Employees' Guide

This *Guide* has been developed and updated (Fall 2015) to supply you with basic information about your employment with the Town of Darien. It is intended to be used for informational purposes and does not represent a contract for employment or an extension of benefits, or legal protections beyond those already supplied in statute, regulation, Town policies and procedures or through the collective bargaining process.

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EMPLOYEE CERTIFICATION OF RECEIPT

I hereby acknowledge that:

- I have received the *Town of Darien Employees' Guide* and understand that I am responsible for reviewing its contents and for complying with the policies and procedures set forth in the *Guide*. However, if there is a conflict between the *Guide* and a collective bargaining agreement negotiated between the Town and a Union, the collective bargaining agreement will prevail.

- I understand that the material in the *Guide* is not a contract for employment or for continued employment or a guarantee that any practices, policies, or procedures or benefits described in it will continue in effect or will not be changed.

- I understand that, in the future, if I have questions about anything in the *Guide* or about any aspect of my employment or about the Town's practices, policies, procedures or benefits, I am free to ask the Director of Human Resources or the Town Administrator, who are the only individuals authorized to interpret the *Guide* or make revisions to anything contained in the *Guide*, and that to be effective, all such revisions must be in writing.

Please Print and Sign your name below.

NAME:

_____

SIGNATURE:

_____

DATE:

_____

MESSAGE FROM THE TOWN ADMINISTRATOR

To All employees of the Town of Darien:

Welcome! This *Employees' Guide* has been prepared to assist you in your employment with the Town of Darien. Our Human Resources Department, in collaboration with many other Town departments and employees, has prepared the following guide of Town policies, practices and procedures. This *Guide* is designed to act as a source of information for our employees and to assure that all staff understands the expectations of the Town with regard to their employment. You will be asked to sign the attached *Employee Certification of Receipt* as an acknowledgement that you received the *Employees' Guide* and that you understand that you are responsible for reading and complying with the contents of this *Employees' Guide,* and any subsequent *Guides*.

Obviously, in an organization the size of Darien and given the number of years that we have served the public we may have overlooked some policy or procedure. As these become known to us this *Guide* will be supplemented and reissued from time to time. Additionally, as new issues or situations arise that require the establishment of a Town wide policy we will circulate addendums to all employees for their information and guidance.

Government service is one of the most honorable and rewarding forms of employment that is available in our society. Our work on behalf of and for the benefit of the residents of the Town of Darien will bring you many challenges and opportunities. Please make every effort to take advantage of these situations to learn the intricacies of your vocation and to grow as a person. Ultimately, the service that we provide to the residents of the Town is the sum of all of our actions.

If you or any of your co-workers have any questions regarding this guide we will be happy to meet with you and discuss these matters. Please direct your inquiries to the Director of Human Resources or to my office.

Sincerely,

Town Administrator
Town of Darien

PURPOSE OF THIS GUIDE

The purpose of this *Guide* is to compile into one document the practices, policies and procedures of the Town of Darien existing at the time of its publication with respect to matters related to your employment

In publishing this *Guide*, our intent is to provide every Town employee with a central source of information about such current practices, policies and procedures and, where appropriate, to describe as clearly as we can the Town's current expectations of you and your colleagues as Town employees. The expectations described in this *Guide* may be supplemented from time to time by the First Selectman, Town Administrator, the Director of Human Resources, or the Head of the Town Department to which you are assigned or by the supervisor under whose direction you are performing assigned tasks.

While we endeavored to make this *Guide* all-inclusive, it is possible that the sheer volume of practices, policies, procedures and expectations that have developed in the Town over the years has caused us to miss some. If so, we will try to include them with updates to add and/or replace outdated material. The fact that some practices, policies, procedures or expectations do not appear in this *Guide*, however, does not necessarily mean that they are no longer in effect.

As its name implies, this *Guide* is intended *only* as a guide. It is not and should not be construed as a contract or binding commitment, either express or implied, between the Town and any employee for continued employment, for benefit entitlement or for the continuation of any practice, policy or procedure described in it. By describing the various practices, policies, procedures and expectations in effect on the date of publication of this *Guide*, the Town is not guaranteeing that such practices, policies, procedures and expectations will remain in effect for any specific period of time or that they will not be changed after the *Guide* is first published.

As a vibrant municipal organization, the Town of Darien must and does maintain sufficient flexibility to respond to the needs and desires of its residents and the ever-changing demands on its ability to deliver required services within the limits of the budget the taxpayers provide. Therefore, the Town reserves the right to add to, revise or discontinue any or all practices, policies, procedures and expectations described in this *Guide*, in whole or in part, with or without notice, prospectively or retroactively, and in any respect, at any time, in order to meet changing needs.

It is your responsibility to check our bulletin boards regularly, read the memos sent to you, heed announcements from Town Officials and pay attention to your supervisors for possible notices, memoranda or other communications that can restate, discontinue, expand, modify or amend any or all of the practices, policies, procedures or expectations described in this *Guide*. You should also be alert to announcements of policies and procedures that are newly established and new practices that may develop to respond to ever-changing demands after this *Guide* is published.

The material in this *Guide* is intended to apply to every Town employee and supersedes all earlier statements of the Town's practices, policies and procedures with respect to the items

covered. However, if there is a conflict between this *Guide* and a contract negotiated between the Town and a Union, the terms of the union contract will prevail.

Therefore, every Town employee should read this *Guide* carefully and completely and become familiar with its provisions.

If you have any questions about anything contained in the *Guide* or about any work-related issue that may not be described in the *Guide*, please direct them to your immediate supervisor or to the Human Resources Department. As a general rule, if you have a question, you should ask before you act.

We hope this *Guide* enhances your employment experience with the Town and facilitates your opportunities for success.

IMPORTANT INFORMATION REGARDING THE NATURE OF YOUR EMPLOYMENT RELATIONSHIP WITH THE TOWN OF DARIEN

Like all employment relationships, your employment with the Town of Darien is a contractual relationship. Under the basic terms of that contractual relationship, in their simplest form, you have agreed to perform services for the Town, as assigned, and the Town has agreed to pay you for performing them.

You are an "**AT WILL**" employee **IF**:

- ✓ You are still serving a probationary period, or
- ✓ Your position is not represented by a union, or
- ✓ There is no Connecticut Statute requiring the town to prove cause before terminating your employment, or
- ✓ You are not an elected official, or
- ✓ You do not have a written contract requiring just cause to terminate your employment.

As an "at will" employee, you or the Town can terminate your employment with the Town at any time, for any reason or for no reason, with or without cause or notice.

No one in the Town, except the Town Administrator and the Town's Director of Human Resources, has authority to enter into an employment relationship with any employee on any basis other than an ***at-will basis***.

The Town Administrator or the Town's Director of Human Resources may establish employment relationships other than on an *at-will basis* – i.e., one for a pre-determined duration - but *only in writing*. In addition, any such exception will operate in the future only, and not retroactively.

Therefore, statements in this *Guide*, oral or written statements made by managers, supervisors or anyone else in the Town during your employment with the Town do not alter, and should not be construed as changing, your employment relationship into something more or less than that.

In order to manage the Town's functions effectively, the Town retains sole discretion over hiring, promotions, transfers, terminating employment and all other personnel and employee relations matters. Statements in this *Guide* to the effect that certain behavior can lead to disciplinary action up to and including termination of your employment are not intended to change the "employment-at-will" relationship described above and should not be so construed.

EMPLOYEE RESPONSIBILITIES

Attendance and Punctuality

Because the Town is committed to providing first rate services to and for its residents, the Town needs to count on your ability to maintain a regular work schedule as assigned.

Not only could your absence or tardiness, even for legitimate reasons, place an added burden on your fellow workers, but it could have an adverse effect on our ability to deliver the high level of services to and for our residents that they have a right to expect, and it could disrupt the work of our vendors and contractors. Therefore, the Town has a right to expect you to maintain a regular work schedule.

The Town expects you to be at your work station, ready to perform your duties, every time you are scheduled to be there. Employees who are considered non-exempt under the Fair Labor Standards Act (i.e. hourly employees) must imprint into NOVATime, the Town of Darien's Time and Attendance/Workforce Management system, both when they arrive at work and when they leave work. Employees are not permitted to imprint in or out more than seven (7) minutes before or after their shift without prior authorization from their supervisor. The Town considers you absent anytime you are not at work and considers you late whenever you do not report to your work station ready for work at your scheduled starting time at the beginning of your day or after lunch.

In accordance with the Connecticut statute governing sick time for part-time employees (see page 59), the Town requires Department Heads to maintain weekly time sheets indicating the actual work hours of employees and subtracting any unpaid breaks so that the Town can determine when an employee has worked the requisite number of hours to be eligible to use paid sick time.

Attendance and Punctuality as a Factor in Evaluation of Performance

Your attendance and punctuality record will be reviewed and evaluated regularly, will be considered an important factor in evaluating your performance. And, if unsatisfactory, can result in disciplinary action up to and including termination of your employment.

Reporting Absences and Lateness

To enable us to plan our work and adjust our work assignments to accommodate our residents' needs, the Town expects employees to be reliable and to be punctual in reporting for scheduled work. In the event that you will be absent or late, you must promptly notify your supervisor. Such notice should include the reason and the expected duration of your absence or lateness. Under normal circumstances, we would expect you to provide such notice within one (1) hour of your scheduled starting time. You must also notify your supervisor promptly of any changes in your situation.

You may not leave work early for any reason, including, but not limited to, receiving medical treatment or addressing another legitimate need that cannot be addressed outside your scheduled work time, without receiving authorization in advance from your supervisor.

To enable us to make any adjustments that may be required to accommodate your need, you must notify us of your need as far in advance as possible. Therefore, if you need time off, please request authorization from your supervisor as far in advance as possible. All such requests will be given fair consideration, subject to the needs of the Department to which you are regularly assigned.

If you are not scheduled to begin work until later in the day, you must still notify your supervisor as soon as you know you are going to be absent or late so that we have the opportunity to schedule coverage for you.

Verification of Absence

The Town reserves the right to verify the reason given for any absence or lateness at any time, including, but not limited to, requiring you to provide documentary verification of the reason given for any absence or lateness, including, for example, a doctor's certificate with respect to any absence or tardiness for which illness or injury is given as the stated cause.

Building Keys

Keys to external building doors are typically not be provided to employees. Individual Building Room Keys are issued by the Public Works Department and must be returned if an employee is reassigned to a different office or separates employment with the Town.

If keys or fobs are lost or stolen, the employee must report it to his/her supervisor as soon as possible.

Confidentiality

Information employees obtain as the result of their employment with the Town may be confidential. Respect for the dignity of employees, and the administration requires that employees discuss any confidential matter only on a need to know basis. The Town will comply with requests for public information as they are received in accordance with state law and local policy. Any requests which could involve confidential information should be directed to the Director of Human Resources.

Cultural and Religious Diversity

The Town values diversity and is committed to a work environment in which all individuals are treated with respect and dignity. Each Town employee has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. The Town expects that all relationships among persons in the office will be business-like and free of bias, prejudice, and harassment.

