

The Town of Canaan  
Employee Personnel Policy  
Effective-September 15, 2007 Amended 3-7-08 and 2-14-12 and 7/1/14 and 7/21/15 and 11/3/15  
and 4/18/17 and 11/21/18 and 12/4/18 and 5/18/21



TOWN OF CANAAN  
PERSONNEL POLICY MANUAL  
Effective-September 15, 2007

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**TOWN OF CANAAN  
PERSONNEL POLICY MANUAL  
2007  
INTRODUCTION**

Welcome to the Town of Canaan. We welcome you and wish you every success here. This Personnel Policy Manual generally describes the policies and practices that the Town follows and the benefits that currently are provided or made available to employees. We hope that you find this information helpful regarding our policies and procedures. The Personnel manual is available to guide and assist you in performing to the best of your abilities and developing and realizing your potential as one of the Town’s valued employees.

This manual should not be construed as and does not constitute a contract guaranteeing employment for any specified duration. Rather, it is only intended to be a general outline of our policies. In order to retain flexibility in the administration of policies and procedures, the Town reserves the right to add, change, revise or eliminate any of the policies and/or benefits described in this manual. All employment-related policies, whether written or oral, that existed prior to the issuance of the Personnel Manual are null and void.

Unionized employees who are subject to Collective Bargaining Agreement may have rights and benefits different from those listed in this Manual. Where a conflict exists between the Collective Bargaining Agreement and this Manual, the Collective Bargaining Agreement will prevail for those employees subject to the Collective Bargaining Agreement. Neither the contents of this Manual nor any verbal statements by any officer, official or employee of the Town should be considered as an assurance of continued employment. **To the extent permitted by law and subject to any governing Collective Bargaining Agreement, employment at the Town is on an at-will basis. This means that employment at the Town is for no set period of time and can be ended by either the employee or the Town, at any time and for any reason or no reason and with or without notice, so long as there is no violation of applicable federal or state law.** All terms and conditions of employment, including but not limited to benefits, compensation, work place procedures, are set at the discretion of the town and are subject to change at the Town’s discretion upon notice to employees. Any agreements or contracts concerning employment terms must be in writing, signed by the Board of Selectmen and no verbal understanding or representations as to employment terms shall be binding on the Town. If any term of this notice appears to be in conflict with a valid contract, the terms of the

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contract shall be controlling. If any form of this notice appears to conflict with any statement in this manual, this notice shall be controlling.

## **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, as you know, 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, you must understand that we are discussing not only Town buildings, facilities and properties, but also any remote job site to which you may be assigned to work and any vehicle in which you may be using for Town related business.

### **EQUAL EMPLOYMENT OPPORTUNITY**

The Town is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and need. The Town will not discriminate against employees or applicants for employment on any legally-recognized basis including, but not limited to: age, sex, race, color, marital status, familial status, physical or mental disability, religion, national origin, sexual orientation, pregnancy, veteran status or other legally protected status. 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.

### **ANTI-HARASSMENT POLICY**

#### Policy

The Town is committed to providing a work place that is free from all forms of unlawful harassment. Unlawful harassment includes harassment based on a person’s age, sex, race, color, marital status, familial status, physical or mental disability, religion, national origin, sexual orientation, pregnancy, veteran status or any other legally protected characteristic. Such

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harassment is not allowed and will not be tolerated. Employees who take part in unlawful harassment will be disciplined, up to and including termination. All employees are expected to follow this policy.

Although no unlawful harassment is permitted, the Town wants to provide employees with some information specific to one type of illegal harassment, sexual harassment, because of the confusion some may have about this form of illegal harassment. The Town's policy is to provide a professional, businesslike work environment free from all forms of employee discrimination including incidents of sexual harassment. No employee shall be subject to unsolicited and unwelcome sexual overtures or verbal or physical conduct of a sexual nature. The recipient shall determine if he/she is uncomfortable with the action of another employee and the employee shall immediately discontinue the action. Sexual harassment will be treated as misconduct with appropriate disciplinary sanctions.

Purpose

Under Title VII of the Civil Rights Act of 1964 and similar state statutes, sexual harassment in the work place constitutes unlawful employment discrimination, which may give rise to liability against both the employer and the harasser whether the harasser is a supervisory level employee or a co-employee of the complainant. The purpose of this policy is to define sexual harassment, establish department policy concerning allegations of harassment, including sexual harassment, and establish appropriate reporting procedures.

A. Introduction

The Town's goal is to provide a workplace that is free of sexual harassment. Sexual harassment of employees occurring 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 about sexual harassment and/or retaliation against any individual who has cooperated in an investigation of sexual harassment is unlawful and will not be tolerated.

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

B. Definition of Sexual Harassment

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

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- Submission to or rejection of 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, humiliating, or sexually offensive work environment.

Under this definition, a direct or implied request by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable performance reviews, salary increases, promotions, increased benefits or continued employment constitutes sexual harassment.

The definition of sexual harassment is broad and, in addition to the above examples, other unwelcome sexually oriented conduct, whether it is intended or not, that has the effect of creating a workplace that is hostile, offensive, intimidating, or humiliating to male or female employees may also constitute sexual harassment. Sexual harassment may also include non-sexual comments and conduct that are directed at an individual because of his or her gender or otherwise motivated by gender discrimination.

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 or another'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;
- Sexually suggestive or insulting comments;
- Inquiries into an individual's sexual experiences; and
- Discussion of one's sexual activities.

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C. Complaints of Sexual Harassment

Experience has shown that a clear statement to the person engaging in the offensive behavior is often 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. If you believe that you have been subjected to sexual harassment, you should report the incident 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 should report the incident in accordance with the Reporting Procedure contained in this Manual.

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

If you feel that you are a victim of sexual or other unlawful harassment and discrimination or retaliation, you should immediately report such actions in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If you believe that you are a victim of sexual or other unlawful harassment and discrimination or retaliation, you should report the act immediately to Canaan Human Resources.
2. Supervisors and managers who become aware of discriminating or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to Canaan Human Resources.
3. Canaan Human Resources will promptly investigate every reported incident if appropriate. Any employee, supervisor, or agent of the Town who has been found to have sexually or unlawfully harassed, discriminated against, or retaliated against another employee may be subject to appropriate disciplinary action, up to and including immediate discharge. The complainant will be informed of the outcome of the investigation when deemed appropriate.



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4. The Town will conduct all investigations as carefully and confidentially as possible. However, absolute confidentiality cannot be guaranteed since the investigation necessarily requires the disclosure of the nature of the alleged behavior and complaint.

**COMPLAINT POLICY 10-16-18**

The Town of Canaan has a multiple step complaint policy that assures that any complaint, upon request of the complainant, will have at least two parties engaged in evaluating the complaint with one party collecting facts and evidence and the Board of Selectmen making decisions based on the facts.

This policy is to be used for complaints regarding all Departments including the Town Administrator.

Any person may file a complaint regarding the actions of the Canaan Police Department or its personnel by either filing a written complaint or an oral complaint with a Sergeant of the Police Department. While there is a Town appeal policy that may follow the Police Department policy, all complainants are urged to file first with the Police Department.

