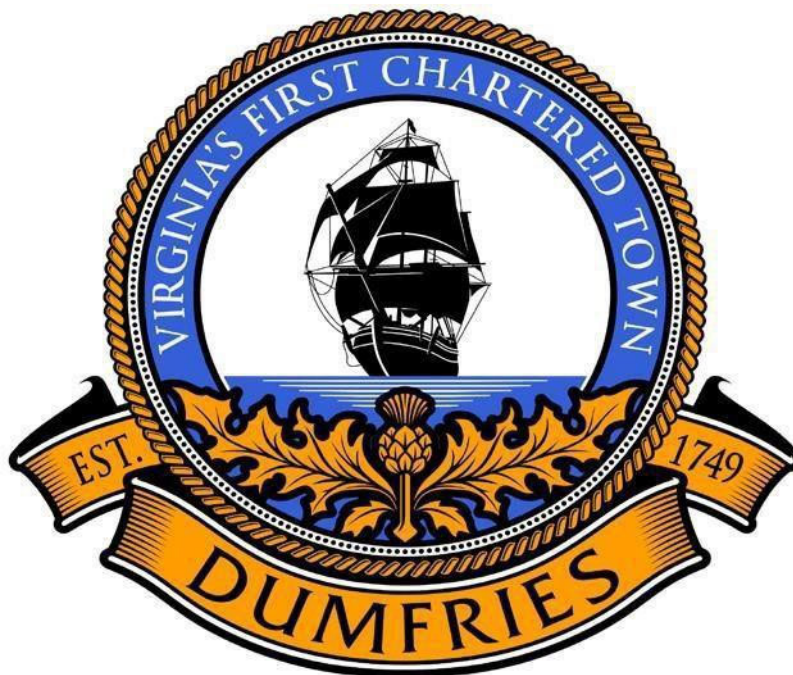


# TOWN OF DUMFRIES



## PERSONNEL RULES *A HANDBOOK FOR EMPLOYEES*

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# 1.0 PURPOSE AND PHILOSOPHY

The purpose of this Personnel Handbook (“Handbook”) is to provide a uniform system of personnel administration for the staff of the Town of Dumfries based on equity, fairness, and equal employment opportunities. This Handbook shall serve as the official personnel rules for the Town of Dumfries and as such, sets forth policies, guidelines and standards for the proper and efficient administration of a human resources system for employees of the Town.

## 1.1. Equal Opportunity Employment

It is the policy of the Town of Dumfries to provide equal opportunity to all employees and potential employees. No officer or employee shall discriminate against any employee or applicant for employment with regard to recruitment, or employment on the basis of race, age, sex, national origin, religion, sexual orientation, disability or membership in other protected groups.

## 1.2. At-Will Employment

This manual is not and shall not be construed as an explicit or implied contract. Virginia is an at-will employment state, which means that employees can terminate voluntarily at any time and employees can be terminated at any time, with or without cause. This manual does not modify any existing status of any Town employee and shall not create any due process requirement in excess of federal or state constitutional or statutory requirements.

## 1.3. Code of Conduct

Town of Dumfries employees are expected to conduct themselves in a professional manner that is appropriate for their work environment. Employees must avoid any action, which might result in giving preferential treatment (or the appearance of) to any organization or person. Employees must avoid losing independence or impartiality which may adversely affect the integrity of the Town of Dumfries.

Guidelines and Expectations:

- Treat each other with civility, dignity, and respect in all interactions
- Provide high quality customer service at all times
- Comply with Town policies and procedures
- Comply with all applicable federal, state, and local laws and regulations
- Use Town resources in a proper manner
- Respect the organizational chain-of-command

## 1.4. Diversity, Equity, and Inclusion

The Town of Dumfries recognizes and values diversity as a vital characteristic of the town. We celebrate the diversity of the town we serve and the individuals we employ, embracing the differences in race, color, religion, national origin, ancestry, gender, age, abilities, gender



identity, sexual orientation, and military background. The Town of Dumfries is committed to creating an inclusive workplace that attracts, develops, engages, and retains diverse personnel. We feel that our success in maintaining a diverse, inclusive, and equitable workplace will not only help us serve our community more innovatively, strategically, and efficiently, but will also help us ensure that the employees, citizens, vendors, and the members of the general public are treated with dignity and respect in all interactions.



## 2.0 EMPLOYMENT INFORMATION

### 2.1. Employment Classifications

**Exempt Employee**– an employee who occupies a position which is exempt (not eligible) from the overtime provisions of the Fair Labor Standards Act (FLSA) due to executive, administrative or professional exemptions. Full-time, part-time, and temporary employees may be exempt.

**Non-Exempt Employee**– an employee who receives hourly wages; and is subject to wage and hour laws, i.e. overtime pay provisions of the FLSA. Full-time, part-time, and temporary employees can be classified as non-exempt.

**Full-time Employee**– an individual hired on a salary or wage basis for an indefinite term who is expected to work a minimum of forty (40) hours a week.

**Part-time Employee**– an individual hired on a salary or wage basis for an indefinite term, who is expected to work an established period that is less than forty (40) hours per week.

**Probationary Employee**– a full-time or part-time employee who has worked for the Town for less than six (6) months.

**Temporary Employee** – an individual hired on a temporary basis for a period not to exceed 12 months. Temporary employees are not entitled to receive benefits.

**Intern** - Temporary employees, typically students or recent graduates, who work for the Town of Dumfries on a temporary basis to gain work experience and/or college course credit.

### 2.2. Recruitment & Hiring

The Town recruitment policies are designed to obtain well-qualified applicants for all vacancies and selection shall be based on the best-qualified person available at the wage offered for the position.

#### Types of Recruitment

- Open - Public advertised recruitment that is available for any individual to apply
- Closed - Available only to existing Town employees.
- Restricted - Restricted to employees in one agency or department.

The Town Manager (or designee) has complete authority for hiring, promoting, and discharging employees in accordance with these policies, except as otherwise limited by the Code of the Town of Dumfries, Virginia. The Town Manager has the responsibility and authorization for administering the personnel system established by these policies. At the sole discretion of the Town Manager, positions may be filled on a full-time, part-time, or temporary basis.



In accordance with the Americans with Disabilities Act (ADA), the Town of Dumfries provides equal employment opportunities to qualified individuals with disabilities. Reasonable accommodations will be provided to a qualified employee or applicant with a disability when that employee or applicant requests an accommodation. A qualified employee or applicant is one who can perform the essential functions of the job with or without accommodation.

A request for an accommodation will be denied if the accommodation is not shown to be effective, places an undue burden on the Town of Dumfries or if the employee poses a direct threat to the health and safety of him or herself or others.

### 2.3. Medical Examination & Drug Screening

All potential employees of the Town are subject to pre-employment drug testing. The Town will pay for the examination, and the test and results belong to the Town, and shall be considered confidential information. The Town Manager may, at their discretion, release the results to the applicant. The Town reserves the right to require a medical examination to ensure fitness for duty. All employees are subject to random drug testing for illegal substances under Virginia law. Employees may have legal prescriptions from other states that may exempt them from disciplinary action

Failing to pass the drug test for a potential employee will end the employment process- the applicant will not be hired. The applicant may not reapply unless authorized by the Town Manager.

### 2.4. Probationary Period

All new full-time and part-time employees except sworn police personnel (police personnel have a 12- month probationary period) shall serve a 6-month probationary period. During this period the employee must show that he or she is capable and willing to perform the job satisfactorily. At the end of the probationary period the employee will be evaluated to determine satisfactory performance. Probationary employees are not be eligible for merit increases or promotions.

At any time during the probationary period, employees may be terminated. The new hire's Department Head shall recommend in writing to the Town Manager the dismissal of the employee serving a probationary period. This happens if in the opinion of the Department Head, the job performance indicates such employee is unable or unwilling to perform the duties of the position satisfactorily. No employee shall be removed from a position during the probationary period without the approval of the Town Manager.

### 2.5. Workplace Fraternization

Anyone employed in a managerial or supervisory role needs to heed the fact that personal relationships with employees who report to them may be perceived as favoritism, misuse of authority, or potentially, sexual harassment.





Fraternization with any employee who reports to the manager or whose terms and conditions of employment such as pay increases, promotions, scheduling, and advancement are potentially affected by the manager, is prohibited. The fraternization that is prohibited by this policy includes dating, romantic involvement, and sexual relations; close friendships are discouraged in any reporting relationship. Employees who disregard this policy will receive disciplinary action up to and including termination of employment.

