

TOWN OF NORFOLK

Human Resources Employee Handbook

January 12, 2021



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**HR EMPLOYEE HANDBOOK DISCLAIMER/ACKNOWLEDGEMENT
FORM**

I acknowledge that I have received, read, and understood the Town of Norfolk ("Town") Employee Handbook. I understand that any questions about the handbook should be directed to my manager or Human Resources Director.

I understand that this handbook is a statement of our present policies, procedures, and benefits at the Town. Subject to any obligations under M.G.L. c. 150E, I understand that this handbook and its policies may be unilaterally changed or rescinded by the Town at any time, with or without notice. I understand that updates to this handbook may be posted electronically and employees will not be provided hard copies of such updates.

I understand that this handbook is prepared and disseminated solely for the information and guidance of the employees of the Town. I understand that this handbook is not a contract of employment and nothing in this handbook should be construed as creating an express or implied employment contract. I further understand that this handbook does not change or alter my status as an at-will employee with the Town, meaning that either the Town or I can terminate the employment relationship at any time, for any lawful reason, with or without cause. In addition, to the extent that there is any conflict between the policies contained in this handbook and the provisions of any applicable collective bargaining agreement, the collective bargaining agreement will govern. To the extent that there is any conflict between the policies contained in this handbook and the provisions of any applicable personal employment contract, the personal employment contract and Massachusetts State Law will govern.

I received this handbook on _____. I have read the above statement about this handbook before signing below.

Print Name: _____

Signature: _____

Date: ____/____/____

ADA COMPLIANCE POLICY

Rationale

This policy is adopted to facilitate and ensure timely and cost-effective compliance with the Americans with Disabilities Act (ADA) for the Town of Norfolk facilities and employees.

Policy

Town-Owned Facilities:

It is the onus of all town boards, committees, and departments that are planning new construction or acquisitions through purchase, rental, or lease of facilities, or remodeling and/or additions to existing facilities, to adhere to the following procedure:

1. Contact the Town Administrator in writing at the inception of your planning process, prior to securing the services of an architect/designer/engineer. The Town Administrator will brief your group on the essential elements of ADA.

Town Employees:

The Town of Norfolk is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is the policy of the Town of Norfolk to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Massachusetts law and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Definition

Disability: For purposes of determining eligibility for a reasonable

accommodation, a person with a disability is one who has a physical or mental impairment that materially or substantially limits one or more major life activities.

Reasonable Accommodation

Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

1. To assure equal opportunity in the employment process;
2. To enable a qualified individual with a disability to perform the essential functions of a job; and
3. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

Procedure - Current Employees and Employees Seeking Promotion

1. The employee shall inform their supervisor or the ADA Coordinator designee of the need for an accommodation.
2. The ADA Coordinator/designee may request documentation of the individual’s functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.
3. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:

- Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
- Determine the precise job-related limitation.
- Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
- Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Town of Norfolk is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
- The ADA Coordinator or designee will work with the employee to obtain technical assistance, as needed.
- The ADA Coordinator or designee will provide a decision to the employee within a reasonable amount of time.
- If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator or designee shall work together to determine whether reassignment is possible/available or may be an appropriate accommodation.

Procedure - Job Applicants

1. The job applicant shall inform the hiring manager of the need for an accommodation. The hiring manager will discuss with the ADA Coordinator or designee the needed accommodation and possible alternatives for the applicant.
2. The ADA Coordinator or designee will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

Definition

Undue hardship: An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the Town of Norfolk.

Procedure for Determining Undue Hardship

1. The employee will meet with the ADA Coordinator or designee to discuss the requested accommodation.
2. The ADA Coordinator or designee will review undue hardships by considering: The nature and cost of the accommodation in relation to the size, the financial resources, and the nature and structure of the operation; and
3. The impact of the accommodation on the nature or operation of the Town of Norfolk.
4. The ADA Coordinator designee will provide a decision to the employee.

Appeals

Employees or applicants who are dissatisfied with the decision(s) pertaining to their accommodation request may file an appeal with the Select Board within a reasonable period of time, for a final decision.

ANTI-BULLYING POLICY

The Town of Norfolk is committed to providing all employees a healthy and safe work environment. The Town of Norfolk ensures that employees may file complaints of Bullying in good faith without fear of retribution. The Town of Norfolk is committed to the elimination of all forms of bullying.

This policy applies to all employees of the Town of Norfolk. It applies during normal working hours, at work related or sponsored functions, and while traveling on work related business. There will be no recriminations for anyone who in good faith alleges bullying.

Definitions

Bullying is unwelcome or unreasonable behavior that demeans, intimidates or humiliates people either as individuals or as a group. Bullying behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior. Some examples of bullying behavior are:

Verbal Communication

- Abusive and offensive language
- Insults
- Teasing
- Spreading rumor and innuendo
- Unreasonable criticism
- Trivializing of work and achievements

Manipulating the Work Environment

- Isolating people from normal work interaction
- Excessive demands
- Setting impossible deadlines

Psychological Manipulation

- Unfairly blaming for mistakes
- Setting people up for failure
- Deliberate exclusion
- Excessive supervision
- Practical jokes

- Belittling or disregarding opinions or suggestions
- Criticizing in public

Context is important in understanding bullying, particularly verbal communication. There is a difference between friendly insults exchanged by long-time work colleagues and comments that are meant to be, or are taken as, demeaning. While care should be exercised, particularly if a person is reporting alleged bullying as a witness, it is better to be genuinely mistaken than to let actual bullying go unreported.

Mobbing

Mobbing is a particular type of bullying behavior carried out by a group rather than by an individual. Mobbing is the bullying or social isolation of a person through collective unjustified accusations, humiliation, general harassment or emotional abuse. Although it is group behavior, specific incidents such as an insult or a practical joke may be carried out by an individual as part of mobbing behavior.

Consequences of Bullying

Bullying is unacceptable behavior because it breaches principles of equality and fairness, and it may represent an abuse of power and authority. It also has potential consequences for everyone involved.

For Those Being Bullied

People who have been bullied often suffer from a range of stress-related illness. They can lose confidence and withdraw from contact with people outside the workplace as well as at work. Their work performance can suffer, and they are at increased risk of workplace injury.

For the Employer

Besides potential legal liabilities, the employer can also suffer because bullying can lead to:

- Deterioration in the quality of work
- Increased absenteeism
- Lack of communication and teamwork
- Lack of confidence in the employer leading to lack of commitment to the job

For Others at the Workplace

People who witness bullying behaviors can also have their attitudes and work performance affected. They can suffer from feelings of guilt that they did nothing to stop the bullying, and they can become intimidated and perform less efficiently fearing that they may be the next to be bullied.

Responsibilities

Managers and supervisors

- Ensure that all employees are aware of the anti-bullying policy and procedures
- Ensure that any incident of bullying is dealt with regardless of whether a complaint of bullying has been received
- Provide leadership and role-modeling in appropriate professional behavior
- Respond promptly, sensitively and confidentially to all situations where bullying behavior is observed or alleged to have occurred

Employees

- Be familiar with and behave according to this policy
- If you are a witness to bullying, report incidents to your manager, the Town Administrator or the Human Resources Director as appropriate
- Where appropriate, speak to the alleged bully(ies) to object to the behavior

If You Think You Have Been Bullied

- Any employee who feels he or she has been victimized by bullying is encouraged to report the matter to their supervisor, or with Human Resources.
- Where appropriate, an investigation will be undertaken and disciplinary measures will be taken as necessary.

Date: 7/7/14

ANTI-DISCRIMINATION AND ANTI-HARASSMENT INCLUDING SEXUAL HARASSMENT POLICY

I. Introduction

It is the goal of the Town to promote a workplace that is free of unlawful discrimination and harassment of any type, including sexual harassment. Harassment, which consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as race, color, religious creed, national origin, ancestry, sex/gender, gender identity, age, criminal record (inquiries only), handicap (disability), mental illness, retaliation, sexual harassment, sexual orientation, genetics, pregnancy and pregnancy-related conditions, active military status, or other bases prohibited under state or federal anti-discrimination statutes, will not be tolerated. The Town will not tolerate harassing conduct that affects employment conditions, that interferes unreasonably with an individual's performance, or that creates an intimidating, hostile, or offensive work environment.

This policy applies to all employment practices and employment programs sponsored by the Town. This policy shall apply, but not be limited to, the areas of:

- Recruitment,
- Selection,
- Compensation and benefits,
- Professional development and training,
- Reasonable accommodation for disabilities or religious practices,
- Promotion,
- Transfer,
- Termination,
- Layoff, and
- Other terms and conditions of employment.

This policy may apply to discrimination (including harassment) that occurs between co-workers that takes place outside the

workplace (including, but not limited to, online conduct or conduct utilizing the internet or other electronic media). When the conduct complained of occurs outside of the workplace, the Town may consider the following and other factors in assessing whether the conduct constitutes conduct in violation of this policy:

- Whether the event at which the conduct occurred is linked to the workplace in any way, such as at a Town-sponsored function;
- Whether the conduct occurred during work hours;
- The severity of the alleged outside-of-work conduct;
- The work relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor and whether the alleged harasser and complainant come into contact with one another on the job;
- Whether the conduct adversely affected the terms and conditions of the complainant's employment or impacted the complainant's work environment.

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

Please note that while this policy sets forth our goals of promoting a workplace that is free of harassment as defined above, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment.

II. Definitions

“Harassment” means unwelcome conduct, whether verbal or physical, that is pervasive and severe and is based on a characteristic protected by law. Harassment includes, but is not limited to:

1. Display or circulation of written materials or pictures that are degrading to a person or group as previously described; and/or
2. Verbal abuse, slurs, derogatory comments, or insults about, directed at, or made in the presence of an individual or group as previously described.

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

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

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

The definition of sexual harassment is broad. In addition to the above examples, other unwelcome sexually oriented conduct that has the effect, whether intended or not, of creating a work environment that is hostile, offensive, intimidating, or humiliating to all workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

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

All employees should take special note that, as stated above, retaliation against an individual for having complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint will not be tolerated by the Town.

III. Examples of Prohibited Discriminatory Behavior

It is not possible to list all the circumstances that may constitute discrimination in violation of this policy. Discrimination may take many forms, including both verbal and nonverbal behaviors. Prohibited behavior includes, but is not limited to, the following behaviors connected to someone's membership in one or more groups protected by law as noted in the first paragraph above: slurs or other derogatory comments; sharing demeaning pictures, cartoons, or jokes; demeaning gestures; and, any conduct constituting sexual harassment.

IV. Complaint Procedures

All employees, managers, and supervisors of the Town share responsibility for avoiding, discouraging, and reporting any form of

discriminatory harassment. The primary responsibility for ensuring proper investigation and resolution of harassment complaints rests with the Human Resources Director or their designee, who will administer the policy and procedures described herein.

If an employee believes that they have been subjected to discrimination and/or harassment, the employee has the right to file a complaint with the Town. This may be done in writing or orally. In addition, residents, visitors, applicants, vendors, contractors, their agents and employees, or other third parties who believe they have been subjected to discrimination and/or harassment may also file a complaint with the Town using the procedures described herein. Furthermore, employees may also file a complaint if they have been subjected to harassment from residents, visitors, applicants, vendors, contractors, their agents and employees, or any other third parties in the workplace, while performing work-related duties, or during other work-related activities.

Prompt reporting of harassment is in the best interest of our Town and is essential to a fair, timely, and thorough investigation. Accordingly, complaints should be filed as soon as possible following the incident(s) at issue. If you would like to file a complaint you may do so by contacting the Human Resources Director. The Human Resources Director will also be available to discuss any concerns you may have and to provide information to you about this policy on harassment and the complaint process.

V. Complaint Investigation

When we receive a complaint, we will promptly investigate the allegation in a fair and expeditious manner to determine whether there has been a violation of our policy. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances, but confidentiality cannot be guaranteed. The investigation may include private interviews with the person filing the complaint and with witnesses. We may also interview the person alleged to have committed harassment. The complainant, the person alleged to have committed harassment, and

all witnesses are required to fully cooperate with all aspects of an investigation. When we have completed our investigation, we will inform the person filing the complaint and the person alleged to have committed harassment that the investigation has been completed. Notwithstanding any provision of this policy, we reserve the right to investigate and act on our own initiative in response to conduct which may constitute harassment or otherwise be inappropriate, regardless of whether an actual complaint has been filed.

VI. Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, or may include such other forms of disciplinary action as we deem appropriate under the circumstances.

VII. State and Federal Remedies

In addition to the above, if you believe you have been subjected to discriminatory harassment of any type, including sexual harassment, you may file a formal complaint with either or both government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies requires that claims be filed within 300 days from the alleged incident or when the complainant became aware of the incident.

The United States Equal Employment Opportunity Commission
("EEOC")

One Congress Street, 10th Floor, Boston, MA 02114
(617) 565-3200

The Massachusetts Commission Against Discrimination
("MCAD")

Boston Office:

One Ashburton Place, Room 601, Boston, MA 02108
(617) 727-3990

Springfield Office:

436 Dwight Street, Room 220, Springfield, MA 01103
(413) 739-2145

Worcester Office:

484 Main Street, Room 320, Worcester, MA 01641
(508) 799-6379

Date approved: 10/6/20

**Anti-Discrimination and Anti-Harassment Including Sexual Harassment
Policy
Acknowledgement Form**

This acknowledges that I have received and reviewed the Town's Anti-Discrimination and Anti-Harassment Including Sexual Harassment Policy. By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding discrimination and harassment are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee's personnel file.

Date approved: 10/6/20

AUTOMOBILE USE POLICY

I. Purpose and Scope

The purpose of this policy is to set forth the guidelines for reimbursement or compensation for employee use of personal vehicles; the guidelines under which Town vehicles will be assigned to Town personnel and the guidelines under which Town vehicles may be used.

II. Applicability

This policy applies to all Town of Norfolk employees. Employees that are given access to an automobile as part of their employment contract, and employees whose employment is regulated by collective bargaining agreement, are subject only to those provisions of this policy not specifically regulated by contract or agreement.

III. Definitions

As used in this policy, the following definitions apply:

- A. "Authorized driver" means a Town of Norfolk employee who holds a current, valid license to operate a motor vehicle in Massachusetts and who has complied with all provisions of Section IV. of this policy.
- B. "Authorized passenger" means a Town of Norfolk employee or any other person accompanying a Town of Norfolk employee in a Town vehicle in furtherance of official Town business, not to include children, family members and other non-business passengers.
- C. "Personal vehicle" means a vehicle owned and insured by the employee which has been authorized to be used for Town of Norfolk business.
- D. "Automobile allowance" is the dollar amount approved by the Select Board or Town Administrator to compensate an employee for regular and routine use of a personal vehicle. The allowance is considered to be a salary item and, as such, is subject to taxation.
- E. "Designee" means the Town Administrator or a department manager.

- F. "Employee" means any person who is in the employ of the Town of Norfolk.
- G. "Expense reimbursement" means payment for approved expenses relating to personal automobile use upon receipt of written documentation. Expense reimbursement is not considered to be a salary item.
- H. "Intermittent use" is when an employee uses their personal vehicle for town-related business, and the employee is not receiving a personal automobile allowance.

"Municipal vehicle" means those automobiles, trucks, vans, or other self-propelled equipment owned, rented, or leased by the Town of Norfolk and licensed for travel on a public way. Municipal vehicles will be assigned municipal plates and will exhibit the Town seal or logo and the department name identifying the vehicle as a Town of Norfolk vehicle. These logos must be stenciled or painted on and may not be removable. Vehicles that may be used for undercover assignments will be exempted from this requirement.

IV. Policy

Employees whose duties require transportation continuously and regularly may be provided with a municipal vehicle or receive a stated automobile allowance in lieu of reimbursement for the use of their personal vehicle. Intermittent use of personal vehicles shall be reimbursed for actual, reasonable and necessary expenses incurred by and for themselves as a result of approved travel in connection with their duties or office per IRS regulations. The Town Administrator may authorize exceptions to this policy under mitigating circumstances.