Regardless of one's religious or spiritual beliefs, the Town encourages all employees to have an appreciation for and tolerance of the many points of view which they may encounter among its employees.

Demeanor, Appearance and Dress Code

The services that the Town performs are often delivered in view of the public. Many Town employees are required to deal directly with Town residents, vendors and other visitors. All Town employees, whether they deal directly with or perform their duties in full view of the public, are ambassadors of the Town of Darien. In order for the Town to provide its services effectively, it is essential that all employees project a professional image at all times.

The impression that you create as a Town employee is often the impression that the resident, vendor or visitor will have of the Town as a whole. We expect in your relations with others, including residents, vendors, visitors or co-workers that you will at all times be cooperative, courteous, and tactful.

We expect you to dress and groom in a neat and businesslike manner consistent with your position. Additionally, employees are expected to wear appropriate footwear while at work. Standards may vary from position to position due to such factors as the type of work and amount of public contact involved. If you are required to wear a uniform, it is your responsibility to make sure it is as clean and neat as practicable based on your duties.

Display of Religious Symbols and Decorations

The Town will neither promote nor discourage any religious belief or non-belief. Instead, all employees are encouraged to have an appreciation for and tolerance of the many points of view which they may encounter among the Town's employees.

The Town recognizes and respects the right of all of its employees to engage in private and quiet religious activities, so long as that conduct is not disruptive and does not interfere with the rights of others to not participate in those activities or to have those activities imposed upon them. Employees whose religious beliefs require religious activity during the work day are to request of their supervisor a non-disruptive place for such practice. Time for such practice will be during break periods or non-paid time.

In some religious traditions there is an expectation that specific apparel will be worn in the workplace. Moreover, many employees occasionally choose to wear to work clothing that suggests or implies the observance of a religious holiday. The Town is committed to balance the rights of employees to express their religious beliefs with the right of their co-employees to not have religious beliefs, customs, or practices imposed upon them. At the same time, the Town requires all employees to maintain a professional appearance and to respect the integrity of the workplace. Restraint, tolerance, and respect for the traditions of other employees is both expected and required.

Documentation

Integrity is a core value of the Town. Therefore, intentional inaccuracies on official Town documents such as time sheets, job applications, etc. are prohibited and are grounds for disciplinary action, up to and including termination.

Employee Meetings

Employee team and other meetings provide an important link between employees, co-workers, and supervisors. Periodically, employee meetings may be held for the purpose of hearing guest speakers, holding open forums, obtaining new information, education/training and/or receiving updates on what is happening in the Town. Supervisors are encouraged to meet regularly with employees and inform employees as to the frequency and location of these meetings.

Licenses and Certifications

Each employee who is required to be certified and/or licensed by law must maintain a current certificate and/or license with the Human Resources Department. Individuals are expected to know the date of expiration of their license/certification and meet the requirements for re-licensure or certification in a timely manner in order to remain employed in that capacity.

Renewing certifications and/or licenses is the employee's responsibility. If a certification and/or license are required for the employee's job, he/she must submit proof and any renewal to the Human Resources Department.

Outside Employment

Employees are prohibited from participating in outside work activities that negatively affect the time or quality of their work assigned by the Town, create a conflict of interest between such outside work and their employment with the Town or otherwise cast discredit upon the Town or Town government. In general, outside work activities are not allowed when they:

- prevent or impede the employee from fully performing work for which he or she is employed at the Town, including overtime assignments;
- involve organizations that are doing or seek to do business with the Town, including actual or potential vendors or customers; or
- violate provisions of law or the Town's policies or rules.

Therefore, if you are engaged or expect to become engaged in outside work activities that might be in conflict with this policy, it is ***your responsibility*** to notify your department head promptly and request written permission from your department head to engage in such outside activity. The granting of permission to engage in outside work activities is within the discretion of your department head and the Director of Human Resources and may be withdrawn at any time that your department head and the Director of Human Resources determine that such activity is in conflict with this policy.

Personal Property

The Town does not assume responsibility for the loss, theft or damage to personal property. In order to minimize risk, employees are advised not carry unnecessary amounts of cash or other valuables. Employees who bring personal items to work are expected to exercise reasonable care to safeguard them. Employees are generally not allowed to bring personal appliances (e.g., refrigerators), desk and stand up lamps, unauthorized power strips, and other electrical cords and wires into their work stations or individual offices. While we recognize that there may be a need for certain items to be used in a specific or unique situation, employees must first check with their supervisor who, in turn, will consult with the Town Administrator prior to the above listed items being approved for use in the building.

Staff Development

"Staff development" is viewed by the Town as a continuous systematic effort to improve programs of the Town of Darien through (1) staff involvement in organized program planning, implementation and evaluation efforts, and (2) activities to upgrade the skills, knowledge and ability of Town employees in their respective areas. Employees are encouraged to take advantage of available trainings and staff development opportunities.

Staff Identification

Staff should be readily identifiable to other Town employees and members of the public. Those employees who are assigned badges or ID cards should ensure that they are visible at all times.

Use of E-Mail and Computer Software, Hardware and Networks and Social Media

Employees of the Town of Darien receive access to our computer network. By accepting access to our network and our computers, employees acknowledge and agree to comply with the following guidelines:

<u>E-Mail and Internet</u>

The Town of Darien E-mail system and the Internet are to be used for Town business-related purposes only.

It is expressly against the policies of the Town of Darien, including the Anti-Harassment and Anti-Discrimination policies, for any employee to use Town equipment to send discriminatory, harassing (sexual or otherwise) or threatening messages, electronic or otherwise, to anyone within either the Town or elsewhere, or to visit Internet web sites, which contain sexual or discriminatory content. Additionally, posting or sending messages that violate the letter and spirit of the Anti-Discrimination and Anti-Harassment policies, or which contain otherwise objectionable content, is prohibited. This includes messages, which infringe upon the rights of another person, which are abusive, profane or sexually offensive to the average person, or which consist of information which may injure someone else and/or lead to a lawsuit or criminal

charges (e.g., libelous statements, pirated software, destructive software, pornographic materials or copyrighted images and information).

The Town of Darien reserves the right to examine E-mail and other messages without notice, and reserves the right to use automated monitoring tools without notice to search for words or patterns that may indicate abuse.

Failure to adhere to these policies will result in disciplinary action up to and including termination.

Internet Usage

Internet usage and access are proving to be valuable tools, as individuals are finding new and useful ways to utilize the Internet in the performance of their jobs. Unfortunately, with this enhanced access, we are also finding that this valuable resource can be abused. As a user of the Internet via a Town of Darien computer, please be aware of the following:

- It is the Town's policy that Internet usage is for business purposes only. Nevertheless, we recognize that there are occasions when you might need to use the Internet for personal business. We ask that such use be limited to your non-work time and limited in frequency and duration.
- The Town has the capability to monitor Internet activity on each user account. This capability is intended to survey usage to ensure resources are being utilized appropriately. However, inappropriate website visits are noted.
- It is a violation of the Town's Anti-Discrimination and Anti-Harassment policies for any individual to visit pornographic Internet websites at work. In addition, users must refrain from visiting sites that could be deemed inappropriate to fellow employees. Examples of sites in this category would be ones that promote violent behavior, engage in offensive comments, jokes and/or include content that would violate the Town's Anti-Harassment or Anti-Discrimination policies.
- Abuse of these privileges may result in disciplinary action, up to and including termination.

Prohibitions when using social media and/or networking:

Town employees are free to express themselves as private citizens on social media sites to the degree that their actions do not:

1) Suggest or imply that the views expressed are those of the Town; or
2) Impair discipline and harmony among co-workers; or
3) Negatively affect the public perception of the Town; or
4) Post any statement, information or photograph concerning another Town employee that ridicules, maligns, disparages, or otherwise expresses bias against the employee's race or religion or which can be deemed derogatory, inflammatory, discriminatory, or a violation of the Town's Anti-harassment policy.

Use of Telephone and other Town Property

Personal and cell phone usages

Personal cell phone use during work hours should be limited to emergencies or during your break time. If you have been issued a Town cell phone, please limit its usage to Town business and comply with all rules and regulations regarding its use. Use of cell phone in Town vehicles must be limited to a hands-free device. Employees are liable for any violations.

Reimbursement

You may be required to reimburse the Town for any long-distance or other extraordinary phone charges that result from your personal use of a Town telephone.

Telephones

The Town's telephones are intended for business use only. Nevertheless, we recognize that there are occasions when you might need to use a Town telephone for a personal call. We ask that such use be limited to your non-work time and limited in frequency and duration.

The use of Town telephones to receive or make personal calls is not permitted except for reasonable local incidental calls. The Town of Darien fax, mail machine, office equipment, computers, and other Town property are available to employees to use for business-related purposes only. Excessive personal use of Town of Darien property may result in disciplinary action including suspension or termination.

Town Property

Town of Darien property is reserved exclusively for use in conducting Town business and is made available to Town employees only in the performance of their assigned duties. Town property such as, but not limited to, vehicles, motorized equipment, tools, facilities, office equipment (e.g., fax machines, mail machines, calculators, computers) is available to employees to use for Town business-related purposes only. Unauthorized or personal use of Town of Darien property may result in disciplinary action up to and including possible suspension or termination of employment.

Employees are prohibited from scavenging items from the Town Dump/Recycling Center/Transfer Station and Swap-Shop (Employees who are also Darien residents may visit the Swap-Shop during non-work hours.). Additionally, employees are prohibited from using their position to intercept and divert materials destined for the dump or Swap-Shop to their personal possession or the possession of others. Employees who violate this policy will be subject to disciplinary action, up to and including possible termination of employment.

Vehicle Use

Employees who are authorized or assigned to use a Town vehicle must:

- clear snow off vehicle and from parking spot within a reasonable time after snowfall;
- limit such use to official Town business unless otherwise authorized by the Town Administrator. Official Town business includes the performance of tasks that are the regularly assigned responsibility of the employee or reasonably required by virtue of his/her position;
- maintain the vehicle in a clean and neat condition (i.e., wash the exterior and keep the interior free of litter and debris);
- not allow anyone other than another Town employee authorized to operate the vehicle to operate it, except in an emergency;
- not smoke any tobacco products inside any Town vehicle;
- not use controlled substances or intoxicants while operating the vehicle and not have any controlled substances or intoxicants in the vehicle at any time or in your possession while the vehicle is in your custody;
- obey all traffic, parking and other motor vehicle laws while operating the Town vehicle;
- possess and maintain, in accordance with applicable State law, a valid Connecticut Motor Vehicle License that is not under or in jeopardy of suspension or revocation and appropriate to the type of vehicle (e.g., vehicle, truck, etc.);
- report accidents to the Selectmen's office promptly upon their occurrence and complete the appropriate written accident report form as required within 24 hours of the occurrence or by the close of business the next day, whichever occurs first;
- report mechanical defects immediately to the appropriate department head; and
- use a hands-free device when using a cell phone while operating any Town vehicle.