## 2.6. Conflicts of Interest – Outside Employment

Any additional job held by a Town employee must take place outside of working hours shall not conflict with or compromise, in any way, the position that the employee holds with the Town. An employee seeking outside employment, including self-employment, must notify the appropriate Department Head and submit the request form to the Town Manager for approval. Such approval shall not be unreasonably withheld.

## 2.7. Personnel Administration

The Town Manager serves as the Town's Human Resource Officer and is responsible for personnel administration within the Town government.

## 2.8. Personnel Information and Files

Personnel files contain employment applications, conditions of employment, the employment letter and background checks, evaluations, disciplinary actions, and commendations. Employee files are considered confidential and may only be viewed or released in accordance with the requirements of state and federal law.



## 3.0 COMPENSATION

### 3.1. Total Compensation

The total compensation of employees consists of the regular wage/salary and authorized overtime pay for full-time employees; the employer's contributions to employee benefits; holiday pay; and various forms of leave with pay. Part-time employees may also receive prorated leave in certain circumstances. Please review Section 6.0 for the complete leave policy.

### 3.2. Compensation Plan

The compensation plan for employees of the Town shall consist of the classification system for all classified jobs and a salary range for each classified position.

### 3.3. Rates of Pay

The rates of pay for each employee within a pay grade shall be set by the Town Manager. The normal entrance rate of pay for new employees shall be consistent with their overall qualifications, knowledge, skills, abilities, and experience in the position.

### 3.4. Merit-Based Pay Increases

The Town of Dumfries promotes excellence in its workforce. Merit-based pay increases may be awarded based on employee performance evaluations as well as for the retention of key employees. Each employee's performance will be reviewed annually between May and June. A uniform evaluation instrument will be utilized across the organization.

An employee at the top of their grade will not be eligible for performance increases but may be eligible for a one-time merit-based performance bonus payment. All merit-based increases shall be recommended by the manager/ supervisor and approved by the Town Manager before it is shared with the employee.

### 3.5. Bonuses

The Town Manager, acting in their discretion, may grant a bonus payment to an employee to recognize superior service to the Town.



## 4.0 TRAVEL AND REIMBURSEMENT

### 4.1. Travel Policy

To the fullest extent possible the Town will endeavor to pay for all employee travel and business expenses in advance.

### 4.2. Travel Reimbursement

The Town of Dumfries will reimburse employees for reasonable and appropriate expenses incurred while conducting Town business. Request for reimbursement must be submitted within five business days of returning from travel. The following information is required for expense reimbursement and must be submitted with the Travel Settlement Voucher for authorization: reason for travel, confirmation of expenses, itemized receipt for lodging, registration fees, transportation costs, etc.

### 4.3. Authorized Expenses Transportation (Local and Long Distance)

Town vehicles should be used whenever practical for official business. Reimbursements for fuel, parking, tolls and necessary repairs will be honored with appropriate receipts. Travelers will be reimbursed for use of personal vehicles at the current approved mileage rate, plus parking and toll fees if documented with receipts. The mileage reimbursement rate is the rate published by the IRS. The use of rental cars must be approved in advance by the Town Manager. Air and rail tickets are reimbursable for coach travel only. Use of public transportation for travel including, bus, taxi, shuttle, etc. require receipts for charges exceeding \$15.00.

#### Lodging

Lodging may be reimbursed when an employee is traveling on approved overnight official Town business. Expenses can be authorized for the employee only and must be itemized. Costs associated with other travelers, such as family members, will not be reimbursed.

#### Meals and Incidental Expenses

Meals and certain incidental travel expenses are reimbursable on a per diem basis for overnight official business travel. When meals are included with registration, per diem amounts will be reduced accordingly. Per diem rates will be based upon the High-Low Substantiation Method as published by the IRS. Tips are included in the per diem and are not reimbursable separately. The cost of business meals may be reimbursed in full if properly documented. Business meals must involve a substantive and bona fide purpose inclusive of business discussion. The receipt must be attached to the Travel Expense



Settlement Voucher and must include a listing of guests by name, title and business purpose. Incidental business expenses include telephone charges, computer cabling, internet access fees, etc.

Unauthorized (Non-Reimbursable) Expenses, include but are not limited to:

- Service tips (considered as part of the meals and incidentals per diem).
- Loss of funds or personal items
- Alcoholic beverages
- Personal expenses and self-entertainment activities, such as movies, sporting events, fitness clubs, etc.
- Spouse or companion expenses



## 5.0 TIME AT WORK

### 5.1. Work Hours

The immediate manager/ supervisor shall establish the hours of work for the Town employees who report to them in order to ensure the successful completion of all necessary tasks. The standard scheduled workweek is 40 hours, generally Monday through Friday. This does not preclude the establishment of specified schedules other than (40) hours in a given workweek for other employees if approved by the Town Manager. Any altered work schedules must be approved by the Town Manager prior to implementation.

Employees are allowed up to two rest breaks per day, which are included within the total required hours of work. These breaks may be used in conjunction with a 30-minute meal break, provided the sum of the breaks and lunch do not exceed 60 minutes per workday. Breaks and lunches may not accumulate from one shift or one day to another.

Flexible work scheduling may be used for the purpose of extending a meal break with the employee's start time being advanced or end time being extended as approved by his supervisor. Certain employees as approved by the Town Manager (or designee) have their meal break(s) included as a part of their regularly scheduled workday. (NOTE: If breaks are used, that time counts as hours worked for FLSA)

Flexible work scheduling may be considered within the standard workweek, Monday through Friday, provided the standard 40-hour workweek, is not altered.

Flexible work schedule examples:

- Early arrival, early departure
- Late arrival, late departure
- Working four 10-hour days- with one day off
- Working four 9-hour days and one 4-hour day
- Other similar permanent or seasonal scheduling option(s)
- Adjustments to meal breaks

If flexible work scheduling or compressed workweeks are instituted on an ongoing basis, the department head may approve only after approval of the Town Manager.

### 5.2. Overtime

All overtime work must be approved in advance by the supervisor. Failure to secure authorization to work over forty (40) hours may result in disciplinary action. Employees who are not exempt under the Fair Labor Standards Act (FLSA) (non-exempt) will be paid at the rate of time and a half for all actual hours worked in excess of forty (40) hours a work week. Hours worked shall not include time taken off for annual and sick leave, compensatory leave, and observance of Town recognized holidays.



Exempt employees are exempt from overtime pay (not eligible) and may be required to work beyond normal hours and some weekends and holidays as needed.

### 5.3. Absenteeism & Tardiness

If an employee is unable to report for work or expects to be late, the employee must notify their supervisor as soon as possible but no later than the beginning of their scheduled work period, giving the reason for the absence or tardiness. The responsibility to notify a supervisor(s) about absences or tardiness always rests with the employee. Paid leave for that absence or tardy may or may not be approved. Excessive absenteeism or tardiness may result in disciplinary action up to and including termination of employment.



# 6.0 LEAVE BENEFITS

## 6.1. Holidays

The following holidays are observed by the Town of Dumfries. Full-time and part-time salaried employees shall be granted time off for these days without charging the time against leave balances:

- (1) New Year’s Day January 1
- (2) Martin Luther King, Jr. 3<sup>rd</sup> Monday of January
- (3) President’s Day 3<sup>rd</sup> Monday of February
- (4) Good Friday 2 days before Easter Sunday
- (5) Memorial Day Last Monday in May
- (6) Juneteenth June 18
- (7) Independence Day July 4
- (8) Labor Day 1<sup>st</sup> Monday in September
- (9) Indigenous People’s Day 2<sup>nd</sup> Monday in October
- (10) Election day 1<sup>st</sup> Tuesday in November
- (11) Veteran’s Day November 11
- (12) Thanksgiving Day 4<sup>th</sup> Thursday in November
- (13) Day after Thanksgiving Friday after Thanksgiving
- (14) December 24 December 24 (1/2 day)
- (15) Christmas Day December 25

*\*Please note that this calendar may be updated at the discretion of the Town Manager or as approved by the Town Council.*

## 6.2. Vacation Leave

Full-time employees will accrue paid vacation leave at the following rates and must be used on an hour- for-hour basis. Part-time employees may earn vacation leave on a prorated schedule proportional to the number of hours worked.

0-5 Years	5-10 Years	10 Years +
4 hours per pay period	6 hours per pay period	8 hours per pay period

### Exceptions

The following positions are exempt from years of service accruals and shall earn 8 (eight) hours of vacation leave per pay period, upon hire.