- A. **Municipal Vehicles**
Certain positions require employee access to municipal vehicles, either during the work shift or on a 24 hour on-call basis. The Town Administrator shall approve in writing which positions are assigned 24-hour access to municipal vehicles. Said authorization shall be reviewed by the Town Administrator whenever the position has been vacated. Nothing in this policy shall preclude the Town Administrator

from revoking the assignment of a municipal vehicle to an employee.

Municipal vehicles are not personal vehicles and are not for personal use unless automobile use is specified in the employee's employment contract. Vehicle use is limited to travel to and from the residence and place of work. Municipal vehicles should always be viewed as belonging to the citizens of Norfolk and are assigned solely for purposes consistent with providing services to those citizens.

B. Automobile Allowance

In the event that an employee is required to use their personal automobile extensively on a year-round basis, and that employee has not been assigned a municipal vehicle, the Town Administrator may authorize the payment of an automobile allowance. Such allowance may be rescinded with 30 days' notice, and will not be paid in combination with personal automobile expense reimbursement.

C. Expense Reimbursement

The Town of Norfolk will reimburse employees for reasonable and validated expenses, such as mileage, tolls, and parking costs which they incur as a result of personal automobile use on behalf of the Town. Employees must complete a travel reimbursement form and submit it with corresponding receipts to the Department Manager for approval. If the employee uses a town owned car the employee will be reimbursed for Tolls and Parking.

V. Procedures

A. Expense Reimbursement

1. Expense Reimbursement is intended for work-related travel above and beyond an employee's commuting needs. Travel to and from work or other regular work locations are not considered a reimbursable expense.

2. When an employee is authorized to use a personal automobile for intermittent use for work-related travel, he or she shall be reimbursed at a rate established by the IRS. The mileage rate is intended to include the costs of gasoline, repairs, insurance, and general wear and tear on the automobile.
 3. The Town will also reimburse employees authorized for work related travel, driving personal or municipal vehicles, for tolls and reasonable parking expenses, when receipts are provided. Employees will not be reimbursed for tolls which would normally be paid by the employee during their normal commute to work.
 4. The Town Administrator retains the right to require employees who are reimbursed for work-related travel, or who receive an automobile allowance, to show proof of the following minimum levels of insurance coverage:
 - a. Bodily Injury: \$100,000/\$300,000
 - b. Property Damage \$100,000
 5. Automobile Accidents - In the event that an employee's personal vehicle is damaged during an approved, work-related trip, and the damage is not due to the gross negligence of the employee or the employee was deemed not to be at fault, the Town will reimburse the employee, upon receipt of verification of payment of a deductible (comprehensive or collision) to cover part of the cost of repair, up to a maximum of \$500 or the amount of the deductible, whichever is less, per occurrence.
- B. Assignment of Municipal Vehicles for 24 Hour Use (Vehicle Use Approved for Commuting Purposes).
1. The assignment of vehicles for 24-hour use will be made in writing by the Town Administrator, and will only be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions. Criteria which will be used in the determination of eligibility for 24-hour vehicle use include:
 - Officially designated on-call status;
 - Requirement for frequent emergency availability;
 - Issuance of a pager or other communication device;

- Emergency or other equipment contained in the vehicle; and/or
 - Vehicle use is limited to travel to and from the residence and place of work. The vehicle should be driven over the most direct route taking into account road and traffic conditions. The vehicle should not be utilized for travel outside a direct commuting route for personal reasons.
2. Whenever a position becomes vacant, the authorization for 24-hour use shall be re-evaluated. Employees assigned vehicles for 24-hour use involving a commute of more than 25 miles one way may be required to reimburse the Town for the additional fuel cost as determined by the Town Administrator. All approval for vehicles covered under this policy must be assessed and reapproved by the Town Administrator once this policy is in affect according to the new criteria listed above.
 3. There will be no out of state use of the vehicle without the prior approval of the Town Administrator or designee.
 4. Whenever a position becomes vacant, the authorization for 24-hour use for commuting shall be reevaluated.

C. Imputed Income Taxation

1. Employees who are assigned marked and unmarked police vehicles, and/or vehicles designated as “qualified non-personal use vehicle” will not be subject to imputed income taxation as a result of the vehicle assignment.
2. Other employees authorized to commute in a Town vehicle may be subject to imputed income regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation. The Finance Department shall be responsible for determining any tax liability and will be provided with the names of all employees authorized to use Town vehicles for commuting purposes, and the normal, one-way commuting distance, each December 1st.

VI. License Requirements

Verification of License. Employees must provide proof they hold a current, valid license to operate a motor vehicle in Massachusetts prior to being assigned as an authorized driver of a municipal vehicle. Employees may be required to provide proof of valid motor vehicle license once every six (6) months.

Loss of License. Town of Norfolk municipal vehicle operator privileges or personal automobile allowance are invalid upon revocation, suspension or expiration of the employee's license to operate a motor vehicle in Massachusetts and/or by the state of their current residence. An authorized driver must report the suspension or revocation of their license by the State of Massachusetts or state of current residence to the Town Administrator or designee immediately when practicable, but in no case later than 24 hours. If notice of revocation, suspension or expiration is given to the designee, the designee must report the revocation, suspension or expiration to the Town Administrator.

VII. Occupancy of Vehicles

Authorized Use. Town of Norfolk vehicles may be occupied only by authorized drivers and authorized passengers. Town of Norfolk employees are authorized to use municipal vehicles only in the furtherance of official Town business.

Unauthorized Use. An authorized Town of Norfolk employee who permits a Town vehicle to be driven by an unauthorized driver or who transports or permits the transportation of an unauthorized passenger shall have their Town vehicle operator privileges suspended or revoked and may be held personally liable to the extent permitted by law for any liability for any personal injury, death or property damage arising out of the unauthorized use or occupancy of the Town of Norfolk vehicle.

Special Need. In cases of special need, the Town Administrator or designee may authorize a person who would not qualify as an authorized driver to drive a municipal vehicle or a person who would not qualify as an authorized passenger to occupy a municipal vehicle. The authorization

must be in writing and must be obtained before such person drives or occupies a Town vehicle.

Emergency Need. In cases of emergency need, the Town Administrator or designee may verbally authorize a person who would not qualify as an authorized driver to drive a municipal vehicle or a person who would not qualify as an authorized passenger to occupy a municipal vehicle. In the case the authorization is given by the designee, a timely written explanation for making the exemption must be forwarded to the Town Administrator.

Emergency Aid. Nothing in this section shall be construed to prohibit the use or occupancy of a Town of Norfolk vehicle to render emergency aid or assistance to any person.

VIII. Smoking

Smoking is prohibited in Town of Norfolk vehicles.

IX. Intoxicating Liquor and Drugs

Use of Liquor, Illegal Drugs and Prescription Drugs or Medication which may interfere with the employee's ability to operate a vehicle safely are prohibited. Transport of alcohol in municipal vehicles is prohibited.

Penalty for Traffic Citation. A Town of Norfolk employee who receives a traffic citation for driving a Town vehicle while under the influence of intoxicating liquor or drugs will have their vehicle operator privileges suspended or revoked by the Town Administrator or designee, and may be subject to disciplinary procedures up to and including termination from employment. Any passengers who are authorized drivers may also have their Town vehicle operator privileges suspended or revoked.

Penalty for DWI Conviction. A Town of Norfolk employee who is convicted of driving a municipal vehicle while under the influence of intoxicating liquor or drugs may be terminated from employment with the Town. Any Town of Norfolk employees who were passengers in the vehicle also may be terminated from employment where it is shown that such employees knew or should have known that the driver was under the

influence of intoxicating liquor or drugs and did not take reasonable action to prevent the driver from driving the vehicle.

X. Traffic Laws and Seat Belts

Traffic Laws. The failure to obey any applicable traffic law while driving or occupying a municipal vehicle may result in suspension or revocation of vehicle operator privileges.

Seat Belts Required. All occupants of municipal vehicles must wear seat belts. The failure of any person to wear a seat belt while driving or occupying a municipal vehicle may result in the suspension or revocation of the vehicle operator privileges or other disciplinary action.

Responsibility for Traffic Citations. A Town of Norfolk employee who receives a traffic citation or parking ticket while using a municipal vehicle or their personal vehicle for town-related business will be personally responsible for the citation or ticket.

XI. Care of Vehicles - Accidents - Liability

Care of Vehicle. Prior to being assigned a municipal vehicle, a qualified automotive mechanic shall determine that the vehicle is functioning properly and passes inspection standards. If unsafe or hazardous conditions are noted, the vehicle must not be driven until a qualified automotive mechanic can make any necessary repairs. The employee assigned the use of the vehicle shall be responsible assuring the vehicle is properly maintained through the DPW and shall report any problems or unsafe conditions immediately to Their Department Manager. The employee shall also ensure the vehicle contains the all necessary equipment and documentation such as, an inflated spare tire, first aid kit, vehicle registration, vehicle owner's manual, etc. In no case will a Town of Norfolk employee continue to operate a municipal vehicle if continued operation could endanger any person or property. Fuel for Town vehicles shall be supplied by the Town's fuel tanks located at the Public Works garage. The expense for maintenance and safety of municipal vehicles falls within departmental budgets.

Leaving the Vehicle. A Town of Norfolk employee will turn off the ignition, close all windows, and lock the doors and trunk of a Town vehicle whenever the vehicle is left unattended except when it is deemed prudent or necessary for Public Safety or DPW vehicles. Vehicles should be cleaned of items not belonging in the vehicle (trash, personal items, etc). Vehicles operating under emergency conditions may be exempt from this provision.

Cell Phones. Operators should refrain from using hand held communication devices while driving an assigned vehicle. Operators should park the vehicle in a safe location prior to using hand held communication devices unless a bona fide emergency exists prohibiting the operator from coming to a full stop prior to use of a hand held communication device.

Accidents. If a municipal vehicle is involved in an accident the employee shall notify their manager and the Town Administrator and submit a complete accident report available from the Norfolk Police Department including whether the accident resulted in bodily injury or property damage, immediately when practicable, but in no case later than 24 hours. Failure to comply with this subsection may result in suspension or revocation of the municipal vehicle operator privileges.

Driver Training. Any employee involved in 3 accidents must attend a safe driving program approved by the Town Administrator. Any acceptations to this must be approved by the Town Administrator.

Reporting Loss, Theft or Damage. Employees shall notify the Town Administrator or designee of any loss, theft or damage to the vehicle immediately when practicable, but in no case later than 24 hours after the event.

Liability for Loss or Damage. A Town of Norfolk employee will not abuse or misuse a Town vehicle. Authorized employees may be assessed for the loss or damage of a Town vehicle if the loss or damage was caused by:

1. driving while under the influence of intoxicating liquor or drugs;

2. reckless driving;
3. inappropriate transport of materials; or
4. unauthorized use of the vehicle.

Penalty for Negligence. The vehicle operator privileges of a Town of Norfolk employee may be suspended or revoked by the Town Administrator or designee if a Town vehicle is damaged or destroyed due to the negligence of the employee. Other disciplinary action may be taken at the discretion of the Town Administrator or designee.

XII. Policy Compliance

The Town Administrator or designee may suspend or revoke an authorized driver's Town of Norfolk vehicle operator privileges or personal automobile allowance for failure to comply with any provision of this policy. The Town Administrator or designee will notify an authorized driver when their Town of Norfolk vehicle operator privileges or personal automobile allowance has been revoked. This policy is meant to address most situations regarding Town vehicle use. The Town Administrator retains the discretion to address any circumstances not addressed by this policy or to waive any certain requirements if there are mitigating circumstances.

Date: 1/2015

CORI POLICY

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, professional licensing applicants, and applicants for the rental or leasing of housing.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, or the rental or leasing of housing, the following practices and procedures will be followed.

I. Conducting Cori Screening

CORI checks will only be conducted as authorized by the DCJIS and MGL c. 6, §. 172, and only after a CORI Acknowledgement Form has been completed.

With the exception of screening for the rental or leasing of housing, if a new CORI check is to be made on a subject within a year of their signing of the CORI Acknowledgement Form, the subject shall be given seventy-two (72) hours' notice that a new CORI check will be conducted.

If a requestor is screening for the rental or leasing of housing, a CORI Acknowledgement Form shall be completed for each and every subsequent CORI check.

II. Access to Cori

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know".

This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications the Town of Norfolk must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated

every six (6) months and is subject to inspection upon request by the DCJIS at any time.

III. Cori Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at the Town of Norfolk will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS. Additionally, if the Town of Norfolk is an agency required by MGL c. 6, s. 171A, to maintain a CORI Policy, all personnel authorized to conduct criminal history background checks and/or to review CORI information will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

IV. Use of Criminal History in Background Screening

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

V. Verifying a Subject's Identity

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant. If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

VI. Inquiring About Criminal History

In connection with any decision regarding employment, volunteer opportunities, housing, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained

from the DCJIS or from any other source, prior to questioning the subject about their criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

VII. Determining Suitability

If a determination is made, based on the information as provided in section V of this policy that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following: (a) Relevance of the record to the position sought; (b) The nature of the work to be performed; (c) Time since the conviction; (d) Age of the candidate at the time of the offense; (e) Seriousness and specific circumstances of the offense; (f) The number of offenses; (g) Whether the applicant has pending charges; (h) Any relevant evidence of rehabilitation or lack thereof; and (i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

VIII. Adverse Decisions Based on Cori

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed.

The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' Information Concerning the Process for Correcting a Criminal Record.

IX. Secondary Dissemination Logs

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI

outside this organization, including dissemination at the request of the subject.

Date: 7/25/17

DOMESTIC VIOLENCE LEAVE POLICY

I. Purpose

This Policy describes the eligibility and procedural requirements relating to the administration of leave taken pursuant to the Massachusetts Domestic Violence Leave Act, G.L. c. 149, §52E (“DVLA” or “the Act”).

II. Application

This Policy applies to all employees of the Town of Norfolk, excluding those employees under the supervision and control of the School Committee (if applicable). Employees whose employment is governed by a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

III. Policy

The Town/City is committed to complying with the DVLA, as it may be amended from time to time. In the event of any conflict between the Town’s/City’s DVLA policy and the state law and any applicable regulations, the state law/regulations applicable to the Town/City and its employees shall prevail.

IV. Procedures

A. Eligibility

To qualify for domestic violence leave under the DVLA, an employee or a covered family member must be the victim of “*abusive behavior*.”

“Abusive behavior” includes any of the following behaviors: domestic violence, stalking, sexual assault or kidnapping.

Domestic violence is abuse against an employee or a covered family member by a current or former spouse, a person with whom the victim shares a child, a person cohabitating with or who has cohabitated with the victim in the past, a relative by blood or marriage, or a person with whom the employee or family member has or had a dating or engagement relationship.

A *Covered family member* includes a spouse, parent, step-parent, child, step-child, sibling, grandparent, grandchild, persons in a substantive

dating relationship or who reside together, persons having a child in common, or persons in a guardian relationship. In the case of abuse of a family member, the employee is not entitled to leave if he or she is the alleged perpetrator.

B. Duration of Leave

If an employee or a covered family member of the employee is a victim of abusive behavior, he/she may take up to fifteen (15) days of unpaid leave in any 12-month period.

Employees are required to exhaust all vacation days or personal days leave before taking leave under the DVLA.

C. Reasons for Requesting Leave

Employees may request leave to address issues directly related to the abusive behavior. This includes seeking medical attention, counseling or victim services. Leave may also be taken to obtain legal assistance, to attend or appear in court proceedings, or to meet with a district attorney or law enforcement personnel. It is not a requirement of the Act that the employee maintain contact with the alleged abuser before being eligible for leave.

D. Notice

Employees must provide sufficient advance notice of the decision to use domestic violence leave, unless there is a threat of imminent danger to the health or safety of the employee or a member of the employee's family. An employee who does not give advance notice must notify the employer within three (3) work days that leave is being taken pursuant to the DVLA. The notice may be provided by certain specified individuals other than the employee.

If an unscheduled absence occurs, the employee has 30 calendar days to produce documentation of the need for leave, in accordance with paragraph E, below.

