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**TOWN OF SCITUATE
RHODE ISLAND
HUMAN RESOURCE POLICY MANUAL**

ORIGINALLY ADOPTED: 1/1/1998

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100. INTRODUCTION

101. Message to Employees

We are pleased to present this Human Resource Policy Manual to all Town of Scituate Employees and Officials employed in the Town Hall, Highway Department (those civilian employees not included in a collective bargaining unit) and those civilian and sworn employees of the Police Department not included in a collective bargaining unit. This Human Resource Policy Manual is intended to provide information to all of the aforementioned Town employees concerning the nature of the employment relationship between the Town of Scituate and its employees, the employee benefit programs available, the working conditions, work rules and hours of work as well as the expectations that the Town Council has with regard to employee conduct.

We encourage each Town employee to review this Human Resource Policy Manual and to become familiar with its contents. We hope that it will be a useful tool for all employees.

102. INTRODUCTORY STATEMENT

The content of this Policy Manual is presented for information only. While we believe wholeheartedly in the plans, policies and procedures described herein, they are not contractual conditions of employment. All decisions relating to the policies, management and operation of Town government, including but not limited to the decision to transfer, layoff or terminate employees remains in the absolute discretion of the Town Council, subject to the principles and practices of progressive discipline and just cause.

These Human Resource Policies are presented as guidelines for our employees and are not intended to create a binding relationship between the Town of Scituate and its employees. Town employees are employed at the discretion of the Town Council. The Town Council reserves the rights to modify, revoke, suspend, terminate, amend, or change any or all of the

policies, or procedures, in whole or in part, at any time and as it may deem necessary with or without notice to Town employees.

A reference to "employee" or "employees" anywhere in this Policy Manual shall include all Town Employees and Town Officials defined herein unless otherwise indicated.

A reference to the "Code of Ordinances" is a reference to the Town of Scituate Code of Ordinances.

Any revised pages or additions to this policy manual will be distributed to employees and should be carefully read and then placed in the manual.

Department heads are responsible for the day-to-day implementation of all policies as set forth in the human resource policy manual. An employee who has questions or concerns regarding the implementation of any policies contained in this manual, should first address the question or concern to his or her department head. If the employee believes that his or her appropriate supervisory official has not adequately addressed the question or concern, the employee may address the question or concern to the Town Council President.

The policies and procedures contained in this manual supersede and replace all policies; rules and regulations contained in prior policy statements to Town employees unless otherwise indicated.

200. EMPLOYMENT

201. 201. Nature of Employment Relationship

1. Appointed Officials

The following appointed officials (hereinafter "Town Officials") serve at the pleasure of and by appointment of the Town Council for terms not to exceed one (1) year, except the Tax Assessor who serves for a term of two (2) years or as otherwise defined by contract or statute.

- | | |
|--|------------------------|
| Tax Assessor | Animal Control Officer |
| Tax Collector | Plumbing Inspector |
| Building Inspector | Town Engineer |
| Zoning Inspector | Electrical Inspector |
| Minimum Housing Inspector | Recreation Director |
| Public Works Director | Chief of Police |
| Deputy Town Treasurer | Deputy Town Clerk |
| Administrative Assistant to the Town Council | |

(a) The terms of employment of Town Officials shall be as set forth in this Policy Manual and as the Town Council shall, from time to time, see fit to impose.

(b) All Town Officials shall reside in the Town of Scituate except as otherwise provided in Section 2-46 of the Code of Ordinances.

(c) The Tax Assessor and Tax Collector shall report to the Town Treasurer.

(d) Animal Control Officer shall report to the Chief of Police.

(e) All other Town Officials shall report to the Town Council.

2. Town Employees

Town Employees are those employees other than the Town Clerk, Town Treasurer, Tax Assessor, Tax Collector, Zoning Inspector, Building Inspector Minimum Housing Inspector, Animal Control Officer, Plumbing Inspector, Town Engineer, Electrical Inspector, Administrative Assistant to the Town Council, Deputy Town Clerk, Deputy Town Treasurer, Chief of Police, Public Works Director and Recreation Director employed by the Town of Scituate in the following departments (hereinafter "Town Employees"):

Town Clerk's Office
Tax Collector's Office
Zoning Inspector's Office
Police Department

Town Treasurer's Office
Building Inspector's Office
Minimum Housing Office
Senior Services

(a) All Town Employees serve at the pleasure of the Town Council and are subject to the terms of employment as set forth in this policy manual and as the Town Council shall, from time to time, see fit to impose.

(b) All Town Employees shall reside in the Town of Scituate except as otherwise provided in Section 2-46 of the Code of Ordinances.

(c) The Chief of Police shall be the day-to-day supervisor of all Town Employees in the Police Department. All other elected and appointed Town Officials and/or department heads shall be the day-to-day supervisors of all Town Employees in their respective offices/departments.

2A. Elected Officials

There shall be a Town Clerk who shall be duly elected by the electors of the Town pursuant to R.I. Gen. Laws §45-4-1. The Town Clerk shall be qualified to exercise those duties and responsibilities as set forth in the R.I. Gen. Laws, the Code of Ordinances and as the Town Clerk may assume upon agreement with the Town Council.

There shall be a Town Treasurer who shall be duly elected by the electors of the Town pursuant to R.I. Gen. Laws §45-4-1. The Town Treasurer shall be qualified to exercise those duties and responsibilities as set forth in the R.I. Gen. Laws, the Code of Ordinances and as the Town Treasurer may assume upon agreement with the Town Council.

To the extent that either the Town Treasurer and/or the Town Clerk reach agreement to perform the duties and responsibilities of his/her respective position(s) as employee(s) of the Town, then that person(s) shall be employed consistent with the terms set forth in this Policy Manual.

3. Highway Department

All Highway Department employees who satisfactorily complete two (2) years of continuous employment shall be eligible, upon appointment by the Town Council, to become permanent employees of the Highway Department pursuant to Chapter 2-128 of the Code of Ordinances. Highway Department employees shall be subject to the terms of employment as set forth in the Code of Ordinances, this Policy Manual and as the Town Council may, from time-to-time, see fit to impose.

- (a) All Highway Department employees shall reside in the Town of Scituate except as otherwise provided in Section 2-130 of the Code of Ordinances.
- (b) All Highway Department employees shall report to the Public Works Director.
- (c) Unless otherwise indicated, whenever the term "Town Employees" is used in the Policy Manual, it shall also include Highway Department employees.

4. Police Department Superior Officers

All Police Department Superior Officers above the rank of sergeant, including the Chief of Police, shall serve at the pleasure of the Town Council and are subject to the terms of employment as the Town Council shall, from time-to-time, see fit to impose, subject to the limitations as imposed by state law, the Code of Ordinances or other agreement.

The Chief of Police is the executive and administrative head of the Police Department and shall be authorized, subject to the approval of the Town Council, to exercise those duties and responsibilities as set forth in Section 11-4 of the Code of Ordinances.

Unless otherwise agreed to by the Town Council, or as otherwise indicated in this Policy Manual, the employment benefits enjoyed by the Superior Officers shall be consistent with the benefits as set forth in the Collective Bargaining Agreement between the Town of Scituate and Scituate Local 502, International Brotherhood of Police Officers, which represents all Town of Scituate Police Sergeants and Patrol Officers.