Town Process

1. The Town will regularly publicize the community complaint process.
2. Upon receipt of a public complaint against the Town or Town employee, the Town Administrator may investigate the complaint or send the complaint to the respective Department Head for review and the Town Administrator will keep a copy of the complaint.
3. The complaint may be filed as a written document on a Town form or verbally provided by the complainant provided that the Town Administrator records the comments onto a written document. The complainant may file the complaint as an anonymous complaint at his/her request.
4. All complaints shall be treated as confidential. Only the general nature of the complaint will be disclosed to the Board of Selectmen prior to a formal report to the Selectmen.
5. Relationship to Police General Order 308
  - a. A complainant that has not had a response from the Police Department pursuant to General Order 308 within 60 days or who wishes to appeal the findings of the Police Department regarding a complaint file pursuant to General Order 308 may appeal the decision or lack of action to the TA.
  - b. The Board's authority under this paragraph does not include disciplinary action against a Police Department officer unless that action is recommended by the Chief. If the Board of Selectmen disagrees with a decision of the Chief on an issue of officer disciplinary action, the Board may

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communicate that to the Chief of Police and may hold the Chief accountable for the Chief's action or lack of action in accordance with New Hampshire law and the Police Union Contract.

- c. Decision making by the Board of Selectmen on Police issues shall not include findings of law related to criminal matters pending before any court or previously decided by a court. Notwithstanding this provision, the Board of Selectmen may review the process used by the Department to bring or prosecute a case.
6. The Town Administrator may investigate such complaint or may use independent third parties to investigate the complaint. In the event of a conflict of interest with the Town Administrator, a third party shall do the investigation.
7. As part of that process, the Town Administrator may ask the Department Head the names of potential witnesses, the availability of physical evidence known to the or Department Head and the outcome of any administrative review that the Department Head has undertaken related to the complaint.
8. In the event that the Town Administrator believes that the complaint has merit and/or feels that action is necessary to address the complaint, the Town Administrator shall do the following:
  - a. Report his findings to the relevant Department Head to determine if the Department Head wishes to take further action internally to correct the situation prior to filing a report with the Board of Selectmen; and
  - b. In the event that the Town Administrator believes that action is still needed after referral to a department, the Town Administrator shall report his findings to the Board of Selectmen. The Department Head shall be notified prior to any meeting with the Board and the Department Head may participate in presenting the facts of the situation to the Board of Selectmen.
  - c. A complainant that has not had a response from the Town Administrator within 60 days or who wishes to appeal the findings of the Town Administrator regarding a complaint may appeal the decision or lack of action to the Board of Selectmen.
9. The Board of Selectmen may use the services of independent third party investigators to facilitate their fact finding. All information obtained shall be available to the employee who is the subject of the appeal, the Department Head and the Town Administrator.
10. The Board of Selectmen reviews all information available to it in deciding what action is to be taken. It can take any action that is allowed Selectmen under the law including termination of an employee.
11. The Town Administrator will keep a record of every complaint and its disposition for a period of 5 years. The record shall include a statement of all efforts made to investigate and statements received from others and physical evidence if appropriate.
12. The Board of Selectmen may review the paperwork for complaints periodically to verify that the complaints are being processed in accordance with this policy.

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13. Periodically, the Town may conduct an external audit of complaint files by an independent third party with appropriate professional experience and training to verify the effectiveness and fairness of the complaint process. The professional third party shall verify that complaints are being recorded, that the complaint is investigated, that there is a review of testimony and physical evidence by the investigator, that the Town Administrator has communicated the facts to the Department Head for their further investigation and action if they deem it appropriate, and that there was a report submitted to the Board of Selectmen and/or Chief of Police for Decision and that a decision was made about the status of the complaint and that disciplinary action was taken and placed in the employee's file if appropriate. The review shall be reported in a written report to the Chief and/or Board of Selectmen.

### **DISABILITIES/ACCOMMODATIONS**

The Town is committed to providing equal employment opportunities to qualified individuals with disabilities as required by state and federal law. It is the Town's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job.

Consistent with this policy of nondiscrimination, the Town will provide reasonable accommodations to a qualified individual with a disability, as defined by the applicable state and federal law, who has made the Town aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Town.

The Town encourages individuals with disabilities to come forward and request reasonable accommodations. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should approach the Town Administrator to make appropriate arrangements. When appropriate, the Town may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals to document that you have a disability and to assist us in assessing any functional limitations for which a reasonable accommodation may be needed. The Town will maintain all medical information in a confidential manner in accordance with applicable law.

## **II. EMPLOYEE CLASSIFICATIONS**

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### **EMPLOYMENT AT-WILL**

Unless otherwise provided in a written contract or unless set forth by statute, Town employees are considered to be employees 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 or official, are intended to change the at-will relationship or create a contract of employment.

### **EMPLOYMENT CLASSIFICATIONS**

At the time that you are hired, you are classified as full-time, part-time, or temporary employee and are informed as to whether you qualify for overtime pay. Unless otherwise specified in this Manual or as required by law, the benefits described in this Manual apply only to full-time employees. All other policies described in this Manual apply to all employees, with the exception of certain wage, salary and time off limitations. If you are unsure of which job classification into which your position fits, please ask your Department Head.

**FULL-TIME EMPLOYEES:** Employees who are regularly scheduled to work 35 or more hours per week. **These employees are eligible for full benefits.**

**PART-TIME EMPLOYEES:** Employees who are regularly scheduled to work less than 35 hours per week. **Part-time employees who regularly work between 20 – 34.5 hours per week are eligible for pro rated benefits (benefits include vacation time, sick leave and holidays only).**

**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 paid on a salary basis and meet the other requirements necessary 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 do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and Town policy.

Upon hiring, employees are told whether they are classified as exempt or non-exempt from the overtime provisions of the FLSA. If you have questions about whether you are classified as exempt or non-exempt under the FLSA, please contact your Department Head.

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### **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. You may be required to complete time sheets 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. Your supervisor will provide you with details concerning your obligation to report all time you have worked.

#### **PAY/PAY PERIODS**

Employees are paid on a weekly basis on Thursday for all hours worked during the calendar week preceding the pay period. Please review your paycheck for errors. If you find a mistake, report it to the Department Head immediately. Paychecks will be distributed only to you.

No Town employee may receive advance pay without prior approval from the Board of Selectmen. This does not include payment of earned vacation time. An employee leaving for vacation may request his or her vacation pay in advance from the Finance Office.

#### **WORK WEEK/HOURS OF WORK**

The Town's work week begins on Monday at 12:00 a.m. (midnight) and ends on Sunday at 11:59 p.m. Because of the nature of our business, your work schedule may vary depending on your job and department. When hired, your Department Head will inform you of your hours of work.

#### **Town Policy Vacations and Holidays at Transfer Station 4/18/2017**

##### **Paid Town Holidays**

Except for New Years, 4<sup>th</sup> of July, Labor Day, Christmas and Thanksgiving days, or as otherwise set by the Board of Selectmen, the Transfer Station shall be open to the public. The holidays are all paid holidays (paid based on usual hours scheduled).

Additional holidays for all workers include:

Civil Rights, Presidents, Memorial, Columbus, Veterans, day after Thanksgiving, and last work day before Christmas.

Because seven normal paid holidays for other town workers are days that the transfer station is open, transfer station employees may take another paid day off to compensate for not receiving that holiday enjoyed by other town employees, provided that only one of the three employees may be off on the requested alternate day. Competing requests will be determined by the Administrator. The employee must request the time off from the Transfer Station Manager, who

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will grant reasonable approval, provided that the employee gives at least two weeks notice (emergencies are excepted). Denials may be appealed to the Town Administrator. Use of any alternate day is subject to Saturday rules following.

