

PERSONNEL

MANUAL

Town of Fremont NH



Approved 26 May 2011 / 06 June 2011
Revised & Readopted 15 December 2011
Revised 09 July 2015
Revised February/Readopted April 2016

**This document supersedes all personnel policies previously
established or approved by the Town of Fremont.**

INTRODUCTORY MESSAGE

WELCOME TO THE TOWN OF FREMONT!

This Manual is being given to all employees' not just new hires. As an employee of the Town of Fremont, the importance of your contribution cannot be overstated. Our goal is to provide residents with the best and most efficient service possible. You are an important part of this process.

This Personnel Manual outlines many of our employee policies and benefits. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. If you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you as a town employee, you should contact the Town Administrator as soon as possible to obtain clarification.

Please read this document thoroughly and retain it for future reference. The policies stated in this handbook are subject to change at the sole discretion of the Board of Selectmen for the Town of Fremont. Periodically you may receive updated information concerning policy changes. Should you have any questions regarding these policies, please ask your Supervisor or the Town Administrator for assistance.

We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

Sincerely,

The Fremont Board of Selectmen

ABOUT THIS MANUAL

This Personnel Manual has been prepared to inform Town employees about the Town's general employment policies. The policies in this Manual apply to all Town employees unless otherwise specified, covered by a superseding written agreement such as a union contract or provided by law. The policies in this Manual are intended to help all of us work in a collegial and productive atmosphere. This Manual supersedes any previously issued written employment rules, policies in this Manual are intended to help all of us work in a collegial and productive atmosphere. This Manual supersedes any previously issued written employment rules, policies or employee manuals/Manuals. All policies and procedures in this Manual are effective immediately.

This is your personal copy of the Town's Personnel Manual. It is provided to familiarize you with the general policies, procedures, benefits and rules of conduct and other matters directly affecting your employment with the Town. You are required to read this Manual and to keep a copy of it and any subsequent changes and additions for future reference. A copy will be placed on our bulletin boards. In addition to this Manual the Town may use a variety of other methods to communicate information. Such methods may include our bulletin boards, e-mail, memoranda and staff meetings. Employees are responsible for all such communicated information.

This Manual is provided as a source of general employment information only. It is not all-inclusive as no employment Manual can anticipate every circumstance or question that may arise in a workplace. Should any provision in this Manual be found unenforceable and invalid, such finding will not invalidate the rest of the Manual, but only the subject provision. Should any section of the Manual incorrectly represent state or federal laws or regulations, or any employee benefit such as insurance covered by a plan document the law, regulation or plan document will control over any information in this Manual.

The Town reserves the right to change or eliminate any policy in this Manual at any time it deems appropriate, in its sole discretion. If any policy in this Manual is changed or eliminated, you will be given notice of such change. Except on written authorization of the Town's Board of Selectman no supervisor or representative of the Town can modify any policy in this Manual or bind the Town to any change to any policy in this Manual.

This Manual is not, and should not be construed as an express or implied contract and does not modify any existing at-will status of any Town employee. It is not intended and should not be construed to create any due process protections or requirements in excess of federal or state constitutional or statutory requirements, nor does it guarantee any fixed terms and conditions of employment and/or benefits. Employment at-will means that employees are free to resign from their employment at any time, with or without cause or notice, and the Town has similar rights and can terminate the employment relationship at any time, with or without cause or notice, except as provided by law.

RECEIPT AND ACKNOWLEDGMENT OF THE TOWN OF FREMONT'S PERSONNEL MANUAL & POLICIES

This Manual is an important document intended to help you become acquainted with the Town of Fremont. This Manual will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Please read the following statements and sign below to indicate your receipt and acknowledgment of the Manual.

- I have received a copy and understand that it is my obligation to read the Personnel Policies and Procedures Manual. I understand that the policies described in the Manual are subject to change at the Town's sole discretion at any time. I understand that this Manual supersedes and replaces all other previous manuals and personnel policies for the Town as of 01 May 2016.
- I acknowledge that I have the right to terminate my employment with the Town of Fremont at any time without notice. In turn, I acknowledge that the Town of Fremont has the right to terminate my employment in its sole discretion, subject to any statutory or federal or state constitutional requirements.
- I am aware that the descriptions of benefits in this Manual are not contractual in nature and do not guarantee any continuance of said benefits.
- I am aware that during the course of my employment, confidential information may be made available to me. I understand that this confidential information must not be given out or used outside of Town premises or with non-Town employees, except as required by law.
- I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the Personnel Policies and Procedures Manual, Fraud Policy, Information Sensitivity Policy, Safety Policy, and Ethics Ordinance as currently updated.

Employee's Name (**please print**)

Date: _____

Employee's Signature

TABLE OF CONTENTS

I.	GENERAL PROVISIONS.....	1
	OUR WORKPLACE	1
	EQUAL EMPLOYMENT OPPORTUNITY AND POLICY AGAINST DISCRIMINATION	1
	SEXUAL HARASSMENT POLICY	2
	REPORTING PROCEDURE FOR SEXUAL AND OTHER UNLAWFUL HARASSMENT, DISCRIMINATION AND RETALIATION.....	4
	ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES	4
II.	EMPLOYEE CLASSIFICATIONS.....	5
	EMPLOYMENT AT-WILL	5
	EMPLOYMENT CLASSIFICATIONS	5
	PROBATIONARY PERIOD.....	5
III.	COMPENSATION AND HOURS OF WORK.....	6
	REPORTING OF TIME WORKED.....	6
	PAY / PAY PERIODS.....	6
	WORK WEEK / HOURS OF WORK.....	6
	PAYROLL DEDUCTIONS.....	7
	REIMBURSABLE EXPENSES	8
	OVERTIME.....	8
	BREAKS AND MEAL PERIODS	8
IV.	TIME AWAY FROM WORK AND OTHER LEAVE BENEFITS	8
	HOLIDAYS	8
	VACATION.....	9
	SICK LEAVE	10
	EARNED TIME.....	11

FAMILY AND MEDICAL LEAVE	13
MATERNITY LEAVE.....	17
UNPAID PERSONAL LEAVE OF ABSENCE	18
MILITARY LEAVE.....	19
BEREAVEMENT LEAVE.....	20
JURY DUTY / WITNESS LEAVE.....	21
CRIME VICTIM LEAVE.....	21
SAFETY PERSONNEL LEAVE	22
MEDICAL BENEFIT PLAN	22
DENTAL PLAN	22
COBRA.....	23
LIFE INSURANCE	23
RETIREMENT PLAN.....	23
SHORT-TERM AND LONG-TERM DISABILITY	23
WORKERS' COMPENSATION INSURANCE AND REPORTING WORKPLACE INJURIES	24
TEMPORARY ALTERNATIVE DUTY POLICY.....	24
UNEMPLOYMENT INSURANCE	25
SOCIAL SECURITY.....	25
V. ON THE JOB	25
ATTENDANCE.....	25
CONFIDENTIALITY.....	26
COMPUTER USE AND COMMUNICATIONS EQUIPMENT POLICY	26
SOCIAL NETWORKING AND BLOG POSTINGS	29
PERSONAL DRESS	30
INCLEMENT WEATHER/EMERGENCIES.....	31

SOLICITATION AND DISTRIBUTION	31
OPERATION OF VEHICLES/MOTOR VEHICLE VIOLATIONS.....	31
POLICY AGAINST NEPOTISM.....	33
SUGGESTIONS AND IDEAS.....	33
STANDARDS OF CONDUCT	33
DISCIPLINE.....	35
OPEN DOOR/VOLUNTARY DISPUTE RESOLUTION PROCEDURE	36
PERSONNEL RECORDS	36
PERFORMANCE APPRAISALS	36
PROMOTIONS, TRANSFERS & JOB POSTINGS.....	37
VI. EMPLOYEE SAFETY AND HEALTH.....	37
HEALTH & SAFETY PROGRAM.....	37
SAFETY COMMITTEE.....	39
WORKPLACE VIOLENCE.....	39
ALCOHOL AND DRUG POLICY	39
SMOKING POLICY	40
WORKPLACE SEARCHES	41
VII. SEPARATION FROM EMPLOYMENT.....	41
REQUESTED NOTICE OF DECISION TO TERMINATE EMPLOYMENT.....	41
EXIT INTERVIEWS	41
VIII. POLICE ADDENDUM	41

I. GENERAL PROVISIONS

OUR WORKPLACE

As you review this Manual, you will notice that terms such as “workplace” and “premises” appear in many of the Town’s policies. For most employers, such terms encompass the buildings and surrounding property that they own or lease. However, the nature of our work as a municipality requires that our use of these terms have a broader definition. Accordingly, whenever our “workplace” or “premises” is discussed in this Manual, please understand that we are, discussing not only Town buildings, facilities and properties, also any remote job site to which you may be assigned to work and any vehicle you may be traveling in or using for Town related business. All references to “Town” shall mean the Town of Fremont NH as a municipal entity.

EQUAL EMPLOYMENT OPPORTUNITY AND POLICY AGAINST DISCRIMINATION

The Town of Fremont is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and need. The Town of Fremont will not discriminate against employees or applicants for employment based on any legally-protected status, including, but not limited to: veteran or military status, marital status, physical or mental disability, age, race, color, religion, sex, sexual orientation, pregnancy, national origin, genetic information or ancestry. This Policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, benefits and training.

In support of our commitment to equal employment opportunities, the Town of Fremont prohibits any and all illegal discrimination or harassment of an employee by a supervisor or any other employee based on any legally protected status, and prohibits any employee from illegally harassing or discriminating against another employee, citizen, or visitor on any legally protected status. Prohibited conduct includes:

- epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that are based on or that relate to race, color, religion, gender, national origin, genetic information, ancestry, pregnancy, age, disability, sexual orientation, marital status, or veteran status;
- written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, genetic information, ancestry, age, disability, sexual orientation or veteran status; and,
- offensive comments, jokes, innuendos, and other statements or conduct based on an individual’s membership in any of the legally protected categories listed above.

Please also refer to Anti-Harassment policy for more information on prohibited conduct.

The Town of Fremont prohibits all of the activities discussed above, whether engaged in by a supervisor, agent, employee, official, co-worker, or non-employee (such as a vendor) who is on our premises or who comes in contact with our employees. Any Supervisor or employee who illegally harasses or discriminates against another employee or non-employee on any basis discussed above will be subject to discipline, up to and including termination of employment.

If you experience or witness what you believe may be illegal harassment and/or discrimination in violation of this policy, you should immediately report the incident. All reports must be made in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and appropriate action will be taken, depending on the nature and severity of any proven incident.

Retaliation against an employee who complains in good faith about illegal harassment and/or discrimination or who participates in good faith in an investigation of a complaint is a violation of this policy. Retaliation is a form of unlawful harassment and will be handled in the same manner as other forms of harassment. If you believe that you have been subjected to retaliation, you must report the incident in accordance with the Reporting Procedure contained in this Manual.

SEXUAL HARASSMENT POLICY

A. Introduction

The Town of Fremont's goal is to provide a workplace that is free of sexual harassment. Sexual harassment of employees in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by our Town. Further, any retaliation against an individual who has complained in good faith about sexual harassment and/or retaliation against an individual who has cooperated in good faith in an investigation of sexual harassment is unlawful and will not be tolerated.

Because the Town of Fremont takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment. Where it is determined that inappropriate conduct has occurred, the Town of Fremont will act promptly to eliminate the conduct and implement any necessary remedial or corrective action, including disciplinary action where appropriate.

B. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation or assistance; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment includes a wide range of behaviors from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes and other sexually oriented statements and unwelcome behavior emphasizing sexual identity. Sexual harassment may be indirect and even unintentional. Employees are prohibited from bringing into the workplace or otherwise displaying any written materials or pictures that are sexually suggestive or offensive in nature.

This policy prohibits all of the activities discussed above, whether engaged in by a supervisor, employee, co-worker, agent or non-employee who is on Town premises or who comes into contact with Town employees.

It is not possible to list all of the additional circumstances and behaviors that may constitute sexual harassment or other inappropriate conduct that will not be tolerated. However, the following are some examples of prohibited conduct:

- Unwelcome sexual advances, whether or not they involve physical touching;
- Sexual epithets; sexual jokes; written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body; comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body; sexual gestures;
- Suggestive or insulting comments;
- Inquiries into an individual's sexual experiences; and
- Discussion of one's sexual activities.

C. Complaints of Sexual Harassment

Experience has shown that a clear statement to the person engaging in the offensive behavior is sometimes all that is necessary to stop the conduct. If you believe you are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, you are not required to do so. If you believe that you have been subjected to sexual harassment, you should report the incident immediately. All reports must be made in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

D. Retaliation

Retaliation against an employee who complains in good faith about sexual harassment or who participates in good faith in an investigation of a complaint is a violation of this policy and is

prohibited by law. If you believe that you have been subjected to retaliation, you must report the incident in accordance with the Reporting Procedure contained in this Manual.

REPORTING PROCEDURE FOR SEXUAL AND OTHER UNLAWFUL HARASSMENT, DISCRIMINATION AND RETALIATION

Any employee who feels that he or she has experienced sexual or other unlawful harassment and discrimination or retaliation must immediately report such actions. All reports must be made in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If you believe that you have experienced sexual or other unlawful harassment, discrimination or retaliation, you must report the incident immediately to your Supervisor or Department Head, the Town Administrator or a member of the Board of Selectmen, as appropriate to the situation.
2. Supervisors and managers who become aware of discriminatory or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to the Town Administrator or a member of the Board of Selectmen.
3. The Town of Fremont will promptly investigate incidents reported through this procedure. Any employee, supervisor, or agent of the Town of Fremont who has been found to have engaged in conduct that violates our policies against discrimination and/or harassment will be subject to appropriate remedial and/or disciplinary action, up to and including immediate discharge. The complainant will be informed generally of the outcome of the investigation and whether the Town is undertaking remedial action.
4. Individual investigators will be determined by the Board of Selectmen as appropriate to the situation. All investigations will be conducted in a discreet manner. Disclosure of complaints will be limited to those with a need to know in order to investigate the complaint and take appropriate remedial action.

ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

In accordance with the Americans with Disabilities Act of 1990 (“ADA”) and RSA 354-A, the Town of Fremont prohibits any form of discrimination in hiring as well as in all terms and conditions of employment against individuals with physical or mental disabilities. We will make every effort to make reasonable accommodations to ensure equal opportunity for qualified individuals with disabilities in the application process and in performing essential job functions, so as to afford enjoyment of the same benefits and privileges of employment as are enjoyed by employees without disabilities.

Please notify the Town Administrator or your Supervisor/Department Head if, because of a disability, you require an accommodation to perform the essential functions of your job. You may be asked to provide medical information regarding your disability and possible accommodations, and we expect that you will engage in this interactive process in good faith so that we may determine eligibility for accommodation and identify reasonable accommodations.

We will maintain all medical information in a confidential manner in accordance with the ADA, and will provide reasonable accommodations as required by law. The Town may decline to provide accommodations to individuals who are not qualified individuals within the meaning of the law, and may also decline to provide accommodations that are not reasonable or that cause an undue hardship.

II. EMPLOYEE CLASSIFICATIONS

EMPLOYMENT AT-WILL

Unless otherwise provided in a written contract or unless set forth by statute, Town employees are considered employed at-will. Employment at-will status enables both the Town and the employee to terminate the employment relationship with or without cause or notice, at any time, for no reason or for any reason not prohibited by law. Neither the policies contained in this Manual nor any other written or verbal communication by a Supervisor nor Official can change the at-will relationship or create a contract of employment.

EMPLOYMENT CLASSIFICATIONS

When you are hired, you are classified as a full-time, part-time, or temporary employee and as exempt or non-exempt. Either or both of these classifications may change during the course of your employment with the Town. Unless otherwise specified in this Manual or as required by law, the benefits described in this Manual apply only to full-time employees; except part-time employees as referenced in the Manual, who are eligible for PTO. All other policies described in this Manual apply to all employees, with the exception of certain wage, salary and time off limitations. If at any time during your employment you are unsure of your job classification, please ask your Supervisor, Department Head, or the Town Administrator.

REGULAR FULL-TIME EMPLOYEES: Individuals who are regularly scheduled to work 40 hours per week.

REGULAR PART-TIME EMPLOYEES: Individuals who are regularly scheduled to work less than 40 hours per week.

TEMPORARY EMPLOYEES: Individuals who are hired for specific periods of time or for the completion of a specific project. Temporary employees are not eligible for benefits described in this Manual except to the extent required by State or Federal Law.

NON-EXEMPT AND EXEMPT EMPLOYEES: All employees will be classified as either “exempt” or “non-exempt.” Exempt employees are usually paid on a salary basis and their duties and responsibilities allow them to be considered exempt from the overtime requirements of the Fair Labor Standards Act (“FLSA”). Therefore, these employees are not eligible to receive overtime pay. Non-exempt employees are eligible for overtime pay in accordance with the FLSA and Town policy.

PROBATIONARY PERIOD

All new full-time and part-time employees will be required to successfully complete a probationary period, commencing on the first day of employment. The probationary period will

normally be three (3) months in duration, and may be extended for an additional three (3) month period by the Town. During the three (3) month probationary period, a full-time employee is not eligible for leave benefits.

Refer to Police Addendum at the end of this manual for additional information on the Police Department probationary period.

The Department Head shall meet with each new employee at the conclusion of the first three (3) or twelve (12) month of employment to review the employee's performance. Where appropriate, the Department Head will offer remedial suggestions for improvement.

Upon satisfactory completion of the probationary period, employees enter the "regular" employment classification, although they remain employed on an at-will basis.

All employees who have been promoted to new positions shall be required to complete a two (2) month probationary period in the new position before the promotion is approved. During this probationary period an employee will remain eligible for leave benefits.

III. COMPENSATION AND HOURS OF WORK

REPORTING OF TIME WORKED

It is important that your time be accurately reported so that you are compensated for the hours that you work. All employees are required to complete time sheet or punch a time clock. No one is authorized to punch a time clock on your behalf, and falsification of time records could lead to disciplinary action, up to and including termination from employment. If there are any changes needed to your weekly time card, then you must initial the change, indicating that you agree to the change and the accuracy of the change. Your Supervisor will provide you with details concerning your obligation to report all time you have worked. All employees must sign their time card prior to submission for payment. Timesheets are due in the Selectmen's Office by 10:00 am on the Monday following the end of the pay period.

PAY / PAY PERIODS

Employees are paid on a biweekly basis on Fridays for all hours worked during the two calendar weeks preceding pay period. Please review your paycheck for errors. If you find a mistake, report it to your Supervisor and then the Selectmen's Office immediately. Paychecks will be distributed only to you. Paychecks are distributed either by your Supervisor or a representative from the Selectmen's Office. Once established, employees may have pay directly deposited into their bank accounts at no charge if they provide advance written authorization to the Town.

WORK WEEK / HOURS OF WORK

The Town of Fremont's work week begins on Sunday at 12:00 am (midnight) and ends on Saturday at 11:59 pm. Two work weeks constitute the Town's pay period. Because of the nature of our business, your work schedule may vary depending on your job and department. When hired, your Supervisor / Department Head will inform you of your hours of work.

The Town reserves the right to alter or amend any employee's work schedule at its sole discretion in accordance with the needs of the Town. An honor code of conduct exists whereby employees are entrusted to work their scheduled hours. Employees are encouraged to embrace this show of responsibility and commitment to the Town, the community and to each other. Employees who are asked by the Town to keep time records must also adhere to this honor code when completing their time records. Time records must be completed fully and accurately, and employees may not provide any false information on time records or any other Town records.

PAYROLL DEDUCTIONS

A. Payroll Deductions for All Employees

There are two categories of payroll deductions, those required by state or federal law and those authorized by the employee. Payroll deductions required by State and Federal Law include Federal withholding, Social Security tax, and wage garnishments as required by law (ie: child support payments, court-ordered payments, IRS garnishments). In addition, as allowed by New Hampshire law, the Town will also make payroll deductions for health insurance, savings plans, and voluntary contributions to a retirement plan and other such benefits. These deductions will be shown on your pay notification (check stub).

B. Payroll Deductions for Salaried Exempt Employees

The Town complies with all Federal and State laws with regard to deductions from paychecks, including deductions from the salaries of exempt employees. In accordance with these laws, salaried employees receive a predetermined amount of pay for each work week which is not subject to reduction because of variations in the quality or quantity of work performed and is not subject to reduction for absences requested by the Town or due to the operating requirements of the Town. The Town recognizes that under Federal and State law there are only limited circumstances under which a salaried employee can be paid less than their preset amount for any work week.

The Town prohibits deductions from an exempt employee's salary that is inconsistent with their status of an exempt employee. Exempt employees should note that their salary might be changed by the Town at any time with notice to the employee before a pay period begins. Such changes often occur when an employee's position or responsibilities change. Exempt employees should also note that the Town will pay them for full and half day absences from their available vacation, sick, and other forms of paid time off and that using this paid time is not considered a deduction from salary.

C. Questions Regarding Paychecks and Deductions

If you have any questions or concerns about your paycheck or any deductions from your pay, please contact the Selectmen's Clerk or the Town Administrator as soon as possible. If you do not receive a prompt response or are dissatisfied in any way with the response you receive, you should feel free to contact the Board of Selectmen in writing.

Questions and concerns regarding pay and deductions will be investigated and addressed promptly. If there has been an error, such as a deduction made in error, the employee will

receive a corrected check or a check reimbursing the employee for the error, whichever is more practicable under the circumstances.

Employees should feel free to communicate any questions or concerns regarding pay or deductions. The Town will not tolerate retaliation against employees who have expressed concerns using this procedure.

REIMBURSABLE EXPENSES

With prior approval by your Supervisor or Department Head, the Town will reimburse employees for legitimate work expenses. To receive reimbursement an employee must submit original receipts with the reimbursement request form to the Selectmen's Clerk or the Town Administrator. Reimbursement may be in the form of petty cash, an addition to a paycheck, or a separate check. See your Supervisor or Department Head with any questions as to whether and what expenses may be reimbursed.

OVERTIME

From time to time, it may be necessary for a non-exempt employee to perform overtime work. The employee's Supervisor or Department Head must approve all overtime in advance. Except in the event of an emergency, the Town will attempt to provide non-exempt employees with advance notice of the necessity for overtime work. Non-exempt employees are entitled to be paid one and one-half (1-1/2) times their regular rate of pay for all time worked in excess of forty (40) hours per week. Sick days, holidays, vacation time, leaves of absences, and other time off benefits are not counted as "time worked" for purposes of overtime. You will be advised when you are hired if you are entitled to overtime pay.

Compensatory time off is not available.

