

Town of Hopkinton



Employee Handbook

*As of January 2012, the policies, procedures and benefits contained in this Employee Handbook supersede all previous policies, procedures and benefits of the Town of Hopkinton, **except as provided by collective bargaining agreement, or individual contract.** Collective Bargaining unit employees and employees covered under an individual contract should consult the terms of their applicable agreement.*

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SECTION A: INTRODUCTION & APPLICABILITY

It is a pleasure to welcome you to The Town of Hopkinton (“The Town”). It is our hope that we will strive to make the workplace a mutually beneficial and pleasant one. The Town of Hopkinton and its employees take great pride in our community and are dedicated to providing the highest level of services to its residents and visitors.

As you begin your employment with the Town of Hopkinton, we invite you to read and become familiar with the contents of this Employee Handbook. We hope that you will find it full of helpful and valuable information about the policies, benefits, procedures and opportunities available to guide and assist you in performing to the best of your abilities and developing and realizing your potential as one of our valued employees. Please read it carefully and keep it for future reference.

Personnel Administration

The Human Resources Director handles personnel records and related personnel administration functions at the Town of Hopkinton. Questions regarding insurance, wages, and interpretation of policies may also be directed to the Human Resources Director.

Applicability

This Employee Handbook shall apply to all Town of Hopkinton departments, other than the School Department, and to all positions of all appointed employees in the service of the Town, whether full- or part-time, temporary, seasonal, special, intermittent or any other type of employment, unless otherwise covered by separate agreements between the Town or any individual employee or developed through collective bargaining.

The Town adheres to the policy of employment-at-will, which permits the Town or the employee to terminate the employment relationship at any time, with or without cause, for any lawful reason. Nothing contained in this Handbook should be construed to create an employment agreement or promise of employment between the employee and the Town.

The Town agrees that, in all personnel matters, it will continue its policy of not discriminating because of race, ethnicity, color, religious creed, national origin, or ancestry, gender, sexual orientation, genetic information, veteran status, age, disability or any other protected status defined by law.

The Town of Hopkinton has not adopted any provision of Massachusetts General Law, Chapter 31, regarding Civil Service.

SECTION B: RECRUITMENT AND SELECTION

Section B-1: Recruitment

The Town of Hopkinton is an equal opportunity/affirmative action employer. The Town is committed to equal opportunity for all persons regardless of race, color, religion, national origin, ancestry, sex, sexual orientation, age, genetic information, mental or physical disability or any other lawfully protected categories.

All persons, subject to any statutory requirements or limitations on the position, shall be eligible for employment with the Town.

(a) Internal Posting

Internal posting of a vacancy shall be made to ensure that qualified current employees have the opportunity to apply. Appointing authorities and the Town Manager, through the Human Resources Department, shall ensure that notices of vacant positions are posted on the Town Bulletin Board for ten (10) calendar days. External advertisement of the position may be done concurrently.

(b) Advertisement of Job Vacancy

A variety of external recruitment sources shall be used when appropriate.

(c) Examinations

The respective appointing authority may require a job-related examination as one part of the selection process, subject to the approval of the Town Manager and the Equal Employment Opportunity Commission (EEOC) Officer, who is also the Human Resources Director. Examinations may be written, oral, practical, physical or any combination thereof and shall be relevant to the requirements of the position.

(d) Failure to Report

An applicant who accepts an appointment and fails to report to work on the date set by the Town Manager or other appointing authority, shall be deemed to have declined the appointment and the offer of employment shall be withdrawn.

Section B-2: Orientation

The purpose of the orientation is to ensure that new and promoted employees become aware and understand their duties, responsibilities and required work standards and to help employees achieve an effective level of performance. Following the initial orientation, it is the ongoing responsibility of department heads to assist employees in understanding these duties, responsibilities and standards of performance. This is applicable to all employees covered by this handbook.

SECTION B: RECRUITMENT AND SELECTION

Section B-3: Introductory Period

Unless otherwise provided by law, all newly appointed, transferred, and promoted employees shall be required to successfully complete an introductory period. The introductory period shall begin immediately upon the employee's starting or promotion date and shall continue for a total of six (6) consecutive months of employment. This introductory period may be extended based on the recommendation of the Department Head and the Human Resources Director and shall be approved in writing by the Town Manager.

Section B-4: Job Descriptions and Interpretations

The Human Resources Director shall maintain written job descriptions of the jobs or positions in the Salary Administration Plan, which descriptions shall have written definitions including statements describing the kind of work, the distinguishing features of the work and such illustrative examples of duties as may be deemed appropriate.

- A. The description of any position shall be construed solely as a means of identification and not as a limitation to what the duties and responsibilities of any position shall be, or as modifying or in any way limiting the power of the appointing authority, as otherwise existing, to assign duties, modify, direct or control the work of any employee under the jurisdiction of such authority.
- B. All current job descriptions should be reviewed every two years or when the position becomes open. All job descriptions for newly created positions should be reviewed at the one-year anniversary date of the position(s) being filled, and may be modified as necessary to meet the Town's needs.

SECTION C: CLASSIFICATIONS & SCHEDULING

Section C-1: Employment Classifications

At the time of hire, employees are classified as a Group A, Group B, or Group C employee and informed if they qualify for overtime pay. Unless otherwise specified, the benefits described in this Employee Handbook apply only to Group A or Group B employees. All other policies described in this Employee Handbook and communicated by the Town of Hopkinton, apply to Group A, Group B, and Group C employees. If you are unsure where your position falls in the Salary Administration Plan, please ask the Human Resources Director. For employees covered by individual contract, items not addressed in the contract may default to the Employee Handbook.