Employees may request up to two Saturdays off during the year including the summer. Only one request will be honored on a given Saturday. The request may be used for any purpose EXCEPT that a request for a Saturday between May 1 and September 17 may only be used for an emergency not the making of the employee, generally, with at least a week's notice (emergencies with shorter lead times are excepted) and with reasonable approval of the Transfer Station Manager. Denials may be appealed to the Town Administrator. Extra hours needed and used by the remaining employees will be compensated. Requests for additional Saturdays off will be considered on a case by case basis.

Use of alternate holidays will be tracked on an hour by hour basis during each calendar year. There will be no carry-over of hours from calendar year to calendar year unless there is special permission of the Board.

## **PAYROLL DEDUCTIONS**

### **A. Payroll Deductions for All Employees**

The Town is required by law to make certain deductions from your paycheck, including federal income taxes and your contribution to social security. The Town may also be required to make deductions from your paycheck pursuant to a federal or state agency or court order, such as for child support. These deductions will be itemized on your check stub. The Town may make additional deductions for insurance and other purposes to benefit the employee as permitted under state and federal law. Arrangements for these voluntary deductions can be made with the Finance Office. These deductions will be made on a weekly basis.

### **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 the laws, salaried employees receive a predetermined salary that 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 times when a salaried employee's salary can be subject to deductions.

The following deductions are permissible under law:

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- For absences from work for a full day or more (in daily increments) for personal reasons, other than sickness or disability;
- For absences of a full day or more (in daily increments) occasioned by sickness or disability in accordance with the Town's policy which provides wage replacement benefits in the event of sickness or disability;
- To offset jury or witness fees or military pay received by the employees;
- For penalties imposed in good faith for infractions of "safety rules of major significance";
- Salary may be prorated to a daily basis when a salaried employee is hired after the beginning of a pay period, terminates of his own accord before the end of a pay period, or is terminated for cause;
- For hours taken as unpaid leave under FMLA;
- For unpaid disciplinary suspensions of one or more full days imposed for infractions of workplace conduct rules.

The Town prohibits deductions from salaries that are inconsistent with the status of an exempt employee. Employees should note that salaries are subject to modification from time to time, such as at evaluation time, when an employee's position or responsibilities change, and at other appropriate times. Employees should also note that it is permissible for an employer to apply earned leaves and other forms of paid time off to full-day absences for personal reasons, sickness, or disability, and that applying 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 Finance Office 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 Town Administrator.

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.

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Effective-September 15, 2007 Amended 3-7-08 and 2-14-12 and 7/1/14 and 7/21/15 and 11/3/15  
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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 the Department Head, the Town will reimburse employees for legitimate expenses. The employee must submit receipts in order to be reimbursed. Reimbursement may be in the form of petty cash, an addition to a paycheck, or a separate check. See the Town Administrator with any questions as to whether and what expenses may be reimbursed.

**OVERTIME**

From time to time, it may be necessary for you to perform overtime work. All overtime must be approved in advance by your Department Head. Except in the event of an emergency, the Town will attempt to provide you with advance notice of the necessity for overtime work. Most non-exempt employees, with the exception of certain law enforcement and fire protection 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, vacation time, leaves of absences, and other time off benefits are not counted as time worked for purposes of overtime. Holidays will be counted as time worked for the purposes of overtime. You will be advised when you are hired if you are entitled to overtime pay. Police Department Officers will follow Departmental procedures.

Non-exempt town employees may be given compensatory time off at a rate of one and one half hours off for every hour of overtime worked. Compensatory time off that exceeds one pay period may only be used for one-time extraordinary situations such as emergencies or special events that require the use of all employees in a given department. Compensatory time off may be used only with the prior consent of the Department Head and Town Administrator and notice to Selectmen. Compensatory time may accrue to no more than 240 hours for non-exempt employees and 480 hours for non-exempt public safety employees. After that cap is reached, overtime shall be paid in cash. Compensatory time may be used within the normal pay period without the requirement of giving one and a half hours of compensatory time for every hour worked beyond the statutory period for regular time.

Town employees engaged in law enforcement activities will be paid in accordance with the Collective Bargaining Agreement between the Town of Canaan and AFSCME Local 3657, Police Department Employees.



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**BREAKS AND MEAL PERIODS**

Non-exempt employees will have a thirty (30) minute unpaid meal period and two fifteen (15) minute paid rest periods during which they are relieved of their job duties and with the approval of their department head or supervisor are permitted to leave their work locations. Within regulatory guidelines, meals and rest periods will be scheduled at the discretion of the Department Head or supervisor. Meal periods are to be taken within five hours after the beginning of the workday or shift. Union employees may be exempt from these requirements.

**IV. TIME AWAY FROM WORK AND OTHER LEAVE BENEFITS**

**HOLIDAYS**

Full-time employees and eligible part-time employees are entitled to the paid holidays listed below, provided that the employee normally works on that day and provided that the employee works his or her assigned day preceding and following the holiday. For hourly employees, holiday pay will be paid at the straight time hourly rate and will be pro-rated for employees that regularly work fewer than eight (8) hours on that day. Temporary employees are not entitled to paid holidays.

If a holiday falls on a regularly scheduled day off, the employee shall be given an additional day off with pay, or shall receive straight time pay for the holiday (not to exceed eight (8) hours) at the option of the employee. If the employee elects to take an additional day off, that day must be scheduled with the consent of the department head.

When an employee is regularly scheduled to work on a holiday, he/she shall be given another day off with pay in exchange, or shall receive straight time pay (eight hours) for the holiday in addition to his/her regular pay. If the employee is given the option to have another day off with pay in exchange for the holiday that he or she worked, the alternate day must be scheduled with the approval of the Department Head and taken within 30 days of the original holiday. If the alternative day cannot be rescheduled within the 30 days due to workload or other imposing priorities, the employee will be paid straight time for the holiday.

To be eligible for holiday pay, an employee must work the last regularly scheduled workday preceding the holiday and the first regularly scheduled work day following the holiday, unless the absence is approved by the supervisor.

Holidays that occur on Saturday will be observed on the preceding Friday and Sunday holidays will be observed on the following Monday. Should a holiday occur during an employee's scheduled vacation, the employee may either receive a paid holiday absence for the day or extend the vacation period by the number of holidays occurring during the scheduled vacation period.

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Holidays:

New Year's Day	(January 1)
Martin Luther King Day	(3rd Monday of January)
President's Day	(3rd Monday of February)
Memorial Day	(Last Monday of May)
Independence Day	(July 4)
Labor Day	(1st Monday in September)
Columbus Day	(2nd Monday of October)
Veterans' Day	(November 11)
Thanksgiving Day	(4th Thursday in November)
Thanksgiving Friday	
Last workday before Christmas	
Christmas Day	(December 25)

Transfer station holidays where the transfer station will be closed only include Christmas, New Year's Day, Independence Day, Labor Day and Thanksgiving. The transfer station will be open on all other holidays that fall on a day that the transfer station is normally open and employees may take another day as a day off or will be paid at the rate of time and one half.

All holidays will be observed on the day designated by the Federal Government.

## VACATION

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

Full-time and eligible part-time employees are entitled to a paid vacation. Temporary employees are not entitled to paid vacation time.

Vacation time is granted to eligible employees based upon length of service and anniversary date. If there is a break in service, eligibility for vacation will be based on the employee's most recent hire date.

No part of an employee's scheduled vacation may be converted to sick leave. If illness or injury occurs during a vacation, sick leave benefits will not begin until the employee is scheduled to return to work.