BREAKS AND MEAL PERIODS

Generally, all Town employees will be provided with a thirty (30) minute unpaid meal period/break after five consecutive hours of working, unless it is feasible to eat while working and the employee is permitted to do so. Fire protection and law enforcement personnel will receive meal breaks as established by their respective Departments. One or two paid break periods of fifteen (15) minutes will be granted during the work day if possible, but these breaks are not guaranteed.

Break Time for Nursing Mothers: Non-exempt employees will be provided with a reasonable break time for the employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk. A private area will be provided. These breaks are unpaid.

IV. TIME AWAY FROM WORK AND OTHER LEAVE BENEFITS

HOLIDAYS

Full-time employees are entitled to ten paid holidays, provided that the employee normally works on the day the holiday is recognized by the Town. Part-time and temporary employees are not eligible for paid holidays.

Full-time police employees should refer to the Police Addendum at the end of this Manual.

Hourly employees' holiday pay will be paid at the employee's straight time hourly rate for the amount of hours they would normally be scheduled to work on that day. Exempt, salaried employee's regular wages already includes pay for all time off including holidays. Some employees may be required to work on the day the Town recognizes a holiday. Employees who are required to work on a holiday are entitled to take such day as a floating holiday. A floating holiday must be scheduled at least one week in advance and approved by your Supervisor or Department Head, and must be taken in the year the holiday is worked or it will be forfeited. An employee who has an unused floating holiday in the year their employment with the Town ends will be paid for this holiday if they resign and give the Town two weeks' notice of their resignation or are terminated by the Town without cause, but will not be paid for any unused floating holiday if their employment is terminated for cause.

Employees will not receive holiday pay for any holiday that occurs during the period for which an employee is on a leave of absence.

The Town will post annually and supply to each employee, a Holiday schedule showing the observed days within that calendar year. In a year where less than ten specific dates are listed on this calendar, full-time employees who are eligible for holidays shall be able to choose a floating holiday for a day to total ten for the year. A floating holiday shall be pre-approved by the employee's Supervisor and must be used within the calendar year, and do not carry forward. Employees will not be paid for unused holidays. The floating holiday shall apply to employees hired prior to July 1 in any calendar year, and shall not apply to Police Officers who are paid for ten holidays at year end.

VACATION

Vacation is a time for you to rest, relax, and pursue special interests. The Town provides paid vacation to its full-time employees as one of the many ways in which we show our appreciation for your hard work and continued service.

All full-time employees who have successfully completed six months of employment are eligible for paid vacation. Full-time employees during their initial or extended initial probationary period, part-time and temporary employees are not eligible for paid vacation time.

Vacation time is granted to eligible employees based upon their length of service. If there is a break in service, eligibility for vacation will be based on the employee's most recent hire date. During any calendar year in which a full-time employee is in their initial or extended initial probationary period if the employee successfully completed their probationary period s/he is given a proportional amount of the vacation given to employees who have worked for the Town for at least one full year based on the number of months the employee will work that calendar year after their probationary period ends is to 52 weeks. Thereafter each Town full-time employee is given vacation on January 1st each calendar year in the amount shown on the schedule below. No part of an employee's scheduled vacation may be converted to sick leave. If illness or injury occurs during an employee's scheduled vacation, sick leave benefits will not begin until the employee is scheduled to return to work.

Vacation pay for a full week will be paid based on the employee's normal straight time hourly rate of pay for their regularly scheduled amount of non-overtime hours; i.e., if someone normally is scheduled for forty (40) hours per week, their vacation pay will be for forty (40) hours for each full week requested.

Vacation is given to employees on the following schedule:

Years of Continuous Service

During any calendar year(s) the employee
Is in their initial or extended initial
probationary period

One (1) through five (5)

Six (6) through fifteen (15)

Sixteen (16) and over

Vacation Time

Up to ten (10) days prorated based
on the number of weeks the
employee will work that year after
their probationary period is to
52 weeks

Ten (10) days per year

Fifteen (15) days per year

Twenty (20) days per year

Vacation must be taken during the year in which it is given. Vacation time can't be carried forward from one calendar year to the next. Any vacation not used in the calendar year in which it is given will be forfeited. And, unused vacation will not be paid to any employee whose employment with the Town ends for any reason whatsoever. Individual exceptions for up to one (1) week of vacation carryover will be considered by the Board of Selectmen upon written request.

Vacation can be taken in half or full day increments, but except as otherwise required/allowed by the Family Medical Leave Act for intermittent or reduced leave. An employee will not be given any vacation time for pay periods in which the employee is not entitled to any wages, unless required by law. Generally this will occur when the employee is on unpaid leave, such as FMLA leave.

An employee will not be paid unused vacation pay upon termination from employment.

All employees must submit requests for vacation time to their Supervisor or Department Head in writing using the Town's Vacation Request Form. Requests should be submitted at least two weeks in advance of the requested vacation dates. Vacation may be taken only if your Supervisor or Department Head approved the request, or as otherwise allowed by a Town policy such as FMLA leave.

SICK LEAVE

The Town provides paid sick days to all full-time employees who have successfully completed six months of employment. Non-exempt employees may use sick time in hourly increments, and will be paid at the normal straight time rate for the number of hours the employee was scheduled/would normally be scheduled, to work on that day. Sick pay may not exceed the employee's regular workday and/or workweek hours. Except as otherwise required/allowed by

the Family Medical Leave Act for intermittent or reduced leave, exempt employees can only use sick time in whole or half day increments.

Full-time employees who are employed as of January 1st of any given year and who as of such date have successfully completed their probationary period may take up to six (6) sick days that calendar year. An employee who successfully completes their probationary period after January 1st of a calendar year may take the prorated amount of the six (6) sick days proportional to the number of months remaining in that calendar year after their probationary period ends is to 52 weeks.

Sick leave is earned at the rate of six (6) days per year. The sick leave benefit begins at the end of six months of employment and is pro-rated to the end of your first year of employment. In subsequent years of employment sick leave is given on a calendar year basis.

Sick days are to be used for absences due to illness or for medical appointments. The Town may, at any time, ask you to submit satisfactory medical verification of an illness from your health care provider. Failure to provide verification may result in loss of sick leave benefits or, in cases in which sick leave abuse is detected, disciplinary action.

Employees who leave the Town's employment for any reason will not be entitled to any pay for unused sick days. Any sick days not used as of the end of each calendar year will be forfeited. Under no circumstance will an employee be paid for any unused sick time, including when their employment with the Town ends regardless of the reason. Sick leave must be taken during the year in which it is given.

Employees who do not report to work due to illness must contact their Supervisor on a daily basis, prior to their report to work time, relative to the need for and status of their absences, unless otherwise directed. Employees who fail to report to work or call in to their Supervisor for three (3) consecutive work days will be considered to have voluntarily resigned from their employment.

EARNED TIME

Amount of Earned Time.

For the 2016 and subsequent calendar years: Eligible employees who averaged 20-29 hours worked per week the previous calendar year shall receive earned time equal to their average hours worked per week the previous calendar year. Eligible employees who averaged 30-39 hours worked per week the previous calendar year shall receive earned time equal to twice their average hours worked per week the previous calendar year.¹

For only the period of July 1, 2015 through December 31, 2015: Eligible employees who averaged 20-29 hours worked per week during the period of July 1, 2014 through June 30, 2015, shall receive earned time equal to half their average hours worked per week during the period of July 1, 2014 through June 30, 2015. Eligible employees who averaged 30-39 hours worked per

¹ Examples: If an eligible employee worked an average of 25 hours per week in 2015, that employee will receive 25 hours of earned time in 2016. If an eligible employee worked an average of 35 hours per week in 2015, that employee will receive 70 hours of earned time in 2016.

week during the period of July 1, 2014 through June 30, 2015, shall receive earned time equal to their average hours worked per week during the period of July 1, 2014 through June 30, 2015.

Average Hours Worked.

For the 2016 and subsequent calendar years: The average hours worked per week that will be used to calculate earned time shall equal the total hours worked (hours paid in the case of PTO use) by the eligible employee, divided by the number of weeks of employment by the eligible employee, during the previous calendar year.²

Only hours actually worked /paid will be included in this calculation; leaves, holidays and other hours not worked will be excluded from the calculation.

Probationary Period. When an eligible employee is on probation for a portion of a calendar year, that employee's earned time will be pro-rated for the portion of the calendar year after the employee successfully completed probation. For example, if an eligible employee's start date is September 15, 2015, that employee successfully completed probation on September 15, 2016, and that employee worked an average of 25 hours per week in calendar year 2015, the employee will receive 6.25 hours of earned time (25 hours x 3/12) for the period of October 1, 2016 through December 1, 2016.

Usage. An eligible employee must submit a request to use earned time for vacation to his/her supervisor in writing at least two weeks in advance. Use of earned time to cover illness shall require notification to the employee's supervisor as soon as possible after learning of an illness. Employees who do not report to work due to illness must contact their supervisor on a daily basis, prior to the time to report to work, relative to the need for and status of their absences, unless otherwise directed. Employees who fail to report to work and fail to call their supervisor each day for three (3) consecutive days) or call in to their supervisor for three (3) consecutive work days shall be considered to have voluntarily resigned from their employment. [Earned time may be used in half or full day increments, except as otherwise required/allowed by the Family Medical Leave Act for intermittent or reduced leave.] For use as sick time, non-exempt (hourly) employees may use it in hourly increments.

Unused Earned Time. Earned time that is not used by the end of the calendar year in which it is received will be forfeited. Earned time shall not be carried over from one calendar year to the next. Employees who leave the Town's employment voluntarily or involuntarily for any reason will not be entitled to be paid for unused earned time. Part-time employees who become full-time employees and, thereby, cease to be eligible for earned time will not be entitled to be paid for unused earned time.

Exceptions. The Board of Selectmen may grant exceptions to the terms of this Earned Time Policy on a case-by-case basis. Requests for such exceptions must be submitted to the Board in writing.

Elected officials, seasonal employees and temporary employees are not eligible for earned time.

² Example: Assume an eligible employee actually worked 1000 hours during 40 weeks of employment in calendar year 2015. The employee's earned time in calendar year 2016 will be based on the employee having worked an average of 25 hours per week (1000 divided by 40 weeks) in 2015.

Earned Time Adopted by the Board of Selectmen: 09 July 2015 to be effective as of 01 July 2015

FAMILY AND MEDICAL LEAVE

Under the Family and Medical Leave Act (“FMLA”), eligible employees may take an unpaid leave of absence and be restored to the same or an equivalent position upon their return to work for any of the following reasons:

(1) The birth of the employee’s child and to care for the newborn child (leave must be taken within twelve (12) months of the birth of the child);

(2) The placement of a child with the employee for adoption or foster care, and in order to care for the newly placed child (leave must be taken within twelve (12) months of the adoption or placement of the child);

(3) The serious health condition of a spouse, parent, minor child, or adult child when the adult child is incapable of self-care and the employee is needed for such care (“covered family members”);

(4) The employee’s own serious health condition that renders the employee unable to perform his or her job;

(5) A “qualifying exigency” (as defined in the Department of Labor Regulations) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on “covered active duty” or has been notified of an impending call or order to “covered active duty” in the United States Armed Forces;

(6) The employee is a spouse, son, daughter, parent, or next of kin of a “covered servicemember” (as defined in the Department of Labor Regulations) who has a serious injury or illness and the employee is needed to care for such person.