Section C-1.1: Employee Groups

1. **Group A Employees:** Exempt employees who are usually scheduled to work a minimum of forty (40) hours per work week, fifty-two weeks per year. Group A employees are eligible for all employee benefits, but are not eligible for overtime pay. Group A employees are also eligible for all employee benefits provided to Town of Hopkinton employees as set forth in Section E of the Employee Handbook.
2. **Group B Employees:** Non-exempt employees who are regularly scheduled to work between twenty (20) and forty (40) hours per work week, fifty two (52) weeks per year. Group B employees are eligible for overtime pay for all actual hours worked in excess of forty (40) in a work week. For the purposes of this section, holiday time and sick time used in a work week shall be considered time worked. Group B employees are also eligible for all employee benefits provided to Town of Hopkinton employees as set forth in Section E of the Employee Handbook.
3. **Group C Employees:** Non-exempt employees who are regularly scheduled to work less than twenty (20) hours per work week, fifty two (52) weeks per year. These employees are eligible for overtime pay for all actual hours over forty (40) worked in a work week, but are not eligible for the employee benefits provided to the Town of Hopkinton employees as set forth in Section E of the Employee Handbook unless otherwise noted.
4. **Intermittent part-time:** An employee hired for irregular or occasional employment for an hourly rate or a fee. This includes employees hired to work for a specific period of time not to exceed six (6) months. These employees are also eligible for overtime, for all hours worked over 40 in a work week, but not employee benefits as set forth in Section E of the Employee Handbook, unless otherwise noted.
5. **Salaried but not working a regular schedule:** Exempt employees who may or may not be eligible for employee benefits based on their work schedule.

SECTION C: CLASSIFICATIONS & SCHEDULING

Section C-1.1: Employee Groups, Continued

A Payroll Change Authorization Form must be approved by the Department Head, the Human Resources Director and Town Manager for any employee to change from one group to another. The threshold for requesting to move to a benefit eligible from a non-benefit eligible position is that the employee is scheduled to work 20 hours or more per week for more than 40 consecutive weeks in a fiscal year, barring any coverage for FMLA, MMLA, USERRA, or any Town approved leave of absence.

SECTION C-2 Scheduled Work Hours

Section C-2.1: Core Hours

The Town Manager will set basic uniform office hours (“core hours”) for all offices with full-time employees that serve the public with the exception of Departments that run on a 24/7/365 basis or whose hours of operation are longer or shorter than the hours of Town Hall. These core hours are 8:00am-4:30pm Monday-Friday.

Part-time employees will work a schedule that is created by the Department Head, with final approval given by the Town Manager.

If an employee is experiencing exceptional circumstances and wishes to work outside of the core hours, the employee must submit a request electronically to their department head with the beginning and end date for the request, the new start and end times requested and the reason(s) for the change. The temporary change must be approved in writing, by the department head and Town Manager prior to the schedule change.

Specific job descriptions for certain positions may establish different working hours than the core hours.

If the department head needs to change the schedule, he or she will try to give the employees as much notice as possible of the changes.

Section C-2.2: Flexible Hours

In order to enhance Town of Hopkinton operations the Town supports flexible work schedules (“flexible hours”) where it is determined by management to be appropriate. Regular or long term flexible hours will only be approved with the written approval of the Town Manager. Temporary or short-term flexible hour schedules may be granted by the department head.

Employees working flexible hours are expected to be in the office during the majority of the core hours.

SECTION C: CLASSIFICATIONS & SCHEDULING

Section C-2.2: Flexible Hours, continued

Any employee working flexible hours is responsible for meeting all workload requirements and attending all scheduled conferences and meetings, including meetings with customers within the flextime schedule.

Work Away from Premises or at Home: Employees shall not be permitted to perform work away from the premises, job site or at home, unless approved in advance in writing by the Department Head and the Town Manager.

Section C-2.3: Meal Breaks

In accordance with M.G.L. chapter 149, sections 100 and 101, all non-exempt employees will receive a 30-minute meal break if they are scheduled to work more than six hours in a calendar day. An employee must be free to leave the workplace during the break. An employee can voluntarily give up the meal break, but must be paid for all hours worked. Compensation for the 30-minute meal break must be paid if the employee has voluntarily agreed to waive his or her meal break by (1) working through his or her meal break, or (2) remaining on the premises at the request of the employer during the meal break.

If the employee is given permission to work through their meal period due to a scheduling necessity for the employee or at the request of the manager, there must be written notice from the manager and the employee submitted via email to the Human Resources Director.

SECTION D: COMPENSATION AND PERFORMANCE

Section D-1: Overtime and Fair Labor Standards Act

Overtime will be worked only with the prior authorization of the department head. Sufficient funds must be available in the budget before overtime work is assigned. Each non-exempt employee, who is authorized to actually work in excess of 40 hours in any one workweek, shall be paid at time-and-one-half the employee's straight-time hourly rate. In order to qualify for overtime pay employees must actually work in excess of 40 hours during the work week. Holiday and sick time taken during the work week shall be considered hours worked.

There is to be no compensatory time in lieu of pay.

Section D-2: Time Sheets and Recording of Time

Accurately reporting time worked is the responsibility of every employee. The Town of Hopkinton must keep an accurate record of time worked in order to calculate employee pay and benefits. The Town retains the right to establish the mode by which time is recorded.

Non-exempt employees must accurately record the time they begin and end their work day, as well as the beginning and ending time of each meal period. They must also record the beginning and ending time of any split shift or departure from work for personal reasons.

Exempt employees must accurately record the total hours worked for each workday.

It is the employee's responsibility to sign his or her time record to certify the accuracy of all time recorded. The timekeeper for the department will review and then approve the time record before submitting it for payroll processing. In the event of an error in reporting time, immediately report the problem to the department's timekeeper, who will then report the error to payroll.

Altering, falsifying, tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Section D-3: Salary Administration Plan

Please see Appendix B for the current Salary Administration Plan

Section D-4: Compensation

All employees shall be compensated in accordance with the Salary Administration Plan that has been established to provide a uniform system for classifying all positions and establishing proper relationships between positions based upon levels of responsibilities and minimum qualifications required to perform the job, thereby ensuring equitable compensation for each classification.

No employee's salary shall be changed without the written consent of the Town Manager.

