



Council Agenda

**Council Chambers
Windsor Town Hall
July 7, 2003**



7:30 PM Regular Council Meeting

1. ROLL CALL
2. PRAYER – Councilor Pacino
3. PLEDGE OF ALLEGIANCE – Councilor Pacino
4. PROCLAMATIONS/AWARDS
 - a) Proclamation honoring the week of July 26 through August 2, 2003 as West Indian week
5. PUBLIC COMMUNICATIONS AND PETITIONS
(Three minute limit per speaker)
6. REPORT OF APPOINTED BOARDS AND COMMISSIONS
 - a) Human Relations Commission
 - b) Board of Education
 - c) Public Building Commission
7. TOWN MANAGER'S REPORT
8. COMMUNICATIONS FROM COUNCIL MEMBERS
9. REPORTS OF STANDING COMMITTEES
10. ORDINANCES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - a) *Introduce proposed revisions to Personnel Rules (Town Manager)
 - b) *Authorize Town Manager to execute and sign a real estate agreement for intersection improvements at Day Hill and Addison Road (Town Manager)



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- c) *Resolution increasing the authorized positions at the Windsor/Bloomfield Landfill (Town Manager)
 - d) *Authorization of funding for Methane Control Project at Landfill (Town Manager)
 - e) *Authorize the Town Manager to sign and execute a grant from the State of CT for a utility vehicle (Town Manager)
 - f) *Authorize the Town Manager to sign and execute a grant from the State of CT for improvements to West Field Trail in Northwest Park (Town Manager)
 - g) Ratification of CILU #45 contract (Town Manager)
 - h) Ratification of CILU #66 contract (Town Manager)
 - i) Ratification of WPDEA contract (Town Manager)

13. * RESIGNATIONS AND APPOINTMENTS

14. MINUTES OF PRECEDING MEETINGS

- a) *Minutes of the June 16, 2003 Public Hearing
- b) *Minutes of the June 16, 2003 Regular Town Council Meeting

15. PUBLIC COMMUNICATIONS AND PETITIONS

(Three minute limit per speaker)

16. EXECUTIVE SESSION

- a) Strategy and Negotiations with respect to collective bargaining
- b) Strategy and Negotiations with respect to pending claims and litigation – Triggs vs. Town of Windsor
- c) Discussion concerning the appointment, employment, performance, evaluation and health or dismissal of a public officer or employee.

17. ADJOURNMENT

★Back-up included

PROCLAMATION

*Honoring the 41st Anniversary of the
West Indian Independence Celebrations
in the Greater Hartford area*

WHEREAS, the citizens of Windsor, Connecticut have been enriched by the social, charitable, and cultural contributions of the West Indian communities; and

WHEREAS, the week of July 26 through August 2, 2003 will be filled with activities and programs to celebrate the emancipation and political independence of the many Caribbean islands which became independent following Jamaica (August 6, 1962) and the Republic of Trinidad and Tobago (August 31, 1962); and

WHEREAS, this "West Indian Week" celebration promotes understanding of and respect for the rich traditions and culture of these important communities; and

WHEREAS, the Town of Windsor is delighted to emphasize the culture of the West Indian communities and encourage appreciation and pride for their valuable contributions to our community.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE TOWN OF WINDSOR THAT: July 26 – August 2, 2003 be proclaimed West Indian Week in Windsor and that the Windsor community recognize and celebrate the rich traditions of the West Indian culture.



Donald Trinks
Mayor of Windsor
July 7, 2003

Agenda Item Summary

Date: July 7, 2003
To: Leon Churchill, Town Manager
Prepared By: Amelia Bliss, Director of Human Resources
Subject: Proposed Changes to the Personnel Rules



Background

Increasingly we are hearing employees talk more about the difficulty of juggling work and family obligations. In recent years personal and family lives have become critical values that employees are less willing to put on hold or ignore, for the sake of work. In addition, the impact of the September 11th terrorist attacks has led many people to re-evaluate their lives and reconsider their priorities.

Consequently, many employers are looking for options to positively impact their organizations by giving employees what they want -- flexibility. This flexibility translates into work/life initiatives such as, more flexible leave policies, dependent care flexible spending accounts and an employee assistance program (EAP), to name a few.