Eligibility Requirements: To be eligible for FMLA leave, an employee must satisfy both of the following conditions:

The employee must have worked for the Town for at least twelve (12) months, and must have performed at least 1,250 hours of work in twelve (12) months prior to a leave request; and

At the time leave is requested, the employee must either: (a) work at a site where the Town employs fifty (50) or more employees or (b) work at a worksite where the Town employs less than fifty (50) employees if fifty (50) or more employees are employed within a seventy-five (75) mile radius of the worksite.

Leave Entitlement: If an employee takes FMLA leave for a reason stated in paragraphs (1)-(5), above, the employee is entitled to up to twelve (12) workweeks of unpaid leave during a twelve (12) month period. That twelve (12) month period is defined as a “rolling” twelve (12) month period measured backward from the date an employee begins an FMLA leave. In other words, the number of weeks the employee has available upon the beginning of a FMLA leave will be

twelve (12) weeks less the number of FMLA leave weeks taken in the twelve (12) month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee used four weeks beginning February 1, 2008, four weeks beginning June 1, 2008, and four weeks beginning December 1, 2008, the employee would not be entitled to any additional leave until February 1, 2009. Beginning on February 1, 2009, the employee would be entitled to start accruing a new four weeks of leave; on June 1, 2009, the employee would be entitled to start accruing four additional weeks; and so on.

If an employee takes FMLA leave for the reason stated in paragraph (6), above to care for a service member, the employee may take up to 26 weeks of unpaid FMLA leave within a single 12-month period. This 12-month period begins on the first day of leave. An employee who takes FMLA leave for a reason stated in paragraph (6), above, will be limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period. The leave entitlement described in paragraph (6) above is to be applied on a per-covered-servicemember, per injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious illness or injury, except that no more than 26 workweeks of leave may be taken within any single 12-month period.

Tracking FMLA Leave: When an eligible employee requests any leave of absence that qualifies under the FMLA, the Town has the right to designate such leave as FMLA leave. For example, if an eligible employee suffers a work related injury that qualifies as a serious health condition, the Town has the right to designate any time away from work as FMLA leave. In such circumstances, the Town will provide the employee with the same notifications as though the employee had specifically requested FMLA leave.

Intermittent and Reduced Schedule Leave: Under some circumstances, employees may take FMLA leaves of absences intermittently (in separate blocks of time due to a single FMLA qualifying reason) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday). Certification will be required to show that an intermittent or a reduced schedule leave is a medical necessity for leaves under paragraphs (3), (4), and (6), above. Other documentation or certification may be required to show that such an intermittent or a reduced schedule leave is necessary in the case of a leave of a "qualified exigency" under paragraph (5), above.

If FMLA leave is for birth and care, or placement for adoption or foster care, as described in paragraphs (1) and (2), above, use of intermittent leave is subject to the Town approval.

When an employee takes intermittent or reduced schedule leave, time spent working will not be counted against the employee's FMLA entitlement.

Employees taking intermittent or reduced schedule leave will be paid for the time they work, and the leave time away from work will be unpaid unless the employee qualifies for workers' compensation, short-term disability, or other benefits. If an employee is a salaried employee, the Town will adjust the employee's salary based on the amount of time actually worked.

While an employee is on intermittent or reduced schedule FMLA leave, the Town may temporarily transfer the employee to an available alternate position that better accommodates the

employee's recurring leave and that has equivalent pay and benefits.

Employees who take intermittent leave for a planned medical treatment have an obligation to make a "reasonable effort" to schedule the treatment so as not to disrupt unduly the Town's operations.

Status of Employee Pay Benefits: Employees are required to use any available paid time off days during FMLA leave unless the employee during FMLA leave is otherwise receiving pay benefits through employer provided workers' compensation, short-term or long-term disability benefits, or any other pay benefit. The use of paid leave time during concurrent unpaid FMLA leave does not extend the FMLA leave period. FMLA leave runs concurrent with all other paid and unpaid leave available to an employee. During an approved FMLA leave, the Town will maintain the employee's health benefits under the same terms and conditions applicable to employees not on leave.

If paid leave is being used concurrent with unpaid FMLA leave, the Town will deduct the employee's portion of the health plan premium as a regular payroll deduction. If an employee's leave is unpaid, or is paid through workers' compensation, short-term or long-term disability benefits, or other benefits not provided through the Town's payroll system, the employee must pay his or her portion of the premium by making arrangements with the Town Administrator. Health and other benefit coverage may be canceled if the employee's premium payment is more than (thirty) 30 days late.

If an employee elects not to return to work at the end of FMLA leave, 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 because of other circumstances beyond the employee's control. If the FMLA leave is for a condition that is covered under the Town's short-term or long-term disability insurance, covered employees may apply for benefit coverage

Benefit entitlements based on length of service will be preserved at the level earned as of the commencement of the leave.

Requesting Leave: Employees must complete the appropriate FMLA leave request forms. These forms are available from the Selectmen's Office.

If an employee's need for leave is foreseeable, such as for the birth of a child or planned medical treatment, you must give your Supervisor or Department Head 30 days' prior written notice. In cases of planned medical treatment, please make efforts to schedule the treatment to avoid disrupting the Town's operations.

If the need for leave is not foreseeable, the employee must give notice to their Supervisor or Department Head as soon as practicable (generally, either the same day or the next business day of learning the employee's need for leave) and the employee must comply with all of the Town's policies regarding absences from work. Failure to provide such notice may be grounds for delaying the leave. If the employee is unable to notify the Town of his/her need for leave personally because of severe illness or injury, the employee should ask someone else to call on his/her behalf.

Medical Certifications: If an employee is requesting leave because of the employee's own serious health condition, a covered family member's serious health condition, or for the serious injury or illness of a covered servicemember, the employee must provide a medical certification from the appropriate health care provider. It is an employee's responsibility to provide a complete and sufficient certification. Please obtain a medical certification form from the Selectmen's Office for the health care provider to use. If possible, the employee should provide the medical certification before the leave begins. If that is not possible, the employee must provide the medical certification within fifteen (15) days of requesting leave. If the employee does not provide the required medical certification in a timely manner, the employee's leave may be delayed. If you do not provide the certification at all, the Town will not be able to determine whether you are eligible for FMLA leave and your leave will be denied. The Town reserves the right to authenticate or clarify any medical certification if necessary.

In the case of an employee's own serious health condition, or that of a family member's serious health condition, the Town, at its expense, may require an examination by a second health care provider designated by the Town. If the second health care provider's opinion conflicts with the original medical certification, the Town, at its expense, may require a third health care provider agreed upon by the employee and the Town to conduct an examination and provide a final and binding opinion.

The Town may also require subsequent medical recertification. Failure to provide requested recertifications within fifteen (15) days may result in delay of further leave.

Certifications for a Qualifying Exigency: Employees who request a leave for a "qualifying exigency" arising from an immediate family member's call to active duty or impending call or order to active duty will be required to provide a copy of the family member's active duty orders or other documentation issued by the military indicating the member is on active duty or call to active duty status in support of a contingency operation. Other documentation certifying the exigency necessitating the leave will also be required.

Confirmation of Familial Relationship: Employees requesting a leave of absence based on a familial relationship may be required to provide reasonable documentation or statement of family relationship. This documentation may take many forms, including but not limited to a child's birth certificate, a court document, etc.

Reporting While On Leave: If an employee takes leave because of his or her own serious health condition, to care for a covered family member with a serious health condition, to care for a covered servicemember with a serious illness or injury, or for a qualifying exigency, the employee must contact the office of their Supervisor or Department Head on a regular basis to provide updates about the status of the need for leave (e.g. the medical condition of the employee or the individual for whom the employee is caring, or other circumstances necessitating leave) and the employee's intention to return to work. In addition, the employee must give notice as soon as practicable (within two (2) business days if feasible) if the dates of leave change or are extended or initially were unknown.

No Work While On Leave: The taking of another job (including self-employment) while on FMLA leave or any other authorized leave may lead to disciplinary action, up to and including discharge.

Returning To Work: At the end of an authorized FMLA leave, the employee will be reinstated to his or her original position or an equivalent position. However, certain highly compensated employees or “key employees” may be denied restoration to their prior or equivalent position if keeping the job open for the employee would result in substantial economic injury to the Town. Key employees are those employees who are among the highest paid ten percent of employees within 75 miles of the worksite.

If an employee takes leave because of his or her own serious health condition, the employee will not be reinstated until the employee provides a fitness for duty certificate from his or her health care provider confirming that the employee is medically able to resume work and perform the essential functions of his or her job. The return-to-work medical certification forms are available from the Selectmen’s Office. The Town reserves the right to clarify and authenticate such certification.

Coordination With Maternity Leave: As stated in our Maternity leave policy, the Town provides female employees with a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, and related medical conditions. If an employee is also eligible for FMLA leave, the employee’s FMLA leave and Maternity Leave will run concurrently. Please refer to the Town’s Maternity Leave policy for more information regarding Maternity Leave.

For purposes of coordinating FMLA and maternity leaves, maternity disability leave will be treated in the same manner as the FMLA leave of absence described in paragraph (4) above. Maternity disability leave begins when an employee is medically determined to be disabled and ends when medically determined to be able to return to work. If a maternity disability leave is for the number of available FMLA leave weeks or less, the employee may take additional FMLA leave pursuant to paragraph (1) or (2) after the end of the disability period, not to exceed the number of remaining available leave weeks and will be reinstated in accordance with this FMLA policy. If a maternity disability leave exceeds the number of available FMLA leave weeks, then reinstatement will be governed by the maternity leave policy.

Coordination with Other Town Policies Reference to FMLA and Federal Regulations: In the event of any conflicts between this policy and other Town policies, the provisions of this policy will govern. The FMLA and the FMLA regulations issued by the U.S. Department of Labor contain many limitations and qualifications that are not stated in this policy. The Town reserves the right to apply the terms of the FMLA and the FMLA federal regulations.

Any questions relative to FMLA leaves, including eligibility requirements, should be directed to the Town Administrator at the Selectmen’s Office at 603 895 2226 x 10.

MATERNITY LEAVE

All female employees may take an unpaid leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions. A maternity leave begins when an employee is medically determined to be disabled and ends when she is medically able to return to work. Employees will be required to take FMLA leave, if they are eligible for such leave, concurrently with maternity leave, as described in our FMLA policy.

Employees must use their available vacation and sick time and any other available paid or unpaid leave time concurrent with leave under this policy. Employees on maternity leave may be eligible for short-term disability pay benefits.

Employees on maternity leave who are not eligible for FMLA leave or who have exhausted their FMLA available leave weeks will be allowed to continue to participate in the Town's health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue medical insurance coverage under COBRA by making arrangements with the Town Administrator to pay the entire amount of the appropriate monthly premium in advance each month.

When the employee is physically able to return to work, her original job or a comparable position will be made available to her unless business necessity makes this impossible or unreasonable. An employee who cannot be returned to her original or a comparable position will remain eligible to apply for any available position within the Town.

UNPAID PERSONAL LEAVE OF ABSENCE

The Town recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under our policies. A personal leave of absence may be granted at the sole discretion of the Town to employees who have exhausted their leave available under our other leave policies, including vacation, sick, maternity leave and FMLA, and is normally only granted for compelling reasons.

Personal leaves of absence will be unpaid, and an employee on an unpaid personal leave of absence is not entitled to earn any benefits, including, but not limited to holidays.

Employees who are granted a personal leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue their health insurance coverage under COBRA by making arrangements with the Town Administrator to pay the entire amount of the appropriate monthly premium in advance each month.