SECTION D: COMPENSATION AND PERFORMANCE

Section D-5: Performance Evaluations and Salary Increases:

All Group A and Group B employees, and non-seasonal Group C employees are to be evaluated annually.

- A. Employees may respond in writing to the evaluation and/or requirements for improvement. Responses will be added to the employee's evaluation. The evaluation shall be forwarded to the Human Resources Director for review and placement in the employee's personnel file.
- B. Performance evaluations are used when deciding if a salary increase is warranted but are not the sole basis for determining salary increases. In order to be eligible for a salary increase, employees must have a current evaluation with an overall rating of Satisfactory on file with the Human Resources department.
- C. All salary increases are effective at the beginning of the pay period closest to the employee's anniversary date.
- D. All other categories of employment and some positions listed in Group C of the Classification and Pay Schedule may not be eligible for salary increases.

Section D-6: Transfers, Promotions and Demotions

Transfers:

Transfer of an employee from one position to another without significant change in responsibility may be affected if the employee meets the qualification requirements for the particular period with the written approval of the department head and Town Manager.

Promotions:

- (a) Unless otherwise provided by law, all promotions shall be subject to an introductory period of six (6) months. If, during this introductory period, the Town Manager or an appointing authority in consultation with a department head determines that the job is not being satisfactorily performed, every effort will be made to return the employee to his or her previous or a comparable position. Should there be no vacancy, the employee will be terminated.
- (b) When an employee is promoted to a higher-rated job, he/she shall enter it at the minimum of the job rate range or at his/her own rate, whichever is higher.

SECTION D: COMPENSATION AND PERFORMANCE

Section D-6: Transfers, Promotions and Demotions (continued)

Demotion

An employee may be demoted to a position of lower grade for which the employee is qualified for any of the following reasons:

- (a) An employee would otherwise be laid off as a result of abolition of the position; the employee's position is reclassified to a higher grade for which the employee is not qualified; lack of work; disciplinary action; lack of funds; or because the return to work from an authorized leave of absences employee to such a position would cause the Town substantial and grievous injury in accordance with the rules of leave set forth in these guidelines;
- (b) An employee voluntarily requests the demotion;
- (c) If an employee is transferred to a lower-rated job, he/she shall enter it at his/her own rate or at the maximum rate for the job, whichever is the lower, following Town Manager approval;
- (d) All demotions must receive the prior approval of the Town Manger or appropriate appointing authority. The employee shall be notified in writing of the demotion and the reason for the action.

Section D-7: Resignation

Unless stated by contract, all employees of the Town of Hopkinton are employees at will and are not required to give a notice regarding resignation. However to ensure a smooth transition for both the exiting employee and the department involved we request that each employee provide a minimum of ten (10) working days notice to the department head.

SECTION E: EMPLOYEE BENEFITS

Section E-1: Benefit Eligibility

If you are a Group A or Group B employee you will be able to enjoy many of the benefits described in this Employee Handbook as soon as you meet the eligibility requirements for each particular benefit. Some benefits as set forth herein will be provided on a pro-rated basis. Any part-time employee who works less than twenty (20) hours per week (Group C) is not eligible for benefits described in this Employee Handbook unless required by provision of an applicable state or federal law.

Section E-2: Paid Time Off

If a full-time employee is working a base of forty (40) hours per week, a paid day off is considered to be eight (8) hours of paid time off. All employees eligible for paid time off who work less than forty (40) hours shall receive their paid time off on a pro-rated basis.

Section E-2.1: Holiday Compensation

All eligible Group A and B employees shall receive one day at their standard day rate for the following 12 holidays:

New Years Day	Martin Luther King Day	President's Day
Patriot's Day	Memorial Day	Fourth of July
Labor Day	Columbus Day	Veteran's Day
Thanksgiving	Day after Thanksgiving	Christmas Day

- A. If such a holiday falls on a Saturday, the preceding Friday will be observed as a holiday.
If the holiday falls on a Sunday, the holiday will be observed on the following Monday.
- B. To be eligible for holiday pay, each regular full-time employee must be in a paid status on the day of the holiday. The term "paid status," for purpose hereof, shall mean either normally scheduled to work on that day within the workweek, or on paid vacation leave or approved sick leave. Each eligible part-time employee shall be entitled to holiday pay only for those holidays that fall on a day on which the employee is regularly scheduled to work and is in a paid status. Holiday pay for a part-time employee shall be that employee's regular pay for the day on which the holiday occurs. Also, unless the employee is out on an excused absence, or provides a doctor's note, the employee must work the scheduled day before and after the holiday in order to receive holiday pay.
- C. Each eligible employee who is required to perform work on a holiday that falls within their normal workweek shall receive compensation for such work at straight time to equal the number of hours worked on the holiday.

SECTION E: EMPLOYEE BENEFITS

Section E-3.1: Holiday Compensation (Continued)

- D. Department heads shall be considered the same as all other personnel when working on a holiday, except that approval for pay in lieu of a day off may be obtained from the Town Manager as deemed appropriate.
- E. Regular Part-Time C Dispatchers required to perform work on New Year's Day, The Fourth of July, Thanksgiving, or Christmas Day shall receive one and one half times their normal rate of pay for the hours worked.

Section E-3.2: Personal Time Compensation

On each July 1st, full-time employees will be credited annually with four (4) paid personal leave days which may be taken during the following 12 months. Personal leave days for part-time employees (20 hours or more) shall be credited and granted in the same proportion that employee's service bears to full-time service.

A personal day can be used for a religious/secular holiday or as needed by the employee. Requests for a personal day must be submitted to the employee's department head at least one week prior to the requested leave day. Employees working under the direct supervision of a board, committee or commission responsible for the employee's department shall submit the request to the board, committee or commission at least one week prior to the requested leave day.

Those employees with initial employment date between July 1st and September 30th shall be allotted four personal days in their first fiscal year of employment; those with initial employment dates between October 1st and December 31st shall be allotted three personal days; and those with initial employment dates between January 1st and March 15th shall be allotted two personal days. And all employees hired between March 16th and April 30th shall receive one personal day for the remainder of that first fiscal year.

