TOWN OF TOLLAND

PERSONNEL

POLICIES AND PROCEDURES

Amended: 09/08/20

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ADOPTED TOWN OF TOLLAND'S
PERSONNEL POLICIES AND PROCEDURES

ARTICLE I
Purpose and Policies

§ A174-1. Purpose.

A. This manual provides employees and department heads with personnel policies and procedures for the Town of Tolland. This handbook is intended to serve as a practical guide to the Town's personnel policies and practices. However, since it is only a summary compiled for the convenience of our employees and supervisors, it is not intended to cover all topics or circumstances. The Town reserves the right to respond to specific situations in whatever manner the Town believes best suits the needs of the Town and the employee involved.

B. Inasmuch as this manual and its provisions are not considered static, they are subject to review from time to time and will be updated periodically. The Town reserves the right to modify any condition of employment in whatever manner it believes to be appropriate as necessary. Any amendments, revisions and additions will be distributed to all holders of the manual as they are developed and are ready for promulgation.

C. The contents of this manual are presented as a matter of information only. This manual does not create an express or implied contract of employment, constitute a term or provision of any contract of employment, nor does it create any contractual obligations on behalf of the Town of Tolland. No person in the Town has the authority to make a commitment of guaranteed or continuing employment unless it is a written individual contract signed by the Town Manager and approved by the Town Council. No employee has a vested property right, constitutional or otherwise, in a job or position with the Town. New situations develop constantly, and it is to be understood that the Town reserves the right to change or alter all or any part of this manual as circumstances may require.

§ A174-2. Scope.

The terms of this policy shall apply to appointees to all positions now or hereafter created, except the following:

A. All elective officials and persons appointed to fill vacancies in elective offices.

B. Members of boards and commissions and their appointees.

C. The Town Manager and other officers appointed by the Town Council.

D. Employees of the Board of Education.

E. Persons employed in a professional capacity to make or conduct a temporary or special inquiry, study or investigation or who are employed for a temporary period and designated by the Town Manager as temporary employees.

F. Volunteer personnel.

G. Persons employed under individual contract or who are covered by a collective bargaining agreement.

H. While the above categories of employees shall not be eligible for any of the benefits set forth in these policies, they will be expected to comply with the Town's rules and regulations regarding conduct while performing work for the Town.

§ A174-3. Equal Employment Opportunity Policy.

The Town of Tolland is committed to complying with all laws that prohibit discrimination in employment on the basis of any legally protected status. In addition, the Town of Tolland will ensure that its employment practices will provide an equality of opportunity to applicants and employees without regard to their race, color, religion, sex, national origin, ancestry, age, disability, veteran status, genetic information, gender identity, pregnancy, marital status, sexual orientation or any other legally protected status. This policy applies to employment practices, including, but not limited to, hiring, placements, promotions, terminations, layoffs, recalls, transfers, leaves of absence, compensation and training. The Town maintains an Affirmative Action Policy that contains provisions concerning the purpose of such policy, its distribution, and implementation. Copies of the Town's Affirmative Action Policy are available from the office of the Town Manager.

§ A174-4. Application; word usage.

These policies and procedures shall apply to all employees of the Town of Tolland, except as stated in § A174-2, Scope. A violation of these policies may, at the determination of the Town Manager, result in disciplinary action up to and including dismissal. Employees of the Town may be disciplined for other legitimate reasons, as determined by the Town. Where there is a conflict between a particular personnel rule and statements contained in an approved, uniform department regulation or Town, state or federal law, or more specific statements contained in Town policies (such as insurance policies), then those statements shall prevail. These policies shall serve as a guide to the administration of the Town's personnel system. The policies are not all inclusive, and final discretion as to the interpretation or the appropriate course of action concerning a particular personnel matter shall be that of the Town Manager.

ARTICLE II
Responsibility for Administration

§ A174-5. Town Manager.

The Town Manager will determine and impartially and equitably administer all personnel policies and procedures. The Town Manager may delegate the actual operations involved in administering these policies to such person or persons, as he deems appropriate. Except with regard to Senior Level employees, as defined in Chapter VII, §C7-3 the Town of Tolland Charter, the Town Manager shall have the authority to impose discipline on Town employees, up to and including dismissal. For Senior Level employees discipline decisions shall be recommended by the Town Manager and subject to the approval of the Town Council.

§ A174-6. Department heads.

The department heads shall have the responsibility, as delegated by the Town Manager, to select, retain, promote, train and separate employees within their departments. They are expected to supervise effectively their employees; to report upon the performance of their subordinates; to notify the Town Manager of changes in duties of their employees in order that the classification plan will be maintained; and to recommend salary increases. Department heads shall recommend to the Town Manager necessary, desirable changes in the personnel policies and procedures to improve administration of the personnel system. Subject to the approval of the Town Manager, a department head may adopt regulations consistent with the overall personnel policy to implement these rules for the operation of his or her unit. Among other duties, all department heads shall report directly to the Town Manager, shall be required to attend department head meetings, shall prepare an annual budget proposal for their departments, and shall represent the Town in the resolution of employee grievances.

§ A174-7. Employees.

It shall be the responsibility of all employees to acquaint themselves thoroughly with the material in the Town of Tolland Personnel Policy Manual and any subsequent revisions hereto. Employees are encouraged to submit suggestions for changes in personnel policy and procedures for improvement of Town personnel administration.

ARTICLE III
Definitions

§ A174-8. Definitions.

Wherever used in this manual, the following terms and words shall be defined as indicated below:

APPOINTING AUTHORITY – The Town Manager is the appointing authority for all positions, except as otherwise provided in the Town Charter. In his/her absence, he/she shall name a designee.

APPOINTMENT – The designation of a person as an employee of the Town.

CLASSIFICATION LEVEL – A grouping of job classes exhibiting comparable levels of duties and responsibilities so as to warrant the same pay range.

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

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

DISCHARGE – Involuntary separation of an employee resulting from disciplinary action, inability to perform the duties of the position or any other legitimate reason.

ELIGIBLE – A person who has met the minimum qualifications requirements established for a position.

EMPLOYEE – An individual who has satisfactorily completed the required probationary period and has been appointed as provided for herein.

EXEMPT – A salaried employee who is not eligible for overtime in accordance with State and Federal law.

FULL-TIME EMPLOYEE – Any employee who regularly works thirty-five (35) or more hours weekly shall be considered a “full-time employee” and is entitled to all benefits provided for full-time employees. Any employee, except those employees excluded by § A174-2, who works in more than one (1) position less thirty-five (35) hours in each position but thirty-five (35) hours or more in a combination of positions shall be considered a “full-time employee” and, therefore, shall be entitled to all benefits provided by these regulations.

HIGH DEDUCTIBLE HEALTH PLAN (HDHP) – A plan with an annual deductible that is higher than the deductible in more traditional health plans almost always used in the context of a Health Savings Account (H S A). H S As are a special kind of tax-advantaged savings account used to accumulate funds for medical expenses.

HOURLY EMPLOYEE – Any employee of the Town whose income is calculated by multiplying his or her hourly wage times the number of hours actually worked in any given work week.

INCUMBENT – An individual currently occupying a specific position.

JOB CLASS – A group of positions sufficiently similar with respect to general nature of duties, authority and level of responsibilities, (for example, truck drivers, fire fighters and clerk-typists) to be treated the same for purposes of pay and job requirements.

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.

LIMITED EMPLOYEE – Any individual who works less than twenty-five (25) hours per week shall be considered a "limited employee" and shall not be eligible for any benefits, which are specifically limited to full-time and part-time employees by these regulations.

MEDIGAP INSURANCE – Supplemental over age 65 retiree health insurance including medical and applicable dental coverage.

MERIT INCREASE – A pay increase granted as a result of job performance to a higher level within the pay level established for the class.

NON-EXEMPT – An hourly employee who is eligible for overtime in accordance with State and Federal law.

PART-TIME EMPLOYEES – Any individual who regularly works twenty-five (25) or more hours weekly but less than thirty-five (35) hours weekly, shall be considered a "part-time employee" and is entitled to all benefits provided full-time employees on a proportional basis.

PAY LEVEL – A particular rate of compensation within pay range.

PAY PLAN – The schedules of compensation for all classes of positions recognized under the Town classification plan, including the successive pay levels established for each class. All positions allocated to one (1) class will be paid according to the pay range established for that class.

PAY RANGE – The spread of pay rates between the minimum and maximum rates established for each classification period.

PERSONNEL ACTION – All activities affecting any aspect of an employee's status, includes appointments and changes in appointments, hiring, reemployment, transfer, promotion, demotion, changes in hours, reallocation, resignation, suspension, dismissal, placement in leave status, or other disciplinary actions.

POSITION – An established job in the employment of the Town requiring the service of an employee to perform the duties and responsibilities thereof.

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/her fitness for the position to which he/she is appointed.

PROMOTION – The change of an employee from a position in one class to a position in a class allocated to a classification level having a salary range with a higher maximum rate of pay.

RECLASSIFICATION – A change in allocation of an individual position by raising it to a higher class, reducing it to a lower class or moving it to another class at the same level on the basis of duties, authority and responsibility of the position.

REGULAR RATE – The actual level an employee has reached within the pay range established for his or her class of positions.

RESIGNATION – Separation of any employee from Town employment by his or her own voluntary act.

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

SALARIED EMPLOYEE – Any employee of the Town whose wage is not based on the number of hours actually worked in any given workweek.

SEASONAL EMPLOYEE – Any employee whose full-time or part-time employment with the Town is equal to or less than four (4) months' duration.

SEPARATION – Termination of any employee from employment by the Town through retirement, resignation, layoff, dismissal, or death.

SINGLE PRIMARY HEALTH INSURANCE COVERAGE – Under age 65 retiree health insurance including medical, vision and dental coverage.

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

TEMPORARY EMPLOYEE – Any employee not entitled to fringe benefits working sixteen (16) consecutive weeks or less in a calendar year or any employee in an emergency position or any seasonal employee or any employee designated as such by the Town Manager due to unusual circumstances. No temporary employee may work more than 29 hours per week on average over the calendar year.

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

ARTICLE IV
Classification

§ A174-9. Position classification plan.

The Town Manager is responsible for the preparation of a position classification plan, including a written definition for each job class of positions in the Town, which describes the duties, authority and responsibilities characteristic of positions properly included in the class. The plan and any amendments thereto shall be forwarded to the Town Council for final adoption.

ARTICLE V
Compensation

§ A174-10. Policy.

The Town of Tolland offers a pay plan with pay schedules consisting of pay levels directly comparable to the classification levels on the classification plan. Each pay level (or classification level) has established minimum and maximum pay rates. Any salary rate established for an employee shall represent the total remuneration for the employee, not including reimbursement for official travel. Except as otherwise provided in these rules, e.g., overtime compensation or working out of classification, no employee shall receive pay from the

Town at other than within the pay rate established for the classification level of his or her position.

§ A174-11. Maintenance and adoption of plan.

The Town Manager will annually prepare and recommend a pay plan as described above to the Town Council. The recommendations of the Town Manager will be based upon consideration of all factors relevant to the maintenance of sound compensation practices. An initial pay plan and all changes in the pay plan itself will be submitted to the Town Council for approval. During the life of an approved pay plan, the Town Manager shall have the authority to make and approve changes in employee compensation, as circumstances require.

§ A174-12. Performance pay.

Pay increases, promotions and other salary actions are based upon acceptable performance (merit) and are not considered to be automatic or based on length of service alone. (See Article XI on performance evaluation.)

§ A174-13. Administration.

A. Starting rates. An employee appointed to a position should normally be compensated at the minimum rate of pay assigned to the job class to which the position is allocated, subject to the approval of the Town Manager; however, appointment at a salary above the minimum level may be made if such action is justified by exceptional qualifications of the applicant or by lack of qualified applicants available at the minimum rate. Conversely, with the approval of the Town Manager, appointment below the minimum may be made where the only available candidate possesses less than the minimum qualifications for a classification. All permanent employees hired as of July 1, 2009 are required to participate in direct deposit for payroll checks.

B. Probationary period. The purpose of a probationary period is to allow a supervisor to closely observe an individual for a period of six (6) to nine (9) months. Satisfactory completion of the probationary period does not create any contractual right to continued employment thereafter. To advance from the minimum pay rate to the subsequent pay rate after initial appointment, an individual must successfully complete the probationary period preparing him or herself adequately for satisfactory performance of his or her job. The department head shall have discretion to extend the probationary period an additional three months. The department head must certify as to the employee's satisfactory performance at the completion of the probationary period in order for the employee to receive his or her first merit step increase. Similarly, a probationary period must be satisfactorily completed by newly promoted employees before they will be advanced to the next higher pay level.