To request a personal leave of absence, please contact your Supervisor or Department Head. You may be asked to provide a written request for the leave and/or a health care provider's certificate stating the reason for the leave and the expected date of return to work. If granted, personal leaves typically will not exceed thirty (30) days. An employee who has taken leave for medical reasons must submit a fitness for duty certificate from his or her health care provider before reinstated to work. The Board of selectmen will grant final approval for any unpaid personal leave of absence.

Requests for leave will be considered on a case-by-case basis, taking into account the Town's staffing needs and other factors. If a personal leave is granted, you may not accept other employment of any kind, including a business of your own, while you are on leave. If you are granted a personal leave of absence, you must inform us when you are able to return to work.

We will make reasonable efforts to reinstate employees returning from personal leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other

requirements. Please understand that we cannot guarantee reinstatement from a personal leave. If the Town is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from his or her employment with the Town.

MILITARY LEAVE

Employees who voluntarily or involuntarily serve in the United States Armed Forces or National Guard (collectively referred to as "Uniformed Services") will be provided with leaves of absence for such service or training in connection with such service in accordance with the Federal Uniformed Services Employment and Reemployment Rights Act ("USERRA").

The Town will pay a full-time employee who serves in the Uniformed Services the difference between their straight time pay for the hours they would normally have worked on such day and the amount of any compensation they receive for military service for the first three (3) days of military service, including but not limited to military pay and allowances. Military leave for part-time and temporary employees, and full-time employees after the first three (3) days of military service will be unpaid, unless otherwise required by State or Federal law.

Military leaves of absence will be unpaid, unless otherwise required by law. You may elect to take part of, or all of, your vacation time with pay during your military leave of absence, but you are not required to do so.

Notice of Leave Request: An employee needing time away from work for service or training in the uniformed services should make your Supervisor or Department Head aware of the need for leave as soon as the employee receives the written or verbal orders. It is requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

An employee's request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Your Supervisor or Department Head will decide reasonable time off on a case by case basis.

Health Coverage: If a military leave lasts less than 31 days, the employee's health insurance will be continued and the employee will pay his/her regular contribution for the cost of health insurance. Payment for insurance with less than 31 days leave may be paid in advance or upon return through payroll deductions.

If a military leave lasts 31 days or more, then the employee's health insurance coverage will cease and the employee will be eligible to elect to continue his or her health insurance coverage at his or her own expense for up to 24 months, in accordance with USERRA. The cost for continuation coverage will be the full cost of the premium, and a 2% administrative fee may also be charged.

When the employee returns to work, he or she will be reinstated to the health insurance benefit with no waiting period, even if coverage terminated during the leave. Normal coverage begins at the first of the month and ends on the last day of the month.

Pension: Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes. If applicable, the employee may elect to make up any missed contributions or elective deferrals, but is not required to do so. Employees eligible for NH Retirement can contact them for service credit for this separation.

Reinstatement: Employees wishing to be reinstated following military leave should promptly notify their Supervisor or Department Head of their desire to be reinstated. If the leave is for service of less than 31 days, then the employee should return to work on the first full regularly scheduled work day following completion of service, allowing for 24 hours of rest and time for safe transportation back from the service. If the service lasts 31 to 180 days, then the employee should notify their Supervisor or Department Head of the desire for reinstatement within 14 days of completing service. If the military leave lasts more than 180 days, then the employee should notify their Supervisor or Department Head of the desire for reinstatement within 90 days of completing service.

The Town will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in service, and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

Disabled Service Members: If a returning employee was disabled or a disability was aggravated during uniformed service, the Town will make reasonable accommodations and efforts to help the employee become qualified to perform the duties of his or her reemployment position.

Statement Against Discrimination and Retaliation: The Town will not discriminate in hiring, employment, reemployment, or any benefits of employment against any individual because of that individual's service in the United States uniformed services. The Town also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to your Supervisor or Department Head.

BEREAVEMENT LEAVE

Full-time employees will be granted time off from work without loss of pay in connection with the death of a relative in accordance with the following policy.

In the event of the death of a member of a full-time employee's immediate family, the Town provides three (3) days paid time off. The three (3) work days usually include the day before the funeral and a day after. "Immediate family" includes spouse (or legally recognized equivalent for out-of-state employees), children (including biological or by adoption), stepchildren, parents, brothers, sisters, stepparents, stepbrothers, stepsisters, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren of the employee.

JURY DUTY/WITNESS LEAVE

The Town considers it a civic duty to serve on a jury if summoned and will grant you leave in order to serve on a jury. An employee shall be excused from employment for the day or days required in serving as a juror or witness in any court of the United States or the employee's state of residence. For part-time and temporary employees, jury or witness duty will be considered an excused unpaid absence.

A full-time employee called for jury duty (*or subpoenaed as a witness on a case unrelated to Town business*) shall be paid the difference between their straight time pay for the hours they would normally have worked on such day and the amount of compensation they receive for jury duty for the first three (3) days of jury duty. Any absence thereafter will be unpaid leave, unless otherwise required by State or Federal law.

Employees summoned for jury duty must inform their Supervisor or Department Head as soon as possible, and must also present a copy of the summons. If released or dismissed from jury duty, on any day or part of a day the employee would normally work, the employee must return to work.

You may elect to take part of, or all of, your available paid vacation time during your jury duty service, but you are not required to do so.

CRIME VICTIM LEAVE

The Town will grant an employee unpaid time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was a victim. For purposes of this policy, a "victim" is any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

Employees may also qualify for leave under this policy if they are part of the immediate family of a homicide victim or part of the immediate family of a child under the age of 18 or an incompetent adult who is the victim of a crime. For purposes of this policy, "immediate family" means the father, mother, stepparent, child, stepchild, sibling, spouse, civil union partner, grandparent, or legal guardian of the victim, or a person who is otherwise in an intimate relationship with and residing in the same household as the victim.

An employee needing time off under this policy should notify their Supervisor or Department Head as far in advance as possible. The employee may be asked to submit copies of the notices of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency involved in the prosecution of the crime. Employees must comply with any requests to submit these notices, and failure to do so may result in denial of the leave of absence. The Town will maintain any such notices or records in confidence, and will disclose them only on a need to know basis.

The employee will be notified as soon as practicable whether the leave request is granted or denied. Requests falling within the definitions of this policy will typically be granted unless the leave of absence would cause an undue hardship on the Town. An "undue hardship" for purposes of this policy means significant difficulty and expense. In determining whether an

undue hardship may exist, we will consider the size of our operations, the employee's position, and our need for the employee to be at work.

Leave taken under this policy is unpaid, although an employee may elect to use his or her earned, unused vacation time or sick leave.

The Town will not discharge, threaten, or discriminate against an employee for taking leave under this policy, and employees taking leave under this policy will not lose any seniority during the leave of absence.

SAFETY PERSONNEL LEAVE

When the Governor or the General court of New Hampshire declares a state of emergency under NH RSA 4:45 any employee who is a member of a fire department, rescue squad, or emergency medical services agency who is called into service of the state or a political subdivision for the emergency shall be entitled to leave without pay to respond, unless the Town of Fremont certifies that the employee is essential to the Town's own emergency or disaster relief activities. An employee may, but is not required to, use any vacation they have available during their emergency service leave.

MEDICAL BENEFIT PLAN

Eligible employees may participate in our medical insurance plan. Eligible employees include full-time employees; and part-time employees who work 20 or more hours per week and make enough to support the full cost of the premium being deducted from their bi-weekly pay.

Eligible employees may enroll in either a single, two-person, or family plan after meeting the eligibility criteria stated in our plan documents. Further information concerning this benefit can be found in the Summary Plan Description available from the Selectmen's Office. Enrollment forms may be obtained from the Selectmen's Office. To assist full-time employees with the cost of this insurance, the Town currently pays a portion of the premium for single, two-person, or family coverage. The balance is to be paid by the employee through an authorized payroll deduction. The Town may adjust these contribution amounts periodically in its discretion.

Coverage begins on the first day of the month following an employee's initial date of employment, and ends on the last day of the month the employee's employment with the Town ends. Please see the Town Administrator for more details.

DENTAL PLAN

Eligible employees may participate in our dental plan. Eligible employees include full-time employees; and part-time employees who work 20 or more hours per week and make enough to support the full cost of the premium being deducted from their bi-weekly pay.

Full-time employees may enroll in either a single, two-person, or family plan after meeting the eligibility criteria stated in our plan documents. Further information concerning this benefit can be found in the Summary Plan Description available from the Selectmen's Office. Enrollment forms may also be obtained from the Selectmen's Office. To assist full-time employees with the cost of this insurance, the Town currently pays the cost of the premium for single coverage. The

balance is to be paid by the employee through an authorized payroll deduction. The Town may adjust these contribution amounts periodically in its discretion.

Coverage begins on the first day of the month following an employee's initial full month of employment, and ends on the last day of the month the employee's employment with the Town ends. (The current dental plan has a 30-day waiting period). Please see the Town Administrator for more details.

COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") provides eligible employees and their eligible dependents with the opportunity to continue medical and dental insurance for a period of time, at their own expense, if they would otherwise lose coverage due to certain qualifying reasons. Please see the Town Administrator for more information about COBRA.

LIFE INSURANCE

The Town currently provides group life insurance to all eligible full-time employees. The amount of coverage is currently \$50,000, and is subject to change. There is no shared cost with eligible employees at this time. The Town may adjust these contribution amounts periodically in its discretion. Please see the Town Administrator for more details.

RETIREMENT PLAN

Other full-time employees are eligible to participate in the Town's voluntary program for retirement. This includes a contribution to a retirement account as currently held by the Town. The Town will contribute up to three percent (3%) depending on years of service as follows:

<u>Years of Service</u>	<u>The Town will contribute up to:</u>
After one year of service	1%
After two years of service	2%
After three years of service	3%

Please see the Town Administrator for more details.

Full-time Police employees are required by law to participate in the NH Retirement System and are enrolled at the time of their eligibility. The Town is mandated by law to contribute a portion as is the employee. Please see the Town Administrator for more details.

SHORT-TERM AND LONG-TERM DISABILITY

Full-time employees are currently eligible to enroll in our short-term and long-term disability insurance. This insurance is designed to provide some income for you in the event that you suffer a non-occupational illness or injury. There may be waiting periods that apply before the benefits will begin.

Our short-term and long-term disability benefits are governed by detailed plan documents that are available from the Town Administrator.

If you are enrolled in our short-term or long-term disability benefits and you suffer an illness or injury, please notify the Town Administrator and your immediate Supervisor immediately. The Town Administrator will tell you which forms must be completed and the medical information that must be supplied to apply for the benefits.

The Town may adjust these benefits and contribution amounts at its discretion.

WORKERS' COMPENSATION INSURANCE AND REPORTING WORKPLACE INJURIES

On-the-job injuries are covered by Workers' Compensation Insurance, which is provided at no cost to employees. All employees are required to alert their Supervisor immediately to any condition, which could lead or contribute to an employee accident.

Reporting Injuries: If you are injured on the job, no matter how slightly, you **must report the incident IMMEDIATELY** to your immediate Supervisor or the Selectmen's Office. Employees must complete the necessary workers' compensation forms following any injury.

Weekly Income Benefits: The amount of the weekly worker's compensation benefit is set by the New Hampshire Department of Labor. The Town of Fremont's Workers' Compensation Insurer pays these benefits.

Temporary Alternative Duty: Employees with work-related injuries may also be entitled to temporary alternative duty in accordance with New Hampshire's workers' compensation laws.