Employees operating Town vehicles are protected against claims for property damage and/or bodily injury arising out of the use of that vehicle when:

- the employee is acting in the performance of his/her duties and within the scope of his/her employment, and
- the damage is not the result of a willful, malicious or intentional act.

Employees operating Town vehicles outside the scope of their assigned duties, scope of their employment or scope of the terms and conditions of their control of any Town vehicle, are personally responsible for property damage, including, without limitation, the reasonable wear of the vehicle, and/or personal injury arising out of or during such unauthorized use.

Employees are personally responsible for any damage that is the result of a willful, malicious or intentional act.

Operators of Town vehicles will be liable for any and all traffic and parking violations tickets issued to the operator while driving these vehicles, including, but not limited to, fines, court costs and/or judgments resulting therefrom or from any form of misconduct.

In order to facilitate the effective administration of Town business, the Town of Darien may provide employees assigned to certain leadership or other specified positions with the extended use and control of vehicles at Town expense. Such arrangements are solely for the benefit of the Town. Consequently, the use of such vehicles is restricted to official business only.

No employee may be assigned extended control and use of a Town vehicle (or 24-hour possession of a vehicle) without prior approval of the Town Administrator.

Consistent with the policies of the U.S. Internal Revenue Service, except for certain exempt vehicle types, those using Town vehicles for commuting will be credited with earnings equal to an IRS established commutation value. The Town will add this value to the employee's wages over the course of the year, deducting all applicable taxes on a per pay period basis.

Violation of this policy can result in disciplinary action up to and including termination of employment.

Employees driving a vehicle for work-related purposes are expected to: (1) drive defensively; (2) wear their seat belt; (3) allow plenty of time for travel; (4) make accommodations for bad weather; and (5) carry appropriate equipment in their vehicle to ensure safety.

APPOINTMENT AND PROMOTION

Accommodations for People with Disabilities

Employees and candidates for employment, who require special accommodations, or someone acting on their behalf, should notify immediately the Human Resources Department.

Employment Applications and Reference Checks

The Town relies upon the accuracy of the information that you provide us in your employment application, as well as the data you provide us throughout the hiring process and your employment. Any misrepresentations, falsifications, or material omissions in any of the information or data you provide may subject you (a) to exclusion from further consideration for employment if you are an applicant and (b) to disciplinary action, up to and including termination of employment, if you are an employee.

To ensure that applicants for employment are well qualified for the type of work for which they are being considered the Town may request employment references of an applicant.

Employment Status

Town employees are either regular employees or temporary/seasonal employees, and either full-time or part-time, as assigned by the Town.

Regular employees are those hired on a regular basis for an indefinite period of time.

Temporary or seasonal employees are those hired in a specific Town Department for a defined period of time (e.g., a day, a week, the summer, and the duration of a specific project, until another employee returns from leave). Summer employees are typical examples of seasonal employees.

Full-time employees are employees who are regularly scheduled to work at least 35 or more hours per week.

Part-time employees are employees who are regularly scheduled to work less than 35 hours per week.

Part-time employees who work twenty (20) or more hours typically receive benefits, other than health insurance, on a pro rata basis. A part-time employee who works less than twenty (20) hours a week is not entitled to benefits or paid time off except as provided by State statute or local policy. Such employees are not eligible to participate in the Town's pension plan. (See copy of sick leave statute on page 61).

Exempt and Non-exempt

Whether regular or temporary/seasonal, full-time or part-time, Town employees are further categorized by law as either **(a) exempt** from the overtime pay requirements of state and federal law or **(b) not exempt** ("non-exempt") from the overtime pay requirements of state and federal law.

Exempt employees are employed in an executive, administrative, or professional capacity, are paid on a salary basis and are not eligible for overtime pay. Non-Exempt employees are employed in jobs other than executive, administrative or professional capacities are paid on the basis of the time they work and are subject to statutory overtime pay requirements.

You will be informed of your status as exempt or non-exempt at the time you are offered employment and at any time your status changes during your employment. These distinctions do not alter the "at-will" nature of the employment relationship.

Positions covered by collective bargaining agreements may be subject to specific posting conditions outlined in those contracts.

Job Vacancies

It is the policy of the Town of Darien to hire or assign the most qualified individuals to available positions. Employees are encouraged to apply for available positions in the Town for which they feel qualified.

The Human Resources Department will normally post, at all Town work locations, a written job posting for available vacancies for five (5) normal work days prior to advertising the vacancy externally.

New employee Orientation

All new employees to the Town of Darien are encouraged to meet with the Human Resources Department for an orientation. Orientation is designed to welcome new employees, acquaint them with policies and information important to working at the Town and ensure that each employee is properly registered for payroll and benefits.

Performance Evaluations

The Town maintains high standards for employee job performance. It is the Town's goal to support employees in the achievement of their full potential. The Town's evaluation process focuses on the individual employee's contribution to the Town services, as well as the abilities the employee demonstrates in doing so. The Town formally evaluates most employees once per year. Areas such as; accomplishments during the prior year, performance against job standards and objectives, areas of needed improvement, and goals for the upcoming year are all reviewed during the evaluation. The evaluation process is the basis for salary and benefit decisions for the upcoming year. In addition, supervisors are urged to evaluate an employee's progress throughout the year through direct meetings and in writing as necessary.

Personnel Records

All documents that the Town uses to make employment decisions about you become a record, or history, of your employment with the Town and, by definition, comprise your "personnel file". The Human Resources Department maintains your official "personnel file", which is devoted exclusively to you. Your personnel file is and will remain the sole property of the Town.

Your personnel file includes, among other things, information pertaining to your employment, benefits, performance reviews, education and professional qualifications and emergency contact information. If you wish to review the material in your personnel file, you may do so upon written request submitted to our Human Resources Department. Personnel files cannot be removed from the Human Resources Department.

The Town of Darien treats personal employee information as confidential and respects the need for protecting each employee's privacy. Information from your personnel file will not be released externally without your express written consent or unless release of the information is required by law.

To ensure that personnel files are up-to-date at all times, it is your responsibility to notify the Human Resources Department of any change in information that affects your employment status, such as, among other things: your marital status, newborn or adopted children, change of address, change in telephone number, change in emergency contact person, change in tax exemptions, and any change in insurance and/or retirement beneficiaries.

SALARY AND DEDUCTIONS

Compensation

Your compensation for the work you perform for the Town includes more than the pay you receive in your paycheck. In addition, the total employment package for a regular full-time employee includes, among other things, the following:

- Paid holidays
- Paid vacations
- Earned Sick Leave
- The Town's contribution to your:
  - Group medical insurance
  - Group dental insurance
- Group term life insurance
- The Town's contribution to the Pension Plans
- Workers' compensation coverage
- Unemployment compensation insurance
- The Town's contribution to your federal social security account and Medicare

These additional components to your compensation package will be described later in this *Guide*.

Compensatory Time

In *lieu* of paying full time non-exempt employees at an overtime rate, as described above, the Town and the employee may agree that the employee will receive compensatory time off for all or a portion of such "overtime" work the employee performs. The compensatory time off must be requested by the employee and is subject to approval by the employee's supervisor. Such compensatory time for non-public safety personnel is limited to a total of 240 compensatory hours before cash must be paid for overtime. Public safety personnel are limited to a total of 480 hours of compensatory time before they must be paid cash for overtime worked. Compensatory time off will be calculated in the same way as overtime pay. For example, for each additional hour worked beyond eight (8) hours in a day or forty (40) hours in a week, the employee will be eligible for one and one-half (1½) hours of compensatory time. Compensatory time must be used before vacation time and will expire one year from the date it is earned, if not used.

Part-time employees are not entitled to compensatory time and must be paid for all hours worked each pay period.

Supervisory, professional, administrative and all other exempt personnel are required to work as many hours and as such times as necessary to satisfactorily perform their job duties and generally are not entitled to compensatory time. The fact that an employee may be routinely required to work on weekends or after normal work hours to perform their job responsibilities does not, in and of itself, warrant compensatory time. However, in **exceptional** circumstances (such as snow storms or general emergencies which cannot be reasonably anticipated to be part of the employee's normal job responsibilities and work schedule) an employee may be provided

with one hour of compensatory time for every one hour worked in excess of forty hours in a single work week subject to the following criteria:

1. The employee must be authorized in advance to work the extra time by the Department Head or Town Administrator.
2. The amount of extra time worked must be significant in terms of amount and duration.
3. The number of hours worked and the compensatory time taken must be recorded on the appropriate time sheet(s) approved by the supervisor and submitted to payroll for entry into MUNIS.
4. Compensatory time earned must be used within a reasonable time frame (normally a month) but in no event to exceed one year from the date earned.
5. Unused compensatory time has no cash value.

Credit Union

All regular, full-time employees are eligible for membership in the NEA Federal Credit Union located at 250 Westport Avenue, Norwalk, CT 06851. Employees may authorize payroll deductions from their pay to the credit union by completing forms available in the Human Resources Department.

Direct Deposit

For convenience and efficiency for both the employee and the Town, employees have the option of electing direct deposit of their pay into a bank or other institutional account, such as a credit union account. Direct Deposit forms are available at the Human Resources Department.

Garnishments

The Town of Darien is required by law to accept legal assessment and garnishments and other wage orders. The Town will withhold part of an employee's salary in accordance with legal requirements until the assignment is satisfied or released.

Overtime Work and Pay

Overtime Work

From time to time, you may be required to work beyond your normally scheduled hours and on days on which you are not regularly scheduled to work (such as Saturday and Sunday). All such work is referred to as "overtime work".

Overtime Pay

If you are classified as an Exempt employee, the Town is not required by law to pay you anything extra for work you perform in excess of your normal hours of work (even if you work more than forty (40) hours in a payroll week), or on days on which you are normally not scheduled to work (even on Saturday and Sunday).

If you are classified as a Non-exempt employee, the Town is required by law to pay you at a rate equal to one and one-half (1½) times your regular straight-time hourly rate of pay for all time you work in excess of forty (40) hours in a payroll week.

In addition, the Town has agreed to pay its non-exempt, non-seasonal, employees at a rate equal to one and one-half (1½) times their regular straight-time hourly rates of pay for all time they work in excess of eight contiguous hours on a regular shift. The Town also pays various non-exempt employees at pre-determined overtime rates for time they work on a Sunday or a day that the Town recognizes as a paid holiday or between midnight and 7:00 a.m.

However, your supervisor must authorize any overtime before it is worked in order to be paid.

Example

If you are normally scheduled to work seven (7) hours a day and thirty-five (35) hours a week, you will be paid at a rate equal to your regular straight-time hourly rate for all time you work that day until you complete your eighth (8th) hour worked. For all time you work in excess of eight (8) hours that day, you will be paid at a rate equal to one and one-half (1½) times your regular straight-time hourly rate.

Because there is no pyramiding of overtime pay or benefits, you will not be paid at an overtime rate for time you work that is both in excess of eight (8) hours a day and work in excess forty (40) hours in the same week.

Pay Level

Employees' job classifications determine their salary grade and compensation level. Classifications are assigned to a salary group based on the amount and type of required experience and training, technical importance, difficulty and level of responsibility. Pay rates for exempt and non-exempt jobs are determined based on the principles of internal equity and comparison with external market data.