SUPPLEMENTAL PROVISIONS OF EMPLOYMENT FOR
NON-UNION AND/OR SUPERIOR OFFICERS IN THE
SCITUATE POLICE DEPARTMENT

In Order to attract, retain, and to provide appropriate compensation, benefits, and conditions of Employment, the Town of Scituate hereby agrees to establish the following supplemental terms and conditions of employment for the classification of Superior Officers:

1. Superior Officers may receive a differential above the base pay for the rank of Sergeant.
2. Superior Officers shall be eligible for all applicable benefits provided by the Town of Scituate for its non-union employees covered by the Town of Scituate Human Resource Policy Manual.
3. The Town will make a good faith effort to ensure that its non-union police personnel will not be adversely affected or disadvantaged by way of their benefits, emoluments, and employment as a result of their non-union status.
4. Superior Officers may continue to have the use of a Scituate Police Department vehicle 24 hours a day, 7 days a week. The use of the Scituate Police Department vehicle while on non-duty status shall be consistent with the rules and regulations as promulgated by the Chief.
5. The Council reserves the right to add to, subtract from, or modify the benefits and emoluments for the position of Superior Officers, and other classifications which may come to exist which are non-union in nature, and not covered by the Collective Bargaining Agreement.
6. Superior Officers may be charged with management responsibilities and will not be eligible for inclusion in the collective bargaining unit with the unionized personnel.

5. Police Department Rank and File

The Town Council shall appoint all members of the Town of Scituate Police Department. All terms and conditions of employment of all Sergeants and Patrol Officers shall be as set forth in the Collective Bargaining Agreement in effect between the Town and Scituate Local 502, International Brotherhood of Police Officers, or by applicable state law or Town ordinance.

202. EQUAL EMPLOYMENT OPPORTUNITIES/AFFIRMATIVE ACTION POLICY

The Town of Scituate will seek to attain equality of employment opportunity in all matters relating to personnel and will act affirmatively to enforce this policy. All contractors and vendors shall be required to adhere to this policy.

State and federal laws and regulations bar discrimination in employment. Notably, the Equal Rights Act of 1963, the Civil Rights Act of 1964, Presidential Executive Order 11246, the Age Discrimination In Employment Act of 1969, Title VIII of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Rhode Island Fair Employment Practices Act are all applicable and act to bar unlawful discrimination against any employee or applicant for employment.

The policy of the Town of Scituate shall be to select the best-qualified employees as needed, on the basis of merit, training and experience. There shall be no discrimination against any applicant or employee on the basis of race, creed, color, national origin, sex, age, marital status, political affiliation, or disability. The Town of Scituate will pursue affirmative action to fulfill its commitment to equal employment opportunity. The Town Council of the Town of Scituate hereby designates the Town Clerk, Margaret M. Long, P.O. Box 328, 195 Danielson Pike, North Scituate, Rhode Island, 02857, as the Town's equal employment opportunity/affirmative action officer.

203. Ethics In Town Government

It shall be the policy of the Town of Scituate that all Town Officials and Town Employees must adhere to the highest standards of ethical conduct, to respect the public trust, to avoid the appearance of impropriety, and to not use his/her position for private gain or advantage. All Town Employees shall be required to adhere to the Rhode Island Code of Ethics For Public Officers and Employees and shall adhere to any and all Town Council directives in this regard as from time to time may be issued.

300. EMPLOYMENT STATUS AND RECORDS

301. Employee Classifications

(a) Full-time Employee - All Town Employees and Town Officials, except police rank and file collective bargaining members and public works collective bargaining members, who are regularly scheduled to work 35 hours per week or more. Full-time employees shall be entitled for all benefits as defined in this policy manual.

(b) Part-time Employee – All Town employees who are regularly scheduled to work a minimum of 21 hours per week (with the exception of the part-time police dispatcher working as of the date of this handbook revision 2/2012) for their department (or more) per week for fifty-two weeks per year with regularly defined duties and hours of employment.

A part-time employee shall be entitled to receive the pro-rated benefits calculated from their date of hire.

The cost of medical and dental benefits will be pro-rated. An employee may either pay the balance of the pro-rated premium or elect no medical benefits. Employees who elect not to participate in the medical and Dental benefits program shall receive no additional compensation in lieu of the pro-rated coverage.

The cost of life insurance will be pro-rated. An employee may either pay the balance of the pro-rated premium or elect no life insurance coverage. Employees who elect not to participate in the life insurance program shall receive no additional compensation in lieu of the pro-rated coverage.

If a part-time employee works 20 hrs or more that employee is required to participate as a member to Rhode Island Municipal Employees Retirement System (See Section 409).¹

(c) Seasonal/Casual Employee - Shall include all employees employed by the Town who work on a seasonal or other short-term basis, regardless of the total number of hours worked. Seasonal/Casual employees shall not be entitled to receive any benefits as defined in this policy manual. An employee, who works less than 2/5 of a regular workweek, is considered a Seasonal/Casual employee.

¹Any Town Employee who was regularly scheduled to work less than 35 hours per week prior to January 1, 1998, and who received Town paid benefits, shall also be considered a Part-time employee and shall receive a pro-rata share of the same benefits as defined in this policy manual based upon their regular schedule of hours. For example, a Part-time employee, as discussed herein, who works 28 hours a week, shall receive 4/5 of the amount of sick days, vacation time, longevity pay and holiday pay that a full-time employee receives. A Part-time employee as defined herein shall also be eligible to receive the health benefits outlined in Section 402 of this policy manual, but only if the employee agrees to contribute toward the cost of that benefit on a pro-rata basis. i.e., 28 hour employee shall contribute 1/5 of the cost of medical or dental benefit.

302. Access to Personnel Files

The Town keeps a personnel file for each Town Official and Town Employee. Included in this file are all documents and information used to determine the employee's qualifications for employment and/or promotion, as well as any documentation concerning compensation, accommodations and disciplinary actions. Each employee's personnel file shall be kept in the Town Treasurer's office, except the personnel files of sworn members of the police department, which shall be kept by the Chief of Police. Employees are entitled to inspect their personnel file up to three (3) occasions in any calendar year. Any employee wishing to review his/her personnel file can make an appointment to do so through their department head and access shall be granted within seven (7) days of the request.

303. Personal Data Changes

In order to keep each employee's personnel records accurate and benefits current, each employee must report any change in name, address, telephone number, marital status, number or eligibility of dependents, or beneficiary to the Town Treasurer's Office. This is an extremely important detail that is often overlooked. It is each employee's responsibility to make sure that his/her personnel records are kept up-to-date so that each employee shall receive any benefits or notices to which he/she is entitled.

304. Probation Period For New Town Officials/Employees

(a) Town Officials/Town Employees/Highway Department

All newly hired Town Officials and Town Employees, except Highway Department employees shall complete a six- (6) month probationary period.

Highway Department employees shall complete a two- (2) year probationary period and upon completion shall be eligible to be appointed as a permanent employee by the Town Council pursuant to Section 2-129 of the Code of Ordinances.

During the probationary period, each employees and official's overall performance

and ability to work effectively with other officials and employees in Town government will be evaluated. The probationary period also permits new employees and officials to evaluate their association with the Town of Scituate.

After satisfactorily completing this probationary period, the probationary employee will become either a regular full-time or part-time employee. During the probationary period, employees and officials shall be eligible for benefits to the extent provided for in this Policy Manual unless otherwise indicated. All employees are eligible for salary increases after 6 months employment. Newly appointed employees and officials shall be eligible for medical benefits on the first day of the month following the date of hire.

(b) Police Department Rank and File

Patrol persons appointed by the Town Council shall initially serve a fifteen- (15) month probationary period with the Police Department. Upon successful completion of the probationary period, sworn police officers shall become permanent members of the Scituate Police Department. Unless otherwise indicated, all terms and conditions of employment of probationary police officers shall be consistent with those terms and conditions as set forth in the Collective Bargaining Agreement between the Town of Scituate and Scituate Local 502, International Brotherhood of Police Officers.

400. EMPLOYEE BENEFIT PROGRAMS

401. NEW HIRE RANGE OF WAGES

Based upon the designated hiring authority's (i.e., Town Council or Department Manager, dependent upon position being filled) written assessment of a prospective employee's experience, skills, potential, and other factors as appropriate, the hiring authority may pay the new hire a wage which falls within the new hire range for the affected position.