Reinstatement: A full-time employee who has sustained an on-the-job injury will be reinstated to his or her former position upon request within eighteen (18) months of the initial injury if the position exists and is available, and the employee is not disabled from performing the duties of the position. A fitness-for-duty certificate may be required before any employee is permitted to return to work.

Under New Hampshire law, an employee's reinstatement rights expire eighteen (18) months from the date of injury. An employee also will not be reinstated if he/she has accepted a job with another employer at any time after the date of the injury or if there is a medical determination that the employee cannot return to his/her former position. Other circumstances concerning reinstatement will be governed by the New Hampshire Department of Labor requirements.

TEMPORARY ALTERNATIVE DUTY POLICY

In accordance with the provisions of RSA 281-A: 23-b, the Town will provide temporary alternative work opportunities for employees who suffer a work-related injury or illness.

When practicable, employees will be returned to their regular duties with modifications consistent with a healthcare provider's stipulated work restrictions. In the event that such restrictions make it impracticable for an employee to perform his or her normal job duties, even with modification, the employee may be reassigned to different duties or a different work schedule and may include assignment to a different department with the Town.

The specific assignment of duties shall be determined on a case-by-case basis pursuant to the healthcare provider's restrictions and the work available at the time of the injury or illness.

The Temporary Alternative Work Program will be available to employees for a period of time extending as long as the circumstances of the illness/injury requires, but not longer than four (4) months as dictated by the treating physician and as such duties are available.

The treating healthcare provider and the ill/injured employee share the responsibility of providing the Town the NH Workers' Compensation Medical Form. This form provides information relating to the employee's capabilities necessary to structure a temporary duty program. The Department Head and/or Town Administrator will work with the employee to facilitate a safe return to work program within limitations listed by the treating physician. If necessary, the Town may contact the treating physician for additional information.

After each subsequent visit, the ill/injured employee will be responsible for providing an updated medical form completed by the treating healthcare provider and returned to the Town Administrator. Additional modifications will be made to the return to work program as required.

Upon release by the healthcare professional, the employee will assume normal duties of his or her regular position.

UNEMPLOYMENT INSURANCE

The Town pays into the Unemployment Compensation Fund established by the State of New Hampshire. Certain individuals may be eligible for unemployment compensation benefits through the New Hampshire Department of Employment Security upon discharge from employment pursuant to applicable laws and regulations.

SOCIAL SECURITY

Social Security is a payroll deduction representing your contribution to the federal government's Social Security Program. The Town also contributes money on your behalf to the Social Security Program.

V. ON THE JOB

ATTENDANCE

Attendance and punctuality are important factors for your success in the Town. However, the Town is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise.

If you are unable to report to work, or will arrive late, you must contact your Supervisor. Your Supervisor should be given as much time as possible to arrange for someone else to cover your position. If you know in advance that you will need to be late or absent, you must request this time off directly from their Supervisor or Department Head.

For late arrivals, you must tell your Supervisor when you expect to arrive for work. If you are unable to call in because of an illness, emergency or for some other reason, you must if at all possible, have someone call on your behalf.

Absence from work for two (2) consecutive days without notifying your Supervisor or Department Head will be considered a voluntary resignation. Furthermore, three (3) unexcused or unexplained absences in a 90-day period, or a consistent pattern of absence will be considered excessive, and the reasons for the absences may come under question.

Tardiness or leaving early is often as detrimental to the Town as an absence. Three (3) such incidents in a 90-day period will be considered a “tardiness pattern” and will be considered excessive, and the reasons for tardiness or leaving early may come under question. Other factors, like the degree of lateness, may be considered.

All employees should be aware that excessive absenteeism, lateness, or leaving early may lead to disciplinary action, up to and including dismissal from employment.

Attendance records will be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as disciplinary, termination, and layoff decisions.

CONFIDENTIALITY

The Town’s information and records relating to Town business, operations, plans, projects, strategies, employees, or citizens may be confidential. Therefore, employees must treat all matters accordingly.

No Town information, including, without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the Town) may be removed from the Town’s premises without permission from the Board of Selectmen.

Additionally, the contents of the Town’s records may not be disclosed to anyone, except as required by law.

Employees unsure about the confidential nature of specific information are expected to seek clarification from their Supervisor or the Town Administrator. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

The Town has also adopted an Information Sensitivity Policy as of 05 May 2011.

COMPUTER USE AND COMMUNICATIONS EQUIPMENT POLICY

The Town provides communication tools including computers, fax machines, telephones, voice mail, email, and access to the Internet to help you do your job. This policy is designed to help you understand our expectations for the use of these resources and to help you use these resources wisely.

All employees should be aware that the Town has the right, but not the duty, to monitor the computer, network, fax, voice mail, email, and Internet use of all employees. ***For this reason, employees should not have any expectation of privacy in their use of our computers or other communications equipment, including email and voice mail systems.*** The Town reserves the right to suspend individual user accounts for violation of this policy and to take disciplinary action up to and including termination of employment for the misuse of these resources or other violations of this policy.

The following guidelines apply to all employees:

- Employees should be aware that in addition to having the ability to monitor e-mail messages sent and received on our system (including email messages sent and received from personal email accounts accessed from our system), the Town has the ability and the right to monitor such things as Internet web site visits, newsgroup discussions, chat room discussions, computer network use, and voice mail accounts. Our computers and other communications equipment and the communications, information, and documents created on them are the property of the Town and may be monitored by the Town at any time.
- Our computers and other communications equipment may not be used to violate any federal, state, or local laws or regulations. Use of any Town resources for illegal activity is grounds for immediate termination of employment, and we reserve the right to report the matter to law enforcement authorities. We will cooperate with any resulting law enforcement investigation.
- The Town reserves the right to inspect any and all files stored on our computer network, including any files in private areas of our network, in order to assure compliance with this policy.
- The display or transmission of any sexually explicit image or document by email or through any other means using the Town's system is a violation of our policy on sexual harassment, except as required for criminal investigations or evidence in a law enforcement proceeding. Our computers and other communications equipment also may not be used to transmit or display ethnic or racial slurs, or any other comment, message, or image that offensively addresses age, race, sex, sexual orientation, genetic information, religion, national origin, disability, veteran status, marital status or other protected status in a manner that may be viewed as harassing, discriminating, or disparaging of others. Transmission of harassing, discriminatory or otherwise objectionable email or files is strictly prohibited.
- Transmission of any religious or political messages is strictly prohibited.
- Access to non-work related obscene, or offensive web sites is strictly prohibited.
- Any personal use of our computers or other communications equipment for any commercial activity (other than Town business) is strictly prohibited, as is the use of our computers and communications equipment for anything that may not be in the best interest of the Town including, but not limited to, activities that disclose any confidential or proprietary information of the Town.

- Town computers and other communications equipment are to be for Town use only by authorized users. Non-employees may not use the Town's computers, network, or other communications equipment for any reason.
- Use of another employee's account, user name, or password, or access to their personal files without their consent (by anyone other than authorized representatives of the IT department) is strictly prohibited. Obtaining, or trying to obtain, other users' passwords, or using programs that compromise security in any way is prohibited.
- All passcodes and passwords are the property of the Town. No employee may use a passcode, password, or voice mail access code that has not been issued to that employee by the Town or that is unknown to the Town. Users of the Town's computers, network, and other communications equipment must take reasonable precautions to prevent unauthorized access to our systems. Passwords should not be divulged to unauthorized persons.
- All passcodes and passwords shall be changed on at least an annual basis and stored in a safe, secured location with your Supervisor as part of the Town's Disaster Recovery Plan.
- Destruction, theft, alteration, or any other form of sabotage of the Town's computers, programs, software, hardware, networks, websites, files, data, and other communications equipment and resources is prohibited and will be investigated and prosecuted to the fullest extent of the law.
- The breaking into and/or corrupting of any of the Town's computers, network, or other communications equipment is strictly prohibited. Hacking into third party computer or other information systems using the Town's technology is also prohibited, and will be reported to the authorities.
- Any vulnerability in the Town's computers, network, or other communications equipment or resources should be reported immediately to your Supervisor/Department Head or the Town Administrator.
- The use of viruses, worms, or other destructive programs is prohibited. If a virus, worm, or other destructive program is identified, it should be immediately reported to your Supervisor/Department Head or the Town Administrator.
- Accessing the Town's files or any other files on the network or the system that you did not create is prohibited unless you have prior authorization from your Department Head or the Town Administrator.
- Disruptive behavior such as intentionally destroying or modifying files on the network is strictly prohibited. Any form of tampering, including, but not limited to, snooping, drilling down, or hacking, or introducing malware or spyware is strictly prohibited.
- Confidential information is not to be transmitted over the Internet or otherwise disclosed without prior authorization and proper encryption. Confidential information includes all documents described in NH RSA 91-A. Accessing or attempting to access confidential

data is strictly prohibited. Confidential information should be used only for its intended purpose. Employees' responsibility for confidentiality continues outside of work.

- All employees are responsible for taking precautions to safeguard the physical security of the Town's network, Internet, computers, and other communications equipment. Disks, CDs, USB portable drives, Zip drives, and other removable drive devices containing sensitive, confidential, or proprietary information should be stored in a locked drawer, whenever possible. Computers should be turned off when not in use for an extended period of time or when an employee is out of his or her office.
- Employees are not allowed to introduce to our network or computers, other communications equipment media from any external sources, including, but not limited to, CDs, disks, Zip drives, personal digital assistants and cell phones, USB portable drives, and other removable drive devices if not considered Town property.
- Employees may not intentionally download anything from the Internet without prior authorization. This includes, but is not limited to, screensavers, music, email stationery, and other images.
- All downloaded files or applications are to be scanned for viruses before being saved on the Town's network.
- The Town retains the copyright to any Town-related material posted to any forum, newsgroup, chat or World Wide Web page by any employee in the course of his/her duties.
- All information on the network, Intranet, computers, and other communications equipment is the property of the Town. Deleting, altering, or sharing confidential, proprietary, or any other information during employment or after separation from employment is prohibited, unless you have received prior authorization. Upon separation from employment, any computer or other equipment, including CDs, disks, Zip drives, USB portable drives, personal digital assistants, and other removable drive devices, must be returned with the appropriate passwords, identification codes, and other information necessary for the Town to continue using its equipment.
- All employees are required to report any violations, or suspected violations, of this policy.

SOCIAL NETWORKING AND BLOG POSTINGS

Postings on social networking sites and blogs have become a common activity of many individuals. The Town prohibits employees from any such postings, viewing or in any way participating in such sites while on work time or using any of the Town's resources or equipment, except as required in the course of an employee's job duties, such as criminal investigations or law enforcement activities/proceedings. The Town Internet resources are only to be used in accordance with the office rules and applicable policies relating to confidentiality, harassment, use of the Internet and use of office equipment.

The Town neither encourages nor discourages any of its employees from posting on social networking sites or blogging on their own time, using their own equipment. However, employees should be aware that these postings are public; even if access to them is restricted they may be forwarded out of the restricted group by those who have rightful access, and live on virtually forever. And, even if a posting is taken down it never truly disappears but rather continues to exist somewhere in cyberspace. As a result, employees need to be mindful that social networking postings (whether images or comments), even though done on personal time and using personal equipment, can cause damage to not only their own reputation and interests but also the reputation and interests of the Town, workers, employees, officials, and the public we serve.