Payroll Deductions

The Town will not make deductions from your pay except as required by State or Federal law or local ordinance or unless you authorize the Town in writing to make a deduction for other items permitted by law and acceptable to the Town.

The Town is required by law to withhold from your pay predetermined amounts due for State and Federal income taxes and Social Security taxes and your required contributions to the Town of Darien employee Retirement Plan.

In addition, the Town will deduct from your pay your share of the premium cost for your group insurance coverage and for other items permitted by law that you authorize the Town to deduct in writing, provided such items are acceptable to the Town.

Regular Pay Day

Weekly employees are paid on Thursdays. Bi-weekly employees are paid every other Thursday.

State and Federal Income Tax

State and federal income tax will be deducted from paychecks in accordance with Connecticut state law and federal law.

Workweek and Hours of Work

The regular workweek and regular hours of work vary from department to department based on operational and business requirements. Employees should review regular workweek and work-hour requirements with their supervisor and review appropriate provisions of their collective bargaining agreement for specific workweek and work-hour requirements.

EMPLOYEE BENEFITS

The Town of Darien offers a competitive benefits package for its regular full-time employees. In addition to mandated benefits such as Social Security, Medicare, Unemployment insurance, and Workers' Compensation insurance, employees may choose from among a number of health, welfare and retirement savings options. Choices include:

Group Health Insurance and Prescription Drug Plan

Medical and prescription drug coverage is available for eligible employees who normally work an assigned schedule of at least thirty (30) hours per week and for their eligible dependents. The prescription drug plan offers prescription drugs from retail pharmacies and via mail-order. An eligible employee may sign up for coverage on the first of the month following his/her first day of employment. Employees who elect coverage are required to pay a portion of the monthly premium cost for the coverage they select and to provide the Town with written authorization to deduct their share of the premium cost from their pay. The Town will make such deductions on a pre-tax basis to the extent permitted by law. Employees should contact the Human Resources Department for details about coverage and eligibility information.

Dental Plan

Dental coverage is available for eligible employees who normally work an assigned schedule of at least thirty (30) hours per week and for their eligible dependents. Dental coverage includes routine preventive care, oral surgery and similar procedures, as well as orthodontic care for dependent children. An eligible employee may sign up for dental coverage on the first of the month following his/her first day of employment. Employees who elect dental coverage are required to pay a portion of the monthly premium cost for the coverage they select and to provide the Town with written authorization to deduct their share of the premium cost from their pay. The Town will make such deductions on a pre-tax basis to the extent permitted by law. Employees should contact the Human Resources Department for details about coverage and eligibility information.

Premium Cost Share

As a pre-condition to your obtaining coverage under any Group Insurance Plan that the Town makes available and for which you are eligible, you will be responsible for contributing toward the premium cost, where required, and, the Town will deduct your share of the premium cost from your pay. The Town will deduct your contributions to premium costs from your pay on a pre-tax basis to the extent permitted by applicable law.

In situations where a paycheck is not generated, for example, when you are on an unpaid leave of absence or a leave covered by workers' compensation, you will be required to pay your share of your premium contribution and other benefit contributions in advance in order to ensure your continued participation in such benefit programs during your absence to the extent you are eligible to continue such coverage.

Changes to Coverage

Employees will have the opportunity once a year, during the annual open enrollment period, to make changes to their Medical and Dental coverage. Changes are permitted at any time for a qualified family status change which includes such things as marriage, divorce, death, birth or adoption of a child, or spouse's loss of coverage. Proper documentation and notification within thirty (30) days of the qualifying event must be presented to the Human Resources Department in order to process the change.

Group Life Insurance and Accidental Death and Dismemberment Insurance

Eligible employees who normally work an assigned schedule of at least thirty (30) hours per week are provided Group Term Life Insurance and Accidental Death and Dismemberment insurance coverage in an amount equal to the employee's regular annual pay. Employees are not required to contribute to the premium costs for such coverage; however employees are subject to income tax for the cost of coverage above $50,000. Department Heads are provided with a benefit two times their annual salary up to a maximum of $250,000. However, some employees age 70 and older will be subject to a 50% reduction in benefits as mandated by the carrier.

Health and Dependent Care Reimbursement Accounts (Section 125)

Regular, full-time employees may elect to participate in the Town's Section 125 Health and Dependent Care Reimbursement Account. This account allows employees to automatically deduct from their pay, on a pre-tax basis, an amount they elect to cover certain health and childcare expenses as permitted by law. The plan is designed to help employees save money by lowering their taxable income. The IRS has strict guidelines on this money because of the tax advantages. Employees should consult the Human Resources Department for detailed information.

Commuter Tax Benefit Plan

The Town permits employees to set aside a certain amount of pre-tax dollars to pay for their transit expenses. Contact Human Resources to find out the amount permitted and the process for participating in this tax benefit.

Employee Assistance

In an effort to assist employees in preserving their well-being, the Town has established an employee Assistance Program (EAP). The EAP provides professional expertise to employees and their family members when problems of a personal nature that may have an effect on an employee's life as well as his or her job performance. Through early intervention, many of these issues can be resolved and the impact on job performance and general health minimized. Employees are encouraged to utilize the program on a self-referral basis for a wide range of personal problems including but not limited to: substance abuse, marriage and family issues, stress (emotional or psychological), interpersonal relationships and other personal or family

matters. The program is strictly confidential and the Town does not receive any information from the EAP provider.

Detailed information can be obtained confidentially from the Human Resources Department.

Holidays

The Town typically recognizes thirteen (13) holidays annually on which normal Town business operations are closed. A list of recognized holidays is published and posted annually and can be obtained from the Human Resources Department. Holidays falling on Sunday are normally observed on the following Monday. Holidays falling on Saturday are normally observed on the preceding Friday. On the rare occasion that holidays are back to back and the first one falls on a Friday, the Friday holiday will be celebrated on Thursday and the Saturday holiday will be celebrated on Friday.

Some employees are required to submit proof of illness if they are absent the day before or after the holiday to be paid for the holiday. Consult your collective bargaining agreement.

Pensions

Eligible employees of the Town are required to participate in either the Town of Darien Employee Retirement Plan or Police Pension Plan retirement programs created and operated by the Town. These Retirement Plans provide retirement benefits to eligible employees for normal and early retirement, as well as for those eligible employees who retire due to a qualifying disability. Retirement benefits and eligibility requirements are described in the Plan Document.

The Town and eligible employees share in the cost of the Plan. Town of Darien employees are required to contribute 5% of their pay to the Retirement Plan and Police employees are required to contribute 6% of their pay to the Police Pension Plan. Qualified employee contributions, which are deducted from your pay, are made on a pre-tax basis.

Short and Long Term Disability

Short Term Disability

The Town will make Short-Term Disability (STD) coverage available to those regular, full-time employees who are eligible for it and who have satisfactorily completed at least six (6) months of continuous service as Town employees. Benefits equal to sixty percent (60%) of the eligible employee's regular pay will begin on the eighth (8th) calendar day following the employee's last day worked and will continue during the period of continuous absence due to disability for up to six (6) months of such absence. However, an employee is only eligible for a maximum of six (6) months (does not have to be continuous) in any twelve (12) month period. For further details employees should contact the Human Resources Department.

Long Term Disability

Most regular, full-time employees are provided with basic Long-Term Disability (LTD) insurance. LTD provides for a monthly payment not to exceed a predetermined amount following a waiting period (180 calendar days). Employees must be disabled from performing any work to be eligible to receive LTD monthly payments. Benefit payments will be as provided in accordance with the rules of the carrier of the policy providing such coverage. For further details employees should refer to the summary plan description available in the Human Resources Department.

Social Security/Medicare

All employees, except for uniformed police officers, are eligible and obligated to participate in the Social Security program (Federal Insurance Contributions Act). Social Security pays benefits if an employee retires, becomes disabled, or dies, if eligibility requirements are met. Spouses and children may also be eligible for benefits when an employee becomes eligible or dies. Both the employee and the Town are required to make payments toward Social Security. All employees hired after March 31, 1986 are required to participate in Medicare, a federal health insurance program for retired people age 65 and over, and certain disabled persons. Medicare has two parts: Part A (Hospital Insurance) and Part B (Medical Insurance). The employee, through mandated payroll tax, pays for Part A. The employee pays for Part B by making monthly premium payments beginning at retirement. Additional information is available from the Finance Department.

Vacations

Regular full-time employees earn annual paid vacation beginning with their first full month of Town employment in accordance with the chart printed below. Vacation time off may not be taken until the employee has successfully completed at least three (3) months service as a Town employee. Vacation time off may not be taken by any employee unless approved in advance by the employee's Department Head or the Town Administrator. Requests for earned vacation time off must be submitted to your supervisor as far in advance as practicable.

Earned vacation time is generally taken in the fiscal year in which it is earned, but may, with the prior approval of the Department Head or Town Administrator, be accumulated for use in the next succeeding fiscal year. Employees cannot carry over more than two (2) years of accrued vacation time unless written approval has been received from the Town Administrator. Upon termination of employment, an employee is paid all current vacation pay he or she has earned but has not used as of his or her last day worked.

The Town does not advance vacation pay. If an employee has used all accrued vacation time or needs vacation time in excess of his/her accrued balance he should check with the Department Head about the possibility of taking time off without pay.

Vacation Accruals	Maximum Vacation Days Earned Per Month	Maximum Vacation Days Earned Per Year	Maximum Vacation Day Carry Over
From date of hire until successful completion of four (4) years of service:	0.83 Days	10 Days	20 Days
After successful completion of four (4) years of service until successful completion of ten (10) years of service:	1.25 Days	15 Days	30 Days
After successful completion of ten (10) years of service:	1.66 Days	20 Days	40 Days
After successful completion of twenty (20) years of service:	2.083 Days	25 Days	50 Days

LEAVES OF ABSENCE

Employed personnel of the Town may need to be absent for several reasons:

1. Those beyond their control, such as personal sickness or injury, jury duty, military service or emergencies;
2. Those governed by compassion or conviction, such as family illness, bereavement, and other personal reasons;
3. Those stemming from occupational status such as attendance at meetings, conventions, in-service courses and seminars, and other patterns of additional study;

The Town recognizes that absences for such reasons are justifiable and will provide for employee absences as authorized by law and negotiated agreements with bargaining units.

Bereavement Leave

An absence without loss of regular pay for up to five (5) normal work days shall be granted to an employee who has a death of his mother, father, spouse, or his partner in a Civil Union as defined in Conn. Public Act or child, or step-child. An absence without loss of regular pay for up to three (3) normal work days shall be granted to an employee who has a death of sister, brother, daughter-in-law, son-in-law, sister-in-law, brother-in-law, parent-in-law, grandchild or grandparents. An absence without loss of regular pay of no longer than one (1) normal workday is granted to an employee to attend the funeral of an aunt and/or uncle.