E. Documentation

Employees taking leave pursuant to the DVLA may be required to provide documentation evidencing that the employee or employee's family member has been a victim of abusive behavior. If requested, an employee is required to provide such documentation within a reasonable period after the request is made. An employee can satisfy this requirement by providing any one of the following documents:

- A protective order issued by a court as a result of abusive behavior against the employee or employee's family member;
- A document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the abusive behavior;
- A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behavior;
- Documentation that the perpetrator of the abusive behavior against the employee or family member of the employee has admitted to sufficient facts in court, or has been convicted of any offense constituting abusive behavior;
- Medical documentation of treatment as a result of the abusive behavior;
- A sworn statement provided by a counselor, social worker, or health care worker who has assisted the employee or the employee's family member; or
- A sworn statement from the employee attesting that the employee has been the victim of abusive behavior.

F. Return to Work

Employees who take leave pursuant to the DVLA will be restored to their original or equivalent position upon return from leave unless circumstances unrelated to the employee's use of leave would have caused a change in employment status. The City/Town shall not retaliate against an employee for exercising their rights under the DVLA.

G. Confidentiality

With limited exceptions set forth by law, information related to the employee's leave shall remain confidential.

Date: 12/2014

DRUG AND ALCOHOL POLICY

The Town of Norfolk strives to maintain a workplace free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. Misuse of alcohol or drugs by employees can impair the ability of employees to perform their duties, create a dangerous situation, as well as adversely affect our customers' and customers' confidence in the Town of Norfolk.

Alcohol

Employees are prohibited from using or being under the influence of alcohol while performing company business for the Town of Norfolk, while operating a motor vehicle in the course of business or for any job-related purpose, or while on company premises or a worksite.

Drugs

Town of Norfolk employees are prohibited from using or being under the influence of illegal drugs or marijuana while performing company business or while on a company facility or worksite. You may not use, manufacture, distribute, purchase, transfer or possess an illegal drug or marijuana while in Town of Norfolk facilities, while operating a motor vehicle for any job-related purpose or while on the job, or while performing company business. This policy does not prohibit the proper use of medication under the direction of a physician; however, misuse of such medications is prohibited.

Disciplinary Action

Employees who violate this policy may be disciplined or terminated, even for a first offense. Violations include refusal to consent to and comply with testing and search procedures as described.

Searches

Town of Norfolk may conduct searches for illegal drugs or marijuana or alcohol on company facilities or worksites without prior notice to employees. Such searches may be conducted at any time. Employees are expected to cooperate fully.

Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee has violated this policy or when circumstances or workplace conditions justify such a search. Personal property may include, but is not limited to, purses, boxes, briefcases, as well as any Town of Norfolk property that is provided for employees' personal use, such as desks, lockers, and files.

An employee's consent to a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination.

Drug Testing

Town of Norfolk may require a blood test, urinalysis, hair test or other drug or alcohol screening of employees suspected of using or being under the influence of drugs or alcohol or where other circumstances or workplace conditions justify such testing. The refusal to consent to testing may result in disciplinary action, including termination.

Additional Points

1. No employee shall report for duty or remain on duty while having a blood alcohol concentration of 0.02 or greater.
2. No covered employee who performs a safety sensitive function shall engage in safety sensitive functions within four hours after using alcohol.
3. No covered employee who performs a safety sensitive function and who is required to take a post-accident alcohol test pursuant to the policy shall use alcohol for eight hours following the accident or until they undergo a post-accident alcohol test, whichever occurs first.
4. No covered employee who performs a safety sensitive function shall report for duty or remain on duty when the employee is using any prescription drug except when the use is pursuant to the instructions of a physician who has advised the employee that the prescription drugs do not adversely affect the employee's ability to safely operate a commercial motor vehicle.

Drug and Alcohol Testing Procedures

I. Definitions

1. "Accident" - A collision or non-collision incident involving a Commercial Motor Vehicle operated by a Covered Employee resulting in property damage, personal injury or the issuance of a civil motor vehicle infraction notice, a criminal complaint or criminal complaint application.
2. "Alcohol" - The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol.
3. "Alcohol Use" - The consumption of any beverage, mixture, or preparation including any medication containing Alcohol.
4. "Blind Sample" - A urine Specimen submitted to a laboratory for quality control testing purposes, with a fictitious identifier, so that the laboratory cannot distinguish it from Employee Specimens, and is spiked with known quantities or specific Drugs or is blank containing no Drugs.
5. "Blood Alcohol Concentration- (BAC)" - Grams alcohol per 210 liters of breath as indicated by an Evidential Breath Test (EBT) in accordance with the Uniform Vehicle Code, Section II-903 (a)(5).
6. "Breath Alcohol Technician (BAT)" - An individual who instructs and assists individuals in the Alcohol testing process and who operates an Evidential Breath Testing Device (EBT).
7. "Certified Laboratory" - Laboratories certified under the DHHS "Mandatory Guidelines for Federal Workplace Drug Testing Programs", 53 CFR 11970, April 11, 1988 and subsequent amendments thereto.
8. "Chain of Custody" - Those procedures employed to account for the integrity of each urine Specimen by tracking its handling and storage from point of Specimen collection to final disposition. These procedures require that an appropriate Drug testing chain of custody form from a DHHS/NIDA Certified Laboratory be used from the time of collection to receipt by the testing laboratory.
9. "Collection Site" - A clinic or other location (including a mobile unit) designated by the Employer where the applicant or the Employee

- may present them self for the purpose of providing a Specimen of his or her urine to be analyzed for the presence of Drugs, or for providing a breath sample to be analyzed for the presence of Alcohol.
10. "Collection Site Person or Collector" - A person who instructs and assists applicants and Employees at a Collection Site and who receives and performs a Screening Test or the urine Specimen provided by the applicants and Employees.
 11. "Commercial Motor Vehicle" - Any self-propelled or towed vehicle used on public highways to transport passengers or property when:
 - a. The vehicle has a gross vehicle weight rating or gross combination weight rating of 26001 or more pounds; or
 - b. The vehicle is designed to transport more than sixteen passengers including the driver; or
 - c. The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Department of Transportation pursuant to the Hazardous Materials Transportation Act.
 12. "Confirmation Test" - A second analytical procedure used to identify the presence of a Drug and/or a specific Drug Metabolite which is independent of the Initial Test and which uses a different technique and chemical principal from that of the Initial Test in order to insure reliability and accuracy. Gas Chromatography/Mass Spectrometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, amphetamines, opiates, and phencyclidine. In the case of Alcohol testing, a second test (following a Screening Test with a result of 0.02 or greater) that provides quantitative data of actual concentration and which meets the requirements of 4 CFR 40.53 (b) (1)-(5).
 13. "Covered Employee" - Any person employed by the municipality on a part-time or full-time basis who:
 - a. Performs a Safety Sensitive Function, or
 - b. Otherwise is subject to Drug and Alcohol testing under the terms of any applicable collective bargaining agreement or other personnel rules of the municipality. For the purpose of pre-employment testing only, the term "covered employee" includes a person applying for Covered Employment.

14. "Covered Employment" - Any employment activity that requires or involves the performance of a Safety Sensitive Function; or any employment activity which is subject to reasonable suspicion or reasonable cause Alcohol or Drug testing.
15. "Detected" - Indicative of the presence of a Drug or Metabolite in the Specimen when tested or the presence of a BAC of 0.02 or greater in a Specimen when tested.
16. "DHHS" - The Department of Health and Human Services or any designee of the Secretary of the Department of Health and Human Services.
17. "DOT Agency" - An agency (or operating administration) of the United States Department of Transportation administering regulations requiring Alcohol and/or Drug testing.
18. "Drugs" - Any of the following substances specified in Schedule I or Schedule II of the Controlled Substances Act (21 U.S.C. 802(6)): marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).
19. "Evidential Breath Testing Device" (EBT) - An EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on the NHTSA's Conforming Products List of Evidential Breath Measurement Devices.
20. "Employee" - Any person working full or part-time for the municipality for pay and who is subject to the Personnel By-laws of the Town.
21. "Employer" - The municipality and any of its departments or divisions.
22. "Fail a Drug or Alcohol Test" or "Test Positive" - In connection with Drug testing, the Confirmation Test result providing evidence of the presence of a Drug in the Employee's or applicant's system; or in connection with Alcohol testing, a quantitative Confirmation Test result showing a BAC of 0.02 or greater.
23. "Initial Test" - An immunoassay screen to eliminate "negative" urine Specimens from further considerations or an EBT test used for Screening Tests.
24. "Medical Review Officer" (MRO) - A licensed physician responsible for receiving laboratory results generated by this Policy who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an Employee's or applicant's

- confirmed Test Positive result together with their medical history and any other relevant biomedical information.
25. "Metabolite" - Compounds resulting from the breakdown of drugs by the body metabolism.
 26. "NIDA Certified Laboratory" - The National Institute on Drug Abuse (NIDA) was established by the DHHS in 1986 to regulate laboratories performing analytical tests (Drug tests) on human body fluids for employment purposes in the public sector.
 27. "Non-Detected" - Indicative of the absence of any Drug or Metabolite in the Specimen when tested or absence of Alcohol as shown by a BAC of less than 0.02 in the Specimen when tested.
 28. "Pass a Drug or Alcohol Test" or "Test Negative" - In connection with Drug testing, the Initial Testing does not show evidence of the presence of a drug in the Employee's or applicant's system; or in connection with Alcohol testing, an Initial Test which shows a BAC below 0.02.
 29. "Performing a Safety Sensitive Function" - An Employee is considered to be Performing a Safety Sensitive Function during any period in which they are actually performing, ready to perform, or immediately available to Perform any Safety Sensitive Functions.
 30. "Prescription Drug" - A Drug prescribed to an individual by a licensed physician. The medicine must be in the original container with the label identifying the individual's name, the Drug and the licensed physician's name.
 31. "Refusal to Submit a Specimen"
An Employee or applicant will be deemed to have Refused to Submit a Specimen when:
 - a. They fail to provide adequate breath for testing without providing a written opinion of a licensed physician that a medical condition has, or with a high degree or probability, could have precluded the employee from providing an adequate amount of breath, or
 - b. They fail to provide at least 45 milliliters or urine for Drug testing without providing a valid medical explanation after they have received notice of the requirement for urine testing in accordance with the provisions of this Policy or

- c. They engage in conduct that clearly obstructs the testing process, or
 - d. They attempt to tamper with or adulterate a Specimen, or
 - e. They fail to provide a photo I.D. at the time of the testing, or
 - f. They refuse to sign the certification block on the Breath Alcohol Testing Form that reads: "I certify that I am about to submit to breath alcohol testing required by U.S. Department of Transportation regulations and that the identifying information provided on this form is true and accurate", or
 - g. They refuse to sign without good cause the certification on the Drug Testing Custody and Control Form that reads as follows: "I certify that I provided my urine specimen to the Collector, that the specimen bottle was sealed with a tamper-proof seal in my presence, and that the information provided on the form and on the label affixed to the specimen bottle is correct, or
 - h. They refuse to sign a consent or release form authorizing the collection of the Specimen, analysis of the Specimen for Drugs and release of the results to the Employer.
32. "Rejected Specimen or Broken Chain of Custody" - A Specimen that has been received by the laboratory and rejected because it has failed the Chain of Custody protocol has incurred tampering, adulteration, breakage or some other reason that would put integrity or identity of the Specimen in jeopardy.
33. "Safety Sensitive Function" - Operating for any period of time, in any place, a Commercial Motor Vehicle, or employment activity preparatory to operating a Commercial Motor Vehicle.
34. "Screening Test" - In Alcohol testing, an EBT test to determine whether an Employee or applicant has Alcohol in their system. In Drug testing, an immunoassay screen to eliminate "negative" urine Specimens from further consideration.
35. "Specimen" - A urine specimen, in the case of Drug testing; or a breath sample, in the case of Alcohol testing. A photo I.D. is required incident to both a urine sample and a breath sample.
36. "Substance Abuse Professional" - A licensed physician (Medical Doctor or Doctor of Osteopathy) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of

Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

II. Testing of Covered Employees

Drug Testing

All Covered Employees are required to be testing for five drugs: Marijuana, cocaine, opiates, amphetamines, and phencyclidine. Testing procedures will comply with the Department of Transportation (DOT) regulations concerning Drug testing of Commercial Motor Vehicle drivers (49 CFR 40) which are incorporated into and distributed with this Policy.

All testing will be done at the Collection Site designated by the Employer. Unless otherwise specifically noted in this Policy, all testing will be paid for by the Employer. Notice of testing will be given during Covered Employment.

A Medical Review Officer shall review all confirmed Test Positive results prior to the transmission of the results to the Employer. Prior to making a final decision to verify a Test Positive result for an Employee or applicant, the MRO shall give the Employee or applicant an opportunity to discuss the test result with them. The Employee or applicant may request a re-test of the split sample if they do so within 72 hours of the Employee or applicant's having been informed of a verified Positive Test by the MRO.

This re-test of the split sample shall be paid for by the Employee or applicant. The Employee or applicant may select another DHHS certified laboratory to re-test the Specimen. The results of the re-test shall be conclusive.

Once the MRO has verified a Test Positive and communicated that fact to the Employer, the Employer will immediately suspend the employee without pay or notify the applicant that the hiring process is terminated, commence appropriate disciplinary proceedings, and refer the Employee to a Substance Abuse Professional for evaluation.

Should the Substance Abuse Professional recommend a program of treatment and rehabilitation, the Employee upon written request and consent of the Employer may be permitted a leave of absence, in order to under-go treatment and rehabilitation. The Employee will be required to exhaust all accumulated sick leave and vacation days and apply for leave under the provisions of the Family and Medical Leave Act of 1993 before additional unpaid administrative leave will be granted. In no event will a leave of absence longer than permitted under the Family and Medical Leave Act of 1993 be granted to the Employee.

Employees who refuse to enter a treatment program when so advised by the Substance Abuse Professional will be subject to immediate dismissal in accordance with Article XXIII(B) of the town's personnel policy.

Employees who fail to re-apply for re-instatement or fail to test negatively on the Return-to-Duty drug test will be subject to immediate dismissal. Employees that are re-instated and fail one of the Drug tests during the post rehabilitation period will also be subject to immediate dismissal.

Employees or applicants will be required to be tested for drugs under the following circumstances:

1. Pre-Employment Testing

Applicants for Covered Employment will be informed during the application process that no person shall be hired for a Covered Employment position unless they have been tested pursuant to the Drug Testing section of this Policy and have received a Negative Test result.

Pre-Employment testing also applies to any Covered Employee returning from a leave of absence who was not last actively employed when the Policy became effective and to any Employee transferring from a non-Covered Employee position to a Covered Employee position. Applicants, returning or transferring Employees will be required to pay for the pre-employment test.

Persons tested under the pre-employment testing provisions of this Policy shall be informed that their Specimen will be tested for the

presence of drugs. Refusal to Provide the Specimen will result in termination of the application and hiring process. Applicants tested under the pre-employment testing provisions of this Policy who Test Positively will not be hired.

A Covered Employee who is returning from a leave of absence that commenced prior to the effective date of this Policy or a non-Covered Employee who is transferring from a non-Covered Employee position to a Covered Employee position who Refuses to Provide a Specimen or who is tested and Test Positively will not be allowed to resume or to transfer to a Covered Employment or continue other employment with the Employer, shall be immediately suspended without pay, and will be subject to discipline consistent with any applicable law and the rules, policies and procedures of the Employer.

2. Random Testing

Each year a percentage of all Covered Employees Performing Safety Sensitive Functions will be randomly selected for Drug Testing pursuant to the procedures set forth in this Policy. Initially this percentage will be 50%. The minimum annual percentage rate for random Drug testing will be established each year by the Federal Highway Administrator and published in the Federal Register. The Employer's annual testing rate will be identical with the rate set each year by the FHWA Administrator.

A computer program determines the random selection process. The program is run monthly and confidential lists are sent from the Employer's Drug and Alcohol Program Administrator to authorized personnel at the appropriate department. Once the Employee selected for the random Drug test receives notice, that Employee must proceed at once to the Collection Site where they must provide a urine Specimen.

