

# CITY OF ST. ALBANS, VT

## PERSONNEL POLICIES

EFFECTIVE NOVEMBER 1, 2009

## TABLE OF CONTENTS

<b><u>Subject</u></b>	<b><u>Page</u></b>
1. Introduction .....	1
• Purpose	1
• Administration & Application	1
2. Employee Relations .....	2
• Open Door Policy	2
• Equal Employment Opportunity	2
• Harassment	2
• Harassment by Non-Employees	5
• Requests for Accommodation	5
3. Employment .....	6
• Probationary Period	6
• Classification of Employees	6
• Seniority	7
• Proof of Work Authorization	7
• Employee Files & Other Documentation	8
• Workweek	8
• Attendance Requirements	8
• On-Call	9
• Appearance	9
• Meal Breaks	9
• Telephone Use	9
• Computer, Internet & Email Use	10
• Employee Performance	11
• Disciplinary Action	11
• Political Activity	11
• Conflicts of Interest	12
• Workplace Violence	13
• Tobacco Products	13
• Drug & Alcohol Use	13
• Workplace Safety	15
• Use of City Vehicles Equipment	15
4. Pay Practices .....	16
• Compensation & Overtime	16
• Hours Worked	17
• Payroll	17
• Expense Reimbursement	17

<u>Subject</u>	<u>Page</u>
5. Time Off from Work .....	18
• Holidays	18
• Discretionary Holiday or Personal Day	19
• Vacation Leave	19
• Sick Leave	20
• Emergency Circumstances	22
• Parental & Family Leave	22
• Short-Term Leave	23
• Birthday Leave	23
• Bereavement Leave	23
• Military Leaves—Reserves or National Guard	24
• Civic Duty Leave	24
• Unpaid Leaves of Absence	24
6. Benefits .....	25
• Group Health Insurance	25
• Health and Wellness	25
• Life and AD&D Insurance	26
• Disability Insurance	26
• Dental & Vision Insurance	26
• Retirement	26
• Employee Assistance Program (EAP)	26
• Social Security	26
• Workers' Compensation Insurance	26
• Unemployment Insurance	27
• COBRA Continuation	27
7. Separation from Employment .....	27
• Resignation	27
• Involuntary Termination	27
• Exit Interview	28
• References for Future Employment	28

# I. Introduction

## PURPOSE

This manual is the official statement of the City of St. Albans personnel policies. It is designed to provide all staff with uniform knowledge in order to assure equitable and consistent application of the policies, and to inform employees of the terms and conditions of their employment with the City. It is the responsibility of each manager and supervisor to administer these policies consistently and impartially. Employees are encouraged to ask their Supervisor, Department Head, City Manager, or Human Resource Manager about any policies that appear unclear.

The City reserves the right to add, amend or delete any benefits or policy stated herein at any time, except as otherwise committed to by formal contract or collective bargaining agreement. The details of any benefit or program referenced herein may be subject to the terms and conditions required by outside service providers. Each employee should take time to review the details, terms and/or conditions that pertain to the benefits or programs contained herein. Please contact the Human Resource Manager for more detailed information.

This manual does not constitute an express or implied contract and its provisions are not intended to be contractually binding. Each staff member has the right to end employment with the City at any time for any reason, and the City reserves this same right.

The City retains all managerial and administrative rights and prerogatives entrusted to it and conferred on employers inherently and by law. These include, but are not limited to, the right to exercise judgment in establishing and administering policies, practices and procedures; and the right to set standards of productivity and quality of services provided to the citizens of St. Albans City and surrounding areas.

## ADMINISTRATION & APPLICATION

These policies shall be administered by the City Manager or his/her authorized representative(s). Amendments to this handbook and the policies contained herein require approval of the City Council.

The policies contained herein shall apply to all persons employed in service to the City of St. Albans including, but not limited to, temporary, part- and full-time employees, and probationary employees. Except as otherwise noted or superseded by a specific contract for employment or collective bargaining agreement, these policies shall govern the employment of all employees.

The adoption of these policies by the City supersedes any and all previous employment policies and/or practices promulgated by the City to date. These policies cannot be amended verbally, nor is any employee or officer of the City authorized to alter these policies or practices except as otherwise provided for herein. These policies are subject to amendment from time to time by resolution of City Council.

## II. Employee Relations

### OPEN DOOR

In order to maintain a productive and respectful work environment, we encourage open communication among all employees. It is hoped that employees will feel free to identify issues of concern, and make suggestions and recommendations about work conditions and operations. If an employee has a work-related or interpersonal problem or concern with another co-worker, he or she is encouraged to first try working through the problem directly with the employee involved. If this is unsuccessful or inappropriate, employees are encouraged to bring the matter to the attention of their Supervisor or Department Head.

It is the responsibility of the Supervisor and/or Department Head to address the matter and, if necessary, notify the City Manager. If employees are unable to speak to their direct supervisor or department head, the issue or concern may be brought directly to the City Manager. Decisions regarding employee concerns should be communicated to the affected employees within a reasonable amount of time.

### EQUAL EMPLOYMENT OPPORTUNITY

As a matter of policy to which the City is resolutely committed, the City of St. Albans does not discriminate on the basis of race, color, religion, national or ethnic origin, gender, gender identity, sexual orientation, ancestry, place of birth, age, disability, HIV status, marital or veteran's status, or any other basis protected by state or federal law.

The City's equal opportunity policy applies to all terms and conditions of employment, including, but not limited to, recruitment, hiring, training, professional development, promotion, demotion, transfer, termination, layoff, recall or rehire, leaves of absence, compensation and benefits, advertisement of vacancies, and all other conditions and privileges of employment.

Management is responsible for assuring that equal employment opportunity policies are implemented, but all employees are expected to share in the execution of these policies on a day-to-day basis. Any employee found to be involved in discriminatory practices will be subject to disciplinary action, up to and including termination of employment.

The City assigns a high priority to the implementation of its equal opportunity policy. Perceived or observed discriminatory actions or practices should be reported in the same manner as sexual harassment incidents described in the next section.

### HARASSMENT

The City of St. Albans is committed to providing its staff the opportunity to pursue excellence in their professional endeavors. This opportunity can exist only when each member is assured an atmosphere of mutual respect. The free and open exchange of thoughts and ideas is fundamental to our purpose.

### ***Policy against Discriminatory Harassment***

The City is committed to maintaining a work environment that is free from all forms of harassment and discrimination. Accordingly, harassment based on an individual's gender, marital status, pregnancy, race, color, ethnicity, national origin, age, disability, religion, sexual orientation, gender identity or expression, veteran status, or other legally protected characteristic, is prohibited. The City will not tolerate harassment, sexual harassment, or retaliation in the workplace, whether committed by staff or by visitors. Each member of the staff is responsible for fostering civility, for being familiar with this policy, and for refraining from conduct that violates this policy.

For purposes of this policy, harassment is defined as

- any type of behavior based on gender, marital status, pregnancy, race, color, ethnicity, national origin, age, disability, religion, sexual orientation, gender identity or expression, veteran status,
- that is so severe or pervasive that it interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Harassment may include, but is not limited to, unwanted physical contact, use of epithets, inappropriate jokes, comments or innuendos, obscene or harassing telephone calls, e-mails, letters, notes, or other forms of communication, and any conduct that may create a hostile work environment.