Family and Medical Leave

You may be eligible for an unpaid leave of up to twelve (12) workweeks during a rolling 52 week period for one or more of the following reasons: reasons in accordance with the federal Family and Medical Leave Act.

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

If you believe you are eligible for an unpaid leave under the federal Family and Medical Leave Act, please contact the Human Resources Department for specific eligibility details and notice requirements.

Jury Duty

State law requires that each full-time employed juror be paid regular wages by the juror's employer for the first five (5) days, or part thereof, of jury service.

The Town's policy provides that an eligible employee who reports for jury duty on his or her scheduled workday in response to a summons issued by a state or federal court will not lose his or her regular pay for such day or for succeeding days on which he or she is required to report or serve as a juror, even if the applicable jury service extends for more than five (5) workdays.

For each day of jury service under the statute, the Town will pay the difference between the per diem that the employee receives from the State for such jury service and the employee's regular day's pay for each day of such service.

Military Leave

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted a Military Leave of Absence (a "Military Leave") for military service, training or related obligations in accordance with applicable state and federal law.

During any period of an employee's involuntary military service, he or she will be paid the difference between his or her regular pay immediately prior to the Military Leave and his or her military pay for a period of up to twelve (12) months. Supplemental pay will only occur when the military pay is less than the employee's regular pay immediately prior to the start of his or her Military Leave. The Town's pay supplement will be based solely on the employee's regular base pay and will not include items of additional pay such as, holiday pay, shift differential or scheduled overtime.

Employees on Military Leave may continue to participate in the Pension Plans during their period of active military service by making the appropriate contributions to the Plan. Employees will be allowed the maximum statutory period in which to comply with this contribution requirement upon their return from Military Leaves.

For purposes of employment service, the time spent on involuntary active duty will be credited to the employee as though he or she remained actively employed with the Town during the period of his or her Military Leave.

Employees ordered to involuntary military service and their enrolled dependents will continue to participate in the Town's medical, dental and prescription drug plans for the thirty (30) days after the Military Leave commences. After the thirty (30) day period expires, employees on Military Leave and their enrolled dependents may continue to participate in the plan at their own expense for a period of up to eighteen (18) months, inclusive of the initial thirty (30) day period.

The Town's employee life insurance coverage will remain in effect for the duration of the employee's involuntary tour of military duty in accordance with the terms of the policy.

During the involuntary tour of duty, employees will not accrue vacation or sick time. However, they will continue to receive service credit towards higher increments of vacation and sick time accruals upon their return to employment with the Town.

Employees on involuntary active military duty will continue to be considered for promotion consistent with any and all requisite procedures established for the promotion being sought.

At the conclusion of military service, an employee who applies for reactivation of his or her employment with the Town in accordance with the applicable provisions of State and federal law will be returned to the same position he or she held prior to the leave or to a position with like seniority, status and pay that the employee is qualified to perform, in accordance with and subject to the applicable provisions of State and Federal law.

Personal Leave

A regular full-time employee who has successfully completed at least six (6) months employment will be eligible for a leave of absence without loss of regular pay for up to two (2) workdays per fiscal year to attend to a compelling personal need that cannot be addressed during non-work time, provided the employee requests the leave within a reasonable time of learning of the need to be out of work. A "compelling" personal need can include a personal obligation (e.g. court appearances, house closings, illness of an immediate family member for whose care the employee is responsible, parent/teacher conferences, etc.), which cannot be reasonably accomplished during non-working hours.

Sick Leave

The Town's sick leave program provides a level of pay protection for eligible employees who cannot work because they become ill or have been are injured.

A regular full-time employee will be eligible for sick leave without loss of regular pay each time he or she is too medically incapacitated (sick or injured) to report to work as scheduled. Paid sick leave at an employee's regular pay is earned on a basis of one (1) day for each month the employee works up to a maximum of twelve (12) sick leave days per year during the first ten (10) years of service. Thereafter, sick leave accrual may vary contingent upon your date of hire and specific terms of your collective bargaining agreement or employment guide.

All other employees will be eligible for up to forty (40) hours a year of sick leave without loss of regular pay in accordance with CGS 31-57r (P.A. 11-52) (Revised 1/1/15). (See page 61 for details).

Sick leave is available to eligible employees *only* who are unable to perform their assigned duties due to their own illness or injury or for a spouse's or child's illness and/or for reasons consistent with the state statute governing paid sick leave. (CGS 31-57r (P.A. 11-52)

The Town reserves the right to require you to provide documentary verification of your illness or injury each time you apply for sick leave pay. During any period of absence, including, but not limited to, absences for medical reasons, you must keep your supervisor apprised of any changes in your condition that might impact the anticipated date of your return to work.

Doctor's appointments should normally be scheduled before and after work. In the rare case where an employee cannot schedule a doctor's appointment before or after work, the use of sick time is limited to the time actually spent traveling to and from the appointment and the duration of the doctor's visit. An employee can only use eight hours of sick time for a doctor's appointment during a normal work day when the type of examination justifies it or when the employee is out of work for the entire day due to an illness or injury. An employee who does not wish to report to work before or after a doctor's appointment must use vacation or personal time for any time not spent in connection with the doctor's appointment.

This policy also applies to doctor's appointments in connection with work related illness or injuries.

Please note that "sick leave" is not additional holiday or vacation time.

Employees who have sick time at the end of the year and who are eligible to carryover unused sick time will have the remaining sick time carried over into the next fiscal year. Employees hired on or before 12/1/2009 who accumulate unused sick leave days beyond 150 days can receive one (1) day's pay for every three (3) days of unused sick leave in excess of 150 days at retirement. No payment will be made for any time less than 153 days. Non-contract employees hired after 12/01/2009 will not be eligible for payment of accumulated unused sick leave. Bargaining unit employees should refer to their CBA for specific details.

Physician Certificate Requirement

The Town requires a physician's certificate, as a basis for pay during leave after an absence of three (3) days for personal illness, or as it may be deemed necessary in other areas. In addition, the Town may require evidence of fitness to work.

Victims of Domestic or Sexual Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family, or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action.

The Victims' Economic Security and Safety Act, governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, Town employees are entitled to a total of twelve (12) work weeks of unpaid leave during any twelve (12) month period. Neither the law nor this provision creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. §2601 et seq.)

EMPLOYMENT LAWS AND WORK RULES

Affirmative Action

It has been the policy, and will continue to be the strong commitment of the Town of Darien and all contractors and subcontractors who do business with this Town, to provide equal opportunities in employment to all qualified persons solely on the basis of job-related skills, ability and merit. The Town of Darien will continue to take affirmative action to ensure that the applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, ancestry, mental disorder (present or past history thereof), age, physical disability (but not limited to blindness), marital status, mental retardation, genetic information, and criminal record. Such action includes, but is not limited to, employment, upgrading, demotion or transfer; recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training including apprenticeship. The Town of Darien, its contractors and subcontractors, will continue to make good faith efforts to comply with all federal and state laws and policies which speak to equal employment opportunity.

The principles of affirmative action are addressed in the 13th, 14th, and 15th Amendments of the United States Constitution, Civil Rights Act of 1866, 1870, 1871, Equal Pay Act of 1963, Title VI and VII of the 1964 United States Civil Rights Act, Presidential Executive Order 11246, amended by 11375, (Nondiscrimination under federal contracts), Act 1, Section 1 and 20 of the Connecticut Constitution, Governor Grasso's Executive Order Number 11, Governor O'Neill's Executive Order Number 9, the Connecticut Fair Employment Practices Law (Sec. 46a-60-69) of the Connecticut General Statutes, Connecticut Code of Fair Practices (46a-70-81), Deprivation of Civil Rights (46a-58(a)(d)), Public Accommodations Law (46a-63-64), Discrimination against Criminal Offenders (46a-80), definition of Blind (46a-51(1)), definition of Physically disabled (46a-51(15)), definition of Mentally Retarded (46a-51(13)), cooperation with the Commission on Human Rights and Opportunities (46a-77), Sexual Harassment (46a-60(a)-8), Connecticut Credit Discrimination Law (360436 through 439), Title 1 of the State and the Local Fiscal Assistance Act of 1972 and the Genetic Information Act of 2008.

This Affirmative Action Policy Statement re-affirms the Town's commitment to the principles of Equal Employment Opportunity.

Americans with Disabilities Policy Statement

The Town of Darien is committed to complying with applicable provisions of the Americans with Disabilities Act ("ADA"), as well as with applicable state law that requires the Town to make reasonable accommodations in its workplace for qualified individuals with disabilities. If you believe you are a qualified individual with a disability, as defined in the ADA, and you believe you need an accommodation to perform the **essential** functions of your assigned job, please contact the Human Resources Department.

The Town treats all medical information and records concerning disabilities as strictly confidential.

Anti-Harassment Policy

The Town is committed to providing a work environment free of unlawful harassment.

Therefore, the Town prohibits and will not tolerate any type of harassment, including sexual harassment anywhere in or related to the workplace. The Town's prohibition against sexual harassment applies equally to same-sex harassment as to opposite-sex harassment.

Sexual harassment is defined as any unwelcome sexual advance or request for sexual favors or any conduct of a sexual nature when:

- the submission to such conduct is made either explicitly or implicitly a term or a condition of employment;
- the submission to or rejection of such conduct by anyone is used as a basis for an employment decision;
- such conduct has the purpose or effect of unreasonably interfering with an employee's work performance; or
- such conduct creates an intimidating, hostile or offensive working environment.

If you believe that you have been subjected to sexual harassment, you should immediately report your concerns to your immediate supervisor or, if you feel uncomfortable reporting it to your supervisor, to the Town's Director of Human Resources. In the event that you feel uncomfortable reporting your concerns to either of these people, you should report your concerns to any other person within the Town's management who has supervisory authority. You need not report your concerns to any person who you believe may have participated in or condoned the harassment. Any incident of sexual harassment should be immediately documented, including the date, time, and place of each alleged incident of harassment.

The Town will conduct an investigation as promptly as appropriate for the circumstances. The Town will protect the confidential nature of the inquiry to the extent possible, and will also take the necessary measures to ensure that you are not retaliated against in any way for having reported your concerns.

The Town has the right to track and monitor the conduct of supervisors in order to enable the Town to exercise reasonable care to prevent sexual harassment by supervisors.

Any individual found to have sexually harassed any employee, resident, visitor, or vendor of the Town will be subject to disciplinary action, up to and including termination of employment.

Other Harassment/Discrimination

The Town expressly prohibits any form of harassment or discrimination in the workplace based on race, color, religion, creed, gender, national origin, age, marital status, sexual orientation, or the presence of handicaps or disabilities or other traits protected by law.

The Town expressly prohibits any form of harassment that interferes with the ability of any employee to perform his or her job duties. Such harassment can include, but is not limited to, the following behavior:

- Verbal conduct such as name calling, inappropriate jokes, slurs, unwanted sexual advances, invitations or comments;
- Visual conduct such as derogatory, objectionable and/or sexually-oriented posters, photography, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, blocking normal movement or otherwise interfering with work.

An employee who harasses any other Town employee or who harasses any resident, visitor, or vendor of the Town will be subject to disciplinary action up to and including termination of employment.

