



# **Town of Meredith, NH Personnel Policy Manual**

**This document supersedes all personnel policies previously established or approved by the  
Town of Meredith.**



## ***Town of Meredith***

OFFICE OF THE TOWN MANAGER  
Phillip L. Warren, Jr.  
Town Manager

### **WELCOME TO THE TOWN OF MEREDITH, NH**

As an employee of the Town of Meredith, the importance of your contribution cannot be overstated. The Town's goal is to provide residents and visitors with the finest and most efficient service possible. Employees are an important part of this process.

This Personnel Manual explains Town personnel policies and benefits, as well as the specific opportunities and responsibilities that exist for employees within the Town. In an effort to be responsive to the needs of a changing organization, changes or additions to this handbook will be made when necessary. This office will keep employees informed when these changes are made.

We are glad you are part of our team, and we hope your work with us is both challenging and rewarding.

Sincerely,

Phillip L. Warren, Jr.  
*Town Manager*

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## **I. GENERAL PROVISIONS**

### **ABOUT THIS PERSONNEL POLICY MANUAL**

This Manual has been prepared to inform Town employees about the Town's general employment practices and policies. These policies apply to all Town employees unless otherwise specified. The policies in this Manual are intended to help all Town employees work in a collegial and productive atmosphere. The policies in this Manual supersede any previously issued Town employment rules, policies or employee manuals/handbooks. All policies in this Manual are effective immediately.

Employees are required to read this Manual to familiarize themselves with the policies in it. This Manual is a source of general employment information. It is not all-inclusive as no employment Manual can anticipate every circumstance or question that may arise in a workplace. In addition to this Manual, the Town may use a variety of other methods to communicate employment information, rules, policies and procedures to its employees. Such methods may include bulletin boards, e-mail memoranda and staff meetings. Employees are responsible for all such communicated information. The official, updated copy of this manual is exclusively located on the Town's website, making it available for all employees to review.

The Town of Meredith retains the right to make decisions involving employment as needed and to change, add or delete the policies in this Manual in order to conduct its work in a manner that is beneficial to the Town. This includes the current benefit plans summarized in this Manual. Employees will be notified of any such change.

If there is any conflict between the summary of any benefit plan contained in this Manual and the terms and conditions stated in the actual plan documents and summary plan description the terms and condition in the plan documents will control.

Nothing in this Manual does or should be considered to create an expressed or implied contract between the Town and any employee. Except on authorization of the Town's Select Board no supervisor or representative of the Town can modify any policy in this Manual or bind the Town to any change to any Manual policy, and even then modification of a policy in this Manual will only be effective if it is approved in writing by the Town's Board of Selectmen.

Should any provision in this Manual be held to be unenforceable or invalid, such finding will not invalidate the rest of the Manual, but only the subject provision. And, should any section of the Manual incorrectly represent any state or federal law or regulation, the language of the actual law or regulation will control.

For any Town employee whose job position is included within a union bargaining unit, to the extent there is any conflict between the collective bargaining agreement ("CBA") between the Union and the Town for the employee's bargaining unit, the terms and conditions of the CBA will control.

Employees are required to read this Manual carefully, and refer to it whenever questions arise. Questions about the policies and procedures described in this Manual or suggestions for improvement should be directed to the Town Manager.

## **ADMINISTRATION**

The rules, regulations, policies and procedures in this Manual constitute the Town of Meredith's Personnel Policy Manual, and they have been adopted for information and guidance and for use by the Meredith Board of Selectmen, Town Manager, supervisory personnel and employees of the Town.

The Town Manager is responsible for the administration of the provisions of this Manual and has the authority to take appropriate action in dealing with cases of violations of it. The Town Manager also serves as the Town's Personnel Director.

In implementing this Manual, Department Heads, with approval of the Town Manager, are authorized to generate and implement personnel/departmental rules and regulations supplemental to the policies in this Manual. Such rules and regulations bear the same authority as the policies in this Manual.

## **OUR WORKPLACE**

As you review this Manual, you will notice that terms such as "workplace" and "premises" appear in many of Town of Meredith's policies. For most employers, such terms encompass the buildings and surrounding property that they own or lease. However, as you know, the nature of our work as a municipality requires that our use of these terms have a broader definition. Accordingly, whenever our "workplace" or "premises" is discussed in this Manual, you must understand that we are discussing not only Town of Meredith buildings, facilities and properties, but also any remote job site to which you may be assigned to work and any vehicle in which you may be traveling in for Town of Meredith related business.

## **DEFINITIONS**

Wherever used in these policies and procedures, the following terms and words shall be defined as indicated below, unless defined otherwise in a specific section in which case that definition will control:

**ANNIVERSARY DATE:** The anniversary of the initial employment date shall be used for leave accrual or employment verifications only. For the purpose of performance evaluation and merit salary adjustment, the anniversary date will mean the date an employee changes from probationary to a regular employee. Anniversary dates for promoted or reclassified employees receiving more than a 2.5 percent increase shall be the dates of promotion or reclassification for the purpose of salary adjustments and performance evaluations. Employees become eligible for in-grade salary increases on this date, based upon meritorious performance evaluations.

**APPOINTING AUTHORITY** – The Town Manager is the appointing authority for all classified positions.

**COMPENSATION** – The salary, wages, fees, benefits, and all other forms of valuable consideration earned or paid to any employee of the classified service by reason of service in the position, but does not include allowances for expenses authorized and incurred and incidents to employment.

**DEMOTION** – The change of an employee from a position in one class to a position in a class having a salary range with a lower maximum rate of pay.

**DISABILITY** – A disabling condition; partial or permanent, which prevents, hinders or adversely affects an individual’s performance of their normal routine of work. A formal determination of disability may be based on the disability policy then in place.

**DISMISSAL (Discharge)** – An involuntary separation of an employee resulting from disciplinary action, inability to perform the duties of the position or other cause.

**ELIGIBLE** – A person who has met the minimum qualification requirement established for a position or has met the requirements established receive benefits from the Town.

**EXAMINATION (Selection Device)** – Any test of fitness used to evaluate the ability of applicants to perform the duties of a position. (Example: oral board, written test, performance test, physical examination).

**IMMEDIATE FAMILY** – “Immediate family” includes spouse, children (natural or adopted), stepchildren, parents, parents-in-law, brothers, sisters, stepparents, stepbrothers, stepsisters, grandparents, and grandchildren of the employee.

**INCUMBENT** – An individual currently occupying a specific position.

**JOB DESCRIPTION** – The written description of the duties and responsibilities of a class of positions along with its fitness and qualification requirements.

**LAYOFF** – Involuntary separation of an employee resulting from a reduction in force due to lack of work, lack of funds, or abolishment of the employee’s position.

**LEAVE** – A period of authorized absence during which an employee does not work but is still considered to be in the employ of the Town. Leave may be authorized with or without pay.

**OPEN ENROLLMENT** – Designated time frame to make changes or enroll in eligible benefits.

**PERSONNEL ACTION** – All activities affecting any aspect of an employee’s status. Includes appointments and changes in appointments, original hiring, re-employment, transfer, promotion, and demotion, changes in hours, reallocation, resignation, suspension, dismissal, and placement in leave status.

**POSITION** – A regularly established job in the classified service of the Town.

**PROBATIONARY PERIOD** – A working test period, following initial appointment or promotion during which an employee is required to demonstrate by conduct and actual performance of the duties his fitness for the position to which he is appointed.

**PROMOTION** – Assignment of an employee from a position to another, which has a higher maximum rate of pay.

**RECLASSIFICATION** – Reassignment of a position from one pay grade, class or title to another pay grade class or title in the Town to more accurately reflect the duties and responsibilities involved.

**RESIGNATION (Termination)** – Separation of an employee from Town employment by his or her own voluntary act.

**REGULAR EMPLOYEE** – Any non-probationary employee of the Town who is other than a temporary/seasonal employee, and may be part-time or full-time.

**RETIREMENT** – Separation of an employee in accordance with the provisions of any retirement system under which an employee is eligible to receive benefits.

**SEPARATION** – Separation is the termination of an employee from employment by the Town through retirement, resignation, layoff or dismissal.

**SUSPENSION** – An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee.

**TRANSFER** – Change of an employee from a position in a class in one department to another position in the same class in another department or to a different class through reclassification of the position.

### **EMPLOYMENT AT WILL**

Employment with the Town of Meredith is voluntarily entered into and employees are free to resign at any time. Similarly, the Town of Meredith is free to end an employment relationship when this action is in the Town’s best interest. The employment relationship can be terminated with or without cause and with or without advance notice, at any time, and at the option of the employee or the Town of Meredith.

### **EQUAL EMPLOYMENT OPPORTUNITY**

The Town of Meredith is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and need. The Town of Meredith will not discriminate against employees or applicants for employment on any legally-recognized basis including, but not limited to: veteran status, marital status, physical or mental disability, age, race, color, religion, sex, sexual orientation, pregnancy, or national origin. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, and transfer, leaves of absence, compensation, and training.

If an employee believes that they have been discriminated against in their employment with the Town on the basis of a characteristic protected by law they must follow the reporting procedure outline in the Harassment policy of this Manual.

The Town prohibits retaliation against any employee who complains in good faith about discrimination involving any of the above-listed characteristics, and all employees should feel free to raise any such good faith concerns.

## **THE AMERICANS WITH DISABILITIES ACT**

The Town of Meredith prohibits any form of discrimination against job applicants or employees with physical or mental disabilities. The Town will not discriminate against any applicant or employee who is capable of performing the essential functions of a job, with or without reasonable accommodations provided by the Town. The Town will make every effort to assure that individuals with disabilities have access to the job application process. The Town of Meredith will provide necessary and reasonable accommodations to assure that employee will enjoy the same benefits and privileges of employment as are enjoyed by non-disabled employees. If an employee requires an accommodation to perform the functions of their job because of a disability he/she should notify the Town Manager. The Town of Meredith will maintain all medical information in a confidential manner in accordance with the ADA

## **HARASSMENT POLICY – Including Sexual Harassment**

The Town of Meredith does not tolerate harassment in the workplace on the basis of marital status, physical or mental disability, age, race, color, religion, sex, sexual orientation, veteran status, pregnancy, national origin, or on any other basis protected by law.

In support of the Town's commitment to equal employment opportunities, the Town of Meredith prohibits harassment of an employee by anyone in the workplace, whether by a co-employee, supervisor, Town official, or a member of the public on the basis of any of the above listed characteristics. Similarly, the Town prohibits its employees from harassing anyone on the basis of any of these characteristics. Any employee who harasses anyone on any of the bases discussed above will be subject to discipline, up to and including discharge. The Town of Meredith defines harassment with respect to employees as:

Harassment is verbal and physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, sex, pregnancy, national origin, age, religion, disability, marital status, sexual orientation veteran status, or any other characteristic protected by law or that of his or her relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

It is not possible to list all of the circumstances and behaviors that may constitute unlawful harassment in violation of Town of Meredith policy. However, the following are some examples of conduct which, if unwelcome, may constitute harassment depending on the circumstances, including the severity of the conduct and its pervasiveness:

- Epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, pregnancy, age, disability, sexual orientation, marital status, or veteran status; and

- Written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, age, disability, sexual orientation or veteran status that is placed on walls, bulletin boards, or elsewhere on Town of Meredith premises, or in circulation in the workplace.