### ***Sexual Harassment***

Sexual harassment may include, but is not limited to, the following:

- unwelcome sexual advances;
- demands or threats for sexual favors or actions;
- posting, distributing, or displaying sexual pictures or objects;
- suggestive gestures, sounds or stares;
- unwelcome physical contact;
- sending or forwarding inappropriate e-mails of a sexual or offensive nature; inappropriate jokes, comments or innuendos of a sexual nature;
- obscene or harassing telephone calls, e-mails, letters, notes, or other forms of communication;
- any conduct of a sexual nature that may create a hostile work environment.

Retaliation against an individual who complains of discriminatory harassment under this policy is strictly prohibited. Intentionally making a false accusation of harassment is also prohibited.

***What should employees do if they believe they have been harassed?***

Any employee who believes that he or she has been the target of sexual harassment or any other form of unlawful harassment, or who believes he or she has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop. If the employee does not wish to communicate directly with the alleged harasser or harassers, or if direct communication has been ineffective, then the person with the complaint is encouraged to report the situation as soon as possible to their Supervisor, Department Head, City Manager, or Human Resource Manager. Employees who feel they have been, or are being harassed, are strongly encouraged to keep a diary of events, including the names of people who witnessed or were told of the harassment, if possible. Such documentation will aid in investigation of the incident(s).

***Responsibilities under this Policy***

The City is committed to enforcement of this policy. Individuals who are found to have violated this policy will be subject to the full range of sanctions, up to and including termination of employment.

In the event that a complaint of harassment is received, or we otherwise have reason to believe that harassment is occurring, we will take all steps necessary to ensure that the matter is promptly investigated and addressed. We are committed, and required by law, to take action if we learn of potential unlawful harassment, even if the aggrieved employee does not wish to formally file a complaint. Every supervisor is responsible for promptly responding to, and reporting, any complaint or suspected acts of harassment. Supervisors should report all such complaints or suspected acts to their Department Head, the City Manager, or Human Resource Manager. A Supervisor or Department Head who fails to appropriately report or address such harassment complaints or suspected acts shall be considered to be in violation of this policy.

Every reasonable effort will be made to protect the identity of the person with the complaint and of the accused party or parties, except as may be reasonably necessary to successfully complete the investigation. It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliatory action which affects the working environment of any person involved in this investigation.

If the allegation of harassment is found to be credible, the City will take appropriate corrective action. The complaining person and the accused person will be informed of the results of the investigation and what actions will be taken to ensure that the harassment will cease and that no retaliation will occur. Any employee, supervisor, or agent who has been found by the employer to have harassed another employee will be subject to sanctions appropriate to the circumstances, ranging from a verbal warning up to and including dismissal.

If the allegation is not found to be credible, the person with the complaint and the accused person shall be so informed, with appropriate instruction provided to each, including the right of the complainant to contact any of the state or federal agencies identified in this policy notice.

If the complainant is dissatisfied with the final result, or is otherwise interested in doing so, he or she may file a complaint by writing or calling one of the following state or federal agencies.

- **Vermont Attorney General's Office**, Civil Rights Unit, 109 State Street, Montpelier, VT 05609, tel: (802) 828-3171 (voice/TDD). Complaints must be filed within 300 days of the adverse action.
- **Equal Employment Opportunity Commission**, 1 Congress Street, Boston, MA 02114, tel: (617) 565-3200 (voice), (617) 565-3204 (TDD). Complaints must be filed within 300 days of the adverse action.

Either of these agencies can conduct impartial investigations, facilitate discussion, and if it finds that there is probable cause or reasonable grounds to believe sexual or other unlawful harassment occurred, it may take the case to court. Although employees are encouraged to file their complaint of harassment through our complaint process, an employee is not required to do so before filing a charge with these agencies.

Additional copies of this Policy are available in the City Manager's office.

## HARASSMENT BY NON-EMPLOYEES

Any harassing or otherwise discriminatory behavior by community members, or any other third parties, should be reported to your supervisor or the Department Head as soon as possible so that appropriate corrective action may be taken.

## REQUESTS FOR ACCOMMODATION

The City of St. Albans will not discriminate against any qualified employee or job applicant with respect to any terms, privileges or conditions of employment because of a person's physical or mental disability. The City will make all reasonable efforts to accommodate the physical or mental limitations of an individual with a disability of which we are aware, in accordance with applicable state and federal laws.

If a potential or current employee believes they will need an accommodation for a disability in order to perform the essential functions of their job, they must inform their Supervisor or the Department Head of that need and suggest a reasonable accommodation that will allow them to carry out the affected duties and responsibilities. At the discretion of the Department Head or City Manager, individuals may be required to provide a comprehensive evaluation of their specific disability, along with recommended accommodations, from an appropriate professional diagnostician in order to aid the City in providing appropriate and adequate accommodation based upon the individual's level of functioning in an employment setting.

### III. Employment

#### PROBATIONARY PERIOD

The first year for all employees in the Fire Department, uniformed officers in the Police Department, and all dispatchers; and the first 120 days for all other employees, shall be a probationary period of employment in order to permit the City to determine a new employee's fitness and ability to do the work required. During this time, employees are expected to become accustomed to their job duties and responsibilities and are encouraged to determine whether the position meets his or her expectations.

#### *At-Will Employment*

During the probationary period and any extension thereof, all City of St. Albans employment is considered to be "at-will." This simply means that employees may leave their employment at any time, with or without cause, and with or without prior notice.

Likewise, the City may discharge any probationary employee, with or without cause, and with or without notice, at any time for any lawful reason. No circumstances arising out of employment, including any written or verbal statements, will alter the "at will" employment relationship.

#### *End of Probation*

An employee's probationary period may be extended for a period of time not to exceed 6 months upon written notification by the City Manager prior to the end of the original probationary period. Following the end of any probationary period, employees may not be discharged from employment except for just cause.

#### CLASSIFICATION OF EMPLOYEES

Each employee of the City shall have one of the following classifications.

**Full-Time Employees:** employees regularly scheduled to work a minimum of thirty-five (35) hours each week. Full-time employees are entitled to all rights and benefits set forth in this Employee Handbook.

**Part-Time Employees:** employees regularly scheduled to work a minimum of twenty (20) hours each week, but less than thirty-five (35) hours. Part-time employees are entitled to all rights and benefits set forth in this Employee Handbook on a prorated basis. Such proration is calculated by applying a fraction, the numerator of which is the number of hours worked per week, and the denominator of which is 40, to the appropriate benefit provided to a full-time employee. Any and all exceptions to this policy must be approved by the City Manager.

**Temporary Employees:** employees hired for a specified period of time to provide services for a specific project, seasonal needs, program, etc. Such positions are subject to all of the rules and regulations but are not entitled to benefits as set forth in this Employee Handbook associated with full and part-time employees.