According to recent research, work/life programs have the potential to significantly improve employee morale, reduce absenteeism and retain organizational knowledge, particularly during difficult economic times. Be it employees whose family members are called to military service, single mothers or fathers who are trying to raise a family, generation X or Y employees who value their personal time, work/life programs offer a win/win for employers and employees. In addition, work/life initiatives create positive employer branding and promote being an employer of choice.

In an effort to promote employees' work/life balance we are proposing some changes to the Personnel Rules that deal with increasing flexibility for full-time and part-time employees in regards to leave time. There are also a few other changes being proposed to clarify our current practices and to insure consistency in implementation across departments.

Discussion/Analysis

The proposed changes to the Personnel Rules were reviewed by the Healthy Organization Strategy Team comprised of employees from several town departments. The changes were also reviewed by the employee roundtable in their monthly meeting with the Town Manager and the Leadership Team. After these discussions the proposed changes were modified to reflect the consensus of these groups.

Financial Impact

Many of the proposed changes are for clarification of existing practices and have no financial impact. Allowing employees to use leave time in one-hour increments rather than no less than four-hour increments has no financial impact.

Granting prorated sick leave to regular part time employees will have a financial impact but it is difficult to predict because it is dependent upon each employee's use of sick leave. Departments

currently budget for regular part time employees for the entire year. If an employee takes sick leave the money is already included in the budgeted salary so there is no additional financial cost involved, unless another employee is called in to cover the lost hours. Approximately half of the 23 regular, part-time employees work in positions that would require a replacement. These positions are primarily in the three enterprise funds (Landfill, Discovery Center and Caring Connection).

The cost of providing holiday pay to regular part-time employees is estimated at \$13,400, with 53% being paid by the three enterprise funds.

Attachments

Attached is a document with the most significant changes being proposed. (deleted language is shown with strikethroughs and new language is in bold typeface) Also attached is the entire Personnel Rules document with proposed changes in bold and strikethroughs for your review.

Other Board Action:

None

Recommendation:

If the council concurs it is recommended that the following action be taken:

Request the Mayor to refer the proposed changes to the Special Projects Committee to review and make a recommendation to the Town Council.



**Proposed Personnel Rules Revisions
July 2003**

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface)

~~Regular Full-time Position – An employee working forty (40) hours per week.~~

~~Regular Part-time Position – An employee working less than forty (40) hours per week.~~

~~Temporary Assignment – A temporary appointment indicates that the employee is to work for the town for a period of less than three (3) consecutive months. When an employee has served three (3) consecutive months in a temporary appointment, a personnel action shall be submitted changing his/her status to a regular appointment or separating him/her from the town service.~~

Full-time – A position regularly scheduled for year-round employment that includes 40 hours in a standard 7-day workweek.

Regular Part-time – A position that works a regular schedule, averaging 20 hours per week, and not less than 1,040 hours per year, year-round.

Part-time – A position that requires working an average of less than 20 hours per week, and less than 1,040 hours per year, year-round.

Temporary – A position that is scheduled to fill job requirements which occur intermittently for a program or project, or during certain times of the year. The anticipated duration of the temporary assignment is known prior to commencement of employment and will typically not be more than five (5) months.

Reason for Change:

To make a distinction between part-time employees working less than 20 hours a week and/or varying schedules and those who work a regular schedule for twenty hours a week or more. The town is proposing offering prorated holiday and sick leave benefits to employees who work over 20 hours per week for an average of over 1,040 hours per year and making this distinction determines eligibility for these leave benefits.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

5-5 Salary Advancement Within Range.

Completion of Probation. Upon satisfactory completion of the **probationary period** following initial appointment or promotion, the ~~salary of a regular employee may be advanced approximately~~ **regular full-time employee may receive up to a 5% pay increase**, provided that no employee shall exceed the maximum of the pay range.

Advancement Within Pay Range. Advancement within the range shall be dependent upon approval by the Town Manager. **All full-time and regular part-time employees will receive a performance evaluation at least annually and are eligible for a merit increase at the time of annual evaluation. The evaluation date is based on the employee's date of hire, promotion, demotion or transfer.** The exact amount of the merit increase and ~~the time of increases~~ will depend upon the employee's performance, **the merit percentage range as determined by the Town Manager** and the availability of funds.