If after 180 days but not beyond 210 days from the start of employment, the hiring authority determines that employee's performance warrants an increase in wages based upon its written assessment, the hiring authority may increase the employee's wage.

However, such increase may not exceed the upper limit of the new hire range including a general wage increase for all employees that may coincidentally occur within the 210-day period. General wage increases for all employees occurring after the 210 day period may be applied to the new hire.

402. STEP INCREASES

Step Increases have been utilized for some time but there is neither written documentation or uniform application amongst the departments. The supposed purpose of step increases was to promote wage parity for new employees with employees of some tenure by means of annual increases of ten dollars per week for three to five years, exclusive of annual percentage increases. Step increases will be discontinued to all new employees per Council Meeting 12/14/2006.

403. JOB CLASSIFICATIONS /HRS WEEK

Deputy Treasurer	35
Tax Assessor	35
Tax Collector	35
Deputy Town Clerk	35
Administrative Asst	
Police Dept	37.5
Public Works	40
Building Office	35
Bookkeeping/Accounting	
1 accounting	35
3-accounting clerks	21
Deputy Tax Collector	35
Municipal Clerks	
2 Town Clerk	35
1 Building Office	35
1 Police Dept	37.5
Dispatchers	
4 fulltime	37.5-40
1 part-time	16
Animal Control	
1 fulltime	40
1 part time	23
Network & Computer Systems Admin	
1 full time	37.5

DPW Foremen (2)	40
Building Inspector	
3 part time	5-25
Senior Center Driver	
3 part time	18
Janitor/Custodian	
1 full time	40

404. Town of Scituate Flexible Benefit Program

The Town of Scituate has established a "Flexible Benefit Plan" for all Town Employees and Officials. This Flexible Benefit Plan allows Town Employees and Officials the advantage of participating in various health care and other insurance benefit programs to be paid for before Federal income tax and Social Security taxes are withheld. This means that Town Employees and Officials pay less tax and have more money to spend and save.

The specific details of the Town of Scituate Flexible Benefit Plan are described fully in a separate Town of Scituate Flexible Benefit Plan Document and Summary Plan Description. Employees who wish more information on the Town's Flexible Benefit Plan, or wish to receive a copy of these documents, are encouraged to contact the Town Treasurer's Office where the Plan Documents and Election Forms are available.

405. Medical and Dental Benefits

All Full-time or Part-time (pro-rated) employees shall be eligible to select either individual or family plan, health and dental coverage as provided by the Town. To the extent that a full-time employee can establish proof of other medical insurance and/or dental coverage said employee might waive coverage under the Town's Flexible Benefit Plan and receive a cash payment from the Town, in the amount of 50% of the net savings to the Town less the required copay. Any employee seeking additional information concerning medical or dental benefit coverage or the opt-out option is encouraged to contact the Town Treasurer's Office. Part-time employees are not eligible for reimbursement in lieu of coverage.

When an employee terminates employment with the town, for no matter what reason, the

present medical and dental coverage that employee has will be paid through the last day of that month.

Effective February 1, 2005 any employees not covered by a collective bargaining agreement, and without regard to the classifications described in Section 301, shall assume and pay (10%) of the full costs (inclusive of any increases), of the group health and dental coverage, individual or family, as may be provided by the Town. Each of the aforescribed employees shall sign a payroll deduction form authorizing the Town to deduct from his compensation a sum sufficient to satisfy the employee’s cost-sharing and payment obligations hereunder.

406. Vacation Benefits

All full-time employees who are in the employ of the Town on January 1st of any calendar year shall be eligible to receive a vacation, part-time employees (pro-rated) with pay in accordance with the following schedule. Part time employee’s vacation accrual time will be determined and pro-rated as of the effective date of this employee handbook.

<u>Years of Service</u>	<u>AMOUNT OF VACATION TIME</u>	
	<u>Full Time Employee</u>	<u>Part-time</u>
More than six (6) months, and less than one (1) year.	five (5) working days	pro-rated Ex: 3/5 3days
At least one (1) year, and less than five (5) years.	ten (10) working days	pro-rated Ex: 3/5 6 days
At least five (5) years, and less than ten (10) years.	fifteen (15) working days	pro-rated Ex: 3/5 9days
More than ten (10) years.	one (1) additional day for each year of service to a maximum of five (5) weeks or twenty five (25) days	pro-rated Ex: 3/5 4.2 hours Ex: 5/7 5.0 hours

All eligible Town Employees are required to take the full vacation to which they are entitled during the calendar year in which it is earned, except that under the appropriate circumstance, a Department Head may allow an employee to carry over up to five (5) days to the

following calendar year.² Part-time employees may be allowed to carry over a pro-rated allotment of vacation time (for example: 2/5 employee may be allowed to carry over 2 days vacation, 3/5 can carry 3days vacation)

Employees should submit their written vacation requests to their supervisor. Employees' preferences, the years of service of the requesting employee as well as production scheduling requirements will be taken into consideration when considering vacation requests. Responsible Town Officials and supervisors shall be authorized to deny a vacation request to the extent that the request will adversely affect Town government operations.

Employees are required to take a minimum of ½ day increments vacation time. The maximum amount of vacation at any given time shall be two (2) weeks, with any additional consecutive time allowed at the Department Head's discretion

Employees whose employment is terminated shall receive a pro-rated payment of any accrued and unused vacation time for that calendar year.

Employees who retire shall receive payment for all accrued and unused vacation time as of the date of retirement.

Police Department Superior Officers shall receive the same vacation benefits as set forth in the Collective Bargaining Agreement in affect between the Town of Scituate and Scituate Local 502, International Brotherhood of Police Officers.

407. Holidays

Full-time Employees (except Police Dispatchers) may receive the following holidays off, with pay:

1. New Years Day
2. Martin Luther King Jr.'s Birthday
3. President's Day
4. Rhode Island Independence Day

²The vacation policy set forth in this Policy Manual shall commence January 1, 1998. Any full-time employee who has accrued and unused vacation time under a previous Town policy, which remains unused as of December 31,1997, shall be allowed to expend said time during calendar year 1998, but only after the vacation time for 1998 has been exhausted. Said employees will then be allowed to carry over five (5) days of unused vacation time after December 31, 1998. Additionally, any employee who has heretofore received more than the maximum allotment of vacation days as herein described based on years of service shall continue to receive that number of vacation days upon the commencement of this vacation policy.

- (floating)
- 5. Memorial Day
- 6. Independence Day
- 7. VJ Day
- 8. Labor Day
- 9. Columbus Day
- 10. Veterans Day
- 11. Thanksgiving Day
- 12. Friday after Thanksgiving
- 13. Christmas
- 14. Employee's Birthday (Floating)

Part-time employees are eligible for pro-rated holiday pay. Ex: 3/5 paid 4.2 hours each holiday, 5/7 paid 5.0 hours each holiday.

Whenever any of the aforementioned holidays fall on a Saturday the holiday will be celebrated on Friday; if the aforementioned holidays fall on a Sunday, that holiday will be celebrated on Monday. All floating holidays require Department Head approval).

To receive holiday pay, employees must work the last regularly scheduled work day immediately prior to and the next work immediately following the holiday, unless the employees is on an excused paid absence.

Police Department Dispatchers shall receive an extra eight (8) hours pay for each holiday during any payroll period in which a holiday occurs, regardless of whether they actually work on that day.

Police Departments Superior Officers shall receive paid holidays consistent with the benefit as provided in the Collective Bargaining Agreement between the town of Scituate and Scituate Local 502, International Brotherhood of Police Officers.

408. Sick Leave Benefits

All full time employees shall be credited with 10 sick days on January 1st of each year (pro-rated for part time employee). Each full time employee who is absent due to illness will be paid for up to ten days of sick leave during the calendar year (pro-rated for part time). In addition, 3 days will be credited to the full time employees accrued long term sick leave account. Part time employees will not be credited or allowed to accrue a long-term sick leave account.