**Grant-Funded Employees:** employees hired on a full-time, part-time or temporary basis as set forth above, whose funding is provided through a grant awarded to the City. Such employees are entitled to the same benefits, are subject to the same limitations as set forth above, and shall be subject to the same policies, practices and performance expectations as all other employees. All costs associated with compensation (taxes, etc.) and benefits (including accrued leave) must be borne by available grant funds. The City reserves the right to terminate the employment of a grant-funded employee when grant funding is withdrawn or otherwise terminated.

Exceptions to this policy may be made based on the availability of grant funding. All such exceptions must be approved by the City Manager.

**Emergency Employee:** employees hired to prevent the disruption of public business or a loss or serious inconvenience to the public. Such appointments must be authorized by the City Manager for a period not to exceed ninety (90) days. The City Manager shall determine the appropriate salary or wages. Emergency employees shall not be eligible for regular employment benefits.

**Independently Elected Officers & Appointees:** The St. Albans City Clerk is elected by the citizens of the community. The City Clerk and the Assistant Clerk(s) shall be eligible to participate in the City's benefit plans and are subject to the policies contained herein in the same manner as are other employees of the City. Notwithstanding any provisions to the contrary, the Assistant City Clerk is considered to be an at-will employee without regard to the length of employment. As such, either the officer or appointee may terminate the employment relationship at any time, or the City may terminate the employment relationship at any time, subject to statutory requirements, with or without cause or notice for any lawful reason.

**Working from Home:** Certain positions, with the approval of the City Manager, may be permitted to work at home. It is expected that employees with this authorization will spend a minimum of three days working in the office.

## SENIORITY

Seniority shall refer to the length of continuous full-time service with the City since the last date of hire. Seniority may be broken by retirement, voluntary resignation, or discharge.

## PROOF OF WORK AUTHORIZATION

To ensure compliance with the Federal Immigration Reform and Control Act, which mandates that U.S. Employers verify the employment eligibility status of potential employees, and makes it unlawful for employers to knowingly hire or continue to employ unauthorized workers, all individuals hired to work for the City must provide proof of their authorization to work in the United States by completing Federal Form I-9 and providing required forms of identification on their first day of work or before.

## EMPLOYEE FILES & DOCUMENTATION

The City of St. Albans balances its need to obtain, use and retain employment information with a concern for each individual's privacy. Employee files typically contain an application for employment or resume, history of positions held, rates of pay, annual benefits selection documentation, performance evaluations or feedback, and personal information such as name, address, contact information, etc. Employee files may be inspected only by those who have an employment-related or legally required need to know.

Employees should notify the City Manager's office as soon as possible if there are any changes in personal information, such as beneficiaries for insurance or retirement plans, tax exemptions, legal name changes, emergency contact information, etc. Medical information is maintained separately and apart from the employee's regular personnel file.

Employees may inspect their official file upon request to the City Manager or Human Resource Manager, subject to the operational needs of the City. All personnel files and documents must be inspected in the office of the City Manager or Human Resource Manager.

## WORKWEEK

The workweek is defined as seven (7) consecutive 24-hour periods beginning Monday and extending through the following Sunday, or such other seven- (7) day period as may be established. The workweek shall be calculated by including all time during which an employee is required to be on the employer's premises, on duty or at a prescribed work place.

## ATTENDANCE REQUIREMENTS

Regular attendance is considered an essential requirement of employment. Employees are expected to be in direct contact with, or reachable by, their supervisor during the work day. Individual work schedules will be determined based on the operational needs of the City. Any changes in work schedules, except for those made on a routine basis, must be approved by your Supervisor or the Department Head so as not to disrupt City operations.

Occasionally, work may require an employee to continue to work beyond their normal schedule. Employees will be expected to stay if necessary. All hours worked beyond the normal schedule must be approved in advance by the Supervisor or Department Head. In the event of necessary absence because of illness or any other cause, it is the responsibility of the employee to report his/her absence within one (1) hour of their scheduled time to begin work, absent extraordinary circumstances (in which case the absence must be reported as soon as is reasonably practicable). Likewise, Department Heads will note such absence and report same on the weekly time record.

Unapproved absences or excessive tardiness may result in discipline, up to and including termination.

## ON CALL

While off duty, employees may be required to be available by phone or pager in order to respond to emergencies or some other operational need. Such on-call time shall not be considered "hours worked" and shall not be paid, however employees shall be paid all wages due for any time actually worked if called in. Employees called in shall be paid for a minimum of one hour regardless of whether less time is actually worked.

## APPEARANCE

The City of St. Albans intends to provide its citizens with the highest level of municipal services delivered in a professional and efficient manner. It is in keeping with this objective that employees present themselves for work in a business-like manner.

Employees are expected to dress in a clean and professional manner while working for the City, and are required to report for work in suitable attire commensurate with their position and work tasks.

In cases where specific uniforms or safety equipment is required by statute, regulation, or decision of the City, such items will be paid for and provided by the City.

## MEAL BREAKS

Employees working continuously for more than 4 consecutive hours shall be entitled to take an unpaid meal break of one-half (1/2) hour, or as approved by a supervisor, subject to the operational needs of the City. Meal breaks are to be observed as close to the middle of the normal workday as possible.

## TELEPHONE USE

City of St. Albans telephones are intended for business purposes. Limited personal calls on both land lines and cell phones are acceptable so long as they do not interfere with any job responsibilities or duties. Personal texting on any cell phone, personal or City-owned, during work hours is also limited and should be done only during breaks or lunch periods.

The City may require reimbursement for personal calls made or received on a City-issued cell phone. Any questions as to appropriate telephone use should be directed to your Supervisor or Department Head. Employees are encouraged to make personal calls during meal breaks or rest periods. Use and monitoring of the telephone systems are subject to the policies set forth below in Section L, below.

## COMPUTER, INTERNET & EMAIL USE

The City provides its employees with a variety of computer based equipment and capabilities, which are intended to assist employees in executing their work in the interest of the City. This is made possible using City-owned equipment, software and service agreements acquired and paid for by the City of St. Albans.

Employees shall not download or store on their City-owned work stations or the network any information or software for personal use or that is of a personal nature. All work-related software or information being installed on or imported via the internet or such other media such as a floppy disk or CD to a City system, shall be scanned for viruses and expressly approved by the City Manager prior to installation. Any hardware enhancements and/or software installations intended for use on any City equipment, computer or network must be approved in advance by the City Manager. Any and all computer or software program enhancements developed by a City employee on work time will be the intellectual property of the City and may not be removed for use outside the workplace, or used for personal use during the work day.

Employees using the City's computer systems shall observe all copyright and licensing restrictions for all hardware and software applications. No copies of software shall be made unless legally authorized. Any software for which proof of licensing (original disks, original manuals/or licenses) cannot be provided, or personal software introduced to the system without the express permission of the City Manager, is subject to removal from the system by the City.