Employees selected for Drug testing pursuant to this Policy's random selection provision who refuse to provide a Specimen or who Test Positively shall be immediately suspended without pay and subject

to discipline consistent with any applicable law, and the rules, policies, and procedures of the Employer.

3. Post-Accident Testing

A Covered Employee who performs Safety Sensitive Functions who is involved in an Accident shall provide a Specimen for Drug testing pursuant to this Policy's procedures as soon as possible after the time of the Accident but in no event later than thirty-two hours after the time of the subject Accident.

If the Employee is hospitalized and unable to provide a Specimen as required by this section, the Employee or their legal representative shall provide all necessary authorization for the Employer to obtain medical records and reports, including hospital and laboratory records and reports, to determine whether there were any Drugs in their system at the time of the Accident.

Employees required to be tested pursuant to this section who refuse to submit a Specimen or who Test Positively will be immediately suspended without pay and subject to discipline consistent with any applicable law, and the rules, policies, and procedures of the Employer.

4. Reasonable Suspicion or Reasonable Cause Testing

A Covered Employee shall be required to submit to the Drug testing procedures provided for in this Policy when there is a reasonable suspicion or reasonable cause to believe that the Covered Employee is using or is under the influence of a Drug. Reasonable suspicion or cause shall be based upon specific behavioral or performance indicators of probable Drug use.

Upon determination by the appropriate supervisor, manager, or department head that a reasonable suspicion exists that a Covered Employee is using or under the influence of a Drug, the Covered Employee shall be ordered to immediately submit a Specimen at a Collection Site specified by the Employer. If the Collection Site is offsite, the Employee will be transported to and from the Collection

Site. The Employee shall be placed on sick leave until the test result is received by the Employer. If it is a Test Negative, the sick leave will be restored to the Employee and the Employee will immediately return to Covered Employment.

If the Test is Positive or if the Employee Refuses to Submit a Specimen, the Employee will be immediately suspended without pay and subject to discipline consistent with any applicable law, and the rules, policies, and procedures of the Employer.

5. Return to Duty Testing

Any Covered Employee returning to Covered Employment after engaging in conduct prohibited by this Policy shall undergo Drug testing, pursuant to the procedures set forth in this Policy prior to actually engaging in Covered Employment.

A Covered Employee required to be tested pursuant to this section that Tests Positively or who refuses to submit a Specimen will be subject to immediate dismissal.

6. Post Rehabilitation Period Testing

Any Covered Employee who has Test Positively on a Drug test and who is subsequently re-instated will be subject to Drug testing during the post rehabilitation period. No less than six tests will be administered in the first twelve months following the return to duty. More tests may be ordered by the Substance Abuse Professional for a period of time not to exceed 60 months from the return to duty. A Covered Employee, who fails to complete a rehabilitation program as determined by the Substance Abuse Professional, Refuses to Submit a Specimen during the post rehabilitation period or who Tests Positively during the post rehabilitation period will be subject to immediate dismissal.

7. Biennial-Periodic Testing

A Covered Employee who performs Safety Sensitive Functions shall be tested at least once every two years commencing from the start of Covered Employment or the effective date of the Omnibus

Transportation Employee Testing Act of 1994 in this municipality. This requirement shall not apply to a Covered Employee who has been tested for Drug use under any other section of this Policy within the prior twenty-four months.

Employees who Test Positively or who Refuse to Submit a Specimen will be immediately suspended without pay and subject to discipline consistent with any applicable law, and the rules, policies, and procedures of the Employer.

Alcohol Testing

Covered Employees who Perform Safety Sensitive Functions will be required to under-go testing for the misuse of Alcohol. This testing shall consist of breath analysis performed at a Collection Site. A test result of 0.02 BAC or greater but less than 0.04 will result in the Employee being placed on sick leave. Before returning to duty the Employee must under-go another Alcohol test which they must pay for. If the second test result is a BAC of less than 0.02, the Employee shall return to duty at the start of the next normal shift. If the second test result is a BAC of 0.02 or greater but less than 0.04, the Employee shall remain on sick leave until that time when the Employee can provide at their own expense a test result of less than 0.02 BAC. If the Employee's accumulated sick leave has been exhausted without the Employee producing an Alcohol test result whose BAC is less than 0.02, the Employee may apply for a leave of absence in order to under-go treatment and rehabilitation. If the Employee exhausts their accumulated sick leave without having produced an Alcohol test result whose BAC is less than 0.02 and has not requested a leave of absence in order to under-go treatment and rehabilitation, the Employee will be subject to immediate dismissal in accordance with Article XXIII (B) of the Town's Personnel Bylaw.

If any Alcohol test result is 0.04 BAC or greater, the Employee will be suspended without pay and subject to discipline consistent with any applicable law, and the rules, policies, and procedures of the Employer.

Any Employee whose Alcohol test result is 0.04 BAC or greater will be referred to a Substance Abuse Professional for evaluation. Should the

Substance Abuse Professional recommend a program of treatment and rehabilitation, the Employee upon written request and consent of the Employer may be permitted a leave of absence in order to under-go treatment and rehabilitation. The Employee will be required to exhaust all accumulated sick leave and vacation days and apply for unpaid leave under the Family and Medical Leave Act of 1993 before additional unpaid administrative leave will be granted. In no event will a leave of absence longer than permitted under the Family and Medical Leave Act of 1993 be granted to the Employee.

Employees who refuse to enter a treatment program after being so advised by the Substance Abuse Professional will be subject to immediate dismissal.

Employees that fail to re-apply for re-instatement or whose test result is a BAC of 0.04 or greater on the Return-To-Duty Alcohol test will be immediately terminated. Employees that are re-instated and have a test result of 0.04 BAC on any test administered during the post rehabilitation period will also be subject to immediate dismissal.

Covered Employees or applicants who Perform Safety Sensitive Functions will be subject to Alcohol testing under the following circumstances:

1. Pre-Employment Testing

Prospective Covered Employees will be informed during the application process that no person shall be hired for a Covered Employment position involving the Performance of Safety Sensitive Functions unless they have tested pursuant to this Policy and have received a Test Negative result. Pre-employment testing also applies to any Covered Employee returning from a leave of absence who was not last actively employed when the policy became effective and to any municipal Employee transferring from a non-Covered Employee position to a Covered Employment position requiring the Performance of Safety Sensitive Functions. The cost of this test will be paid for by the applicant, returning or transferring Employee.

Persons tested under the pre-employment provisions of this Policy shall be informed that their Specimen will be tested for the presence of Alcohol. Refusal to Submit a Specimen or a Positive Test will result in the termination of the application and hiring process. Applicants tested under the pre-employment testing provisions of this Policy who Test Positively will not be hired. A Covered Employee who is returning from a leave of absence or a non-Covered Employee who is seeking to transfer who Refuses to Submit a Specimen or who tests at 0.04 BAC or greater will not be allowed to resume or transfer to Covered Employment or continue other employment with the Employer, shall be immediately suspended without pay and subject to discipline consistent with any applicable law and the rules, policies, and procedures of the Employer.

A Covered Employee who is returning from a leave of absence or a non-Covered Employee who is seeking to transfer to Covered Employment who has BAC of 0.02 or greater but less than 0.04 will not have their request for return or transfer acted upon until that time that the Employee can provide at their expense an Alcohol test result of less than 0.02 BAC.

2. Random Testing

Each year a percentage of all Covered Employees Performing Safety Sensitive Functions will be randomly selected for Alcohol testing pursuant to the procedures set forth in this Policy. Initially this percentage will be 25%. The minimum annual percentage rate for random Alcohol testing will be established each year by the FHWA Administrator and published in the Federal Register. The Employer's annual testing rate will be identical with the rate set each year by the FHWA Administrator.

A computer program determines the random selection process. The program is run monthly and confidential lists are sent from the Employer's Drug and Alcohol Program Administrator to authorized personnel at the appropriate department. Once the Employee selected for the random Alcohol test receives notice of selection that

Employee must proceed at once to the Collection Site and provide a breath sample.

Employees selected for Alcohol testing pursuant to this Policy's random selection provisions who refuse to submit a Specimen or who test at or over 0.04 BAC shall be immediately suspended without pay and subject to discipline consistent with any applicable law, and the rules, policies and procedures of the Employer.

Employees whose test result is a BAC of 0.02 or greater but less than 0.04 will be placed on sick leave until that time that the Employee can provide at their own expense a test result of less than 0.02 BAC. If the Employee exhausts their accumulated sick leave without having produced an Alcohol test result whose BAC is less than 0.02, they may apply for administrative leave in order to under-go treatment and rehabilitation. If the Employee exhausts their accumulated sick leave without having produced an Alcohol test with a BAC of less than 0.02 and has not applied for administrative leave to under-go treatment and rehabilitation, the Employee will be subject to immediate dismissal.

3. Post-Accident Testing

A Covered Employee who performs Safety Sensitive Functions who is involved in an Accident shall provide a Specimen for Alcohol testing pursuant to this Policy's procedures as soon as possible after the time of the Accident but in no event later than either hours after the time of the subject Accident.

If the Employee is hospitalized and unable to provide a Specimen as required by this section, the Employee or their legal representative shall provide all necessary authorization for the Employer to obtain medical record and reports, including hospital and laboratory records and reports, to determine whether there was Alcohol in their system at the time of the Accident.

Employees required to be tested pursuant to this section who Refuse to Submit a Specimen or whose test result is 0.04 BAC or greater will

be immediately suspended without pay and subject to discipline consistent with any applicable law, and the rules, policies, and procedures of the Employer.

Employees whose test results are 0.02 BAC or greater but less than 0.04 will be placed on sick leave and will not be permitted to return to duty until that time the Employee can provide at their own expense an Alcohol test whose result is a BAC of less than 0.02. If an Employee exhausts their accumulated sick leave without having produced an Alcohol test whose BAC is less than 0.02, the Employee may request administrative leave in order to under-go treatment and rehabilitation.

If the Employee exhausts their accumulated sick leave, has not produced an Alcohol test result whose BAC is less than 0.02 and has not applied for administrative leave in order to under-go treatment and rehabilitation, the Employee will be subject to immediate dismissal.

4. Reasonable Suspicion or Reasonable Cause Testing

A Covered Employee shall be required to submit to the Alcohol testing procedures provided for in this Policy when there is a reasonable suspicion or reasonable cause to believe that the Covered Employee is using, or is under the influence of Alcohol. Reasonable suspicion or cause shall be based upon specific behavioral or performance indicators of probable Alcohol use.

Upon a determination by the appropriate supervisor, manager, or department head that a reasonable suspicion exists that a Covered Employee is using or under the influence of Alcohol, the Covered Employee shall be ordered to immediately submit a Specimen at a Collection Site specified by the Employer. If the Collection Site is off-site, the Employee will be transported and from the Collection Site. The Employee shall be placed on sick leave until the test result is received by the Employer. If it is a Test Negative, the sick leave will be restored to the Employee and the Employee will immediately return to Covered Employment.

If the Test is Positive or if the Employee Refuses to Submit a Specimen, the Employee will be immediately suspended without pay and subject to discipline consistent with any applicable law, and the rules, policies, and procedures of the Employer.

5. Return to Duty Testing

Any Covered Employee returning to Covered Employment which involves Performing Safety Sensitive Functions after engaging in conduct prohibited by this Policy shall under-go Alcohol testing pursuant to the procedures set forth in this Policy prior to actually engaging in Covered Employment.

A Covered Employee required to be tested pursuant to this section whose test result is 0.04 BAC or greater or who Refuses to Submit a Specimen will be subject to immediate dismissal.

A Covered Employee required to be tested pursuant to this section whose test result is 0.02 BAC or greater will not be permitted to return to duty until they have taken another Alcohol test the result of which are less than 0.02 BAC. This additional test shall be paid for by the Covered Employee and shall be performed within 30 days of the first return to duty Alcohol test. If this test result is greater than 0.02 BAC, the Employee will be subject to immediate dismissal.

6. Post Rehabilitation Period Testing

Any Covered Employee who has Tested Positively to an Alcohol test and who is subsequently re-instated will be subject to Alcohol testing during any post rehabilitative period. No less than six tests will be administered in the first twelve months following the return to duty. More tests may be ordered by the Substance Abuse Professional for a period of time not to exceed 60 months from the return to duty.

A Covered Employee who fails to complete a rehabilitation program as required by the Substance Abuse Professional, Refuses to Submit a Specimen during the post rehabilitation period or who Tests

Positively during the post rehabilitation period will be subject to immediate dismissal.

7. Biennial-Periodic Testing

A Covered Employee who performs Safety Sensitive Functions shall be tested for misuse of Alcohol at least once every two years commencing from the start of Covered Employment or the effective date of the Omnibus Transportation Employee Testing Act of 194 in this municipality. This requirement shall not apply to a Covered Employee who has been tested for misuse of Alcohol under any other section of this Policy within the prior twenty-four months.

Employees whose test results is 0.04 BAC or greater or who refuse to submit a specimen will be immediately suspended without pay and subject to discipline consistent with any applicable law, and the rules, policies, and procedures of the Employer.

Employees whose test result is 0.02 BAC or greater but less than 0.04 will be placed on sick leave until that time that the Employee can produce an Alcohol test result with a BAC of less than 0.02. If the Employee exhausts their accumulated sick leave without having produced an Alcohol test result with a BAC of less than 0.02, the Employee may apply for administrative leave in order to under-go treatment and rehabilitation. If the Employee exhausts their accumulated sick leave without having produced an Alcohol test result with a BAC of less than 0.02 and without having applied for administrative leave in order to under-go treatment and rehabilitation, the Employee will be subject to immediate dismissal.

III. Testing Procedures

All testing shall be conducted in conformance with the standards set forth in 49 CFR 40 which are incorporated hereby into this Policy.

Drug testing shall consist of urine testing and Alcohol testing shall consist of breath analysis. Urine Specimens shall be subjected to the Chain of Custody requirements contained in the DOT regulations in order to

preserve the integrity of the testing procedure. Urine Specimens will be split with one portion retained for the purpose of a re-test.

Negative Drug Test results will be reported to Employees confidentially by the Employer. If an Employee has Positive Drug Test result, they will be contacted by the Medical Review Officer (MRO). If the MRO is unable to contact the Employee, the MRO will contact the Employer and ask the Employer to contact the Employee and tell the Employee to call the MRO. The MRO will try to discuss the results of the Positive Drug Test with the Employee and ask if there are any factors that could have influenced the test results prior to confirming the result. If the MRO cannot contact the Employee, the MRO will report the Positive Drug Test to the Employer without having discussed the results first with the Employee.

Results of the EBT will be available to the Employee at the time of the testing.

All test dates and results, Positive or Negative, will be noted in the Employee's personnel file and will be kept confidential.

IV. Penalties for Manufacturing, Distributing, Dispensing, Using Or Possessing Alcohol Or Drugs While On Town Property.

Employees, who manufacture, distribute, dispense, use or possess Alcohol or Drugs while on Town property will be suspended without pay and be subject to discipline consistent with any applicable law.

V. Employee Assistance Program

The municipality has established an Employee Assistance Program (EAP). This program is an evaluation and referral service which assists Employees in obtaining treatment for a wide range of problems including substance abuse.

There is no cost for this service to Employees and all services provided are kept confidential between the EAP provider and the Employee. All Employees may request assistance in dealing with Drug or Alcohol

problems from the EAP provider. However, the testing provisions for Covered Employees will not be stayed due to an Employee's participation in an EAP program.

The EAP provider will:

1. Educate and train Employees concerning the effects of Drug use and the misuse of Alcohol on the health, work, and personal life of Employees, and
2. Educate and train supervisory personnel in recognizing symptoms of Drug use and the misuse of Alcohol which give rise to reasonable suspicion or reasonable cause, and
3. Advise Employees about available methods of intervening when an Alcohol or Drug problem is suspected, including confrontation, referral to the EAP provider, and referral to management, and
4. Evaluate Employees who have failed a Drug or Alcohol test and who are referred by the Employer, and
5. Determine whether an Employee has satisfactorily completed a program of treatment and rehabilitation.