Communicable and Chronic Infectious Disease

The Town will comply with all State and federal law, Connecticut Department of Public Health rules and special advisories, and local policies for managing known or suspected cases of a communicable and chronic infectious disease involving employees.

An employee with a communicable or chronic infectious disease will be permitted to retain his or her position whenever, after reasonable accommodations and without undue hardship, there is no substantial risk of transmission of the disease to others, provided an employee is able to continue to perform the position's essential functions. An employee with a communicable and chronic infectious disease remains subject to the Town's employment policies including sick and/or other leave, physical examinations, temporary and permanent disability, and termination.

Emergency Closings – Weather Conditions

The First Selectman or his or her designee is the only Town official who has the authority to close Town offices and facilities due to emergencies. In the event the Town offices and facilities are closed due to an emergency condition, a general announcement will be made to local radio stations and the media. The First Selectman will contact the police department who will initiate a "Code Red" announcement to the number provided by each Department Head. It will then be the Department Head's responsibility to notify their employees of the closure. Additionally, employees should monitor the local radio stations and the media when conditions may warrant an emergency closing. Unless the First Selectman has announced that Town Offices have been closed, you must report to work as scheduled, including during inclement weather conditions. Even if the Town closes, some employees may be required to continue working due to the nature of their job responsibilities.

In the event inclement weather conditions prevent you from reporting to work as required, you must notify your supervisor as soon as possible. Your absence due to inclement weather on any day on which Town Offices are open will be unpaid, unless you make a request to apply your

available earned vacation or personal time to the day of absence and your supervisor approves your request.

Employment of Minors

No one under 18 years of age may be employed without providing proper proof of their age in an age certificate, birth certificate, or driver's license. Minors will be employed only in accordance with child labor laws and Town policies. No one under 16 years of age will be employed in any capacity.

A high school student under the age of 18 will not be permitted to work after 11:00 p.m. on an evening before a school day or before 5:00 a.m. on a school day.

Employment of Relatives

The Town maintains a policy restricting the employment in any Town division of any individual who is related to a supervisor in the same Town department. In the event a Town employee is eligible for a transfer or promotion into a division in which a relative is employed, such transfer or promotion will be considered on a case-by-case basis to avoid creating any potential conflict or the perception of a conflict in regard to any aspect of the employment relationship.

Equal Employment Opportunity Policy Statement

The Town of Darien makes employment decisions based on an individual's qualifications, demonstrated ability to do the work assigned and performance without regard to race, color, religion, sex, national origin, age, marital status, real or perceived disability or handicap, status as a veteran, sexual orientation, or any other status protected by applicable laws. In addition, the Town of Darien complies with all applicable federal, state and local laws, regulations or ordinances governing non-discrimination in employment. This policy applies to all terms and conditions of employment including policies and procedures relating to recruitment and hiring, compensation, working conditions, benefits, and termination from employment. Anyone violating this Policy will be subject to disciplinary action, up to and including termination of employment.

Persons who believe they have not received equal employment opportunities should report their claims to the Town Administrator or Director of Human Resources. No employee or applicant will be discriminated or retaliated against because he or she initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

Equal Pay Act

It is the policy of the Town to comply with the Equal Pay Act. The Equal Pay Act prohibits employers from paying unequal wages to men and women for doing the same or substantially

similar work, requiring equal skill, effort and responsibility, under similar working conditions for the same employer in the same county. Exceptions to this rule apply if the wage difference is based upon a seniority system, a merit system, a system measuring earnings by quantity or quality of production or factors other than gender.

Pay levels have been established for each Town position and will be reviewed periodically to ensure ongoing compliance with the Act.

Ethics and Conflict of Interest

The Town of Darien expects our employees to conduct business according to the highest ethical standards of conduct. The purpose of this policy is to protect employees and the Town, as well as the taxpayers of Darien.

Although it is not possible to specify every action that might create a conflict of interest, the Town's Code of Ethics policy sets forth those that most frequently present problems. The following sections from the Town's Code of Ethics provide a representative sample of such potential conflicts:

> No office-holder or employee shall, directly or indirectly, unnecessarily disclose information concerning the affairs of the town; nor shall they use such information to advance the financial or other private interest of themselves or others.

All Town employees are expected to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with staff members and others. Any employee who sexually harasses another individual or otherwise violates an employee conduct standard will be subject to discipline up to an including dismissal.

<u>Conflict of Interest Relating to Business with the Town</u>

No office-holder or employee having substantial financial interest, direct or indirect, in any transaction with the town or in any action to be taken by the town shall use his office to exert his influence or vote on such transaction or action.

Any office-holder or employee having financial or other private interest, direct or indirect, in any transaction with the town or in any action being considered by the town and who participates in discussion with or gives any opinion to any town agency shall disclose on the records of such agency the nature and extent of such interest and shall state for the record why he/she feels free to participate and/or vote despite the appearance of a possible conflict of interest.

<u>Conflict of Interest in Representing Private Interests; Exception</u>

No former office-holder or employee shall appear on behalf of a private interest other than his/her own on any matter before the governmental body with which he/she has been associated until one year after he/she has left that body.

Violations of this policy can subject employees to disciplinary action, up to and including termination of employment.

If you have any question as to whether an action or proposed course of conduct would create a conflict of interest, you should immediately contact the Town Administrator to obtain advice on the issue.

Gifts and Favors

No office-holder or employee is to solicit; accept, directly or indirectly, any favor, service, or gift of unwarranted value from any person who has an interest which to his knowledge has or may have direct or indirect business dealings with the town. Employees are prohibited from accepting cash gifts or alcohol.

While vendors and other individuals may wish to show their gratitude for our business or services by offering these tokens of gratitude or thanks, it can create the impression of a conflict of interest or the appearance of impropriety/preferential treatment. Therefore, such items are subject to the ethics and conflicts of interest policies.

To ensure that this does not happen and to maintain integrity, employees should put any food gifts received by the Department or addressed to an individual in the Department in a place where the food is accessible to other employees and the public to enjoy. If there is no appropriate area to make gifts accessible, they can be placed in the employee lounge. No gifts from the public or vendors should be set aside or taken home directly.

If you are provided with a gift card, the card should be given to Human Services to benefit their clients.

If you have any questions regarding how to handle a gift, please contact the Director of Human Resources or Town Administrator directly for guidance.

No office-holder or employee shall, by reason of his status, accept or endeavor to obtain, directly or indirectly, preferential treatment from any private citizen, business enterprise, or other office-holder or employee.

No office-holder or employee shall, in the discharge of his/her duties, grant any preferential treatment to any person or interest beyond that which is properly available to all other persons or interests.

No office-holder or employee shall request or permit the use of town-owned vehicles, equipment, materials, or property for personal convenience, except when such are equally available to the public generally or are provided by municipal policy for use in connection with town business.

The Town's Standards of Conduct and list of behaviors that are prohibited are outlined in the *Employee Conduct Procedure* (Appendix B). Employees who fail to comply with the procedure

and other policies governing employee conduct may be subject to discipline up to and including dismissal.

Expense Account Policy

It is the policy of the Town to reimburse personnel for reasonable and necessary expenses incurred while engaged in authorized business on behalf of the Town. Where receipts are required, receipts must be the originals.

The following expenses for such business trips are allowable, subject to the indicated limitations:

Airline Fare

The lowest available fare should be requested consistent with reasonable travel plans. Reimbursement will be limited to coach class fares.

Bridge and Road Tolls

These expenses are allowable. Receipts must be provided.

Conferences, Workshops, and Seminars

For employees who attend a conference, workshop or seminar during the Town year, reimbursement of the costs associated with such training may be available. In order to qualify, employees must receive prior approval. Interested employees should contact their supervisor or refer to their collective bargaining agreement if applicable for details.

Hotels

Room costs should be consistent with the employee's best judgment. As a general guide, the employee will be reimbursed at the single room rate and may be asked to justify a room charge in excess of $200 per day. A receipt must accompany a request for reimbursement of hotel bills. Employees should request the most economical single room available at the facility where the activity takes place. Tax-exempt forms should be taken on all trips within Connecticut and tax-exemption should be requested at out-of-state locations whenever possible.

Meals

A per diem allowance of $45 is authorized with accompanying receipts for meal reimbursement. Only snacks that constitute a meal will be reimbursed. The Town will not reimburse employees who are travelling to conferences, workshops, or seminars for meals either prior to departure or after arrival back in the area. When possible, separate checks should be requested when dining in a group.

Paid Carrier Transportation

Enter only the cost of transportation paid for by cash or by personal credit card. Attach ticket stubs and/or receipts.

Parking/Garage/Storage

These charges are allowable where free day or overnight parking or storage is not available. A receipt is required. Valet parking is not permitted if self-parking is available.

Personal Vehicles

Such travel is authorized where common carrier service is not available or not practicable or where the round trip distance is less than 600 miles. Employees will be reimbursed for the use of personal vehicles at the prevailing IRS standard mileage rate per mile of authorized business travel.

Postage/E-mail/Telephone/FAX

Reimbursement for expenses incurred is allowable for Town business related items only. Employees should, however, use the least expensive means of communication consistent with the best interests of the Town.

Rented Vehicles

Subject to prior approval by the Town Administrator, charges are allowable when a rented vehicle is required in order to utilize personnel effectively and where other transportation is not available or is more expensive. Employees will be asked to justify rental of vehicles other than "compacts." Charges for personal use of rented vehicles are not allowable. Receipts must be provided.

Taxis

Reimbursement for taxi fares is allowable where common carrier service will involve delays detrimental to the Town's business or is not available or costs approximately the same. Receipts must be provided.

Tips

Tips are included in actual meal charges or in the per diem option and must appear on meal/taxi receipt. However, tips in excess of 20% will not be reimbursed nor will tips for anything other than meals and taxis.

It is not the Town's policy to entertain except in unusual circumstances. Therefore, although the Town will reimburse the employees for modest entertainment substantiated by receipts and an

explanation, it will reimburse payment only if the entertainment had the prior approval of the First Selectman.

Outside meal expenses not involving an overnight trip are not generally subject to reimbursement unless persons having a valid Town business purpose are present, or work outside of office hours requires presence over mealtime.

It is the Town's policy not to reimburse for the following employee-incurred expenses:

- Airline or other trip insurance.
- Alcoholic beverages.
- Barber, beauty salons, health spas.
- Donations and/or gifts.
- Expenses of employee's spouse or family on trips.
- Personal vehicle insurance.
- Personal entertainment.
- Personal postage, telephone or telegraph, however, one personal telephone call per day is allowed.
- Personal reading matter.
- Radio or television or movie rentals.
- Repairs to personal vehicles.
- Room service, laundry and dry cleaning.
- Snacks that do not constitute a meal.
- Transportation to or from home to regular place of employment, except as otherwise authorized by the Town Administrator or by contract.
- Unauthorized attendance at meetings, conferences, seminars or conventions.
- Unexplained expenses or expenses not properly substantiated by invoices, receipts, stubs, tickets or other supporting documentation where indicated on the *Expense Report*.