In addition, it is important for employees to be mindful that information stored on or produced by the City's systems (computers, network, servers, telephone voice mail systems) is considered the property of the City of St. Albans and therefore, public information. Employees should have no expectation of privacy in their use of City-owned computer equipment or other electronic systems and are cautioned against using the system (e.g., e-mail, internet, telephone voice mail systems, etc.) to process, generate access or store information of a personal nature or use. All information generated by or stored on City-owned equipment shall be considered property of the City, subject to public disclosure, review by other City employees, supervisors and subpoena, etc.

Accordingly, operation and use of the City's computer systems, equipment or services (including, but not limited to, use of the Internet and e-mail) for personal use is generally not permitted. Employees are expected to engage in professional use of the Internet only. No pornography or sexually explicit materials shall be accessed, stored, or viewed on computer equipment provided by the City of St. Albans or otherwise accessed by any employee while working for the City at any time. Any misuse or violation of this policy may result in disciplinary action and/or termination.

As a requirement of employment by the City, employees are subject to the monitoring of communications sent, received and stored on equipment provided by the City (including, but not limited to, telephone, computer and voicemail systems). Accordingly, the City reserves the right to inspect employee telephones and work stations at any time without prior notice.

E-mail is not confidential and is not subject to privacy and security laws. Users should be aware that the contents of e-mail can be used as evidence in criminal, civil or internal investigations and therefore should not contain any material(s) which could be construed to indicate bias, prejudice, contain offensive or sexually explicit materials or any other litigation liability which may be damaging to the department or any person. Deletion of e-mail is not a guarantee that all copies have been deleted.

Employees may not use resources to send, forward or otherwise disseminate nuisance messages or offensive or sexually explicit materials of any kind. Nuisance messages include, without limitation, messages sent to a recipient who has previously notified you that messages of a particular type from you will constitute a nuisance.

## EMPLOYEE PERFORMANCE

All employees are expected to carry out the performance of their duties in a professional, respectful, and competent manner. Working with your supervisor and understanding what is expected are the best ways of avoiding conflict and performance problems. Employee job performance is evaluated on a continuing basis; however, a more formal evaluation process may take place periodically during or following probation and/or on a yearly basis.

The primary reasons for evaluations are to keep employees informed of their achievements, to offer guidance for defining and reaching performance goals, to reinforce good work habits, to acknowledge individual contributions, and to develop new goals. Evaluations also serve as an opportunity to update job descriptions in reference to employee duties.

## DISCIPLINARY ACTION

Poor performance or behavior that does not meet expectations will be addressed and documented on an ongoing basis as appropriate. The City may take corrective or disciplinary action, which may include verbal or written warnings, suspension with or without pay, and termination of employment. The specific circumstances in any situation will determine what action is taken up to and including termination of employment. Termination of employment shall be carried out as set forth in Section 7 below.

## POLITICAL ACTIVITY

The City of St. Albans encourages its employees to exercise normal civic rights and responsibilities. They retain the right to vote, to freely express their opinions on all political subjects, to become or continue to be a member of any political party and to attend political meetings. When speaking on political matters or attending events outside of their normal duties and responsibilities, employees must be careful not to be perceived to be acting in their capacity as a City employee.

City employees shall not use their official authority or positions for the purpose of interfering with or affecting the nomination or election of any candidate for public office. Employees shall also not command or solicit from any other employee directly or indirectly, their participation in any political party or organization, or their support of political candidates at the local, state or federal levels.

The pursuit of political activities (including fundraising) while working, or through the use of City facilities, is strictly prohibited.

## CONFLICTS OF INTEREST

### *Receipt of Gifts*

City employees are discouraged from accepting gifts of any type that are given as the result of the employee's position with the City or which may be intended or perceived as influencing the provision of public services. This includes receiving discount goods or services at home from City vendors. An employee who receives a gift or gratuity from any source, by virtue of the fact that he/she is a City employee, shall inform his/her Department Head within a reasonable time period. Failure to report such gifts or gratuities may present grounds for corrective action, up to and including termination of employment. The Department Head shall inform the City Manager of all gifts and/or gratuities received by the Department whether individually or collectively. Upon review and consideration of the circumstances, the City Manager may allow the acceptance of such gifts and/or gratuities by the individual or department.

### *Employment of Relatives*

The City of St. Albans recognizes that certain working relationships with immediate family members or domestic partners raise the potential for a conflict of interest or the perception of a biased work relationship. Employees shall not have any direct or indirect supervisory responsibility for immediate family members defined as follows: spouse, civil union, or domestic partner, parent or legal guardian, sibling, children or grandchildren, in-law or step-parent. The City Manager may make exceptions based on the specific circumstances and operational needs of the City.

Under certain circumstances, employees may have indirect responsibility over extended family members. Upon becoming an immediate family member, the Department Head and the involved employee will be expected to seek a mutually acceptable and administratively acceptable separation of direct supervisory interaction, where possible. Such situations will be assessed and monitored on a case-by-case basis to ensure that bias, favoritism or preferential treatment of the employee does not occur.

## WORKPLACE VIOLENCE

All employees and community members must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

All threats of (or actual) violence, both direct and indirect, are prohibited and should be reported as soon as possible to the immediate Supervisor or Department Head. If appropriate, threats of violence will be reported directly to law enforcement. When reporting a threat of violence, employees are encouraged to be as specific and detailed as possible. The City will promptly and thoroughly investigate all reports of threats or actual violence and take action as is appropriate.

## TOBACCO PRODUCTS

In order for the City to fulfill its obligation to provide a safe and healthy environment for employees and customers, and in order to comply with State law, exposure to the toxic substances produced by tobacco products must be eliminated. Accordingly, use of any and all tobacco products is not permitted in any City vehicle or vehicular equipment, or around any City of St. Albans facility, or while on duty. Tobacco use is permitted only in designated areas. In addition, cigarettes, cigars, and pipe tobacco will not be sold at any location, or in any vending machines, owned or leased by the City.

Please note this policy applies to smoking, tobacco chewing, pipes, snuff, and any other substance and/or behavior associated with the use of tobacco products.

## DRUG & ALCOHOL USE

The City of St. Albans is committed to providing its employees and customers with a safe work environment. The use of alcohol or illegal drugs and the abuse of prescription drugs will not be tolerated in the workplace or at work-related events. Prohibited behavior includes manufacturing, distributing, selling, dispensing, possessing, using, or being under the influence of alcohol or illegal drugs during work hours, on work premises, while engaged in work activities away from work premises, or during work-related events. In certain situations, at the discretion of the City Manager or Human Resource Manager, the City may allow the consumption of alcohol in moderation at work-related social events outside of work hours by those legally entitled to do so.

The illegal or inappropriate use of prescription drugs is also prohibited. If an employee is legally taking prescription drugs that affect the employee's ability to perform any of the essential functions of his or her job, the City Manager, and/or Human Resource Manager will determine whether to allow the employee to fulfill some or all of his or her job functions, to provide a reasonable accommodation, or to require the employee to take leave (family medical or unpaid leave), as required by law. Medical certification may be required.

An employee who appears to be, or is under the influence of any controlled substance during work hours, will be asked to leave the premises immediately at the discretion of the City Manager or Human Resource Manager, and will be paid only for the time actually worked. If an employee is sent home, he or she will not be permitted to operate a motor vehicle, and other arrangements for transportation will be made.