The Town of Meredith prohibits all of the activities discussed above, whether engaged in by a supervisor, agent of our corporation, co-worker, or non-employee who is on our premises or who comes in contact with our employees.

It is the goal of the Town of Meredith to promote a workplace that is free of sexual harassment. Sexual harassment of employees is unlawful and will not be tolerated. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation, or assistance; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment includes a wide range of behaviors from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes and other sexually-oriented statements and unwelcome emphasizing of sexual identity. Sexual harassment may be indirect and even unintentional. Employees are prohibited from bringing into the workplace or otherwise displaying any written materials or pictures that are sexually suggestive or offensive in nature.

Experience has shown that a clear statement to the person engaging in the offensive behavior is often all that is necessary to stop the conduct. If an employee believes they are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, we certainly do not require that you do so. If an employee believes that they have been subjected to sexual harassment, she or he is to report the incident in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Retaliation against an employee who complains in good faith about sexual harassment is a violation of this policy and is prohibited by law. If an employee believes that they have been subjected to retaliation, he or she is to report the incident in accordance with the Reporting Procedure contained in this Manual.

## **REPORTING PROCEDURE FOR SEXUAL AND OTHER UNLAWFUL HARASSMENT AND DISCRIMINATION**

If an employee feels that they are a victim of sexual or other unlawful harassment, they shall immediately report such actions in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If an employee believes that they are a victim of sexual or other unlawful harassment or discrimination he/she must report the act immediately to the Town Manager or the Executive Assistant / HR Coordinator.
2. The Town of Meredith will promptly investigate every reported incident if appropriate. Any employee, supervisor, or agent of Town of Meredith who has been found to have sexually or unlawfully harassed another employee may be subject to appropriate disciplinary action, up to and including termination. The complainant may be informed of the outcome of the investigation.
3. The Town of Meredith will conduct all investigations in a discreet manner. Disclosure of complaints will be limited to those with a need to know.

### **IMMIGRATION LAW COMPLIANCE**

The Town only employs United States citizens and aliens authorized to work in the United States. In compliance with the Immigration Reform and Control Act of 1986, it is against Town policy to discriminate in any aspect of employment of a person authorized to work in the United States based on the person's national origin, citizenship or intent to become a U.S. Citizen.

In accordance with federal law, every prospective employee is required to provide documents verifying his/her identity and authorization to be legally employed in the United States. In addition, a prospective employee is required to sign a verification attesting that he or she is legally employable in the United States. The Town retains copies of these documents submitted/signed by an employee. To the extent practical and appropriate, these documents will be kept confidential. However, on request the Town is required to provide copies of the documents to the U.S. Department of Labor and to the Immigration and Naturalization Service ("INS").

Providing false documentation or making any false statement related to this verification shall be grounds for immediate discharge. And, if during the course of employment the Town requests further information relating to an employee's authorization to work in the United States, the employee must furnish the information requested. Failure to cooperate in providing such information shall be grounds for discipline, up to and including termination.

### **EMPLOYMENT APPLICATIONS AND INFORMATION**

The Town relies upon the accuracy of information contained within each employee's employment application, as well as all other information presented throughout the hiring process and employment. Any misrepresentation, falsification, or material omission in any of this information may result in exclusion of the individual from further consideration for employment or, if the person has been hired may result in termination of their employment.

### **EMPLOYMENT CHECK/REFERENCES**

The Town Manager, and his/her designee(s), is the only person authorized to respond to a reference inquiry from any other employer or any party.

No other Town employee may provide references for a current or former employee on behalf of Town without express prior authorization from the Town Manager. Employees may provide "personal" references at their own discretion. Personal references may not be published on Town letterhead or give any other indicia of being a reference or recommendation from/on behalf of the Town of Meredith.

### **USE OF LIKENESS**

The Town may take photographs and/or videos for use both internally and in displays, publications and on the Town's web site or other social media. Any employee who does not want their picture taken and/or used in such a way is responsible to notify the Town Manger of this in writing.

### **PERSONNEL RECORDS**

The Town of Meredith maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of employee progress. The personnel file is the Town's continuous record of information relative to the employee's employment. The employee may inspect his/her own personnel file during regular office hours, upon reasonable request. However, employees may not be permitted to review their personnel file if they are subject to an investigation at the time of the request and disclosure of such information would prejudice law enforcement. File inspection must be done on the employee's own time, and must be arranged through the Town Manager or HR Coordinator. Employees may read their personnel file, but they may not remove any portion of the file. Upon request and payment of an established copying cost, employees will be provided with a copy of all or part of their personnel file.

If at any time an employee disagrees with the information in his or her file, the employee may submit a written statement explaining their version of the information together with evidence supporting such version. The Town of Meredith will maintain such statement as part of the personnel file and will include the statement in any transmittal of the file to a third party.

In an emergency it is very important that your personnel file includes accurate information regarding who should be contacted. Please notify the Town Manager or the HR Coordinator as soon as possible of any changes in name, address, telephone number, marital status, dependents and/or beneficiaries.

### **WORKPLACE ISSUES, CONCERNS, OPEN DOOR POLICY**

In any workplace, work issues and concerns arise from time-to-time. If any such issues or concerns arise for employees while working for the Town, it is recommended that employees use the following procedure so the matter can be addressed and resolved as soon as possible.

Employees should initially discuss and try to resolve the matter with his/her immediate supervisor. However, if the employee is uncomfortable discussing the matter with his/her immediate supervisor or such a discussion does not resolve the matter to satisfaction, the

employee should contact their department head. In the event that the matter is still not resolved to satisfaction, the employee should contact the Town Manager to bring about resolution.

The Town is confident that utilizing this procedure will bring about a satisfactory resolution of most workplace issues or concerns, resulting in a productive work environment for all employees.

DRAFT

## ***II. EMPLOYEE CLASSIFICATIONS, RECRUITMENT, SELECTION, OPPORTUNITY AND EVALUATION***

### **EMPLOYMENT CLASSIFICATIONS**

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

**FULL-TIME EMPLOYEES:** Individuals who are regularly scheduled to work 40 or more hours per week.

**PART-TIME EMPLOYEES:** Individuals who are regularly scheduled to work less than 40 hours per week Part-time employees are not eligible for benefits described in the Manual except where noted, authorized by the Town Manager or to the extent required by state or federal law.

**TEMPORARY EMPLOYEES:** Individuals who are hired for specific periods of time or for the completion of a specific project. Seasonal employees, those hired to work for twenty-six (26) weeks or less, are considered to be temporary employees. Temporary employees are not eligible for benefits described in this Manual except to the extent required by state or federal law.

**NON-EXEMPT AND EXEMPT EMPLOYEES:** Exempt employees are those who, because of their job, are not entitled to overtime pay and minimum wage in accordance with the Fair Labor Standards Act (“FLSA”). Exempt employees may be granted Administrative Leave. Most non-exempt employees, with the exception of employees engaged in law enforcement, fire protection, or other public safety activities, are entitled to be paid one and one-half (1-1/2) times their regular hourly wage for any time worked over forty (40) hours per week. Time away from work due to a job-related injury, jury duty and bereavement leave, are not counted. However, vacation and sick time will be counted as hours worked for the purpose of computing eligibility for overtime pay. Employees will be advised when they are hired if they are entitled to overtime pay. (See Overtime Policy.)

### **RECRUITMENT**

When a position vacancy occurs, the Department Head shall notify the Town Manager stating the date of vacancy, position, title and other pertinent facts, which may be necessary.

When a Department Head wishes to establish a new position, they shall notify the Town Manager, in writing, stating the class/title, if such a class exists, or a job description when no such position is classified, and the reason for the request. No new position will be established without the approval of the Town Manager.

### **APPLICATION**

Application for employment with the Town must be filed on the available forms prescribed by the Town Manager. Such forms may require whatever information is deemed necessary and all applications must be signed by the applicant.

It is the policy of the Town that vacancies, except those filled by promotion or transfer, be advertised in at least one issue of a local newspaper. Applications shall be received for at least one week after the date of advertisement. All positions requiring Commercial licenses, other than emergency vehicle operators, for operation of equipment over 26,000 GVW must meet the Federal Motor Carrier Safety Regulations. The Federal Motor Carrier Safety Regulation handbook is available at the Personnel Department.

The Town relies upon the accuracy of information contained in each employee's employment application, as well as all other information presented throughout the hiring process and employment. Any misrepresentation, falsification, or material omission in any of this information may result in exclusion of the individual from further consideration for employment or, if the person has been hired may result in termination of their employment.

### **APPOINTMENT**

Employment to fill a vacancy, which falls within the jurisdiction of the Town Manager following established recruitment policies.

The rate of pay at the time of employment will be at the minimum rate for that position unless the applicant has above normal qualifications for the position to be filled, in which case the Town Manager may, at their discretion, employ the applicant at a pay rate above the minimum rate.

If a former employee is rehired, no benefits will be carried forward from previous service. Prior to employment, all applicants must submit to and pass the Town's pre-employment physical examination if required or provide physical condition report as requested.

### **PROBATIONARY EMPLOYEE**

Appointments by the Town Manager for all personnel shall, in the first instance, serve in a probationary status for six (6) months, except for police department personnel whose probationary period shall be six (6) months in length commencing after graduation from the Police Academy and not to extend beyond one (1) year from date of hire. At all times, both during and after the probationary period employment with the Town remains at-will. At-will employees are not guaranteed continued employment for the full length of the probationary period, nor for any length of time thereafter. An employee becomes a full-time employee upon successful completion of a probationary evaluation involving the Department Head, Town Manager and the employee. At the discretion of the Town Manager, or their designee, the probationary period may be extended an additional three (3) months. A probationary employee, after successfully completing the probationary period, shall be upgraded one step upon recommendation of the Department Head and approved by the Town Manager. Probationary employees are not entitled to the protection afforded regular employees under the "Discipline, Grievance Procedure," or "Termination" provisions of this Personnel Policy Manual. Probationary Employees, who, during the course of their employment, allege illegal discrimination, shall be entitled to engage in the "Grievance Procedure" as set forth in this manual.

### **CLASSIFICATION PLAN**

#### **1. PURPOSE**

The classification plan provides an inventory of positions in the Town service and a position description for each class of employment. The arrangement of the classification is indicative of a

range of duties and responsibilities that fall within the same pay grade through the Classified Plan. The plan provides for a normal promotional sequence within and between classifications.

## 2. MAKE-UP OF CLASSIFICATION PLAN

Grouping and classes of positions which are approximately equal in difficulty and responsibility, which call for the same general qualifications and which can be equitably compensated within the same range of pay under similar working conditions.

## 3. USE OF THE CLASS JOB DESCRIPTION

Job descriptions are to be interpreted in their entirety and in relation to others in the classification plan. Job descriptions are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed.

## 4. USE OF CLASS TITLES

The Class Titles set forth in the classification plan shall be the official titles, designating the several classes and shall be used to designate such positions in all office records, vouchers payroll and communications concerning personnel. No person shall be appointed to, or employed in, a position in the classification service under a Class Title, which has not been approved by the Select Board as appropriate to the duties performed.

