed, the employee's supervisor may accept the release and submit to Human Resources the next workday offices are open. While the doctor may release the employee on light duty, this does not ensure the Town will have the appropriate light duty available.

In an attempt to provide safety guidelines to employees as well as provide a plan for control of on-duty injuries, the Town Council has adopted a Municipal Loss Control Program (MLCP). The MLCP shall serve as a guide to the Safety Committee, Town Administration, Department Heads and employees as to the expectations of job safety.

TEMPORARY LIGHT DUTY

The Town guarantees light duty to no one. As a general rule, an employee who is unable to perform the essential functions of his job will not be permitted to work. However, in limited circumstances and on a case-by-case basis, the Town may choose to permit an employee who has been released by the physician to return to light duty work to perform temporary light duty functions, provided the Town determines there is a legitimate need and to do so would be in the best interest of the Town. If the employee is determined by the physician to be able to perform the majority of his essential job duties without assistance, the employee will continue to perform the duties of his own job as allowed by the physician's medical statement of restrictions.

In such situations, the Town will require clearance from the treating physician that the employee is able to perform his job or the proposed temporary light duty functions. These forms will be provided and

maintained by Human Resources as part of the confidential medical file. As required under the Health Insurance Portability and Accountability Act ("HIPAA"), the employee will be required to sign a release form to authorize the doctor to discuss with Human Resources any limitation with regard to the injury/illness. If the employee refuses to sign this form, the Town may not consider the employee for the light duty position. The Town, in its discretion, shall determine the duration of the temporary light duty period. If light duty is granted, there is no guarantee on the length of time the light duty will exist. However, under no circumstances shall an employee be permitted to perform temporary light duty beyond sixty (60) calendar days (two (2) months).

The only exception will be for a workers' compensation injury/illness that may be extended through a request by the employee and department director of a renewal of light duty every 30 days for a maximum of 180 calendar days (6 months).

When approved for light duty, the previous schedule requirements of hours will continue since pay classification will not normally change. If an employee's normal schedule is 85.5 per pay period any hours worked less than 85.5 in a pay period will require leave (paid or unpaid) to be taken. For example, a non-exempt employee that normally works 40 hours per week is placed in Telecommunications working 38- and 39-hours alternating weeks. Any workweek with less than 40 hours would require leave to be taken (compensatory, sick, general or leave without pay as applicable) to meet the 40 hours requirement. Timekeeping will be completed by the supervisor responsible for the department in which the light duty is being performed.

Once light duty is approved, the employee must submit updated medical statements to Human Resources and to the supervisor every 30 days to request and continue light duty. Please refer to the Town's policy regarding sick leave and extended leaves of absence.

The Town will approve light duty assignments dependent upon the needs of the Town, the duration of the light duty requests and the qualifications and physical abilities of the employee. Approved assignments will normally include:

Telecommunicator

File/Data Entry Clerk (one per dept. with a specific need identified) "Fill in" for a leave of absence of another employee (2 or more weeks)

Temporary assignment to a vacant but funded position

In the Fire Department, Firefighters may be allowed to drive fire vehicles only as a light duty assignment if able to perform all the tasks that the driver normally is assigned on a fire call

No specific position within the Town shall be established for the use as a temporary light duty assignment, nor shall any existing position be designated or utilized exclusively for employees on temporary light duty.

Police officers on temporary light duty are prohibited from engaging in outside employment in which that officer may reasonably be expected to perform law enforcement functions which they have been determined physically or mentally unable to perform on behalf of the Town. Any Town employee engaged in outside employment will need the Town Administrator's approval to continue that employment while on light duty or leave of absence with the Town.

All Light Duty requests must be submitted in writing by the Department Director to Human Resources along with the medical certification outlining 1) an assessment of the nature and probable duration of the injury or illness; 2) prognosis for recovery; 3) nature of the work restrictions and an acknowledgement by the health care provider of familiarity with the light-duty assignment and a statement that the employee can physically assume the duties involved. The department director should also include the requested assignment including job duties of the affected employee involved and the compensatory hours balance for a non-exempt employee. Prior to being placed on light duty (unless workers' compensation), the non-exempt employee will be expected to use the accumulated balance of compensatory time.

Once the doctor has advised an employee that light duty or a leave of absence is necessary for a medical condition, the employee must notify the supervisor prior to returning to work. The supervisor will be

responsible for educating the employee on the requirements, referring the employee to Human Resources and making recommendations as to the light duty request.

Light duty assignments **MUST** be approved **prior to the employee's return to work**. Employees should not clock in for work until a written approval has been received. The employee will be placed on the applicable leave until a decision is reached. Once the request and medical documentation is received by Human Resources, the specifics will be shared with the Town Administrator for review and approval.

The employee and supervisor will be notified in writing as to the final decision regarding the light duty request. If light duty is permitted by the physician and approved by the Town, the employee will be required to return to work in the assignment provided.

AUTOMOBILE ACCIDENTS/PROPERTY DAMAGE

All incidents involving property damage or an automobile accident involving a Town vehicle must be reported immediately to the Town Administrator. The Police Department will complete a report for vehicle accidents (if an accident is outside the Town, the Department will obtain a report from the governing jurisdiction.) Property damage claims, if possible, will also have a Police Report. The Police Department will not investigate accidents that involve other ALLENDALE police officers (unless involves only the one vehicle) but contact the SC Highway Patrol to complete the reports. All internal insurance forms required by the Town for reporting must be submitted on the morning of the first day (Monday through Friday) subsequent to the incident or accident. These forms must be provided to the Finance Department for submission to the insurance carrier. Internal insurance reports include the Supervisor's Report, the Driver's Report, and the Witness Incident Report.

Employees who are determined by the Town to be at fault in an accident with a Town-owned vehicle may be responsible for payment of the Town's deductible or may be assessed full costs. If an employee is found to have contributed to an accident with a Town vehicle (a "no-fault" report included), he may be responsible for payment of the Town's deductible and disciplinary action, up to and including termination. This cost may be deducted from the employee's future pay checks.

Supervisors should transport the employee involved in the accident, whether or not there are injuries, to the Occupational Health facility for drug/alcohol testing as soon after the accident as possible, but no later than two hours following the accident unless there are extenuating circumstances.

DO NOT CALL OR PRESENT A CLAIM DIRECTLY TO THE TOWN'S INSURANCE COMPANY OR INSURANCE AGENT.