### ***Drug Testing***

City employees who are covered under the Omnibus Transportation Employee Testing Act of 1991 (including all holders of commercial driver's licenses) shall be subject to pre-employment and regular random drug and alcohol testing in accordance with Department of Transportation rules and procedures.

### ***Drug Free Workplace***

#### ***Responsibilities under this Policy***

Employees involved in any unauthorized use, possession, transfer, sale, manufacture, distribution, purchase, or presence of drugs/alcohol or drug paraphernalia on City of St. Albans property, or having reported to work with detectable levels of illegal drugs, alcohol, or other controlled substance, including prescription drugs, will be subject to disciplinary action, including termination.

As a condition of employment, each employee must agree to abide by this policy, and to notify his or her Supervisor immediately of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Failure to do so will result in discipline, up to and including dismissal. If a convicted employee works in a federally funded program, the involved federal agency shall be notified of the conviction within ten (10) days of the municipality's receiving notice of the conviction. In the case of the Vermont Community Development Program, notice shall be given to the Department of Housing and Community Affairs.

An employee convicted under any criminal drug statute for a violation occurring in the workplace, while on or off duty, or on duty away from the workplace, shall be immediately dismissed for the first offense.

In the absence of compelling mitigating circumstances, an employee convicted under any criminal drug statute for a violation not occurring in the workplace while not on duty shall be subject to immediate dismissal for the first offense if convicted of a felony. If the conviction is not a felony, discipline up to and including dismissal may be imposed, including for the first offense.

An employee not convicted under any criminal drug statutes, but who engages in the illegal manufacture, distribution, dispensation, possession or use of illegal drugs or controlled substances in any municipal workplace while on or off duty, or on duty away from the workplace, shall be subject to discipline up to and including dismissal for the first occurrence. An employee engaging in such actions while off duty and away from the workplace may be subject to discipline, up to and including dismissal, including for the first offense.

## WORKPLACE SAFETY

The City of St. Albans is committed to creating and maintaining safe working conditions and following safe work procedures at all times and for all of its employees.

All City employees shall observe safe work practices, including but not limited to, the wearing of appropriate protective clothing and/or equipment, following all prescribed work practices as presented in departmental policies and procedures, reporting to their Supervisors all known medical or psychological conditions which pose a direct threat to the safety of the employee, the public or co-workers, and must immediately report to the appropriate supervisor any dangerous or potentially dangerous work conditions. Failure to follow safe work procedures shall result in disciplinary action, up to and including dismissal.

### ***Reporting Work Related Injuries***

All employees of the City of St. Albans are required to immediately report all work-related injuries to his or her Supervisor. Failure to report such injuries may result in a delay in, or loss of, Workers' Compensation benefits. Workers' Compensation reports and claims must be given to the City Manager's office for submission to the City's insurance company and for appropriate follow-up. This report must include the completion of a First Report of Injury form within 24 hours of the injury.

### ***Monitoring***

The City of St. Albans monitors common and public areas in and around various City buildings by surveillance cameras in order to enhance workplace safety and serve as evidence in the event of a workplace incident. While the primary purpose of such monitoring is for safety purposes, the images gathered may also be used during investigations into alleged workplace misconduct or criminal conduct. Employees do not and should not have an expectation of privacy in such common and public areas.

## USE OF CITY VEHICLES AND EQUIPMENT

Employees who are assigned the use of, or responsibility for, operating City-owned vehicles, including, but not limited to, all police and fire vehicles, City-owned automobiles used by City Officials, and all heavy equipment capable of vehicular movement on streets and roads, shall do so with the utmost care, sound judgment and in strict observance of all applicable local, State and Federal laws, rules of the road and for legal purposes. Employees shall report all known damage or defects in City owned vehicles to their immediate supervisors immediately upon discovery. Employees may not allow non-employees to use City owned vehicles without the express approval of the Department Head or City Manager, and then only in such instances as is required by their job duties and responsibilities.

The City shall not be responsible for any citations, tickets, violations, etc., incurred by employees who are found to be operating City-owned vehicles in a manner inconsistent with this policy.

City vehicles and other mobile equipment are intended for official business and may not be used for commuting unless such commute is incidental to official business or as otherwise approved by the Department Head or City Manager.

## IV. Pay Practices

### COMPENSATION & OVERTIME

All employees receive compensation based on the duties and responsibilities of the position, past experience, ability, skill level and the financial resources of the City. Compensation levels are reviewed on a regular basis and may be adjusted based on performance, operational needs, longevity and variations in the cost of living.

#### *Exempt & Non-Exempt Status*

All employees are classified as exempt or non-exempt from overtime pay requirements set forth in Federal and Vermont statutes. Questions regarding exempt or non-exempt status should be directed to the City Manager's office.

#### *Overtime*

Requests for employees to work overtime will be made with as much advance notice as possible. However, unexpected circumstances or emergencies may arise which make advance notice impossible. Employees are expected to honor such requests for overtime work. Failure or refusal to perform overtime work will result in disciplinary action. Supervisors and/or Department Heads will make every effort to distribute requests for overtime fairly amongst available employees within their departments.

No employee may work overtime without the express prior consent of his or her immediate Supervisor or, in the event of an emergency in which the Supervisor cannot be reached, the permission of the Department Head or the City Manager.

Employees classified as non-exempt under federal and state law shall be paid at a rate of one and one-half times their regular rate for hours actually worked in excess of 40 in a workweek. Paid time off does not count as hours worked for the purposes of overtime.

#### *Compensatory Time*

Employees classified as non-exempt are eligible to earn compensatory time off at a rate of one and one-half times their regular rate in lieu of overtime pay. In order to receive compensatory time off, there must be an agreement with respect to the use of compensatory time in lieu of overtime pay between the employee and the City that is reached prior to the performance of the work. Such compensatory time shall not exceed one hundred sixty (160) hours at any given time.

Compensatory time is to be used within a reasonable time period and in a manner which, whenever possible, is not unduly disruptive to the operational needs of the City. Compensatory time remaining unused at the time of an employee's termination from employment with the City shall be paid at the rate at which it was accrued.

## HOURS WORKED

All non-exempt employees are required to record their actual hours worked, as well as use of any paid time off or leave benefit taken during the workweek, utilizing the appropriate time sheets or time clocks. Failure to report hours worked on a timely basis may result in a delay in receiving pay checks.

## PAYROLL

City employees are paid on a weekly basis with paychecks normally being issued for the prior two weeks or portion thereof. If a scheduled payday falls on an observed holiday, paychecks will be distributed no later than the next working day following the holiday.

Employees should always review their paycheck statements for accuracy. Mandatory deductions, such as federal, state and local income taxes and contributions to Social Security and Medicare will be itemized on the payroll check stub.

The City is committed to observing all applicable Federal and Vermont wage and hour laws and obligations. Employees should notify the Accounting Department if it is believed that an error in their pay, including overtime, has occurred. If the City receives notice of, or a complaint of an error in pay, it will investigate the matter and take such corrective action as is appropriate to remedy the error or provide an explanation to the employee as to why no error exists.