C. Merit increases. Increases within the range of an established classification level shall be dependent upon specific written certification by the department head that the employee is

performing at an acceptable level of competence. (See Article XI on performance evaluation.) The Town Manager, may grant pay increases every twelve (12) months upon reviewing detailed written statements from the department head specifying the employee's exceptional performance, reclassification of the incumbent's position, or the existence of unusual employment conditions that make such action necessary. In no instance will a salary increase be given to any employee until the probationary working period has been satisfactorily completed.

D. General increases. Whenever general pay increases are granted, all employees in the affected class or classes will receive an increase simultaneously.

E. Rate of pay on transfer or demotion. When an employee is transferred from a position in one job class to a position in another job class or is transferred with no change in a job class, he/she shall continue to be paid at the same rate. When an employee is demoted to a lower classification level, his or her salary shall be set at the rate in the lower pay level, which provides the smallest decrease in pay.

F. Pay for temporary assignment outside classification.

(1) When an employee is temporarily assigned via personnel action to a position in a job class with a higher minimum rate of pay (working out of classification) for a period of sixty (60) consecutive calendar days, he or she shall be considered for additional compensation to be determined by the department head and Town Manager. Written notice from the employee's present and future supervisors requesting the temporary assignment and pay change shall be forwarded to the Town Manager prior to the effective date. This notice shall be filed in the employee's record in order to reflect experience in a different class, which may serve to add up to the employee's total qualifications.

(2) When an employee is temporarily assigned to a position in another job class for which the minimum rate of pay is the same as the employee's regular class or to a class with a lower or minimum rate of pay, this pay during the temporary assignment shall remain the same. Written notice, as described above, should be forwarded to the Town Manager to be filed with the employee's record.

(3) Should the temporary assignment continue for an extended period of time and it is unlikely that the employee will resume his or her original duties, the employee will be transferred to the new position, through reclassification of the job, and paid according to the provisions of Subsection E above.

G. Payroll deductions. The Town will automatically deduct from an employee's paycheck the employee's share of the cost of pension, social security, federal income taxes and any other authorized deductions.

H. Compensation for boards and commissions' clerical work. Personnel authorized to do clerical or secretarial work during after-duty hours for any Town board, commission or committee shall be paid the established rate for the board, etc., as established by the Town Council, including all work for that meeting.

ARTICLE VI
Hours and Overtime

§ A174-14. Hours of work.

The normal workweek for Town employees shall be as follows:

A. The basic workweek for all department and division heads and other administrators shall be 40 hours. The 40-hour workweek shall include a ½ hour paid lunch break. The weekly hours are:

Day	Times
Monday	8:30 a.m. to 4:30 p.m.
Tuesday	8:30 a.m. to 4:30 p.m.
Wednesday	8:30 a.m. to 4:30 p.m.
Thursday	8:00 a.m. to 7:30 p.m.
Friday	8:00 a.m. to 12:30 p.m.

B. The basic workweek for all other professional and clerical employees who work in the Town offices shall be 35 hours, unless otherwise stipulated by the Town Manager. The 35-hour workweek shall include a ½ hour unpaid lunch break. The weekly hours are:

Day	Times
Monday	8:30 a.m. to 4:00 p.m.
Tuesday	8:30 a.m. to 4:00 p.m.
Wednesday	8:30 a.m. to 4:00 p.m.
Thursday	8:30 a.m. to 7:30 p.m.
Friday	8:30 a.m. to 12:00 p.m.

C. Department heads may adopt regulations consistent with this personnel policy establishing hours of work that meet the needs of their individual departments, subject to the approval of the Town Manager. Timesheets must be completed by all employees, except 40 hour Town Manager direct reports and department heads, and submitted to the Town Manager's Office on a weekly basis to ensure compliance with all state and federal wage payment laws.

D. Town Hall employees changed to a 4-day workweek schedule in September 2008. The schedule for this building is Monday to Wednesday from 8:00 am to 4:30 pm and Thursday from 8:00 am to 7:30 pm. All other Town buildings including the Library remain at their currently scheduled hours. All 35-hour a week Town Hall employees are working the scheduled hours stated above. All 40-hour a week Town Hall employees have the option of working 9.5 scheduled hours a day Monday through Wednesday between the core hours of 7:30 am and 5:30 pm. Thursday scheduled hours will be 8:00 am to 7:30 pm. Employees who attend night meetings will have some flexibility around these core hours with supervisor approval.

   To accommodate this change in hours, for all Town Hall employees, all leave time during this period will be taken in hours. All paid time off shall be allocated to employees on an hour for hour basis. All Town Hall employees are not required to take time off in one quarter (1/4), one-half (1/2) or full day increments. In addition, employees assigned to the Town Hall may take vacation time in conjunction with personal time during the period. Each of the three personal leave days and the floating holiday shall be valued as 8 hour days during the period, except 40-hour Town Manager direct reports and departments heads whose three personal days and floating holiday is valued at 9.5 hours. Family sick leave is valued at 40 hours per year. During this period, Friday holidays are not scheduled holidays for Town Hall employees and offices will be closed the preceding evening at 4:30 pm.

§ A174-15. Hours of operation.

The Town reserves the right to adjust the hours of work for all employees and to change the hours that Town Hall is open as necessary to meet the needs of the Town.

§ A174-16. Attendance.

All full-time employees are expected to be in regular attendance at work during the designated hours scheduled by the department head.

§ A174-17. Overtime.

Personnel shortages, peak workloads and other emergency situations may make it necessary for an employee to work beyond his or her regularly scheduled workweek, as prescribed by the Town Manager. Employees not exempted from the provisions of the Fair Labor Standards Act and Connecticut General Statutes shall receive overtime pay at the rate of one and one-half (1 ½) times their regular rate of pay for each hour worked over 40 hours in a week.

§ A174-18. Work schedule.

All employees are subject to work schedule changes, as the needs of the Town require.

§ A174-19. Administration of overtime.

A. Positions exempt from overtime. Positions considered exempt from overtime requirements shall not be paid for overtime work. The Town shall notify employees who are considered exempt from overtime.

B. Overtime authorization. Overtime shall be compensated only when properly authorized as prescribed by the Town Manager.

C. Overtime compensation. Eligible employees will receive overtime at the rate of one and one-half (1 ½) times the regular hourly rate for all hours worked over forty (40) hours per week. Vacations, holidays and paid sick leave will be considered as hours worked for the purpose of computing overtime.

D. Callback time. When an employee who is eligible for overtime compensation after departing from his/her regularly scheduled shift is officially ordered to start back to work for emergency service, he/she shall be compensated from the time of his/her assignment for all hours worked at the rates set forth in Subsection C or four (4) hours pay at his/her regular rate, whichever is the greater.

E. Department heads: Attendance at meetings of town agencies and working beyond normal business hours shall be considered part of the duties of the position and not ordinarily eligible for compensation in equivalent time or pay. The Town Manager may, at his or her discretion, grant additional time off to a department head who has worked substantial extra hours without compensation in pay. The Manager shall determine the fair amount of additional time off to be taken and shall determine dates and duration of such time off to insure that there are no adverse effects on Town operations. Any such additional time off granted by the Town Manager shall not exceed three days per year.

ARTICLE VII
Leave

§ A174-20. Policy.

Leave is any authorized absence during regularly scheduled work hours that are approved by proper authority. Leave may be authorized with or without pay and shall be granted in accordance with these rules on the basis of the work requirements of the departments and, whenever possible, the personal wishes of the employee.

§ A174-21. Procedure.

For all leave other than holiday, sick, injury and emergency leave, a written request on forms prescribed by the Town Manager indicating the kind of leave, duration and dates of departure and return must be approved prior to the taking of leave. In the case of sick, injury and emergency leave, the leave forms shall be completed and submitted for approval immediately upon the employee's return to duty. Unless an absence is substantiated by a leave form approved by the Town Manager or his designee, an employee shall not be paid for any absence from scheduled work hours.

§ A174-22. Holidays.

A. The Town of Tolland recognizes the following days as holidays to be granted with pay:

New Year's Day
Martin Luther King, Jr., Day
President's Day
Good Friday
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
Friday following Thanksgiving Day
Christmas Day
Floating Holiday

B. An employee may take the Floating Holiday with advance notice to and the approval of his/her Department Head or the Town Manager. Floating Holidays may not be carried over into the succeeding year, but must be taken within the calendar year or lost.

C. When a holiday falls on a Saturday, it shall be observed on the preceding Friday (and Thursday evening ½ day for all employees who normally work ½ day on Fridays); when a holiday falls on a Sunday, the following Monday shall be observed.

D. Holidays for part-time, limited, and temporary employees. Part-time employees shall be paid according to the number of hours they would be scheduled to work on the day observed as the holiday. Limited and temporary employees shall not be eligible for holiday leave.

E. Absences before or after holidays.

(1) Holiday pay is granted to any employee for established holidays on which the employee would normally have been scheduled to work and is available for such work.

(2) To be eligible to receive holiday pay, an employee is required to work his/her regularly scheduled hours on both the workday preceding and the workday following the holiday.

(3) Exceptions to this policy may be approved when an individual is on:

(a) Military leave.

(b) Jury duty.

(c) Vacation leave.

(d) Bereavement leave.

(e) One (1) day of illness either before or after the holiday but not both.

(f) Previously approved personal days off either before or after the holiday but not both.

(g) Other leave as approved by the Town Manager at his/her discretion.

(4) In the event that an employee is absent the day prior and after the holiday due to illness, a sick day will be charged for the holiday as well as the day of absence.

§ A174-23. Vacation.

A. Eligibility.

(1) Full-time employees who have completed one-half (1/2) year of employment are eligible for vacation leave in accordance with the table below:

Service Years	Vacation Days Earned
Upon Hire*	10 days
1 < 2 Years	11 days
2 < 3 Years	12 days
3 < 4 Years	13 days
4 < 5 Years	14 days
5 < 6 Years	15 days
6 < 7 Years	16 days
7 < 8 Years	17 days
8 < 9 Years	18 days
9 < 10 Years	19 days
10 < 11 Years	20 days
11 < 12 Years	20 days
12 < 13 Years	20 days
13 < 14 Years	20 days
14 < 15 Years	20 days
15 < 16 Years	20 days
16 < 17 Years	20 days
17 < 18 Years	20 days
18 < 19 Years	20 days
19 < 20 Years	20 days
20 < 21 Years	20 days
21 < 22 Years	21 days
22 < 23 Years	22 days
23 < 24 Years	23 days
24 < 25 Years	24 days
25 or more years of service	25 days

* In the year of hire, employees can not use vacation until they have been employed for six (6) months of continuous service.

B. Vacation for part-time employees. Part-time employees whose normal workweek is twenty-five (25) hours or more shall receive vacation leave in proportion to their normal workweek.

C. Maximum accumulation of vacation leave. A full-time employee, with the approval of the Town Manager, may carry over a maximum of ten (10) earned vacation days from one (1) year to the next. Therefore, an employee may never have more time accumulated than the amount they earn in a year plus ten (10) days, unless an exception is granted by the Town Manager.

D. Break in service. Vacation leave shall be determined by the length of continuous service. For purposes of computing vacation leave, employees who leave Town employment and are later rehired shall be considered new employees.

E. Transfers. An employee who is transferred between departments shall retain all accrued vacation credit.

F. Advanced vacation. No employee may take vacation leave beyond the amount earned except in the most unusual cases. Requests for advanced vacation must be submitted by the department head to the Town Manager, in writing, and no advanced vacation shall be approved without a written agreement signed by the employee that he/she will reimburse the Town if he/she leaves Town employment before earning the vacation credit taken.

G. Holiday celebrated during vacation leave. Observed holidays established by these rules shall not be considered in the computation of vacation credit or as part of the vacation leave.

H. Use of vacation credit. An employee may take earned vacation leave during the year with proper authorization, except that no employee may take vacation leave of less than a one hour increment. Since the purpose of vacation leave is rest and relaxation, no additional salary shall be paid an employee in lieu of vacation except in the most unusual cases and with the approval of the Town Manager. The sole exception is that an employee with four (4) weeks' accumulated vacation time may cash in five (5) days at the current salary or hourly rate, provided that a written request is made and approved by the Town Manager.

I. Sickness while on vacation. An employee who becomes ill while on vacation leave may not charge such illness to sick leave unless the illness exceeds three (3) vacation days and the employee files a physician's certificate describing the nature and duration of the illness with the Town Manager upon the employee's return to work.