Any paid personal leave not taken by June 30th will be forfeited by the employee.

SECTION E: EMPLOYEE BENEFITS

Section E-3.3: Vacation Compensation

- A. The vacation year is from July 1st through June 30th inclusive. This is merely the time in which accrued vacation must be used: If an employee is eligible to move to the next higher vacation accrual level that accrual will occur on the anniversary date, not the beginning of the fiscal year.
- B. All eligible employees shall be credited on the last day of each calendar month with vacation leave accrued. Vacation time is accrued based on a full calendar month worked. Time off payroll (unpaid, non FMLA leave) is not considered time worked and therefore no vacation time will be credited to an employee who is off payroll for more than one workday during the calendar month. For each full calendar month of employment, employees will be credited with vacation pay as outline below:
 - (1) Level 1. After one full month and up to five years of completed service, the employee is eligible to accrue a maximum of two weeks (80 hours) of vacation leave with pay each year. Accrual is calculated as 6.666 hours of paid vacation leave per full month of employment.
 - (2) Level 2. After five years and up to 10 years of completed service, the employee is eligible for three weeks (120 hours) of vacation leave with pay each year. Accrual is calculated as 10.0 hours of paid vacation leave per full month of employment.
 - (3) Level 3. After 10 years and up to 20 years of completed service, the employee is eligible for four weeks (160 hours) of vacation leave with pay each year. Accrual is calculated as 13.333 hours of paid vacation leave per full month of employment.
 - (4) Level 4. After 20 years of completed service, the employee is eligible for five weeks (200 hours) of vacation leave with pay each year. Accrual is calculated as 16.666 hours of paid vacation leave per full month of employment.
- C. Vacation pay for regular part-time Group B employees, shall be the average of his/her weekly pay for the 26 weeks worked immediately preceding the vacation.
- D. Should a paid holiday occur during the employee's regularly scheduled workweek while the employee is on authorized paid vacation, the paid holiday will not count as a vacation day.
- E. Eligible employees may carry over up to but not more than 2 weeks of vacation time from one fiscal year to another. All time over 2 weeks accrued and unused is forfeited by the employee at the end of the fiscal year.

SECTION E: EMPLOYEE BENEFITS

Section E-3.3: Vacation Compensation

- F. An employee who is eligible for vacation under this policy whose employment ends for any reason shall be paid, at their last rate of pay, an amount equal to the vacation that had been accrued prior to such termination but which had not been used.
- G. With approval from the individual or group responsible for the employee's department, and from the Town Manager or his/her designee, employees who accrue at Level 2 and up, may elect to work no more than one vacation week and receive vacation pay plus their regular pay for that week. In order to be considered, the request must be submitted to the Human Resources Director, no later than the 3rd Friday in April. The request will then be brought to the Finance Director for confirmation of funds. After adequate funding has been confirmed, the request is sent to the Town Manager for evaluation and a decision. If an approval has been given, the employee will be notified and payment will be made in the last check of the fiscal year.
- H. Any employee that wishes to use any vacation leave, must have their request approved by their manager in writing before the time off is taken, with the exception that approval may be verbal if the time off taken will be less than two (2) hours in a work day. Time off requests in excess of three days, must be approved in writing at least two weeks before the time is taken.
- I. Employees may request approval of the department head and the Human Resources Director to use vacation time not yet earned. However, in order to be granted permission to use unearned vacation, the employee must have previously exhausted the allotment of his or her personal days for the fiscal year.

SECTION E: EMPLOYEE BENEFITS

Section E-3.4: Sick Time Compensation

Each eligible employee shall be entitled to sick leave with pay to use for the employee's own personal illness and medical and dental appointments.

In addition, up to ten (10) days of accrued sick leave, not covered under Section E-4.2 Family and Medical Leave Act, may be used by an employee to attend to a spouse, parent or child, or someone who lives in the same household as the employee for illness, well-care and sick medical and dental appointments. There will be no carry-over of this benefit from one fiscal year to the next fiscal year. The Town Manager may extend the sick leave used in this manner beyond what is permitted on a case by case basis.

- A. Each regular full-time employee will earn sick leave at the regular rate of pay of the employee at the rate of 1 1/4 (10 hours) normal workdays of sick leave earned for each full calendar month of work, to a maximum accumulation of 205 workdays. Each Group B employee will earn sick leave at the regular rate of pay of the employee on a pro rata basis. The maximum accumulation is the same as that for a regular full-time employee. Sick leave with pay is credited on the last day of the month.
- B. Any person returning to work after an absence in excess of three (3) consecutive work days due to illness may be required by the Human Resources Department to obtain a written statement from a doctor that the absent person is capable of performing all of their assigned duties.
- C. The Town may require a medical certificate at any time from a licensed medical practitioner. A medical certificate must state specifically that an employee is incapacitated and therefore cannot perform the duties and responsibilities as specified in the employee's job description.
- D. Each employee who falls under the Salary Administration Plan, with the permission of his or her department head, may donate up to six (6) days of his or her accrued sick time in any fiscal year to an employee who has exhausted all of his or her accumulated sick time. The employee to whom sick time is donated must first exhaust all personal days and vacation time before being granted donated sick leave.
- F. An employee who meets the criteria for Family Medical Leave or Massachusetts Maternity Leave will be placed on that leave in concurrence with their use of accrued paid leaves, including sick time.

SECTION E: EMPLOYEE BENEFITS

Section E-3.5: Bereavement Time Compensation

- A. Bereavement Leave of Absence for Five (5) working days shall be granted to a Group A or Group B employee upon evidence of the death of a member of his/her immediate family which is defined as mother, father, child, sister, brother or spouse, or person residing in the household based on the requirements below, of the employee or their spouse.
- B. Bereavement Leave of Absence for Three (3) working days shall be granted to a Group A or Group B employee upon evidence of the death of aunt, uncle, grandparent or grandchild of the employee or their spouse.
- C. An additional two (2) days leave of absence may be granted, at the discretion of the Town Manager upon evidence of the death of the aunt, uncle, grandparent or grandchild of the employee or their spouse.