Employees will be advised of any other mandatory deductions from their paycheck, such as court-ordered attachments, whenever the City is ordered to make such deductions. Employees are responsible for reporting entitled deductions accurately.

## EXPENSE REIMBURSEMENT

The City will reimburse employees for expenses incurred as a part of their duties and responsibilities as a City employee. Such expenses include, but are not limited to, car allowance or mileage for travel, lodging, and meals. It is the policy of the City to make such reimbursements in employees' pay checks. Alcoholic beverages are never reimbursed.

Any and all expenses must be approved in advance, to the extent practicable, by the Department Head or City Manager. Employees must provide appropriate receipts or explanation for each expenditure.

Employees shall make every effort to secure such services in a cost effective, efficient and reasonable manner making the most of City resources.

## V. Time Off From Work

### HOLIDAYS

The City of St. Albans observes the following holidays, during which City offices will be closed.

- New Year's Day
- Washington's Birthday
- Labor Day
- Town Meeting Day
- Memorial Day
- Independence Day
- Bennington Battle Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Christmas Day
- Martin Luther King Day

If any of the holidays fall on a Sunday, the holiday will be observed on the following Monday. If any of the holidays fall on a Saturday, the holiday will be observed on the preceding Friday. Employees required to work on Town Meeting Day shall be entitled to take the day after Thanksgiving Day as a substitute holiday.

Employees will be paid for such holidays at their regular rate of pay if the holiday falls on a regularly scheduled workday. Holiday pay shall reflect the number of hours the employee is regularly scheduled to work the day the holiday is observed. Non-exempt employees who are required to work on a holiday shall be paid at their regular rate of pay. Holiday pay shall not be paid to the employee upon separation from employment.

Subject to the operating needs of the City, all regular full-time employees may receive one-half day off on each of the following:

- Good Friday;
- The day before Christmas;
- The day before New Year's Day.

Employees will be paid for such half-day holidays at their regular rate of pay if it falls on a regularly scheduled workday. An employee required to work or who is otherwise unable to take this time off shall be allowed a reasonable opportunity to schedule the same amount of time off within the subsequent three months.

## DISCRETIONARY HOLIDAY OR PERSONAL DAY

In addition to the foregoing holidays, an employee shall receive paid time off for one discretionary holiday or personal day. Following 192 months of continuous service (16 years) this benefit shall increase to 3 days. Such days off must be requested and approved in advance by the Supervisor or Department Head and shall be subject to the operational needs of the City. The discretionary holiday or personal day shall not carry over into a subsequent calendar year and shall not be paid to the employee upon separation from employment except in instances where the City was unable to approve a request for a paid personal day due to operational needs.

## VACATION LEAVE

Full-time and part-time employees, on a prorated basis, shall be entitled to vacation leave each year, however part-time employees who are regularly scheduled to work 20 hours or less each work week shall not accrue and shall not be entitled to paid vacation leave benefits. Vacation leave shall accrue from the first date of employment, but employees shall not be eligible to utilize vacation leave until completion of three months of employment. The amount of vacation leave accrued shall depend upon an employee's continuous service to the City as follows.

<b>Years Of Service</b>	<b>Accrual Rate</b>	<b>Days Per Year</b>
1 <sup>st</sup> year of employment	1/2 day per month	6
2 <sup>nd</sup> – 5 <sup>th</sup> year of employment	5/6 days per month	10
6 <sup>th</sup> – 10 <sup>th</sup> year of employment	1 1/4 days per month	15
10 <sup>th</sup> – 16 <sup>th</sup> year of employment	1 2/3 days per month	21
16 <sup>th</sup> – 25 <sup>th</sup> year of employment	2 days per month	24
More than 25 years of employment	2 1/2 days per month	30

Vacation leave must be approved in advance by the appropriate Department Head based on the operational needs of the City. Employees must request to use accrued vacation leave as soon as possible in order to maintain efficient operations. Employees are encouraged to use vacation leave during the calendar year in which it is accrued. Employees may carry over accrued, but unused vacation time into a subsequent calendar year, but in no instance may the amount of accrued vacation leave exceed 30 days at any point in time. Any such leave that would exceed the 30 day maximum shall be lost and not paid out to the employee or available for use.

Upon termination of employment, employees will be paid their accrued, but unused vacation leave at the regular rate of pay in effect at the time, up to a maximum of 30 workdays, except in cases of misconduct in which any accrued, but unused vacation leave shall be lost and not paid to the employee. In the case of eligible employees who die, vacation allowance will be treated as wages owing the employee and payment will be made to the employee's spouse or, if no spouse, in accordance with Vermont's rules of descent.

Notwithstanding the above, employees with a date of hire prior to July 1, 2008 shall be entitled to the use and payout upon separation of any unused vacation leave accrued prior to July 1, 2008. Vacation leave accrued after July 1, 2008 shall be subject to the above limitations. The City Manager may make exceptions to this policy based on the operational needs of the City.

### SICK LEAVE

All personnel, except those assigned to firefighter positions, which have been in the employ of the City for ten (10) years or less, as determined by the seniority schedule, shall be entitled to one (1) day per month of sick leave benefit. Employees who have been employed by the City ten (10) or more years shall be entitled to one and one-half (1½) days per month sick leave benefit, and employees who have been employed by the City more than twenty years shall be entitled to two (2) days per month sick leave benefit. These allocations are based on an eight (8) hour day. Firefighters will earn 24 hours for one day

<b>Years Of Service</b>	<b>Accrual Rate</b>	<b>Days Per Year</b>
1 <sup>st</sup> - 10 <sup>th</sup> year of employment	1 day per month	12
11 <sup>th</sup> – 19 <sup>th</sup> year of employment	1 1/2 days per month	15
20 <sup>th</sup> + year of employment	2 days per month	21

The above is based on an eight (8) hour day. Firefighters will earn 24 hours for one day.

The right to use sick leave when ill is given without fear of recrimination. However, an employee who misrepresents his or her claim for sick leave, or exhibits a pattern of abuse, may be subject to disciplinary action up to and including discharge. An employee who is absent from work due to illness for more than three (3) consecutive working days, or five (5) working days in a four week period, may be required to furnish a doctor's certificate in order to receive his/her sick leave pay for any additional days of absence. A doctor's certification may be required to demonstrate good health and ability to perform the work without risk to the employee, co-workers, or the public, as a condition of returning to work.

An employee shall make every effort to notify his/her immediate supervisor no later than one-half hour after the beginning of the schedule workday of the inability to work, except in cases of emergency.

In the event of sickness or disability in the employee's immediate family (spouse, parents or children), the employee is eligible for sick leave.

Upon normal retirement an employee shall be entitled to be paid for accumulated, unused sick leave as follows.

- Employees hired prior to July 1, 2008, will receive up to the cap in effect on the date of retirement.
- Employees hired on or after July 1, 2008, will receive up to a maximum of twenty (20) days.

Upon a good faith separation from employment with the City, an employee shall be entitled to be paid for accumulated, unused sick leave pay as follows.