VI. Record Retention and Access

All records which relate to this Policy shall be kept in limited access files in accordance with the provisions of 49 CFR 382.401-382.413. Except as required by law or expressly authorized in 49 CFR 382.405, no records relating to this Policy will be released by the Employer.

Employees may make written requests to obtain copies of any records pertaining to their misuse of Alcohol or Drugs including test results. The records will be provided promptly.

Records relating to this Policy will be released to a subsequent employer upon receipt of a written request from the Employee. The Employee can also authorize the release of these records to an identified person by filing a written consent and request with the Employer.

VII. Questions About This Policy

Questions about this Policy, the DOT regulations, or the Omnibus Transportation Employee Testing Act of 1994 should be directed to the Town Administrator at 508-440-2855

ELECTRONIC COMMUNICATIONS POLICY

Purpose

To clearly define the Town of Norfolk's policy regarding the standards for use of The Town of Norfolk's Electronic Communications Systems (email).

Policy

The Town of Norfolk is pleased to make e-mail access available to authorized employees. Created as a business tool to help the Town of Norfolk's employees serve town residents, communicate with suppliers, streamline internal communications, and reduce unnecessary paperwork, the e-mail system is intended for business purposes. Personal use of the Town of Norfolk's e-mail system is restricted to the terms outlined below. The e-mail system is the property of the Town of Norfolk. Employees accessing the Town of Norfolk's e-mail system are required to adhere to the following policy and procedures. Violation of the Town of Norfolk's e-mail policy may result in disciplinary action, up to and including termination.

1. All communications and information transmitted, received, or archived in the Town of Norfolk's computer system belong to the Town of Norfolk. The federal Electronic Communications Privacy Act (ECPA) gives management the right to access and disclose all employee e-mail messages transmitted or received via the organization's computer system. The Town of Norfolk intends to exercise its legal right to monitor employees' e-mail activity. When it comes to e-mail, employees should have no expectation of privacy. Be aware that the Town of Norfolk's management may access and monitor e-mail at any time for any reason without notice.
2. The e-mail system is reserved primarily for business use. Only under the following circumstances may employees use the Town of Norfolk's e-mail system for personal reasons:
 - a. Communication with children, spouses, and immediate family is permitted but must be limited that that cannot wait until the employee is not working.
3. The use of the Town of Norfolk's e-mail system to solicit for any purpose, campaign for a political candidate, espouse political views,

promote a religious cause, conduct union business, send or respond to chain email, assess social networking sites or advertise the sale of merchandise is strictly prohibited without the prior approval of the Town Administrator.

4. E-mail passwords are the property of the Town of Norfolk. Only personnel authorized by the Town Administrator are permitted to use passwords to access another employee's e-mail without consent. Misuse of passwords, the sharing of passwords with non-employees, and/or the unauthorized use of another employee's password will result in disciplinary action, up to and including termination.
5. Privacy does not exist when using the Town of Norfolk's computer system including desktop computers, laptops, and handhelds.
6. Confidential or personal information never should be sent via e-mail without the understanding that it can be intercepted. This includes the transmission of the Town of Norfolk's intellectual property, resident or business financial information, Social Security numbers, employee health records, proprietary data and trade secrets, and/or other confidential material. When sending confidential material (or any messages for that matter), employees should use extreme caution to ensure the intended recipient's e-mail address is correct. All files should be password protected prior to transmission. All messages should be carefully guarded and protected, like any other written materials. You must also abide by copyright laws, ethics rules, and other applicable laws. Exercise caution when sending blind carbon copies to ensure you don't violate addressees' privacy by inadvertently sending carbon copies.
7. E-mail usage must conform to the Town of Norfolk's harassment and discrimination policies. Messages containing defamatory, obscene, menacing, threatening, offensive, harassing, or otherwise objectionable and/or inappropriate statements--and/or messages that disclose personal information without authorization--are prohibited. If you receive this type of prohibited, unsolicited message, do not forward it. Notify your supervisor and/or the Town

Administrator about the message. Delete the message as instructed by management.

8. Employees are prohibited from sending jokes via e-mail. Jokes, which often contain objectionable material, are easily misconstrued when communicated electronically.
9. Employees are prohibited from sending organization-wide e-mail messages to all employees without approval from the Town Administrator. In addition, employees are prohibited from requesting e-mail replies to organization-wide e-mail without the permission of the Town Administrator.
10. Employees may not waste the Town of Norfolk's computer resources or colleagues' time. Send e-mail messages and copies only to those with a legitimate need to read your message. Chain messages and executable graphics should be deleted, not forwarded, as they can overload the system.
11. Only the Town Administrator approves public e-mail distribution lists.
12. Employees are responsible for knowing and adhering to the Town of Norfolk's e-mail retention and deletion policies.
13. Misuse and/or abuse of the Town of Norfolk's electronic assets (wasting productive time online, copying or downloading copyrighted materials, visiting inappropriate sites, sending inappropriate/abusive e-mail messages, etc.) will result in disciplinary action, up to and including termination.

Employee Acknowledgment

Note: If you have questions or concerns about the Town of Norfolk's Electronic Communications Policy, contact the Town Administrator.

EMPLOYEE SAFETY POLICY

The Town will provide a safe place to work, the proper hazard control measures, and a work environment conducive to safe and healthful practices and policies. It is the Town's intent to create an environment in which employees are:

- safety conscious for themselves and their fellow workers,
- trained and aware of the Town's safety and health program,
- empowered to maintain an effective safety program.

Each manager and supervisor in the Town has a responsibility for the safety and health of all employees assigned to them. In cases where employees are at a high risk, the department manager may find it prudent to have a departmental safety committee. Each employee has a personal responsibility for accident and incident prevention; not only for themselves, but for co-workers, as well. No operation, process, or activity is successful unless it is also safe. No employee is required to work at a job that is not safe. Our goal is to recognize, evaluate, and control hazards to prevent accidents from occurring

Policy Statement

The Town of Norfolk values the health and safety of every employee and intends to provide a safe and healthful workplace. The Town recognizes and commits to the following:

- That preventing accidents and protecting our employees from undue risk of harm are guiding principles.
- That our employees' safety and health are critical considerations in all operational decisions.
- That safe working conditions and methods are of prime importance in all Town departments and work settings.
- That we comply with all safety laws and regulations.
- That we welcome feedback from all Town employees on matters of occupational safety and health.

- That we require employees to follow all safety rules, take no unnecessary chances, use all safety guards and equipment, and make safety an integral part of their daily work lives.

A. Safety Committee

The Town's Safety Committee will include managers from departments where hazards are most likely to exist.

B. Seat Belts

All Town employees are required to wear seat belts while operating or riding in any vehicle while on Town business. This applies to Town and personally owned vehicles, as well as the vehicles owned by others. In addition, passengers in vehicles operated by Town employees while on Town business are required to wear seat belts. Employees found to be violating this policy may be subject to disciplinary action.

C. Safety Gear

Employees may be required to wear safety gear, i.e. vests while directing traffic, helmets, protective eye wear, chaps while using chainsaws, etc., in the regular performance of their duties.

D. Driver License Requirement

As part of the requirements for certain Town positions, employees may be required to hold a valid driver's license valid for the type(s) of vehicle(s) operated. If an employee's license is revoked, suspended or lost, or is in any other way not current, valid, and in the employee's possession, the employee shall promptly notify his/her department head and will be minimally immediately relieved of driving duties.

E. Unusual Weather Conditions

During times of inclement weather or natural disaster, it is essential that the Town continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work without endangering their personal safety. Public Works, Public Safety, and other employees specifically tasked with providing

essential municipal services during inclement weather or natural disaster are normally expected to report to work as scheduled, except in the case of illness or a bona fide emergency.

Date approved: 10/6/20

EMPLOYMENT OF CLOSE RELATIVES POLICY

Purpose

To clearly define the Town of Norfolk's policy regarding the standards for close relatives working for the Town in the same or different departments.

Policy

The Town of Norfolk permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of the Town Administrator or the Select Board, create actual conflicts of interest. For purposes of this policy, "immediate family" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, corresponding in-law, "step" relation or any member of the employee's household. The Town managers will use sound judgment in the placement of related employees in accordance with the following guidelines:

- While generally discouraged, individuals who are related by blood, marriage, or reside in the same household are permitted to work in the same Town department, provided no direct or in-direct reporting or supervisor to subordinate relationship exists. That is, no employee is permitted to work within "the chain of command" when one relative's work responsibilities, salary, hours, career progress, benefits or other terms and conditions of employment could be influenced by the other relative.
- Related employees may have no influence over the wages, hours, benefits, career progress and other terms and conditions of the other related staff members.
- Employees who marry while employed, or become part of the same household are treated in accordance with these guidelines. That is, if in the opinion of the Town Administrator or the Select Board, a conflict arises as a result of the relationship, one of the employees may be transferred at the earliest practicable time.
- Any exceptions to this policy must be recommended by the Town Administrator and approved by the Select Board.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Town of Norfolk is committed to the principles of Equal Employment Opportunity and shall comply with all federal and state laws that have been or shall be enacted for the purposes of eliminating discrimination in all phases of the employment process and the provision of services and programs.

The Equal Employment Opportunity Policy of the Town is: It shall be the policy of the Town of Norfolk to guarantee equal opportunity to all qualified applicants and to all employees with respect to initial appointment, advancement, compensation, and general working conditions without regard to age, race, color, religious affiliation, gender, gender identity, ethnicity, military or veteran status, national origin, sexual orientation, disability, pregnancy, childbirth or related condition, or genetic information.

Under the laws enforced by EEOC, it is illegal to discriminate against someone (applicant or employee) because of that person's race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), ethnicity, disability or genetic information. It is also illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law forbids discrimination in every aspect of employment.

The Town actively seeks ways to ensure equal opportunity for all individuals and is committed to respond promptly to any complaints of violations. The Human Resources Director is the Equal Employment Opportunity representative of the Town. The Human Resources Director is responsible for compliance and shall inform employees of actions they need to take in order to comply.

All department heads, chairpersons, and employees are expected to cooperate fully in complying with and implementing the Equal Employment Opportunity Policy. Any employee may meet with the

Human Resources Director to discuss an Equal Employment Opportunity Policy concern. Communication with the complainant's department head and an informal attempt to resolve the complaint is encouraged prior to filing a formal complaint, but the department head may not deny or delay the initiation of a complaint.

Formal Equal Employment Opportunity complaints are to be pursued in accordance with the following procedure and timeframes, unless the Town and complainant mutually agree to extend:

STEP 1 - An employee must file a complaint with the Human Resources Director within sixty (60) calendar days of the alleged discrimination.

STEP 2 - The Human Resources Director or an arbiter selected by the Human Resources Director will review and investigate a complaint and render a decision on it within ten (10) working days from the receipt of the complaint.

STEP 3 - If the complainant is not satisfied with the decision of the Human Resources Director or the arbiter, then within ten (10) working days the complaint should be forwarded to the Town Administrator.

STEP 4 - The Town Administrator will conduct an investigation and will render a decision to the complainant on their findings within thirty (30) working days.

STEP 5 - If the complainant is not satisfied with the decision of the Town Administrator, the complainant may pursue the case with the:

The United States Equal Employment Opportunity Commission
("EEOC")

One Congress Street, 10th Floor, Boston, MA 02114
(617) 565-3200

The Massachusetts Commission Against Discrimination
("MCAD")

Boston Office:

One Ashburton Place, Room 601, Boston, MA 02108
(617) 727-3990

Springfield Office:

436 Dwight Street, Room 220, Springfield, MA 01103
(413) 739-2145

Worcester Office:

484 Main Street, Room 320, Worcester, MA 01641
(508) 799-6379

Date approved: 10/6/20

FRAUD AND THEFT PREVENTION POLICY

I. Purpose

To prevent and detect fraud and theft, assign responsibility for implementing appropriate controls to prevent and detect fraud and theft, establish the appropriate reporting mechanisms to be used for notification of known or suspected fraud and theft, and establish the consequences for fraud and theft by employees.

II. Applies To

All Town of Norfolk employees.

III. Policy Statement

A. Scope of Policy

Town of Norfolk employees must comply with applicable state and federal law, and Town policies.

As a municipality, the Town has a fiduciary responsibility to conserve, preserve, and efficiently use all Town resources.

This policy applies to any known or suspected fraud or theft involving employees.

B. Prevention and Detection of Fraud and Theft

Town employees shall not perpetrate, engage in, or otherwise facilitate the act of committing fraud and theft.

Managers are responsible for knowing the types of improprieties that might occur within their areas of responsibility and for identifying and assessing any irregularities. Town employees are responsible for the prevention and detection of fraud and theft that might occur within the scope of their work assignments and for reporting any known or suspected fraud and theft.

C. Reporting Known or Suspected Fraud and Theft

Employees are responsible for immediately reporting known or suspected incidents of fraud, including theft and misappropriation of Town assets, to either their manager or the Town Administrator.

Any employee who has knowledge of fraud or theft of Town assets by any person or organization, including another employee, and does not report it may be subject to disciplinary action, up to and including termination of employment.

If the initial notification is to the department manager, the manager will notify the Town Administrator. If the known or suspected fraud is by the Town Administrator, the manager will notify the Chair of the Select Board.

D. Investigation of Reports of Known or Suspected Fraud and Theft

The Town Administrator or the Chair of the Select Board will investigate the alleged fraud or theft. They will involve the Norfolk Police Department as appropriate.

Any employee who suspects fraudulent activity should not attempt to personally conduct an investigation related to the activity. If the employee elects to notify the department manager first, then the manager must immediately notify the Town Administrator or the Chair of the Select Board as appropriate before taking any other action.

Concerns about work performance and workplace behavior that are unrelated to fraudulent activity should be resolved by department management and Human Resources. If there are any questions about what constitutes fraud and theft the Town Administrator or Chair of the Select Board should be contacted as appropriate.

Reports and investigations of allegations of fraud and theft ordinarily will be kept confidential to the reasonable extent possible under law and consistent with the need to conduct an adequate investigation and take corrective action.

IV. Consequences

If officials conclude that an employee has engaged in fraud or theft, appropriate disciplinary action will be pursued, up to and including termination of employment, in accordance with applicable personnel policies for employees. In addition, employees engaging in fraud or theft will be required to pay restitution.

Employees of the Town of Norfolk who engage in fraudulent activity or theft are not acting within the scope of their employment and should not expect protection for their acts.

The Town of Norfolk may pursue legal action based on the merits of the case in consultation with the Chief of Police.

Ordinarily, the submission of a resignation by an employee accused or suspected of fraud or theft will not preclude later disciplinary action, including restitution and legal action.

V. Union Rights

Nothing in the policy in any way circumvents any Town union's documented grievance process rights in their contracts.

Date approved: 10/6/20

GAMBLING

Gambling is not permitted on town property during work hours, during breaks, during lunch periods on town property, while traveling on town business, at town functions, or while entertaining clients.

The use of town vehicles for the purpose of gambling or obtaining gambling materials is prohibited.

Town facilities may not be used to gamble. Gambling paraphernalia is not permitted on town facilities or in town vehicles. Gambling includes, but is not limited to, poker, horse betting, fantasy football bets, Keno, scratch cards, etc.

Any drawings, contests, or similar advertising promotions are to be approved by the Human Resources Director to ensure the promotion is not an illegal lottery and is held in a manner consistent with State Law.

Employees desks, lockers, vehicles, internet usage, email may be inspected to ensure compliance with this policy. Employees are expected to cooperate with any investigation and employees who violate this policy are subject to discipline, up to and including termination.

HUMAN RESOURCES POLICY

Under the direction of the Town Administrator, the Human Resources Director may issue, amend, or repeal administrative orders, procedural rules, and regulations for the purpose of implementing powers and duties vested in it by this except as limited by collective bargaining agreements.

The Human Resources Director shall monitor the administration of all aspects of personnel policies and shall make such recommendations to the Town Administrator as deemed necessary, proper and prudent, to maintain the integrity of the operation and policies.