EMPLOYEE DRUG USE AND DRUG TESTING POLICY

It is well recognized that drug abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of the Town of ALLENDALE to comply with the Drug Free Workplace Act, to comply with applicable government regulations, to establish and maintain drug-free workplaces, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and use of controlled substances on or off the job.

The use of illegal and unauthorized drugs is a serious threat to our nations' collective health, safety and welfare. Drug abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations and the risk of injury and death.

Further, the negative effects of drug abuse in the workplace are amplified when drug abuse exists within a Police Department. The Town of ALLENDALE has a compelling interest in ensuring that employees of its Police Department are physically capable of performing their duties while possessing unimpeachable integrity and judgment.

Police Department personnel engage in drug interdiction activities, carry firearms, operate vehicles under dangerous conditions at high rates of speed, and have access to highly sensitive, confidential information involving drug traffickers. As a result, Police Department personnel pose a threat to public and personal safety if impaired and are subject to personal temptation as well as bribery attempts in administering drug laws even when not impaired by drug use.

Police Department personnel cannot be permitted to violate the laws which they enforce, and the public has right to expect that its Police Department's employees are both physically and mentally fit to perform their duties. Public interest demands that effective measures be taken to identify, deter and eliminate drug use in the ALLENDALE Police Department.

For these reasons, the Town adopts the following policy for all employees:

General Rule

All employees of the Town are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) synthetic drugs and prescription drugs which are not prescribed for the employee's use. This prohibition applies to use at any time, both on-the-job and off-the-job. Town employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

Applicants for Employment

The Town will conduct pre-employment drug tests for all applicants tentatively selected for employment. The Town shall not hire any applicant tentatively selected for employment who refuses to submit to a drug test or who tests positive for use of illegal or unauthorized substances. Any applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate he is no longer a user of any unlawful substances. (This may include participation in and successful completion of a rehabilitation program as well as a negative drug test result.)

Current Employees

All Town employees will be subject to drug testing by urinalysis post-accident when Town vehicles or equipment are involved and/or when an injury occurs.

All Town employees will be subject to drug testing by urinalysis where "particularized suspicion" of drug use in violation of this policy exists or under other lawful conditions.

Particularized suspicion is deemed to exist when:

1. Information that an employee has used illegal drugs or substances, or unauthorized prescription drugs is provided by a reliable informant;
2. A serious accident occurs due to the apparent fault of the employee as determined by the Town:
 - a. "Serious accident" is defined as:
 - i. An accident involving a fatality;
 - ii. An accident-causing bodily injury which requires medical care away from the scene of the accident;
 - iii. An accident resulting in aggregate property damage of \$1,000 or more based on reliable estimates;
 - iv. An accident in which one or more motor vehicles incurs disabling damages as a result of the accident, requiring the towing of one or more of the vehicles from the scene by a tow truck or other vehicle.

3. An employee exhibits any of the following:

Extreme mood swings;

Slurred speech;

Unusual clumsiness;

Staggering;

Dilation of pupils;

Sleeping on the job or lethargy;

Excessive unexplained sweating; or

Other aberrational behavior (i.e., excessive tardiness or absenteeism, significant decline in job performance, repeated errors, etc.)

4. An employee has been arrested for violation of drug laws;

5. An employee has admitted violating the Town's drug policy;

6. An employee has tested positive previously for illegal drugs within the past five (5) years.

Employees must provide a specimen for testing within 2 hours following an accident or injury. (Such employees who are injured and cannot provide a specimen at the time of the accident will provide necessary authorization for obtaining hospital reports or other documents that would indicate the presence of controlled substances in the employees' systems.)

Particularized suspicion testing shall not be conducted without the approval of the Town Administrator or his designee(s). The Human Resources Manager will make arrangements for testing at the appropriate facility. Employees will be escorted by the department director or immediate supervisor to the facility for testing.

Effective immediately, random testing for illegal, synthetic or unauthorized drug use shall be conducted for all employees who are required by their jobs to possess a Commercial Driver's License and all Town employees deemed by the Town to occupy "safety sensitive positions." Safety sensitive positions include all commissioned police officers, detention officers, telecommunicators and firefighters. All promotion applicants will be required to pass a random drug test before being considered for the promotion to a safety sensitive position.

If an employee refuses to submit to a drug test or fails to appear timely to the testing facility when ordered to do so, the Town shall terminate the employee.

Testing Procedure

1. Drug testing will be by urinalysis.

2. The collection of samples will be performed under reasonable and sanitary conditions.

3. Urine normally will be collected under conditions of semi-privacy – that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample will be directly observed where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted drug use, been proved to have used drugs in violation of this rule, under "particularized suspicion" or for a retest when results were invalid.

4. Urine samples will be sealed, labeled, and documented in accordance with the procedure of the drug testing company. Labeling, storage, and transportation of samples shall be performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.

5. Specimens will be checked for at least the following ten drugs:

- marijuana
- cocaine

- opiates
- amphetamines
- phencyclidine
- barbiturates
- methadone
- hydrocodone
- morphine
- hydromorphone drugs

Random Drug Screens and some post-accident testing will follow D.O.T. standards for CDL drivers only which may include a shorter list of drugs.

6. Applicants and employees will have an opportunity to provide any information which they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.
7. Samples which initially result in a positive finding for drug use will be re-tested by the gas chromatography/mass spectrometry (GCMS) method. If the GCMS test results in a positive finding of drug use, and is verified by the Medical Review Officer, the written report of the Medical Review Officer shall be conclusive for all employment-related purposes.
8. The Town's Medical Review Officer will normally allow an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the Town. Any prescription drug use discovered as a result of the drug screening must be contemporaneous with physician treatment. In other words, the prescription must be in the employee's name and given by a physician for a previous or ongoing illness/injury.

Notice to Employer, State and Federal Grantor/Contracting Agencies, and Law Enforcement Authorities

The Town shall attempt to distribute to all employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee agrees that he will abide by the policy as a condition of employment.

As a condition of employment, employees agree to notify the Town within five calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. The Town shall notify all state and federal grantors/contracting agencies of such employee convictions as required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

The Town shall notify law enforcement authorities whenever illegal drugs are found in the workplace.

Consequences of Violating This Policy

Violations of this policy will result in discipline up to and including discharge.