## **PAY PLAN**

### 1. PREPARATION

The Select Board shall adopt a uniform and equitable pay plan for the classification service upon recommendation by the Town Manager which shall consist of a minimum and maximum rate of pay for each class or position and other in-between rates as they consider necessary or equitable. Salary ranges shall be tied to the classification plan and will be determined with due regard to ranges of pay for other benefits received by employees, the financial policy of the Town and other economic consideration.

### 2. ADOPTION

The Pay Plan shall be adopted by the Board of Selectmen. After adoption by the Board, no position shall be assigned a higher salary than the maximum or lower than the minimum salary provided for the class of position unless the Salary Schedule for the class is changed. Adoption of the Pay Plan is a result of adoption of the budget that includes pay adjustments.

### 3. AMENDMENTS

Amendments to the salary plan may be made by the Select Board upon recommendation by the Town Manager, when changes in responsibility, work of class titles, rates of pay, the Town's financial position and policies, or other information warrant such action.

### 4. ADMINISTRATION

- Appointment Rates:

The minimum rate of pay for a class shall normally be paid upon appointment to the Class. Appointment rates above the minimum rate may be paid with the approval of the Town Manager. Justification for approval will be recognition of exceptional qualifications or experience of the appointee. Lack of qualified persons at the minimum rate may also justify the appointment rate. If a former employee is re-employed, the Town Manager may make an appointment at the same rate of pay, which the employee had been receiving at the termination of his previous service.

- **Salary Increases:**

Salary adjustment within established ranges in the approved budget shall not be automatic, but shall be based upon merit as recommended by the Department Head and approved by the Town Manager. Said salary adjustments shall be subject to Section 3 above. The Department Head shall conduct performance reviews with each employee at least once a year. Department Heads performance will be reviewed by the Town Manager annually. The evaluation will be reviewed with the employee. The evaluation shall be in writing and a copy shall be placed in the employee's personnel file. Promotions from one job classification to another may be made by the Town Manager at any time, subject to a six-month probationary period.

- **Transfers, Demotions or Adjustments:**

It may be necessary at times for employees to be transferred, demoted or an adjustment made throughout the Town Departments due to staffing needs, most effective use of personnel, inability to handle position responsibilities or discipline. Employees are to be trained on any new responsibilities a new position would require. Once an employee successfully completes that training, the employee will receive the same step amount as the previous grade position.

### **PERFORMANCE EVALUATIONS**

In order for employees to improve performance and better understand the Town of Meredith's expectations, the performance of employees will be periodically reviewed. Employees will generally receive performance evaluations from their Supervisor or Department Head during or at the expiration of the probationary period and yearly thereafter. However, job coaching is a continuing process throughout the course of employment, and employees may meet with supervisors or Department Heads to discuss performance more frequently.

The employee and Supervisor or Department Head will discuss the employee's performance evaluation, giving the employee the opportunity to understand the expectations of the employee's Supervisor or Department Head and to examine the employee's strengths, as well as areas in which the employee needs to improve. The employee and his or her Supervisor or Department Head will also discuss additional opportunities for professional growth at the Town of Meredith. The employee will have the opportunity to comment on and sign the evaluation. The employee's signature on the performance evaluation form indicates that the employee has seen the evaluation; it does not indicate agreement or disagreement with the content of the review.

An evaluation is not a contract or a commitment to provide a compensation adjustment, a bonus, or continued employment. Evaluations are only one of several factors that the Town of Meredith uses in connection with compensation, promotion, and retention decisions.

Employees will generally receive a verbal performance evaluation after ninety (90) days in a new position. Another performance evaluation will typically be conducted after six (6) months of service in the new position. Employees may be eligible for a pay increase in conjunction with the six-month evaluation, depending upon the circumstances.

### **PROMOTIONS, TRANSFERS & JOB POSTINGS**

The Town of Meredith strives to provide employees with the opportunity to make full use of their skills, interests and potential. To support employee growth and development, the Town will make every effort to promote or transfer qualified employees from within the Town, if possible, based upon the needs of the business and employees qualifications. Every effort is made to place

the employees in jobs that are best suited to their abilities. The Town may also recruit individuals from outside of the Town, depending upon the circumstance.

Employees who have at least twelve (12) months of service in their present position and who meet the qualifications of the open position are eligible to apply. Generally, in order to maintain stability, employees who have been working in their current position for less than one year, will not be considered for another position, unless the Town in its discretion, decides otherwise. However, a transfer or promotion initiated by the Town may take place at any time regardless of the employee's length of service in their present position.

Employees who are promoted shall complete a six month probationary period in their new position. Upon completion of this period, the employee shall receive a favorable review to remain in the position. Employees who do not shall either have their probation extended, be demoted if a similar position is available, or be subject to termination.

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### ***III. COMPENSATION AND HOURS OF WORK***

#### **REPORTING OF TIME WORKED**

It is important that time be accurately reported so that the employee is compensated for the hours that he or she works. Employees are required to record time using the Town's time management system. Falsification of time records could lead to disciplinary action, up to and including termination from employment. Operation of the time management system; including employees' responsibility to report all hours worked is detailed in the Town's Administrative Regulations.

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

Employees are informed as to their rates of pay and the pay period at the time that they are hired. Rates of pay are reviewed periodically and may be adjusted. If employees have any questions regarding their rate of pay, please see the Town Manager or the HR Coordinator.

Employees are paid on a weekly basis on Friday for all hours worked during the preceding calendar week. Please review your paycheck for errors. Any concerns regarding the accuracy of a paycheck should be brought to the attention of the Disbursement Accountant in Administrative Services immediately. Paychecks will be distributed to the employee only; paychecks which are not picked up by the close of business on Friday will be mailed to the employee's address on file.

#### **WORKWEEK/HOURS OF WORK**

1. The Town's workweek for pay purposes begins on Monday and ends on Sunday. The Town of Meredith's workweek begins on Monday at 12:00 a.m. (midnight) and ends on Sunday at 11:59 p.m. Because of the nature of our business, an employee's work schedule may vary depending on the job and department. When hired, supervisors will inform employees of hours of work.

2. Actual starting and quitting times vary from department to department and are established by the respective Department Head with approval of Town Manager. The workweek for regular full-time employees shall generally be either four (4) or five (5) days, out of seven (7) continuous days, forty (40) hours per week. The hours and days of work are subject to change depending on the circumstances of each department. The Town Manager has the authority to reduce hours of any position or employee within any of the departments within his/her administrative control. No employee shall be permitted to work more than sixteen consecutive hours within a twenty-four hour period.

After sixteen consecutive work hours have been completed by an employee, said employee shall be released from work duty for a period of not less than six hours. After said six-hour minimum release period, an employee may be recalled for additional work duty at the discretion of the department supervisor. Public Works shall be exempt according to the U.S. Department of Transportation Federal Motor Carrier Safety Regulations.

#### **OVERTIME**

Personnel shortages, peak workloads and other emergency situations may make it necessary for an employee to work beyond the regularly scheduled workweek. Any time worked in a workweek by most non-exempt employees over forty (40) hours will be paid as overtime.

Administration of Overtime – Except in emergency situations; such as snowstorms, fires, major accidents crimes, etc., Department Heads shall make written request for approval of overtime to

the Town Manager at least twenty-four hours in advance of the time overtime work is scheduled to begin. In emergency situations, overtime may be authorized by the Department Head.

Distribution of Overtime – To the extent possible, overtime will be distributed as evenly as possible among the employees qualified to perform the particular job to be accomplished during overtime.

Compensation – All employees except those designated as exempt from the provisions of the Fair Labor Standards Act shall be compensated for all hours actually worked in excess of forty (40) hours at a rate of one and one-half times their regular rate of pay. Effective January 1, 2007 vacation and sick time will be counted as hours worked. Exempt salaried positions are paid on the basis of job responsibility to accomplish the work assigned to the position regardless of the hours required to do the work. Exempt personnel may at the discretion of the Town Manager be paid additional compensation or be allowed time off (administrative leave) in circumstances where their job duties require them to work far more than their normal work hours. Salaried exempt employees doing Department of Justice Grant work, in addition to their salary for their regular job duties, will be paid 1.5 times an hourly rate, which is determined by dividing the exempt employee's weekly salary by 40 for all such hours spent on that work.

Call Outs – Nonsupervisory employees called out to perform emergency work on other than paid holidays shall be credited with not less than two (2) hours of work.

### **POLICE DETAIL POLICY**

The Detail rate paid to a Police Officer is a specified hourly rate approved by the Town Manager and Board of Selectmen. The designated rate will be paid to both full-time Police and Police Specials when a detail is worked regardless of the use of sick days, vacation days or holidays when a detail is worked. Detail hours are not included when calculating overtime pay. Administrative Services will request payment from a customer at the specified rate plus administrative costs and the use of a police vehicle.

### **PAYROLL DEDUCTIONS**

There are two categories of payroll deductions: those required by state or federal law and those authorized by the employee. Payroll deductions required by state and federal law include federal withholding, income tax, social security tax, and wage garnishments as required by law (i.e., child support payments, court ordered payments, IRS garnishments). If authorized in writing by an eligible employee, the Town of Meredith will also make additional deductions for health insurance and other purposes that are for the employee's benefit. Arrangement for these voluntary deductions may be made with the HR Coordinator. Please contact the Disbursement Accountant in Administrative Services with any questions about payroll deductions. Changes to payroll deduction require the completion of the appropriate, signed form.

### **REIMBURSABLE EXPENSES**

With prior approval by your Department Head or the Town Manager, legitimate expenses will be reimbursed by the Town of Meredith to the employee. The employee must submit receipts in order to reimburse the employee, consistent with relevant Administrative Regulations. See the Department Head with any questions as to what expenses may be reimbursed the employee.

**MEAL PERIODS**

No employee will be required to work more than 5 consecutive hours without being given the option of taking a 1/2 hour eating period, except if it is feasible for the employee to eat during the performance of his/her work and is permitted to do so. Please consult the Town's Administrative Regulations for specifics on meal and break periods.

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

Regular full time employees are eligible for the benefits listed in Article IV.

##### **HOLIDAYS**

The following holidays are observed by the Town of Meredith:

New Year's Day	January 1 <sup>st</sup>
Civil Rights Day	3 <sup>rd</sup> Monday in January
Washington's Birthday	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday in September
Columbus Day	2 <sup>nd</sup> Monday in October
Veteran's Day	November 11 <sup>th</sup>
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Day after Thanksgiving	4 <sup>th</sup> Friday in November
Christmas Day	December 25 <sup>th</sup>

Holidays are observed on the dates specified by the laws of the State of New Hampshire.

Holidays falling on a Sunday will be observed on the following Monday; holidays falling on a Saturday will be observed on the preceding Friday.

Full-time employees who do not work on holidays will be paid for the holiday at the regular straight time rate (except those absent without pay on authorized leave of absence). Regular straight holiday time paid for holidays shall be considered actual hours worked and shall be figured into overtime pay. Employees who work on holidays will be paid for the holidays, and time and one-half for hours worked, but in no case will such employees be credited with less than two (2) hours of work.

##### **VACATION**

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

All vacation leave is subject to approval by the Department Head and the Town Manager.

Regular full-time employees are eligible for paid vacation. Temporary employees, regular part-time employees or seasonal employees are not entitled to paid vacation time.