Should you choose to blog or participate in any social networking site on your own time, using your own resources and equipment, you are requested to follow the following guidelines:

1. You must never disclose any confidential information of the Town or any information whatsoever about the Town's residents.
2. Your postings must not violate any laws or policies of the Town, including but not limited to harassment, violence, or confidentiality of other employees, volunteers, officials or residents.
3. Should you reference the Town in any way you must state that the views, opinions, ideas or information belong to you personally and are not in any way attributable to the Town with a statement such as "The postings on this site are my own and do not necessarily represent the opinions or positions of the Town of Fremont."
4. Never defame the Town, employees, officials, volunteers, or any individual or entity we serve.
5. Do not use your Town email address or any Town logo in your personal use of social media.
6. Unless part of your job responsibilities, do not access any social media sites while at work or with Town-owned property. There is to be no use of social media while on work time or using Town property except as required by your job position.

Employees should report violations of this policy to the Board of Selectmen. It is the responsibility of all employees to help the Town ensure compliance with the policy.

Violation of any aspect of this policy is subject to disciplinary action, up to and including termination of employment, regardless of whether such conduct occurred away from work or on non-work time.

PERSONAL DRESS/APPEARANCE

The Town expects all employees to come to work with a neat, well-groomed appearance and workplace appropriate clothing. Dress requirements may vary by department; however, certain rules apply across the board to all employees. All clothes should be clean and neat in appearance and appropriate for the professional work place. Footwear should be job-appropriate.

If an employee is not dressed or groomed appropriately for the professional work place, the employee may be sent home to change. This time will be unpaid unless otherwise required by law.

Any questions concerning appropriate dress should be directed to your Supervisor or Department Head.

INCLEMENT WEATHER/EMERGENCIES

Employees generally are expected to report to work during inclement weather. However, there may be occasions when the Town instructs some of its employees not to come to work on a given day(s) due to severe inclement weather, loss of power, emergency situation or some other reason. In the case of severe weather if in doubt whether you should report to work you should contact your Supervisor.

If you are not instructed by the Town not to report to work when there is severe weather but you are unable to get to work safely, as with any other absence, you must call your Supervisor to explain why you cannot get to work. If you do not come to work because of inclement weather, you must use your available vacation time. If you have no available vacation time, you will not be paid for the time missed, unless otherwise required by law. If you are an hourly employee and do not report to work, and have no available vacation time, you will not be paid.

If you are an hourly employee and you come to work without having been given notice that you should not report to work, you will be paid a minimum of two (2) hours or the time you worked, whichever is greater.

SOLICITATION AND DISTRIBUTION

No solicitation of any kind is permitted during working time, unless first approved by the Fremont Board of Selectmen. "Solicitation" is defined as requests for contributions, donations, raffles, lotteries, membership in organizations, attendance at events, or other similar conduct. "Working time" is defined as time during which the employee is scheduled to be working, exclusive of established break periods, meal times, and time before and after work hours. This rule applies to solicitations of both charitable and non-charitable causes.

No distribution of any non-work related written materials is permitted in any work area of any kind, unless first approved by the Board of Selectmen. "Work areas" are defined as any Town office or facility.

Persons not employed by the Town are prohibited from distributing materials or soliciting employees on the Town's premises at any time, unless authorized by the Board of Selectmen.

OPERATION OF VEHICLES/MOTOR VEHICLE VIOLATIONS

Only authorized employees may operate Town-owned vehicles. Unless the town has granted prior written approval to an employee, the employee is not to use any town vehicle for personal business or outside their scheduled workday. Using a Town vehicle for personal business or outside the scheduled workday without Town permission will result in disciplinary action, up to and including termination.

Any employee who, as a part of his/her duties, has a need to operate a Town-owned vehicle must hold a valid driver's license and an acceptable driving record. All employees who operate Town vehicles are required to annually complete a form verifying they have a valid driver's license and update their driving record. And, at the Town's expense, at any time the Town requests, any employee who operates a Town vehicle may be required to provide or authorize disclosure to the Town of any official copy of their driving record. Copies of the reports received by the Town will be furnished to the employee upon request. Having a driving record that, in the opinion of the Town, is unsatisfactory, or one that is unacceptable to the Town's insurance carrier, may be grounds for disciplinary conduct, including but limited to loss of driving privileges and/or dismissal.

Safe Operation: As employees of a public agency, it is expected that the driving habits of all employees will serve as an outstanding example to the community.

All employees while operating Town vehicles, within seventy-two (72) hours of receipt of a citation, conviction or a nolo contendere plea to any motor vehicle violation(s) must notify their Supervisor. Any such employee shall be personally responsible for the payment of said fine(s) or any costs associated with any fine or costs of any kind related to any such matter. And, if the license of any employee who operates Town vehicles is suspended, revoked, or otherwise restricted, the employee must notify their Supervisor within one (1) working day of learning of the suspension, revocation, or restriction. No employee is authorized to operate any vehicle on Town business while his or her license is under revocation or suspension. Employees who are required to but are unable to drive, and/or who fail to comply with this policy, may be subject to discipline, up to and including termination of employment.

Collision: In the event of a collision involving property or vehicle damage, or personal injury, the following steps must be taken:

The accident must be reported to your Supervisor immediately. This includes Town and any personal vehicles which may be used doing Town business.

At the accident scene, contact the local police department for all accidents regardless of the extent of physical damage.

An accident report must be completed with the Fremont Police Department.

If applicable, obtain the other driver's name, address, phone number, description of vehicle, insurance company information as well as the name(s) of any witnesses.

No repairs should be completed on any damaged Town vehicle unless express permission is obtained from the Town.

Failure to comply with any of the steps may result in discipline up to and including termination.

Seat Belts: Employees are required to wear seat belts when operating or riding in Town-owned vehicles, or in personal vehicles while on Town business. It is recommended that passengers also wear their seat belts, and to the extent required by state or federal law.

Use Of Cell Phones And PDAs: Except in emergency situations, the use of hand-held cell phones or personal digital assistants to make calls during the operation of a Town-owned vehicle or while driving a personal vehicle on Town business is prohibited. Failure to adhere to this policy may result in disciplinary action. Hands-free headsets are acceptable. It is strongly recommended, however, that the operator pull over to the side of the road prior to using the cell phone even if using a hands-free device. **USE OF A HAND-HELD CELL PHONE OR TEXTING WHILE DRIVING IS AGAINST LAW AND EXPRESSLY PROHIBITED BY THE TOWN.**

Smoking: Employees are prohibited from smoking in any Town-owned vehicles at all times.

POLICY AGAINST NEPOTISM

While the Town is committed to hiring the most qualified and capable individuals available for every position, it recognizes the importance of maintaining a collegial and positive work environment. Therefore, no relative may work in the same department as a regular employee if the employment relationship is such that the relative is directly supervised by the employee or where the employment relationship may cause a potential conflict of interest, unless specifically approved by the Board of Selectmen.

A relative is defined to include spouse, civil union partner, children, parents, stepparents, stepchildren, brothers, sisters, immediate in-laws, grandparents, grandchildren, or other person living in the employee's household.

SUGGESTIONS AND IDEAS

The Town is always interested in your constructive ideas and suggestions for improving our operations. The Town believes that constructive suggestions indicate initiative on the part of an employee, and we encourage employees to submit them. A constructive suggestion notes an issue and offers a reasonable suggestion for improvement.

STANDARDS OF CONDUCT

All employees are required to comply with our standards of conduct, which are intended to promote consistency and harmony in the workplace, and to support the missions and objectives of the Town. We recognize that no list of rules can be all-inclusive. Incidents may arise that are not covered by the standards of conduct which may lead to discipline, up to and including termination. The following areas are intended to guide you in recognizing certain behaviors which are clearly prohibited and which are considered by the Town to constitute cause for disciplinary action, up to and including discharge.

1. Absences and Lateness

Excessive absenteeism and/or lateness; failing to call in when absent; overstaying allotted break time; leaving the work area or work early without permission; misuse of any leave of absence.

2. **Employment/Town Records**

Making a false statement on any application or documents submitted in conjunction with employment, falsifying Town records.

3. **Attitude**

Using abusive language to any person while at work or on Town property, creating any type of disturbance, demonstrating a lack of cooperation, verbally abusing or neglecting visitors, residents, officials or employees of the Town.

4. **Safety**

To commit or being aware of violations of safety regulations or endangering the health or safety of other persons and failing to report any work-related accidents.

5. **Employee Relations**

Using abusive or profane language to another employee; negligent or intentional destruction of another employee's personal possessions; threatening bodily harm; intent to strike; striking another employee. Using threatening, abusive or profane language or other provocation that might reasonably be expected to result in a disturbance.

6. **Crime**

Conviction of a crime.

7. **Dishonesty**

Dishonesty to a coworker, resident, visitor or to the Town.

8. **Incompetence**

Repetition of avoidable mistakes to a point that the mistakes demonstrate a disregard for the Town's interest.

9. **Intoxicants**

Bringing, possessing, dispensing, selling, buying or using alcoholic beverages or illegal drugs on Town property or while on the job; being under the influence of or testing positive for these substances during working hours.

10. **Neglect of Duty**

Negligence in the performance of duties which conflicts with the Town's interest. Neglect of duty resulting in inferior work, equipment breakdown, or waste of materials, supplies or products.

11. **Unsatisfactory Job Performance**

Failing to demonstrate the requisite skills or abilities to satisfactorily discharge the employee's duties.

12. **Weapons**

Possession of any kind of weapons on Town property, other than sworn police officers, on duty and in uniform, or those necessary for the performance of your duties. For the purpose of this policy, blades less than four inches (4") shall not be deemed a weapon.

13. **Telephone, Facsimile, Computer, E-Mail, Copier**

Use of Town telephone, facsimile, computer, e-mail, Internet access and/or copier for personal purposes.

14. **Theft or Destruction of Property**

The theft or negligent or intentional destruction of any Town property or the personal property of a coworker, resident or visitor.

15. **Sexual or Other Unlawful Harassment**

Discrimination, sexual or other unlawful harassment, and/or inappropriate conduct in violation of Town policies. Retaliation against anyone who has complained of alleged harassment or discrimination or has participated in an investigation of a complaint.

16. **Insubordination**

Acting in an insubordinate manner toward any supervisor or in disregard of any directive of the Town.

17. **Violation of the Town's Policies, Procedures or Rules**

Violating or failing to follow the Town's policies, procedures or rules.

DISCIPLINE

It is the policy of the Town to take corrective action against employees who violate rules, regulations, or standards of conduct, or who endanger the safety of others, or perform in an unsatisfactory manner. While the Town will apply the concept of progressive discipline when appropriate, it reserves the right to determine the appropriate level of discipline in any circumstance. In addition, nothing in this Policy or Personnel Manual undermines the at-will nature of the employment relationship, which may be terminated at any time by either party with or without cause, and regardless of whether any prior disciplinary action has been taken. The Town may also place an employee on administrative leave, paid or unpaid, on a temporary basis, as permitted under federal and state law.

OPEN DOOR/VOLUNTARY DISPUTE RESOLUTION PROCEDURE

If you feel you have a problem, you should present the situation to your Supervisor so that the problem can be settled by examination and discussion of the facts. We hope that the Supervisor will be able to satisfactorily resolve most matters.

An employee who is not satisfied with the Supervisor's response (or the problem involves your Supervisor) is urged to go to the Department Head and again try to resolve the issue. If the matter is not resolved by the Department Head within fifteen (15) business days, the Board of Selectmen is available to discuss the issue. We urge every employee to follow through rather than be dissatisfied. Any complaint will be investigated and the findings and determination reported back to the employee.