- Town Manager
- Town Attorney
- Deputy/Assistant Town Manager

The Town Manager and Department Heads have a primary obligation to ensure that the Town’s service to the citizens is carried out, therefore all vacation leave must be approved in advance to ensure coverage.



### Leave Rollover and Payout

If an employee has not used all their vacation leave at the end of the year, the remaining vacation leave balance will rollover into the next year. Upon separation, an employee is entitled to payment for all accrued but unused vacation leave based on the employee's rate of pay at time of separation to a maximum of 240 hours of vacation leave. In the event of the death of an employee, the employee's estate is entitled to payment for any unused balance of vacation leave at the time of death.

### 6.3. Sick Leave

For full-time employees, sick leave is accrued at the rate of 4 hours per pay period, and, when taken, shall be used on an hour-for-hour basis.

Sick leave may be used for:

- Illness or injury preventing the employee from performing assigned duties
- Doctor or dental appointments during working hours.
- Medically necessary care of family members, such as a spouse, child, parents, siblings, or in-laws.

An employee away from work for illness that requires an absence in excess of three days is required to provide, to their supervisor, a written statement from the attending physician or health care provider, stating the earliest approximate date of return to duty and advising on the ability of the employee to perform the essential functions of his or her job with or without reasonable accommodations. All medical information will be kept confidential and will be made a part of a file separate from the employee's personnel file.

Accrued sick leave shall not be payable upon separation.

### 6.4. Family & Medical Leave Act (FMLA)

Under the FMLA the Town of Dumfries grants to qualified employees, up to 12 weeks of unpaid leave during a single 12-month period. (The time off period can be up to 26 weeks if caring for a recovering service member.) A qualified employee is one who has worked for at least 12 months for the Town and for at least 1,250 hours (the 1,250 is compensable hours - hours during which an employee is on leave are not counted in the 1,250 threshold) during the 12 months preceding the start of leave (rolling 12- month calendar). The employee is guaranteed to return to the same or similar position of employment. Acceptable reasons for using the Federal FMLA are:

- For birth or placement of a child for adoption or foster care
- For a serious health condition that prevents the employee from performing the essential functions of their position and requires continuing treatment or in-patient care
- To care for a spouse, parent, or child with a serious health condition
- To care for a spouse, son, daughter, parent, or next of kin who is a service member recovering from serious illness or injury sustained in the line of active duty, and
- Because of a qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on active duty or has been notified of an impending call to order to active duty in the Armed Forces in support of a contingency operation.

If FMLA is used for the purpose of caring for a spouse, son, daughter, parent, or next of kin





who is a service member recovering from serious illness or injury sustained in the line of active duty, then FMLA leave can be used for a total of 26 workweeks during a single-twelve-month period. Otherwise, qualified employees will be limited to take up to 12 workweeks of FMLA leave during any 12-month period. A workweek is defined by the hours that the employee normally works within a normal Monday through Friday week.

Employees are required to provide a minimum of 30 days prior notice of FMLA, as is possible, to their Manager/ Supervisor and/or the Town Manager. Once supervisors are made aware that the requested leave is for an FMLA – qualifying reason, the employee will be notified within two-business days that the leave is being approved as FMLA. Employees may be required to provide medical certification to support the leave request, as well as a 2nd medical opinion. Employees taking FMLA are required to provide periodic updates as to when they are expected to return to work.

#### **Continuation of Benefits During FMLA**

All employees are required to pay the employee portion of their benefits during an FMLA leave.

#### **Job Restoration and Exceptions Under FMLA**

Upon the employee's return to work, The Town of Dumfries will endeavor to reinstate him/her into the same or substantially similar position as per the requirements of FMLA. Key employees are entitled to FMLA but, are not entitled to job restoration if re-employment at the conclusion of the leave will cause a substantial and grievous economic injury to the Town of Dumfries. A key employee is a salaried employee who is among the highest paid ten percent of the Town of Dumfries workforce. A key employee will be notified in writing of his or her status in response to the employee's notice of intent to take FMLA unless circumstances do not permit such notice. If a key employee is already on FMLA when s/he receives notice that he/she is a key employee, the employee will be given a reasonable time to return to work before losing the right to job restoration.

### **6.5. Extended Medical Leave**

When special circumstances require an extended leave, the Town Manager has the authority to grant an employee leave without pay provided that the operations of the Town of Dumfries will not be adversely affected.

#### **Continuation of Benefits During Extended Medical Leave**

When paid leave is used for medical purposes, an employee will maintain the same benefits as if working. If the employee is on leave without pay, including FMLA, continuation in the health care plan is permitted, provided the employee continues to pay the employee share of premiums. If the employee fails to make premium payments, the employee will be provided written notice of this failure and will be given an additional fifteen days to make payment in full. If payment is not made after this notice, health benefit coverage will cease. If an employee does not return to work after the conclusion of the FMLA leave, the employee is responsible for reimbursing the Town of Dumfries for the Town's share of the health care premiums paid.



## 6.6. Uniformed Services Employment and Reemployment Rights Act (USERRA)

The Uniformed Services Employment and Reemployment Rights Act (“USERRA”) was enacted to ensure that members of the uniformed services are entitled to return to their civilian employment upon completion of their service. They must be reinstated with the seniority, status, and rate of pay they would have obtained had they remained continuously employed by their civilian employer. The law also protects individuals from discrimination in hiring, promotion, and retention because of present and future membership in the armed services. According to USERRA:

- Employees may use leave for mandatory or voluntary military service
- The employee must return to work within a specified # of days after completion of service
- The employee is entitled to the same job or similar status and same rate of pay – no loss in seniority etc.
- Employees may stay on health plan for up to 18 months. While using leave, nothing changes. If LWOP, employees pay 100% of the full premium plus 2% administration fee.

### **Military Leave**

A full-time employee who is currently a member of the military forces of the United States and who leaves the services of the Town government as a result of a call to active duty shall be paid the difference between the daily military pay and the daily Town government rate of pay for a period of twelve (12) consecutive calendar months while participating in military leave. A copy of military orders must be provided to the Town before such pay is authorized.

Such payments to employees shall be evaluated after the twelve (12) month period and a decision shall be made with respect to continuation of pay by the Town government. If the military pay exceeds the employee’s Town government rate of pay, the Town government shall not pay the employee salary during that portion of leave. It shall be the responsibility of the employee taking military leave to submit a copy of his/her military pay voucher to the Treasurer as soon as it is received for proper payroll adjustments to be made.

In addition, employees who are members of the National Guard or an organized military reserve of the uniformed services of the United States and who are ordered to active duty or training duty are entitled to a military leave of absence with pay not to exceed fifteen (15) work days during the twelve (12) month period of October 1 through September 30 (112.5 hours for a 75 hour schedule; 120 hours for an 80 hour schedule; 126 hours for an 84 hours schedule; or 144 hours for a 96 hour schedule) in accordance with Section 44-93 of the Code of Virginia. A copy of military orders must be provided to the Town before such pay is authorized. During the absence under this subsection for military leave with pay, the employee shall be entitled to earn credit toward sick leave and vacation leave.

### **Military Leave without Pay**

An employee who leaves the employ of the Town of Dumfries to join the military forces of the United States during the time of war or other declared national emergency or who is called to service in the Virginia Militia by order of the Governor shall be placed on military leave without pay commencing on the first business day following the last day of active employment with the Town of Dumfries. The employee on such leave is entitled to be restored to the position he or she vacated, provided the employee makes application to the



Town of Dumfries not later than 90 days after the date of honorable discharge or separation under honorable conditions. Job restoration is further conditioned on the position still existing and the employee being physically and mentally capable of performing the work of the vacated position.

### 6.7. Jury Duty/Witness Leave

An employee will be given time off with pay for performing jury duty or when subpoenaed as a witness to appear before a court, public body or commission.

### 6.8. Bereavement Leave

In the event of a death in an employee's immediate family, the employee may take up to three working days, with pay, to handle family affairs and to attend the funeral. "Immediate Family" is defined as: parent, sibling, spouse, child, mother-in-law, father-in-law, grandparents, great grandparents, grandchildren, and those with whom they reside. If the funeral requires traveling more than 200 miles, the Town Manager may approve up to five days of paid bereavement leave. Employees attending funerals for friends, co-workers, or other family outside of the immediate family, must use annual leave or request leave without pay.