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

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

Vacation leave shall be accrued at the following rates for full-time employees beginning with their first full month of employment:

1. With less than five (5) years' continuous service, the employee earns eight (8) hours per month. If annualized, this equates to twelve (12) days per annum.
2. After five (5) years' continuous service, but less than ten (10) years continuous service, the employee earns ten (10) hours per month. If annualized this equates to fifteen (15) day per annum.
3. With ten (10) or more years' continuous service, employee earns twelve (12) hours per month. If annualized this equates to eighteen (18) day per annum.

Probationary employees may not take vacation time unless approved by the Town Manager.

Vacation leave shall be used at the rate of eight hours of paid leave for each normal workday from which the employee is absent. Vacation leave may be used in increments as desired by the employee and approved by their supervisor. Vacation leave may not be used in advance of accrual. Use of vacation leave at a particular time is contingent upon whether the employee's services can be spared at, and during the time requested, and therefore, is subject to approval by the employee's supervisor.

Employees shall submit their vacation requests as early as possible in the calendar year, and in any case, at least two weeks before a requested starting date. Supervisors shall approve vacation requests; to ensure that the remaining work force at all times will be adequate to cope with the expected work load. In cases where too many requests are made for a particular time for all to be approved, employees with the earliest request with sufficient accrued vacation leave shall be given preference.

An eligible employee who resigns, is discharged or retires will promptly thereafter receive the accrued, unused vacation allowance to which they have earned. In the case of eligible employees who die, accrued vacation will be paid as stated in the TERMINATION policy of this Manual. Paid vacation leave may only accumulate up to a maximum of two hundred forty (240) hours, and up to this maximum amount can be carried forward. Any amount of vacation accrued over 240 hours will be forfeited, and will not be paid under any circumstance.

### **SICK LEAVE**

Sick Leave is provided to cover an employee during illness. As such, it is a privilege and not a right. All sick leave is subject to approval by the Department Head and Town Manager.

Full-time employees shall accrue sick leave at the rate of eight (8) hours per month of service to the Town, to an annual total of twelve (12) days each calendar year. Unused sick days may be carried forward from year to year, but shall not exceed four hundred eighty (480) hours. Any amount of sick leave over 480 hours will be forfeited. Three (3) days of sick leave may be traded for one (1) vacation day up to a maximum of five (5) vacation days per year, but only after a bank of ten (10) sick days have been retained. On termination of employment for any reason other than disciplinary action or dismissal one-third (1/3) of an employee's accrued sick leave shall be paid to the employee at their current rate of pay. All unused sick days will be cancelled upon termination for cause.

- (a) Employees may take sick leave for the following purposes:
- 1) Personal illness,
  - 2) Serious illness of the immediate family where the employee's attendance is required. Such absence shall not be in excess of one (1) day except with the approval of the employee's supervisor and the Town Manager.
  - 3) Doctor, dental or other health care appointments for the employee or immediate family members for whom the employee is responsible.
- (b) Sick leave shall be charged in no less than one-half hour increments.
- (c) Department Heads or their designees have authority to grant sick leave for the purposes herein stated. A certifying statement from an examining physician may be required if there is a question concerning the legitimacy of the use of sick leave. Failure to provide such verification, if requested, may result in loss of pay for the leave taken. Further disciplinary action may also be taken. Unauthorized use of sick leave constitutes grounds for dismissal.
- (d) The Town reserves the right to require any employee who is ill or disabled and who desires to work to:
- 1) Furnish an examining physician's certification that the employee is able to perform the duties of the job, or
  - 2) To submit to a medical examination by a physician chosen by the Town and at the Town's expense, or both.

In order to receive pay for sick days, an employee must notify their Department Head, or designee, within one half hour after the normal start of the employee's work day, unless unable to do so.

Employees who do not report to work due to illness must contact their Supervisor on a daily basis relative to the need for and status of their absences, unless otherwise directed. Reporting of the absence to any employee other than the Supervisor will not be accepted as compliance with the daily reporting requirement.

Sick leave will not be approved by the Town Manager when it creates overtime within the pay week it is requested – the intent of this privilege is to ensure that employees who are sick receive a full week's regular pay.

A Sick Leave Bank option is available to regular employees. (See Administrative Regulation #15). This is available to new employees or during open enrollment each calendar year.

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

### **General Provisions**

Under the provisions of the Family and Medical Leave Act of 1993 ("FMLA"), employees of an employer who has at least 50 employees working within a 75 mile radius and who have worked for the employer for at least 12 months and at least 1,250 hours in the preceding 12-month period are entitled to FMLA leave. As of the date that this Manual was prepared, the Town of Meredith has at least 50 employees. Should the Town at any time have less than 50 employees FMLA

leave will no longer be available to Town employees. Employees entitled to FMLA leave are entitled to take an unpaid leave of absence of up to twelve (12) work weeks in the event of:

- (A) Birth of a child, in order to care for the child (leave must be taken within twelve (12) months of the birth of said child);
- (B) Adoption or foster care placement of a child in order to care for the child (leave must be taken within twelve (12) months of the adoption or placement);
- (C) A serious health condition of the employee's parent, spouse, minor child, or adult child when the ill person is not capable of self-care and the employee is needed for such care; or
- (D) A serious health condition of the employee which results in the employee's inability to perform his or her job.
- (E) Qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

An eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness is eligible to take up to a total of **26 workweeks** of **unpaid** leave during a "single 12-month period" to care for the service member.

The twelve (12) month period in which an employee can take up to twelve (12) work weeks of leave is defined as a "rolling" twelve (12) month period measured backward from the date an employee begins an FMLA leave. In other words, the number of weeks which an employee has available upon the beginning of a FMLA leave shall be twelve (12) weeks less the number of FMLA leave weeks taken in the twelve (12) month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee has taken eight (8) weeks of FMLA leave during the past twelve (12) months, an additional four (4) weeks of leave could be taken when a second leave is requested. If an employee used four weeks beginning February 1, 2006, four weeks beginning June 1, 2006, and four weeks beginning December 1, 2006, the employee would not be entitled to any additional leave until February 1, 2007. Beginning on February 1, 2007, the employee would be entitled to four weeks of leave, on June 1, 2007, the employee would be entitled to four additional weeks, if the employee had met all other requirements of this leave.

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

When an employee requests any leave of absence that qualifies as leave under the FMLA, the Town of Meredith may designate such leave as FMLA leave upon written notification to the employee.

### **Status of Employee Benefits**

While on FMLA leave, employees may continue to participate in the Town of Meredith's group health insurance in the same manner as employees not on FMLA leave. In the event of unpaid FMLA leave, an employee shall pay to the Town of Meredith the employee's share of any medical insurance premiums once per month in advance on the first day of each month. In the event that the employee elects not to return to work upon completion of a FMLA leave of absence, the Town of Meredith may recover from the employee the cost of any payments to maintain the employee's medical coverage, unless the employee's failure to return to work was for reasons beyond the employee's control. Benefit entitlements based on length of service and work hours will be preserved at the level earned as of the commencement of FMLA leave, but will not accrue further during FMLA leave except for any time of FMLA leave during which the employee is concurrently using paid sick or vacation leave. On return to work following FMLA leave the employee will return at the level and with benefits available to them when the leave began, or at the level and amount when concurrent paid leave ended in applicable.

### **Basic Regulations and Conditions of Leave**

The Town of Meredith may require medical certification to support a claim for FMLA leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. For the employee's own medical leave, the certification must include a statement that the employee is unable to perform the functions of his or her position. For FMLA leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. At its discretion, the Town of Meredith may require a second medical opinion and periodic re-certifications at its own expense. If the first and second opinions differ, the Town of Meredith, at its own expense, may require the binding opinion of a third health care provider, approved jointly by the Town of Meredith and the employee.

### **Notification and Reporting Requirements**

When the need for FMLA leave is foreseeable, such as the birth or adoption of a child, or planned medical treatment, the employee must provide reasonable (at least 30 days) prior notice, and make efforts to schedule leave so as not to disrupt Town of Meredith operations. In cases of illness, the employee will be required to report periodically on their FMLA leave status and intention to return to work. At the expiration of any FMLA leave due to the employee's own illness, the employee must present a written authorization from his or her doctor stating that the employee is ready to return to work and perform their job duties.

### **Procedures**

(A) A Request for FMLA leave must be submitted to the Town Manager. Unless the leave is for a situation for which the employee did not know in advance of the need for leave, the request must be submitted on the Town's FMLA request form a minimum of thirty (30) days in advance of the effective date of the FMLA leave.

(B) All requests for FMLA leaves of absence due to illness should include the following information to be supplied by the treating medical provider: 1) the date on which the serious health condition commenced; 2) the probable duration of the condition; and 3) the

appropriate medical facts within the knowledge of the health care provider regarding the condition. In addition, for purposes of FMLA leave to care for a child, spouse, or parent, the request should give an estimate of the amount of time that the employee is needed to provide such care. For purposes of FMLA leave for an employee's illness, the request must state that the employee is unable to perform the functions of his or her position. In the case of certification for intermittent FMLA leave or FMLA leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment must be stated.

### **Return to Work**

At the end of FMLA leave an employee will be reinstated to his/her former job position, or an equivalent position except as otherwise allowed by the FMLA, such as an exempt employee who is among the highest paid ten percent of Town of Meredith employees and keeping the job open for the employee would result in substantial economic injury to the Town of Meredith, reinstatement can be denied at the end of the leave period.

If an employee takes leave because of his/her own serious health condition, the employee will not be reinstated until he or she provides a fitness for duty certification from his or her health care provider confirming that the employee is medically able to safely resume work and perform the essential functions of his or her job. The Town has health care provider return to work certification forms available for employees. The Town reserves the right to clarify and authenticate such certification.

### **Coordination with Other Town of Meredith Policies and other FMLA Terms and Conditions**

In the event of any conflicts between this policy and other Town of Meredith policies, the provisions of this policy shall govern.

The FMLA contains many limitations and qualifications for entitlement and governance of FMLA leave not stated herein. The terms of the FMLA are incorporated herein and will be applied in all instances of requested or designated FMLA leave.

### **MATERNITY LEAVE**

To the extent required by New Hampshire law, employees are entitled to a leave of absence for any period of temporary physical disability they experience resulting from pregnancy, childbirth or related medical conditions. When an employee is physically able to return to work, her original position or a comparable one will be made available to her unless business necessity makes this impossible or unreasonable. This leave runs concurrent with any other time-off available to an employee, paid or unpaid, and an employee must use any such other time-off current with this leave.

### **AUTHORIZED ABSENCES WITHOUT PAY**

The Town Manager, at his/her discretion, may grant a leave of absence without pay for a period not to exceed one (1) year. Except in unusual circumstances, such absences will be for the purpose of tending to personal affairs during short periods which the employee is unable to cover with accrued paid vacation leave, or to cover absences resulting from bona fide sickness or other physical disability which the employee cannot cover with accrued paid ordinary leave or sick leave.

For such absences of thirty (30) calendar days or less, the employee will continue to accrue paid leave and sick leave credits and health and life insurance benefits will remain in effect. For such absences of thirty-one (31) calendar days or more, accrual of paid vacation leave and sick leave credits shall be suspended, and health and life insurance will be cancelled unless allowance of continuation is allowed or required by law and is paid for in advance by the employee, until the first full calendar month after return to work.