Any balance of the 10 sick days will be credited to an employee's Long Term Sick Leave Account.

As of the effective date of this handbook (April 1, 2000), part time employees will receive the following pro rated benefit for sick time until 12/31/00. No credit will be allowed for January 1 to March 31, 2000.

2/5 employee – 3 days 3/5 employee – 4 ½ days
4/5 employee- 6 days

New employees hired between January 1st and June 30th will receive 10 days (pro-rated for part time employees) of sick benefits as provided herein. In addition, 3 days will be credited to the employees Long Term Sick Leave Account. Part time employees are ineligible for accumulation of a Long Term Sick Leave.

New employees hired between July 1st and December 31st will receive 50%, (5 days for full time and pro-rated for part time employees) of sick benefits as provided herein, including 1.5 days credited to the employees Long Term Sick Leave Account. Part time employees are ineligible for accumulation of a Long Term Sick Leave.

Employees are required to take the 10 days sick leave in a minimum of 1 hour increments, except for Police dispatchers, required to take in minimum of 4 hour increments.

An employee, who is absent for more than three consecutive days due to illness, must provide the department head a physicians certificate in order to continue to receive sick benefit payments.

Sick Leave Incentive Plan: An employee who is absent due to illness less than five (5) days (part-time pro-rated) during the calendar year will receive payment for the balance of any unused time up to a maximum of five (5) days.

***First 5 sick days determine payout ***

Ex: Earned 10 days. Used 3, have 7 remaining. 5 Move into Long Term Sick account. Paid for 2.

Ex: Earned 10 days (long term maxed). Used 3, have 7 remaining. Paid for 2.
(Forfeit 5 days.)

Ex: Earned 10 days (long term maxed) Used 0, Paid 5 days. (Forfeit 5 days.)

Ex: Earned 10 days (long term maxed) Used 5, Paid 0 days. (Forfeit 5 days.)

The balance of full time employee's accrued and unused time will be credited to an employees Long-Term Sick Leave Account. Part time employees are eligible for this benefit of accruing a Long Term Sick Leave Account on pro-rated basis.

Long Term Sick Leave Account: **Long Term Sick Leave Account benefits may not be used prior to current year sick leave benefits.**

Employees who have exhausted their allotted paid sick days for a calendar year may draw from the days accumulated in the Long Term Sick Leave account. In order to be eligible to draw from the Long Term Sick Leave Account, employees must provide to their Department head a written certification of illness and the expected duration of that illness from a physician. Employees may accrue earned but not taken sick days up to a maximum of five (5) days per calendar year. The maximum number of accrued sick days shall not exceed 90 days.

The Town of Scituate at its sole discretion reserves the right to have an employee examined by a physician designated by the Town.

All full time employees' Long Term Sick Leave Accounts will be credited 1.5 days for each year of full time service prior to January 1998.

The total number of accumulated days **in no instance** shall exceed 90 days. Long Term Sick Leave Account benefit is not applicable to part-time employees or part-time employment.

Under no circumstances will an employee who ceases employment or retires from employment with the Town be compensated for any hours remaining in the employee's long-term sick account.

EMPLOYEES ARE ENCOURAGED TO PURCHASE SHORT-TERM AND LONG-TERM DISABILITY INSURANCE, WHICH IS AVAILABLE THROUGH THE TOWN'S

FLEX BENEFITS PLAN (OR OTHER SOURCE).

An employee who exhausts his/her long-term sick leave account may under extraordinary circumstances appeal to the Town Council for additional time.

409. Bereavement Leave

If there is a death in a Full-time and part-time (pro-rated) employee's immediate family, which includes a parent, spouse, child, step-child, brother, sister, mother-in-law or father-in-law, grandparents or grandparent-in-law, or grandchild, an employee shall be entitled to three (3) consecutive work days, funeral leave with pay. A funeral leave of one (1) day with pay shall be granted on the death of an employee's aunt, uncle, niece, nephew, or other in-law.

410. Jury Duty

The Town of Scituate recognizes that serving on a jury is a civic obligation, and permits its employees to fulfill this obligation without loss of wages. If a full-time or part-time (pro-rated) employee receives notification to report for jury duty, the notice should be brought in to the employee's department head. The Town will supplement the wages of any employee who is serving on jury duty. Employees on jury duty shall be required to bring their jury duty stipend to the Town Treasurer who shall ensure that the employee receives the difference between the jury duty stipend and his/her regular wages.

411. Longevity Benefits

Longevity is reinstated, by Council on December 14, 2006, for all Full-time Employees based on their years of service to the Town of Scituate consistent with the following schedule:

Years of Service	Percent of Weekly Base Salary
Less than five (5) years	0%
At least five (5) years and less than ten (10) years	4%
At least ten (10) years and less than fifteen (15) years	5%

At least fifteen (15) years and less then twenty (20) years	6%
Twenty (20) years and greater	7%

The longevity supplement shall be a percentage of each eligible Full-time Employee's weekly base salary as determined on July 1, of each new fiscal year. (See example below for employee hired September 1, 1986 and earning \$26,000 per year.)

<u>Effective Raise Date</u>	<u>Weekly Base Pay</u>	<u>Annual Increase</u>	<u>Sub Total</u>	<u>Longevity Percent</u>	<u>Weekly Longevity Cost</u>	<u>Total Weekly Salary</u>
1-Jul-91	\$ 500.00	3%	\$ 515.00	NONE	NONE	\$ 515.00
1-Jul-92	\$ 515.00	3%	\$ 530.45	4%	\$ 21.22	\$ 551.67
1-Jul-93	\$ 530.45	3%	\$ 546.36	4%	\$ 21.85	\$ 568.22
1-Jul-94	\$ 546.36	3%	\$ 562.75	4%	\$ 22.51	\$ 585.26
1-Jul-95	\$ 562.75	3%	\$ 579.63	4%	\$ 23.19	\$ 602.82
1-Jul-96	\$ 579.63	3%	\$ 597.02	4%	\$ 23.88	\$ 620.90
1-Jul-97	\$ 597.02	3%	\$ 614.93	5%	\$ 30.75	\$ 645.68

Part-time employees are ineligible for this benefit except permanent part-time employees who work more than 20 hours a week.

412. Retirement Benefits

Pension Benefits

All Town Employees who are employed to work a regularly scheduled workweek of twenty (20) hours or more, except casual/seasonal employees and Police Department superior officers, are required to participate as members of the Rhode Island Municipal Employees Retirement System (the "System"). The benefits available to Town Employees under the System are as defined in R.I. Gen. Laws §45-21-1 et seq. Any eligible elected official wishing to become a member of the System must do so within sixty (60) days following the date the elected official shall assume the duties of his or her office. Any questions concerning retirement benefits should be directed to the Town Treasurer's Office, or to the Rhode Island Municipal Retirement System, tel # 222-2203 or 1-800-752-8088.

Medical Benefits

Employees who retire on or after February 1, 2005 with less than 30 years of creditable service shall contribute to the cost of their individual Health Coverage. The contribution amount for those with 10 to 15 years shall be 100% while those with at least 30 years of service shall be 0%. Employees with 16 to 22 years of service shall contribute 20% of the full cost plus 20% of the contribution amount paid immediately prior to retirement, both amounts as periodically adjusted. Employees with 23 to 29 years of service shall contribute 10% of the full cost plus 10% of the contribution amount paid immediately prior to retirement, both amounts as periodically adjusted. The contribution amounts effective February 1, 2005 until adjusted are as follows:

If you are a Full Time Town employee who is eligible to receive, when employed, full health insurance coverage, the Town will pay for the same Individual Health Coverage or its equivalent as provided to current Town Employees until you reach age 65 or you qualify for Medicare, whichever is later. No pro-rated retirement health benefits will be allowed to part-time employees. If a full-time employee becomes a part-time employee, their years of full time service for retirement credits will be frozen at that time. When retirees are placed on Medicare, the Town will pay for Individual Medigap Insurance or its equivalent.