### 6.9. Voting

The Town of Dumfries observes Election Day, 1st Tuesday in November, as a paid holiday to allow employees to participate in the democratic processes including voting. On other designated voting dates, employees are encouraged to vote before work, during breaks or after work hours.

### 6.10. Parental Leave

In order to assist and support new parents with balancing work and family matters, The Town of Dumfries is providing paid parental leave to full-time employees who meet FLSA requirements. This policy provides eligible employees with a period of six weeks (240 hours) of paid time off for activities related to the care and well-being of their newborn or adopted child. Parental leave is based on current base pay and is available in addition to accrued vacation leave and sick leave to a maximum of 12 weeks per occurrence.

An eligible parent is defined as a birth mother, spouse, same sex domestic partner, or a new adoptive parent who is the primary caregiver. An individual that adopts a spouse's or partner's child(ren) is not eligible for this benefit. A primary caregiver is defined as someone who has primary responsibility for the care of a child through birth or adoption. If both parents work for the Town, only one parent can be designated as a primary caregiver at a time.

All Parental leave must be approved by the Town Manager.

### 6.11. Liberal Leave

Liberal leave is a term used to describe the use of vacation leave or leave without pay used by an employee during severe weather or other emergency as declared by the Town Manager.



Liberal leave differs from other leave since advanced approval is not required. However, when the approval for use of Liberal leave is announced by the Town Manager, employees are expected to notify their supervisors of their plans to use the leave prior to their normal arrival or departure time.

### 6.12. Families First Coronavirus Response Act (FFCRA) Paid Leave

As required by The Families First Coronavirus Response Act (FFCRA or Act), the Town of Dumfries will provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19 from **April 1, 2020 through December 31, 2020**. You are eligible for:

- Two weeks (up to 80 hours) of paid sick leave at your regular rate of pay if you are unable to work because you are quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- Two weeks (up to 80 hours) of paid sick leave at two-thirds of your regular rate of pay if you are unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and
- Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds of your regular rate of pay if you have been employed for at least 30 calendar days, and are unable to work due to a bona fide need for leave to care for a child whose school or childcare provider is closed or unavailable for reasons related to COVID-19.

These are applicable if the employee is unable to work or unable to telework. Please note that paid sick time provided under this Act does not carryover from one year to the next. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.



## 7.0 INSURANCE AND OTHER EMPLOYEE BENEFITS

### 7.1. Employer Sponsored Health, Vision, and Dental Insurance

The Town makes available a medical health, vision, and dental insurance plan for all fulltime employees. The Town contributes 100% of the cost for individual coverage. For Spouse and/or children's coverage, the Town contributes 20% of the premium cost and the employee is responsible for 80%. There is A maximum waiting period of thirty days before the insurance coverage takes effect. Employees may elect to opt out of the employer sponsored plans provided they have secured other insurance. Employees do not receive additional compensation in lieu of choosing the Town sponsored coverage.

#### **Employee Assistance Program (EAP)**

An employee that is covered under the Town's health insurance program is entitled to participate in the Employee Assistance Program, a work-based intervention program designed to assist in resolving personal problems that may adversely affect the employee's performance. The EAP provides up to four counseling sessions at no charge for issues involving mental health, alcohol or drug abuse assessments, child, or elder care, grief counseling and legal or financial services. Care must be authorized in advance by contacting the health care provider. Employees must refer to the health care provider's current policy regarding their participation in the EAP.

### 7.2. COBRA

Under the Town of Dumfries group health plan, per Federal law, employees have the right to continue health care coverage (to include their dependents, if participating) when there is a "qualifying event" that would result in a loss of coverage under the plan. This is known as COBRA continuation. In the case of loss of coverage due to end of employment or reduction in hours with the Town, coverage generally may be continued for up to a total of 18 months. In the case of losses of coverage due to an employee's death, divorce or legal separation, the employee becoming entitled to Medicare benefits or a dependent child ceasing to be a dependent under the terms of the plan, coverage may be continued for up to a total of 36 months. COBRA coverage is at the employee's cost and will be terminated before the end of the maximum period if:

- Any required premium is not paid in full on time.
- A qualified beneficiary becomes covered, after electing continuation coverage, under another group health plan that does not impose any pre-existing condition exclusion for a pre-existing condition of the qualified beneficiary.
- A covered employee becomes entitled to Medicare benefits after electing continuation coverage.
- The Town of Dumfries ceases to provide any group health plan for its employees.



To elect COBRA coverage, an employee must complete a COBRA Election Form and give it to The Town Manager or designee as part of his/her separation process. As the Town's payment for insurance coverage ends at the end of the month of separation, employees are expected to make their first payment within 45 days of election and subsequently every month. This does not intend to fully describe COBRA coverage and an employee's rights under the plan. See the Town Manager for a full description and for any questions.

### 7.3. Group Life Insurance

The Town provides fully paid group life insurance coverage for all full-time employees. Coverage for the employee shall be in an amount equal to double his/her annual salary rounded up the nearest thousand dollars. In cases of accidental death, the insurance payout doubles.

### 7.4. Retirement

The Town of Dumfries participates in the Virginia Retirement System (VRS) for all employees eligible for retirement benefits pursuant to the rules and policies of VRS. The Town makes the contribution to the VRS for the employer and part or all the employee share as authorized or limited by state statute.

### 7.5. Deferred Compensation Program

The Town makes available a deferred compensation program. Employees may voluntarily contribute to the program on a pre-tax basis to provide an additional source of retirement income. For specific information on the deferred compensation program, employees should contact the Town Treasurer.

### 7.6. Uniforms/Clothing Allowance

The Town will provide uniforms to uniformed members of the Police Department and to certain employees in other departments, as recommended by department heads and approved by the Town Manager. Employees receiving uniforms are required to wear a complete uniform during work hours and are responsible for cleaning them unless the Town has made other arrangements. All uniforms and safety equipment issued to Town employees (including police) are Town property and must be returned or paid for in full if an employee resigns or is terminated.

### 7.7. Employee Development and Training

It is the policy of the Town of Dumfries to encourage employees to obtain training & development designed to advance the employee's value to the organization. The cost of training and related expenses approved by the Town Manager will be paid in full by the Town of Dumfries. If training by the employee, it must first be approved by the Town Manager and the employee must prove successful completion to be reimbursed. Training or development courses / sessions taken by employees at the request of town management must be approved



by the Town Manager and will be reimbursed. In all cases where the Town Manager approves, the hours of training count as hours worked.



## 8.0 ADDITIONAL WORKPLACE POLICIES

### 8.1. Inclement Weather

It is the intent to have all offices remain open and all services operational and available to the public when conditions and availability of personnel permit. In rare cases, Town offices may be declared closed by the Town Manager or his designee during periods of extremely severe weather when the health and safety of employees are at risk. During office closures, all public safety and essential employees are required to work. When the Town Manager declares a closure, the declaration affects all shifts working that day from the specified time of the Town Manager's declaration. If no re-opening time is declared, it is presumed to be 8:30 AM the next calendar day. A separate decision for closure will be made should weather conditions dictate that the closure continue to the next day. This decision will specify that the Town offices shall be closed the entire day or portion thereof.

All sworn Police Officers and Public Works Street Maintenance employees are designated as essential personnel and are required to work normal work schedules when Town Offices are closed. Other employees may be designated by the Town Manager as essential employees are required to work as necessary.

#### **Compensation**

Compensation for the time when the Town Offices are closed due to inclement weather or other emergencies shall be as follows:

#### **Non-essential Employees:**

- Closure on scheduled workday – employees receive their regular pay.
- Closure on scheduled day off – employees receive no additional pay or additional time off.
- The period when the Town is closed will not be charged to annual, sick, or compensatory leave.
- Non-essential employees who are required to work when the Town closes due to inclement weather will be considered as essential employees and be compensated as outlined below.

#### **Essential Employees:**

- Closure on scheduled workday – non-exempt employees receive one- and one-half-time rates for the hours worked during the period of time that the Town is closed.
- Closure of scheduled day off – non-exempt employees receive one- and one-half-time rates for hours worked on their day off. Employees receive no additional time off.
- Essential employees who do not work when the Town is closed will be considered non-essential and compensated as such.





## 8.2. Liberal Leave During Extreme Weather Conditions

Essential personnel must report to work. Liberal leave is not intended for a full day of leave; it is only for the time when weather conditions prevent safe travel. Employees are expected to monitor conditions and report to work when conditions permit safe travel. Employees using liberal leave are required to notify supervisors.