There will be no payment for longevity for the year in which such leave commences; however, for the purpose of establishing and maintaining eligibility for longevity, the employee's service shall be considered to be continuous.

#### **AUTHORIZED ABSENCES WITH PAY**

Days of authorized leave with pay, may only be approved by the Town Manager.

#### **UNAUTHORIZED ABSENCES**

An absence of any employee from duty for a single day or part of a day that is not authorized by a specified grant of a leave of absence under the provisions of these regulations, will be deemed to be an absence without leave. Any such absence shall be without pay and may be subject to disciplinary action. Any employee who absents themselves for three (3) consecutive days without leave shall be deemed to have resigned.

#### **MILITARY LEAVE**

Leaves of absence and re-instatement rights will be granted to employees who enlist, are drafted, or are recalled to active service in the armed forces of the United States in accordance with the Federal Uniform Services Employment and Reemployment Rights Act ("USERRA").

If an employee is in the military reserve, he or she will receive required time off to complete training and drill obligations. Employees must present a copy of their official orders or instructions to the Town Manager. This information shall be made a part of the employee's permanent personnel record.

Advance notice of military service is required, unless military necessity prevents such notice from being given in advance. To the extent possible, employees should schedule military duty time at a time when their absence will be least disruptive to the Town. A military leave of absence will be unpaid except to the extent an employee elects to use accrued vacation time.

The rate of pay and other benefits of the employee on return from the military leave of absence will be same as if the employee had worked continuously with the Town of Meredith in the job held when such special leave was granted.

Employees must notify the Town Manager of their availability to return to work in compliance with the USERRA.

The Town of Meredith reserves the right to place another employee in vacated position for the duration of the military leave of absence. Every effort will be made to return the returning employee in their previous position. If this is not possible, the employee will be placed in a position with comparable status, pay and responsibility.

#### **BEREAVEMENT LEAVE**

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

In the event of the death of a member of a regular full-time employee's immediate family, the Town of Meredith provides up to three (3) days paid time off. The three workdays usually include the day before the funeral and a day after. "Immediate family" includes spouse, children (natural or adopted), stepchildren, parents, parents-in-law, brothers, sisters, stepparents, stepbrothers, stepsisters, grandparents, and grandchildren of the employee.

Additional unpaid time off due to bereavement may be granted for a specified and limited period of time with the approval of the Town Manager. Employees seeking such additional unpaid time off must demonstrate the need for the time off.

In the event that an employee is on paid vacation at the time of the death of the relative, the bereavement leave will not be charged against your vacation credit. Additional vacation days may be granted to compensate for those days used as bereavement leave.

### **JURY DUTY LEAVE**

The Town of Meredith considers it a civic duty to serve on a jury if summoned and will grant employees leave in order to serve on a jury. Employees summoned for jury duty will be paid their regular rate of pay. The employee must turn into the Town the pay provided by the government for jury service excluding mileage. The employee must show the jury summons to their Department Head as soon as the notice is received.

While serving on a jury, employees are expected to call your Supervisor daily to advise them of their status. In addition, employees are expected to return to their job if they are excused from jury duty during your regular working hours.

### **ADMINISTRATIVE LEAVE**

The Town Manager may excuse employees from duty for short periods of time with pay and without charge to leave. Examples would be extreme weather conditions, disaster and days of national mourning or celebration. This additionally may be granted to exempt employees as a result of extensive work requirements.

### **CRIME VICTIM LEAVE**

Employees who are victims of crimes or are immediate family members of certain crime victims are entitled to time off to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee:

- Was a victim; or
- Is part of the immediate family of a homicide victim; or
- Is part of the immediate family of a child under the age of 18 who was a victim; or
- Is part of the immediate family of an incompetent child who was a victim.

A victim is someone who suffers direct or threatened physical, emotional, psychological or financial harm as a result of the commission or attempted commission of a crime. Immediate family is defined as the father, mother stepparent, child, stepchild, sibling, spouse, grandparent or legal guardian of the victim, or any person involved in an intimate relationship and residing in the same household.

To qualify for leave under this law, an employee must provide the Town of Meredith with copies of written notices of hearings, conferences, and meetings the employee must attend as part of the criminal proceedings.

The Town of Meredith is not required to pay employees for time away from work under this law; however, the use of accrued time may be approved by the Town Manager.

### **SAFETY PERSONNEL LEAVE**

When the Governor or the General Court of New Hampshire declares a state of emergency under NH RSA 4:45 any employee who is a member of a fire department, rescue squad, or emergency medical services agency who is called into service of the state or a political subdivision for the emergency shall be entitled to leave without pay to respond, unless the Town certifies that the employee is essential to the Town's own emergency or disaster relief activities. An employee may, but is not required to, use any vacation time they have available during their emergency service leave.

### **LONGEVITY**

Upon completion of five (5) years of service with the Town of Meredith as a full-time employee (including any probationary period), an employee shall be entitled annually to One Hundred Fifty Dollars (\$150.00) longevity pay; upon completion of ten (10) years of such service, he or she shall be entitled annually to Three Hundred Dollars (\$300.00) longevity pay; upon completion of fifteen (15) years of such service, he or she shall be entitled annually to Four Hundred Forty Dollars (\$440.00) longevity pay; upon completion of twenty (20) years of such service, he or she shall be entitled annually to Six Hundred Dollars (\$600.00) longevity pay; upon completion of twenty-five (25) years of service, he or she shall be entitled to One Thousand Dollars (\$1,000.00) longevity pay.

Entitlement commences in the calendar year in which the required service is completed and is continuous until the calendar year in which the employee qualifies for a higher entitlement or terminates service with the Town.

Normally, longevity pay will be paid on the first pay period in the month following the month of the employee's anniversary date and will only be paid if the employee remains employed by the Town at the time of payment.

### **TUITION REIMBURSEMENT**

Courses which are a requirement of the employee's job position shall be paid for entirely by the Town. Courses which are related to the job, but are not required are also eligible for a tuition refund by the Town within the limits of the employee's department's budget up to; Grade A 100%, Grade B 75%, Grade C 50% refund.

All courses must be approved in advance by the Town Manager, satisfactorily completed, and upon completion proof of payment and satisfactory completion must be presented to the Town Manager to be eligible for reimbursement under this policy.

Tuition reimbursement shall be for full time employees only. If an employee separates service with the town within 6 months of reimbursement, the employee will return 100% of the reimbursement to the Town.

When a course is paid for in whole or in part through a Federal or State program, then the Town will not reimburse for such amount, it being the intent to eliminate double payment for a course.

### **MEDICAL BENEFIT PLAN**

Details concerning the health insurance plan may be obtained from the Town Manager or the HR Coordinator.

**Effective January 1, 2007** two options of health coverage will be offered; a HMO plan and a PPO plan. The Town of Meredith will provide HMO health insurance coverage at no cost to the regular full-time employees and regular part-time employees working 30 hours or more, who were hired prior to September 1, 2011. The cost share for dependent coverage shall be 15% of the cost of the HMO plan after the single employee share is paid, (15% cost share of the HMO will be applied to the remaining cost.) The employee will pay any additional costs of the PPO plan.

Effective September 1, 2011; all newly hired full time employees shall pay 25% of the total cost of the HMO plan selected, if an employee selects the PPO plan then they shall pay the additional costs for said plan.

The Town of Meredith offers an Opt-Out benefit for employees who have health coverage through other means. The Opt-Out amount of \$2,500 is paid on a weekly basis (\$48.08) as long as the employee does not partake in the health insurance coverage through the Town. The employee must provide proof of alternative health coverage. Said Opt-Out is a taxable benefit.

### **DENTAL PLAN**

The Town of Meredith provides all full-time employees who have met the eligibility requirements of the dental plan with dental insurance coverage. Coverage for dependents is also available at the employee's expense. Details regarding this plan may be obtained from Town Manager or the HR Coordinator Effective September 1, 2011 all newly hired full-time employees shall pay 25% of the total cost of their Dental Insurance.

### **CONTINUATION OF GROUP HEALTH INSURANCE**

The Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage at group rates in certain instances where coverage under the plan otherwise would end. Please contact the Town Manager or HR Coordinator for more details regarding COBRA.

### **RETIRED PERSONNEL**

Retired personnel may continue to carry their Health Insurance through our group insurance program. They must remit full payment monthly for this benefit. Retired personnel for the purpose of this section shall mean those employees who have retired and are receiving retirement benefits from the New Hampshire Retirement System.

### **WORKERS' COMPENSATION**

The Town of Meredith pays a premium for Workers' Compensation insurance for all employees. This insurance coverage protects employees from a loss of income and pays medical expenses, resulting from a workplace accident or injury. Employees are required to report all work-related injuries to the Town Manager or the HR Coordinator immediately.

Employees with work-related injuries may be entitled to temporary alternative duty in accordance with the New Hampshire Workers' Compensation law. In New Hampshire, an injured worker is entitled to worker's compensation for injuries and medical conditions that arise out of an exposure at work. Claims are divided into two categories:

1. Medical Only Claims: Any claim with no time lost from work or any claim in which the lost time is less than three days.
2. Lost Time or Indemnity Claims: Any claim where the injured worker is out of work for more than three days.

When a worker is injured, they receive no wage replacement benefit for the first three days of disability. The employee may use accrued sick leave in order to make their paycheck "whole". If the disability is greater than fourteen days, then the waiting period is waived. Worker's Compensation benefits are based on 60% of the employee's average weekly wage.

Employees with non-work-related injuries or other physical or mental impairments who require accommodations to perform their jobs should make any accommodation requests to the Town Manager. The Town of Meredith will consider the request in accordance with its Americans With Disabilities Act policy.

Worker's Compensation is not a leave benefit. Employees who are not able to work must use available leave, or if none is available should apply for leave under the Town's Authorized Absence Without Pay leave policy in this Manual.

### **UNEMPLOYMENT INSURANCE**

The Town of Meredith pays into the unemployment compensation fund established by the State of New Hampshire. Individuals laid off from employment by the Town of Meredith may be eligible for unemployment compensation benefits through the New Hampshire Department of Employment Security.

### **SOCIAL SECURITY**

Social Security is a payroll deduction representing employees' contribution to the Federal Government's Social Security Program. The Town of Meredith also contributes money on the employees' behalf to the Social Security Program for regular employees. Sworn Police personnel and Fire regular full-time employees are exempt.

### **LIFE INSURANCE**

The Town of Meredith provides Life Insurance in the amount of twenty thousand dollars (\$20,000) for each full-time employee until age 65, which then reduces to thirteen thousand (\$13,000) until age 70, which then reduces to ten thousand dollars (\$10,000). Coverage begins on the first day of the month following appointment or as soon as the employee can be added to the Town's policy.

### **NEW HAMPSHIRE RETIREMENT SYSTEM**

At the March 11, 1969 Town Meeting, the Town of Meredith voted (as required by State Law) in the affirmative to include full-time employees of the Town in the New Hampshire Retirement System to be effective January 1, 1969. This vote made it mandatory for all full-time employees employed with the Town of Meredith to participate.

Group I employees consist of all employees other than Fire and Police. They are required to join the retirement system immediately upon employment with the Town.