- A. For probationary employees, the Town shall terminate the employee if he is found to be in violation of this policy.
- B. For all police department employees, violations of this policy will result in termination.
- C. For all other employees, the Town shall impose discipline up to and including discharge for an employee who is found to be in violation of this policy.

The Town, in lieu of terminating an employee, may condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of a drug counseling/rehabilitation program.

If the Town, after considering all of the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as a Town employee, the Town will do the following:

- a) Refer the employee to a Substance Abuse Professional for assessment and require the employee to follow the SAP's prescribed program of counseling and/or treatment; Non-DOT employees will be referred to a Substance Abuse Counselor for assessment and required to follow the prescribed program of counseling/treatment.
- b) Require the employee to authorize the Employee Assistance Program or other facility to report periodically to the Town during the course of treatment/counseling;
- c) Retest the employee for controlled substances before allowing the employee to return to duty;
- d) Place the employee on probation for at least six months following the employee's return to duty; and
- e) Require the employee to submit to unannounced follow-up drug testing for a period not to exceed five years.

Should an employee, whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program, refuse or fail to participate in a single counseling or treatment session, the employee will be terminated.

An employee whose return to duty test sample does not indicate that the employee has discontinued use of illegal drugs will be terminated.

Coming Forward with Substance Abuse Problems

All employees who have substance abuse problems and report them to the Town before being selected for testing, and before the occurrence of an event which normally would result in testing, normally will not be disciplined upon the first violation but will be subject to the actions outlined above in this policy.

If an employee admits to a violation of this policy or tests positive for drugs in violation of this policy but seeks counseling and remains an employee of the Town, the employee will be discharged if he again either admits to a violation of this policy or tests positive for drugs in violation of this policy.

Nothing contained in this policy or in any other policy creates a contract right or property interest in employment with the Town. Consistent with South Carolina law, all employees are employed "at-will" which means that the employee has the right to terminate his employment at any time, with or without cause, and that the Town retains the same right. Exceptions to the policy that all employees are employed "at will" may be made only by written agreement signed by the Town Administrator following a proper vote on the matter by Town Council. Employees who are granted a "second chance" under this policy remain at will and may be terminated as such.

Confidentiality

Any drug test results, or information supplied by employees and applicants as part of the Town's drug testing program will be kept as confidential as possible, consistent with the purposes of this policy.

Testing Costs

The Town will pay the costs of all drug tests to which the Town requires an employee to submit. However, an employee subject to unannounced follow-up testing will be solely responsible for the cost of all follow-up tests.

Notification of Results

Applicants will be notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.

Employees will be notified of the results [including the drug(s) discovered] of all drug tests, provided the results are positive.

Employee Assistance Program

Again, drug abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. In order to prevent these consequences of drug abuse, the Town has implemented the above policy and made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations.

Information about the Employee Assistance Program is provided during new employee orientation and always available through the Human Resources Department.

Periodically, the Town will make available to employees' information regarding substance abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.

EMPLOYEE ALCOHOL USE AND ALCOHOL TESTING POLICY

The abuse and misuse of alcohol is a very serious problem and is especially dangerous in the workplace. The Town of ALLENDALE is committed to maintaining a safe and productive work environment. It is the policy of the Town to establish and maintain alcohol free workplaces, to comply with applicable government regulations, and to prohibit the unauthorized, improper, or unlawful use of alcohol on Town premises or time. The Town has implemented an Alcohol Use and Alcohol Testing Policy, a copy of which is distributed to new employees during their orientation. By continuing to work, the employee agrees that he will abide by the policy as a condition of employment.

General Rule

All employees of the Town are prohibited from using or possessing alcoholic beverages on Town premises or time. (The term "Town premises or time" includes Town vehicles and private vehicles on Town premises; parking lots and recreation areas; and any circumstances in which an employee is representing the Town, such as attending off-premises business meetings or conferences. Employees are not prohibited, however, from having unopened containers of alcoholic beverages in their personal vehicles.) Town Council or the Town Administrator may approve moderate alcohol use at designated social or business functions.

Furthermore, all employees of the Town are prohibited from reporting to or being at work while under the influence of alcohol. (An employee shall be considered to be "under the influence of alcohol" if he has any detectable amount of alcohol in his system.)

Finally, employees who are required by their jobs to possess a commercial driver's license are subject to the Federal Department of Transportation Motor Carrier Safety Regulations and, more specifically, to 49 CFR Part 382 which addresses the misuse of alcohol among DOT regulated employees. These regulations prohibit the following:

- using alcohol within four hours of reporting for duty;
- reporting for work with an alcohol concentration of .02 or greater;
- using alcohol while on duty;

- using alcohol within eight (8) hours following an accident which requires an alcohol test or until post-accident test is conducted, whichever occurs first;
- possessing alcohol while on duty;
- transporting alcohol in any DOT regulated vehicle (except when alcohol is manifested cargo).

Current Employees

All Town employees will be subject to alcohol testing post-accident involving Town equipment/vehicles and/or when injuries occur that requires medical treatment (not including first aid administered on the job).

All Town employees will also be subject to alcohol testing where ““particularized suspicion”” of alcohol use in violation of this policy exists. D.O.T. standards require specific testing in these instances.

Particularized suspicion is deemed to exist when:

1. Information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant;
2. A serious accident occurs due to the apparent fault of an employee. “Serious accident” is defined as:
 - a. An accident involving a fatality;
 - b. An accident-causing bodily injury which requires medical care away from the scene of the accident;
 - c. An accident-causing total aggregate property damage of \$1,000 or more based on reliable estimates;
 - d. An accident involving one or more vehicles which results in one of the vehicles having to be towed from the scene by a tow truck or other vehicle.
3. An employee exhibits behavior consistent with alcohol use such as but not limited to:
 - a. erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.);
 - b. the apparent odor of an alcoholic beverage on an employee’s breath;
 - c. other aberrational behavior such as but not limited to excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.
 - d. an employee has admitted violating the Town’s alcohol policy;
 - e. an employee is arrested for or convicted of an alcohol related offense;
 - f. an employee has tested positive for alcohol in violation of this policy within the past five years;

Particularized suspicion testing shall not be conducted without the approval of the Town Administrator or his designee. The Human Resources Manager will make arrangements for testing at the appropriate facility. Employees will not be allowed to return to work until negative alcohol test results are received.