If requested, an employee shall be paid his or her vacation pay before starting his or her vacation provided that such vacation pay is scheduled at least two (2) weeks in advance; otherwise, the

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employee shall be paid his or her vacation pay upon return from vacation. Vacation pay for a full week will be paid at the normal straight time scheduled hours; i.e., if someone normally is scheduled for 40 hours per week, their vacation pay will be for 40 hours for each full week requested, and anyone normally scheduled for 35 hours will be paid 35 hours for each full week requested.

Vacation is earned during the year, and is available for use by the employee on the employee's hiring anniversary date.

<u>Years of Continuous Service</u>	<u>Vacation Time</u>	<u>Accrual Rate</u>
6 Mos-1 Year	1 week (5 days)	3.33 hours per month
1 – 4 years	2 weeks (10 days) per year*	6.66 hours per month
5 – 9 years	3 weeks (15 days) per year	10 hours per month
10-14 years month	4 weeks (20 days) per year	13.33 hours per
15 or more years month	5 weeks (25 days) per year	16.66 hours per

Employees hired after July 1, 2014 shall be eligible for no more than 4 weeks of vacation.

Newer employees who have elected to take vacation time after six months on the job and prior to one year will have those days deducted from the 10 day allotment accumulated during their first year.

Eligible part-time employees will be paid for vacation time on a pro-rated basis in accordance with his/her regular hours of work. For instance, if an eligible part-time employee regularly works 5 hours per day, then the part-time employee will only be entitled 5 hours of pay when he/she takes a vacation day.

Vacation time cannot be taken in increments less than 1 hour. Employees may carry over a maximum of eighty hours for Department Heads and forty hours for non-Department Heads of vacation time (Carryover of vacation time is calculated from a combination of current year accumulation and any prior year accumulation and is limited to the maximum earned in the immediate past year of service. ie if there was 40 hours accumulated in 2018 and carried to 2019 and another 80 hours accumulated in 2019, only 80 hours may be carried into 2020 for a department head) into the employee's next anniversary year. **This may be adjusted at the discretion of the Board of Selectmen in the interest of the Town.** If an employee terminates

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his or her service with the Town, or takes an extended leave of absence, he or she will receive full pay for all unused, accrued vacation time. If an employee dies while working for the Town, any unused, accrued vacation time will be paid to his or her estate.

An employee will not accrue any vacation time for those pay periods in which the employee is entitled to no wages, unless required under law. Generally, this will occur when the employee is on unpaid leave, such as FMLA leave.

All employees must submit requests for vacation time to the Department Head in writing. Requests should be submitted at least two weeks in advance of the requested vacation dates. Vacation may be taken only if the request is approved by the Department Head.

### **PERSONAL DAYS**

The Town will provide two (2) paid personal days to all full-time and part-time employees each calendar year. Temporary employees are not entitled to any paid personal days. A part-time employee will be paid for personal days on a pro-rated basis in accordance with his/her regular hours of work. Personal days are to be used solely for business or family matters that otherwise could not be done except for the use of normal employment time. Personal days may not be accumulated from year to year, and employees will not be paid for personal days not taken either during the year or upon termination of employment. All personal days must be approved in advance by the Department Head.

### **SICK LEAVE**

The Town provides paid sick days to all full-time and eligible part-time employees. Temporary employees are not entitled to any paid sick days. Sick time must be used in increments of no less than 2 hour increments of the employee's normally scheduled workday. Employees will be paid at the normal straight time rate for the number of hours the employee was scheduled to work. Sick pay may not exceed the employee's regular workday and/or workweek hours.

Sick leave accrues at the rate of one (1) day per each completed month of service from the date of hire up to a maximum of 60 days. A part-time employee will be paid for sick days on a pro-rated basis in accordance with his/her regular hours of work.

Sick days are to be used for absences due to illness. An employee returning from a sick leave, which exceeds three (3) consecutive workdays, may be required to supply a doctor's statement certifying that the employee's health is good enough to return to his/her normal duties. The Town may, at any time, ask you to get satisfactory medical verification of an illness from your own doctor. Failure to provide verification may result in loss of sick leave benefits or disciplinary action.

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An employee will not accrue any sick leave for those pay periods in which the employee is entitled to no wages, unless required under law. Generally, this will occur when the employee is on unpaid leave, such as FMLA leave.

Unused sick time above the maximum accrual of sixty (60) days will expire at the end of the year. Sick time will not be bought back by the Town. Employees who leave the Town's employment for any reason will not be entitled to any pay for unused sick days.

Employees who do not report to work due to illness must contact their Department Head on a daily basis relative to the need for and status of their absences, unless otherwise directed. Reporting of the absence to any employee other than the Department Head, or their designee, will not be accepted as compliance with the daily reporting requirement. Employees who fail to report to work or call in to their Department Head for three (3) consecutive work days will be considered to have voluntarily resigned from their employment.

#### **FAMILY AND MEDICAL LEAVES OF ABSENCE**

Eligible employees may take up to twelve (12) weeks of unpaid family/medical leave within a 12-month period and be restored to the same or equivalent position upon return to work. These twelve (12) weeks will be tracked beginning on the first day of leave. To be eligible for family/medical leave, you must have worked for the Town: for at least twelve (12) months; must have worked at least twelve hundred fifty (1,250) hours in the past twelve (12) months.

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

- **A** - the birth of your child and in order to care for the child (leave must be taken within 12 months of the birth);
- **B** - the placement of a child into your home for adoptive or foster care (leave must be taken within 12 months of the placement);
- **C** - to care for your spouse, parent, minor child, or adult child (when the adult child is not capable of self care and the employee is needed for such care) with a serious health condition; or
- **D** - due to your own serious health condition which renders the employee unable to perform the functions of his or her position.

The Town has the right to designate FMLA leave any time an eligible employee requests time off for a qualifying reason. 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. It is not the intent of the Town to deny sick leave benefits if available.

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**Tracking Leave:** As stated above, an eligible employee is entitled to a total of twelve (12) work weeks of leave during any 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 an 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, 2006, four weeks beginning June 1, 2006, and four weeks beginning December 1, 2006, the employee would not be entitled to any additional leave until February 1, 2007. Beginning on February 1, 2007, the employee would be entitled to four weeks of leave; on June 1, 2007, the employee would be entitled to four additional weeks; and so on.

FMLA leaves for the birth or placement for adoption or foster care of a child, as described in paragraphs A and B above, must be taken all at once unless otherwise agreed to by the Town. If medically necessary, FMLA leaves due to illness as described in paragraphs C and D above may be taken on an intermittent or reduced leave schedule. If FMLA leave is requested on this basis, however, the Town may require the employee to transfer temporarily to an alternative position which better accommodates periods of absence or a part time schedule, provided that the position has equivalent pay and benefits.

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 you are a salaried employee, the Town will adjust your salary based on the amount of time actually worked.

**Employee Benefits:** Employees are required to use any accrued, unused vacation and sick/personal days during FMLA leave unless the FMLA leave is otherwise paid through workers' compensation benefits, short-term disability benefits, or other benefits. The substitution of paid leave time for unpaid leave time does not extend the 12-week FMLA leave period. Also, your FMLA leave may run concurrently with other types of leave, such as maternity leave. During an approved FMLA leave, the Town will maintain your health benefits under the same terms and conditions applicable to employees not on leave.

- If paid leave is substituted for unpaid FMLA leave, the Town will deduct your portion of the health plan premium as a regular payroll deduction.
- If your leave is unpaid, or is paid through workers' compensation, short-term disability benefits, or other benefits not provided through the Town's payroll system, you must pay your portion of the premium by making arrangements with Finance Office.