Section E-3.6: Jury Duty Compensation

Each Group A and Group B employee who is asked to either report for jury duty, sit on a trial, or a grand jury panel shall be paid by the Town an amount equal to the difference between the compensation paid the employee for a normal working period and the amount paid by the court, excluding any allowance for travel and lodging, for as long as the employee is required to participate in the trial.

Section E4 Leaves of Absence

Section E-4.1: Personal Leave of Absence:

Personal leave of absence for a specified period of time may be granted with the approval of the department head and the Town Manager, but shall be without compensation. Unless otherwise stated, personal leave of absences without pay shall be considered inactive employment, where time spent on such leave does not count as service (time worked) for purposes of seniority, accrued vacation, accrued sick leave, pension, longevity and other benefits.

Once an employee has exhausted their Family Medical Leave or Massachusetts Maternity Leave they must apply for a Personal Leave of Absence by submitting their request in writing to the Human Resources Director prior to the expiration of statutory leaves. This leave must be approved by the Town Manager before it can be granted to the employee.

Those employees on an approved leave of absence who are removed from payroll are responsible for remitting full health and other insurance premiums to the Total Compensation Coordinator within the requested time frame. Employees who are on a non-FMLA leave will be making COBRA payments. Employees who fail to make payments in the time required shall be removed from the Town's insurance plan.

SECTION E: EMPLOYEE BENEFITS

Section E-4.2: Family and Medical Leave

In accordance with Federal law, The Town of Hopkinton will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy and policies regarding vacation time, sick time and personal time usage. Human Resources will provide a separate hand out detailing the policy at time of hire, or when the policy changes as mandated by Federal Law.

Section E-4.3: Massachusetts Maternity Leave

M.G.L. Chapter 149, §105D provides that a female employee who has completed the initial probationary period set by the terms of her employment or, if there is no such probationary period, has been employed by the same employer for at least three consecutive months as a Full-Time employee, is entitled to a maternity leave not exceed eight weeks per birth This leave may be taken for the purpose of giving birth, adopting a child under the age of eighteen, or adopting a child under the age of twenty-three if the child is mentally or physically disabled. Employees are required to give at least two weeks' notice of their anticipated date of departure and intention to return.

Employees taking advantage of this leave will be restored to their previous, or a similar, position with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of her leave. This leave is traditionally unpaid. However, any accrued or earned vacation, or personal days may be used with this leave. Sick time may also be used provided there is a doctor's note stating that time is needed to recuperate from giving birth.

If an employee elects maternity leave under the Family and Medical Leave Act, the Town will apply the Massachusetts Maternity Law benefit concurrently with the benefits allowed under the Family and Medical Leave Act.

Male employees who are not eligible for the Family and Medical Leave Act (FMLA) may apply for a Personal Leave of Absence to cover paternity leave.

SECTION E: EMPLOYEE BENEFITS

Section E-4.4: Small Necessities Leave

The Small Necessities Leave Act allows each employee eligible for FMLA a total of 24 hours of unpaid leave during any twelve-month period, in addition to leave available under FMLA, to (1) participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school; (2) accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; and (3) accompany an elderly relative (an individual of at least 60 years of age who is related by blood or marriage to the employee, including a parent) of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing at nursing or group homes. If the necessity for leave is foreseeable, an employee must provide the department head with not less than seven days' notice of the need for leave. If the necessity for leave is not foreseeable, an employee shall provide such notice as is practicable. An employee taking leave for any of the aforementioned circumstances may substitute any accrued paid vacation and/or personal leave for any leave provided.

Section E-4.5: Military Leave

Regular full-time employees who are in the National Guard or Armed Services Reserves and are called to temporary military duty not exceeding two weeks shall receive the difference in pay between their regular Town pay and their military pay. Such employee may use his/her normal vacation time for his/her military duty if he/she desires.

A full-time employee will be granted an absence without pay to enter active duty in any branch of the U.S. Armed Forces. Should an employee enter military service, their right to reemployment is protected under current federal law when their military obligation is completed, unless they are away for more than five years. Employees may choose to continue their medical benefits while on leave, provided they remain current with the payment schedule. Employees must reapply to the Town within 90 days of separation from the military in order to take advantage of this right. Every effort will then be made to reinstate the employee to their former position of similar status and pay. Employees will not lose seniority. Employees who take a Military Leave under USERRA will not lose seniority.

SECTION E: EMPLOYEE BENEFITS

Section E-4.6: Worker's Compensation

An employee who, by reason of an on-the-job injury or illness, receives statutory compensation may receive, in addition, the amount necessary to make up his/her regular weekly compensation, from saved or available time up to a period not exceeding six months for any one accident. In the interests of uniform procedures throughout the Town, the approval of the Town Manager shall be required for any such payments of additional compensation. In case of a more extended disability, the case may be reviewed by the Insurance Company and the Town Manager, and if it is felt that the circumstances of the individual case warrant such supplementary payments, the Town Manager may so authorize. Eligible employees who are out for more than five (5) consecutive days for Worker's Compensation shall be placed on Family Medical Leave (FMLA), which will run concurrently with their Worker's Compensation leave. If an employee exhausts their Family Medical Leave while on Worker's Compensation, they must apply for a Personal Leave of Absence. (See Personal Leave Policy)

Section E-5: Longevity pay

Each Group A and Group B employee that works 40 hours per week who was hired or moved to forty (40) hour status before July 1, 2008 and who is covered by the provisions of this Handbook shall receive a longevity payment after completing the consecutive years of service outlined below. The designated longevity payment will be paid in a lump sum in July each year and is based on the number of completed consecutive years of full-time employment.