Effective immediately, all employees occupying positions designated by the Town as ““safety sensitive”” will be subject to random selection alcohol testing to determine compliance with this policy. All DOT regulated

employees are subject to random selection testing pursuant to 49 CFR Part 382. (DOT regulated employees will be randomly tested at an annualized rate of at least 25% in accordance with 49CFR Part 382). Random selection testing is unannounced and processed through Human Resources. Safety sensitive positions are identified as all commissioned police officers, detention officers, telecommunicators and firefighters.

If an employee refuses to submit to an alcohol test or fails to report to the designated testing facility when directed to do so, the employee shall be terminated.

Testing Procedure

1. Employees will have an opportunity to provide any information which they consider to be relevant to the test.
2. Alcohol tests will be conducted by the Town's designated Occupational Health facility to determine if an employee has violated this policy.
3. The Town shall require the use of only DOT approved non-evidential screening devices and DOT approved evidential breath testing (EBT) devices for alcohol testing pursuant to this policy.
4. A non-evidential screening device will normally be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the Town, then a confirmatory test will be conducted utilizing an EBT device.
5. The EBT confirmatory test will be conducted by an individual properly certified to use the equipment (in situations involving DOT regulated employees, the EBT operator will be properly certified in accordance with applicable DOT regulations).
6. A confirmatory test result generated through the use of an EBT which indicates a presence of alcohol in violation of this policy will be conclusive for purposes of this policy.

Consequences of Violating This Policy

Violations of this policy will result in discipline up to and including discharge.

- A. The Town shall terminate a probationary employee who violates this policy.
- B. The Town shall impose discipline up to and including discharge for a non-probationary employee who violates this policy.
 1. The Town, in lieu of terminating an employee who has violated this policy, may suspend the employee and condition his continued or future employment upon the successful completion of an alcohol counseling/rehabilitation program.
 2. If the Town, after considering all of the relevant circumstances, allows an employee who has violated this policy to continue as a Town employee, the Town will do the following:
 - a. Refer the employee to a Substance Abuse Professional for assessment and require the employee to follow the SAP prescribed program of counseling/treatment; Non-DOT employees will be referred to a Substance Abuse Counselor for assessment and required to follow the prescribed program of counseling/treatment.
 - b. Require the employee to authorize the Employee Assistance Program or other facility to report periodically to the Town during the course of counseling/treatment;
 - c. Retest the employee for alcohol use in violation of this policy before allowing the employee to return to duty;

- d. Place the employee on probation for at least six months following the employee's return to duty; and
 - e. Require the employee to submit to unannounced follow-up alcohol testing for a period not to exceed five years. (The employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to this policy.)
- C. Should an employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program refuse or fail to participate in a single counseling or treatment session, the employee will be terminated.
- D. An employee whose return-to-duty alcohol test indicates that the employee is in violation of this policy will be terminated.

Coming Forward with Alcohol Abuse Problems

Employees who have alcohol abuse problems and report them to the Town before being selected for testing, and before the occurrence of an event which normally would result in testing, normally will not be disciplined but will be subject to Section "Consequences of Violating This Policy" of this policy.

If an employee admits to a violation of this policy or tests positive for use of alcohol in violation of this policy but seeks counseling and remains an employee of the Town, the employee will be discharged if he again either admits to a violation of this policy or tests positive for alcohol in violation of this policy.

Nothing contained in this policy or in any other policy creates a contract right or property interest in employment with the Town. Consistent with South Carolina law, all employees are employed "at-will" which means that the employee has the right to terminate his employment at any time, with or without cause, and that the Town retains the same right. Exceptions to the policy that all employees are employed "at will" may be made only by written agreement signed by the Town Administrator following a proper vote on the matter by Town Council. Employees who are granted a "second chance" under this policy remain at will and may be terminated as such.

Confidentiality

Any alcohol test results, or information supplied by employees as part of the Town's alcohol testing program will be kept as confidential as possible, consistent with the purposes of this policy.

Testing Costs

The Town will pay the costs of all alcohol tests to which the Town requires an employee to submit. However, the employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to this policy.

Employee Assistance Program

In order to prevent the negative effects of alcohol abuse, the Town has implemented the above policy and made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations.

Periodically, the Town will make available to employees' information regarding alcohol abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.

Information about the Employee Assistance Program is available through Human Resources.

EMPLOYEE ASSISTANCE

The use of illegal drugs and the abuse of alcohol are a serious threat to our nation's collective health, safety, and welfare. Alcohol use in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. In order to prevent these consequences of alcohol use and abuse, the Town has implemented this policy. If you feel that you have a substance abuse problem, you need to get help.

For information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse." These organizations are most helpful, as are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) in identifying sources for treatment and assistance. Set forth below is a list of organizations that may provide information or referrals.

National Clearinghouse on Alcohol and Drug Information: 1-800-729-6686

National Council on Alcoholism: 1-800-622-2255

TOBACCO USE POLICY

The Occupational Safety and Health Act places a duty on employers to take reasonable measures to protect the health and safety of employees and others affected by their business. To meet this duty of care, employers must protect employees from second-hand tobacco smoke in the workplace.

The Town of ALLENDALE is committed to providing a safe and healthy environment for its employees, citizens and visitors. Furthermore, it is the Town's policy to comply with all applicable federal, state and local regulations regarding tobacco use in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.

In 1993, the Environmental Protection Agency (EPA) classified environmental tobacco smoke as a Group A carcinogen, that is, a substance known to cause cancer in humans.

Smokeless tobacco is also harmful to the user and frequently becomes a sanitary issue in the workplace. According to the National Cancer Institute, chewing tobacco and snuff contain 28 carcinogens (cancer-causing agents). In addition, the nicotine in smokeless tobacco is 3 to 4 times the amount delivered by a cigarette, and it stays in the bloodstream longer.

Because of the serious health and sanitary hazards associated with the use of tobacco and with exposure to second-hand smoke, the Town has implemented the following policy.

The use of tobacco in any form, including without limitation products known as E-Cigs, E-Cigarettes or Electronic Cigarettes, is prohibited in Town buildings, any vehicle **or equipment** owned by the Town, in situations where working directly with the public and any posted areas.

Additionally, tobacco product use is not allowed in areas within twenty-five feet of **entrances to Town buildings**. In making such designation, the Town considers the following exterior locations non-tobacco-use areas: entrance doors, covered breezeways, ventilating and air conditioning intake vents and windows.