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- Your health and other benefit coverage may be canceled if your premium payment is more than 30 days late.
- If you elect not to return to work at the end of the leave, you will be required to reimburse the Town for the cost of the premiums paid by the Town for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or because of other circumstances beyond your control.

Benefit entitlements based on length of service will be preserved at the level earned as of the commencement of the leave, but will not accrue further during the leave period. For example, an employee on leave will not accrue additional sick/personal days.

**Requesting Leave:** If your need for leave is foreseeable such as for the birth of a child or planned medical treatment, you must give your Department Head at least 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, you must give notice to your Department Head as soon as practicable (within 1 or 2 business days of learning your need for leave). Failure to provide such notice may be grounds for delaying the leave. If you are not able to notify the Town of the need for leave personally because of illness, you should ask someone else to call on your behalf.

**Medical Certifications:** If you are on leave because of your own or a covered family member's serious health condition, the appropriate health care provider must supply a medical certification. Please obtain a medical certification form from the finance Office for the health care provider to use. If possible, you should provide the medical certification before your leave begins. If that is not possible, you must provide the medical certification within 15 days of beginning your leave. If you do not provide the required medical certification in a timely manner, your leave may be delayed. If certification is not provided 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, 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 re-certification. Failure to provide requested re-certifications within 15 days may result in delay of further leave.

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**Reporting While On Leave:** You must contact the Town on a regular basis to provide updates about the status of the medical condition and your intention to return to work. In addition, you must give notice as soon as practicable (within two 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 termination of employment.

**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 work site.

If you take leave because of your own serious health condition, you will not be reinstated until you provide a fitness for duty certificate from your health care provider confirming that you are medical able to resume work. The return-to-work medical certification forms are available from the Finance Office.

**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. A maternity leave begins when an employee is medically determined to be disabled and ends when medically determined to be able to return to work.

Maternity disability will be treated in the same manner as a type D FMLA leave of absence. However, maternity leaves are not limited by any measure other than the period of medical disability. If a maternity disability is for the number of available FMLA leave weeks or less, the employee will be reinstated in accordance with this policy. If a maternity disability exceeds the available FMLA leave weeks, the employee will be reinstated unless business necessity makes reinstatement impossible or unreasonable.

An employee who uses less than the Available Leave Weeks for type D leave for maternity may take additional type A FMLA leave after the end of the disability period for a period not to exceed the Available Leave Weeks.

**Coordination with Other Company 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



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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 regulations to any individual circumstances.

### **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 accrued vacation and sick/personal time before taking unpaid leave under this policy. Employees on maternity leave may also be eligible for short-term disability 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 our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue medical insurance coverage by making arrangements with the Finance Office 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.

### **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 concerning holidays, vacation, sick, and personal days, and FMLA and maternity leave. An unpaid 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.

Personal leaves of absence will be unpaid, and an employee on a personal leave of absence is not entitled to accrue any benefits, including, but not limited to, holidays, vacation time, sick leave, and personal days.

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

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month expires, the employee may continue health insurance coverage by making arrangements with Finance Office to pay the entire amount of the appropriate monthly premium in advance each month.

To request a personal leave of absence, please contact Town Administrator. You may be asked to provide a written request for the leave and/or a doctor's certificate stating the reason for the leave and the expected date of return to work. If granted, personal leaves typically will not exceed 30 days.

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, and you may be required to submit a doctor's certificate stating that you are medically able to return to work. The Town, at its own expense, may require a physical examination by a physician of our own choosing prior to your resumption of duties.

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").

Military leaves of absence will be unpaid, except as noted below, unless otherwise required by law. If an employee's pay from the military is less than his/her regular rate of pay from the Town, the Town shall pay the difference. In order to receive payment under this paragraph, an employee must give the Town prior notice of such military duty and upon his/her return to work, furnish the Town with a statement of the military pay received for performing such duty. Payment under this paragraph is limited to a maximum of ten (10) working days in a calendar year.

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You may elect to take part of, or all of, your accrued 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 their 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. Reasonable time off will be decided by the Department Head based 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 healthcare 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. 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.

Employees who have voluntary insurance through AFLAC may enroll in AFLAC's Freedom Program. Employees who provide a letter requesting to transfer to the Freedom Account and provide a copy of their military orders, will have their premiums covered by AFLAC while they are out on military leave.

The group term life insurance provided by the Town will terminate the day the employees becomes active military.

**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.

**Reinstatement:** Employees wishing to be reinstated following military leave should promptly notify the 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 the Department Head of the desire for reinstatement within 14 days of completing service. If the

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military leave lasts more than 180 days, then the employee should notify the 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 the Town Administrator.

### **BEREAVEMENT LEAVE**

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

In the event of the death of a member of a full-time or part-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. Pay for part-time employees will be pro-rated based on the number of hours, if any, the employee regularly works on those days. "Immediate family" includes spouse, children, mother, father, brothers, sisters, grandparents and grandchildren of the employee or employees' spouse. The Town Administrator may grant bereavement leave upon the death of an individual whose close association with the employee is equivalent to the family relationships listed above.

### **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

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required in serving as a juror or witness in any court created by the United States or the employee's state of residence. For part-time and temporary employees, jury or witness duty should be considered an excused unpaid absence. A full-time employee called for jury duty or subpoenaed as a witness shall be granted paid leave equal to the difference between the amount received for jury duty and the amount of wages the employee would have earned by working straight-time hours for the Town for each day of regularly scheduled work.

Employees summoned for jury duty must inform the Department Head as soon as possible, and must present a copy of the summons to the Department Head. If released from jury duty on any day, the employee is expected to return to work.

### **LEAVE OF ABSENCE FOR VICTIMS OF CRIME**

In accordance with New Hampshire law, 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, 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 the 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 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 accrued, unused vacation time, sick leave, or personal days.

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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.

### **MEDICAL BENEFIT PLAN**

Eligible employees may participate in our medical insurance plan. After sixty days of continuous service, full-time employees may enroll in either a single, two-person, or family contract after meeting the eligibility criteria stated in our plan documents. Coverage begins on the first of the month following sixty days. Information and enrollment forms may be obtained from the Finance Office. To assist you with the cost of this insurance, the Town will pay 100% of the cost of the employee's health insurance. Eligible Employees who are hired after February 1<sup>st</sup>, 2012 and who need a two person or a family plan will be required to pay 15% of the difference in Town premium cost between the individual plan coverage and either family or two person coverage. If an individual plan costs \$1,000 a month and a family plan costs \$2,500 a month, the employee would be required to pay 15% of the \$1,500 or \$225 a month. The balance is to be paid by the employee through authorized payroll deduction. Part-time employees whose normal workweek is less than 35 hours shall be entitled to participate in the Town's group policy, at the employee's expense. The employee shall authorize a deduction from their weekly pay to cover the monthly policy premium. Please see the Finance Office for more details.

Part time employees working a regular schedule between 30 and 35 hours per week for at least 35 weeks a calendar year may receive a subsidy of health insurance premiums for individual, two person or family coverage in the amount of \$6,000. This subsidy may be used for any insurance premium from any provider but only to the extent that there is an out of pocket cost to the employee.