The Human Resources Director shall review and investigate the work and standard rates of compensation of all positions under its jurisdiction, said reviews and investigations to cover all such positions annually. The Human Resources Director may make such other investigations of the conditions of employment of Town employees, as it deems necessary and proper, and may investigate any complaint relative to such conditions, as may be filed by any department head, Town employee or Town board or committee member. All employees and elected officers shall comply with and assist in furnishing records, reports and other information requested by the Human Resources Director.

Requests by department heads, individuals or groups of individuals for changes in the classification of personnel, for changes in the compensation of personnel will be reviewed by the Human Resources Director for appropriateness and consistency. Final recommendations will be approved by the Town Administrator.

Application

All Town departments and positions shall be subject to the provisions of this policy except positions under the supervision of the School Committee, positions covered by a collective bargaining agreement, and positions which are filled by direct election unless otherwise noted. Nothing in this policy shall be construed to limit any rights of employees pursuant to M.G.L. Chapter 150E. This policy is intended to be in accordance with all applicable state and federal laws.

All employees' employment with The Town of Norfolk is "at will." "At will" is defined as allowing either Employee or Employer to terminate their employment at any time, for any reason permitted by law, with or without cause and with or without notice except as may be limited by law or contract.

Definitions

As used in this policy, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the Commonwealth of Massachusetts.

Appointment - The placement of a person in a position in the service of the Town.

Classification Plan - The classification plan established by this Policy and by votes of the Town Meeting in relation thereto, under authority of M.G.L. Chapter 41, Section 108A and 108C, as amended.

Classify - To establish the compensation grade level of a specific position by a detailed job description of the job functions, skills, and education and experience requirements.

Compensation Schedule - The compensation schedule established by this Policy and by votes of the Town Meeting in relation thereto, under authority of M.G.L. Chapter 41, section 108A and 108C, as amended.

Compensatory Time - Paid authorized absence from work during normally scheduled working hours administered to employees in lieu of payment for hours previously worked but unpaid.

Continuous Employment - Uninterrupted employment in one or more consecutive regular full-time or regular part-time positions in Town service, from the first date of hire until the date of separation, subject to adjustment due to unpaid leaves of absence.

Employee – An appointee to the Town of Norfolk occupying a position in the classification plan and designated as one of the following:

- Regular Full-Time – Work at least 35 hours per week throughout the year.
- Regular Part-Time – Work at least 20 hours per week, but less than 35 hours per week, throughout the year.
- Part-time - Work less than 20 hours per week.
- Temporary - May work either Full-Time or Part-Time, but are employed for a limited time period.

Exempt Employee – An employee who is exempt from the overtime provisions of the Federal Fair Labor Standards Act and applicable State Laws.

Fair Labor Standards Act – The United States Act first adopted in 1938, enforced by the U. S. Department of Labor, that sets minimum wage, overtime pay, equal pay, recordkeeping, and child labor standards for employees who are covered by the Act and not exempt from specific provisions.

Job Title - The title of each position as listed in the classification plan shall be the official title of the position and shall be used to the exclusion of all others on payrolls, budgets, and other official records and reports pertaining to the position.

Longevity – The length of an employee’s continuous employment.

Pay Grade – The designated pay range for each position as listed on the Compensation Plan, Schedule B.

Probationary Period – The first 90 days of employment is a probationary period.

Promotion - The advancement of an employee from a position of a lower classification grade into a position of a higher classification grade.

Re-classify - To review and establish the compensation grade level of a position previously classified, by updating the existing job description to include the functions, skills, education and experience requirements currently being performed.

Re-evaluate - To review and establish the compensation grade level of a position previously classified, by updating the existing job description to include *new* functions, skills, education and experience requirements not currently being performed.

Classification Plan

The official Classification Plan, or list of positions in the service of the Town, shall consist of the titles listed in Schedule A. Every job title is assigned to a particular grade, based on a description of the job's content, and a survey of pay levels for equivalent jobs in other Towns or in private sector. In particular, the job description identifies the duties and responsibilities of the position, the skills and abilities, the variety and complexity of the problems to be solved, the authority to make decisions, the working conditions and the importance of the work performed. The Human Resources Director will maintain the Classification Plan for all positions under the jurisdiction of this policy, and have responsibility for the review and approval of new or revised job descriptions, and the assignment of each job title to a pay grade in the salary structure.

Compensation Plan

The official Compensation Plan, as provided in Schedule B, which is incorporated as a part hereof, shall consist of the pay grades showing the minimum and maximum hourly rates and/or salaries, with step rate increases therefore, to be paid to employees in positions allocated to the Classification Plan, Schedule A. The Human Resources Director is responsible for conducting periodic surveys to determine whether a particular job is assigned to the correct pay grade, and/or whether an adjustment in the whole salary structure is appropriate. The Human Resources Director may furnish an annual recommendation for a wage adjustment based on information obtained from the U. S. Department of Labor, Bureau of Labor Statistics, or other appropriate sources. The Human

Resources Director may consult with the Advisory Committee before submitting a recommendation to the Select Board.

Amendments to Classification and Compensation Plans

The Human Resources Director and Town Administrator shall recommend such amendments to the Classification and Compensation Plan as it may deem appropriate. The pay grades shall be effective on the date so recommended by the Human Resources Director and approved by the Town Administrator.

Pay Period

Employees are paid by check on a weekly or bi-weekly basis, according to the payment plan for each specific department.

Annual Step Increases

Each employee's performance shall be evaluated annually in accordance with the Performance Appraisal Program established by the Human Resources Director. If an employee's overall rating is "Meets Expectations" or better, the employee shall advance on their Salary Anniversary Date to the next appropriate step annually until they reach the maximum step in grade.

Once an employee reaches the maximum step in their position's designated pay grade, the employee will only be eligible for a cost of living increase as approved by the Town Administrator and Town Meeting.

Call Fire Fighters Salaries

Salaries for Call Fire Fighters shall be reviewed and set periodically by the Fire Chief and the Human Resources Director or Town Administrator based on market conditions and the Fire Department budget. Call Fire Fighters do not automatically receive cost of living raises or step increases.

Recruitment, Selection and Employment

The Town of Norfolk is an equal opportunity employer and seeks to employ, promote, and retain the most qualified individuals. New or vacated positions to be filled must be posted "in-house" for a period of 10 business days. If the hiring manager has reason to believe that the position

will need to be filled from an outside candidate, the manager may begin recruiting immediately. If the position is not filled in-house then candidates may be sourced by word of mouth or through advertising. In-house posting does not guarantee placement for an existing employee, but strives to ensure all employees are given the opportunity to apply.

The appointing authority will make the final decision in filling any position that is subject to this Policy.

A new employee must complete a job application, W-4 forms, Form I-9 (Employment Eligibility Verification), and any other forms deemed necessary. A copy of the completed job application is to be forwarded to the Human Resources Director.

All new employees should to be hired at Step 1 when possible. If the applicant is found to possess an experience level, education level or other job-related certification that warrants a higher compensation level, the hiring supervisor may hire at Step 2 or Step 3 based on the following:

- New employees who possess an education level of 2 or more years above the minimum required for the job may be placed at step 2; and/or
- New employees who possess related experience in excess of the maximum required for the job may be placed at Step 2 (for 2 additional years of related experience) or Step 3 (for 4 or more additional years of related experience).
- Other exceptions may be made on rare occasions as recommended by the Human Resources Director and approved by the Town Administrator.

All new employee offer letters will come from and be signed by the Town Administrator except for seasonal or temporary employees or employees who report directly to a Town board/committee.

The Town Administrator must be given the opportunity to interview all new hires prior to an offer being made except for seasonal or temporary employees or employees who report directly to a Town board/committee.

The first ninety (90) calendar days of consecutive employment will be considered a probationary period. A performance evaluation should be conducted prior to the 90th consecutive day of employment. If the employee's performance is satisfactory, a regular appointment will be made. During the probationary period the grievance procedure may not be invoked by the employee.

Promotions

The Town of Norfolk is an equal opportunity employer and seeks to promote and retain the most qualified individuals. Employees who are promoted shall be recognized with an appropriate salary increase.

Any promotional increase must be approved by the Human Resources Director and Town Administrator.

All promotional offer letters will come from and be signed by the Town Administrator except for seasonal or temporary employees or employees who report directly to a Town board/committee.

Performance Appraisal Program

This program is intended to accomplish a number of goals:

- a. Provide a basis for evaluating an employee's performance for completion of probation, annual increase, promotion, and general performance.
- b. Provide a method of improving the effectiveness and the efficiency of the employees and the organization.
- c. Serve as a conduit for communications and feedback between employees and their supervisors outside of routine daily interactions.
- d. Provide a basis for formal personnel decision making.
- e. Serve as a basis for recognizing employee accomplishments, need for guidance, professional development, training and support.
- f. Provide a process of establishing performance goals and objectives.

Performance reviews shall be conducted annually and not later than May 1st. Employees' performance shall also be evaluated prior to the end of any

probationary period, and may be evaluated at any other time at the discretion of the supervisor. An employee may request a performance review at any time.

The Human Resources Director shall designate performance appraisal forms to be used by all personnel. In some cases, the manager may use a memo format if it better fits the situation. Upon completion of the review, the forms shall be signed by the immediate supervisor, the employee, and the immediate supervisor's supervisor. A copy of the completed form will be given to the employee and the department head for filing; the Human Resources Director receives the original form for their files.

Employee Benefits

The following benefits apply to Regular Full-Time and Regular Part-Time employees. Employees who work less than 20 hours per week, or work on a temporary basis regardless of the number of hours, do not receive benefits with the exception of longevity.

All benefits are pro-rated based on the number of hours worked per week in relation to the established work week for the department.

Sick Leave/Short Term Disability

Sick leave is earned at the rate of 25% of the employee's scheduled weekly hours for each month of service, credit to begin the last working day of the month. Each employee must work at least seventy-five percent of their normal work schedule each month in order to receive sick leave.

Employees may accrue sick leave up to a maximum of 150 days. Sick Leave is considered insurance for the benefit of the employees should a long-term illness arise. In no event will unused sick leave be compensated for, monetarily or otherwise. Sick leave is the absence from work without loss of pay for the following reasons, subject to the approval of the supervisor.

- A bona fide personal and non-service connected illness or injury for which no compensation is received under workman's compensation or MGL C41, S111f or other insurance coverage paid for by the Town.
- Caring for a spouse, child, parent, sibling, grandparent or grandchild

of either the employee or their spouse, or a person for whom the employee is a legal guardian, who is seriously ill.

- Exposure to contagious disease that may jeopardize the health of others.
- Medical and Dental appointments that cannot be reasonably scheduled outside of working hours.

Immediate notice of any absence must be given to department heads or immediate supervisor. Failure to do so may result in loss of pay.

An employee who is incapacitated, by reason of injuries in the course of and arising out of employment by the Town, may elect to receive, from accumulated sick leave, the difference between their normal work week compensation and the weekly benefits of the Workmen's Compensation Act. Beginning the first day of incapacity the employee may be paid their normal week of compensation from their accumulated sick leave until Workmen's Compensation is approved and received. When it is received, deductions will be made from the employee's subsequent paycheck(s) for the difference paid and the appropriate amount of sick time shall be credited back to the employee's accumulated sick leave.

Injury, illness, or disability self-imposed, or resulting from the abuse of chemical substances should not be considered a proper claim for a leave under this section.

A doctor's certificate may be required for an absence of three (3) consecutive work days or longer or may be required at any time at the discretion of the Town; the Town may designate a physician to conduct physical examinations at the Town's expense.

Generally, the use of 6 or more sick day per calendar year may be considered excessive. In the event of apparent abuse of any regulation pertaining to sick leave, the Town through its Human Resources Director or other responsible Board/Commission may disallow sick leave and may take disciplinary action against the employee up to and including termination.

Vacation Leave

The established vacation year is the fiscal year, July 1 through June 30. Employees with less than one (1) year of service shall receive one half day vacation for each month of employment not to exceed five (5) days vacation for the first twelve (12) months. Vacation time is calculated beginning their first day of work but is not credited until after 90 days. Employees are not allowed to use time accrued until the probationary period of ninety (90) days have passed unless otherwise approved by the Town Administrator. Vacation time is earned based on the employee's length of service and is credited monthly for the first ten months of the fiscal year up to the maximum vacation eligibility for three years of service.

<u>Service Period</u>	<u>Paid Vacation</u>
First Fiscal Year	1/2 day per month worked*
Fiscal years 2 through 4	1 day per month worked* (2 weeks)
Fiscal years 5 through 9	1.5 days per month worked* (3 weeks)
Fiscal years 10 through 19	2.0 days per month worked* (4 weeks)
Fiscal years 20 and over	2.5 days per month worked* (5 weeks)

*Based on a 5-day work week. Other schedules will be calculated based on the number of days worked per week.

This vacation policy is effective 7/1/2013.

Employees that are retirement eligible will be given their full unused vacation allotment upon termination. Other exceptions to this policy may be made by the Human Resources Director or the Town Administrator.

If a paid holiday should fall during vacation leave, an additional day of vacation shall be taken by mutual consent between the employee and the department head.

Vacation leave shall be utilized no later than June 30th in the fiscal year in which it is granted and shall not be accumulated. Under unusual circumstances, the immediate supervisor may request on behalf of an employee a carryover of up to 1 week of vacation time from one fiscal year to the next fiscal year. Each time a carryover is requested, the Human

Resources Director and the Town Administrator shall be notified in writing; the carryover must be approved by the Town Administrator. Carryover of vacation time in excess of 1 week must be approved by the Town Administrator. In unusual circumstance, the Town Administrator may temporarily adjust this policy.

If an employee has expended all earned sick days, but has a medical reason to extend their absence, the Town of Norfolk's policy is to assist the employee and retain benefits as required by The Family Medical Leave Act. If the person is eligible to receive vacation benefits, such leave may be deducted proportionally from the amount of vacation leave earned and due for the year in which the absence occurred. If the employee has already used all earned vacation benefits during a fiscal year, the absence may then be chargeable against the next succeeding vacation leave allowance for a maximum of not more than thirty (30) days.

Upon approval of the department head and the Human Resources Director, a new employee still in the probationary period may be granted early vacation entitlement.

Hiring Supervisors may start new hires with paid vacation benefits based on years of service from other job-related experience with other industries and/or municipalities as if the new hire had Norfolk years of service, with written approval from the Human Resources Director or the Town Administrator.

Upon separation from employment for any reasons, cash payment for accrued vacation shall be made in accordance with State/Federal requirements.

Under no circumstances will an individual be compensated for more than one pay category for the same period of time.

Paid Holidays

Town offices are closed on the following holidays.

New Year's Day	Martin Luther King Day
President's Day	Patriot's Day
Memorial Day	Independence Day
Labor Day	Columbus Day
Veteran's Day	Thanksgiving Day
Christmas Day	
Close at 1:00 pm Christmas Eve*	
Close at 1:00 pm Thanksgiving Eve	

* Provided that such a day is normally scheduled workday.

Employees shall receive the holiday off with pay when said holiday falls on their regular workday. Except for the early closings on Christmas Eve and Thanksgiving Eve, if any of the above holidays should fall on an employee's normal day off, or during a vacation period, an alternate day off shall be given, subject to the approval of the department head. Holidays must be taken and no compensation will be allowed for failure to do so.

Employees required to work on a scheduled Holiday due to an emergency will be given another day off with pay. Public Safety Communications Specialists required to work on a scheduled holiday will be given another day off with pay or receive their holiday pay in addition to their regular pay.

Personal Days

Three (3) personal days per fiscal year may be taken for such purposes as personal business, medical appointments, and family obligations pursuant to Massachusetts General Laws Chapter 149, Section 52D. A minimum notice of forty-eight (48) hours should be given to, and approval must be received from, the supervisor prior to taking a Personal Day. Personal Days not utilized by June 30th of the fiscal year in which it was granted will be forfeited.