The amount the Town will contribute is dependent upon the number of years you have credited in the State of Rhode Island Municipal Employees Retirement System.

<u>CREDITABLE SERVICE</u>	<u>AGE</u>	<u>INDIVIDUAL TOWN-PAID*</u>	<u>RETIREE-PAID</u>
10-15 yrs.	58	0	100%
16-22 yrs.	58	78%	22%
23-29 yrs.	58	89%	11%
30-37.5+ yrs.	any age	100%	0

*If retiree is enrolled in family plan coverage at time of retirement, he/she can use the above payment credit to purchase coverage through the Town's group for family coverage until age 65 or is Medicare eligible, whichever is later.

At age 65, or whenever the Retiree qualifies for Medicare, whichever is later, the interested retiree will be required to purchase Medigap insurance. Retirees must purchase Parts A and B of Medicare from Social Security to qualify for Medigap insurance. If the retiree is not Medicare eligible, they will be allowed to continue their present coverage until they attain the required age for Medicare. The Town's share is as follows:

<u>CREDITABLE SERVICE</u>	<u>AGE</u>	<u>INDIVIDUAL TOWN-PAID</u>	<u>RETIREE-PAID</u>
10-15 yrs.	65	0	100%
16-22 yrs.	65	78%	22%
23-29 yrs.	65	89%	11%
30-37.5+ yrs.	any age	100%	0

All retirees will also be able to elect COBRA continuation coverage, which allows a retiree or his/her qualified beneficiary to purchase for eighteen (18) months or until age 65 (whichever occurs first) the same medical coverage that his/her employer provides to active employees.

1. Dental coverage will be afforded to the employee or his/her family after retirement for the COBRA allowed period only.
2. A full time town employee who retires and is eligible for 100% town paid coverage for Medical Benefits may waive coverage and receive a cash payment from the Town, consistent with the terms Town's Flexible Benefit Plan.

413. Group Term Life Insurance Benefits

All Full-time and Part-time (pro-rated) Employees, Town Clerk, Town Treasurer and Town Council members are entitled to participate in the Town of Scituate's group term life insurance plan. The Town of Scituate will provide each Full-time Employee with a minimum \$60,000.00 life insurance policy at Town expense upon the completion of each employee's probationary period. Eligible employees can sign up for this coverage and indicate their selection of beneficiary by completing the Flex Benefit Election Form available in the Town

Treasurer's Office. Coverage under the Town's group term life insurance plan terminates as of the date of an employee's retirement/termination unless the employee elects to continue to make annual premium payments. The cost of life insurance will be pro-rated. An employee may either pay the balance of the pro-rated premium or elect no life insurance coverage. Employees who elect not to participate in the life insurance program shall receive no additional compensation in lieu of the pro-rated coverage.

414. Severance Pay

Severance pay and eligibility for severance pay shall be frozen as of December 31, 1997. Employees shall not accrue any additional Severance Pay after December 31, 1997. New employees hired after January 1, 1998 shall not be eligible for this benefit.

An Employee who has accrued severance pay prior to December 31, 1997 shall receive their accrued severance pay upon retirement, or upon their termination of employment.

An employee who has accrued severance pay prior to December 31, 1997 may designate a beneficiary to receive the benefit and in the event that the employee dies prior to retirement or the termination of his/her employment. The Town shall pay that employee's accrued severance pay to said employee's beneficiary, or to his/her surviving spouse, or in the absence of such, to his/her legal representative (revised June 14, 2002)

All full time employees hired prior to January 1, 1998 (eligible Town Employees, Town Hall Employees, and Town Officials) shall receive severance pay at the rate of one (1) day per year of service commencing at the time of hire to a total of not more than thirty- (30) day's severance pay.

415. Corrective Lenses.

The Town of Scituate shall reimburse each Full-time and Part-time (pro-rated) Employee, Town Clerk, Town Treasurer and Town Council members, whom due to vision deficiency or change in vision is required to use glasses, with one (1) pair of corrective lenses (eyeglasses or contact lenses) per year. Employees shall be reimbursed for the purchase of corrective lenses to

a maximum of One Hundred Fifty (\$150) Dollars per year. Part time employees will be reimbursed (pro rated) for corrective lenses expenses incurred after the adoption of this employee handbook. Ex: $3/5 = 90.00$

416. Expense Reimbursement.

If an employee purchases, at their own expense, an item for the sole use of a town department, the employee shall be reimbursed for that expense by submitting a receipt and obtaining a requisition and purchase order for reimbursement. Reimbursements will be paid with the regular council bills. All purchases require prior approval of the department head and must be in conformance with the town's purchasing policy.

417. OVERNIGHT TRAVEL All overnight accommodations and travel expenses require pre-authorization of the Town Council.

500. TIMEKEEPING/PAYROLL

501. Timekeeping

A record of the days and hours worked by all Employees shall be maintained in the Town Treasurer's office. Federal wage and hour regulations require those employees' time and hours of work be recorded and maintained on file for three (3) years. Therefore, the Town is required to record the arrival time to work each day, any time taken for lunch away from the workplace, the end of the workday, and the daily total of hours worked for each employee.

At the end of the workweek, The Department Supervisor who will verify the hours worked by each employee before submitting the payroll to the Town Treasurer's Office.

For every pay period, actual hours worked or comp-time used shall be reported on time cards and all accrued comp-time must be used within thirty (30) days.

502. Payroll

The Town of Scituate's bi-weekly payroll is computed based on the time records

submitted by all Town Employees and Town Officials. Payroll checks are issued to employees on a bi-weekly basis. Payroll checks or direct deposit is available.

600. WORK CONDITIONS AND HOURS

601. Safety

It is the policy of the Town of Scituate to provide a safe and healthy workplace for all its employees. Occasionally, safety regulations and other safety tips may be distributed. All employees are expected to comply with these directives.

All employees must immediately report any accident occurring on the job, however minor to their department head. Any hazardous conditions should also be reported to your department head.

602. Overtime

All Town Employees, except Town Officials and Elected Officials are entitled to a premium for all hours worked in excess of forty (40) in any workweek. It is the policy of the Town of Scituate that any town employee who works in excess of forty (40) hours in any work week shall be entitled to receive overtime pay at the rate of one and one-half the employee's regular rate (weekly salary ÷ scheduled hours) for all hours worked in excess of forty (40) in any work week.

Wages paid for hours not actually worked will not count as hours worked for overtime pay eligibility and calculation purposes unless the employee is on an excused paid absence during the hours in question.

Overtime pay at time-and-one-half the employee's regular rate shall also be granted to any Town employee who shall be called back to work for an emergency during non-working hours.

Any employee called back to duty shall receive a minimum of four- (4) hours overtime

pay at the rate of time and one-half the employee's regular rate.

603. Work Schedules

Town Hall Employees

All Town Hall Employees shall be regularly scheduled to work Monday-Friday from 8:30 A.M. - 4:00 P.M. (35 hours per week) with ½ hour lunch break.

Each department shall be open and ready for business at 8:30 A.M. Each department shall remain open continuously from 8:30 A.M. to 4:00 P.M. Employees are to cover for each other during lunch breaks to ensure that all departments are open for business throughout the workday.

Lunch breaks shall be taken between 11:30 A.M. and 2:00 P.M. and lunch hours will be voluntarily staggered.

The work schedule for town offices may be changed from time to time at the discretion of the Department Head.