### **DENTAL PLAN**

Eligible employees may participate in our dental plan. After sixty days of continuous service, full-time employees may enroll in either a single, two-person, or family contract after meeting the eligibility criteria stated in our plan documents. Coverage begins on the first of the month following sixty days. The Town pays 100% of the cost of the dental plan. **LIFE INSURANCE**  
The Town will provide group life insurance to all full-time employees. The amount of coverage is currently 1 times base salary, and is subject to change. There is no shared cost with eligible employees. The Town will also provide part-time police officers with group life insurance if they have worked an average of 15 hours per week during the last 52 weeks or are a new hire and will be scheduled for at least 20 hours per week. Please see the Finance Office for more details.

### **SUPPLEMENTAL INSURANCE**

The Town currently offers supplemental insurance to eligible employees through AFLAC at the employee's expense. Please see the Finance Office for more details.

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### **RETIREMENT PLAN**

The Town contributes to the New Hampshire Retirement System for all applicable employees. Full-time employees of the Town hired after the effective date of Canaan's participation in the New Hampshire Retirement System must participate in the New Hampshire Retirement System as a condition of employment.

### **DEFERRED COMPENSATION PROGRAM**

Effective January 1, 1995 the Town of Canaan established a deferred compensation plan (457 Plan) available to all full-time employees on a voluntary basis. The degree of participation is the decision of the employee. Since the Town contributes to the New Hampshire Retirement System, the Town will make no matching contributions to this system, but will provide the necessary administration to deduct the requested payments from the employee's weekly pay and submit the employee's payment to the deferred compensation program on a monthly basis.

### **COBRA**

The Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") provides eligible employees and their covered 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 for certain qualifying reasons. Please see the Finance Office for more information about COBRA.

### **WORKERS' COMPENSATION INSURANCE AND REPORTING WORKPLACE INJURIES**

On-the-job injuries are covered by the Workers' Compensation Insurance Policy provided at no cost to the employee.

**Reporting Injuries:** If you are injured on the job, no matter how slightly, you **must** report the incident immediately to the Department Head or the Canaan Human Resources Director. We ask for your assistance in alerting the Town to any condition that could lead or contribute to an employee accident. Employees must complete the necessary workers' compensation forms following any injury. The Workers' Compensation carrier must also be contacted.

**Weekly Income Benefits:** The amount of the weekly worker's compensation benefit is set by the New Hampshire Department of Labor. The weekly benefit is currently based upon 60% of an employee's average weekly wages. These benefits are paid by our workers' compensation carrier to eligible employees.

**Temporary Alternative Duty:** Employees with work-related injuries may also be eligible for temporary alternative duty in accordance with New Hampshire's workers' compensation laws. Employees with non-work-related disabilities who require accommodations to perform their jobs

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should make accommodation requests to the Department Head. Please refer to the Disabilities policy in this Personnel Manual for more information.

**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 within the provisions of 281-A:25-a. A fitness-for-duty certificate may be required before an 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.

## **V. ON THE JOB**

### **GENERAL GUIDELINES**

**The following are general guidelines for employee behavior. The rules are more specifically listed in the following section.**

1. The Town expects that personnel will adhere to their normal working hours as set by their Department Head.
2. If the employee cannot fulfill their shift due to illness or emergency it is expected that the department head will be notified within one hour of the scheduled start time unless severe emergency prevents that, then notification should be given as soon as possible.
3. Any unauthorized or unacceptable absence may be cause for suspension or termination.
4. Abuse of or use of Town property in a manner deemed to be improper may be cause for suspension or termination.
5. It is expected that all employees will maintain a proper appearance. Clothes should be appropriate for the position and are to be in good condition and clean at the beginning of the work shift.
6. It is expected that all employees will conduct themselves to reflect favorably on the Town. This applies with members of the community, co-workers, management staff and elected officials.
7. Any falsification of reports or dishonestly may be cause for suspension or termination.



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8. Employees are expected to report to work ready to perform their duties. Any employee determined to be under influence of liquor, or drugs may be cause for suspension or termination.

### **ATTENDANCE**

From time to time, it may be necessary for an employee to be absent from work. The Town is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise.

If an employee is unable to report to work, or if an employee will arrive late, the employee must contact the Department Head. The Department Head should be given as much time as possible to arrange for someone else to cover the position until the employee arrives. If the employee knows in advance that he or she will need to be late or absent, the employee is required to request this time off directly from the Department Head.

For late arrivals, the employee should indicate when he or she expects to arrive for work. If the employee is unable to call in because of an illness, emergency or for some other reason, the employee should arrange to have someone call on his or her behalf.

Absence from work for three (3) consecutive days without notifying the Department Head will be considered a voluntary resignation. Furthermore, three (3) 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 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.

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### **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 Department Head.

Additionally, confidential Town records may not be disclosed to anyone, except as required by law or judicial process.

Employees unsure about the confidential nature of specific information are expected to seek clarification from 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.

### **COMPUTER USE AND COMMUNICATIONS EQUIPMENT POLICY**

The Town provides communication tools including computers, fax machines, telephones, voice mail, e-mail, 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. Police Department personnel may be exempt from certain applications of this section when in the performance of their duties.

All employees should be aware that the Town has the right, but not the duty, to monitor the computer, network, fax, voice mail, e-mail, 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 e-mail 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 monitoring e-mail messages sent and received on our system (including e-mail messages sent and received from personal e-mail accounts accessed from our system), we have the ability and the right to monitor such things as each Internet web site visit, newsgroup discussions, chat room discussions,

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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 legitimate 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 on any Town system is a violation of our policy on sexual harassment. 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, religion, national origin, disability, veteran status, or anything else that may be construed as harassing, discriminating, or disparaging of others. Transmission of harassing, discriminatory or otherwise objectionable e-mail or files is strictly prohibited.
- Transmission of any religious subject matter by employees 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 individuals) is strictly prohibited. Obtaining, or trying to obtain, other users' passwords, or using programs that compromise security in any way is prohibited.

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- All pass-codes and passwords are the property of the Town. No employee may use a pass-code, 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.
- 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 computer, 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 the Department Head.
- 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 the Department Head.
- 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 the Department Head.
- 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. All Town data and information is considered confidential unless the Town has granted permission for an employee to disclose that information or unless required by law or judicial process. Accessing or attempting to access confidential data without authorization is strictly prohibited. Confidential information should be used only for its intended purpose. Employees' responsibility for confidentiality continues outside of work. Employees may not work on Town documents, data, or other business on home computers or other portable technology without the express prior approval of the Department Head.

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- 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 secured location, 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, Internet, computers, or other communications equipment media from any external sources, including, but not limited to, CDs, disks, Zip drives, personal digital assistants (including, but not limited to, BlackBerries and palm pilots), USB portable drives, and other removable drive devices without prior authorization from the Department Head.
- Employees also may not copy, transmit, or otherwise remove any information from our network, Internet, computers, or other communications equipment to CDs, disks, Zip drives, personal digital assistants, USB portable drives, or other removable drive devices without prior authorization from the Department Head.
- Employees may not intentionally download anything from the Internet without prior authorization. This includes, but is not limited to, screensavers, music, E-mail stationary, 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, Internet, 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 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.

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**PERSONAL DRESS**

We expect 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.

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

Any questions concerning dress should be directed to the Department Head.

**INCLEMENT WEATHER**

Employees generally are expected to report to work during inclement weather. However, there may be occasions when the Town will be closed due to severe inclement weather. You should contact the Department Head or listen to local media for information as to whether the Town will be open for business.

If the Town's departments are not closed due to severe inclement weather, but you are unable to get to work, then you must call the Department Head to explain why you cannot get to work. If you do not come to work because of inclement weather, you must use your earned vacation time, sick days, or personal days. If your earned benefits have been exhausted, you will not be paid for the time missed, unless otherwise required by law.