§ A174-24. Sick leave.

Paid sick leave may be accrued up to a maximum of one hundred eighty (180) days. Sick leave shall be accrued at a rate of one and one-fourth (1 ¼) days per month. Sick leave shall be taken in hourly increments. "Day" shall mean the employee's normal workday: 35 hour employees receive seven (7) hours per day; and 40 hour employees receive eight (8) hours per day.

A. Use of sick leave. Sick leave may be allowed by the department head for the following purposes:

(1) Personal illness, physical incapacity, health condition or bodily injury or disease.

(2) Enforced quarantine in accordance with public health regulations.

(3) To meet medical and dental appointments in excess of two (2) hours' duration when an employee has made reasonable efforts to secure appointments outside his normal working hours, provided that the department head is notified at least one (1) day in advance of the day on which the absence occurs.

(4) Illness or physical incapacity in the employee's immediate family or for preventative medical care for the same individuals, or if the employee is a victim of family violence or sexual assault, or for other reason related to family violence (such as to obtain services from a victim's services organization; to relocate due to violence and/or assault; or to participate in any civil or criminal proceedings related to violence and/or assault) requiring his or her personal attention and resulting from causes beyond control, up to a maximum of forty (40) hours per year. Refer to § A174-25A for the definition of "Immediate family."

B. Proof of illness.

(1) A department head or the Town Manager may require proof of illness for authorized sick leave. An employee who has been absent for three or more consecutive days due to illness, injury or health condition, or for preventative medical care, of the employee or his/her immediate family member may be required to provide a note from the applicable health care provider establishing the need for the time off. The note must state the length of the illness and (as applicable) whether the employee is able to return to full duty without restrictions, or if the employee has any restrictions, the nature of those restrictions and how long the restrictions may need to be in place. The Town retains the sole discretion to determine whether an employee's proof is satisfactory.

(2) If an employee takes more than 40 hours of paid sick leave in any fiscal year, she/he may be required to provide a health care provider's note under additional circumstances as well. Examples of additional circumstances when a note may be required include when there has been frequent or questionable absenteeism, or when the employee calls out sick the day before or after a holiday or vacation day, or for absences of less than three consecutive days.

(3) If the Town determines that an employee is abusing sick leave, that employee will be subject to appropriate disciplinary action. However, the Town will not take any retaliatory or other adverse employment action or otherwise discriminate against any employees because they request or use paid sick leave in accordance with Town policy

and applicable law or file a complaint with the Connecticut Department of Labor regarding sick leave matters.

C. Report of illness. On the first day of absence from work for an employee seeking to use sick time (and on each further day of absence if required by the department head or Town Manager), the employee shall notify his/her supervisor no later than one (1) hour after the beginning of his/her scheduled work assignment, except that where a relief employee is required, such report must be made at least one (1) hour prior to the beginning of his/her scheduled work assignment. Nothing in this section shall preclude the payment of sick leave to an employee who cannot comply with provisions of this section due to extenuating circumstances, such as when the need for leave is not foreseeable, in which case the employee must give notice as soon as practicable.

D. Payment for sick leave. Employees who have separated from Town employment in good standing may receive credit for accumulated, unused sick leave at the rate of ten dollars ($10.) per day up to a maximum of one hundred eighty (180) days. Annually, accumulated sick leave in excess of one hundred eighty (180) days shall be paid to the employee at the rate of ten dollars ($10.) per day. See Section § A174-35(A)(1).

§ A174-25. Bereavement leave.

A. Employees are entitled to a maximum of three (3) days off in the event of death in the immediate family, to be taken within one (1) week of the death. Immediate family includes and is limited to the employee's current spouse, mother, step-mother, father, step-father, mother-in-law, father-in-law, grandparents, brother, sister, child, stepchild, daughter-in-law, son-in-law, brother-in-law, sister-in-law or grandchild.

B. The Town Manager may grant additional leave on a case-by-case basis, with or without pay, upon written request from the employee.

§ A174-26. Other leave with pay.

Subject to the procedures outlined in § A174-21, employees may be granted leave with pay in accordance with the following:

A. Administrative leave.

(1) Training. With the approval of the Town Manager, leaves of absence with pay may be granted by the department head for the purpose of allowing a regular employee to participate in conferences, seminars, training courses and official meetings which enhances the employee's value to the Town.

(2) Special. The Town Manager may authorize designated employees either full or partial days off to permit closing of some or all Town offices in such instances as severe snowstorms, public celebrations, days of mourning or days of excessive heat or cold.

B. Jury duty. An employee required to serve jury duty will receive his/her regular pay for the first five days of his/her jury duty. If the employee is required to serve more than five (5) days, he or she will receive the difference between jury duty pay and regular base pay for each hour spent on jury duty that the employee otherwise would be required to work, up to a maximum of three (3) weeks, excluding any overtime hours. Upon expiration of the three-week period, if the jury duty continues, the employee will not be disciplined for such time spent away from work, but will not be paid by the Town.

C. Military leave.

The Town shall allow military leave in accordance with applicable legal requirements.

D. Personal days.

Full-time employees shall be provided up to three (3) paid personal days off annually on their anniversary date of hire for unforeseen or emergency circumstances which require the employee to miss work as well as to attend matters of a personal nature which cannot be accomplished during non-working hours. Examples of the latter include religious observances, ethnic holidays and other events of a personal nature which cannot be taken care of outside of regular business hours. Personal days may not be used to extend scheduled vacations. During their first year of employment full-time employees shall be provided with up to two (2) paid personal days. Full-time employees shall not be permitted to take personal days until they complete four (4) months of employment with the Town. Written notice of a request to use a personal day must be given to the department head or Town Manager at least one (1) week in advance, except in emergency situations. The department head shall consider workload priorities in determining whether to approve such requests, however, full consideration shall be given to request for holidays of religious significance where reasonable accommodation is possible. Personal days must be taken and may not be carried over from year to year and there shall be no payment for unused personal days at the end of an employee's year, or in the event of separation. Therefore, all personal days which are not taken by the employee's yearly anniversary date shall be lost. Personal days shall be charged off in hourly increments.

Note: At the discretion of their supervisor, limited regular and temporary employees may also be granted time off for personal reasons without pay.

§ A174-27. Leave without pay.

The Town Manager may grant a leave of absence with approval by the Town Council without pay to an employee, provided that the position remains vacant or is filled by temporary appointment until the expiration of such leave. Benefits will not accrue. Insurance may be

continued at the employee's expense if such continuation is acceptable to the insurance company.

A. Professional development. The Town Manager may grant a regular full-time employee leave of absence without pay for travel or study for a period to be determined by the Manager. Such leave shall be granted only after consideration of the service record of the employee and when it will not result in undue harm to the interests of the Town. No leave without pay shall be granted except upon request of the employee and a signed statement by the employee that he/she will serve the Town for a minimum of one year after return from such leave.

B. Absence without leave. An absence of an employee from duty, including an absence for a whole or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these rules shall be deemed an absence without leave. Any such absence shall be without pay and may be subject to disciplinary action. Any employee who is absent from work for three (3) consecutive workdays or on three (3) separate occasions for less than a total of three (3) days without notifying his/her department head or immediate supervisor of the reason for such absence or absences shall be considered to have resigned from the Town service unless the employee, on return, provides an acceptable reason for the absences.

C. The Town Manager shall be solely responsible for determining whether the reason is acceptable for reinstatement.

D. Reinstatement. Upon expiration of a regularly approved leave without pay, the employee shall be reinstated to the position held at the time leave was granted, without loss of seniority, status or benefits, provided such position is still available. Failure on the part of an employee on leave to report promptly at its expiration or within a reasonable time after notice to return to duty may be cause for dismissal. No benefits will accrue while the employee is absent, except those earned prior to the leave.

E. Family and medical leave.

(1) Employees who have worked for the Town for at least twelve (12) months, and who have worked at least 1,250 actual work hours during the twelve (12) months immediately preceding the start of a leave, are eligible for unpaid leave under the Federal Family and Medical Leave Act of 1993 ("FMLA"). Leaves under the FMLA may be taken for the following reasons:

(a) the birth and/or care of the employee's newborn child;

(b) the placement of a child with the employee by adoption or for foster care;

(c) to care for the employee's spouse, civil union partner, child or parent who has a serious health condition;

(d) to care for the employee's own serious health condition that renders the employee unable to perform the functions of his or her position;

(e) due to a "qualifying exigency" of an employee whose spouse, child or parent is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces (including the National Guard Reserves) ; or

(f) to serve as an organ or bone marrow donor; or

(g) to care for the employee's spouse, child, parent or next of kin who is a covered servicemember or a covered veteran who has a serious injury or illness.

(2) If a leave is designated for any of the reasons identified in Paragraphs 1(a) – 1(f) above, each eligible employee may take up to a total of twelve (12) weeks unpaid family or medical leave in any 12-month entitlement period. The 12-month entitlement period for family or medical leave is measured from the initial date of the employee's first leave taken under this policy. If a leave is designated for the reason identified in Paragraph 1(g) above, each eligible employee may take up to a total of twenty-six (26) weeks unpaid family or medical leave in the 12-month entitlement period as measured from the initial date of the employee's first leave under this policy.

(3) The maximum amounts of FMLA leave stated above do not afford eligible employees the ability to take more leave if they have multiple qualifying reasons than they otherwise would be entitled to take for a single qualifying reason during the applicable twelve-month period.

(4) Any absences that qualify as FMLA leave run concurrently with an absence under the Town's disability insurance plan or workers' compensation laws.

(5) Any leave spent performing "light duty" work does not count against an employee's FMLA leave entitlement, whether such "light duty" work has been required by the Town or requested by the employee. Therefore, any employee's right to restoration of his or her job is held in abeyance during the period of time (if any) the employee performs light duty (or until the end of the applicable FMLA leave period).

(6) Since the purpose of any leave provided under this policy is to enable employees to maintain their ability to continue employment with the Town, an employee may not work elsewhere while on FMLA leave.

(7) Full-time unpaid leave may be designated for any of the reasons permitted by the FMLA. Full-time leave excuses the employee from work for a continuous period of time. Intermittent leave means leave taken in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave taken one day per week over a period of a few months; or leave taken on an occasional/as-needed

basis for medical appointments. Reduced schedule leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may be afforded half-time work leave for a number of weeks so the employee can assist in the care of a seriously ill parent. An employee may be provided with full-time, intermittent or reduced schedule leave whenever it is medically necessary for a serious health condition of the eligible employee, his or her spouse, child or parent, or due to a qualifying exigency or the serious injury or illness of a covered servicemember or covered veteran. When planning medical treatment or seeking intermittent or reduced schedule leave, the employee must consult with his/her immediate supervisor and/or the Director of Administrative Services and must make a reasonable effort to schedule the treatment or intermittent or reduced schedule leave so as to avoid unduly disruptive effects on the Town's operations. Intermittent leave or reduced schedule leave for other reasons will be permitted only with the approval of the Town Manager or his/her designee. If intermittent or reduced schedule leave is medically required, the Town may, in its sole discretion, temporarily transfer the employee to another job that better accommodates such leave, so long as the temporary position has equivalent pay and benefits (but not necessarily equivalent duties).

(8) If both spouses or civil union partners are employees of the Town and request leave for the birth, placement of a child by adoption or for foster care, or to care for a parent with a serious health condition, they will be entitled only to a maximum combined total leave equal to twelve (12) weeks in the 12-month entitlement period as measured in the same manner as described above. If either spouse or civil union partner (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount he or she has taken individually and the 12 weeks for FMLA leave for their own or their spouse's or civil union partner's serious health condition in the 12-month entitlement periods. For purposes of leave due to each spouse's or civil union partner's own serious health condition, or to care for the serious health condition of his/her child or the other spouse or civil union partner, or due to a qualifying exigency, each spouse (or civil union partner if applicable) is eligible to receive the maximum leave time allowable to one individual eligible employee. Similarly, for leave taken due to the serious injury or illness of a covered servicemember or a covered veteran (or for a combination of leave taken for this reason and any other qualifying reason), each spouse is eligible for the maximum leave allowable to one individual eligible employee.

(9) Employees needing FMLA leave must, at a minimum, follow the Town's usual and customary call-in procedures for reporting an absence, absent unusual circumstances.