The following areas of Town Hall will be considered departments of the Town Hall and will be staffed by at least one (1) employee whenever possible:

- Town Clerk's office
- Building Inspector's office
- Tax Collector's office
- Tax Assessor's office
- Town Treasurer's office
- Senior Services office

Highway Department

Highway Department Employees shall be regularly scheduled to work Monday through Friday, 7:00 A.M. to 3:30 P.M., (40 hours per week) with a one-half (1/2)-hour lunch break to be scheduled with the approval of the Public Works Director. The work schedule of the Highway Department may be changed at the discretion of the Public Works Director at various times during the year. Highway Department Employees will be notified in advance of any change in

the work schedule.

Police Department

Police Department Superior Officers shall be scheduled at the discretion of the Police Chief to work schedules in conjunction with the Police Sergeants and Patrol Officers represented by Scituate Local 502, International Brotherhood of Police Officers.

The secretary in the Chief of Police's Office, and the other Full-time Police Department clerical employees shall work Monday through Friday, 7:00 A.M. to 3:00 P.M., (40 hours per week) which schedule may be changed from time to time at the discretion of the Police Chief. Part-time clerical employees shall work a schedule of twenty (20) hours per week or less at the discretion of the Police Chief.

Full-time and part-time dispatchers shall be scheduled to work regularly assigned shifts by the Police Chief so as to provide coverage twenty-four (24) hours a day, seven (7) days per week.

604. No Smoking Policy

1. Smoking is not allowed in Town Hall or any other facility occupied by the Town of Scituate, except in areas designated for smoking by Department Heads.

2. Smoking is not permitted at meetings or conferences held in any Town Facility.

3. Smoking is not allowed in private offices. Visitors to private work areas must honor this policy.

4. Consistent with Rhode Island law, Smoking is not permitted except as specifically provided in this policy, and "No Smoking" signs are posted in all departments and buildings in the Town of Scituate.

5.³ Unresolved complaints or problems related to employee smoking practices must be referred to the department head or the Town Council. All complaints to the Town Council must be in writing and filed with the Town Clerk.

³ 2/2012 Struck section relating to PD Dispatchers smoking policy.

6. Distribution of this Policy Manual containing the No Smoking policy shall be in compliance with the town of Scituate's obligations under the "Rhode Island Work Place Smoking Pollution Control Act". This policy shall be considered a continuance of the policy originally adopted by the Town Council on October 9, 1986.

605. Use of Town Vehicles

The following guidelines shall apply with regard to use of Town vehicles by those assigned to take a vehicle home.

1. Town vehicles shall be used only for Town business. Town vehicles shall not be used for personal convenience or personal business. Town personnel called out in the evening or on a weekend should use their assigned vehicle.

2. Employees who are not assigned a Town vehicle shall be compensated at the current IRS rate per mile when they are required to use their private vehicle for town business.

3. Fuel is available for Town assigned vehicles at the Police Station or the Public Works Complex.

4. Maintenance and repair of Town vehicles will be the responsibility of the Public Works Department.

5. Employees who are assigned a Town vehicle are responsible to keep the interior and exterior of the vehicle cleaned and washed.

6. Personal accessories (radio, tape player, etc.) may be added to a vehicle at employee expense with prior approval of the appropriate department head. Only accessories that can be removed without causing damage to the vehicle, or a reduction in the value of the vehicle shall be allowed. Should any personal accessories be stolen from a Town vehicle, the Town employee in question will not be entitled to reimbursement.

7. Employees who will be away from work for more than three (3) days for any reason, including sick leave; vacation time, etc. should leave their vehicle with their department head so that the vehicle can be assigned if needed to another employee.

8. No Town vehicles shall be taken outside of the Town of Scituate for more than one night without prior approval from the Town Council.

9. This policy shall be considered a continuation of the policy first adopted by the Town Council on July 11, 1996.

606. Emergency Closings

From time to time during the year, particularly in the winter months, it may be necessary to close Town offices due to extreme weather conditions or other emergencies. If offices are closed due to a weather emergency, all Full-time and part time (pro-rated) town employees regularly scheduled to work that day shall receive their regular pay for the day or portion thereof if an early closing occurs. In order for Town Hall Employees to receive pay for the day, the Council President or Vice President will make the decision to close or delay the opening of Town Hall and if the employee chooses not to come into work they must take vacation, personal time or take the day without pay.

Highway Department Employees shall report to work as scheduled during any extreme weather conditions, even when Town Hall offices are closed. Highway Department Employees shall also be required to report for work at the direction of the Public Works Director if a weather emergency occurs during non-scheduled hours. Highway Department Employees that refuse to report for work as directed by the Public Works Director during such emergencies shall be subject to disciplinary action.

Police Department civilian employees shall also report to work during weather emergencies unless otherwise excused by the Chief of Police.

Any Town employee that refuses to report to work during any weather conditions in which the Town offices are open shall be required to exhaust paid leave benefits (personal or vacation time) for the day(s) in question.

If the Town Council determines that a local disaster emergency exists, all Town Officials and Employees shall be required to provide whatever service and assistance may be required by the Town Council to cope with said disaster emergency. Any Town Employee who refuses any

reasonable and necessary directive during a local disaster emergency may be subject to disciplinary action.

607. Controlled Substance Policy

Highway Department Employees who are required to maintain commercial motor vehicle driver's licenses as a condition of employment shall be required to adhere to *the Town of Scituate Controlled Substance and Alcohol Testing Policy For Employee-CMV Drivers*. This policy was adopted on February 8, 1996 and is maintained separately by the Public Works Director. All Highway Department Employees should familiarize themselves with this policy and any Highway Department employee who has questions concerning the policy should be directed to the Public Works Director.

700. LEAVES OF ABSENCE

701. Family/ Medical Leave

As an employer with fifty (50) or more employees, the Town of Scituate is required to provide eligible Employees with leave rights as required by the Rhode Island Parental and Family Medical Leave Act (RIGL 28-48-1) and the federal Family Medical Leave Act, which provide eligible employees with the right to take up to thirteen (13) weeks of unpaid, job protected leave for certain family or medical reasons in a two-year period. The State and Federal Leave Act shall run concurrently. Any eligible Town Employee (employed for more than twelve (12) months and for at least 1250 hours per year) shall be allowed to receive these benefits.

Unpaid leave will be granted for any of the following reasons:

- (1) to care for an employee's child after birth, or following placement of a child with an employee for adoption or foster care;
- (2) to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- (3) for a serious health condition that makes the employee unable to perform

his/her job.

Leave benefits shall be calculated by the Town on a calendar year basis. In certain circumstances, an employee may also be eligible to take the thirteen- (13) weeks on an Intermittent basis to the extent that the health condition or required treatment thereof necessitates periodic absences.

When a serious health condition is involved, employees will be required to provide thirty (30) days' advance notice when the leave is foreseeable. Employees will also be required to provide medical certification to support the leave request, as well as certification of fitness for duty prior to returning to work.

During the leave, the Town will maintain the employee's health coverage subject to any applicable contribution rate under the employee's chosen medical plan. Upon return from leave, employees will be restored to their original, or an equivalent position with equivalent pay, benefits, and other employment terms.

702. Personal Leave

All Full-time employees shall be allowed up to three (3) days paid personal leave each calendar year for personal business that cannot be conducted at any other time. Such leave shall be granted at the discretion of the employee's supervisor, who shall consider the department workload before granting the request. Employees requesting personal leave should give forty-eight (48) hours written notice whenever possible. Personal leave will not be allowed on a day proceeding, or the day following a holiday or vacation, but exceptions to this provision may be granted by the employee's department head. Employees are required take personal leave in a minimum of one- (1) hour increments, except Police dispatchers, minimum of 4 hour increments.

Personal leave shall not be cumulative from calendar year to calendar year.