Funeral or Bereavement Leave

For death or memorial services in the immediate family of a permanent employee or of their spouse, 1 work week with pay shall be granted. Cases involving special circumstances including travel for extensive periods of time must be approved by the Department Head. Definitions of immediate family include: mother, father, mother-in-law, father-in-law, sister, brother, wife, husband, son, daughter, grandparents, grandchildren, brother-in-law and sister-in-law of the employee, son-in-law, and daughter-in-law. For the deaths of relatives other than immediate family, an absence of up to one full day with pay shall be allowed to attend funeral or memorial services.

Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) of 1993 provides an entitlement of up to twelve (12) weeks of job-protected, unpaid leave during any 12-months for the following reasons:

1. The birth of a child
2. The placement of an adopted or foster child
3. To care for a child, spouse, or parent with a serious health condition
4. For the employee's own serious health condition

If the employee has accumulated sick leave, vacation leave or other personal leave, the employee may use such paid leave to offset a portion of this unpaid leave.

The FMLA also requires the employer provide health coverage under any "group health plan" for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave. After completion of the leave, the employee must be restored to the same or equivalent position.

Personal Leave of Absence

Leaves of absence for personal reasons not covered under any other section of this Policy, if approved by the immediate supervisor and the Human Resources Director, will be unpaid. The employee must utilize vacation time earned first. Such absences, however, may not be charged to vacation

leave beyond that which the employee has earned at the time of such application. A leave of absence under this section shall be without compensation (unless the employee has the required time available) and shall be for a maximum of thirty (30) days. After the thirty (30) day period, employees will be required to obtain the written approval of the Department Head and the Human Resources Director if an extension is requested. In the absence of written approval beyond the thirty (30) day period, the Department Head may consider the position vacant and begin the hiring process.

Jury Duty

An employee called for jury duty shall be paid the difference between regular pay and the compensation received as a juror, exclusive of travel allowances. Employees summoned as a witness on behalf of the Town shall be granted leave and paid the difference of their regular pay and the witness fee, exclusive of travel allowance.

Military Leave

Military leave shall be granted to employees in accordance with the requirements of State and Federal Law.

Broken Service

A rehired employee will be eligible to receive an adjusted date of hire after returning to work within thirty-six (36) months of the date of separation. The employee will be credited with the same number of years or months as the original length of service. This adjusted date of hire will be used for Employee Benefit calculations regarding vacation leave and longevity.

Call Back Pay

Any non-exempt Town employee called back to their position by management for the specific purpose of emergency service to the Town shall receive a minimum of three hours compensation.

Work at Home

Employees are expected to perform their work at their designated work site. If an employee cannot perform their duties at their work site due to personal or environmental reasons, written approval is required in advance

by the employee's manager with notification to the Town Administrator. All work from home arrangements are temporary and may be revoked at any time.

Compensatory Time

Compensatory time is paid time off from work in exchange for unpaid time previously worked in excess of an employee's regular scheduled work hours.

Exempt Employees are not entitled to compensatory time and will not receive additional payment, or time off for excess work hours under any circumstances.

At times it may be deemed advisable for a non-exempt employee to work beyond the regular scheduled number of hours and be granted compensatory time in lieu of compensation. Such compensatory time will be granted in lieu of compensation at the discretion of the employee. The immediate supervisor must approve, in advance, in writing, requests for accrual of compensatory time. Use of compensatory time must be approved by the immediate supervisor in advance.

Non-exempt employees may accrue compensatory time up to an amount equal to their regular week's scheduled work hours. No employee shall lose any accrued compensatory time.

Compensatory time will accrue at straight time for eligible hours which otherwise would be compensated at straight time, and will accrue at a rate of 1.5 for eligible hours which otherwise would be compensated at that rate.

Longevity Program

Eligibility - Paid annually in July; employees having completed thirty-six (36) months or more of service on June 30 of the previous fiscal year will be qualified to receive a longevity payment provided the employee was employed by the Town as soon as is practical after June 30th of the previous fiscal year. The lump sum payment is based on the number of hours worked in the previous fiscal year, up to Two Thousand Eighty (2080)

hours per year (for a 52-week year), according to the schedule below. Should an employee retire or die during the previous year, that employee or their estate will receive a pro-rated portion of longevity pay based on the number of hours worked for that fiscal year. Said funds are to be distributed by the Finance Department with approval of the Town Administrator and Human Resources Director.

Months of Service Completed as of June 30 th	Per Hour Rate
0 - 35	0
36 - 59	.10
60 - 83	.20
84 - 107	.30
108 - 131	.40
132 - 143	.50
144 - 155	.60
156 - 167	.70
168 - over	.80

Insurance

LIFE INSURANCE in the amount of \$10,000.00 will be available to all qualified employees. Retirees of the Town will be eligible to receive \$5,000.00 in life insurance. The Town will contribute a portion of the premium each year as specified by the Select Board and submitted to the voters of the Town of Norfolk annually via the Town Budget.

HEALTH INSURANCE is provided by the Town with the Town contributing a portion of the premium of said health insurance. Increases in the Town’s share of the premium payment are approved by the Select Board and submitted to the voters of the Town of Norfolk annually via the Town Budget.

Retirement

Qualifying employees must participate in the Norfolk County Retirement System. All other employees must be covered by the State mandated 457 (OBRA) Plan.

Issue Resolution Process

Employees covered by the Human Resources Policy have recourse if they feel that their rights or conditions of employment have been violated. The employee should first discuss the matter with their supervisor. If this does not result in a satisfactory solution, the employee should state their case in writing to their supervisor's supervisor with a copy to the Human Resources Director; the supervisor has seven days to provide a written reply. Employees still dissatisfied have seven days to submit a written statement to the Human Resources Director. The Human Resources Director will hold a hearing on the matter within fourteen days of receipt of the grievance and render a final decision within fourteen days of the hearing.

Disciplinary Action

If it is determined that inappropriate conduct has been committed by an employee, the Town will take such action as is appropriate under the circumstances. Such action may range from training to termination from employment, and may include such other forms of disciplinary action as deemed appropriate under the circumstances. All disciplinary action that results in an employee's termination of employment must be reviewed by the Human Resources Director or Town Administrator prior to notifying the employee. If the manager feels that they must remove the employee from the work site immediately and the Human Resources Director or Town Administrator are not available, the manager may send the employee home with pay until the termination is reviewed. An employee involuntarily terminated or laid off from their position must be paid in full on the day of discharge.

Resignations

Employees shall provide notice of their intent to resign in writing to their supervisor at least two (2) weeks in advance of their resignation date.

Responsibilities when Separating from Employment

Upon an employee's separation from employment, at the time of leaving, it is the employee's responsibility to return all Town property, such as equipment used on the job, keys, uniforms, etc. If not returned, the employee will be expected to reimburse the Town for such property. The final paycheck may be picked up at the Town Treasurer's office after checkout is completed, or arrangements may be made for mailing.

Employees who are separated from employment will receive all accrued and unpaid salary and vacation pay in accordance with the Fair Labor Standards Act. An employee that resigns their employment must be paid in full on the following pay day, or in the absence of a regular pay day no later than the following Saturday. An employee involuntarily terminated or laid off from their position must be paid in full on the day of discharge.

Calendar

Anytime	Requests for Classification of new positions
May	Performance Appraisals completed and original sent to the Human Resources Director no later than May 1 st .
June	Response to Performance Appraisals (when appropriate)
July	Longevity paid
December/June	Requests for re-classification and/or re-evaluation of positions, approved by the Department Head and the Town Administrator.

Rev. 11/17/20

Schedule A Classification Schedule

NORFOLK, MA CLASSIFICATION PLAN
NON-UNION
FY21
N1
<i>No Positions Assigned</i>
N2
<i>No Positions Assigned</i>
N3
Custodian
N4
<i>No Positions Assigned</i>
N5
<i>No Positions Assigned</i>
N6
Assessing Technician
Outreach Worker
N7
Assistant Payroll Administrator
COA Program Coordinator
N8
Assistant Wiring Inspector
Plumbing and Gas Inspector
N9
Assistant Assessor
Affordable Housing Director *
Assistant Town Accountant
Assistant Town Clerk
Assistant Treasurer/Collector
Veterans Services Director
Wiring Inspector
N10
Associate Library Director
Conservation Agent
Executive Assistant to Town Administrator
N11
Executive Director of Council on Aging
N12
HVAC/Maintenance Technician
N13
Assistant DPW Director
Chief Assessor
Director of Library Services
Recreation Director
Treasurer/Collector
N14
<i>No Positions Assigned</i>
N15
Deputy Fire Chief*
Director of Community Development & Planning
Human Resource Director
IT Director
Police Lieutenant*
N16
Building Commissioner
Deputy Police Chief*
Town/School Facilities Director*
N17
Chief of Police*
DPW Director*
Finance Director*
Fire Chief*
N18
Town Administrator*

*Currently on a personal employee contract.

Schedule B Compensation Schedule

FY21 NORFOLK, MA NON UNION PAY PLAN															
STEP	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
GRADE															
1										12.94	13.26	13.59	13.93	14.28	14.64
										26,915.20	27,580.80	28,267.20	28,974.40	29,702.40	30,451.20
2	18.04	18.49	18.95	19.42	19.91	20.41	20.92	21.44	21.98	22.53	23.09	23.67	24.26	24.87	25.49
	37,523.20	38,459.20	39,416.00	40,393.60	41,412.80	42,452.80	43,513.60	44,595.20	45,718.40	46,862.40	48,027.20	49,233.60	50,460.80	51,729.60	53,019.20
3	18.16	18.61	19.08	19.56	20.05	20.55	21.06	21.59	22.13	22.68	23.25	23.83	24.43	25.04	25.67
	37,772.80	38,708.80	39,686.40	40,684.80	41,704.00	42,744.00	43,804.80	44,907.20	46,030.40	47,174.40	48,360.00	49,566.40	50,814.40	52,083.20	53,393.60
4	18.63	19.10	19.58	20.07	20.57	21.08	21.61	22.15	22.70	23.27	23.85	24.45	25.06	25.69	26.33
	38,750.40	39,728.00	40,726.40	41,745.60	42,785.60	43,846.40	44,948.80	46,072.00	47,216.00	48,401.60	49,608.00	50,856.00	52,124.80	53,435.20	54,766.40
5	19.76	20.25	20.76	21.28	21.81	22.36	22.92	23.49	24.08	24.68	25.30	25.93	26.58	27.24	27.92
	41,100.80	42,120.00	43,180.80	44,262.40	45,364.80	46,508.80	47,673.60	48,859.20	50,066.40	51,334.40	52,624.00	53,934.40	55,284.00	56,659.20	58,073.60
6	20.87	21.39	21.92	22.47	23.03	23.61	24.20	24.81	25.43	26.07	26.72	27.39	28.07	28.77	29.49
	43,409.60	44,491.20	45,593.60	46,737.60	47,902.40	49,108.80	50,336.00	51,604.80	52,894.40	54,225.60	55,577.60	56,971.20	58,385.60	59,841.60	61,339.20
7	22.71	23.28	23.86	24.46	25.07	25.70	26.34	27.00	27.68	28.37	29.08	29.81	30.56	31.32	32.10
	47,236.80	48,422.40	49,628.80	50,876.80	52,145.60	53,456.00	54,787.20	56,160.00	57,574.40	59,009.60	60,486.40	62,004.80	63,564.80	65,145.60	66,768.00
8	25.01	25.64	26.28	26.94	27.61	28.30	29.01	29.74	30.48	31.24	32.02	32.82	33.64	34.48	35.34
	52,020.80	53,331.20	54,662.40	56,035.20	57,428.80	58,864.00	60,340.80	61,859.20	63,398.40	64,979.20	66,601.60	68,265.60	69,971.20	71,718.40	73,507.20
9	29.78	30.52	31.28	32.06	32.86	33.68	34.52	35.38	36.26	37.17	38.10	39.05	40.03	41.03	42.06
	61,942.40	63,481.60	65,062.40	66,684.80	68,348.80	70,054.40	71,801.60	73,590.40	75,420.80	77,313.60	79,248.00	81,224.00	83,262.40	85,342.40	87,484.80
10	30.66	31.43	32.22	33.03	33.86	34.71	35.58	36.47	37.38	38.31	39.27	40.25	41.26	42.29	43.35
	63,772.80	65,374.40	67,017.60	68,702.40	70,428.80	72,196.80	74,006.40	75,857.60	77,750.40	79,684.80	81,681.60	83,720.00	85,820.80	87,963.20	90,168.00
11	31.58	32.37	33.18	34.01	34.86	35.73	36.62	37.54	38.48	39.44	40.43	41.44	42.48	43.54	44.63
	65,686.40	67,329.60	69,014.40	70,740.80	72,508.80	74,318.40	76,169.60	78,083.20	80,038.40	82,035.20	84,094.40	86,195.20	88,358.40	90,563.20	92,830.40
12	33.35	34.18	35.03	35.91	36.81	37.73	38.67	39.64	40.63	41.65	42.69	43.76	44.85	45.97	47.12
	69,368.00	71,094.40	72,862.40	74,692.80	76,564.80	78,478.40	80,433.60	82,451.20	84,510.40	86,632.00	88,795.20	91,020.80	93,288.00	95,617.60	98,009.60
13	34.31	35.17	36.05	36.95	37.87	38.82	39.79	40.78	41.80	42.85	43.92	45.02	46.15	47.30	48.48
	71,364.80	73,153.60	74,984.00	76,856.00	78,769.60	80,745.60	82,763.20	84,822.40	86,944.00	89,128.00	91,353.60	93,641.60	95,992.00	98,384.00	100,838.40
14	34.35	35.21	36.09	36.99	37.91	38.86	39.83	40.83	41.85	42.90	43.97	45.07	46.20	47.36	48.54
	71,448.00	73,236.80	75,067.20	76,939.20	78,852.80	80,828.80	82,846.40	84,926.40	87,048.00	89,232.00	91,457.60	93,745.60	96,096.00	98,508.80	100,963.20
15	39.46	40.45	41.46	42.50	43.56	44.65	45.77	46.91	48.08	49.28	50.51	51.77	53.06	54.39	55.75
	82,076.80	84,136.00	86,236.80	88,400.00	90,604.80	92,872.00	95,201.60	97,572.80	100,006.40	102,502.40	105,060.80	107,681.60	110,364.80	113,131.20	115,960.00
16	49.90	51.15	52.43	53.74	55.08	56.46	57.87	59.32	60.80	62.32	63.88	65.48	67.12	68.80	70.52
	103,792.00	106,392.00	109,054.40	111,779.20	114,566.40	117,436.80	120,369.60	123,385.60	126,464.00	129,625.60	132,870.40	136,198.40	139,609.60	143,104.00	146,681.60
17	52.00	53.30	54.63	56.00	57.40	58.84	60.31	61.82	63.37	64.95	66.57	68.23	69.94	71.69	73.48
	108,160.00	110,864.00	113,630.40	116,480.00	119,392.00	122,387.20	125,444.80	128,585.60	131,809.60	135,096.00	138,465.60	141,918.40	145,475.20	149,115.20	152,838.40
18	61.80	63.35	64.93	66.55	68.21	69.92	71.67	73.46	75.30	77.18	79.11	81.09	83.12	85.20	87.33
	128,544.00	131,768.00	135,054.40	138,424.00	141,876.80	145,433.60	149,073.60	152,796.80	156,624.00	160,534.40	164,548.80	168,667.20	172,889.60	177,216.00	181,646.40

Date: 11/17/20

MANAGING WORKER'S COMPENSATION POLICIES AND PROCEDURES

Policy Statement

Town of Norfolk is committed to providing a work environment that is safe for all employees. If a work-related injury occurs, the procedures and guidelines contained within must be followed to insure compliance. It is the Town's desire to assist all employees in receiving compensation and medical treatment for any injury that occurs during work hours.

This policy applies to all Town employees excluding public safety employees (police officers and firefighters). Employees whose employment is regulated by bargaining agreement are subject only to those portions of this policy which are not specifically governed by law or agreement.

References

Massachusetts General Law, Chapter 152.