(10) Notice of and/or request for a family or medical leave must be submitted to the Director of Administrative Services at least thirty (30) days before the leave is to commence whenever leave is foreseeable based upon an expected birth, placement for adoption or foster care, planned medical treatment, or to care for others. If thirty (30) days notice is not possible, such as in the case of an unforeseen emergency or qualifying exigency,

the employee must provide notice and/or submit a request as soon as practicable as s/he learns of the need for the leave (typically within one or two working days of learning of the need for the leave). Failure to comply with these notice rules is grounds for, and may result in, deferral or denial of the requested leave.

(a) For leaves taken because of the serious health condition of the employee or the employee's child, parent or spouse or civil union partner, or due to the serious injury or illness of a covered servicemember or a covered veteran, the employee must submit a completed health care provider certification form before the leave begins. This form may be obtained from the Director of Administrative Services. If providing such advance certification is impossible, the employee must submit the medical certification within fifteen (15) calendar days after the leave begins (or after otherwise being requested by the Town), unless the employee can demonstrate that it is not practicable to do so despite his/her good faith efforts.

(b) Subsequent medical re-certification will be required as necessary, but no more than once every thirty days after receipt of the initial medical certification.

(c) In response to a request for leave necessitated by the serious health condition of the employee or others, the Town may require the employee to obtain a second opinion from a health care provider selected and paid for by the Town.

(d) All leaves due to a qualifying exigency must be accompanied by a certification as the Secretary of Labor has prescribed.

(e) While on leave, employees are, at a minimum, required to report on the 1st day of each month to the Director of Administrative Services regarding the status of the family or medical condition(s) and their intent to return to work.

(f) Under Town policy, employees are required to provide at least two weeks of advance notification of the date they intend to return to work from a leave of absence.

(g) If an employee takes leave to care for his or her own serious health condition (other than an employee taking intermittent or reduced schedule leave), the employee must provide medical certification prior to returning to work that the health condition that created the need for the leave no longer renders the employee unable to perform the functions of the job. This certification must be submitted to the Director of Administrative Services. If there are any medical restrictions upon an employee's return to work, the health care provider should state these restrictions in the certificate provided. It is the employee's responsibility to notify the Director of Administrative Services prior to his/her return to work and make the Director aware of any restrictions.

(h) Employees will not be eligible to return to work after a medical leave without being medically cleared to do so. In addition, the Town reserves the right to have its own health care provider and/or the Director of Administrative Services contact the employee's health care provider for purposes of clarification of the employee's fitness to return to work certification. Under no circumstances will an employee's direct supervisor make contact with the employee's health care provider for purposes of determining fitness of duty (or any other medical certification issue pertaining to FMLA).

(i) Failure to comply with any of the medical certification or re-certification rules identified above is grounds for, and may result in, termination of any leave entitlement or delay or denial of any return to work.

(11) Accrued paid personal leave and accrued paid vacation will be substituted (in that order) for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted for unpaid portions of family or medical leave prior to the substitution of accrued paid personal and accrued paid vacation leave. The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted. While as stated above all accrued paid leave must be used in accordance with Town policy before an employee is eligible to utilize any unpaid family or medical leave, an employee will not be required to utilize any such paid leave during an FMLA leave if she/he is simultaneously receiving payments under the Town's disability insurance plan or workers' compensation laws. The maximum amount of family and medical leave allowed, whether it includes paid and/or unpaid leave or whether it includes time off during which an employee is receiving payments under either the Town's disability insurance plan or workers' compensation laws, will not exceed the maximum leave entitlement as described above.

(12) During approved family or medical leaves of absence, the Town will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical leave. The employee must continue to pay his/her share of the premium, and failure to do so may result in loss of coverage. While on paid leave, the Town will continue to make payroll deductions to collect the employee's share of the medical insurance premiums. While on unpaid leave, the employee must continue to pay his/her share of the medical insurance premiums, either in person or by mail. The payment must be received by the 1st day of each month. Failure of the employee to pay the premium may result in loss of coverage.

(13) Employees have a 30-day grace period in which to make required premium payments while on unpaid leave. If payment is not timely made, health insurance coverage may be cancelled, if the employee has been notified in writing at least 15 days before the date that coverage would lapse. At the Town's option, the Town may pay the employee's share of the premiums during FMLA leave if the coverage were to lapse

due to failure of the employee to make timely payments, and then recover such payments from the employee upon return to work. Should an employee's health insurance lapse due to non-payment while on FMLA leave, the Town will again provide health insurance benefits according to the applicable plans when and if the employee returns from the leave of absence. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse the Town for payment of medical insurance premiums during the family or medical leave, unless the employee does not return because of: (a) the continuation, recurrence or onset of a serious health condition (or serious injury or illness in the case of a covered servicemember or a covered veteran) which would otherwise render the employee eligible for FMLA leave; or (b) other circumstances beyond the employee's control.

(14) Leave taken under this policy does not constitute an absence under the Town's attendance policy. However, an employee will not be credited for any service time accrued during FMLA leave until they return to work. Furthermore, any unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. During any portion of FMLA leave that is unpaid, an employee shall not continue to accrue sick, vacation or personal leave. However, during any portion of FMLA leave in which the employee continues to be paid, an employee shall continue to accrue sick, vacation or personal leave but cannot use any such leave until after they return to work following FMLA leave. If the employee does not return to work following FMLA (whether paid or not), any accrued time earned but unused during the FMLA leave will be paid out in accordance with any applicable Town policies or contractual obligations.

(15) If an employee is considered a "key employee" as defined in the FMLA, restoration to employment may be denied following FMLA if restoration will cause substantial and grievous economic injury to the Town. If an employee is not a "key employee" as defined in the FMLA, upon the conclusion of an employee's FMLA leave (or the expiration of the maximum family or medical leave provided by law, whichever occurs first), an employee may be reinstated to the position s/he held prior to such leave. If the job previously held by an employee is unavailable, an equivalent position with equivalent pay, benefits, and other terms and conditions of employment will be provided. If an employee is medically unable to perform his/her prior job, s/he will be offered work suitable to his or her physical condition, if such work is available, at the pay rate appropriate to that job.

(16) If an employee cannot return to work at the expiration of the maximum FMLA leave allowed, the Town has no obligation under the FMLA to restore an employee to any position. An employee on leave or returning from leave has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave period.

F. Witness and Crime Victim Leave. Employees who are crime victims or witnesses will be permitted reasonable time off to attend a court proceeding or participate in a police investigation relating to their criminal cases. Crime victim and witness leave will be unpaid, unless the employee chooses to use any available paid vacation, sick or personal leave or the law otherwise requires payment for any such leave taken. A crime victim is defined as an employee who:

(a) suffers direct or threatened physical, emotional or financial harm as a result of a crime; or

(b) is an immediate family member or guardian of a homicide victim or a minor, physically disabled or incompetent person who suffers such harm.

In addition, the Town will not take adverse actions against any employee for having a restraining order issued on the employee's behalf in a domestic violence case or having a protective order issued on the employee's behalf by a court of any state. Further, the Town will not take any adverse action against any employee because he/she obeys a legal subpoena to appear in court as a witness in any criminal proceeding or because such employee is a crime victim, provided that the employee gives the Town reasonable notice of the need to appear in court.

Any leave time allotted under this policy runs concurrently with any leave time afforded under any of the Town's other policies for which the employee may be eligible.

G. Family Violence Victim Leave. Employees who are victims of family violence will be permitted to take up to twelve (12) days of leave during any calendar year in which the leave is reasonably needed for one or more of the following reasons:

(1) to seek medical care or counseling for physical or psychological injury or disability;

(2) to obtain services from a victim services organization;

(3) to relocate due to the family violence; or

(4) to participate in any civil or criminal proceeding related to or resulting from such family violence.

Such leave will be unpaid, unless the employee chooses to use any available paid vacation, sick or personal leave or the law otherwise requires payment for any such leave taken.

Employees who seek such leave will need to provide at least seven (7) days notice of the need for such leave if foreseeable, or notice as soon as practicable if the need for such leave is not foreseeable. The Town may require certification from the employee, and/or an agent of a victim services organization, and/or the Judicial Branch's Office of Victim Services or

the Office of the Victim Advocate, and/or a licensed medical professional or other licensed professional from whom the employee has sought assistance with respect to the family violence certifying that the employee is a victim of family violence. Any such certification provided will be maintained in a confidential manner and will be only disclosed as required by law or to protect the employee's safety in the workplace, provided that the employee is given notice prior to any such disclosure. The Town will further not discriminate or take adverse actions against any employee for being a victim of family violence or for having to attend or participate in a court proceeding related to a civil case in which the employee is a family violence victim.

H. Pregnancy Disability Leave. The Town will provide any pregnant employee with a reasonable leave of absence during any period of time when her health care provider has certified in writing that she is disabled from work due to conditions related to the pregnancy. While the length of any such disability-related pregnancy leave may vary depending on individual circumstances, it is generally expected to be no longer than 6-8 weeks.

A health care provider's statement must be submitted verifying the need the pregnancy disability leave and its beginning and expected ending dates, if known. Any changes in this information should be promptly reported to in writing to the Town. So that appropriate staffing decisions can be made in a timely manner, employees are expected to provide the Town with as much advance notice as possible of their intent to return to work following disability-related pregnancy leave and, in any event, with a minimum of two weeks' notice of their intent. Employees returning from pregnancy disability leave may further be required to submit a health care provider's verification of their fitness to return to work.

An employee returning from pregnancy disability leave is reinstated to her original position with equivalent pay and accumulated seniority and benefits, unless the Town's circumstances have changed which makes reinstatement unreasonable.

Pregnancy disability leaves of absence will be without pay except that employees may choose to use any accrued sick time during this leave. Any paid time off so used will be counted as part of the total leave time allotted.

The Town will continue to provide health insurance benefits coverage (if applicable) during a pregnancy disability leave of absence as long as the employee continues to pay her share of the applicable premiums.

Any leave time allotted under this policy runs concurrently with any leave time afforded under any of the Town's other policies for which the employee may be eligible.

§ A174-28. Benefits.

Employees who are temporary or limited do not accumulate benefits accorded to full-time or part-time employees. Should the status of the employee change to one of full-time or part-time,

then the effective date of the change in status shall be the determinant date for the computation of various benefits.

ARTICLE VIII
Appointment

Announcement. The Town Manager shall cause to be made known all vacancies by posting announcements of such vacancies on official bulletin boards, in newspapers and other publications and in such places as the Town Manager deems advisable.

§ A174-29. Equal employment opportunity.

A. As stated in § A174-3, the Town provides equal employment opportunities to all employees and applicants for employment without regard to marital status, race, color, religion, sex, national origin, ancestry, age, disability, veteran status, genetic information, gender identity, pregnancy, sexual orientation or any other applicable legal standard.

B. The Town maintains an Affirmative Action Policy that contains provisions concerning the purpose of such policy, its distribution, and implementation. Copies of the Town's Affirmative Action Policy are available from the office of the Town Manager.

§ A174-30. Appointment.

A. Method of appointment. All vacancies shall be filled by appointment, temporary appointment, promotion, demotion or transfer. Only qualified candidates shall be recommended for appointment. The Town Manager shall approve appointments to all Town positions prior to filling the vacancy, provided that for Senior Level employees, as defined in the Town Charter, the Town Manager shall recommend appointment but such appointment shall be subject to the approval of the Town Council.

(1) Appointment. An appointment indicates that an employee is to work for the Town in either a full-time, part-time or limited capacity. Every employee who receives this type of appointment shall serve a probationary period following the original appointment in accordance with the provisions of Article IX of this manual. Upon certification of the department head that the employee has satisfactorily completed the probationary period, the employee's status of employment shall be changed from probationary to full, part-time, or limited employee (as appropriate).

(2) Temporary appointment. A temporary appointment indicates that the employee is to work for the Town for a period of no more than 16 consecutive weeks. No temporary employee may work more than 29 hours per week on average over the calendar year. Temporary employees may be separated at any time within the four months'

appointment when their services are no longer required. The separation is not subject to the rules under Section § A174-44.

(3) Grant-funded appointment. Personnel employed under grant-funded programs shall be governed by the provisions of the grant and consistent with the personnel regulations of the Town of Tolland.

(4) Relatives of Town of Tolland employees are eligible for employment at the Town, but no employee shall directly supervise a relative or be involved in the hiring process. Relative is defined as any spouse, parent, step-parent, child, step-child, sibling, uncle, aunt, nephew, niece, grandparent and/or grandchild. This definition also includes the same relationships through marriage.

ARTICLE IX
Probationary Period

§ A174-31. Probation.