Group II employees consist of Police and Group III employees consist of Fire. These employees are required to join the retirement system immediately upon employment with the Town.

A percentage of the employee's gross earnings are deducted weekly from the employee's paycheck and are submitted monthly to the system by the Town. The Town of Meredith submits, at the same time, a percentage towards each employee's retirement fund. Each group's percentages are available at the Payroll Office. All percentages are designated by New Hampshire Retirement System.

Upon termination of employment from the Town, a form provided by the New Hampshire Retirement System is available at the Town Manager's Office or on line at [www.state.nh.us/retirement/](http://www.state.nh.us/retirement/) for the return of accumulated contributions made by the employee. This form must be filled out by the employee, signed by the Town Manager or the HR Coordinator and mailed by the employee.

### **DEFERRED COMPENSATION PLAN**

The Town of Meredith has a 457 Savings Plan available to regular full-time employees. Employees opting to participate may make payroll-deducted contributions to the Plan by designation or wages up to the allowable maximum.

### **CREDIT UNION**

The Town of Meredith participates with a Credit Union. Employees of the Town are eligible to become members. Savings and loan payments may be made through payroll deduction.

### **DIRECT DEPOSIT**

The Town of Meredith provides direct deposit for employees in up to three (3) banks.

### **FLEXIBLE BENEFIT PROGRAM**

The Town has a Flexible Benefit Program for employees. Employees participating in this program have a specified amount deducted from their gross pay, before federal, state, Social Security and federal unemployment taxes which they can use for eligible medical and/or dependent care expenses in accordance with Section 125 of the Internal Revenue Code. Details regarding this plan may be obtained from Town Manager or HR Coordinator.

### **COMPUTER PURCHASE**

Computers may be purchased through the Town and a payroll deduction plan implemented. See Administrative Services for details.

## **V. ON THE JOB**

### **ATTENDANCE**

Every employee is a valuable and contributing member of the Town of Meredith. Regular attendance is important to our success and efficiency. We must be able to depend on our employees to report to work regularly and on time.

Every employee is expected (1) to work all scheduled hours; (2) to report for work on time; and (3) to work until the end of the work period.

Excessive absence, being late, and quitting early, are grounds for disciplinary action, including separation from employment. If employees are absent or late for work, they must contact their supervisor either orally or in writing, up to one-half hour after starting time, to explain why they will be absent or late and how long they expect to remain absent. An employee who fails to call in on the day of an absence, or does not have an excuse for calling in late, may be subject to disciplinary action, up to and including termination. If employees are absent from work for more than one day, they are required to call in on each day of absence, unless the employee has submitted a doctor's note indicating that they will be absent from work on that day.

Unless there are extenuating circumstances, an employee will be considered to have resigned from the Town of Meredith if no notification is received within three (3) consecutive working days from the beginning of the absence. Before returning to work, an employee who is absent three (3) or more consecutive workdays due to illness may be requested to submit to their supervisor a doctor's release to work slip.

### **CONFIDENTIALITY**

Employees are expected to respect the confidentiality of information received during the course of employment with the Town of Meredith.

### **CELL PHONES/PORTABLE COMMUNICATION AND INFORMATION DEVICES**

The Town may provide cellular telephone, pagers and/or other portable electronic communication and information devices to some employees as business tools. Any such device provided by the Town is subject to the TOWN OF MEREDITH EQUIPMENT, TELEPHONE,

FACSIMILE, E-MAIL AND INTERNET USE policy below, and as stated therein employees should have *no expectation of privacy* in their use of any of these devices.

These communication/information devices, whether or not provided by the Town may not under any circumstances be used while driving or engaging in any other activity which requires full attention. Employees should not use cellular telephones, or any other insecure communications system to communicate any confidential or proprietary information. And, at no time should any of these devices be used by an employee to record anyone/thing or any conversation in the workplace without their consent.

#### **TOWN OF MEREDITH EQUIPMENT, TELEPHONES, FACSIMILE, E-MAIL AND INTERNET USE**

All electronic and telephonic communication systems and all communications and information transmitted by, received from, or stored in Town of Meredith equipment and systems are the property of the Town of Meredith and as such are to be used solely for job-related purposes. All electronic information and communication systems of the Town are intended to be used for job related purposes. Use of these systems for personal use is strongly discouraged. However, incidental and occasional brief personal use is permitted on an "absolutely necessary" basis. Such use should be on personal time. In addition, employees should be aware that such communications are not private and shall be treated in the same manner as all other messages in accordance with this policy. Under no circumstances should any of these systems be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

Use of any electronic communication devices, voice mail, or computer systems belonging to the Town is not private. The Town reserves the right to access, audit, read, review, monitor, use and disclose any and all information and messages on these systems, whether pass worded or not, at any time for any reason, without notice, permission or any other restriction. These systems should be considered by employees as accessible as any other shared business file. In addition, all uses of these systems are subject to disclosure to law enforcement and/or government officials. ***For these reasons, employees should not have any expectation of privacy in their use of the Towns electronic communication systems, including e-mail and voice mails, even when using a private password.***

Employees are prohibited from receiving, sending, viewing and/or downloading any messages or information on these systems that is discriminatory, offensive, harassing, embarrassing, intimidating, destructive, or offensive to others or in any way may be deemed illegal or fraudulent. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. Employees are prohibited from accessing, reading, using and disclosing electronic, voice mail or any other information not intended for their review or receipt.

Employees are not permitted to use a code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from the Town Manager. All pass codes are the property of the Town of Meredith. No employee may use a pass code that has not been issued to that employee or that is unknown to the Town of Meredith. Moreover, improper use of the e-mail system (e.g., spreading offensive jokes or remarks) will not be tolerated. Employees who violate this policy are subject to disciplinary action, up to and including separation from employment.

The Town purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Town does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Town prohibits the illegal duplication of software and its related documentation.

Unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

To ensure that the use of electronic and telephonic communications systems and business equipment is consistent with the Town of Meredith's legitimate business interests, and to ensure quality service to our customers, authorized representatives of the Town of Meredith may monitor the use of such equipment from time to time. See Administrative Regulations for procedural information.

### **SOCIAL NETWORKING AND BLOG POSTINGS**

Postings on social networking sites such as Twitter, Facebook, MySpace and YouTube, as well as on blogs have become a common activity of many individuals. The Town neither encourages nor discourages any of its employees from posting on social networking sites or blogging on their own time, using their own equipment. However, employees should be aware that these postings are public; even if access to them is restricted they may be forwarded out of the restricted group by those who have rightful access, and live on virtually forever. Even if a posting is taken down it never truly disappears but rather continues to exist somewhere in cyberspace. Employees need to be mindful of potential damage to their own reputation and interests as well as the reputations and interests of the Town, co-workers and the entities and individuals we serve that can occur from such postings.

Should employees chose to blog or participate in any social networking site on his or her own time, using his or her own resources and equipment; employees are required to follow the following guidelines:

1. Never disclose any confidential information of the Town or any entity or individual the Town serves.
2. Postings must not violate any laws or Town policies, including but not limited to harassment, violence, pornography or infringement on the privacy rights of co-employees or any entity or individual the Town serves.
3. Never defame the Town, co-employees or any individual or entity the Town serves.
4. Should employees reference the Town in any way, including stating that he or she is employed by it, employees must state that "The postings on this

site are my own and do not necessarily represent the opinions or positions of my employer.”

5. Do not use Town of Meredith e-mail address.
6. Unless part of the employee’s job responsibilities, do not access any social media sites while at work, or with Town-owned property. There is to be no use of social media while on work time or using Town property.

**Conduct that violates this or any other policy of the Town may be subject to investigation and/or discipline regardless of whether such conduct occurred away from work or on non-work time.**

### **COMMUNICATIONS**

Good communication is vital for efficient and effective operations. Bulletin boards are maintained within each Town facility to bring to the attention of employees any matters relating to federal and state regulations, safety and health, Town of Meredith policies and announcements. No notices, posters or other material may be displayed on these boards without the approval of the Town Manager. All employees are urged to check these boards daily.

Furthermore, all employees are provided with a Town of Meredith email account, and are expected to check said email consistent with Administrative Regulations as most employment related information is transmitted through said email account.

Failure to read emails / bulletins will not serve as an excuse for violations of policies.

### **PERSONAL DRESS and HYGIENE**

Discretion in style of dress and behavior is extremely important to the Town of Meredith. Employees are therefore required to dress in attire safe and appropriate for their positions. Work clothing worn by employees must not be torn, must meet safety requirements, and must not contain inappropriate language or graphics. Employees must use good judgment in their choice of work clothes and hygiene; and please remember to conduct themselves at all times in a way that best represents the employee and the Town of Meredith. Any questions regarding appropriate dress for specific departments should be addressed to the Town Manager.

### **SNOW DAYS**

Employees generally are expected to report to work during inclement weather. However, there may be occasions on which the Town of Meredith will have a delayed opening or be closed due to severe inclement weather. Employees should contact the Town main telephone at 279-4538; listen to WLKZ or tune into TV channel WMUR (9) for information as to whether the Town of Meredith will be open for business. Essential personnel must adhere to departmental procedures.

### **SOLICITATIONS**

No solicitation of any kind is permitted during working time, unless first approved by the Town Manager. “Solicitation” is defined as requests for contributions, donations, raffles, lotteries, and membership in organizations, attendance at events, or other similar conduct. “Working time” is defined as time during which the employee is scheduled to be working, exclusive of established

break periods, meal times, or time before or after work hours. This rule applies to solicitation for both charitable and non-charitable causes.

No distribution of any non-work-related written materials is permitted in any work area at any time, unless first approved by the Town Manager. "Work areas" are defined as any Town of Meredith office or facility including email transmissions, other than designated break areas. Absent prior approval by the Town Manager, employees may solicit or distribute materials only during break time or outside of scheduled work hours.

Persons not employed by the Town of Meredith are prohibited from distributing materials or soliciting employees on Town of Meredith premises at any time, unless authorized by the Town Manager.

### **MOTOR VEHICLE VIOLATIONS**

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

### **TOWN OF MEREDITH PROPERTY**

Town of Meredith's property of any type or value shall not be used or removed from Town of Meredith premises' without written authorization of the Town Manager. All Town of Meredith equipment, memoranda, records, communications, computer data, disks, or other documents made or compiled by employees or made available to employees in connection with the business of the Town of Meredith shall be delivered to the Town of Meredith promptly upon your termination or at any other time upon request.

### **TOWN OF MEREDITH SECURITY**

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

### **CODE OF PROFESSIONAL CONDUCT AND ETHICS**

The Town of Meredith expects that all of its directors, officers and employees will maintain the highest ethical standards in the conduct of all Town business. It is the intent of this Code of Professional Conduct and Ethics that all directors, officers and employees will conduct the Town's business with integrity and will comply with all applicable laws and Town policies in a manner that focuses on the Town's best interests and excludes consideration of personal advantage or gain.

This Code of Professional Conduct and Ethics applies to all Town employees.

Given the complexity of ethical questions that may arise in the course of business, this Code of Town Conduct and Ethics offers guidance only. If confronted with ambiguous ethical situations, then we should remember the Town's commitment to the highest ethical and moral standards and should seek advice from each other and from Management to ensure that all actions are taken in furtherance of the Town's commitment to these principles. Specifically, Department Heads should seek guidance from the Town Manager and all other employees should seek guidance from their Department Head – if the Department Head is unable to present said guidance then the employee shall be referred to the Town Manager for guidance.