Any person smoking or using tobacco products in permitted areas under this policy shall make sure that the unused products are properly disposed of after use.

All employees can help ensure that buildings remain tobacco free by tactfully directing smokers to permitted areas outside the buildings as outlined above. Failure to abide by the "no tobacco use" policy may result in disciplinary action.

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. All employees share in the responsibility for adhering to and enforcing this policy. Department Directors will be held responsible for ensuring compliance by their employees.

The Town of ALLENDALE became a totally tobacco free workplace effective January 1, 2012, when the use of tobacco products by employees was banned on and in all Town-owned or leased property.

SECTION 10 – PROFESSIONAL ETHICS AND BEHAVIOR

CONFLICT OF INTEREST

It is the policy of the Town to prohibit its employees from engaging in any activity, practice, or act which conflicts with, or appears to conflict with, the interest of the Town, its citizens, or its suppliers. Employees are also expected to adhere to the South Carolina Ethics Act. Since it is impossible to describe all of the situations which may cause or give the appearance of a conflict of interest, the prohibitions included in this policy are not intended to be exhaustive and only include some of the clearer cut examples:

No Town employee may provide special treatment or advantage to any citizen beyond that which is available to every citizen of the Town;

Town employees are prohibited from having a direct financial interest in any contract with the Town or to be directly financially interested in the sale to the Town of any material, supplies, equipment, or services;

No Town employee may engage in any business or transaction, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest or would tend to impair his independence of judgment or action in the performance of his official duties;

Town employees may not accept gifts of value, whether in the form of service, loan promise, or any other form from any person which, to his knowledge, is interested directly or indirectly, in any matter whatsoever in business dealings with the Town;

Town employees may not disclose information, nor shall he use such information that would serve to advance the financial or other private interest of himself or others;

Town employees are prohibited from engaging in or accepting private employment or rendering service for private interest when such employment or service is incompatible with the proper discharge of his official duties;

Town employees may not sell or barter anything to the Town, or make any contract with the Town, or purchase anything from the Town other than those things which the Town offers generally to the public and then only on the same terms as are offered to the public;

No Town employee may continue to remain an employee of the Town after becoming a candidate for nomination or election to any Town office;

Town employees may not request or permit the use of Town-owned property for any purpose except the conduct of Town business, unless specifically authorized by the Town Administrator.

Employees are expected to represent the Town in a positive and ethical manner at all times and have an obligation both to avoid conflicts of interest and to refer questions and concerns about potential conflicts to the Town Administrator.

Violations of this policy may be subject to disciplinary action up to and including dismissal.

POLITICAL ACTIVITY

Employees are expected to exercise their rights as citizens and be informed about issues and vote those convictions at the polls. The Town encourages all employees to become registered and to vote at every opportunity provided to them.

No employee shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position within the Town, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing a vote or political action of any person.

Employees are prohibited from taking part in the political campaign of any candidate for council (including the Mayor) of the Town. Employees are also prohibited from making any contribution, direct or indirect, to any candidate for Town Council. Employees may not directly or indirectly, solicit, receive or be of any manner involved in soliciting, obtaining, or receiving any monetary contribution or assistance, financial or otherwise, for any political purpose whatsoever from any officer or employee of the Town. Further, employees are prohibited from becoming involved in policy decision making by attempting to influence a Council member or the Mayor on any issue confronting the Town.

In certain circumstances involving real or potential conflicts, employees who run for any partisan or non-partisan public office may not be allowed to continue in Town employment. The employee/candidate may be placed on an unpaid leave of absence until after the election. If an employee is placed on leave of absence, his employment will terminate upon his election to a partisan public office.

For purposes of this policy, an employee is considered a "candidate for public office" as soon as he begins actively campaigning for nomination or election, or when he files for candidacy, whichever comes sooner.

Violations of this policy may be subject to disciplinary action up to and including dismissal.

SECTION 11 - OFFICE OPERATIONS

TOWN PROPERTY

Each Town employee is responsible for the proper use and protection of Town property entrusted to his use. Failure to exercise good judgment for the use and protection of equipment, tools, and vehicles provided by the Town may result in disciplinary action up to and including termination.

INFORMATION SYSTEMS POLICY

OWNERSHIP OF INFORMATION SYSTEMS

The Town of ALLENDALE provides its employees with access to Information Systems for business purposes in serving the interests of our citizens and conducting normal operations. These Information Systems (including but not limited to: computer equipment; software and operating systems; network accounts providing electronic mail, voicemail, World Wide Web browsing and downloading, File Transfer Protocol; networking peripherals; intranet systems and application software, telecommunications) although assigned to the employee, are the property of the Town of Allendale.

PRIVACY OF INFORMATION

The workplace is intended to be a place of work. An important part of work is communications and record keeping. Employee communications on Town of Allendale Information Systems are not private. There are times when management needs access to communications or records maintained by employees in their individual workplaces. While network administration desires to provide a reasonable level of privacy, employees must understand that any data or communications created on Town of Allendale Information Systems remains the property of the Town of Allendale and management reserves the right to review voice mail, electronic mail, computer files, and other electronic information generated by or stored in the Town's electronic systems.

MONITORING

Town of Allendale employees do not have a right, nor should they have an expectation, of privacy while using Town Information Systems. To the extent that employees wish that their private activities remain private, they should avoid using Town of Allendale information systems. The Town of Allendale reserves the right to audit and/or monitor its information systems on a periodic basis to ensure compliance with this policy.

SECURITY AND PROPRIETARY INFORMATION

The Town of Allendale Information Technology department will utilize its available security resources in an effort to restrict, detect, and prevent unauthorized access to the Town's information systems and data. Employees are expected to assist in these security measures by adhering to the following guidelines:

1. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System passwords must be changed quarterly.
2. All PCs, laptops and workstations must be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off when the host will be unattended.
3. Because information contained on portable computers is especially vulnerable, special care should be exercised to prevent unauthorized access, misplacement, or theft of the portable computer or its contents.
4. All computers used by the employee that are connected to the Town of Allendale's Internet/Intranet/Extranet, shall continually execute approved virus-scanning software with a current virus definition database.
5. Employees must use extreme caution when opening e-mail attachments received from unknown senders which may contain viruses, e-mail bombs, or Trojan horse code.
6. No outside computers or storage devices shall be allowed to connect to any device which is connected to the Town of Allendale's network infrastructure without the approval of the Information Technology Department.