## 8.3. Smoking

Smoking is not permitted in buildings, offices, restrooms, etc. or in town-owned vehicles. Smoking is only permitted in designated areas.

## 8.4. Substance Abuse

Because of the serious nature of illegal use or abuse of alcohol, controlled substances, and/or non-prescribed use of medication, any employee found in violation of the Town's Alcohol and Drug Free Workplace policy will be subject to an investigation conducted by the Town Manager or designee to determine the facts. Once the investigation is completed, if the employee is found to be in violation of the policy, he/she will face disciplinary action up to and including termination. Our policy is as follows:

- No employee shall manufacture, dispense, unlawfully possess, or use, unlawfully distribute any controlled substance, medication, or alcohol.
- Any employee convicted under a federal or state statute regulating controlled substances shall notify their supervisor and the Town Manager within five days after the conviction.
- No employee shall consume or be impaired by alcoholic beverages immediately before work, during work hours, or while at work including during breaks or lunches.
- No employee shall represent the Town of Dumfries in an official capacity while impaired by alcohol, illegal drugs, or medication.
- No employee, using medication that may impair performance, shall operate a motor vehicle, or engage in safety sensitive functions while on duty for the Town of Dumfries. If an employee is using a medication that may impair performance of duties, the employee must report that info to his/her supervisor or the Town Manager.
- Any employee who has reason to believe that the performance of another employee is impaired by alcohol, illegal drugs, and/or medication shall immediately notify the supervisor or Town Manager.

## 8.5. Drug & Alcohol Screening

At his or her discretion, the Town Manager or designee may call for a drug or alcohol screening. This may occur randomly or when:

- There is a reasonable suspicion to believe that an employee is in an impaired state
- An employee has been involved in an on duty serious accident
- An employee has endangered others in the workplace



## 8.6. Political Activity

The Town of Dumfries encourages all employees to exercise their right to participate in the democratic process of the United States of America. As a representative of the Town, employees are reminded that these rights must be exercised appropriately. Consequently:

- Employees shall not engage in political activity on work premises during work hours.
- Employee shall not be coerced to support any political activity.
- Town-owned equipment and/or materials shall not be used for political activities.
- Employees shall not engage in political activities as a representative of the Town in an official capacity.

## 8.7. Telework

The Town of Dumfries supports teleworking arrangements for approved situations, jobs, events and positions only. These may be limited to one or more specific days of the week, as a flexible work arrangement. The town believes telework arrangements can be beneficial to the health, safety, and performance of employees in some cases.

All teleworking options must be pre-approved by the Supervisor of the employee and the Town Manager in advance unless it is mandated under special health or safety considerations and circumstances. Teleworking may be approved as a temporary option or special accommodation. See Appendix for the **Teleworking Request & Agreement Form**.

### **Teleworking employees are responsible to:**

- Set up a viable work area at home that is safe and productive for the employee to accomplish required tasks.
- Establish work practices that make the telework arrangement transparent to other employees and customers (i.e., ensures employees and customers are not inconvenienced in their dealing with the teleworker).
- Report to management, employees, and customers, as required, for meetings, trainings, conference / Zoom meetings, etc., to accomplish work goals and tasks.
- Safeguard proprietary information (regardless of form) as specified by any security instructions.
- Determine federal, state, and local tax implications resulting from working at home and satisfy their personal tax obligations.
- Comply with any applicable state and local zoning ordinances.
- Comply with all other terms and conditions of employment as per the Employee Handbook, Policies & Procedures Manual, and any other operating directives.
- Safeguard any approved Town materials and equipment that are assigned to for telework use.
- Return to work for any required activities.



**Supervisors of teleworking employees are responsible to:**

- Review all teleworking requests from employees to determine whether a telework arrangement can be accommodated based on a job review and the capability of the employee to operate successfully under the arrangement without adversely affecting Town interests. The decision must consider Town special needs of the employee accommodation, precedence, and fair and equitable practices.
- If request is appropriate, discuss with and obtain final approval from and inform Town Manager, Human Resources, or designee.
- Document and file a Telework Request & Agreement Form for the employee's records and submit the hard copy, with original signatures, to Human Resources/ Town Manager to be included in the employee's personnel file.
- Continue normal supervisory activities including career development, ongoing feedback and performance appraisals.

**Human Resources is responsible to:**

- Assist and encourage employees/supervisors wishing to implement telework arrangements.
- Answer any questions about teleworking and help resolve any difficulties which may arise in a request.
- Retain signed original Teleworking Request & Agreement in employee's personnel file.
- Update the Telework Policy and related documents, as necessary.
- Review all requests for telework and adjudicate any disagreements.

**Compensation, Benefits, Taxes**

Employees are advised to refer questions to his/her tax advisor when adjusting their work location under this policy as tax withholding is impacted when employees telework from a different state than their work location state. If the telework location changes, the employee should immediately notify Human Resources and Accounting.

**Safety and Accidents Workers' Compensation**

Workers' Compensation liability for illnesses and job-related injuries and eligibility for Accident Disability Benefits continues during the approved work schedule and in the teleworker's homework area, as described in this policy. Accidents must be reported to Human Resources immediately.

**Accidents of Others**

The Association is not responsible for any injuries to family members, visitors, and others in the employee's home.



## **Equipment**

An employee's supervisor is responsible for determining whether to authorize the use of Town-provided computer equipment in an employee's home. If the Town-provided equipment is used:

- All maintenance will be performed by an authorized person at the Town office location at the Town's expense (employee must bring the equipment to the location).
- The Town will repair or replace lost, damaged, or stolen equipment provided the staff member has taken appropriate precautions to safeguard equipment.
- Employee may not use Town-provided equipment for personal use or allow other persons to use it.
- Employee must return equipment to the Town when requested by supervisors or when employment is terminated.
- Basic office supplies such as paper, pens, storage devices, fax and computer paper can be expensed. No other expenses related to furnishing or maintaining home office space is reimbursable unless approved under separate request.

## **Termination of Teleworking Arrangement**

Poor performance, violation of computer equipment security provisions or violation of other Dumfries policies, are grounds for immediate termination of a telework arrangement. However, an employee's supervisor can terminate a telework arrangement at any time by providing the employee notice in-person or on a telephone conversation, followed by written confirmation.



## 9.0 EMPLOYEE PERFORMANCE AND GRIEVANCE

### 9.1 Performance Evaluations

The evaluation process is a positive career development tool for both the employee and management. It compiles information from feedback sessions with a focus on continued improvement and contribution to The Town. The process begins with an employee's self-evaluation. All performance evaluations will take place annually between May and mid-June. (New Hire employees receive an initial review in their sixth month prior to the end of the probationary period.) The first step is for employees to complete a self-evaluation and forward it to their immediate supervisor. The supervisor will review the employee information and begin their own assessment. Supervisors will schedule face-to-face meetings with employees to review all feedback and give a final evaluation rating. The manager will recommend a salary increase to the Town Manager. The Town Manager will review the performance appraisals of all Town employees and will have the sole authority to accept or reject any recommendations made for salary increases. If the employee disagrees with the final evaluation rating, they may appeal in writing to Town Manager, which will initiate a formal dispute process. Performance Evaluations are confidential records that become part of an employee's personnel file.

### 9.2 Unacceptable Performance/ Progressive Discipline

The Town of Dumfries will exercise a progressive discipline when possible. Should an employee's performance be deemed unacceptable anytime during employment, the employee's supervisor / manager is encouraged to notify the employee in writing and work with the employee to implement a corrective action plan. If issues persist, a Performance Improvement Plan (PIP) will be developed by the manager to assist the employee with bringing performance up to standard.

If satisfactory improvement is not exhibited after a verbal and written warnings or PIP, further action will be taken up to and including termination.

In serious instances when Town Management deems progressive discipline is not appropriate, particularly in the case of Department Heads, employees may be terminated immediately without preliminary warnings or disciplinary steps. Such instances may include but are not limited to theft or fraud of any kind, falsifying, or altering records, unlawful conduct, gross insubordination, unlawful harassment, and other conduct unbecoming of a Town employee.

### 9.3 Grievances

Any Town of Dumfries employee with a problem, concern, question, or complaint is encouraged to discuss the matter with his/her immediate supervisor. If the discussion



between the employee and his/her supervisor does not answer the question or resolve the issue, or if the employee is not comfortable discussing the matter with his/her supervisor, the employee may discuss the matter with the department head. The department head will take the appropriate steps to resolve the matter. If the employee's matter pertains to the department head, the employee may discuss the matter with Human Resources/ Town Manager.