**SOLICITATION AND DISTRIBUTION**

No solicitation of any kind is permitted during working time, unless first approved by the Department Head. "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 distributions of any non-work related written materials are permitted in any work area of any kind, unless first approved by the Department Head. "Work areas" are defined as any Town office or facility, other than designated break areas.

Employees may solicit or distribute materials only during break time or outside of scheduled work hours. Persons not employed by the Town are likewise prohibited from distributing materials or soliciting employees on the Town's premises at any time, unless authorized by the Department Head.

### **MOTOR VEHICLE VIOLATIONS**

All employees who operate Town vehicles are required within 72 hours to notify their Department Head in writing if they have been convicted of, or plea nolo contendere to any and all motor vehicle violations. If the license of any employee who operates Town vehicles is suspended, revoked, or otherwise restricted, the employee must notify the Department Head within one working day of learning of the suspension, revocation, or restriction. Employees who are required but unable to drive and/or who fail to comply with this policy may be subject to discipline, up to and including termination of employment.

### **TOWN SECURITY**

It is each employee's responsibility to help ensure that proper security measures are exercised at all times. You should be familiar with emergency exits and with alarm systems and the proper steps to take upon hearing them. Any suspicious person or events should be called to the immediate attention of the Department Head.

### **CONFLICT OF INTEREST**

The Town expects its employees and officials to conform to the highest ethical and legal standards. Employees are required to refrain from engaging in any activities that create a conflict or the appearance of a conflict of interest. Examples of conduct and behavior that would violate this policy include, but are not limited to, the following:

- Investing in any of the Town's vendors or suppliers (unless the securities are publicly traded and the investments are on the same terms available to the general public, and not based on any inside information), or having any financial interest in a vendor or supplier that could cause divided loyalty or even the appearance of divided loyalty.
- Receiving any gifts or favors in any amount from, any members of the public, vendors, or suppliers.
- Using directly or indirectly, Town funds, assets, or other resources for any unlawful goal or purpose.

Employees with any questions regarding these guidelines are required to discuss them with Town Administrator, prior to engaging in any activity or conduct that may violate this policy, as violations may lead to disciplinary action, up to and including termination.

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### **USE OF TOWN ASSETS**

All employees are expected to exercise due care when operating Town equipment and to exercise reasonable restraint when using Town supplies. Any employee misusing equipment or expropriating supplies, funds, or other assets shall be liable to disciplinary action, including suspension or termination upon the recommendation of the Department Head, in consultation with the Town Administrator, upon approval of the Board of Selectmen, and subject to a proceeding at law to recover Town losses.

Employees who are assigned a Town vehicle to drive to and from the work place shall use the vehicle for Town business only. Personal errands or use is not permitted except for very brief stops enroute to and from home. Vehicles will not be taken out of Town except on official Town business. Vehicles assigned to emergency responders when on call may use Town vehicles within for personal errands but will use discretion.

Town owned equipment is to be used by Town of Canaan employees for public purposes to include the business of the Town and other governmental entities within the Town. The Board of Selectmen does not encourage the use of Town owned equipment by anyone other than Town employees, for Town purposes. The intent is to govern the rental and civic uses when they do occur.

Any rental of Town equipment under the operation of a Town employee must be by prior approval of the department head. Records must be kept and submitted to the Selectmen's office for proper billing and accounts receivable bookkeeping.

Any civic use of Town owned equipment under the operation of a Town employee, must be by prior approval of the Department Head. Departments Heads will write a brief description/explanation of the event to be filed ASAP with the Selectmen's Office.

Any use of Town owned equipment by a non-employee requires prior approval of the Board of Selectmen.

Cell Phones: Employees shall not operate a motor vehicle while using a cell phone. Vehicles equipped with "hands free" equipment are exempt.

### **SUGGESTIONS AND IDEAS**

We are always interested in your constructive ideas and suggestions for improving our operations. We believe 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**

Any group of people who have come together for a common purpose must have rules that promote consistency, harmony, and support the objectives and missions of the Town.

There are certain standards of common honesty and decent behavior that all employees are expected to follow. We believe that the following rules, which are not set out in any particular order, are necessary and reasonable for the proper conduct of our business.

We all know that no list of rules can be all inclusive. The following areas, however, are expressly described to guide you in the recognition of certain behaviors which are clearly prohibited and which can result in disciplinary action, up to and including discharge.

1. **Absence and Lateness**

Excessive absences and/or lateness; failure to report when absent; overstaying allotted break time.

2. **Employment/Town Records**

Making a false statement on the application form; falsifying Town and employment records.

3. **Attitude**

Abusive language, uncooperativeness, abuse or neglect of visitors or residents, and abuse, neglect, or intentional destruction of Town property.

4. **Safety**

Violation of safety regulations or endangering the health or safety of other persons.

5. **Employee Relations**

Abusive or profane language to another employee; intentional destruction of another employee's personal possessions; threatening bodily harm; intent to strike; striking another employee.

6. **Crime**

Conviction of a crime.

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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, or using alcoholic beverages or illegal drugs or the illegal use of prescription drugs on Town property or while on the job; being under the influence of or testing positive for these substances during working hours may result in immediate discharge. It is recognized that Police Department personnel while performing duties and responsibilities of their position may on occasion be in possession of intoxicants.

10. **Neglect of Duty**

Negligence in the performance of duties which conflict with the Town's interest.  
Repeated damage to town equipment through negligence or carelessness.

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. Police Department Officers are exempt.

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

Excessive use of a Town telephone, facsimile, computer, e-mail, and copier for personal purposes. Personnel issued town cell telephones are not subject to this provision, but are expected to reimburse the Town should there be roaming charges that occurred by personal use.

14. **Theft or Destruction of Property**

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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 inappropriate conduct in violation of Town policies.

16. **Insubordination**

Acting in an insubordinate manner toward any supervisor or any other directive of the Town. Failure to follow legal directives of supervisors without sufficient cause.

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

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, and standards of conduct, endanger the safety of others, or perform in an unsatisfactory manner. Generally, there are four (4) types of disciplinary actions used by the Town: documented verbal warning, written warning, suspension, and dismissal. 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 including immediate termination. 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. Police Union personnel are subject to procedures outlined in Article 9 of their contract.

### **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 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 Town Administrator is available to discuss the issue. We

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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 continuous 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 Finance Office. 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 Finance Office as soon as possible of any changes in your name, address, telephone number, marital status, dependents and/or beneficiaries.

The Town of Canaan understands that employees require information from our Personnel files in regard to their employment. The Town's Finance Office will attempt to respond within a week for a limited inquiry or request for a document that can't be easily obtained from an independent third party. Multiple requests in the same month may require a fee of \$25 for each request in excess of the first request. Complex requests or older information requests may require additional fees which shall be disclosed to the employee prior to undertaking the research.

4-6-21

### **PERFORMANCE APPRAISALS**

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

The 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.

An appraisal is not a contract or a commitment to provide a compensation adjustment, a bonus, or continued employment. Appraisals are only one of several factors that the Town uses in connection with compensation, promotion, and retention decisions. Police personnel will follow procedures outlined in Article 24 of their union contract.

### **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 Town's flash email system and/or on the Town's website. Employees who have at least twelve (12) months of service in their present position and who meet the qualifications of the open position are 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 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

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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 90 days in a new position. Another performance evaluation will typically be conducted after twelve (12) months of service in the new position. Employees may be eligible for a pay increase in conjunction with the month evaluation, depending upon the circumstances. Police officers will follow procedure outlined in Article 15 of their union contract.