The following activities are prohibited and are subject to disciplinary action up to and including termination:

- Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the Town of Allendale.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the Town of Allendale or the end user does not have an active license is strictly prohibited.
- Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
- Revealing your account password to others or allowing use of your account by others. This includes other employees, family members, and any other people or persons.
- Using a Town of Allendale computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws as provided for in the State, Federal, or Local Statutes.
- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not expressly authorized to access.

- Circumventing user authentication or security of any host network or account.
- Using any program/script/command, or sending messages of any kind, with the intent to interfere with or disable a user's terminal session, via any means, locally or via the Internet, Intranet, Extranet.
- Attaching any device to any network, wired or wirelessly, other than the Town of Allendale's network.
- Providing information about, or lists of, the Town of Allendale employees to parties outside the Town of Allendale.
- Entering, publishing or browsing any social networking site without approval of the Town Administrator.

E-MAIL AND COMMUNICATIONS ACTIVITIES

The following activities are prohibited and are subject to disciplinary action up to and including termination:

- Sending unsolicited e-mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material.
- Any form of harassment via e-mail, telephone, paging or texting, whether through language, frequency, or size of messages.
- Unauthorized use, or forging, of e-mail header information.
- Solicitation of e-mail for any other e-mail address, other than that of the poster's account, with the intent to harass or to collect replies.
- Creating or forwarding "chain letters", "Ponzi", or other "pyramid" schemes of any type.
- Posting non-business-related messages to large numbers of users of the Town of Allendale or to newsgroups.

SOCIAL NETWORKING

- ❖ Employees are prohibited from posting, or in any other way broadcasting, information on the internet, or other medium of communication, the business of the Town of Allendale.
- ❖ Employees who utilize social networking sites, blogs, twitter or mediums of electronic communication in their off-duty time shall maintain an appropriate level of professionalism and appropriate conduct so as not to broadcast in a manner which is detrimental to the mission and the function of the Town of Allendale.
- ❖ Employees shall not use references in these social networking sites or other mediums of communication that in any way represent themselves as an employee of the Town of Allendale.
- ❖ Employees shall not use a social networking site or other medium of internet communication to post any materials of a sexually graphical nature.
- ❖ Employees shall not use a social networking site or other medium of internet communication to post any materials that are racially motivated.
- ❖ Employees shall not use a social networking site or other medium of internet communication to post any materials which promote violence or weaponry.
- ❖ Employees are prohibited from using their title as well as any reference to the Town of Allendale in any correspondence to include email, posting, blogs, twitter, social networking sites, such as Facebook, MySpace, etc., unless communication is of an official nature and is serving the mission of the Town of Allendale. This prohibition also includes signature lines in personal email accounts.

BLOGGING

Unless specifically authorized by the Town to do so as a part of the employee's position, employees are not permitted to blog or use other forms of social media or technology on the Internet during working hours or at any time on company computers or company-supplied devices. Blogging or other forms of social media or technology include but are not limited to video or wiki postings, chat rooms, personal blogs or similar forms of online journals, diaries or personal newsletters not affiliated with the Town.

The Town respects the right of employees to use blogs as a medium of self-expression and public conversation and does not discriminate against employees who use these mediums for personal interests and affiliations or other lawful purposes.

Further, the Town respects the rights of employees to use blogs and does not want to discourage employees from self-publishing and self-expression. Employees are expected to follow the guidelines and policies set forth below to provide a clear line between you as an individual and you as the employee.

Bloggers are personally responsible for their commentary. Bloggers can be held personally liable for commentary that is considered defamatory, obscene, proprietary or libelous by any offended party, not just the Town.

Employees cannot use employer-owned equipment, including computers, company-licensed software or other electronic equipment, nor facilities, network or company time to conduct personal blogging.

Employees cannot use blogs to harass, threaten, discriminate or disparage against employees or anyone associated with or doing business with the Town.

If an employee chooses to identify themselves as a Town employee, please understand that some readers may view it as a spokesperson for the Town. Because of this possibility, we ask that employees state that the views expressed in the blog are personal and not those of the Town or of any person or organization affiliated or doing business with the Town.

Employees cannot post on personal blogs, the names, trademark or logo of the Town or any business with a connection to the Town. Employees cannot post privileged information including company-issued documents or copyrighted information.

Employees cannot post on personal blogs photographs of other employees, customers, citizens, visitors, or any incident that is a result of Town employment.

Employees cannot link from a personal blog to the Town's internal or external web site.

SOFTWARE

All software on these systems is owned or licensed by the Town of Allendale. No software on these systems may be copied, distributed or used on any systems other than those owned by the Town of Allendale without notification of and written consent from the Town Administrator. No software may be downloaded, installed, distributed from or copied to these or any other systems without the approval of the Town Administrator or designee.

ARCHIVING AND BACKUP OF SYSTEMS

Employees are responsible for ensuring that data is stored in the proper location to allow centralized data backups. If you have questions about the proper location and storage of business-related data, contact your Supervisor or Manager.

IDENTITY THEFT POLICY

BACKGROUND

Identity theft is "a fraud committed or attempted using the identifying information of another person without

authority.” Under FTC’s regulation, identity theft is defined as “the creation of a fictitious identity using any single piece of information belonging to a real person....”

The South Carolina Financial Identity Theft and Fraud Identity Theft Protection Act require the following:

- A legitimate business purpose to collect personal identifying information
- Security of personal identifying information
- Proper disposal of personal identifying information
- Certain procedures if a breach occurs

PURPOSE

The risk to the municipality, its employees and customers from data loss and identity theft is of significant concern to the municipality and can be reduced only through the combined efforts of every employee and contractor.

The Town of Allendale shall enact procedures to manage and secure lawfully obtained personal identifying information maintained so that it shall only be disseminated internally for use by employees of the entity for legitimate business reasons and externally to the general public only for reasons authorized by state, federal or local statutes.

The municipality adopts this identity theft policy to help protect employees, customers, contractors and the municipality from damages related to the loss or misuse of personal identifying and sensitive information.