A. Objective of probation. The probationary period shall be regarded as an integral part of the examination process. It shall be utilized by supervisors and department heads for closely observing the new or promoted employee's work and conduct; for securing the most effective adjustment of an employee to the position; and for rejecting any employee whose performance does not meet the required work standards. Satisfactory completion of the probationary period does not create any contractual right to continued employment thereafter.

B. Duration of probation. Every person promoted or appointed to a position shall be required to complete successfully a probationary period, which shall be of sufficient length to enable the department head to observe the employee's ability to perform the various principal duties pertaining to the position. The probationary period shall begin immediately upon original appointment or promotion and normally continue for a period of six (6) months. The probationary period may be extended for another three (3) months if the department head thinks a longer working test period is necessary in order to determine whether the employee should be retained in the position. Throughout the probationary period, the department head will observe the employee's performance.

C. Probationary period expiration.

(1) At least ten (10) days prior to completion of the probationary period, the department head will notify the Town Manager's office, in writing, that:

(a) The individual's performance was satisfactory and that the individual should be retained as an employee in his or her position; or

(b) The individual's performance or conduct was not satisfactory and that discharge is recommended as of a specific date. The department head shall furnish reasons to the Town Manager for the recommended discharge and may terminate the employee upon the Town Manager's approval; or

(c) An extension of the probationary period is desired for additional evaluation; and, if granted, the employee will continue in the position temporarily during the extension. No merit increase shall be granted until the employee has completed the extended probationary period. The extension may not exceed three (3) months.

(2) The department head shall provide written notice of the employment decision to the employee.

(3) When the services of any employee who was promoted are determined to be unsatisfactory during the probationary period, the employee shall be returned to his/her former or an equivalent position without prejudice, provided such position is available.

D. Discharge. An individual may be discharged during the probationary period by the department head with approval of the Town Manager for any legitimate reason. The individual may not appeal the discharge, unless the alleged reason for termination is based on discrimination. Appeals based on allegedly discriminatory treatment shall be made to the Town Manager within ten (10) days of receipt of the employee's discharge notice.

ARTICLE X
Promotion, Transfer, Demotion and Separation

§ A174-32. Promotion policy.

A. Promotion. The Town encourages employees to develop new skills, expand knowledge of their work, assume greater responsibilities and make known their qualifications for promotion to more difficult and responsible positions.

No supervisor shall deny an employee permission to apply for a vacant position in any Town office or department, which will afford a promotional opportunity. To assure that employees are afforded opportunities for promotion, every vacancy will be advertised in the Town offices. Current employees are encouraged to apply for any vacancy for which they meet the requirements of the position.

§ A174-33. Transfer policy.

A. Transfer. Transfer of an employee from one position to another without change in grade may be effected when:

(1) The employee meets the qualification requirements.

(2) The transfer is in the best interests of the Town.

(3) Further training and development of an employee in another position would be beneficial to the future potential of the Town.

(4) The transfer meets a personal need of the employee and is consistent with Subsection A(1) and (2) above.

§ A174-34. Demotion policy.

A. Demotion. An employee may be demoted to a position of a lower grade, for which he or she is qualified, for any of the following reasons:

(1) As an alternative to layoff when a position is eliminated.

(2) The position is reclassified to a lower grade.

(3) The program is terminated.

(4) The employee requests the demotion.

(5) An employee is bumped due to a return of another employee from a leave of absence.

(6) When unsatisfactory service is rendered.

§ A174-35. Separation policy.

A. Separation. Separation is the termination of an employee from employment by the Town through resignation, discharge, disability, death, retirement, dismissal or layoff.

(1) Conditions of separation. At the time of separation, all records, assets or other items of Town property in the employee's custody shall be transferred to the department head. In the case of an employee's resignation, an employee who separates from Town service after two (2) weeks' notice**,** unless otherwise approved in advance by his or her department head, and who has returned all records, assets, or other items of Town property will be considered to have resigned in good standing.

(2) Payment upon separation. Employees who separate from the Town in good standing shall receive payment for all accrued sick days and vacation leave.

(3) Resignation. An employee resigns in good standing if a written statement of reasons for the resignation is received at least fourteen (14) days prior to the effective date of the resignation and if such employee returns all Town property, records, and assets before departure.

(4) Discharge during probation. An employee whose performance does not meet required standards may be terminated at any time and for any legitimate reason during probation.

(5) Disability. Any employee who is unable to perform an essential function of his/her job, as determined by the Town, because of physical or mental disability, despite reasonable accommodation, may be discharged. An employee may be separated for disability when he/she cannot adequately perform the full duties of his/her position because of physical or mental impairment. The Town may require an examination at the Town's expense by a physician of its choice. The termination date shall be the last day the employee performed work for the Town. All accrued vacation, sick leave or earned time shall be credited pursuant to these regulations.

(6) Death. Separation shall be effective as of the date of death. All compensation due in accordance with Subsection A(2) shall be paid to the estate of the employee, except for such sums as by law may be paid to the surviving spouse.

(7) Retirement. Retirement is the separation of an employee in accordance with the provisions of the Town retirement system under which the employee is eligible to receive benefits.

(8) Discharge. Discharge is an involuntary separation of an employee for any legitimate reason, after appointment. For all employees other than Senior Level employees, as defined in the Charter, upon the recommendation of a department head, or upon his or her own initiative, the Town Manager may discharge an employee. Senior Level employees may be discharged upon recommendation of the Town Manager subject to the approval of the Town Council. Within forty-eight (48) hours of the discharge decision, exclusive of Saturdays, Sundays or holidays, the Town shall provide the employee a written statement of such action specifically setting forth the reasons for the action and the appeals procedure. Except for Senior Level employees, for whom the Council retains final authority over discharge decisions, any employee discharged after successful completion of the probationary period shall have the right to appeal as provided in § A174-44 of these rules.

(9) Layoff. Layoff is an involuntary separation of an employee resulting from a reduction in force due to lack of funds or work or because the employee's position has been

abolished or for other legitimate reasons. The department head shall submit a report to the Town Manager, together with a recommended list of the employee(s) to be laid off.

(a) Order of layoff. The Town Manager shall determine the order of layoff of employees on the basis of the relative suitability for the jobs that remain and length of continuous service with the Town, except that no regular full-time or part-time employee shall be separated while there is a temporary or probationary employee in any job class in that department performing duties for which the regular employee is at least equally qualified and applies.

(b) In the event of a layoff, the Town will use its best efforts to provide as much notice as is reasonably possible to all affected employees.

(c) Reemployment list. If certified as having rendered satisfactory service, the name of the employee laid off shall be placed on the appropriate reemployment list. Such employees shall be subject to recall to a vacant position for which they are qualified for a period of one (1) year from the date last worked for the Town. Employees on the reemployment list who decline reemployment or do not respond will be dropped from the list.

ARTICLE XI
Performance Evaluation

§ A174-36. Purpose.

The Town recognizes the need for an operating performance evaluation system in order to:

A. Assess fairly and accurately an employee's strengths, weaknesses and potential for growth.

B. Encourage and guide the employee's development of his/her special skills and work interests.

C. Assure the granting of increases and consideration for more complex work based on merit.

D. Provide a method of improving operational programs through employee input.

E. Identify training needs.

§ A174-37. Procedure.

The Town Manager shall be responsible for the establishment and maintenance of the employee performance evaluation system. Employee evaluation is the continuing day-to-day

responsibility of the supervisor. Annually and prior to affecting a pay increase, the supervisor will make a written evaluation of the employee's performance.

ARTICLE XII
Disciplinary Actions

§ A174-38. Responsibility for discipline; reasons.

It is the responsibility of all employees to observe the policies and regulations necessary for the proper operation of the departments in the Town of Tolland.

A. Department head responsibilities. Department heads are responsible for the proper and efficient operation of their departments and for enforcing Town policies and regulations. Department heads are authorized to apply such disciplinary measures as may be necessary to enforce Town personnel policies up to and including recommending discharge of an employee to the Town Manager. The Town Manager shall have the final authority regarding issuance of discipline to all employees, except for Senior Level employees as defined in the Charter. For such Senior Level employees the Town Manager shall recommend discipline, subject to the approval of the Town Council.

B. Types of disciplinary action. The type of disciplinary action taken will vary with the severity of the situation and may include the following measures: oral or written reprimand, demotion, suspension, discharge, denial of increases or other discipline of employees for such reasons as, but not limited to, those stated herein. The Town reserves the right to determine the appropriate disciplinary action based on individual circumstances.

C. Reasons for disciplinary action. Disciplinary action, up to and including discharge may be imposed upon an employee for conduct or actions, which interfere with or prevent the Town from effectively and efficiently discharging its responsibilities to the public. The following shall be sufficient cause for disciplinary action; however, the list is meant to be illustrative only and should not be considered to include all reasons for disciplinary action:

   (1) Activities prohibited by the Town Charter, Town ordinance or these regulations.

   (2) Refusal or failure to meet prescribed standards of performance to an extent that makes an employee unsuitable for employment by the Town.

   (3) Theft or destruction of Town property.

   (4) Incompetence, inefficiency or negligence in the performance of duties.

   (5) Insubordination or failure to obey a reasonable order, either written or oral.

(6) Conviction of a criminal offense while employed by the Town.

(7) The consumption of alcohol or illegal use of drugs while on the job.

(8) The use of rude or abusive language toward a superior, a co-worker, or the public.

(9) Notoriously disgraceful personal conduct.

(10) Fraudulently obtaining sick or injury leave.

(11) Unauthorized absences or abuse of leave privileges.

(12) Bribery or acceptance of any valuable consideration which was given with the expectation of influencing the employee in the performance of his/her duties.

(13) Falsification of records or use of official position for personal advantage.

(14) Dishonesty, deliberate untruthfulness, drunkenness, negligence or recklessness on the job, habitual tardiness, misconduct or other attitudes which constitute an unwholesome influence on other employees.

(15) Tardiness or absenteeism.

(16) Performing services for others during working hours.

(17) Sexual or other harassment prohibited by law.

(18) Action or conduct affecting or impairing the efficiency of the Town service or that may bring the Town into disrepute.

(19) Inefficient, unproductive, or otherwise poor job performance.

(20) Any other conduct that the Town deems is adverse to the best interests of the Town.

§ A174-39. Discipline procedure.

Whenever employee performance, attitude, work habits or personal conduct at any time fall below a desirable level, supervisors shall promptly inform him/her and specify such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating a disciplinary action. In some instances, a specific incident may justify severe disciplinary action up to and including, discharge, however, the action to be taken depends on the seriousness of the incident and the whole pattern of the employee's past performance and conduct. Within forty-eight (48) of disciplinary action, all employees, except for Senior Level employees as defined in the Charter, who have satisfactorily

completed their probationary period and who are discharged, demoted or suspended for more than ten (10) days must receive a statement of the grounds for such action specifying the time and place for a hearing before the Town Council, if requested by the employee.

Discipline may include the following:

A. Written reprimand. In situations where an oral warning has not resulted in expected improvements or where more severe initial action is warranted, a written reprimand shall be given to an employee, and a copy shall be placed in the employee's personnel folder.

B. Suspension. An employee may be suspended by the department head or appointing authority with or without pay for reasons of misconduct, negligence, inefficiency, insubordination, disloyalty, unauthorized absence or other justifiable reasons.

C. Demotion. An employee may be demoted against his/her will to a position of a lower grade for which he/she is qualified.

D. Discharge. If, after remedial and/or disciplinary measures have been tried, an employee's performance, conduct or other unsatisfactory behavior does not improve, it may be necessary to discharge the employee. From time to time, certain offenses or circumstances may occur which are of such seriousness that immediate dismissal of an employee may be necessary. The Town reserves the right to discharge any employee for any legitimate reason.

ARTICLE XIII
Grievance Procedures

§ A174-40. Rights of employees.

Employees who feel they have received inequitable, arbitrary or capricious treatment because of illegal discrimination, a condition of employment, or the application of these personnel policies or department regulations may personally appeal to their department head, Town Manager, or other supervisory employee of the Town for relief from that condition without fear of reprisal.

§ A174-41. Non-grievance matters.

It is understood that the following matters shall not be considered the subject of a grievance: non-selection for promotion, except where discrimination is alleged; classification actions; increases in general wage or salary rates, including cost-of-living increases; discipline and discharge of Senior Level employees; and matters affecting the Town Manager's authority to

determine the means, methods, and number of personnel necessary for the efficient administration of Town services and programs.

§ A174-42. Applicability.

Where there is a conflict between these procedures and an approved procedure established by federal, state, or local law, that procedure shall be utilized by employees covered by such law.

§ A174-43. Procedures.