### **MEDIA CONTACT**

The Town acknowledges that our employees and the public have a genuine and legitimate interest in the Town's operations. The Town also recognizes that the news media plays a vital role in our community. Therefore, the Town will make every effort to disseminate information about the Town and its performance in a factual, accurate and timely manner when approached by the news media.

It is the policy of the Town that employees report all contact from/with the media to the Town Administrator. Only the Town Administrator, the Board of Selectmen, the Police Chief, the Fire Chief, the Emergency Operations Director, the Librarian (related solely to Library affairs), or their designees may speak for the Town on matters related to the Town with the media. This applies to all public announcements on media of any form accessible or provided to the public.

## **VI. EMPLOYEE SAFETY AND HEALTH**

### **HEALTH & SAFETY PROGRAM**

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. 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. The 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.
- c. The use, adjustment, and/or repair of machines or equipment are to be performed only by you if you are trained and qualified.

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- d. You should 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, ask your supervisor.
- f. Know locations, contents, and intended use of all first aid and fire fighting equipment.
- g. Wear personal protective equipment in accordance with the job you are performing.
- h. Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.
- i. All job descriptions include keeping our facilities and lots clean and safe. Every employee must participate in this effort.

Violations of safety precautions may lead to disciplinary action.

**SAFETY COMMITTEE**

The Town maintains an active Safety Committee. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please see the Town Administrator for details.

**WINTER WEATHER GEAR POLICY 12-4-2018**

Employees who are required to work outside in winter weather are allowed to purchase \$450 in winter clothing that is reasonably required for protection. This includes insulated hats, gloves, steel toe boots, coveralls, insulated pants, insulated coats and thermal underwear. Other items may only be purchased with approval. All items proposed for purchase should be submitted to the Personnel Director for approval prior to purchase. This allowance is to be available over a rolling (date of purchase) five year period. In the event that the employee leaves the employment of the Town, the items purchased should be returned to the Town.

**SEAT BELT POLICY**

The Town of Canaan Board of Selectmen are concerned about employee safety and recognize that the use of seat belts has proven to be a positive factor in the reduction of personal injury when a vehicle accident occurs.

The NH Administrative Rules for Public Employee Safety and Health under RSA 227, (Labor 1403.40) require wearing of appropriate personal protective equipment. Seat belts are

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considered to be personal protective equipment; therefore, the Town of Canaan is charged under state law to require the use of seat belts while on Town business.

Policy:

- \* All Town of Canaan employees are required to wear seat belts while operating or riding in any vehicle while on Town business. This applies to personally owned vehicles as well as the vehicles of others.
- \* Passengers in vehicles operated by Town personnel while on Town business are required to wear seat belts. Clients transported in police vehicles will be belted unless fastening the belt would place the officer in danger.
- \* This policy shall not apply in the use of vehicles in which the manufacturer has not installed seat belts.
- \* Town employees are prohibited from disengaging or disarming automatic seat belt systems/alarm. Special police operations would be exempt.
- \* Violations of this policy may subject the employee to disciplinary action.

**HAZARDOUS MATERIALS**

It is the Town's goal to have a workplace free from injury. The Town inspects the workplace to evaluate and determine any risk of injury and take corrective action whenever appropriate. The Town also relies on its employees to see to it that their workplace is free from safety hazards. Any employee who sees a situation that could be a safety concern must report the problem to the Department Head or Town Administrator immediately.

**HAZARDOUS SUBSTANCES**

Due to work requirements, hazardous substances may be in the workplace. Notices of hazardous substances will be clearly marked with a "WARNING" sign, near the substance itself along with information about the substance that will include at a minimum, hazards of exposure, safe use of the substance, procedures for cleaning up spills, etc. Applicable material safety data sheets are readily available to employees from Department Heads.

All employees working with hazardous substances will receive training in the proper handling of the substance and will be provided with the necessary safety equipment for the handling of any hazardous substance.



### **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 from bringing weapons on our premises, including our parking lots. Moreover, violence and verbal and 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. Appropriate action may also include notifying the police 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 Department Head. Police officers are exempt from the weapons portion of this section.

### **ALCOHOL AND DRUG POLICY**

Manufacture, distribution, transfer, dispensation, possession, or use of any illegal drug, alcohol, or controlled substance while on the Town's premises or while using Town-owned property, such as vehicles, is strictly prohibited. This includes use of prescription drugs which have not been prescribed for you. These activities constitute serious violations of the Town's rules. Such behavior jeopardizes the Town and can create situations that are unsafe or substantially interfere with an employee's job performance. Police may handle drugs and alcohol while in the performance of their duties.

This policy also applies to any prescription drugs that may have an adverse impact on an employee's ability to work safely while using these drugs. An employee using a drug that has been prescribed by a licensed physician for personal use shall report the use of that drug to his or her supervisor if such drug might reasonably be expected to impair the employee's ability to safely perform the duties of the job to which the employee is assigned. Any information reported in accordance with this policy will be maintained as confidential and shared only with those in management with a legitimate need to know.

Employees in violation of this policy are subject to appropriate disciplinary action, up to and including dismissal.

Employees who operate certain machinery, equipment and vehicles are subject to random drug and alcohol testing. The Town of Canaan belongs to the Occupational Health Consortium, which administers the drawing of employees for random testing.

The Town reserves the right to require an employee to undergo a drug or alcohol test in the event the Town determines, for good cause shown, that the employee was involved in a job related

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accident, incident or event which may have involved the use of drugs or alcohol. The Town shall select and pay for the testing facility.

### **SMOKING POLICY**

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 building and in Town vehicles.

No smoking is allowed in any areas of Town buildings. Anyone wishing to smoke must do so only during authorized breaks in the designated area. 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 the Department Head.

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

### **WORKPLACE SEARCHES**

To safeguard the safety and property of our employees, residents, and the Town and to help prevent the possession and use of weapons and illegal drugs on Town premises, it may become necessary to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from Town property. In addition, the Town reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises in pursuit of our concern to safeguard the safety and property of employees and the Town. Employees should understand that all 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 may be conducted at any time at the discretion of the Town.

Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property, weapons, or illegal drugs, may be subject to disciplinary action, up to and including discharge.

### **USE OF CELL PHONES 11/21/2018**

Employees may use cell phones while working on Town time only in accordance with this policy.

Cell phone use is allowed during official breaks and lunch. Use of cell phones assigned by the Town to the Employee or other cell phones specifically identified by the Town as phones to be

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monitored for official town business or the phone is used for town business that may be verified by the Department head or higher supervisor upon request is allowed.

Under no circumstances shall Employees operate a motor vehicle or other heavy equipment while using a cell phone. Vehicles equipped with “hands free” equipment are exempt. This rule may be waived in emergency situations where cell phone communications are essential to Town business.

Except for emergencies or town business, employees using vehicles or equipment or who are working with others using vehicles or equipment are not allowed to use cell phones.

All other employees, including department heads, may be advised by their supervisor that they are abusing the use of cell phones and they may be instructed to stop using cell phones. The criteria will be whether the activity interferes with customer service or work flow. Effective November 21, 2018.

**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 the department Head of your decision at least two (2) weeks in advance of your planned departure date. Your thoughtfulness will be appreciated, and will allow the Town to maintain work schedules and provide important services to the public.

**EXIT INTERVIEWS**

Employees who terminate their employment may be asked to participate in an exit interview with the Town Administrator. 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.

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Modified 3/7/08. DDB

2/14/12 MES