This policy will:

- Define Personal Identifying Information;
- Define Sensitive Information;
- Describe the physical security of data when it is printed on paper;
- Describe the electronic security of data when stored and distributed;
- Place the municipality in compliance with state and federal law regarding identity theft protection;
- Ensure the policy is updated periodically to reflect changes in risks to customers, employees and to the safety and soundness of the creditor from identity theft.

The policy will help the municipality:

- Identify risks that signify potentially fraudulent activity;
- Detect risks when they occur;
- Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed.

SCOPE

This policy and protection program applies to employees, contractors, consultants, temporary workers, and other workers at the municipality, including all personnel affiliated with third parties.

POLICY

It is the policy of the Town of Allendale to release and/or request personal identifying information and/or sensitive information only as required for legitimate business purposes.

Personal Identifying Information is defined as:

- First name (or first initial) and last name in combination with any of the following:
- Social security number;
- Driver's license number or state identification card number issued instead of a driver's license;
- Financial account number or credit or debit credit card number in combination with any required security code; and
- Other personal information belonging to any customer, employee or contractor, examples of which include date of birth, address, phone numbers, maiden name, names, customer number.

The following are prohibited by policy:

- ❖ Intentionally collecting and/or communicating an individual's social security number (6 or more digits);
- ❖ Printing social security numbers on a card required for an individual to access products or services;
- ❖ Requiring social security number transmittal over the internet unless the connection is secure, or the number is encrypted;
- ❖ Printing a social security number on materials that are mailed to the individual, unless state or federal law requires it to be on the document;
- ❖ Intentionally disclosing a social security number to a third party without written consent unless it is done so for a legitimate business purpose; and
- ❖ Failing to segregate the social security number on a separate page from the rest of the record (or as otherwise appropriate) so that the number may be easily redacted pursuant to a public records request.

Note the following exceptions:

- ✓ Employment or employee benefit records;
- ✓ Purpose of obtaining a credit report;
- ✓ The opening of an account or the provision of or payment for a product or service;
- ✓ Fraud investigation or prevention;
- ✓ Background checks;
- ✓ Debt collection;
- ✓ Employment record maintenance and reporting;
- ✓ Administration or provision of employee benefits policy;
- ✓ Employment verification purposes;
- ✓ Claims and procedures related to employment such as termination, retirement, workers' comp, etc.;
- ✓ Disclosure to another governmental entity or its agents, employees or contractors if disclosure is necessary for the receiving entity to perform its duties;
- ✓ Pursuant to a court order, warrant or subpoena;
- ✓ For public health purposes;
- ✓ On certified copies of vital records issued by DHEC;
- ✓ On recorded document in the official records of the county;

- ✓ On a document filed in the official records of the court;
- ✓ Setoff Debt Collection Act;
- ✓ Governmental Enterprise Accounts Receivable Collection policy.

Personal Identifying Information does not mean information about vehicle accidents, driving violations and driver's status.

Sensitive Information is defined as the following items whether stored in electronic or printed format: Credit card information, including any of the following:

Credit card number (in part or whole);
Credit card expiration date; Cardholder name; and
Cardholder address.

Tax identification numbers including

Social Security number;
Business identification number; and
Employer identification numbers.

Payroll information, including, among other information:

Paychecks;
Pay stubs;
Cafeteria plans check requests and associated paperwork;

Medical information for any employee or customer, including but not limited to: Doctor

names and claims;
Insurance claims;
Prescriptions; and
Any related personal medical information.

Municipal personnel are encouraged to use common sense judgment in securing confidential information to the proper extent. Furthermore, this section should be read in conjunction with the South Carolina Public Records Act. If an employee is uncertain of the sensitivity of a particular piece of information, he/she should contact his/her supervisor.

SECURITY OF DATA

Each employee and contractor performing work for the municipality will comply with the following policies:

- File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information or personal identifying information will be locked when not in use.
- Storage rooms containing documents with sensitive information or personal identifying information and record retention areas will be locked at the end of each workday or when unsupervised.
- Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing sensitive information or personal identifying information when not in use.

- Whiteboards, dry-erase boards, writing tablets, etc. in common shared work areas will be erased, removed, or shredded when not in use.
- When documents containing sensitive information or personal identifying information are discarded, they will be shredded using a mechanical crosscut or Department of Defense (DOD) approved shredding device.
- Information used in the process of electronic payments by fax will be destroyed immediately following the transaction.
- When this work is contracted, the destruction of the documents will be supervised by the responsible party. Municipal records, however, may only be destroyed in accordance with the Town's records retention policy.
- Sensitive information that is being distributed via mail (i.e., Business License renewal applications) will maintain its security through the replacement of actual data with the letter "X" in place of a majority of the sensitive information to comply with state law to not transmit or distribute 6 or more letters of numbers of the sensitive information.

Electronic Distribution

Each employee and contractor performing work for the municipality will comply with the following policies:

- Internally, sensitive information may be transmitted using approved municipal e-mail. All sensitive information must be encrypted, or password protected when stored in an electronic format.
- Any sensitive information sent externally must be encrypted and password protected and only to approved recipients. Additionally, the following statement will be added to e-mails:
 "This message may contain confidential and/or proprietary information and is intended for the person/entity to which it was originally addressed. Any use by others is strictly prohibited."

Sanitation of IT hardware

All computer systems, electronic devices and electronic media must be properly cleaned of sensitive data and software before being transferred to any entity outside the Town of Allendale either as surplus property or as trash.

Computer hard drives must be sanitized by using software that is compliant with Department of Defense standards. Non-rewritable media, such as CDs or non-usable hard drives, must be physically destroyed.

The primary responsibility for sanitizing computer systems and electronic devices rests with the Director of Finance and IT or his designee. The primary responsibility for sanitizing media, such as CDs, flash memory cards, and thumb drives, rests with the departments utilizing these devices. The IT Manager must verify with the department director or manager the successful removal of all personal and confidential information before transfer or disposal occurs.

PERIODIC UPDATES

The policy shall be updated periodically to reflect changes in risks to customers and/or employees or to the safety and soundness of the organization from identity theft based on factors such as:

- The experiences of the organization with identity theft;
- Changes in methods of identity theft;
- Changes in methods to detect, prevent and mitigate identity theft;

- Changes in the types of accounts that the organization offers or maintains; and
- Changes in the business arrangements of the organization, including mergers, acquisitions, alliances, joint ventures and service provider arrangements.

POLICY ADMINISTRATION

The Director of Finance and HR shall be responsible for the development, implementation, oversight and continued administration of the identity theft program.