Years of Service Completed	Lump Sum Payment
10 Years or more but less than 15 years	\$350.00
15 years or more but less than 20 years	\$400.00
20 years or more but less than 25 years	\$750.00
25 years or more but less than 30 years	\$1,250.00
30 years or more	\$2,000.00

For the purposes of this section, consecutive years of service shall mean the length of an employee's uninterrupted service in years in the employ of the Town of Hopkinton and in a position included within the Employee Handbook in a Group A or Group B Classification with a regular schedule of 40 hours per week. Unpaid, approved leaves of absence shall not be considered as breaks in said consecutive years of service; however, only years, months and days spent on paid leaves of absence shall be included in the computation of consecutive service.

SECTION F-POLICIES AND STANDARDS

Section F-1: Standards of Conduct

All persons employed by the Town of Hopkinton hold a position of public trust, and as a result, are expected to conduct themselves in a highly professional, ethical, and appropriate manner. Employees shall avoid any action that might create the impression of using public office for private gain, giving preferential treatment to any person or losing impartiality in conducting Town business. Employees are expected to adhere to conduct established by the laws of the Commonwealth, including Chapter 268A, the Commonwealth's Conflict of Interest Statute.

Section F-2: Guidelines for Appropriate Conduct and Discipline

Employees are expected to conduct themselves in a professional and respectful manner consistent with the high standards held by the Town. The list of infractions mentioned below, although not intended to be all-inclusive, illustrate some of the breaches of conduct that may result in disciplinary action, up to and including dismissal:

1. Falsifying employment or other Town of Hopkinton records;
2. Violating any Town of Hopkinton policies as set forth in this Handbook; or any section of Massachusetts General Law regarding municipal personnel;
3. Establishing a pattern of absenteeism or tardiness;
4. Engaging in excessive, unnecessary or unauthorized use of Town of Hopkinton supplies or equipment, particularly, for personal purposes, including removing Town Property from the premises;
5. Stealing property from co-workers or citizens of the Town of Hopkinton;
6. Engaging in insubordination or refusal to follow the lawful directions of a person with management responsibility;
7. Neglecting one's own job duties and responsibilities or refusing to perform work assigned;
8. Misappropriation of Town funds or property; and
9. Failure to provide exemplary customer service.

SECTION F-POLICIES AND STANDARDS

Section F-2: Guidelines for Appropriate Conduct and Discipline (Continued)

- A. When it is determined that discipline is necessary, it may take place using one of the methods listed below:

Verbal Reprimand: Employees will meet with their direct supervisor to discuss the issue and discuss ways for immediate improvement on the part of the employee. An employee will receive a written summary of the meeting, which will be kept in the employee's personnel file.

Written Reprimand: Management will meet with the employee and give him/her a formal written reprimand which fully documents the infraction and a copy will be placed in the employee's personnel file.

Suspension/Final Warning: A suspension is the temporary and involuntary separation of an employee from employment. The purpose of a suspension is to serve as a final warning to an employee that continued poor performance or misbehavior will result in dismissal. When possible, prior to the suspension the employee will receive a written summary, which will detail the reasons and terms for the suspension. If a suspension is not practical, an employee shall receive a Notice of Final Warning or a Last Chance Agreement.

Termination: Termination, whether in the form of a formal firing or a recommended resignation, is the permanent and involuntary separation of a person from employment with the Town. The employee will meet with the department head, the Human Resources Director and the Town Manager to receive a written notice of dismissal.

- B. Management reserves the right to determine at which step of the disciplinary process to begin. Options range from a verbal reprimand up to and including immediate dismissal. This decision will be based on the severity of the infraction. If necessary, employees may be put on administrative leave with pay pending an investigation.
- C. All employees may request a pre-termination meeting with the Human Resources Director and the Town Manager at which they have an opportunity to present their case against being terminated.
- D. Employees involved in any step of the disciplinary process are not eligible for consideration for a salary increase until improvement has been documented and/or a period of time as defined by the Town Manager and Department Head has expired with no additional disciplinary actions.

SECTION F-POLICIES AND STANDARDS

Section F-3: Problem Resolution

The Town is committed to maintaining harmonious working relationships among all employees. In fitting with that concept, employees and managers are encouraged to discuss issues that might arise in a timely and constructive manner. (If the issue regards Discrimination or Sexual Harassment please refer to the Town's policy on Discrimination and Sexual Harassment.

Section F-3.1: Grievance Steps

Step I: Immediate Supervisor- No later than five (5) working days after the event giving rise to the grievance or five (5) working days after the employee should reasonably have learned of the event giving rise to the complaint, whichever is later, the employee must submit a written grievance to his or her immediate supervisor. Within five (5) working days after receiving the complaint, the immediate supervisor and the employee shall meet and the immediate supervisor shall give his or her written answer within five (5) working days of said meeting. If the Department Head is the immediate supervisor, then Step II is the first step in this grievance process.

Step II: Department Head: If the complaint is not settled in Step I, the employee, no later than five (5) working days after receipt of the immediate supervisor's response to the complaint or when said response is due (whichever is earlier), may file a written appeal to the employee's department head. Within five (5) working days after receipt of this appeal, the department head and the employee shall meet to discuss the complaint. The department head shall give his or her written answer within five (5) working days of said meeting.

Step III: Town Manager: If the grievance is not resolved at Step II, the complaint may be presented to the Town Manager within five (5) working days after the response from the department head or when said response is due (whichever is earlier). The Town Manager or his or her designee shall meet with the employee within ten (10) workdays of the presentation of the grievance at Step II. The Town Manager shall give his or her written answer to the grievance within ten (10) working days after such meeting, and said answer shall be final and binding for both the employee and the Town.

If the grievance is against the Town Manager, the grievance should be brought to the Chair of the Board of Selectmen or his/her designee.

Written Presentation- All complaints and their responses presented at any step of the grievance procedure shall be in writing and shall include the facts giving rise to this grievance and the signature and date of the appropriate employee or official. All written grievance information shall be placed in the personnel file of the aggrieved employee.