### **Fair and Ethical Dealing**

Town employees shall behave honestly and ethically at all times. The Town bases its relationships with suppliers, the public and employees on fair and ethical practices. Accordingly, all employees should endeavor to deal fairly and ethically with suppliers, the public and employees. No employee shall take unfair advantage of anyone through manipulation, concealment, abuse of privileged information, misrepresentation of material facts, or any other unfair or unethical practice.

### **COMPLIANCE WITH LAWS, REGULATIONS POLICIES AND ESTABLISHED PROFESSIONAL STANDARDS.**

In conducting the business of the Town, employees will respect and comply with all applicable federal, state, local, and international laws, rules and regulations at all levels of the government in the United States

All employees shall communicate to the Town's independent auditors all relevant information and professional judgment or opinions, furthermore, employees shall not knowingly conceal or falsify information, misrepresent material facts, or omit material facts to mislead the Town's independent auditors.

In addition, Department Heads shall adhere to the code of ethics or professional standards that is established and maintained by their respective professional organization (example: ICMA, GFOA).

### **General Principles and Standards**

To summarize the important points of this Code and provide more specific guidance, it should be clear that all employees of the Town are required to adhere to the following standards and principles:

- Avoid the intent or appearance of unethical or compromising practices in relationships, actions and communications.
- Refrain from any private business or professional activity that would create an actual or potential conflict between personal interests and the interests of the Town.
- Refrain from soliciting or accepting money, loans, credits, discounts, gifts, entertainment, favors, or services from present or potential suppliers, or anyone else that might influence, or appear to influence decisions.
- Handle confidential information belonging to the Town and our customers with due care and proper consideration of ethical and legal ramifications and governmental regulations.

- Promote positive relationships through courtesy and impartiality in all phases of service delivery.
- Know and obey the letter and spirit of laws governing all functions of the Town, and remain alert to the legal ramifications of your actions.

### **Compliance with the Code of Conduct and Ethics**

This Code of Conduct and Ethics applies to all Town employees. Any employee who violates this Code shall be subject to disciplinary action up to and including dismissal. The appropriate disciplinary action will be determined after a review of the circumstances and with the goal of preventing and correcting any violations of this policy and making clear that violations will not be tolerated or condoned.

In addition to disciplinary action against any employee who violates this Code, disciplinary action may also be taken against individuals who authorize a violation of this Code, who deliberately fail to report violations of this Code, who deliberately withhold relevant information regarding violations of this Code, and those who manage or supervise a violator to the extent that the circumstances of the violation reflect inadequate leadership or lack of diligence.

### **Reporting Non-Compliance With the Code or Other Ethical Concerns**

If any employee has knowledge or is suspicious of any noncompliance with any section of this Code or is concerned whether a circumstance could lead to a violation of the Code, then they should immediately discuss the situation with their Department Head or with the Town Manager. The Town will not tolerate any retaliation against an employee who acts in good faith in reporting any violation or suspected violation of this Code. Any individual who believes that he or she has been retaliated against for reporting a violation or suspected violation of this Code should immediately report the matter to the Town Manager.

### **CONFLICT OF INTEREST**

The Town's employees have an obligation to promote the best interests of the Town at all times. A conflict of interest occurs when a person's private interests interfere in any way with the interests of the Town. Town personnel should avoid any action that may involve a conflict of interest with the Town's activities.

Employees and their relatives should not have any undisclosed, unapproved financial or other business relationships with suppliers, vendors, consultants or contractors of a nature that might impair the independence of any judgment they may need to make on behalf of the Town.

Concurrent or outside employment can also pose actual or potential conflicts of interest. If any employment other than that with Town interferes in any way with assigned job responsibilities for the Town, encroaches on Town working hours, or is otherwise not in the Town's best interests, then the individual may not engage in the other employment.

At times, relationships can also cause actual or potential conflicts of interest. Employees may not represent the Town in any transaction in which the individual or the individual's relative has a substantial economic interest.

Employees must also avoid apparent or potential conflicts of interest, which occur when a reasonable observer might assume there is a conflict of interest and, therefore, a loss of objectivity in their actions on behalf of the Town.

Where actual or potential conflicts arise, Employees must provide full disclosure of the circumstances in accordance with this Code and should stand back from any related decision making process. Department Heads shall provide full disclosure of any actual or potential conflicts of interest to the Town Manager, and all other employees shall provide full disclosure to their Department Heads.

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

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

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

### **SUGGESTIONS AND IDEAS**

The Town of Meredith is always interested in constructive ideas and suggestions for improving operations. Employees will be notified whether or not it is feasible to put the suggestions and ideas into practice.

The Town of Meredith believes that constructive suggestions indicate initiative on the part of an employee, and encourages employees to submit them. A constructive suggestion notes an issue and offers a reasonable suggestion for improvement.

### **DISCIPLINE**

The Town of Meredith is justifiably proud of our employees and the manner in which they conduct themselves. We rely on individual good judgment and sense of responsibility. Each employee is expected to conduct themselves in an appropriate manner. However, for the protection of its property and other employees, the Town of Meredith has established certain rules of conduct, which must be followed.

It is the policy of the Town of Meredith to discipline an employee whenever he or she violates a rule, regulation, endangers the safety of others, or performs unsatisfactorily. In each instance,

the disciplinary action taken will be just and in proportion to the seriousness of the violation. Generally, there are four types of discipline used by the Town of Meredith: verbal warning, written warning, suspension, and dismissal. The Town has no obligation to use these types of discipline in any specific steps or order with any employee. Which of these types of discipline is used for any given matter is at the sole and absolute discretion of the Town, and may be influenced by the employee's history of employment with the Town.

The Department Head will bring all violations to the attention of the employee. A written memorandum will be placed in the file noting the following: the nature of each occurrence, the remedial action suggested, and what action was taken. Disciplinary action taken may be a reprimand, suspension or discharge.

If an employee is suspended, they must be notified in writing of the effective date, reason and duration. The Town Manager shall suspend or discharge employees.

If an employee is discharged, they must be notified of the reason for discharge, and of the effective date of discharge.

A suspended or discharged employee may appeal the action by written appeal to the Select Board within five (5) working days after the action. The Select Board will respond in writing to that employee within ten (10) working days.

### **STANDARDS OF CONDUCT**

All employees are required to comply with our standards of conduct, which are intended to promote consistency and harmony in the workplace, and to support the missions and objectives of the Town of Meredith. We recognize that no list of rules can be all inclusive. Incidents may arise that are not covered by the standards of conduct which may lead to discipline, up to and including termination. The following areas are intended to guide employees in recognizing certain behaviors which are clearly prohibited and which are considered by the Town of Meredith to constitute cause for disciplinary action, up to and including termination.

1. **Absence and Lateness**

Absence and lateness without good reason, failure to report when absent, overstaying allotted break time, excessive or unexcused absences.

2. **Employment/Town of Meredith Records**

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

3. **Attitude**

Abusive language, creating any type of disturbance, complaining in front of visitors, uncooperativeness, abuse or neglect of visitors or residents, and abuse, neglect, or intentional destruction of Town of Meredith property.

4. **Safety**

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

5. **Employee Relations**

Abusive or profane language to another employee, intentional destruction of another employee's personal possessions, threatening bodily harm, intent to strike, and/or striking another employee, creating a disturbance, causing dissension among employees.

6. **Crime**

Conviction of a crime that adversely impacts the employee's position with the Town of Meredith.

7. **Dishonesty**

Dishonesty to a coworker, resident, visitor or to the Town of Meredith.

8. **Incompetence**

Repetition of avoidable mistakes to a point that the mistakes demonstrate a willful disregard for the Town of Meredith's interest.

9. **Intoxicants**

Bringing, possessing, or using alcoholic beverages or illegal drugs on Town of Meredith property or while on the job; being under the influence of or testing positive for these substances during working hours will result in immediate discharge.

10. **Neglect of Duty**

Negligence in the performance of duties, which seriously conflict with the Town of Meredith's interest.

11. **Unsatisfactory Job Performance**

Failing to demonstrate the requisite skill or abilities to satisfactorily discharge the employee's duties.

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

Use of a Town of Meredith telephone, facsimile, computer, e-mail, and copier for a non-Town of Meredith purpose.

13. **Theft or Destruction of Property**

The theft or negligent or intentional destruction of any Town of Meredith property or the personal property of a coworker, customer or visitor.

14. **Sexual or Other Unlawful Harassment**

Discrimination, sexual or other unlawful harassment, and inappropriate conduct in violation of Town of Meredith policies.

15. **Insubordination**

Acting in an insubordinate manner toward your supervisor or any other directive of the Town of Meredith.

**GRIEVANCE PROCEDURE**

Any employee, who believes that they have received inequitable treatment because of some condition of their employment, may personally appeal for relief from that condition through the following steps:

- (a) An employee is expected to discuss any grievance initially with their immediate supervisor, then, if the matter is not settled, the employee may choose to submit it in writing to the Department Head within five (5) days of the supervisor's decision. The Department head shall give a written reply within one (1) week.
- (b) If the employee feels that their immediate supervisor or Department head has not satisfactorily adjusted the grievance, they may then submit it in writing to the Town Manager within five (5) days of receipt of the Department Head's reply. The Town Manager shall give a written reply within one (1) week of their receipt of written grievance.
- (c) The Town Manager's decisions shall be final on employee's grievances for all employees who are under their administrative supervision. The Board of Selectmen's decisions shall be final on employee's grievances that are under the Board of Selectmen's administrative supervision.

These steps are to be followed in sequence. The requirements of a written presentation are not intended to preclude the use of frank and informal discussions as a means of reaching resolution.

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

### **INTRODUCTION**

The Town of Meredith is committed to providing a safe and healthy working environment for all of our employees. With the employee's assistance, we can use our resources to identify and control work-related hazards. All employees are required to bring known and potential hazards and safety issues to the attention of the Joint Loss Safety Committee. Failure to do so may result in an injury to the employee or others that could otherwise have been avoided.

The cooperative effort of each employee, and supervisor and manager in the awareness, acceptance, participation, and preservation of a functional Health and Safety Program is essential and welcomed. Employees are encouraged to bring any suggestions they may have to improve safety to the Joint Loss Safety Committee or the Town Manager.

### **Section VI – 1 SAFETY AND HEALTH STATEMENT**

The Town of Meredith values the safety and health of each and every Town employee. It is the policy and the responsibility of the Town to adopt all reasonably practicable measures:

- To secure the safety, health and welfare of all employees at places of work under the Town's control and elsewhere when performing duties;
- To maintain equipment and a safe and healthy place of work;
- To enable all employees to provide input;
- To ensure that the Town of Meredith is in compliance with safety rules, laws and regulations.

It is also the policy of the Town of Meredith to ensure that all employees are aware of their responsibility regarding health and safety. In this regard they should become familiar with the Safety Manual developed by the Town of Meredith Joint Loss Safety Committee.

We all share the responsibility for the prevention of accidents and should take reasonable care that all policies and procedures used are safely carried out. Any health or safety concerns should be reported to the Joint Loss Safety Committee.