Grievances shall be handled according to the following procedures:

A. The aggrieved employee shall first notify his/her immediate supervisor, in writing, of the nature and facts of the grievance within three (3) working days of its occurrence. The immediate supervisor shall make and return his/her resolution of the grievance, in writing, within three (3) working days after such notification. If the supervisor's resolution of the matter is not satisfactory to the employee, he/she shall submit such grievance, in writing, to the department head within three (3) working days. Within five (5) working days after the department head received such, he or she shall return his/her resolution of the grievance.

B. Grievances, which cannot be settled at the department level, shall be submitted within five (5) working days to the Town Manager, in writing, for review.

C. Within five (5) working days of the date of receipt of the grievance, the Town Manager may call a meeting to review the nature and facts of the grievance. When the Town Manager chooses to make a review of the matter, he/she may call the aggrieved employee, his/her representative, if any, the department head or any other person involved in the complaint to attend such meeting. Within two (2) working days following such meeting, the Town Manager shall render a decision, in writing, to all concerned. The decision of the Town Manager shall be final.

§ A174-44. Appeals from suspension, demotion and dismissal.

Except for Senior Level employees for whom the Council retains final authority over discipline and discharge decisions, employees may appeal certain suspension, demotion and discharge decisions to the Council. Senior Level employees have no right to appeal such decisions by the Council under these policies. Appeals from suspension of more than ten (10) days or discharge or demotion may be made by a non-Senior Level employee who has satisfactorily completed the probationary period by applying, in writing, within five (5) working days to the Tolland Town Council.

ARTICLE XIV
Conduct of Employees

§ A174-45. Policy.

A Town employee is prohibited from engaging in any conduct, which could reflect unfavorably upon the Town. Town employees must avoid any action, which might result in or create the impression of using public office for private gain or giving preferential treatment to any person.

§ A174-46. Outside employment.

Upon proper notification to and with the written permission of the Town Manager, an employee may engage in outside employment, except that no full-time employee may engage in other full-time employment outside his/her work for the Town, and no approved part-time employment shall be in conflict of interest with Town employment.

A. Preference of Town employment. Any employee who engages in employment outside of his/her regular working hours shall be subject to call to perform his/her regular Town duties first.

B. Injury and illness. The Town shall in no respect be liable or grant sick leave in case of any injury to an employee while he/she is engaged in outside employment nor for any occupational illness attributed to that outside employment.

§ A174-47. Political activity.

A. General policy. All employees of the Town shall be free and encouraged to exercise their rights as citizens, to cast their votes and express their opinions on all political subjects. No full-time or part-time employees of the Town shall solicit any person to vote at any political primary or election or challenge or in any manner attempt to influence any voter in a Town election while on duty.

ARTICLE XV
Retirement and Other Fringe Benefits

§ A174-48. Retirement.

Retirement benefits are provided by the Town for all eligible full-time employees and part-time employees working more than 25 hours per week or as otherwise provided for in the Town's plan.

A. Eligibility. The retirement program shall cover all appointed non-elected employees of the Town, excluding those of the Board of Education, who have completed a minimum of twenty (20) or more years of service as employees of the Town and who have attained 59½ years of age by the date of his or her last day of employment with the Town.

B. Medical insurance (including hospitalization, medical and dental)

(1) Employees, upon retirement, may elect to continue individual coverage as provided for in this manual under a subgroup established by the Town. The Town of Tolland will contribute towards the cost of an eligible retired employee's coverage for certain designated periods in accordance with Table I. In addition, prior to age 65 and/or Medicare enrollment, if the individual coverage is a Tolland High Deductible Health Plan (HDHP), the Town will give that retiree annually an amount equal to 70% of the medical plan deductible. The amount will be deposited pretax into each retiree's Health Savings Account (H S A) and split into two contributions twice a year one in July and one in January. If a retiree under age 65 opts out of Tolland individual HDHP coverage, then they will be given the cash equivalent of the premium and 70% deductible contribution in accordance with Table I, provided the alternative coverage is not through the Town of Tolland or Tolland Public Schools.

TABLE I
For Employees Aged 59½ Having Served the Following Years of Service

Years of Service	% Single Health Insurance Coverage
Twenty (20) years	Fifty (50%) Percent
Twenty-one (21) years	Fifty-five (55%) Percent
Twenty-two (22) years	Sixty (60%) Percent
Twenty-three (23) years	Sixty-five (65%) Percent
Twenty-four (24) years	Seventy (70%) Percent
Twenty-five (25) years	Seventy-five (75%) Percent
Twenty-six (26) years	Eighty (80%) Percent
Twenty-seven (27) years	Eighty-five (85%) Percent
Twenty-eight (28) years	Ninety (90%) Percent
Twenty-nine (29) years	Ninety-five (95%) Percent
Thirty (30) years or more	One hundred (100%) Percent

(2) The Town's contribution toward individual medical insurance costs will be paid for a period not to exceed five and one-half (5½) years. If the retiree is 59½ or older at the time of retirement, the Town will contribute the appropriate percentage, as outlined in Table I, towards the cost of the retiree's medical insurance benefits under the Town plan, and such plan may be modified from time to time in the Town's sole discretion. After a retiree turns 65 years of age, the Town will contribute the appropriate percentage towards the cost of the retiree's supplemental "Medigap" insurance. See Table II. After

the conclusion of the five and one-half year (5½) contribution period, the retiree may continue applicable coverage at his/her own expense.

TABLE II
Schedule of Benefits For Retirees Age 59½
Who Meet Years of Service Requirement Set Forth in Table I

Retiree Age	Benefit Type
59½	5½ Years Single Primary Coverage
60½	4½ Years Single Primary Coverage; 1 Year Medigap Coverage
61½	3½ Years Single Primary Coverage; 2 Years Medigap Coverage
62½	2½ Years Single Primary Coverage; 3 Years Medigap Coverage
63½	1½ Years Single Primary Coverage; 4 Years Medigap Coverage
64½	½ Years Single Primary Coverage; 5 Years Medigap Coverage
65½ +	5½ Years Medigap Coverage

C. Life insurance. Group life insurance coverage, upon retirement, will equal 50% of the face amount of the policy in existence during the year prior to retirement. Insurance will be continued to the age of 70 at Town expense.

D. The Town shall provide a qualified 401(a) defined contribution plan for all part-time and full-time employees. The Town shall provide an employer contribution in the amount of 6.0% of an employee's base earnings as defined by the plan document. The employee shall contribute 2.5% of his/her base earnings as defined by the plan document.

§ A174-49. Social Security.

Old age and survivor benefits under the Federal Social Security Act are provided to all covered employees. The cost of such benefits is shared jointly by the employee and the Town. Employee deductions will be made in each payroll period in accordance with the law. Benefits shall be as established by federal legislation.

Part-time, temporary, and seasonal employees that are not eligible to participate in social security, but as allowed by federal law will have their contribution deposited in the Town's retirement annuity account. This benefit will not be matched by the Town.

§ A174-50. Workers' compensation.

A. Workers' compensation is provided by the Connecticut Workers' Compensation Act from funds contributed by the employer for disabilities resulting from accidental injury or occupational disease arising out of and in the course of employment.

B. Employees who become disabled or suffer loss of earnings through accidental injury arising out of and in the course of their employment or through occupational disease may be entitled to compensation payments. These payments cover medical and surgical expenses, hospitalization and, as prescribed by law, payments for lost time, partial or total disability or death.

C. Any injury or illness sustained while in the line of duty must be reported to the employee's manager/supervisor immediately. Persons sustaining injury are to receive necessary medical attention, depending on the nature of the injury, at the nearest medical facility (or if not of a critical nature, the medical facility of the injured person's choice). Injuries occurring on Town property are to be reported in writing to the Director of Administrative Services including:

(1) A brief description of the injury and how and where it occurred.

(2) Name and address of physician or hospital who treated the injury.

(3) Witnesses' names, addresses and telephone numbers.

(4) Name, address, telephone number of injured person.

(5) Date and approximate time of incident.

(6) Reports should be submitted within 24 hours of the incident.

D. Work-related injuries occurring off Town property require the same detailed reporting to assure full completion of Workers' Compensation Insurance forms. Failure to report injuries according to the above guidelines can result in corrective action and may adversely affect the Workers' Compensation claim.

§ A174-51. Medical/life insurance protection/long-term disability insurance.

A. Full-time and part-time employees are eligible to subscribe to the Town's hospitalization, medical, dental and group life insurance plans upon appointment. Enrollment in the above plans shall be open to all eligible employees and their families. Life insurance protection will be paid 100% by the Town. Effective July 1, 2009 eligible Personnel Policy employees will be part of a High Deductible Health Plan. The Town will contribute 70% annually towards each employee's medical plan deductible. This amount will be deposited pretax into each employee's Health Savings Account split into two contributions, one in July and the other in January. If in the future, the premium rates for this High Deductible Health Plan equal those of a traditional POS Health Plan, then the Town will have the right to switch back to a traditional POS Health Plan. If an employee turns 65 and/or Medicare eligible and is still employed by the Town, then they are not necessarily required to enroll in Medicare. Medicare will not penalize your benefit eligibility while actively at work. Once the

employee leaves service with the Town they can enroll in Medicare during the 8 month period that begins the month the employment ends (see Medicare and You publication at www.medicare.gov). Under the Health Savings Account law, an H S A participant that enrolls in Medicare is no longer eligible to contribute funds to their H S A bank account, and no one else may contribute to their H S A account on their behalf. However, the person may use the existing funds in the H S A to cover qualified expenses. If an employee has duel medical coverage or is enrolled in Medicare, then the Town will give the employee a taxable amount equal to 70% of the employee's medical plan deductible. Effective July 1, 2012, employees shall participate in premium cost sharing for hospitalization, medical and dental coverages, in accordance to the table below.

Effective Date	% Premium Cost Sharing
July 1, 2016	18.5% of health insurance premium

Summary Plan Descriptions (SPD), which describes the existing benefits, conditions, restrictions and exclusions of the current plans, are available from the Office of the Town Manager. If there are any conflicts between this provision of the Personnel Policy and the SPD governing these plans, the SPD will control.

B. The Town reserves the right to change carriers and to eliminate, modify or alter the present program, including a change in the amount of employee contribution towards the cost of health insurance, in its sole discretion. The Town shall have the right to offer employees wellness program(s) and to the extent that employees and their eligible dependents (if applicable) voluntarily join the wellness program(s) offered by the Town and meet each of the eligibility requirements, the Town shall have the right to offer participating employees financial and/or other incentives for their successful participation in the program(s) offered by the Town, as such programs may change from time to time. Effective July 1, 2013, the incentive for joining and meeting the requirements of the Town Wellness Program will be a reduction of 2% in health insurance premiums for the employee and an extra 1% for the employee spouse.

C. Long-term disability insurance will be provided to all supervisory/department head positions, the cost of this insurance will be borne by the Town. In most cases coverage will be for 66% of salary after a 180-day waiting period. Medical eligibility for coverage will be at the sole discretion of the Town's insurer.

§ A174-52. Uniforms and special clothing.

At the Town's determination, employees may be required to wear uniforms, protective gear or other types of special clothing; however, the Town will provide the uniform, protective gear, special clothing or a clothing allowance for those employees whose work requires that special clothing be worn. The Town reserves the right to determine what uniforms are to be worn, who will wear uniforms, what protective gear is required and how such gear will be worn or used.

§ A174-53. Travel expenses.

A. If an employee, in the performance of his or her duties, must travel, the employee will be reimbursed for transportation, meals, lodging and incidental expenses if such travel is authorized in advance by the department head and approved by the Town Manager. The rate of reimbursement shall be determined by the Town Council upon recommendation of the Town Manager. Employees shall submit their compensation claims to the finance office monthly.

ARTICLE XVI
Personnel Records

§ A174-54. Personnel records.

The Town Manager or his/her designated representative shall be responsible for the maintenance of personnel records for each employee. The Town complies with all legal requirements for the retention of and access to employee personnel records.

§ A174-55. Personnel action forms.

Personnel action forms are used to ensure accurate maintenance of personnel records relative to leave, employment and personal status changes. Submission of these forms is to be made according to the following procedures:

A. Status changes.

(1) Personnel action forms indicating changes in classification, pay increases, appointment, completion of probationary period, discharge, suspension, transfer or promotion should be initialed by the department head at least two (2) weeks prior to the effective date of such action where feasible and forwarded to the Town Manager's Office.