If the matter moves to this level, the Town Manager's response will be the final decision regarding this matter. Depending on the nature of the matter, employees may be asked to submit their matter concern, question, problem or complaint in writing, and the decision/response to the matter may be verbal or written, based on the circumstances surrounding the matter.

The Town of Dumfries has a zero-tolerance policy for any form of unlawful discrimination or harassing conduct towards any employee, client, contractor, or other person in our workplace, and we therefore request that if any discrimination or harassment is experienced or witnessed, it should be reported immediately.



## 10. USE OF ORGANIZATIONAL PROPERTY (EQUIPMENT, TECHNOLOGY AND VEHICLES)

The Town of Dumfries's office equipment, letterhead, expendable supplies, communications systems (including telephones and fax/ scanner machines), and computer systems, including their stored files, are the property of the Town of Dumfries and are to be used for Town of Dumfries business purposes only. Equipment and systems may not be used to commit infractions of applicable Federal, state and local laws or the Town of Dumfries policies. Employees should be aware and are advised that the Town of Dumfries retains, at all times, full title and control over such organization property and facilities. Further use of the systems automatically terminates when an individual is no longer an employee of the Town. Misuse or violations of this policy can result in suspension of privileges in using the systems and/or disciplinary action up to, and including, termination.

As the use of communications and computer systems is for business use, the installation of personal software or any software not approved by the Town of Dumfries is not allowed. If an employee has need for additional software or hardware, they should contact the Town of Dumfries IT provider, who is responsible for initiating purchasing actions and ensuring appropriate installation, modification, licensing, and registration actions. The IT provider may, when authorized by the Town Manager delete unauthorized data and files, such as video clips, audio clips, and photographic, without warning to the user.

Use of the Internet by the Town of Dumfries employees and to those others offered access to the Town of Dumfries resources is permitted and encouraged where such use is suitable for business purposes and supports the goals and objectives of the Town and its business units. The Internet is to be used in a manner that is consistent with the Town's standards of business conduct and as part of the normal execution of an employee's job responsibilities. Corporate email accounts, Internet IDs and web pages should not be used for anything other than corporate-sanctioned communications.

Use of Internet/intranet and email will be monitored for security and/or network management reasons. Users may also be subject to limitations on their use of such resources. The distribution of any information through the Internet, computer-based services, email, and messaging systems is subject to the scrutiny of the Town. The Town of Dumfries reserves the right to determine the suitability of this information. Further, the use of the Town of Dumfries computing resources is subject to US laws and any illegal use will be dealt with appropriately, to include the Town of Dumfries right to report any illegal violations to the appropriate authorities.

### 10.1. Telephone Usage

Telephones are a vital part of business because much of the Town of Dumfries business is



on the telephone. Always practice good telephone demeanor. Please ensure that callers can get assistance during the business day, to include the normal lunch hour. The Town of Dumfries understands that occasional personal calls are necessary; however, personal use of the telephone or cell phones should be limited in frequency and duration, to essential matters, and must not interfere with the handling of calls from the public.

## 10.2. Acceptable Use Policy

The Town of Dumfries is highly dependent on the use of Information Technology (IT) equipment, applications, devices, and services for the effective management of government programs and services. The Town's technology environment has been created for professional use by the workforce, to achieve Government business objectives that support the residents, businesses, and visitors we serve. To protect the Town from potential harm, risk, liability, or other damages to the technology environment, assets, or operations all users must agree to these terms of use. This policy applies to the entire workforce (including managers, senior executives, contractors, and volunteers) that engage in Town business. This includes individuals who through formal, informal, contract, or other types of agreements interact with Town IT on a full-time, part-time or temporary basis.

**Understanding.** I understand that I have a responsibility to safeguard Town information and IT resources from unauthorized (or inadvertent) use, modification, disclosure, or destruction.

**Access.** I understand that access to Town IT resources is provided to me for official use and authorized purposes, and personal use is only permitted on a limited basis (i.e., for reasonable purposes that would otherwise be difficult to perform outside of normal business hours). Users shall have no expectation of privacy when using County IT for personal use.

### User Minimum-Security Rules and Requirements

- I will use Town IT (i.e., internet access, WIFI connectivity, communication tools, equipment, and software) responsibly and will consult the Town's Helpdesk for questions regarding acceptable use not otherwise addressed in this policy.
- I will protect my logon credentials (passwords, passphrases, and multi-factor verification codes); I am the only authorized user of my account and will not share my credentials with any other person.
- I will immediately report any suspicious activity to the Helpdesk and cease all activities on the system. Help Desk: 703-596-0022 (Option 1) or [ticket@tsiva.com](mailto:ticket@tsiva.com)
- I will complete all required Cyber Security Awareness Training, annually.
- I will not send sensitive information such as personally identifiable information (PII), criminal justice information (CJI), and payment card information (PCI) via email unless explicitly approved by the Helpdesk.

**Unacceptable IT Use.** I understand that the following activities are prohibited uses of Town IT:

- I will not use any IT products or services (i.e., hardware, software, or subscription services) that have not been assigned by the IT Team without first consulting the Helpdesk to determine any IT security risks that may be introduced.
- I will not alter, change, configure, or use operating systems, programs, or information systems except as specifically authorized by the Helpdesk.





- I will not use removable media (i.e., thumb drives, and external hard drives) on any systems not specifically designated for this purpose.
- I will not introduce executable code (such as, but not limited to, .exe, .com, .vs., or .bat files) without authorization from the Help Desk, nor will I write malicious code.
- I will not utilize Town IT for commercial financial gain, or political activities.
- I will not utilize Town IT for unethical, unauthorized, or illegal activities (e.g. Spam, profanity, sexual misconduct, gaming, extortion).
- I will not access unauthorized services (e.g. peer-to-peer, distributed computing, cloud service providers) without the approvals required by the Acceptable Use Policy.
- I will not cause network congestion, delay, degradation, or disruption of service to any Town system or user (e.g., video, sound or other large files, “push” technology on the internet and other continuous data streams) without the approvals required by the Acceptable Use Policy.

### **Monitoring**

- I understand that all activity, through network, internet, email, collaboration tools, and remote access, is subject to monitoring. When accessing Town IT, I understand that all activity may be logged and can be used to detect or confirm illegal or unauthorized activity.

### **Consequences of Unacceptable Use.**

- If I fail to comply with this policy, my access and use of Town IT resources may be revoked and depending on the severity of the violation, sanctions may apply up to or including termination, and civil or criminal penalties.

### **10.3. Town Provided Cell Phones**

The Town of Dumfries provides Town paid cell phones to certain employees based on job requirements and business need. The Town Manager must review and approve all requests. These devices are provided to individuals who:

- Are routinely out of the office in the local area during normal business hours
- Travel on the Town business
- Do business out of normal office hours
- Need to be contacted by others for services outside of normal business hours, and for general safety and security concerns when conducting business out of the office environment

Individual accounts may be audited for personal use not related to the above business purposes for reimbursement of personal use costs to the Town of Dumfries.

Individuals should always use the best safety practices when using their cell phones and other devices, such as not using while driving other than with hands-free capability. If an employee ignores this guidance and becomes involved in an accident, he/she must assume full liability for damages. Further, when on town business, if he/she violates any state laws concerning the use of a cell phone, any penalties for such use will not be considered a reimbursable business expense and repeated violations may result in disciplinary action up to and including termination.