Part time employees are pro-rated. Ex: $3/5 = 12.6$ hours; $5/7 = 15$ hours

703. Leave of Absence Without Pay

Under extreme circumstances, a Full-time and part-time (pro-rated) employee may find it necessary to request a leave of absence without pay. An absence without pay for up to three (3)

days (part-time pro-rated) will be approved under the appropriate circumstances by the department head. Leave of absence requests of greater than three (3) days and requests for Town paid benefits during the leave must be submitted to the Town Council for approval. Any employee requesting a leave of absence without pay from the Town Council may do so provided that the requested leave does not exceed one (1) year.

704. Military Leave

Any employee who is required to attend training as a member of the State or Federal National Guard, or who is called to active duty in any of the armed forces, shall receive all of the benefits as required under Federal and State law. Any employee who is required to fulfill a military commitment that will require of leave of absence from Town Employment should contact his/her Department Director for further information. Employees on military leave shall be required to bring their stipend to the Town Treasurer who shall ensure that the employee receives the difference between the stipend and his/her regular wages. Part Time employees are ineligible for this benefit.

800. EMPLOYEE CONDUCT & DISCIPLINARY ACTION

Except for any collective bargaining agreement provisions to the contrary, the following employment provisions apply to all Town Officials and Town Employees:

801. Rules of Conduct

It is the goal of the Town of Scituate to provide a pleasant and safe working environment for all its employees and to operate Town government in an efficient manner for the benefit of all Town residents. In order to achieve these objectives, it is important that every Town Official and Town Employee become familiar with the personnel rules and regulations set forth in this policy manual.

The Town adopts a program for employee conduct and disciplinary action under the principles and practices of progressive discipline and just cause ("Progressive Discipline

Policy”). The Progressive Discipline Policy of the Town establishes standards of employee conduct and outlines potential consequences for non-compliance with these standards, in order to ensure an equitable approach to resolving problems that may arise in the workplace. The Progressive Discipline Policy encourages positive employee/employer relations by providing for the fair treatment of all employees while ensuring that all employees are aware of their obligations and the consequences of disregarding those obligations. The Town is committed to ensuring that employee misconduct is handled in an appropriate and consistent manner.

802. Disciplinary Procedure

The purposes of disciplinary action as applied under the Progressive Disciplinary Policy are, in most cases, to give an employee the opportunity to correct poor behavior or job performance, or else to remove from the workforce an employee who has either failed to respond to prior corrective action or else committed an offense justifying immediate termination of employment.

The Town of Scituate generally recognizes two categories of discipline that may be imposed to address violations of employee standards of conduct or performance: (1) progressive corrective action and (2) immediate termination. Other disciplinary action, including but not limited to demotion or mandatory referral to counseling, may be taken in appropriate cases.

Progressive Corrective Action

Progressive Corrective Action is the responsibility of the appropriate supervisory official. Depending on the nature, seriousness, severity and other circumstances, any of the following steps may be taken in response to a first offense, and steps may be skipped. In routine cases, however, the following steps are followed:

Step 1. Oral Counseling – Oral counseling is used in situations where the appropriate supervisory official finds that discussion, instruction, or training will resolve the employee's performance or behavior problem. This step ensures that the employee knows what

performance is expected and how it is to be accomplished. Oral Counseling Sessions should be documented by the appropriate supervisory official or designee.

Step 2. Verbal Warning – Verbal warning is generally used when a problem persists after the supervisor has brought it to the employee's attention through oral counseling. The appropriate supervisory official outlines the circumstances leading to the discipline and verbally warns the employee that should another offense occur, the employee will be given more serious discipline which might include termination of employment. The verbal warning should be documented by the appropriate supervisory official, copied to the employee for signature, and included in the employee's personnel file.

Step 3. First Written Warning – Should an incident arise that is considered serious enough to warrant immediate delivery of a written warning letter, or should previous discipline justify, the appropriate supervisory official shall meet with the employee and present a letter outlining the circumstances of the problem behavior. The employee will be advised that should another offense occur the employee will be subject to further disciplinary action up to and including termination. A copy of the letter will be presented to the employee for signature and included in the employee's personnel file.

Step 4. Final Written Warning - Suspension Without Pay – In cases of severe, continuing or recurring misbehavior or poor performance, the appropriate supervisory official presents a final written warning outlining the circumstances. The employee will be advised that should any further misconduct or poor performance occur, the employee will be subject to termination. A copy of the Final Written Warning will be presented to the employee for signature, and included in the employee's personnel file.

A suspension may be imposed at this stage in the progressive discipline process, subject to Ordinance Sec. 2-131 and 2-132 for permanent highway employees not in the collective bargaining unit. There are three kinds of suspension:

1. Investigative or Administrative Suspension – a period during which an employee is relieved of job duties because of alleged serious misconduct, and it is necessary to

conduct a full investigation to determine the facts of the case. The employee will be paid for the period of the suspension, unless he/she requests extension of the suspension, in which case should any extension be granted it will only be by agreement and without pay. This form of suspension may occur whenever the Town deems it appropriate in investigating any suspected or known infraction.

2. Disciplinary Suspension – a period given as discipline along with a final written warning. Disciplinary suspension is imposed without pay, after written notice to the employee and an opportunity for the employee to be heard.
3. Crisis Suspension – Given at the discretion of the appropriate supervisory official when action must be taken immediately. This action may lead to a disciplinary suspension and/or termination. Crisis suspension is with or without pay depending on the facts and circumstances of the underlying situation requiring this type of immediate action.

At any time during the progressive discipline process, the Town may refer the employee to the Town's Employee Assistance Program for confidential counseling in order to improve and/or restore the employee's behavior and work performance to acceptable standards to retain their employment with the Town.

Termination of Employment

Subject to the provisions of Ordinance Sec. 2-132 for permanent highway employees, on recommendation made by the appropriate supervisory official in writing to the Town Council for dismissal of the employee, the Town will provide the employee with written notice of the charges and the date, time and place when the employee may be heard on the charges, also advising that the appropriate supervisory official has recommended termination of employment. The Town Council will conduct the pre-deprivation, due process hearing, and will make the final decision regarding the termination.

Conduct Typically Resulting in Discipline and/or Termination

Depending on the nature, seriousness and severity of the violation, the following are, without limitation, examples of the kind of conduct that could result in Progressive Corrective Action:

- Excessive absenteeism or tardiness
- Poor attitude or cooperation
- Loafing, loitering or other abuses of work time
- Incompetence or poor work performance
- Failure to comply with dress and/or grooming standards
- Solicitation and/or distribution of non-work related materials
- Insubordination, including but not limited to refusal to perform work required by a supervisor

The following are, without limitation, examples of conduct that could result in Termination of Employment:

- Theft
- Fighting at work
- Insubordination
- Dishonesty or fraud
- Disorderly conduct
- Neglect of duty
- Violation of safety rules and/or policies
- Falsification of employment records or documents
- Threatening, obscene or abusive language and/or conduct
- Damaging or destroying Town of Scituate property or the property of others
- Failure to return to work following an approved absence from work
- Possession of weapons on Town property, except for authorized police personnel

- Possession, consumption, distributing, and/or selling alcohol or illegal drugs on Town property, except unopened containers of alcohol may be in personal vehicles.
- Reporting to work under the influence of alcohol or drugs
- Endangering the safety and/or health of oneself or others through unsafe acts or omissions
- Unauthorized removal of any property, documents or records of the Town or others
- Unlawful harassment or discrimination against another employee
- Refusal to cooperate fully in a workplace investigation
- Retaliating against another employee for making a complaint or for providing information during a workplace investigation
- Multiple and/or excessive rules violations or other misconduct
- Commission of a felony
- Divulging confidential information without authorization
- Absence from work for over two days without notice to the employer
- Any violation of the requirements set forth in the Rhode Island Code of Ethics, R.I. Gen. Laws § 35-14-1 et seq.