SECTION F-POLICIES AND STANDARDS

Section F-4: Personal Appearance and Demeanor

Employees are required to dress in attire appropriate to their position and to behave in a professional, businesslike manner. As a Town employee, you are expected to use good judgment in your choice of work attire and to conduct yourself at all times in a way that best represents you and the Town of Hopkinton.

Employees are also required to keep their work environment clean and orderly. Before departing at the end of the workday, employees should place all confidential materials in a secure drawer or cabinet.

Section F-5: Technology Usage

Due to constant advances in technology it is not possible to exhaustively list all types of technologies currently covered in all computer, communication, and information technology systems that are the Property of the Town of Hopkinton or are used in the regular conduct of Town of Hopkinton business or that are reimbursed to the employee by the Town of Hopkinton. Any employee abusing the privileges and authorized uses of this technology will be subject to disciplinary action deemed appropriate by the Town's disciplinary policy up to and including termination. Please see the separate handout regarding Internet and E-Mail usage for further details regarding our technology policies.

Section F-6: Conflict of Interest

In accordance with Mass General Laws, Chapter 268A and the Standards Of Conduct Statement, no employee shall maintain an outside business or financial interest, or engage in any outside business or financial activity which interferes with their ability to perform job responsibilities or provide services to the Town. Employees will receive the Conflict of Interest Statute upon hire and every two years afterwards, and be expected to complete training in the Conflict of Interest Laws on a regular schedule as mandated by the Commonwealth.

Section F-6.1: Political Activity

Participation in political activities is to be carried on outside of normal working hours and shall be conducted in such a manner as to not adversely affect the performance of one's duties to the Town. Employees may not participate in the election of members of their governing body or appointing authority to any office, whether municipal, state or federal. (*Example: The Town Manager may not campaign for any candidates for Board of Selectmen*) No political activities will be conducted on Town owned property by employees during working hours or in any work areas.

SECTION F-POLICIES AND STANDARDS

Section F-6.2: Nepotism

The Town of Hopkinton's standards for employment decisions such as hiring, promoting, reappointing, evaluating, awarding salary, disciplining, and terminating employees are based upon an individual's qualifications for the position, ability, and performance. The Town attempts to avoid favoritism, the appearance of favoritism, and conflicts of interest in employment, and reserves the right to take action in accordance with existing employee agreements when relationships or associations of employees negatively affect the Town's mission and goals.

Employees and applicants for employment shall not be denied employment or advancement opportunities because of their status as a family or household member of another employee. However, no person shall be employed, promoted, or transferred to a permanent position in department where they would be the immediate supervisor of or receive direct supervision from a:

- Spouse, domestic partner, or co-habitant;
- Child, including adopted, parent, in-laws and step- or half-parent;
- Grandchild, including adopted, in-laws and step- or half-grandparent;
- Sibling, including in-laws and step- or half-; or
- Any member of the employee's household whether or not related by blood or marriage.

In addition, a person serving in a supervisory position may not participate in decisions regarding hiring, reappointment, placement, evaluation, and rate of pay, salary increases, promotion, monetary awards, or other personal interest for a relative or household member employed by the Town, even when the supervisor is not in the direct line of authority.

Furthermore, to avoid the risk of sexual harassment or any appearance of impropriety, employees shall not be allowed to retain supervisory responsibilities over subordinate employees whom they are dating.

A supervisor who becomes involved in a relationship covered by this policy shall notify the Human Resources Director within ten (10) working days after the start of this relationship, the implementation of this policy, or the employee beginning work with the Town of Hopkinton. The Human Resources Director will then document the relationship as deemed appropriate by the State Ethics Commission. All documentation will then be kept in the employee's file as mandated by State record keeping laws.

SECTION F-POLICIES AND STANDARDS

Section F-7: Discrimination and Sexual Harassment

The Town of Hopkinton intends to provide a work environment that is pleasant, professional and free from intimidation, hostility or other offenses which might interfere with a positive, productive workplace culture. Harassment of any sort – verbal, physical, visual, and electronic – will not be tolerated, particularly against employees in protected classes. These classes include but are not necessarily limited to race, ethnicity, color, religion, gender, age, sexual orientation, national origin or ancestry, disability, medical condition, marital status, veteran status or any other protected status defined by law. Please see the separate handout regarding Harassment and Discrimination for further details regarding definitions, procedures, reporting methods and policies regarding Harassment and Discrimination.

Section F-8: Americans with Disabilities Act

It is the Town of Hopkinton's policy to adhere to the requirements of the Americans with Disabilities Act (ADA) and not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

In implementing this policy, the Town of Hopkinton will be guided by the then-applicable definitions stated in the ADA or in case law construing the ADA, and applicable state and local law. In the event of any conflict between the definitions in the ADA and the definitions in this policy, the legal definitions will be the accepted definition.

Section F-9: Personal Information

The Town of Hopkinton is committed to ensuring privacy and the protection of our employees' personal and confidential information. This information is available to only those employees with a legitimate business need to know. To protect this information, employees with access must:

1. Never e-mail or fax an entire social security or financial account number;
2. Secure all personal employee information in locked cabinets or storage areas;
3. When necessary, only destroy such documents by shredding or other methods of destruction approved by the Secretary of State's recordkeeping division.

Section F-9.1: Personnel Records

The Town Manager shall designate the Director of Human Resources to be responsible for establishing and maintaining a centralized personnel record keeping system. The personnel record-keeping system shall contain such records as may be required by law and as necessary for effective personnel management. All employees and department heads shall comply with, and assist in, furnishing records, reports, and information as requested by the Town Manager. The centralized records constitute the official Town record of personnel actions and shall be maintained in a secure, private, and fire-protected location.

SECTION F-POLICIES AND STANDARDS

Section F-9.2: Content of Records

The central personnel record shall contain an individual personnel file for each employee and shall include all documents pertaining to the employee's application, performance and payroll information.