(2) Personnel action forms indicating resignation, changes in address, name, telephone number, marital status, dependents, etc., should be initialed by the employee and submitted to the department head two (2) weeks prior to the effective date of such action or as soon as possible. Department heads will then forward the forms to the Town Manager's office. Department heads should advise their subordinates to report such changes, as well as the acquisition of additional training or education to assure proper maintenance of records and personnel files.

B. Leave. Personnel action forms indicating proposed days of vacation, personal, sick, bereavement, military, jury, or family and medical leave should be initialed by the employee and submitted to the department head for approval prior to commencement of leave if

possible. Department heads shall forward the form to the Town Manager's office with the time and payroll reports.

§ A174-56. Disclosure of interest.

A. Any appointed Town officer or employee who has or may have a significant financial interest, direct or indirect, in any contract, transaction or decision or any agency, agent, officer, board or commission of the Town shall immediately disclose the nature and extent of that interest, in writing, to the Town Clerk, who shall record such disclosure upon an official record filed in the office of the Town Clerk. The Town Clerk shall then send a copy of such disclosure to the agency, agent, officer, board or commission of the Town making such contract, transaction or decision.

B. Any such officer or employee shall be disqualified from any discussion, action or vote on any such matter coming before an agency, agent, officer, board or commission. Such officer or employee of the Town shall not in any way condone, promote, encourage, influence or otherwise attempt to affect action or matters which will or may result in a conflict of interest between his Town duties and responsibilities and his private affairs or which are incompatible with the proper discharge of his/her other official duties and, to that end, no appointed Town officer or employee shall grant any special consideration, treatment or advantage to any person or entity beyond that which is available to every other person or entity.

C. Violation of the provisions of this section shall be grounds for the immediate discharge of any such officer or employee. Any such violation shall render such contract, transaction or decision voidable by the agency, agent, officer, board or commission or employee making such contract, transaction or decision.

D. The Council shall, by ordinance, establish procedures for disclosure of possible conflicts of interest and determination of the facts and record in any situation where there is possible conflict of interest, and such ordinance shall provide for appropriate action.

ARTICLE XVII
Miscellaneous

§ A174-57. Transportation policy.

A. Purpose. The purpose of this policy is to provide guidelines for the use of Town-owned vehicles, Town-leased vehicles, and privately owned vehicles in the conduct of Town business.

B. General Policy.

(1) The policy of the Town of Tolland is to require that Town employees who need transportation for the performance of their duties will either have a Town vehicle assigned or available to them, or be adequately reimbursed for the use of a privately owned vehicle when such use is authorized.

(2) Personnel requiring transportation in the performance of their official duties are expected to conform to the policies set forth herein. It is the responsibility of the division or department head to assure that employees under their supervision conform to this policy.

C. Vehicle Use Categories.

(1) There are three types of vehicle usage: assigned vehicles for "on-call" personnel, assigned vehicles, and privately owned vehicles used on Town business.

(2) Assigned Vehicles for On-Call Personnel.

(a) Personnel who are on call for emergencies are assigned Town vehicles. The assigned vehicles may be driven home on a regular basis, used to obtain meals while on duty, driven to evening meetings, and used for out-of-town travel on Town business.

(b) The use of a Town vehicle to travel to and from work is generally regarded as taxable income for some position classifications by the IRS and is reported on the W-4 form of the individual who is assigned the vehicle, except for police and fire vehicles, which are exempt. This estimated tax liability, as calculated by the Payroll Department, will be reimbursed to the employees by the Town annually. Dependent upon IRS guidelines, calculation of the taxable benefit will be done by one of three methods: the lease value rule; the cents-per-mile rule; or the commuting rule.

(c) Personnel in this category include:

Director of Public Works
Public Works Operations Manager
Public Works Supervisor
Town Manager
Director of Public Safety
Assistant Director of Public Safety
Building Official
Fire Marshal

(d) Employees must submit quarterly mileage reports to the Finance Office for calculation of their taxable benefit.

(e) The Town Manager will maintain a list of assigned vehicles.

(f) Under no circumstances shall any family member or any other unauthorized individual be permitted to drive any Town-owned vehicle.

(3) Assigned Vehicles.

(a) Personnel who are assigned vehicles shall park them in the Hicks Municipal Center parking lot overnight. Assigned vehicles are to be used in the conduct of Town business during the day and may be used for evening commute for required Town business purposes only. In this circumstance, the vehicle may be driven home in the evening for dinner and to-and-from the place of business. Assigned vehicle operators are responsible for the care of their assigned vehicle. If another employee wishes to use an assigned vehicle, the employee must obtain written authorization by the respective Division/Department head, or the Town Manager.

(b) Each Division/Department shall keep a list of authorized employees who may operate the Town-owned vehicle that is assigned to that Department. Only specified personnel may, upon approval of a Division/Department head or the Town Manager, operate a Town vehicle.

(c) Under no circumstances shall any unauthorized individual be permitted to drive any Town-owned vehicle.

(4) Privately owned vehicles used in the conduct of Town Business.

(a) A privately owned vehicle may be used for transportation in the performance of official Town business upon approval of a Division/Department head or the Town Manager when a Town vehicle is not available.

(b) Compensation for use of privately owned vehicles. Employees shall be compensated for privately owned vehicle usage at the applicable IRS rate per mile prevailing as of the beginning of the Town's fiscal year.

(c) Insurance coverage. Employees are required to maintain liability insurance on privately owned vehicles used on Town business at a level not less than $100,000 per person/$300,000 combined single limit for bodily injury and/or property damage. The Town will provide excess liability insurance beyond these minimum levels up to the limit of liability provided for Town-owned vehicles. Proof of proper insurance will be required for mileage reimbursement.

(d) Employees involved in accidents. Employees are personally responsible for insuring privately owned vehicles for physical damage claims including but not limited to glass, theft, vandalism, and collision. The Town does not provide any excess physical damage coverage, however, if an employee is involved in an accident while on official Town business, the Town of Tolland shall reimburse the employee for the policy deductible up to a maximum payment of $500. Payment will be made upon receipt of all documentation requested including proof of payment from the employee's insurance carrier.

D. Recordkeeping.

(1) Any employee who uses a vehicle on Town business whether it be a Town vehicle or privately-owned vehicle shall keep a record on a log form to be supplied by the Town of mileage, destination, time, and purpose of trip, etc.

(2) A copy of each such log form shall be submitted weekly to the appropriate Division/Department head, or to the Town Manager.

(3) The log form completed by any employee who uses a Town vehicle shall also include data for any personal use of said vehicle that is not considered Town business under this policy.

(4) The employee shall reimburse the Town for all personal use of a Town vehicle at the applicable IRS rate per mile prevailing as of the beginning of the Town's fiscal year.

E. Financial responsibility.

(1) Employees operating Town-owned automobiles are protected against claims for property damage and/or bodily injury arising out of the use of that vehicle when:

(a) The employee is acting in the performance of his/her duties and within the scope of his/her employment; and,

(b) The damage is not the result of a willful, malicious, or intentional act.

(2) Employees operating Town-owned vehicles outside the performance of their duties and scope of employment and without the written permission of the Town Manager shall be held responsible for property damage, including but not limited to the reasonable value of wear and tear on the car, and/or personal injury arising out of such unauthorized use.

(3) Employees using privately owned vehicles on official Town business are provided liability coverage by the Town on an "excess" basis, secondary to any other collectible insurance. This does not include physical damage coverage to the employee's vehicle (comprehensive and collision). Mileage reimbursement payments anticipate insurance

costs borne by the owner of the vehicle; therefore, any privately owned vehicle used on business must be covered by insurance with minimum limits as set forth herein.

F. Conduct in the use of motor vehicles.

(1) Employees using Town or personal vehicles shall use appropriate caution in their driving habits, and abide by all applicable laws governing both emergency and non-emergency use.

(2) Use of seat belts. All Town employees are required to use seat belts when operating a Town vehicle and when operating a privately owned vehicle in the conduct of official Town business.

(3) Possession of a driver's license. Operation of a Town vehicle or a personally owned vehicle without a valid driver's license is expressly prohibited.

G. Markings. All Town-owned vehicles shall be identified by a Town seal displayed on each side of the vehicle except for vehicles assigned to the police and Town Manager. All vehicles shall bear municipal license plates. No private equipment, decorations, stickers, or advertisements shall be affixed to a Town vehicle.

H. Maintenance of Town vehicles. The following guidelines should be adhered to by everyone using Town-owned vehicles:

(1) Vehicles shall be washed at least quarterly.

(2) The interiors of the vehicles shall be kept clean.

(3) Each time the vehicle is used, the tires shall be checked visually. The vehicle's oil level shall be checked each time the car is refueled.

(4) Mechanical problems of which the operator becomes aware shall be reported and the vehicle brought in for preventive maintenance (PM) checks as required.

(5) Doors shall be locked and windows closed when vehicles are not being used.

(6) Under no circumstances shall a privately owned vehicle be fueled, maintained, or otherwise serviced by the Town of Tolland, even if the vehicle is being used for municipal purposes.

(7) The Town reserves the right to charge individual drivers of Town-owned vehicles for the costs of repairs due to poor maintenance, carelessness, and/or damages beyond normal wear and tear.

I. Complaints. All complaints concerning Town vehicles, drivers, or passengers shall be immediately investigated by the appropriate Department or Division head. The results of the investigation shall be reported in writing to the Town Manager.

The complaint shall contain the following:

Name, address, and phone number of the complainant.
Name and operator's license number of the driver.
Summary of the complaint.
Findings of the investigation.
Remedial action taken, if any.

J. Fines and charges.

(1) Parking fines and moving violations are the personal responsibility of the vehicle operator. All such fines and charges must be reimbursed to the Town if necessary.

(2) If any fines, charges, or other bills owned to the Town by the employee pursuant to this policy are not paid within three months of the date they are incurred, the Town will request authorization to deduct proper legal amount from the employee's paycheck after one written warning to the employee.

K. Penalties and discipline.

(1) Employees with poor driving records may have the privilege of using a Town vehicle revoked. Each employee using a Town-owned or leased vehicle shall provide the Town with a copy of his or her driving record annually, if requested by the Town.

Failure to comply with the provisions of this policy shall result in discipline, up to and including termination, as specified in the Town Personnel Policy.

ARTICLE XVIII
Sexual Harassment and Other Forms of Harassment

§ A174-58. Policy.

Harassment of an employee by a supervisor or co-worker on the basis of sex or inclusion in a protected class under law creates a harmful working environment and is illegal under state and federal law. It is the policy of the Town to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex or inclusion in a protected class. While this policy specifically addresses sexual harassment, the Town will not tolerate harassment on any other basis as well (see Section § A174-3).

§ A174-59. Definition of terms.

A. Sexual harassment. Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 as well as Connecticut General Statutes, § 46a-60(a)(8). Sexual harassment is generally defined as verbal or physical conduct by a supervisor or co-worker relating to an employee's sex which has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities. Such behavior is prohibited. While it is difficult to define sexual harassment precisely, it does include any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

B. Prohibited Conduct. Although not an exhaustive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:

(1) Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;

(2) Unwelcome attention of a sexual nature, such as degrading, suggestive or lewd remarks or noises;

(3) Dirty jokes, derogatory or pornographic posters, cartoons or drawings; or

(4) The threat or suggestion that continued employment advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment.

C. Any infraction of this policy by any employee should be reported immediately to the Director of Administrative Services or the Town Manager. If, for any reason, an employee is uncomfortable reporting an incident of sexual harassment to either of these individuals, the employee may report the incident to his/her department head or to another supervisory employee in the Town employ. All such supervisory employees are required to report incidents of sexual or other harassment to the Town Manager. The Town will endeavor to keep such reports or complaints confidential, sharing them with others only on a need-to-know basis, for the purposes of facilitating investigation and resolution. All reports or complaints of suspected sexual harassment will be investigated.

D. Retaliation against any employee for complaining about sexual harassment is prohibited under this policy and illegal under state and federal law. Violations of this policy will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sexual harassment may also be subject to civil and criminal penalties.

E. Any employee who believes that he or she has been harassed in the workplace in violation of this policy may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 90 Washington Street, Hartford, CT 06106. (Telephone Number 566-3350; TDD Number 566-2301) and/or the Equal Employment Opportunity Commission, Boston Area Office, One Congress Street, Boston, MA 02114 (Telephone Number 617-565-2300; TDD Number 617-565-3204). Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within 180 days of the date when the alleged harassment occurred. Remedies for sexual harassment include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

F. In addition to sexual harassment, this policy prohibits all other types of harassment on the basis of race, color, religion, sex, age, disability, sexual orientation, marital status, pregnancy, genetic information, gender identity or any other legally protected status. Therefore, employees of the Town should also report situations involving any of these other forms of harassment, through the complaint and investigation procedure set forth above. Any questions should be directed to the Director of Administrative Services or the Town Manager. As with sexual harassment, employees may make inquiries of, or file complaints with, the Connecticut Commission on Human Rights and Opportunities.