803. Sexual Harassment

The Town of Scituate believes that every employee is entitled to a working environment free from harassment or offensive conduct on the basis of the employees' sex, regardless of its form or manner. Any offensive or inappropriate behavior of a harassing nature at work, including but not limited to unwelcome sexual advances, request for sexual acts or favors by department heads or co-employees, verbal or physical conduct of a sexual nature, or any other conduct which interferes with an employees' work environment, job performance or other conditions of employment is unlawful and will not be tolerated under any circumstances. All employees must avoid any act of conduct, which could be viewed as harassment by any other individual co-employee.

Sexual Harassment Defined

Sexual harassment is defined under the law as any unwelcome sexual advances or requests for sexual favors, or any other verbal or physical conduct of a sexual nature, when submission to such conduct or such advances or requests is made either explicitly or implicitly a term or condition of an individual's employment.

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

- * Unwelcome sexual advances - whether they involve physical touching or not;
- * Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- * Comments on an individual's body, or comments about an individual's sexual activity, deviancies, or prowess;
- * Displaying sexually suggestive objects, pictures or cartoons;

- * Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- * Inquiries into one's sexual experiences; and
- * Discussion of one's sexual activities.

Additionally, any retaliation against an individual who complains about sexual harassment, or retaliation against any individual who cooperates in the investigation of a complaint of sexual harassment is also unlawful and will not be tolerated.

Complaints of Sexual Harassment

Any employee, who feels or believes that they have been a victim of sexual harassment, regardless of whether the conduct was verbal or physical, and regardless of whether the offensive act was committed by a department head, co-worker, visitor or client, should bring the problem to the immediate attention of his or her department head. The Town Clerk is also available to discuss any concerns you may have about this policy, and to provide information about our complaint process.

If the complaint involves a person in the employee's direct line of supervision, an employee may also go directly to the Town Council President. Any person, who, during his/her

employment with the Town is subjected to harassment, has a right to have such activity cease immediately. By bringing these acts to the attention of your Supervisor or the Town Council President, an investigation of your complaint can be initiated.

All complaints of sexual harassment or inappropriate sexual conduct will be thoroughly investigated and promptly handled. Privacy safeguards will be applied to those employees who make complaints whenever possible. The identity of the complaining party and the accused person will be kept strictly confidential if at all possible. If the investigation leads to a determination that the allegations are true, the necessary corrective discipline, up to and including discharge will be taken by the Town Council.

Federal and State Agencies

If employees wish to receive additional information about unlawful sexual harassment, or the availability remedies outside the firm, employees may contact the following agencies:

Rhode Island Commission for Human Rights
10 Abbott Park Place
Providence, RI 02903
Telephone No: (401) 277-2661

Equal Employment Opportunity Commission
One Congress Street, Room 1001
Boston, MA 02114
Telephone No: (617) 565-3200

804. Attendance and Punctuality

Every Town Official and Town Employee's job is essential to the efficient operation of Town government. Therefore, it is necessary that all Town Officials and Employees report for work each day on time as scheduled. All employees are expected to be at their workstations and be ready to work at the appropriate time. Employees who are habitually late for work may not be allowed to charge the time against their paid leave benefits and may be eventually disciplined pursuant to the Town of Scituate's disciplinary procedure.

Any employee who is unable to report for work for any reason, or who is going to be late should notify their supervisor or his/her designee as soon as possible. In cases of absence, the cause and estimated length of the absence should be given and employees must call each morning that they will be absent. If the absence is longer than three (3) working days, a physician's certificate may be required. Employees may also be required to submit a physician certificate upon their return, attesting to their ability to perform their job. If an employee is absent without permission, or if an employee is absent for three (3) consecutive working days or longer without having notified a supervisor or that person's designee, that employee will be considered to have voluntarily resigned his or her employment. Failure to adhere to these policies may lead to employee discipline, up to and including discharge.

805. Computer Use Policy

Computer System: The Town of Scituate's computer system is provided to the staff to assist in conducting business. The computer system, which consists of computers, software, printers, file servers, and all files including documents and mail messages, is the sole property of the Town of Scituate.

Authorized staff is permitted to use the system for town business. Use of the system for outside business ventures, commercial solicitation, chain letters, or illegal purposes is prohibited.

Unauthorized use of the system for personal work is also prohibited.

The Town of Scituate reserves the right to monitor computer usage and access e-mail messages and other files on the system and disclose them in accordance with applicable laws. Without limiting the generality of the foregoing, the Town may access files on the system, including e-mail, in order to:

- a. Ensure that the system is being used for legitimate town business and authorized purposes;
- b. Protect the integrity, confidentiality and security of its computer system, mail messages and other files; or
- c. Investigate suspicion of wrongdoing.

Electronic Mail: The electronic mail system (e-mail) provides an electronic means of communication to individuals or groups within and externally, to and from parties with Internet mail addresses. The e-mail system is provided to the staff to assist in conducting town business. As such, town personnel are to treat e-mail messages as confidential. Information that is transmitted via e-mail carries the same weight as verbal or written information.

Town personnel should not transmit anything in an e-mail message, whether internal or external, that he or she would judge inappropriate to write in a letter or memorandum on town letterhead. The e-mail system may not be used for any messages that can be reasonably considered offensive, discriminatory, defamatory, disparaging or threatening to any staff member, person or entity. Even e-mail messages that have been “deleted” may be accessible via backup tape or printed hard copy.

Software Policy: Town personnel must comply fully with the terms of software vendor's license agreements. The town will not tolerate, the use of software that has been copied or installed in violation of copyright or license agreements. A valid license and proof of purchase must support all software used on the town's computer system.

806. Tuition Reimbursement Policy

In an effort to encourage the enhancement of employee skills, full-time employees may submit a request for course approval to their respective Department Manager.

The Department Head will evaluate the course to determine its relevance to the employee’s job responsibilities.

Course approval request requires a requisition and purchase orders. Employees must seek appropriate approvals prior to enrollment.

Eligible Employees:

All full time employees who have successfully completed their probationary period of employment, and who are not otherwise eligible for tuition reimbursement, (i.e., union Contract employees) may apply for tuition reimbursement for courses earning up to a Bachelor’s Degree.

Reimbursement schedule:

Based on a total maximum reimbursement of the cost per credit at the University of Rhode Island:

A	100%
B	90%
C	80%
Pass/Fail	80%

Non-credit course maximum reimbursement 100% to a maximum allowance of \$375.00 per course. Letter grade below C or fail will not be eligible for reimbursement. It is required that the course work will be completed outside of regularly scheduled hours of employment.

Books and instructional supplies are the student’s responsibility and are not eligible for reimbursement.

Each employee will be eligible to apply for tuition reimbursement for one course per semester (3 courses per year). In order to offer this benefit to as many employees as possible, in the event that sufficient funds are not available to grant all reimbursement request, preference will be given to those employees who have not previously applied.

The attached form must be completed.

Part Time employees are ineligible for this benefit.

Tuition Reimbursement Form:

Name

Department

Course Title

School

Cost:

Rationale:

Department Head: Approved

Disapproved

Department Head Comments, if any:

Town Treasurer: Approved:

Disapproved:

Purchase Order #

Date Issued:

When Course work is completed, employee must submit written proof of course completion and letter grade report.

Approved for reimbursement:

Letter Grade:

Reimbursement approved \$

Department Head:

Treasurer:

Date:

Cc: Town Council

STATEMENT OF RECEIPT

This will acknowledge that I received a copy of the Town of Scituate Human Resource Policy Manual. I understand and recognize that the policies, procedures, rules and regulations contained in this policy manual may be modified, changed or amended at any time by the Town of Scituate town council and that neither these policies nor my acknowledgment of receipt of them constitutes a contract of employment or promise of continued employment by the Town of Scituate.

EMPLOYEE SIGNATURE

Date: _____