#### 10.4. Technology Use Guidelines

- The Town of Dumfries has established the following guidelines for employee use of the company’s technology and communications networks, including the Internet and e-mail, in an appropriate, ethical, and professional manner.
- All technology provided by the Town of Dumfries, including computer systems, communications networks, company-related work records and other information stored electronically, and is the property of the Town of Dumfries and not the employee. In general, use of the company’s technology systems and electronic communications should be job-related and not for personal convenience.
- Employees are to access the town’s IT infrastructure using their own assigned ID’s and passwords. Under no circumstances should this information be shared or attempt to be forged.
- Employees may not use the Town of Dumfries’s Internet, e-mail, or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing or pornographic nature. No messages with derogatory or inflammatory remarks about an individual’s race, age, disability, religion, national origin, physical attributes, or sexual preference may be transmitted. Harassment of any kind is strictly prohibited.
- Disparaging, abusive, profane, or offensive language; materials that might adversely or negatively reflect on the Town of Dumfries (employees or residents) or be contrary to its legitimate business interests; and any illegal activities— including but not limited to piracy, cracking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the Internet or e- mail—are forbidden.
- Copyrighted materials belonging to entities other than the Town of Dumfries may not be transmitted by employees on the town’s network without permission of the copyright holder. Employees must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy for reference only. Saving copyright-protected information to a network drive without permission is prohibited. Sharing the URL (uniform resource locator or “address”) of an Internet site with other interested persons for business reasons is permitted.
- Employees may not use the system in a way that disrupts its use by others. This includes sending or receiving excessive numbers of large files and “spamming” (sending e-mail to thousands of users.)
- To prevent contamination of the Town of Dumfries technology and communications equipment and systems by harmful computer viruses, downloaded files should be checked for possible infection through the IT department. Also, given that many browser add-on packages (called “plug-ins”) may not be compatible with other programs and may cause problems for the systems, downloading plug- ins is prohibited without prior permission from the IT provider.
- Every employee of the Town of Dumfries is responsible for the content of all text, audio, or image files that he or she places or sends over the town’s Internet and e-mail systems. No e-mail or other electronic communications may be sent that hide the identity of the sender or represent the sender as someone else. The Town of Dumfries’s corporate



identity is attached to all outgoing e-mail communications, which should reflect corporate values and appropriate workplace language and conduct.

- E-mail and other electronic communications transmitted by the Town of Dumfries equipment, systems, and networks are not private or confidential, and they are the property of the town. Therefore, the Town of Dumfries reserves the right to examine, monitor and regulate e-mail and other electronic communications, directories, files, and all other content, including Internet use, transmitted by, or stored in its technology systems, whether onsite or offsite.
- Internal and external e-mail, voice mail, and text messages are considered business records and may be subject to discovery in the event of litigation. Employees must be aware of this possibility when communicating electronically within and outside the organization.
- As is written in the 'Freedom of Information and Virginia Government Data Collection and Dissemination Practices Act, employees should be aware that certain electronic communications are "official records" and may be subject to disclosure under those laws.
- All town-supplied technology, including computer systems, equipment, and town-related work records, belong to the Town of Dumfries and not to the employee user. Employees understand the company routinely monitors use patterns, and employees should observe appropriate workplace discretion in their use and maintenance of such town property.
- Because all the computer systems and software, as well as e-mail and Internet connections, are the property of the Town of Dumfries, all town policies apply to their use and are always in effect.
- Any employee who abuses the town-provided access to e-mail, the Internet, or other electronic communications or networks, including social media, may be denied future access, and, if appropriate, be subject to disciplinary action up to and including termination, within the limitations of any applicable federal, state, or local laws.

If you have questions regarding the appropriate use of the Town of Dumfries electronic communications equipment or systems, including e-mail and the Internet, please contact your department manager or the Town Manager.

### 10.5. Town-Owned Motor Vehicles and Equipment

The Town Manager, in their sole discretion, may assign vehicles to Town employees. All individuals assigned the use of a Town-owned vehicle are responsible for complying with the following requirements:

- A Town-owned vehicle assigned to an employee shall only be used by that employee in the performance of their duties.
- Every employee is required to take every precaution in the prevention of accidents to himself/herself, fellow employees, and the public.
- All drivers of vehicles owned or used by the Town of Dumfries shall be legally licensed to operate the vehicle, shall possess the physical standards required to operate the vehicle, and shall obey all traffic rules and regulations prescribed by the law, and shall use every safety measure possible to prevent accidents.
- An employee must immediately notify his/her supervisor concerning any change in the



status of his/her driver's license including but not limited to revocation or suspension. To protect the Town from potential liability, the following precautions shall be effective if an employee's driver's license is revoked or suspended:

- The employee shall not be allowed to operate any Town-owned vehicle until proof is presented to the Town Manager that a valid Virginia license has been reissued to the employee.
- An employee whose duties require regular operation of Town-owned vehicles may be assigned to a position for which driving is not required, with a possible reduction in pay, if such a position is available and if the transfer will not interfere with Town operations. Otherwise, the employee shall be terminated if his/her license is revoked or placed on suspension without pay status or terminated for temporary suspension of an operator's license at the discretion of the Town Manager and subject to a review of the effect upon Town operations.
- If an employee's driver's license is restricted, i.e., must wear glasses when driving, the employee must comply with the restrictions when using the Town-owned vehicle.
- At the end of each workday, all Town-owned vehicles that are permitted to be taken home will be driven to the individual's place of residence and parked until the individual returns to work or is called out on departmental business.
- Employees who are authorized to take a vehicle home must leave the vehicle at the place of work when they are on annual leave or otherwise absent from work for a non-job-related purpose, unless otherwise approved in writing by the Town Manager.
- All individuals who are assigned Town-owned vehicles are responsible for coordinating routine maintenance and repair of the vehicle with the Department of Public Works or in the case of police vehicles with the Chief of police or his/her designee.
- Whenever possible, all vehicles will be shared with other Town employees in need of a vehicle for official Town business. In all cases, however, the individual assigned the vehicle will have preference.
- It is the duty and responsibility of any operator of vehicles and all light or heavy motorized equipment to immediately report to his/her supervisor any accident, defect in the equipment, as well as use every precaution to prevent personal or property loss, or recurrence of the condition.

Operators of all vehicles and other motorized equipment (including construction equipment) used in the service of the Town who violate these requirements or who become involved in any accident will be subject to investigation. If it is determined that the employee is responsible for the violation or accident, or through carelessness or recklessness contributed to the cause of the accident, appropriate action will be taken by the Department Head upon review by the Town Manager up to and including suspension and termination of employment.



## 11.0 WORKPLACE HEALTH & SAFETY

### 11.1. Worker's Compensation

Workers' Compensation provides benefits for an employee in the event of certain occupational illnesses, injuries, or deaths. For additional information, see The Town Manager or Human Resources.

### 11.2. Occupational Safety and Health

The Town of Dumfries is committed to providing our employees with a safe and healthy work environment. To accomplish this goal, all employees and the Town Manager must make diligent efforts to promote safety. We develop and implement safety rules and regulations through our Town Manager, supervisors, and safety committees. This process is ongoing and requires periodic review. Safety audits are undertaken to determine the necessity and feasibility of providing devices, work practices, policies, or other safeguards to make the workplace safe and healthful. We also provide training for our employees regarding workplace hazards and the proper and safe methods to use in performing their job tasks.

All employees are expected to give their full skill and attention to the performance of their duties using the highest standard of care and good judgment. They are also expected to always follow safety rules and regulations, including using appropriate protective clothing and equipment, attending all training sessions related to your job, and following the directions of supervisory personnel.

Safety rules and regulations will be issued or modified from time to time and will be effective immediately upon communication. General safety rules and regulations will be distributed to employees and posted on employee-accessible bulletin boards. Departments will have specific job/task related rules and procedures that employees are expected to know and follow.

### 11.3. Office Security

The Town of Dumfries expects its staff to conduct themselves in a safe manner, using good judgment and common sense in matters of safety and observing all safety rules posted in various areas throughout the suite and the building.

Respect and protection of town and personal property are everyone's responsibility. If any staff member finds property missing or damaged, they are expected to report it immediately to their supervisor and the Town Manager. Employees should practice vigilance by not leaving valuable personal items exposed or unattended, especially after normal work hours.



#### 11.4. Accident Reporting and Investigation

All job-related injuries or illnesses shall be reported to a supervisor immediately- as soon as reasonably possible regardless of severity. In the case of serious injury, an employee's reporting obligation will be deferred until circumstances reasonably permit a report to be made. Failure to report an on-the-job injury or illness may preclude or delay the payment of any benefits an employee may be eligible for and could subject the Town of Dumfries to fines and penalties.

#### 11.5. Employer's Responsibilities

Employer (Manager) must investigate the cause of every lost-time accident and determine the means in which to prevent recurrence. Employers are required to install any safeguards or take corrective measures indicated or found advisable.

A safety committee shall be created which is responsible for establishing procedures to investigate all safety related incidents. This does not take the responsibility away from supervisors for the actual investigation. However, committees will evaluate the cause, look for any trends, or identify tools, equipment, procedures, or training that will serve to prevent the accident/injury from recurring.

Employees are to report all injuries, regardless of severity, to the supervisor immediately within 24 hours. If the supervisor is not available, the injury must be reported to the Town Manager before medical treatment is sought if conditions allow such reporting. Further, employees must:

- Report and, if possible, correct all unsafe conditions or acts.
- Take all standard safety precautions to prevent injury.
- Follow all safety rules.