If an Injury Does Occur

The first priority after an accident or injury is to assure that the employee involved receives first aid that is necessary. If medically appropriate, 9-1-1 should be called immediately. Employees with life-threatening work-related injuries should be taken to the nearest Emergency Room at the hospital. Otherwise, injured employees who are ambulatory should seek treatment from their Medical Provider.

Reporting the Accident

An employee injured on the job must report the injury to their supervisor and fill out an accident report. The accident report begins the claims process and should be done immediately. Supervisors must complete all sections of the accident report. The accident reports must be submitted immediately or no later than 24 hours to the School Department's Human Resource Department, the Police Administrative Office or Select Board's Office depending on where the employee works.

If the employee is unable to fill out the accident report due to the injury the supervisor is responsible for filling out the accident report. The Insurer will

not process medical bills or lost wages without an accident report. It is the responsibility of the supervisor to report all work-related injuries. Failure to report injuries may result in disciplinary action.

Lost Time from Work

Worker' Compensation starts the day after the day the injury took place. An employee who is incapacitated, by reason of injuries in the course of and arising out of employment by the Town, may elect to receive, from accumulated sick leave, the difference between normal work week compensation and the weekly benefits of the Workmen's Compensation Act. Beginning the day of incapacity employees shall be paid their normal week of compensation from their accumulated sick leave until Worker's Compensation is received. When it is received, an amount equal to that which shall be deducted from the employee's pay and the equivalent amount of time shall be credited to the employee's accumulated sick leave.

Once placed on Workers' Compensation benefits, the employee will receive 60% of their average weekly wage. In accordance with MGL Chapter 152 the employee may supplement 40% of their regular weekly wage with benefit leave (e.g., sick, vacation or personal leave) if they have it available.

If the employee is out for 21 days or more they will be paid for their first five days out by the insurance company. This will result in a double payment for these days. As a result, the employee must repay the town for these days and then the five sick days will be reinstated to the employees account.

Family and Medical Act of 1993

In accordance with the Family Medical Leave Act of 1993 (FMLA), your Workers' Compensation and FMLA entitlement of 12 weeks will run concurrently.

Health and Life Insurance Deductions

If the employee is expected to be on workers' compensation for less than a month, the employee must make payment for the insurance premiums on the date of the deduction would have been made, had the employee been

paid wages (e. g. each Friday). If the employee is on workers' compensation for more than one month, the employee must make payment for insurance premiums at least one month in advance of coverage. Payment should be made by check payable to the Town of Norfolk and mailed to the Finance Department, One Liberty Lane Norfolk MA. 02056. Payment must be received regularly and in the manner described or your coverage may be cancelled.

Return to Work

Once the employee has medical clearance to return to work, the employee must provide a copy of that medical documentation to the Worker's Compensation Agent, and their manager. No employee should report to work without written authorization from their doctor. If the employee is out of work for 21 days or more they may also be required to see a doctor of the Town's choice to confirm the return to work.

NO SMOKING POLICY

Smoking is prohibited in all areas of all Town Facilities and in all Town vehicles. The Town appreciates the continued efforts of all employees in complying with this directive and state law that prohibits smoking in public buildings. The definition of smoking includes the use of e-cigarettes.

Employees who smoke outside the Town's facilities are asked to stand a minimum of 50 feet from the exterior of any municipal building and a minimum of 15 feet from the entrance ways of all other public places.

PREGNANT WORKERS FAIRNESS ACT POLICY

On April 1, 2018, The Pregnant Workers Fairness Act (Chapter 54 of the Acts of 2017) goes into effect in Massachusetts.

The Act prohibits discrimination against current and prospective employees on the basis of the individual's pregnancy or condition related to a pregnancy (e.g., lactation or the need to express breast milk). The Town of Norfolk does not discriminate in employment opportunities or practices on the basis of an individual's pregnancy and/or condition related to a pregnancy.

The Town of Norfolk will provide reasonable accommodations to qualified individuals who are pregnant and/or have a condition related to a pregnancy, as required by law.

Any employee with questions or concerns about discrimination in the workplace is encouraged to bring these issues to the attention of the Human Resources Director. Employees can raise concerns and make reports without fear of reprisal or retaliation. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

In addition to the above, if you believe you have been subjected discriminatory treatment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies.

The United States Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
800-669-4000

The Massachusetts Commission Against Discrimination

Boston Headquarters

One Ashburton Place – Suite 601

Boston, MA 02108

617-994-6000

Date: 4/1/18

RETIREE AND TERMINATED EMPLOYEE HEALTH INSURANCE BENEFITS

Retirees are eligible to continue with town sponsored group health insurance and the Town of Norfolk will continue to contribute 65%*. Surviving spouses of retirees are allowed to stay on the group health insurance plan and said surviving spouse shall pay the entire cost of such premiums without any contribution by the town per Chap. 32B, Section 9B. If a retiree is not enrolled in the Town of Norfolk Health Insurance plan at the time of his/her retirement, there is no restriction at this time that would not allow them to enroll in the Town of Norfolk's Health Insurance plan. The health insurance contract policies regarding loss of insurance and opt-in at open enrollment would apply.

When a retiree reaches 65 years of age, the retiree must register with Social Security for a Part A and Part B card if eligible. The retiree will be eligible to join the town sponsored MEDEX plan with the town contributing 65%* of the premium. Spouse of retiree who reaches 65 must also register with social security for a Part A and Part B card. Same applies to above surviving spouse who reaches 65 years of age.

Retiree may elect to have life insurance and health insurance premiums taken for their monthly retirement check.

Firefighters while active employees have basic life insurance in the amount of \$25,000 and no cost for the premium. Once a firefighter retires the insurance drops to \$5,000 and the retired firefighter pays the monthly premium in the amount equal to the percentage of all retirees 42% and with the town contributing 58%*.

Active employees are eligible to enroll in group basic life insurance in the amount of \$10,000 and pay 42% with the town contributing 58%*. Once an employee retires the amount of group life insurance reduces to \$5000 with the town contributing 58%*.

*At any time in the future the town contribution rate for health insurance and/or life insurance may change by vote of the Select Board. The Select Board at some time in the future may limit whether a retiree not enrolled in health at the time of retirement may at some future date enroll in the Town of Norfolk's health insurance plan.

Rev. 1/1/17

SEVERE WEATHER POLICY

This is a reminder of the office closing procedure in the event of a snowstorm, or severe weather conditions:

1. Town Hall will be open to the public, and employees shall report for work. In the event that local conditions in Norfolk require that Town Hall be closed, you will be notified by telephone at approximately 7:00 a.m. concerning the opening of Town Hall.
2. The Town Administrator, or their designee, may close Town Hall during work hours, if severe conditions exist.
3. If offices are closed as noted above (1-2), no loss of pay will result. However, if an employee voluntarily elects not to report for work, then vacation, personal, or compensatory time must be used. Non-pay status may also be used in lieu of accrued time off.

USE OF INTERNET POLICY

Purpose

To clearly define the Town of Norfolk's policy regarding the standards for use of The Town of Norfolk's Internet System

Policy

The Town of Norfolk supports the appropriate use of the Internet by its employees. Access to various categories/topics of information will not be tolerated. Employees should have no expectation of privacy for any Internet communications. The following are examples of Internet sites that employees are prohibited from accessing:

- Sites containing material related to the promotion of criminal activity
- Gambling sites
- Sites containing hate speech
- Material that may be construed as offensive or harassment
- Sites containing material of a sexual nature
- Twitter (except for official reasons), dating sites

Social media sites like Facebook are becoming a significant part of the communications processes used by individuals, businesses and municipal organizations. Facebook or similar sites should only be used for town or work purposes. Accessing personal pages is prohibited on town time or equipment. If you would like to start a social media site for a town department purpose you must contact the Town Administrator for approval.

Internet users should be very careful when subscribing to public mail or news groups. These forms can generate hundreds or thousands of messages a day which could jeopardize the Town of Norfolk's information systems

VIDEO MONITORING POLICY

I. Purpose

In order for public locations and facilities under the Town's jurisdiction to be safe and secure, the use of electronic systems for routine video monitoring may be necessary. The purpose of this policy is to ensure that their use is consistent with federal and state law, and reasonably balances privacy concerns with personal safety and responsible stewardship of publicly-owned assets.

II. Scope

This policy applies to systems that enable continuous or periodic routine video monitoring on a sustained basis for the following purposes:

- To deter theft, vandalism, unauthorized entry, and assist in identifying individuals who damage Town facilities or property.
- To assist law enforcement agencies in investigating criminal activity.
- To promote a safer environment by deterring acts of violence or aggression.

This policy does not apply to monitoring used by the police during the course of an investigation and authorized by the Chief of Police or the courts where necessary. The Norfolk Schools and Public Library facilities are also excluded from this policy.

III. Policies and Procedures

A. Installation approval

Placement of video monitoring equipment at Town facilities or buildings, public parks, open space areas, or other public locations requires approval by the Town Administrator or the Chief of Police for the Police Station. The Facilities Department can update or replace current equipment as needed.

B. Approval criteria

When seeking Town Administrator's approval, department heads will address the following issues and concerns in supporting their request:

- Objectives for implementing the system.
 - Use of equipment, including:
 - Location of video cameras.
 - Location of reception equipment.
 - Personnel authorized to operate the system.
 - Times when monitoring will be in effect (and staffed, if applicable).
 - Other deterrence or detection measures that were considered, and why video monitoring is the best solution.
 - Any specific, verifiable reports of incidents of crime or significant safety concerns that have occurred in the location to be placed under video monitoring.
 - Possible effects of the proposed video monitoring system on personal privacy, if any, and how they will be mitigated.
 - Appropriate consultation with stakeholders, including in some cases the public; or reasons why this is not necessary.
 - Signage strategy advising the public that video monitoring is occurring.
 - Approach to installing and maintaining the system.
 - Fiscal impact and availability of funding.
 - Location and direction of video monitoring equipment.

C. Other criteria

- Video cameras will not be placed in areas where a reasonable expectation of privacy is standard, such as inside changing rooms or restrooms.

- Video cameras located internally will not be directed to look through windows to areas outside the building, unless necessary to protect external assets, provide for the personal safety of individuals, or deter criminal activity from occurring.
- Video cameras will not be directed to look into adjacent, non-Town-owned buildings.
- Placement of video cameras will also take into consideration physical limitations such as availability of power, cell reception, and reasonable mounting facilities.

D. Notification procedures

- The Select Board and affected Town employees will be notified in advance, in writing or via e-mail, of the placement of any video monitoring system in a Town-owned facility or building.
- Clearly written signs will be prominently displayed at the perimeter of video monitoring areas advising the public that video monitoring is occurring.
- On a case-by-case basis, as approved by the Town Administrator and/or the Chief of Police, a decision may be made to eliminate public signage or employee notification in order to support crime prevention or investigative activities.

E. Responsibility for oversight of video monitoring systems

The Town Administrator is responsible for overall oversight of all video monitoring systems and for implementation of this policy except for the Police Station and police activities.

F. Intended use of video monitoring information.

Any information obtained from video monitoring systems will only be used for the purposes set forth in this policy.

G. Retention and destruction of routine video monitoring records

- Video that is recorded is not kept for permanent records and is over written periodically by new video.
- In the event that records are evidence in any investigation, claim filed, or any pending litigation, they will be preserved until the investigation, claim or pending litigation is resolved as according

to the Massachusetts Record Retention Guidelines. Destruction of these requires the written consent of the Town Administrator, in consultation with the Town Attorney.

H. Placement and viewing of video monitors and reception equipment

Authorized employees who are viewing the video should do so in a manner that is not visible to the public or other employees not authorized to view videos.

I. Access and use of recorded information

- Only those personnel authorized by the Town Administrator will have access to information acquired through routine video monitoring.
- Access to real time or recorded imagery is authorized to designated staff upon report of suspicious behavior, including but not limited to policy violations, criminal activity, damage, destruction or theft of Town of Norfolk property or assets, or other activity that may be disruptive to Town operations.
- Recorded imagery will not be distributed to anyone without the permission of the Town Administrator or the Police as part of an investigation.
- Recorded information will never be sold, and will not be publicly viewed or distributed in any other manner, except as provided for by this policy and applicable federal and state law.

J. Implementation

Once this policy has been approved, the Town Administrator will review and approve the list of authorized users. All employees will be notified of this policy and approved users will receive training on this policy and the proper use of video monitoring.

Date approved: 10/6/20

VOLUNTARY WAIVER OF HEALTH INSURANCE POLICY For Enrollment in Health Insurance Opt-Out Program

In return for the agreement to waive Town health insurance coverage, the Town agrees to pay an eligible employee one of the following amounts:

- (1) \$1,500.00 for waiving individual health insurance plan coverage
- (2) \$2,500.00 for waiving two-person health insurance plan coverage
- (2) \$3,000.00 for waiving family health insurance plan coverage

The Town will make the above payment at a rate of \$125.00/month (individual plan), \$208.33/month (two person), \$250.00/month (family plan) on or about the last pay period in each month that the employee deferred coverage from the Town. The opt-out payments will be subject Federal, State, and Medicare taxes.

To be eligible, an employee must not have an outstanding court order or agreement requiring the employee to provide health insurance coverage for the employee's spouse, ex-spouse, or dependent children, if any.

To be eligible, an employee must completely remove themselves as either a subscriber or dependent on the Town's health plan. A Town employee is not eligible for the opt-out payment where the employee opts-out of their individual health plan and becomes a dependent on their spouse's plan, when their spouse is also a subscriber on the Town's plan.

To be eligible, an employee must have been a subscriber to the Town's health plan in the immediate twelve (12) month period of the fiscal year prior to agreeing to opt-out of the Town's health plan.

Retirees on the Town's health plan are not eligible for this Opt-Out Program.

If an employee is eligible and elects to opt-out of the Town's health insurance plan, the Town is not responsible for medical coverage effective

on July 1, 2020 (except for medical coverage for injuries and illnesses covered by G.L. c. 41, Sec. 111F or G.L. c. 152) and for each fiscal year thereafter that the employee voluntarily agrees to waive health insurance coverage through the Town.

An employee is only eligible to re-enroll in the Town's health insurance plan during the Annual Open Enrollment Period or due to a loss of coverage from the source other than the Town, i.e. a qualifying event under COBRA, such as:

1. the death of a covered employee;
2. the termination (other than by reason of the employee's gross misconduct), or reduction of hours, of a covered employee's employment;
3. the divorce or legal separation of a covered employee from the employee's spouse;
4. a covered employee becoming entitled to Medicare benefits under Title XVIII of the Social Security Act; or
5. a dependent child ceasing to be a dependent child of the covered employee under the generally applicable requirements of the plan and a loss of coverage occurs.

To re-enroll, the employee must complete the required paperwork during the Open Enrollment Period or, for a loss of coverage, notify the Human Resource Director's Office and complete the re-enrollment process within thirty (30) days of the date of loss of coverage.

If an employee re-enrolls in the Town's insurance program, they will not be eligible to qualify for an opt-out incentive for 24 months effective the next July enrollment date.

If an employee does re-enroll in the Town's group health insurance or the employee's employment with the Town ends (termination, resignation, retirement, reduction of hours, layoff, or death) during the fiscal year, the employee will only be eligible for a pro-rated payment.

Each employee agreeing to opt-out of the Town's health insurance plan must acknowledge that they have read and agree to comply with the terms and conditions of the Town's Opt-Out Program on the attached Acknowledgement Form, a copy of which will be placed in the employee's personnel file.

Health Insurance Opt-Out Program Acknowledgement Form

I, _____, hereby acknowledge that I have read and understand the terms of the Town's Health Insurance Opt-Out Program, which I have had the opportunity to ask questions to the Town regarding the Opt-Out Program and inquire of attorneys of my own choosing, and that I am agreeing to waive my right to health insurance coverage through the Town effective July 1, 2020. I understand that I will only be allowed to re-enroll in the Town's health insurance plan during the Annual Open Enrollment Period or if a qualifying event occurs.

I also attest to the fact that I will be receiving health insurance coverage from another health insurance provider.

Employee Name

Date

Employee Signature