Section F-9.3: Confidentiality and Access to Records

1. Personnel records shall be considered confidential and access to records shall, unless circumstances dictate otherwise, be limited to the Town Manager or persons authorized by the Town Manager to administer the personnel record system, specifically the Director of Human Resources and the appropriate department head.
2. The employee should sign all materials in the employee file. Such signature does not necessarily indicate agreement with its content, but merely signifies that the employee has read the material to be filed. In instances where an employee refuses to sign such document(s), the Director of Human Resources or Department Head may indicate as such directly on the document.

Section F-10: Health Insurance Portability and Accountability Act of 1996 (HIPAA)

HIPPA describes how the Town may use and disclose your protected health information to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law. It also describes your rights to access and control your protected health information. "Protected Health Information" is information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health or condition and related health care services. Questions regarding HIPAA should be directed to the Human Resources Director, who is also the Town's HIPAA Privacy Officer.

Section F-11: Safety Policy

The Town and School have a joint Safety Committee and work to identify and provide preventative safety programs. All employees are encouraged to participate in recommending ways to improve our safety programs and to prevent accidents in the work place.

All employees are expected to exercise a high degree of care for the safety of themselves, other employees, customers, vendors, the general public, the property of the Town and the property of others whenever they are working, whether on Town property or not. No employee may have in his or her possession on Town property or while working, any weapon, including, but not limited to firearms, explosives, or a knife, except for those weapons used exclusively in the performance of the employee's duties. Employees must wear seatbelts and may not use cell phones when operating Town owned or leased vehicles or while operating their personal vehicles on Town Business.

SECTION F-POLICIES AND STANDARDS

Section F-11.1: Accident Reporting

It is essential that all workplace accidents that have resulted in an occupational injury or illness, regardless of the severity or lack thereof, be immediately reported to the employee's supervisor, who shall then in turn report the injury or illness to Human Resources. Even minor injuries that require no immediate medical attention must be reported. Failure to report an accident may result in disciplinary action up to and including termination.

Section F-12: Non-Smoking Policy

The Town of Hopkinton strives to create and maintain a safe and healthy working environment for all its employees. Therefore, consistent with Commonwealth of Massachusetts' law, smoking is strictly prohibited in all town buildings and vehicles. Department heads are responsible for implementing this policy.

Section F-13: Drug and Alcohol Free Workplace

The Town of Hopkinton has a responsibility towards employees to provide a safe and healthy working environment. This can be jeopardized by those who misuse alcohol and drugs. The following are examples of unacceptable conduct that may result in disciplinary action up to and including termination of your employment.

- Drinking, having the odor of an alcoholic beverage on your breath, possessing or being under the influence of alcohol upon reporting to work or during working hours.
- Using, selling, dispensing or possessing alcoholic beverages, at any time, on the Town's premises.
- Using, or having present in the body illegal drugs or misuse of prescription drugs upon reporting for work, during working hours, or on the Town's premises during non-working hours.

The Town may inform its employees from time to time of the inherent danger of drug and alcohol abuse in the work place, as well as to inform its employees of the availability of counseling and the Town Employee Assistance Program (EAP). It advises its employees of the prospect of disciplinary action in case of violations. Additionally, employees are expected as a condition of employment not only to maintain a drug free work place but also to advise appropriate officials of unlawful drug and alcohol abuse violations in the workplace.

SECTION F-POLICIES AND STANDARDS

Section F-14: Prohibited Cell Phone/PDA Usage While Operating a Motor Vehicle

This policy about cellular phone usage applies to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet, or downloads and allows for the reading of and responding to email whether the device is Town-supplied or personally owned.

Town Owned and Supplied Devices or Vehicles

An employee who uses a Town of Hopkinton-supplied device or a Town of Hopkinton-supplied vehicle is prohibited from using a cell phone, hands on or hands off, or similar device while driving, whether the business conducted is personal or Town-related. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment; the business; our customers; our vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the Town; or any other Town or personally related activities not named here while driving. Use of Town owned vehicles or devices for personal business is prohibited.

We recognize that other distractions occur during driving, however curbing the use of cell phones, while driving, is one way to minimize the risk of accidents for our employees. Therefore, you are required to stop your vehicle in a safe location so that you can safely use your cell phone or similar device. Engaging in Town of Hopkinton or personal business using a cell phone or similar device while driving either a Town supplied or personal vehicle while on Town business is prohibited.

Section F-15: Emergency Closings

Whenever possible Town facilities will remain open during regular business hours during snowstorms and other inclement weather, and will be closed only during extreme conditions. Forecast or unforeseen emergencies or catastrophes including severe weather (i.e. hurricane, blizzard, floods), fires, power failures, acts of terrorism or military acts, criminal actions (i.e. bomb threats) and earthquakes can disrupt Town operations. In these cases, circumstances may require the closing of one or more work facilities or the altering of opening or closing schedules.

In the event such an emergency occurs during regular business hours, the Town Manager will make a determination that the Town's facilities and services (other than police, fire and DPW) are closed and non-essential (i.e., clerical and administrative) personnel are not required to report to work. Information about closures will be broadcast using the Code Red notification system, on the town's website at www.hopkinton.org, on Hopkinton Public Access Channel, when practicable. Department heads are responsible for ensuring all staff members in their department are informed of facility closings or altered business hours or any other emergency measures.

In the event that such an emergency occurs during non-working hours, notice that any town facility including the Town Hall, Library, Senior Center, or Public Works Buildings, will be closed for any length of time, or business activities may have to be moved to a different location, will be broadcast as described above.

SECTION F-POLICIES AND STANDARDS

Section F-15: Emergency Closings-Continued

The Town encourages all employees to use their best judgment in making the decision to travel to work in inclement weather. If an employee is going to be delayed or will not be attending work that day, the employee is to contact their supervisor immediately to inform them of this event. An employee may use vacation, personal or sick time to cover this absence. If an employee does not have, or is not eligible for paid time off, they may either make up the time missed at a different time during that week, or not be paid for the time missed.

When operations of a work facility are officially closed due to emergency conditions, employees shall be paid for scheduled work hours. Employees who are not scheduled to work will not be compensated. Employees who were already scheduled to use accrued paid time off will use their accrued time off as planned.