- Employees hired prior to July 1, 2008, will receive up to the cap in effect at the date of separation.
- Employees hired on or after July 1, 2008, will receive up to a maximum of twenty (20) days.

Employees who have accumulated at least fifteen (15) days of sick leave as of November 1 each year are eligible to participate in the Sick Leave Buy-Back Program described below.

***Employees hired prior to July 1, 2008***

- November 2008 an exchange of up to thirty-five (35) days of sick leave may be cashed in. However, the employee's total accumulated sick bank may not fall below fifteen (15) days.
- November 2009 an exchange of up to twenty-five (25) days of sick leave may be cashed in. However, the employee's sick bank may not fall below fifteen (15) days.
- November 2010 an exchange of twenty (20) days may be cashed in. However, the employee's sick bank may not fall below fifteen (15) days.

***Employees hired on or after July 1, 2008*** may exchange a maximum of ten (10) days of sick leave each November. However, at no time may the employee's total sick bank fall below fifteen (15) days.

Requests for sick leave buy-back must be submitted to the Human Resource Manager no later than November 1 of each year, with payment to be made the first pay date in December. The rate of exchange is eight (8) hours of straight time for each eight (8) hours of sick leave.

All personnel except firefighters will be charged one hour of sick time for each hour of sick time taken. Firefighters will be assessed twenty-four (24) hours of sick time for each full workday taken as sick time. If less than a full workday is missed, the number of sick hours charged will be prorated.

Sick time will be capped according to the following schedule.

***Employees hired prior to July 1, 2008:*** the cap shall be 120 days as of Dec. 1, 2008; December 1, 2009 the cap shall be 100 days; December 1, 2010 the cap shall be 80 days.

***Employees hired on or after July 1, 2008:*** the cap shall be 30 days.

The accrual of sick leave shall cease when an employee's sick bank has reached the applicable cap as described above.

## EMERGENCY CIRCUMSTANCES

Upon a satisfactory showing that exigent or emergency financial circumstances exist and the need for additional funds is severe, the City will consider paying out a portion of an employee's accrued vacation or compensatory paid time. Requests for such payouts must be in writing and signed by the employee. Requests must be presented to the City Manager or designee. All such payments must be approved by the City Manager or designee and will be limited to the amount requested or such other amount which allows the employee to maintain a sufficient amount of accrued leave available for intended uses. The decision of the City Manager or designee shall be final.

## PARENTAL AND FAMILY LEAVE

The City of St. Albans provides parental and family leave up to 12 weeks for employees who have been employed for at least one year and have worked at least 1250 hours. Such leave is unpaid, but the employee may use any accrued paid leave in order to receive pay during the leave period.

Eligible employees are entitled to one or more leaves of absence totaling a maximum of 12 weeks in a rolling 12-month period for the following reasons:

- Birth and care of a newborn during the first year following birth, adoption, or foster care placement of a child under 18 years of age;
- employee's own serious health condition; or
- serious health condition of an immediate family member of the employee, defined as: biological, adopted, foster, or stepchild, or legal ward, who is under 18 or incapable of self care; a parent or one who stands in the place of a parent; or spouse or civil union partner.

A variety of rights and conditions may apply to parental and family leave benefits. Each employee will receive additional information regarding their rights to such leave upon request. Employees should also contact the City Manager's office for further details as to the requirements and obligations associated with these benefits.

## SHORT-TERM LEAVE

In addition to the leave provided above, employees are entitled to take unpaid leave not to exceed four hours in any 30-day period and not to exceed 24 hours in any 12-month period. Employees may use their accrued sick or vacation leave to receive pay during short-term leave periods. The City of St. Albans may require that leave be taken in a minimum of two-hour segments and may be taken for any of the following purposes:

- to participate in preschool or school activities directly related to the academic educational advancement of the employee's child, stepchild, foster child or ward who lives with the employee, such as a parent-teacher conference;
- to attend or to accompany the employee's child, stepchild, foster child or ward who lives with the employee or the employee's parent, spouse, civil union partner or parent-in-law to routine medical or dental appointments;
- to accompany the employee's parent, spouse, civil union partner or parent-in-law to other appointments for professional services related to their care and well-being; and
- to respond to a medical emergency involving employee's child, stepchild, foster child or ward that lives with the employee or employee's parent, spouse, civil union partner or parent-in-law.

Employees shall make reasonable attempts to schedule such appointments outside of regular work hours. Employees will provide their supervisor with the earliest possible notice, but in no case later than seven days, before leave is to be taken except in the case of an emergency. An "emergency" means circumstances where seven days' notice could have a significant adverse impact on the family member or employee.

## BIRTHDAY LEAVE

Employees shall be entitled to one day of unpaid leave on their birthday, subject to the operational needs of the City. If an employee is unable to take their actual birthday off from work, the day off may be rescheduled based on the operational needs of the City. Birthday leave may be taken as a paid personal leave day.

## BEREAVEMENT LEAVE

In the event of death of the spouse or child, full-time and part-time employees, on a prorated basis, shall be granted up to five (5) days of paid bereavement leave of absence. In the event of death of any other member of an employee's immediate family the employee shall be granted three (3) days of paid bereavement leave. Bereavement leave pay shall not be paid to the employee upon separation from employment.

“Immediate family” shall be defined as follows: spouse, civil-union partner, children, parents, mother-in-law, father-in-law, son-in-law, daughter-in-law, brothers, sisters, and grandparents, brothers-in-law, and sisters-in-law.

Employees may request use of accrued vacation or sick leave to extend their paid bereavement leave, subject to those policies and the operational needs of the City.

## MILITARY LEAVES – RESERVES OR NATIONAL GUARD

The City of St. Albans provides military leave to eligible employees consistent with the requirements of state and federal law including, but not limited to, the Uniformed Services Employment and Re-employment Rights Act (USERRA) 38 USC Section 4301 et.seq.

Employees called to military duty are entitled to an unpaid leave of absence in order to perform their service requirements. Employees must submit copies of their military orders to their Supervisor in order to qualify for military leave. Employees retain re-employment rights following completion of the military duty or training, in accordance with USERRA.

All regular, full-time and part-time employees are eligible for military leave. Temporary, seasonal and casual employees are not eligible for military leave.

## CIVIC DUTY LEAVE

Employees shall be granted leave in order to serve as jurors or witnesses in court proceedings (unless involved as one of the litigants/defendants). The City of St. Albans will pay the difference between an employee’s regular compensation and the amount received for jury duty up to a maximum of 5 days. Employees must provide a copy of the summons for jury or witness duty to their supervisor prior to requesting the leave.

## UNPAID LEAVES OF ABSENCE

Employees may be granted an unpaid leave of absence at the discretion of the Department Head, and with approval of the City Manager, if all other accrued time off or other applicable leave benefits have been exhausted. In deciding whether to grant a request for unpaid leave of absence, the Department Head will take into consideration

- whether the employee has presented a compelling need for the absence,
- whether the extended absence will adversely affect department operations, and
- the need or ability to recruit temporary personnel with the requisite skills to replace the employee during the leave period.