### **JOINT LOSS SAFETY RESPONSIBILITIES**

Every employee of the Town of Meredith has the right to a workplace free from occupational safety and health hazards. The Joint Loss Safety Committee, Supervisory Personnel, and all employees share in the responsibility of implementing the provisions of this program within their respective capabilities and jurisdiction. The responsibilities listed are a minimum and should not be construed to limit individual initiative to implement more comprehensive procedures to

control losses and enhance workplace safety.

### **Joint Loss Safety Committee**

- The Committee shall officially adopt this program and update at least every five years in accordance with the NH Department of Labor regulations.
- Provide overall support, direction and commitment.
- Ensure that personnel responsible for carrying out the provisions of this program understand the content of the program, are held accountable for their actions/inactions in accordance with established policies and procedures, and serve as advocates for the promotion of safety values and programs at all levels.

### **Supervisory Personnel**

- Personnel with supervisory duties shall have the authority and responsibility to maintain a safe and healthy work place and work practices. The supervisory personnel will:
  - Comply with the contents of this program
  - Comply with applicable work rules and regulations
  - Ensure that all employees within their jurisdiction comply with the program and follow all work rules and regulations as well as setting a positive example.
  - Follow disciplinary procedures as they relate to this program.
  - Promptly investigate and report all accidents and incidents, and immediately discuss measures for prevention.
  - Provide education for employees within their departments including correct methods for performing tasks, precautions to be taken, and the use of appropriate protective and emergency equipment.
  - Conduct workplace inspections and investigations to identify and correct unsafe conditions.
  - Include and evaluate employee's safety behavior in each formal performance evaluation.

### **Employees**

- Employees are required to exercise due care in the course of their work to prevent injuries to themselves and to their fellow workers, the general public and equipment entrusted in their care. Employees shall:
  - Understand and follow all work rules and regulations. If an employee does not understand a work rule or regulation, they must notify their immediate supervisor.
  - Utilize required personal protective equipment.
  - Report all unsafe acts and conditions to their supervisor.
  - Operate only machines and equipment that they have been properly trained and/or licensed on.
  - Must follow all accident reporting procedures.
  - Employees required to have a license as a condition of employment must report to immediate supervisor or Department Head:

Any motor vehicle law enforcement action;  
 Any motor vehicle conviction or any administrative action by the  
 Department of Motor Vehicles.

These provisions shall not supersede any law or Commercial  
 Driver's license requirements.

- Follow Disciplinary Policy as it relates to this program.

Administrative Regulations and the Town Safety Manual provide further information on safety policies and procedures.

### **WORKPLACE VIOLENCE**

Unfortunately, violence in the workplace has become a reality in many workplaces. The Town hopes that it will never have to face this growing problem. Violence and verbal and physical threats of violence of any kind in the workplace or on Town of Meredith property will not be tolerated, and employees engaging in such conduct will be subject to discipline, up to and including separation from employment. If an employee becomes aware of any violence or threat of violence, he or she must immediately report the matter to their Department Head or Town Manager.

### **ALCOHOL AND DRUGS**

The Town of Meredith is committed to providing a safe and productive workplace for all of its employees. In addition, The Drug-Free Workplace Act of 1988 imposes certain obligations upon employers with respect to substance abuse. To have a safe and productive workplace for all Town employees it is absolutely essential that every employee report to work in an appropriate mental and physical condition to perform their jobs safely. This is also critically important for the individuals for whom we provide services.

In addition to this Policy, any employee working for the Town as a commercial driver or in a job position designated by the U.S. Department of Transportation as a safety-sensitive position is also subject to the Town's Alcohol and Controlled Substances Policy and Testing Program for Commercial Drivers and DOT Safety-Sensitive Positions.

During work hours, including meal and break periods, whether on Town premises, in a vehicle or at any other location, employees may not consume, use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. In addition, employees are required to report to their jobs in appropriate physical and mental condition, ready to work free from the influence of any illegal drugs or alcohol and any prescribed drugs which impair the employee's ability to perform their job duties.

Use of medication prescribed for an employee by their physician and the use of over-the-counter medication is permitted as long as the medication will not interfere with the employee's ability to perform their job functions. If you are taking a medication which might interfere with your ability to perform your job functions, it is your responsibility to inform your supervisor or Human Resources so that a determination can be made as to whether you can continue working.

Employees who are suspected of violating Town of Meredith's policies regarding drugs and/or alcohol, including, but not limited to, when their performance is impaired, behavior is erratic, or

the odor of drugs/alcohol is observed, may be required to immediately submit to a drug test and/or alcohol test and/or fitness for duty exam as determined appropriate by the Town in its discretion. In addition, at the discretion of the Town, drug/alcohol testing may be required when an employee is involved in any job related accident, is part of a rehabilitation program, when there is reason to believe that any controlled substance or alcohol in the possession or control of the Town has been tampered with, and when required by an entity with whom the Town does business (governmental contract). Any employee who is required to submit to a drug and/or alcohol test or a fitness for duty exam must cooperate fully with the process and must not do anything to tamper with, adulterate, dilute, or otherwise interfere with any specimen, test, or exam. A drug/alcohol test or other exam will not be conducted without the employee's consent; however, an employee must consent as a condition of employment and may be terminated for failing or refusing to consent. Failure to submit to or co-operate fully in a drug or alcohol test or exam required by the Town, or if the results of the drug/alcohol test is positive may result in disciplinary action, up to and including immediate termination, at the sole discretion of the Town.

In addition to the fitness for duty/reasonable suspicion testing described above, the Town reserves the right to implement further drug testing programs at any time, such as pre-employment, post-accident, and random drug and alcohol testing.

An Employee who appears impaired and is asked to submit to a drug/alcohol test will not be permitted to drive to a test facility. They will be taken to the test facility by a member of Town of Meredith management, or other designated individual.

Any employee who is convicted of any drug or alcohol related crime (including violations, misdemeanors, and felonies) must notify the Town Manager within **five (5)** days of the date of conviction. A conviction includes any finding of guilt (including one agreed to by the employee) or plea of no contest and/or imposition of a fine, jail sentence, or other penalty.

On violation of this policy admission to or use of a treatment or other program does not preclude appropriate disciplinary action by the Town, including termination of employment.

Violations of this part of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. On violation of this policy admission to or use of a treatment or other program does not preclude appropriate disciplinary action by the Town, including termination of employment. Violation of this policy may also have additional legal consequences.

### **DOT DRUG AND ALCOHOL POLICY**

The Town of Meredith employs individuals who as part of their position, must obtain and maintain a CDL. Please see Administrative Regulation #40 for further clarification on this.

### **SMOKING**

The Town of Meredith is committed to providing a safe, healthy, and smoke-free work environment for our employees, visitors, and vendors. Consistent with our commitment and state law, we have declared a no smoking policy within our buildings and in Town of Meredith

vehicles. Department Heads may implement specific departmental policy with Town Manager approval.

Smoking is not allowed in any areas of Town of Meredith buildings. Anyone wishing to smoke must do so only during authorized breaks in the designated area. The Town of Meredith hopes and expects that our employees will comply with the no-smoking policy. If an employee fails to comply with these rules, the employee will be subject to disciplinary action.

### **WORKPLACE SEARCHES**

To safeguard the safety and property of our employees, residents, and the Town of Meredith, the Town reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises based on probable cause. Employees should understand that all offices, desks, files, lockers and so forth are the property of the Town of Meredith and are issued for the use of employees only during their employment with the Town of Meredith. Inspections may be conducted at any time at the discretion of the Town of Meredith. Employees will be informed that the inspection occurred if they were not present during the inspection. Employees who refuse to cooperate in an inspection will be subject to disciplinary action up to and including discharge if after investigation, they are found to be in violation of the Town of Meredith's security procedures or any other Town of Meredith rules and regulations.

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## **VII. SEPARATION FROM EMPLOYMENT**

### **TERMINATION**

Should an employee decide to resign from his or her employment with the Town of Meredith, we ask that he or she notify their Department Head of their decision at least two weeks in advance of the planned departure date. Thoughtfulness will be appreciated, and will allow the Town of Meredith to maintain work schedules and provide important services to the public.

Pay in lieu of vacation earned but not taken will be made in the case of employment terminated by resignation, dismissal, retirement or death of an employee. Additionally, full-time employees will receive any longevity pay to which they are entitled. Employees forfeit all accrued sick leave upon termination for cause. Please see Vacation and Sick leave.

If a permanent employee dies while in the Town's services, wages earned to the time of death, any longevity pay to which the deceased was entitled and lump sum for any unused vacation leave credits shall be paid to:

- (a) A beneficiary named by the deceased and recorded with the Town;
- (b) Surviving spouse of deceased if no other beneficiary has been named and recorded with the Town;
- (c) The estate of the deceased if neither of the foregoing is applicable.

### **EXIT INTERVIEWS**

All employees who terminate their employment will be asked to participate in an exit interview with Town Manager or their designee. The purpose of the exit interview is to discuss any relevant separation benefits and benefit continuation, and to receive feedback from the employee on ways in which our Town can improve our operations and retention of employees.

### **RETURN OF TOWN OF MEREDITH PROPERTY**

Town of Meredith property of any type or value may not be used or removed from the Town of Meredith premises without authorization from the Town Manager. All Town tools, equipment, documents, or records made or compiled by the employee or made available to the employee in connection with the business of the Town of Meredith must be delivered to the Town of Meredith promptly upon the termination of employment or at any other time upon request.

### **LAYOFF**

The Town reserves the right to lay off any employee, without discredit to the employee, if circumstances dictate that such layoff is necessary for the public's best interest. Decision that such a layoff is necessary shall be made by the Town Manager.

Employees shall be laid off within pay-position groups affected based on the most recent annual merit review. If merit, ability and capacity are equal, length of service shall be the determining factor. No employee shall be laid off without at least two weeks' notice.

An employee, if qualified therefore, shall be offered a lower paid position if a vacancy in such a position exists. Acceptance of such a position shall in no way prejudice the employee's return to his/her former position, should rehiring take place.

**RECEIPT AND ACKNOWLEDGMENT OF TOWN OF MEREDITH  
PERSONNEL POLICY MANUAL DATED \*\*\***

This Personnel Policy Manual dated\*\*\* is an important document intended to help employees become acquainted with the Town of Meredith. This Manual will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Please read the following statements and sign below to indicate your receipt and acknowledgment of the Personnel Policy Manual.

- I have received a copy and understand it is my obligation to read and understand the policies in this Manual.
- I understand that the policies described in the Manual are subject to change at the Town of Meredith's sole discretion at any time, and that this Manual does not create a contract express or implied with the Town for any purpose.
- I understand that my employment with the Town is at-will meaning that either I or the Town can end my employment with it at any time, with or without notice or cause.
- I am aware that during the course of my employment, confidential information may be made available to me. I understand that this confidential information must not be given out or used outside of Town of Meredith premises or with non-Town of Meredith employees, except as required by law.
- I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the Personnel Policy Manual and that it is my responsibility to familiarize myself with the provisions of the manual and to adhere to these provisions.

\_\_\_\_\_  
Employee's Name (**please print**)

Date: \_\_\_\_\_

\_\_\_\_\_  
Employee's Signature