**Safety is the #1 concern of the Town of Dumfries – always take yourself out of danger, secure your injury and notify manager /supervisor or The Town Manager.**



## 12.0 MISCONDUCT, HARASSMENT, AND FRAUD

### 12.1 Misconduct

There are various forms of misconduct. Below outlined are some of the most common issues. Prohibited conduct includes but is not limited to:

- Profanity, offensive language, name calling, negative stereotypes or names or labels that another person can reasonably be expected to find offensive
- Verbal threats, blackmail, extortion, threatening telephone calls
- Racial slurs, ethnic jokes or comments that demean a race, ethnic group, cultural background, or other personal characteristics
- Explicit sexual propositions
- Sexually suggestive, obscene, or lewd comments; sexual or lewd jokes; wolf-whistling or catcalls
- Asking or telling about sexual fantasies, preferences or history
- prohibited non-verbal, physical, and/or visual
- Posting or circulating of inflammatory, offensive, or sexual statements, pictures, drawings, messages, calendars, posters, or cartoons at any association work site
- Assault or hazing
- Offensive touching, pinching, and/or grabbing any part of any person's body, including clothing and hair
- Leering, ogling, touching, and/or rubbing or otherwise drawing attention to specific parts of one's own or another person's body

### 12.2 Other Misconduct and Fraud

Prohibited behavior includes but is not limited to:

- Theft, embezzlement, or other misappropriation of assets, to include authorizing or receiving payment for goods or services not received or services not performed
- Forgery or alteration of documents, such as checks, contracts, etc.
- Intentional misstatement of the Town's records such as accounting records, financial statements, or program accomplishments
- Willful destruction of documents including electronic files to obstruct justice

### 12.3 Harassment/Discrimination

The Town of Dumfries does not tolerate any form of harassment or discrimination. In accordance with Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, our No-Harassment/No-Discrimination Policy prohibits harassment, discrimination



or intimidation of others based on race, color, religion, sex, sexual orientation, gender identity, age, national origin, political affiliation, veteran or disability status or status in any other group protected by federal or local law or for any other reason.

Harassment includes, but is not limited to, remarks, jokes, written materials, symbols, paraphernalia, clothing or other verbal or physical conduct which may intimidate, ridicule, demean, or belittle a person because of their race, color, religion, sex, sexual orientation, gender identity, age, national origin, political affiliation, veteran or disability status or status in any other group protected by federal or local law or for any other reason.

Sexual harassment includes unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature; as well as behavior, remarks, jokes or innuendos that intimidate, ridicule, demean or belittle a person on the basis of their gender; regardless of whether the remarks are sexually provocative or suggestive of sexual acts. Harassment occurs when:

- Submission to and/or tolerance of the unwelcome conduct is explicitly or implicitly made a term or condition of a person's employment.
- Submission to, tolerance of, and/or rejection of the unwelcome conduct is a basis for employment decisions.
- The unwelcome conduct substantially interferes with a person's work performance and creates an intimidating, hostile, or offensive work environment.

#### 12.4 Reporting Harassment, Misconduct, or Fraud

All employees are responsible for helping ensure that we avoid harassment, discrimination, and fraud in the workplace. If you experience any problem of this sort, become aware of any other employee experiencing a problem of this sort, or have knowledge of any form of harassment, discrimination, sexual or otherwise, or fraud you must immediately report it to your supervisor or the Town Manager. If you believe are uncomfortable discussing the matter with your supervisor, you may elect to report the matter directly to the Town Manager. Should the issue or concern be with the Town Manager, employees should speak to Human Resources or his / her designee. All claims of harassment, discrimination or fraud will be investigated thoroughly and promptly without consequence to the employee experiencing or reporting the misconduct, if the report is made in good faith and the information provided is truthful to the best of the reporting person's knowledge. We will endeavor to keep complaints, investigations, and resolutions confidential to the extent possible; however, we cannot compromise our obligation to thoroughly investigate complaints. The employee who brought the complaint will be provided information on the outcome of the investigation. A non-employee who subjects an employee to harassment in the workplace will be informed of the Town of Dumfries' policy and appropriate actions will be taken to protect the employee from future harassing conduct.





Retaliation is illegal and contrary to the policy of the Town of Dumfries. Employees who bring complaints of discrimination or who identify potential violations, witnesses interviewed during the investigation, and others who may have opposed discriminatory conduct are protected from retaliatory acts.

If an employee believes that he or she is being retaliated against, a written report shall be immediately made to the Town Manager. Those who are found to be acting in a retaliatory manner will be disciplined for such conduct. Discipline can include suspension without pay up to and including termination.



## 13.0 EXITING THE TOWN OF DUMFRIES

### 13.1. Resignation

Employees may resign at any point with or without notice as The Town of Dumfries is an at-will employer. To resign in good standing, an employee should give at least two weeks advance notice. If special circumstances exist, the notice requirement may be waived by the Town Manager. Failure to give the required advance notice may result in forfeiture of compensation for accrued leave. Failure to return to work at the expiration of an approved leave of absence will be interpreted as a resignation.

### 13.2. Termination for Inability to Perform

An employee may be terminated if they become physically or mentally unable to perform the duties of the position. However, any such action shall be taken in a manner that complies with the requirements of the Americans with Disabilities Act.

### 13.3. Termination for Poor Performance or Cause

If an employee does not perform satisfactory work after verbal and written warnings, further action will be taken which may include termination. In serious instances when the town management deems preliminary warnings are not warranted, the employee may be terminated immediately. Such instances may include but are not limited to theft, fraud of any kind, falsifying or altering records, unlawful conduct, gross insubordination, or unlawful harassment.

### 13.4. Layoff / Reduction in Force

The Town Manager may call for a Lay-off or Reduction-in-Force (RIF) if a need is determined. Reasons may include but are not limited to lack of funding, lack of or excess resources or lack of work. In determining which employees shall be laid-off, the Town Manager will consider length of service, performance evaluations, and specific benefit to the Town of each employee. This review shall include all employees assigned to the position class affected by the reduction in force.

Each employee laid-off will be given a written notice at least two (2) weeks prior to the effective date of the layoff. The notice will include the reasons for the layoff, the effective date, and any other information deemed necessary by the Town Manager.

In most cases, at termination, an employee will be paid for any accrued vacation earned but not used with a maximum payout of 240 hours. Accrued sick leave shall not be payable upon separation. Any negative leave balances will be settled in the final compensation payout, normally completed within two pay periods of an employee's termination date, unless there are special circumstances.



### Appendix A: Telework Request & Agreement Form

Employee name: \_\_\_\_\_ Date: \_\_\_\_\_

Position: \_\_\_\_\_ Department: \_\_\_\_\_

What day(s) of the week (Monday through Friday) are you requesting for teleworking?

Monday  Tuesday  Wednesday  Thursday  Friday

What set work hours are you proposing for your teleworking days?

Start Time \_\_\_\_\_ Stop Time \_\_\_\_\_

Employee’s telework location and contact information:

\_\_\_\_\_  
\_\_\_\_\_

Describe and quantify, if possible, the reason/ benefits/cost savings of this requested arrangement.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe any potential problems that could be encountered by your requested schedule with your:

Supervisor: \_\_\_\_\_

Co-workers: \_\_\_\_\_

Customers/Clients: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



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How do you propose overcoming any potential problems you noted in the previous section?

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What reasonable results and measurements would you propose for your supervisor to assess your performance?

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How will you, your supervisor, and co-workers maintain communication?

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What equipment will be required from the Town of Dumfries to support your telework arrangement?

Computer System (PC / mouse / keyboard)

---

Printer

---

Fax

---

Modem

---

Internet Provider

---

Workstation

---

Other

---



What protection safeguards will you put in place to protect computer and other equipment and any information stored at your home?

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What virus software package are you using while teleworking?

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**Supervisor Approval Section**

Request for a teleworking schedule is  approved or  denied. If denied, explain why:

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If approved, note effective start/end dates of telecommuting schedule:

Start: \_\_\_\_\_ End: \_\_\_\_\_

If an alternative schedule is suggested, please document and explain why:

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Supervisor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources signature: \_\_\_\_\_ Date: \_\_\_\_\_



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I hereby acknowledge the receipt of the Town of Dumfries Human Resources Handbook (revised edition of April 2022).

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Employee's Signature

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Date