All Expense Reports will be prepared in INK or completed on-line on the Town *Travel Expense form*, with proper documentation and approval by the Finance Director. The Finance Director may authorize auditing of Expense Reports by other appropriate agents for compliance with the Expense Account Policy and relevant regulations.

Properly completed and approved Expense Reports will be forwarded to the Finance Director for reimbursement. Proper documentation shall include the reason for the expense and its nature and location. Conference and/or meeting announcements, including related travel information, must be attached to Expense Reports and all requests for direct payments to venders, e.g. airlines, hotels.

Reimbursement requests for items for which receipts are not available must be explained as to purpose and may not be reimbursed.

The First Selectman or designee may authorize reimbursement for food expenses for Town employees or volunteers, involved in emergency operations such as snowstorms, sewer line breaks, storm emergency operations, etc.

In cases where a stoppage for a meal period or other break would seriously interfere with work of an urgent nature, the supervisor, with prior approval of the First Selectman or his designee, may be reimbursed for expenses incurred for food, coffee or non-alcoholic beverages supplied to the Town employees on the job.

Genetic Information Non-Discrimination Act of 2008

In accordance with the Genetic Information Nondiscrimination Act of 2008, the Town does not discriminate against employees based on genetic information.

Immigration Reform and Control Act

The Federal Immigration Reform and Control Act (IRCA) prohibits knowingly employing aliens not legally authorized to work in the United States or legal non-immigrants whose classification does not permit employment in this country. IRCA requires all employers, including the Town of Darien, to obtain written certification from all new employees stating that they are authorized by law to be employed in the United States. The Town of Darien must also independently verify the employee's identity and employment eligibility within three days of his/her hire date.

Under IRCA, every employee must complete Form I-9 issued by the Immigration and Naturalization Service (INS) attesting to his or her legal status. Verifying an individual's legal status to work in the United States requires proof of both the individual's identity and authorization to work. IRCA further requires the Town of Darien to keep such documentation on file for three (3) years following the first date of employment or for one (1) year following the termination of employment, whichever is later.

A newly hired employee has three (3) days from his/her start date in which to present the proper documents.

Nursing Mothers in the Workplace

The Town provides reasonable break times for lactation. The Town will also make reasonable efforts to provide a lactation room or other location, in close proximity to the work area.

Policy on Drug and Alcohol Abuse

The Town of Darien recognizes that substance abuse poses a threat to the health and safety of all employees. The Town opposes drug abuse and heartily supports the strong stance against drug abuse taken by Congress in enacting the Drug Free Work Place Act of 1988.

Accordingly, we have adopted the following policy as a condition of employment with the Town:

- The unlawful manufacture, distribution, dispensation, possession, use, or being under the influence of a controlled substance in our workplace or on Town premises is prohibited.

- Employees must notify the Director of Human Resources of any criminal drug statute conviction for a violation occurring outside the workplace no later than five (5) days after such conviction.
- An employee who violates or fails to comply with these provisions will be subject to disciplinary action, up to, and including, termination of employment.
- Being under the influence of alcohol or other intoxicant while you are at work is prohibited.

Drug and Alcohol Dependency: The Town recognizes that federal and state laws consider drug and/or alcohol dependency to be disabilities. If you believe you have or may have a problem with alcohol or drugs and are in need of a rehabilitation program or other assistance, ***please take the initiative*** to ask the Director of Human Resources for help. You will not be subject to disciplinary action for seeking such help voluntarily or for applying for benefits under our group insurance program prior to being detected as having violated this Policy. The Town has contracted with an employee Assistance Program that is available without charge, and with appropriate confidentiality, to assist employees who may have dependency problems.

If, however, you are detected as having violated our Substance Abuse Policy BEFORE you seek such help, the Town reserves the right to discipline you for such violation, up to and including termination of your employment, even for the first offense, to the extent the Town is permitted to do so under the law, regardless of whether you thereafter seek help or successfully complete a rehabilitation program.

Employees are prohibited from consuming alcohol or using illegal drugs on Town premises.

In addition to the Town's commitment to a drug-free workplace and in maintaining a safe, healthy and productive work environment, each employee represented by the Public Works Union who accepts an offer of employment with the Town is required to submit to and pass successfully a pre-employment drug test and physical examination as a condition of employment.

Due to the sensitive nature of their position, lifeguards are required to submit to and pass a pre-employment drug test.

Employees who operate a motor vehicle requiring a commercial operator's license are required to participate in random and post-accident testing for alcohol and controlled substance use in accordance with the Town's Substance Abuse Testing Policy for Drivers of Commercial Vehicles. A copy of the policy can be obtained in Public Works or Human Resources.

Additionally, the Town reserves the right to test any employee for alcohol or substance use if it has reasonable suspicion to believe the employee has engaged in that conduct during work hours.
Introduction

A copy of the Policy can be obtained in Public Works or Human Resources Department.

Religious Holidays

The Town is required to allow an employee uncompensated time off from work for all aspects of the employee's religious observations and practices, provided that it does not cause the Town of Darien an undue burden. The Town may require an employee to provide reasonable notice before granting time off for religious reasons.

Smoking in the Workplace

In accordance with Connecticut State law and Town policy, smoking is prohibited throughout the Darien Town Hall and all other Town buildings and offices, including, among other places, rest rooms, private offices, lounges, town vehicles and similar areas. Smoking is permitted in designated areas outside office buildings and other work locations.

Whistleblower Protection

Under Connecticut's whistleblower law (CGS § 4-61dd) any person having knowledge of any matter involving corruption, unethical practices, violation of state laws or regulations, mismanagement, gross waste of funds, abuse of authority or danger to the public safety occurring in any state department or agency or any quasi-public agency, as defined in section 1-120, or any person having knowledge of any matter involving corruption, violation of state or federal laws or regulations, gross waste of funds, abuse of authority or danger to the public safety occurring in any large state contract, may transmit all facts and information in such person's possession concerning such matter to the Auditors of Public Accounts. For additional information, refer to Connecticut General Statutes Section 4-61dd, Whistleblowing.

Workers' Compensation

The Town of Darien is committed to reducing and controlling the frequency and severity of work related accidents. If you are injured while performing job-related duties you may be eligible for workers' compensation benefits.

It is the responsibility of every employee to report all accidents, incidents and occupational illness immediately to their supervisor. Supervisors are required to complete an employee Injury Report and contact the insurance carrier the same day if practicable. In addition, an accident investigation will take place to determine the cause of the accident and take steps to prevent similar accidents or injuries in the future.

If an employee has depleted all of his/her accrued sick leave, he/she may use any other accrued leave time to supplement his/her workers' compensation payments. An employee who does not have sufficient accrued leave time to supplement his/her workers compensation benefit shall receive only the statutorily required workers compensation benefits.

For further information you may contact the Human Resources Department.

Workplace Safety

The Town of Darien makes every reasonable effort to provide employees with a safe work environment. Safety equipment and personal protective equipment are provided to employees in accordance with the job requirements of their position.

As a Town employee:

- You must wear all protective clothing and safety equipment as required.
- You must obey all Safety Rules applicable to Town employees.

The Town has an organized Safety and Health Committee that meets on a regular basis to review safety concerns of employees and to recommend safety improvements. If you have a suggestion to improve safety or have a complaint related to safety, please direct it to a member of the Safety Committee or to your supervisor promptly.

Incidents/Accidents

You must report all accidents and incidents (e.g. unsafe conditions, unwelcome guests) to your supervisor or to the Director of Human Resources as soon as practicable, regardless of how small or insignificant the event may seem at the time it occurs.

You must report work-related injuries immediately so that appropriate care can be provided and proper worker's compensation reports, if required, can be filed. This requirement is for your protection. Failure to comply may result in needless worsening of the injury and/or loss of future benefits.
If an accident or incident involves health or life threatening circumstances, please call 911 immediately, follow our "Emergency Action Plan" and use common sense.

Supervisors must complete a "Supervisor's Accident Investigation" Form and submit it to Human Resources.

Workplace Violence

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

Actual or implied violence, threats of violence or menacing behavior by any employee by any means toward another employee, Town Official, contractor, vendor, supplier, resident or visitor, whether during work time or after hours, will be regarded as a serious violation of the Town's policy to promote a safe work environment. Such behavior is not only considered unacceptable, but will subject the perpetrator to disciplinary action, up to and including termination of employment. In addition to disciplinary action, the perpetrator may be subject to criminal prosecution and civil suit.

Possession of firearms or weapons on Town property (including, but not limited to, buildings, vehicles or grounds) by anyone other than individuals authorized in writing by the First Selectman or the Chief of Police and active, sworn police officers authorized to possess firearms is absolutely prohibited.

Each of us is responsible for providing a workplace free from violence, the threat of violence or any type of menacing behavior. Any employee who witnesses or becomes aware of violent, threatening or menacing behavior should notify his or her supervisor or the Director of Human Resources immediately. All reports of violence or threatened violence or menacing behavior will be investigated promptly and as discreetly as appropriate under the circumstances. Appropriate action will be taken as required.

SEPARATION FROM EMPLOYMENT

COBRA Benefits

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end (called "qualifying events").

Employees who are covered by the Town's group health insurance plan and who lose coverage because of a reduction in the number of hours of employment or voluntary or involuntary termination of employment for reasons other than gross misconduct have the right to choose continuation coverage.

Employees who choose continuation coverage will be provided with coverage that is identical to the coverage being provided to similarly situated employees (or their family members). If employees do not choose continuation coverage their group health insurance coverage under the plan will end.

For employees who are covered by the Town's group health insurance plan their spouse will have the right to choose continuation coverage for themselves if group health coverage is lost for any of the following reasons: 1.) voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct; 2.) reduction in the hours worked by the covered employee; 3.) covered employee's becoming entitled to Medicare; 4.) divorce or legal separation of the covered employee; or 5.) death of the covered employee.

An employee's dependent children have the right to choose continuation coverage if group health coverage is lost for any of the following reasons: 1.) loss of dependent child status under the plan rules; 2.) voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct; 3.) reduction in the hours worked by the covered employee; 4.) covered employee's becoming entitled to Medicare; 5.) divorce or legal separation of the covered employee; or 6.) death of the covered employee.

Employees and their family members have the responsibility to inform the Human Resources Department of a divorce, legal separation, or a child losing dependent status under the plan. The Human Resources Department then notifies the third party supervisor of the date of the event or the date in which coverage would end under the group plan because of the event, whichever is later.

Employees have 60 days from the later of: (1) the date the employee ordinarily would have lost coverage because of one of the events described above, or (2) the date of the notice of the employee's right to elect continuation coverage, to inform the plan supervisor that the employee wants continuation coverage.

Additional qualifying events can occur while the continuation coverage is in effect. Such events may extend the 18 month continuation coverage period to 36 months, but in no event will

coverage extend beyond 36 months after the initial qualifying event. Under certain circumstances, an employee's continuing coverage may be cut short.

If employees or their family members elect to continue coverage, the employee must pay the Town's third-party administrator. Once the employee's continuation coverage terminates for any reason, it cannot be reinstated.