§ A174-59.5 Workplace Accommodations.

The Town is committed to complying with all applicable provisions of state and federal laws protecting the rights of qualified disabled individuals. Consistent with this policy of nondiscrimination, the Town will provide reasonable accommodations to a qualified individual with a disability, as defined under applicable law, who has made the Town aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Town.

Applicants or employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact their applicable supervisor, the Director of Administrative Services or the Town Manager. Upon receipt of any accommodation request, the Town will review the precise limitations resulting from the disability and the potential reasonable accommodation(s) that might be made to enable performance of the essential functions of the job. The Town will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the Town's overall financial resources and organization, and the accommodation's impact on the Town's operations, including its impact on the ability of other employees to perform their duties and on the Town's ability to provide services to the public. If

an employee is provided leave as a reasonable accommodation, the employee will be required to exhaust any accrued paid time off before being provided with any unpaid leave.

As part of this process, an employee or applicant may be required to provide authorization for the Town to communicate with and obtain documentation from their health care providers regarding the medical condition(s) for which reasonable accommodation is sought, and may further be required to be evaluated by a health care provider of the Town's choice. All such medical information discussed and received will be treated as confidential to the extent required and permissible by law.

The Town will not retaliate against any applicant or employee because of a request for reasonable accommodation. If an applicant or employee believes that s/he has been discriminated or retaliated against because of his/her disability and/or has been unlawfully denied or retaliated against for requesting a reasonable accommodation, s/he should follow the reporting procedures outlined in the Town's policy against workplace discrimination and harassment and the Town will respond accordingly, or the employee may otherwise file a complaint with the applicable state or federal agency.

A. Pregnancy-Related Accommodations.

The Town will provide a reasonable accommodation to an applicant or employee due to her pregnancy, childbirth or need to breastfeed or express milk at work, unless doing so would pose an undue hardship (e.g., the accommodation would require a significant difficulty or expense in light of the circumstances). Depending on the circumstances, reasonable accommodations may include: being permitted to sit while working; providing more frequent or longer breaks; periodic rest; assistance with manual labor; job restructuring; light duty assignments; modified work schedules; temporary transfers to less strenuous or hazardous work; time off to recover from childbirth; and break time and appropriate facilities for expressing milk.

Applicants or employees who believe they need a reasonable accommodation because of pregnancy, childbirth or other related conditions should contact their applicable supervisor, the Director of Administrative Services or the Town Manager and the request will be handled in the same manner as any other request for any other workplace accommodation.

The Town will not retaliate against any applicant or employee because of a request for reasonable accommodation. If an applicant or employee believes that she has been discriminated or retaliated against because of her pregnancy, childbirth or other related conditions and/or has been unlawfully denied or retaliated against for requesting a reasonable accommodation, she should follow the reporting procedures outlined in the Town's policy against workplace discrimination and harassment and the Town will respond as detailed in that policy, or the employee may otherwise file a complaint with the applicable state or federal agency.

ARTICLE XIX
Workplace Privacy, Monitoring and Internet Use Policy

§ A174-60. Policy.

The Town's primary mission is to effectively and efficiently conduct its business and meet or exceed service expectations. In order to do this, the Town must be able to: (a) access business information at all times; (b) provide a safe, productive work environment; and (c) supervise its employees to be sure that they are acting consistently with business objectives.

In order to prevent any misunderstandings, the Town believes that every employee should be aware of the following policies on privacy, monitoring and internet use in the workplace so that they can conduct themselves in a professional manner at all times and avoid any potentially embarrassing situations.

(1) The Town reserves the right to inspect employees' work areas and their persons, possessions, and property at the workplace as reasonable and necessary. This includes, without limitation, employee lockers, desks, file cabinets, workstations, and mail.

(2) Employees using personal locks on Town property must provide the combination to their supervisor. The Town will also retain a copy of any keys issued to employees.

(3) The Town provides telephones and computers and other forms of electronic communications to employees to facilitate efficient and effective business operations. Electronic communications includes without limitation information that is transmitted, received, and/or stored via the telephone, the voice mail system, the electronic mail (e-mail) system, the facsimile machines and processes, the Internet and the World Wide Web, and video systems. These communication systems, as well as all electronic communications transmitted, received, and/or stored on these systems, are property of the Town. As such, employees shall use these communications systems for Town business only, except that incidental and reasonable personal use of these electronic communications systems is permitted, involving, for example, occasional personal phone calls, e-mails or web access, to the extent that such incidental use does not affect work productivity or job performance, does not cause the Town to incur any additional expenses, and does not violate any policies or procedures of the Town or applicable laws. Under no circumstances may the communication systems be used to send "broadcast" messages to large groups or all employees without the prior approval of management. As noted herein, Town employees should not presume or expect that personal messages will be private or free from monitoring or disclosure by the Town.

(4) E-mail and voice-mail messages are not "private" communications. Recipients of e-mail and voice mail messages might save, print, distribute or forward them in ways that may not seem appropriate to the sender (although doing so may in some cases be in violation of this policy). Similarly, although employees have individual passwords,

encryption keys or access codes to their voice mail, e-mail and computer network systems, communications created, stored, sent or retrieved on such systems should not be considered confidential, as these systems are accessible at all times by the Town. Even when a communication or file is erased or deleted, it still may be stored and can be retrieved and reviewed.

(5) The Town's policy prohibiting harassment and discrimination applies to the use of these systems. Therefore, the creation, transmission, receipt or downloading of pornographic materials and inappropriate or offensive comments or other images or information, such as disparaging comments or pictures based on race, color, religion, gender, national origin, age, disability, marital status, veteran status, sexual orientation or any other protected category, over any of the Town's systems, is prohibited.

(6) The Town's electronic communications systems may not be used to solicit for religious or political causes, outside organizations or other personal matters unrelated to employment with the Town. Solicitation on the Town's premises is substantially disruptive to operations, may materially interfere with the working relationship between employees, and may affect the job performance of employees. Accordingly, the Town prohibits all solicitation activities for the purpose of financial gain, lotteries or charities on the Town premises, provided they are not sponsored or approved in advance by the Town. In addition, no employee is permitted to engage in solicitation of subscriptions, memberships or other outside activity of any kind during working time (excluding lunch break). Solicitation and distribution of literature or other non-Town material is also prohibited during working time or in working areas at any time.

(7) World Wide Web access and use of the Internet is encouraged where such use is appropriate for business and professional objectives and is conducted lawfully. Web access or Internet use through the Town's electronic communications systems should not be for purposes of personal gain, solicitation of non-Town business or advancement of individual views. Nor should use of the Internet disrupt the operation of the Town's electronic communications systems or the networks of other users. In addition, each employee is responsible for the content of all text, audio or images that s/he places, sends, downloads or receives over the Internet. Accordingly, web access or Internet use through the Town's electronic communications systems may not involve the transmission, receipt or use of fraudulent, harassing or obscene information. Nor should any messages sent over the Town's electronic communications systems be inconsistent with or interfere with the Town's business practices or principles. Furthermore, messages communicated over the Town's electronic communications systems must not be transmitted under an assumed name, and users may not attempt to obscure the origin of any message. Finally, no confidential information involving the Town's operations should be sent or received via the internet unless approved by authorized management personnel, and care must be taken at all times to protect the confidentiality of the Town's intellectual property and business assets.

(8) Software programs and materials, other than those that have been properly licensed by the Town, may not be installed or downloaded on the Town's computers. In addition, theft of software is a crime, and is punishable by law. Users are not permitted to copy, transfer, rename, add or delete information on programs belonging or licensed to others unless given express permission to do so. No employee may use the Town's electronic communications systems in ways that are inconsistent with licenses or copyrights, or to download or distribute pirated software or data, including without limitation music or movies. Furthermore, no employee may use the Town's electronic communications systems to propagate any virus, worm or trap door program code, or to otherwise disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

(9) Intrusions of privacy by any employee into the Town's business affairs or the affairs of other employees or Town residents are strictly prohibited. Employees are prohibited from accessing information or files at another employee's workstation or vehicle unless expressly permitted to do so by authorized management personnel. The tape recording of any conversation in the workplace is strictly prohibited without written authorization from the Town Manager, or with the consent of all parties to the conversation. The tape recording of any telephone conversation to or from the workplace is strictly prohibited absent the consent of the parties to the phone call obtained in accordance with applicable law. Employees are prohibited from taking photographs in the workplace without written authorization from the Town Manager, or unless the consent of any individual to be photographed is obtained in advance.

(10) The Town reserves the right to review, access, and intercept all messages created, received, or sent over its electronic communications systems at any time, without advance notice, for such reasons as, without limitation: ensuring that the systems are being used solely to conduct the Town's business; assisting in the evaluation of employee work performance; maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that the Town's operations continue appropriately. The Town may also monitor or review employee work performance at any time, without advance notice, through the use of mechanical or electronic devices, or other methods, including the use of telephone or video monitoring. An employee's use of the Town's communication systems constitutes consent to the Town's conduct.

(11) Employees are prohibited from gaining access to another employee's computer or other electronic communications and must not use unauthorized codes, passwords or other means to gain access to another employee's computer or other electronic communications systems, unless expressly permitted to do so by authorized management personnel. Employees are prohibited from accessing a file or retrieving any stored information on the Town's e-mail, voice-mail, and computer systems unless expressly permitted to do so by authorized management personnel.

(12) Employees should use e-mail, voice-mail and computer system passwords and change them regularly. Employees should keep these passwords confidential. However, employees must provide all personal passwords to authorized Town management or information systems personnel as requested, so that the Town may effectively conduct business at all times. Upon sharing one's password, employees should immediately change the password after the purpose for which it has been shared has been accomplished.

(13) Public records retention and Freedom of Information Act requirements must be satisfied in the use of electronic communications systems in accordance with applicable law and state policies, copies of which may be obtained from the Human Resources Department and/or the Town Manager.

(14) Any employee who violates the Town's privacy, monitoring and internet use policy shall be subject to disciplinary action, up to and including termination of employment. In addition, criminal penalties and fines may apply where the employee's conduct violates applicable state or federal laws.

(15) Any complaints regarding potential violations of this policy, and/or any questions regarding an employee's use of these electronic communication systems in accordance with this policy, should be directed to the employee's immediate supervisor in the first instance, or if the matter is not resolved at that level, then to the Human Resources Department.

ARTICLE XX
Workplace Violence Policy

§ A174-61. Policy.

The Town of Tolland strives to provide a safe, non-violent workplace and does not tolerate any acts that constitute or may be construed as any type of violence in the workplace.

Participating in, provoking, or otherwise contributing to any violent act in the workplace, including, but not limited to, abuse, assault, battery, property damage, threats and/or harassment will result in disciplinary action up to and including arrest and discharge. Any violent act, implied or actual, and/or threatening is strictly prohibited. The Town of Tolland maintains a zero tolerance policy on violence in the workplace.

Possession, use, or threat of use, of a deadly weapon and/or dangerous instrument, as defined by the State of Connecticut Penal Code, Section 53a-3, by a Town employee, is not permitted at work, or while on duty on Town property, including a Town vehicle, or in a private vehicle when the vehicle is being used for Town business, or if the private vehicle is parked on Town property

while the employee is on duty, unless such possession or use of a deadly weapon and/or dangerous instrument is a necessary and approved requirement of the job, or as authorized by the Town Manager in an emergency situation.

It is the shared obligation of all employees, law enforcement agencies, and employee organizations, individually and jointly, to act, to prevent, or defuse, actual or implied violent behavior in the workplace. The Town will work with law enforcement agencies to aid in the prosecution of anyone who commits violent acts against employees or their property.

No employee, acting in good faith, who reports real or implied violent behavior, will be subject to retaliation or harassment based upon such report.

State of Connecticut Penal Code Sections 53a-3 Definitions:

"Deadly weapon" means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles. "Dangerous instrument" means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" as that term is defined in this section and includes a dog that has been commanded to attack, except a dog owned by a law enforcement agency of the state or any political subdivision thereof or of the federal government when such dog is in the performance of its duties under the direct supervision, care and control of an assigned law enforcement officer. "Vehicle" means a "motor vehicle" as defined in section 14-1, a snowmobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.