Your suggestions and comments on any subject are important to us so we encourage you to take every opportunity to discuss them with us. Your job will not be adversely affected in any way because you choose to use this procedure.

PERSONNEL RECORDS

The Town maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of your progress as an employee. Your personnel file is our record of information relative to your employment. You may inspect your own personnel file during regular office hours, upon reasonable request. However, you may not be permitted to review your personnel file if you are subject to an investigation at the time of your request and disclosure of such information would prejudice law enforcement. File inspection must be done on your own time, and must be arranged through the Board of Selectmen. You may read your personnel file, but you may not remove any portion of the file. Upon request, you will be provided with a copy of all or part of your personnel file.

If upon inspection of your personnel file, you disagree with any of the information contained in such file, you may submit a written statement explaining your version of the information together with evidence supporting such version. The Town will maintain such statement as part of your personnel file and will include the statement in any transmittal of the file to a third party.

It is important that your personnel file includes accurate information regarding who should be contacted in case of emergency. Please notify the Selectmen's Clerk or the Town Administrator as soon as possible of any changes in your name, address, telephone number, marital status, dependents and/or beneficiaries.

PERFORMANCE APPRAISALS

In order for you to improve your performance and better understand the Town's expectations, the performance of employees will be periodically reviewed. You will generally receive performance appraisals from your Supervisor. However, performance review is a continuing process throughout the course of employment, and you may meet with your Supervisor to discuss performance more frequently.

Your Supervisor or Department Head will discuss your performance review, giving you the opportunity to understand the expectations of your position and to examine your strengths, as

well as areas in which you need to improve. You will have the opportunity to comment on and sign the review. Your signature on the performance appraisal form indicates that you have seen the appraisal; it does not indicate agreement or disagreement with the content of the review.

A performance appraisal is not a contract or a commitment to provide a compensation adjustment, a promotion, a bonus, or continued employment. Appraisals are only one of several factors that the Town uses in connection with compensation, promotion, and retention decisions.

PROMOTIONS, TRANSFERS & JOB POSTINGS

The Town strives to provide employees with the opportunity to make full use of their skills, interests and potential. To support employee growth and development, we will make every effort to promote qualified employees from within the Town, if possible, based upon the needs of the Town and employee qualifications. We may also recruit individuals from outside of the Town, depending upon the circumstances.

In an effort to inform employees of promotion and transfer opportunities, we list vacancies for non-exempt positions on the bulletin boards. Employees must have at least twelve (12) months of service in their present position and meet the qualifications of the open position to be eligible to apply. Generally, in order to maintain stability, employees who have been working in their current position for less than one year will not be considered for another position, unless the Town, in its discretion, decides otherwise. However, a transfer or promotion initiated by the Town may take place at any time regardless of the employee's length of service in their present position.

Employees may obtain additional information about open positions and request consideration for any opening by contacting the Department Head or the Town Administrator. The Board of Selectmen will have final approval over all transfers and promotions.

If a transfer or promotion is granted, the employee's pay rate in the new position will be determined at the time of the transfer or promotion. The pay rate will be based upon the employee's qualifications, experience, job performance evaluations, and other considerations within the discretion of the Town, unless otherwise governed by a collective bargaining agreement or other Town policy.

Employees will generally receive a performance evaluation after their probationary period in a new position. A performance evaluation will typically be conducted annually thereafter. Employees may be eligible for a pay increase in conjunction with the month evaluation, depending upon the circumstances and budget limitations.

VI. EMPLOYEE SAFETY AND HEALTH

HEALTH & SAFETY PROGRAM

The Town regards its employees as its most valuable asset, and recognizes the importance of protecting its employees from accidents while working.

In order to accomplish this, the Town has a well-planned Safety Program, and a Safety Committee. Under this Program every Town employee and Official is personally responsible for

reporting and correcting hazardous conditions and unsafe work procedures, which can cause injury to person or property. It is important that we all keep safety foremost in our minds to ensure that our work environment is as safe as possible. Safety can only be achieved through teamwork. Each employee, supervisor, and official must practice safety awareness by being alert, anticipating unsafe situations, and reporting unsafe conditions immediately.

Each and every accident represents an unnecessary loss to both you and the Town. Not only in actual dollars paid out, but also in human suffering, lowered moral, and loss of production. All of these losses affect our community and therefore your job. It is our objective to reduce accidental injuries and property damage. Through cooperative efforts, we can achieve this objective and ultimately we will all benefit.

Please observe the following precautions:

- a. Notify your supervisor of any emergency situations. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
- b. Use of alcoholic beverages, illegal drugs, or the abuse of legal drugs during work hours will not be tolerated. Possession of alcohol or any illegal drugs on Town property is prohibited, except as required for law enforcement.
- c. Use, adjustment, and/or repair of machines or equipment is to be performed by you only if you are trained and qualified.
- d. Get help when lifting or pushing heavy objects.
- e. Understand your job fully and follow instructions. If you are not sure of a safe procedure for performing work, ask your Supervisor.
- f. Know locations, contents, and intended use of all first aid and firefighting equipment.
- g. Wear personal protective equipment as directed in accordance with the job you are performing.
- h. Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.
- i. Do not engage in horseplay.
- j. All job descriptions include keeping our facilities and lots clean and safe. Every employee must participate in this effort.
- k. Observe the Town's Safety Policy.

Violations of safety precautions may lead to disciplinary action, up to and including termination.

SAFETY COMMITTEE

The Town maintains an active Safety Committee comprised equally of management and regular employees, which meets quarterly. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please see the Selectmen's Clerk for details.

WORKPLACE VIOLENCE

Unfortunately, violence in the workplace has become a reality for many employers. We hope that we never have to face this growing problem. The Town therefore prohibits employees during work time, except as required for law enforcement activities, from bringing weapons on our premises, including our parking lots. For the purpose of this Policy, blades four inches (4") or less shall not be deemed in violation. Employees are deemed not to be in breach of this policy if they are in legal possession of a weapon at the time or responding to a callout and bring the weapon onto Town property. Moreover, violence and verbal or physical threats of violence of any kind in the workplace or on Town property will not be tolerated, and employees engaging in such conduct will be subject to discipline, up to and including separation from employment. Responsive action may also include notifying the Fremont Police Department or other law enforcement and prosecuting violators of this policy. If you become aware of any violence or threat of violence, you must immediately report the matter to the Fremont Police Department.

ALCOHOL AND DRUG POLICY

The Town is committed to providing a safe work environment that is free from the effects of drugs and alcohol.

Drug and alcohol use in the workplace can create health, safety, and security issues for our employees, citizens and visitors. In support of our commitment, the Town prohibits the following conduct and other conduct that, in our determination, is inconsistent with our commitment:

- the manufacture, distribution, sale, dispensation, possession, storage, or use of a controlled substance, unauthorized prescription drug, or drug paraphernalia at any time on Town premises, on Town business, or during working hours, except as required for law enforcement activities;
- use, possession, storage, dispensation, or sale of alcohol at any time while on Town premises, on Town business, or during work hours, except as required for law enforcement activities, including possession of an open container;
- reporting to work or otherwise working under the influence of drugs or alcohol, or under the influence of legal drugs that may impair your ability to safely perform your job functions;
- reporting to work in a condition that is not fit for work. In addition to being under the influence as mentioned above, other indications of a lack of fitness for duty are smelling of alcohol, appearing to be hung over, or otherwise appearing or being

unable to effectively interact with citizens, visitors and co-workers and work safely and properly without impairment;

- failing to submit to a required fitness for duty exam.

The Town also maintains the following reporting requirements:

- Any employee who is taking medication that may impair his or her ability to safely perform job functions must inform his or her supervisor immediately, and must not perform any work until authorized to do so by the Town.
- If any employee is involved in drug misconduct (including the use or possession of illegal drugs or unauthorized prescription drugs) on Town premises or while working for the Town, the Town reserves the right to report the incident to law enforcement authorities;
- If any person observes an employee exhibiting behavior that may be indicative of impairment by drug or alcohol use, he or she should immediately report the behavior to the Fremont Police Department.

Investigations and Searches: When the Town determines that there is reasonable cause to suspect that an employee has violated this policy, the Town reserves the right to inspect, without prior notice, lockers, work areas, desks, cabinets and other storage places on/in Town Property. Employees should be advised that property belonging to the Town is not private and is therefore controlled by and subject to inspection at any time by the Town.

Violations of this Policy: Employees must, as a condition of employment, abide by the terms of this policy. Violations of this policy will result in disciplinary action, up to and including termination, and may also have legal consequences.

Fitness for Duty Exams: The Town reserves the right to require any employee to submit to a fitness for duty exam when there is a reasonable basis for the Town to believe that the employee may be under the influence of alcohol or drugs or may be otherwise unfit for duty. Fitness for duty exams may include, but not be limited to, tests for the presence of drugs or alcohol. Employees must consent to fitness for duty exams as a condition of employment. The Town will cover the cost of any such fitness for duty exams. Within the Town's discretion, an employee may be placed on paid or unpaid administrative leave or suspension pending the results of a fitness for duty exam.

SMOKING

The Town is committed to providing a safe, healthy, and smoke-free work environment for our employees, visitors, and vendors. Consistent with our commitment and State law, we have declared a no smoking policy within our buildings, ball fields, and in Town vehicles, except in a designated smoking area. The restrictions set forth in this Policy shall apply to the use of all tobacco or similar products, including but not limited to chewing tobacco, e-cigs, cigars, cigarillos, snuff, and medical marijuana.

No smoking is allowed in any areas of Town buildings. Anyone wishing to smoke must do so only during authorized breaks in the area at the rear of the buildings. The Town hopes and expects that our employees will comply with the non-smoking policy. If you have a concern or complaint with respect to any employee, visitor, or vendor violating this policy, please report such concern or complaint to your Department Head or the Board of Selectmen.

If an employee fails to comply with these rules, the employee will be subject to disciplinary action, up to and including termination.

WORKPLACE SEARCHES

The Town reserves the right to search any employee's office, desk, files, locker, or any other area on our premises in pursuit of our concern to safeguard the safety and property of employees and the Town. Employees should understand that all closets, offices, desks, files, lockers, and so forth, are the property of the Town and are issued for the use of employees only during their employment with the Town. Inspections of these areas may be conducted at any time at the discretion of the Town and employees should have no expectation of privacy in these areas.

VII. SEPARATION FROM EMPLOYMENT

REQUESTED NOTICE OF DECISION TO TERMINATE EMPLOYMENT

Should you decide to resign from your employment with the Town, we ask that you notify your Department Head and your Supervisor of your decision at least two (2) weeks in advance of your planned departure date. Your courtesy in this regard is appreciated, and will allow the Town to maintain work schedules and provide important services to the public.

EXIT INTERVIEWS

In most instances, employees who terminate their employment will be asked to participate in an exit interview with your Supervisor or Department Head. The purpose of the exit interview is to discuss any relevant separation benefits and benefit continuation, and to receive feedback from you on ways in which our Town can improve our operations and retention of employees.

VIII. POLICE ADDENDUM

All new full-time and part-time Police employees shall be subject to the probationary period outlined by the NH Police Standards & Training Commission of one (1) year, with an additional six (6) months at the discretion of the Police Chief.

For scheduling purposes, all full-time Police employees shall receive pay for the number of holidays in the calendar year at the end of that calendar year. This will be prorated for any year that the employee works some portion of the year.

Schedule of Revisions

09 July 2015 Adoption of Earned Time Policy for Part-time employees
18 and 25 February 2016 Reviewed and updated – complete review
April 2016 updates all adopted