Staff shall be trained as necessary to effectively implement the policy.

Appropriate and effective oversight of service provider arrangements shall be exercised.

The Town Administrator shall be responsible for implementation of the policy, review of reports regarding compliance and approval of material changes to the policy as necessary to address changing risks of identity theft.

POLICY OVERSIGHT

The Town Administrator shall report to the Town Council at least annually on compliance by the organization with the policy.

Reporting shall address material matters related to the policy and evaluate issues such as:

- The effectiveness of the policies and procedures in addressing the risk of identity theft in the municipality's business and human resources functions;
- Service provider agreements;
- Significant incidents involving identity theft and management's response; and
- Recommendations for material changes to the policy.

OVERSIGHT OF SERVICE PROVIDER ARRANGEMENTS

In the event the Town of ALLENDALE engages a service provider to perform an activity in connection with one or more accounts, it will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft:

Require, by contract, that service providers have such policies and procedures in place; and

Require, by contract, that service providers review the Town's policy and report any areas of risk.

REPORTING OF SECURITY BREACHES

A security breach means an incident of unauthorized access to and acquisition of records or data that was not rendered unusable through encryption, redaction, or other methods containing personal identifying information or sensitive information that compromises the security, confidentiality, or integrity of personal identifying information maintained by a person when illegal use of the information has occurred or is reasonably likely to occur or use of the information creates a material risk of harm to the consumer.

In the event of a security breach, the Town Administrator or designee shall disclose the breach in the security data to a resident of this state who's unencrypted and unredacted personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person, when the illegal use of the information has occurred or is reasonably likely to occur. Disclosure shall be done in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement as provided in SC Code of Laws §1-11-490©©, or with measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

Notice may be provided through numerous avenues written, electronic, telephonic, email, state-wide media, etc.

When more than 1,000 must be notified at one time, the Town of Allendale must notify the following of the timing, distribution and content of the notice:

Consumer Protection Division of Consumer Affairs

All Consumer reporting agencies that compile and maintain files on a nationwide basis, as defined in 15 USC Section 1681a (p).

SECTION 12 - TERMINATION OF EMPLOYMENT

RESIGNATION

Employees giving and working a two-week notification of their resignation will be eligible to receive their accumulated but unused vacation and sick leave pay not to exceed six work weeks as appropriate to each individual employee. Under most circumstances, the employee would be required to work the full two weeks' notice. Whether the employee will be required to work that notice is at the discretion of the Town Administrator. Employees who do not give and work the proper notice or who are terminated for disciplinary reasons will not be paid for accumulated but unused vacation or sick leave. Once a resignation is submitted, paid leave may not be taken except as outlined in the leave policies (maximum of two days of general leave). In the event of illness, a doctor's excuse should be submitted for sick leave to be approved. If the employee has been authorized to accumulate comp time, all comp time that has been accumulated but unused will be paid to the employee upon separation no matter the reason(s) of separation.

RETIREMENT

Please refer to Section 6, Retirement.

EXIT INTERVIEW

The Human Resources Manager will conduct an exit interview with each employee who resigns or otherwise is separated from the Town with the objective of reducing future turnover, improving Town operations and morale and to provide necessary information for insurance and retirement purposes. The employee may also request an exit interview with the Town Administrator and/or Department Director. During the exit interview, the departing employee will be expected to surrender their ID card and any Town property or materials assigned to them. The value of any Town property that is not returned will be deducted from the employee's final paycheck(s) as an advance of wages.

SECTION 13 – REPEAL AND AMENDMENT

The Town Council may from time-to-time repeal or amend the personnel policies of the Town as deemed necessary. Amendment and or repeal of these policies and procedures shall be done by resolution and incorporated into this handbook as appropriate.

IMPORTANT NOTICE

NOTHING IN THIS POLICY AND PROCEDURES MANUAL OR IN ANY SEPARATE POLICY OF THE TOWN OF ALLENDALE ("THE TOWN") SHALL BE DEEMED TO CONSTITUTE A CONTRACT OF EMPLOYMENT. ALL EMPLOYEES OF THE TOWN OF ALLENDALE ARE EMPLOYEES "AT WILL" WHOSE EMPLOYMENT MAY BE TERMINATED AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE. ONLY THE TOWN ADMINISTRATOR WITH THE AUTHORITY OF TOWN COUNCIL HAS THE AUTHORITY TO ENTER INTO ANY AGREEMENT REGARDING LENGTH OF SERVICE OR REASON FOR TERMINATION AND ANY SUCH AGREEMENT MUST BE IN WRITING AND SIGNED BY THE TOWN ADMINISTRATOR WITH THE AUTHORITY OF TOWN COUNCIL.

EVERY EMPLOYEE NEEDS TO UNDERSTAND THAT THE POLICIES SET FORTH IN THIS HANDBOOK ARE MERELY GENERAL GUIDELINE POLICIES WHICH MAY NOT APPLY TO EVERY EMPLOYEE IN EVERY SITUATION. WHEN IT IS NOT PRACTICAL OR DESIRABLE TO FOLLOW THESE GENERAL GUIDELINE POLICIES, THE TOWN OF ALLENDALE WILL HANDLE THESE SITUATIONS AS THE TOWN DEEMS APPROPRIATE.

I UNDERSTAND THAT THIS POLICY AND PROCEDURES MANUAL IS NOT A CONTRACT OF EMPLOYMENT.

SIGNATURE OF EMPLOYEE

DATE

SIGNED COPY IS TO BE RETURNED TO HUMAN RESOURCES

ACKNOWLEDGEMENT

I have received a copy of the Town of Allendale Policy and Procedures Manual which was passed by Resolution by a majority of Town Council on August 9, 2022. I will familiarize myself with the information in the manual and I understand that it constitutes guideline policies of Town of Allendale Policy and Procedures Manual. If I have any questions about the contents, I will contact Human Resources. I also acknowledge, by my signature below, receipt of the revised Town of Allendale Policy and Procedure Manual, which is effective August 9, 2022 (08/09/2022).

Since the information in this manual is subject to change, I understand that the policies as listed herein may be modified, changed or amended, or new policies may be added.

SIGNATURE OF EMPLOYEE

PRINTED NAME

DATE

SIGNED COPY IS TO BE RETURNED TO HUMAN RESOURCES