For further details concerning continuation of benefits under COBRA, employees should contact the Human Resources Department.

Exit Interviews

The Town of Darien encourages employees to schedule an Exit Interview with the Human Resources Department. This interview provides employees with an opportunity to offer suggestions as to how the Town can improve employee working conditions, policies and procedures, and other areas that impacted employment.

Alternatively, employees who are unable or unwilling to schedule an appointment may complete an Exit Interview form when they leave Town employment. Forms are available in the Human Resources Department for that purpose.

Requirements on Termination of Employment

Upon termination of your employment for any reason or by any means, you will be required to do the following:

- contact the Human Resources Department for an exit interview if desired;
- return all keys, and any Town property placed in your custody during your employment to the Human Resources Department.

If you do not return all Town property in your possession, custody, or control as required, you will be responsible for reimbursing the Town for the cost of replacing the items not returned. You may be required to sign a written authorization at the time Town property is placed in your possession, custody, or control allowing the Town to attain such reimbursement by reducing your final paycheck.

Termination Initiated by Employee

If you decide to resign or retire from your employment, the Town expects you to provide your Department Head written notice of your intent at least two (2) weeks prior to your last day of work. The Town typically issues a final paycheck to employees who resign or retire on the next regular payday following the employee's last day worked. Vacation time earned but remaining unused as of your last day worked is typically paid with your final paycheck as required.

Termination Initiated by the Town

The Town can initiate an involuntary separation from Town employment by layoff or by a disciplinary discharge. When the Town terminates employment via layoff, the Town typically issues the employee's final paycheck on the next regular payday following the employee's last day worked. When the Town terminates employment via disciplinary discharge, the Town typically will issue the employee's final paycheck on the next business day following the employee's last day worked.

APPENDIX A

EMPLOYEE CONDUCT PROCEDURE

General Statement

Each Town employee will engage in professional, appropriate and ethical conduct while carrying out official duties and while engaged in off duty activities which directly reflect on the Town.

Employee Responsibility

Each employee of the Town will act in a professional, ethical and responsible manner at all times. Each employee will become familiar with the tables of organization depicting the Town and its chains of command. Each employee will obey any lawful direction of a supervisor in the chain of command.

Employee Conduct Standards

Each employee will:

- Act in a professional manner showing respect to other employees and the public.
- Be courteous and accommodating in all dealings with the public, including telephone etiquette.
- Comply with all federal and state laws, and Town and departmental policies and procedures.
- Comply with official notices and other instructions.
- Cooperate fully and truthfully in any inquiry or investigation conducted by the Town and/or any law enforcement or regulatory agency.
- Exercise due diligence in the performance of his/her official duties and responsibilities.
- Inform the supervisor and the Human Resources Department, electronically or in writing, of any change of address and/or telephone number within 24 hours.
- Maintain a safe, secure and sanitary work environment.
- Maintain any personal property and medication in a secure manner.
- Maintain good stewardship of all Town property and equipment.
- Meet all employee responsibilities for attendance and punctuality.
- Remain alert, aware of, and responsive to the surroundings at all times.
- Remain at his/her assigned workstation as required.
- Report an arrest and/or conviction to the appropriate supervisor on or by the next scheduled workday, but no later than 48 hours of the arrest. This requirement does not apply to minor traffic violations. An employee will submit supporting documentation of arrest or subsequent conviction. Any employee on extended leave must report any arrest or subsequent conviction to the supervisor within 48 hours.
- Report immediately to a supervisor any threat, act of intimidation, harassment, physical or verbal abuse or assault. Incidents of alleged discrimination or sexual harassment will be reported in accordance with the Town's Anti-Harassment policy.
- Respect and protect the rights of all staff.

Prohibited Behaviors

Behaviors that are prohibited include, but are not limited to:

- Abuse of sick time (e.g. using sick leave for an unintended purpose), other accrued leave or workers' compensation.
- Accepting any unauthorized item or service for oneself or a family member, including but not limited to, a gift, loan, reward or promise of future employment.
- Any act that jeopardizes the security, health, safety, or welfare of staff, or the public.
- Conveyance or possession of unauthorized items within, into or out of a Town, or on Town property.
- Divulging individual or other computer password codes for Town owned or leased computers to any individual, unless authorized to do so by the Town Administrator.
- Engaging in abusive, obscene, threatening, intimidating language or behavior.
- Engaging in any activity, which would conflict with the proper discharge of or impair the independence of judgment in the performance of the job.
- Engaging in any political activities that conflict with the Hatch Act or CGS § 7-421 to 7-421b.
- Engaging in bartering, gambling or games of chance on Town time.
- Engaging in behavior which is sexually, emotionally, or physically abusive or harassing toward staff, or member of the public.
- Engaging in conduct that violates the *Employee Conduct Standards*.
- Engaging in insubordination.
- Engaging in retaliation or reprisal (to include coercion or threatening behavior) against an employee or member of the public for participating in activities that are protected by law or Town policy.
- Engaging in rude, discourteous, inappropriate, disruptive or unprofessional conduct.
- Engaging in unprofessional or illegal behavior, both on and off duty that could reflect negatively on the Town or conflict with the Town's mission, to include membership in a security risk group, criminal enterprise, hate group, or group of high interest to law enforcement.
- Falsifying, destroying, or altering without proper authorization any document, log book, or other official record (e.g. timecard, attendance report, or employment application).
- Lying or giving false information regarding an incident.
- Neglect of duty or failure to supervise.
- Obtaining non-public information through a computer terminal for a purpose other than official Town business.
- Operating a Town-owned or private vehicle on business without the proper license, insurance coverage and training.
- Operating a vehicle on Town property or on Town business in an unsafe or improper manner.
- Releasing confidential, private or unauthorized records or documents.
- Reporting to work in an impaired condition as a result of the use of alcohol, an illegal drug, or any medication, or consuming alcohol while on duty or at Town sponsored events.
- Sleeping on duty.
- Smoking in Town buildings or in Town vehicles.

- Stealing, neglecting or misusing Town funds, property, equipment, materials or supplies or attempting to remove such items from the premises without the written permission of a supervisor.
- Theft.
- Unauthorized possession of any firearm or other weapon or item while on duty or Town property.
- Use of force.
- Using a Town-owned vehicle for personal, rather than official business, on or off duty.
- Using ones official position, uniform, identification or badge to gain any personal advantage or an advantage for another in any improper or unauthorized manner.
- Using or appropriating property belonging to the Town or public in an unauthorized manner.
- Violating the Town's *Code of Ethics* including the conflict of interest provisions.

Reporting Policy and/or Conduct Violations

Each Town employee will report to a supervisor or appropriate personnel any policy violation or breach of professional conduct involving staff, or member of the public.

APPENDIX B

FEDERAL FAMILY AND MEDICAL LEAVE ACT

The Town of Darien provides leave to eligible employees in accordance with the provisions of the federal Family Medical Leave Act (FMLA), as amended, as follows:

Basic Leave Entitlement

The Town of Darien provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

* The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".

Benefits and Protections

During FMLA leave, the Town of Darien maintains the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, the Town of Darien restores most employees to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for the Town of Darien for at least 12 months, have 1,250 hours of service in the previous 12 months.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment

by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

The Town of Darien will not:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

The Town of Darien acknowledges that an employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

It also acknowledges that FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights. FMLA section 109 (29 U.S.C. § 2619) requires

The Town of Darien agrees to post the text of this notice in Town buildings.

APPENDIX C

NOTICE

Connecticut General Statutes §§ 31-57r-31-57w – Paid Sick Leave

Each employer with 50 or more employees based on the number of employees on its payroll for the week containing October 1, shall provide paid sick leave annually to each of its service workers in the state. The paid sick leave shall accrue beginning January 1, 2012 for current employees, or for a service worker hired after January 1, 2012, beginning on the service worker's date of employment.

Accrual

The accrual is at a rate of one hour of paid sick leave for each 40 hours worked by a service worker up to a maximum of 40 hours per year (the employer shall choose any 365 day period used to calculate employee benefits in order to administer paid sick leave).

- No service worker shall be entitled to use more than the maximum number of accrued hours.

Carry Over

Each service worker shall be entitled to carry over up to 40 unused accrued hours of paid sick leave from the current year period to the following year period.

Use of Paid Sick Leave

A service worker shall be entitled to the use of accrued paid sick leave upon the completion of the service worker's 680th hour of employment

- from January 1, 2012, for current service workers, or
- if hired after January 1, 2012, upon the completion of the service worker's 680th hour of employment from the date of hire, unless the employer agrees to an earlier date.

A service worker shall not be entitled to the use of accrued paid sick leave if such service worker did not work an average of 10 or more hours a week for the employer in the most recent complete calendar quarter.

Pay

Each employer shall pay each service worker for paid sick leave at a pay rate equal to the greater of either

- the normal hourly wage for that service worker, or
- the minimum fair wage rate under section 31-58 of the general statutes in effect for the pay period during which the employee used paid sick leave.

Reasons for Use of Leave

A service worker may use paid sick leave for his or her own:

- illness, injury or health condition;
- the medical diagnosis, care or treatment of his or her mental illness or physical illness, injury or health condition; or
- preventative medical care.

A service worker may use paid sick leave for a child's or spouse's:

- illness, injury or health condition; the medical diagnosis,
- care or treatment of a mental or physical illness, injury or health condition; or
- preventative medical care

A service worker may use paid sick leave if the service worker is a victim of family violence or sexual assault:

- for medical care or psychological or other counseling for physical or psychological injury or disability;
- to obtain services from a victim services organization;
- to relocate due to such family violence or sexual assault;
- to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

Notice

If leave is foreseeable, the employer may require advance notice. If leave is unforeseeable, the employer may require notice as soon as practicable.

Reasonable Documentation

Documentation for paid sick leave of 3 or more consecutive work days may be required.

- documentation signed by a health care provider who is treating the service worker or the service worker's child or spouse indicating the need for the number of days of such leave shall be considered reasonable documentation.
- a court record or documentation signed by a service worker or volunteer working for a victim services organization, an attorney, a police officer or other counselor involved with the service worker shall be considered reasonable documentation for a victim of family violence or sexual assault.

Prohibition of Retaliation or Discrimination

No employer shall take retaliatory personnel action or discriminate against an employee because the employee:

- requests or uses paid sick leave either in accordance with the act; or
- in accordance with the employer's own paid sick leave policy, as the case may be; or
- files a complaint with the Labor Commissioner alleging the employer's violation of the act

Collective Bargaining

Nothing in the act shall diminish any rights provided to any employee or service worker under a collective bargaining agreement, or preempt or override the terms of any collective bargaining agreement effective prior to January 1, 2012.

Complaint Process

Any employee aggrieved by a violation of the provisions of the act may file a complaint with the Labor Commissioner. Upon receipt of any such complaint, said Commissioner may hold a hearing. After a hearing, the Commissioner may assess a civil penalty or award other relief.

This is not the complete Paid Sick Leave law. Please contact your Human Resources office for additional information.

Effective 1/1/15