During unpaid leave employees will not be eligible for benefits, except as required by law. Following the leave, reinstatement of employment and benefits is not guaranteed, except as may be required by law.

An employee on unpaid leave of absence may not engage in employment outside the City during the period of absence, unless there is written agreement with the City prior to granting the leave. Violation of this provision will result in termination of employment with the City for abandonment of position. Termination date will be the last day worked for the City.

## VI. Benefits

The City provides a variety of benefit programs to employees. Specific questions regarding benefits should be directed to the City Manager or Human Resource Manager.

### GROUP HEALTH INSURANCE

Full-time employees are eligible for group health insurance through the City. Employee and City contributions to the premium costs shall be provided to each employee upon hire and updated as necessary. Part-time employees may be eligible to participate in the City's group health insurance plans on a pro-rated basis, depending upon their regular work schedule.

Employee contributions to payment of the premium shall be the responsibility of the employee participant, and will be paid through payroll deduction. An employee who fails to contribute his or her share of the premium will be dropped from the plan.

Employees eligible for group health insurance through the City who can demonstrate proof of insurance elsewhere, may opt out of the City's plan, and will be compensated \$1,800 per year for each year such proof of insurance elsewhere can be validated.

### HEALTH AND WELLNESS

The City is committed to developing health promotion programs and fostering a healthy workplace. The City will annually develop incentives to encourage a healthy workforce, including assistance with gym memberships. For some time, City employees have had access to the Fitness Center at Collins Perley and this will continue.

Effective November 1, 2009, City employees may request reimbursement of 50% of the cost of a gym membership in another facility, up to a maximum of \$30 per month. For information on City discounts and group rates at other local gyms such as The Fitness Zone or Duke's, please see Human Resources.

This replaces all other gym programs of the City of St. Albans.

## LIFE AND AD&D INSURANCE

The City provides life and AD&D insurance coverage at no cost to employees. Questions regarding the City's plans should be directed to the City Manager or Human Resource manager.

## DISABILITY INSURANCE

The City provides short-term and long-term disability insurance coverage at no cost to employees. Questions regarding the City's plans should be directed to the City Manager or Human Resource Manager.

## DENTAL & VISION INSURANCE

The City provides basic dental insurance and vision service plans. Questions regarding the City's dental and vision plans should be directed to the City Manager or Human Resource Manager.

## RETIREMENT

The City provides defined contribution and defined benefit retirement options for all employees. Details regarding the Retirement Plans will be provided to each employee upon hire and updated as necessary. Questions regarding the City's Retirement Plans should be directed to the City Manager or Human Resource Manager.

## EMPLOYEE ASSISTANCE PROGRAM

All employees are eligible to participate in the Employee Assistance Program at no expense. This program provides for confidential third party counseling services designed to assist employees and their families in addressing a myriad of work or non-work problems including, but not limited to, substance abuse, anger management, stress, legal issues, depression, grief, parenting, abuse, etc. Complete details will be provided to the employee at the beginning of employment or upon request. Questions regarding the EAP should be directed to the City Manager or Human Resource Manager.

## SOCIAL SECURITY

The City of St. Albans provides, and all employees are required to participate in, the Social Security system. Both the employee and the City are required to contribute to Social Security. Employee and City contributions are determined by law and are subject to change.

## WORKERS' COMPENSATION INSURANCE

City employees are covered by workers' compensation insurance for injuries sustained within the scope of employment at no cost to the employee.

## UNEMPLOYMENT INSURANCE

The City of St. Albans provides Unemployment Compensation insurance for all employees of the City at no cost to the employee.

## COBRA CONTINUATION COVERAGE

In general, employees who voluntarily or involuntarily terminate their employment with the City of St. Albans shall have the opportunity to continue their participation in the City's sponsored group health care insurance programs for a period of up to eighteen (18) months after the date of separation.

These benefits shall also be available to employees' dependents, spouses in the case of death, divorce or legal separation, ineligibility of dependants' children due to age or student status, or employee's eligibility for Medicare.

## VII. Separation from Employment

### RESIGNATION

The City of St. Albans understands that it may become necessary for you to leave employment. In order to remain in good standing and to maintain eligibility for rehire, employees are asked to provide sufficient notice as follows.

- Non-exempt employees: two weeks
- Exempt employees: three weeks

### INVOLUNTARY TERMINATION

In instances where the City is contemplating termination of employment, employees who do not report directly to the City Manager and who have completed their probationary period shall receive written notice of the City's intent and the basis for the decision from the Department Head. Prior to any termination, such employees shall be afforded a reasonable opportunity to respond in writing or verbally in a meeting with the Department Head. Responses, whether in writing or in a meeting, must be made within five days of the receipt of the notice unless a separate agreement is reached with the Department Head. Following such a meeting, the Department Head shall make a final decision regarding termination of employment. Upon termination, employees may appeal the decision of the Department Head to the City Manager by filing a written request for a meeting within five days of the date of termination. Such employees may be represented by an attorney at their own expense and may present documentation or other information to refute the stated rationale for dismissal or to justify a lesser form of discipline. Following such meeting, the City Manager shall make a decision to uphold or reverse the decision of the Department Head, which shall be in writing. The City Manager's decision shall be final.

In instances where the City is contemplating termination of employment, employees who report directly to the City Manager shall receive written notice of the City's intent and basis for the decision. Prior to any termination, such employees shall be afforded a reasonable opportunity to respond in writing or verbally in a meeting with the City Manager. Responses, whether in writing or in a meeting, must be made within five days of the receipt of the notice unless a separate agreement is reached with the City Manager. Following such a meeting, the City Manager shall make a final decision regarding termination of employment. Upon termination, employees may appeal the decision of the City Manager to the City Council by filing a written request for an appeal within five days of the date of termination. Such employees may be represented by an attorney at their own expense and may present documentation or other information to refute the stated rationale for dismissal or to justify a lesser form of discipline.

The City Council shall make a final determination as to whether to reverse or uphold the City Manager's decision to terminate, which shall be in writing. The City Council's decision shall be final.

The above notice provisions and opportunity to request a meeting are not applicable to the termination of employment for independently elected officers and their appointees.

Employees whose employment is terminated due to misconduct shall not be paid for any accrued, but unused paid leave at the time of their dismissal.

Notwithstanding the above, employees with a date of hire prior to July 1, 2008 shall have any accrued, but unused paid leave that had accrued prior to July 1, 2008 paid out upon termination in accordance with the terms and provisions of the sick and vacation leave policies set forth above. The employee will be paid for all other wages earned to date within 72 hours of dismissal.

## EXIT INTERVIEW

Terminating employees are required to schedule an exit interview with the Human Resource Manager for the purpose of returning City property, if any, and to complete documents regarding continuation coverage as mandated by COBRA law. Exiting employees are also strongly encouraged to schedule an exit interview with their supervisor, Department Head or the City Manager to discuss the employee's reasons for leaving and any other impressions that they may have about their employment experience with the City of St. Albans.

## REFERENCES FOR FUTURE EMPLOYMENT

The City of St. Albans will respond to reference requests on former employees by confirming dates of employment and position held unless specific approval is received from the City Manager to release more information.