~~Pay Increases by Merit. Pay increases or advancement in the range, promotions, and other salary actions are based on meritorious service and are not to be considered automatic or based on length of service alone.~~

Reason for Change:

To insure that full-time and regular part-time employees receive an evaluation at least annually at the time of their anniversary date and are eligible for an annual increase at that time. This will clarify when evaluations are done, when merit increases are given and make sure we treat employees consistently across departments.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

Duration of Probationary Period. Every person appointed to a regular **full-time or regular part-time** position or promoted, **transferred or demoted** shall be required to successfully complete a probationary period which shall be of sufficient length to enable the Department Director to observe the employee's ability to perform the various duties of the position. The probationary period shall begin immediately upon original appointment or promotion and shall continue for not less than six months or more than twelve months. A Department Director may, at any time after the minimum probationary period has been served and before the maximum has been reached, notify the Town Manager in writing that he/she is satisfied with the employee's performance and the probationary period should end.

Evaluation of Performance. At the end of the second month of employment during the probationary period and at intervals of two months thereafter for the duration of the probationary period, a probationary ~~report~~ **evaluation** form shall be prepared by the supervisor, reviewed by the Department Director and forwarded to the Town Manager. Such reports shall give an accurate and fair appraisal of the employee's work, his/her willingness and ability to perform assigned duties satisfactorily, and observations concerning work habits and dependability.

Reason for Change:

Clarifies the specific types of positions that are required to complete a probationary period and adds that employees who transfer or who take a demotion must successfully complete a probationary period in addition to new hires and employees who are promoted.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

Removal. At any time during the probationary period, the Department Director may recommend in writing to the Town Manager the removal of an employee if the employee's performance indicates that he/she is unable or unwilling to perform the duties of the position satisfactorily, or that his/her habits and dependability do not merit continuance in the service. Such recommendation of the Department Director, and the reasons therefore, shall be in writing to the Town Manager with a copy to the employee. No employee shall be removed from a position during the probationary period without the approval of the Town Manager. Employees on probation as a result of initial appointment have no rights to appeal their removal under Chapter 12, Section 12-2. An employee ~~appointed through~~ **on probation due to promotion, transfer or voluntary demotion** who does not successfully complete his/her probationary period **shall be reinstated to the employee's prior position if the position is vacant.** ~~in a position in the class occupied by the employee immediately prior to promotion.~~ **If the employee's prior position is not vacant the employee may be considered for other vacant positions for which the employee is qualified. If no such positions are available the employee will be separated from employment. The employee will have rights to appeal under Chapter 12, Section 12-2.**

Reason for Change:

Guaranteeing the employee his/her former position if probation is not completed successfully would require leaving the position vacant for up to six months. This is not practical or efficient for the organization.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

Holidays for Regular Part-time Employees. Regular Part-time employees who are scheduled to work on the day the holiday falls will receive pay for the holiday based on the number of hours the employee is regularly scheduled to work. Regular part-time employees are only eligible for pay for regularly scheduled holidays when town offices are closed. Regular part-time employees are not eligible for the floating holiday or the employee birthday.

Reason for Change:

Employees are the basis of our ability to deliver services. The town has 23 employees regularly working between 20 and 39 hours a week who are contributing to the town's success. By providing some benefits to these employees we are demonstrating that we value them while we promote retention and stability in our workforce. Current research shows that when organizations keep their focus on retention, even during an economic downturn, they save money and attract and retain good people.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

Use of Vacation Credit. An employee may take earned vacation leave during the year with proper authorization except that no employee may take vacation leave of less than ~~half day (4 hour)~~ **one (1) hour** increments. Since the purpose of vacation leave is rest and relaxation, no additional salary shall be paid an employee in lieu of vacation except in the most unusual cases and with the approval of the Town Manager.

Use of Sick Leave. Sick leave may not be taken in less than ~~half day (4 hour)~~ **one (1) hour** increments. ~~It may be allowed by the Division Manager or Department Director~~

Personal leave days must be requested and approved in advance, and they ~~must be taken in increments of at least 1/2 day~~ **must not be taken in less than one (1) hour increments.**

Reason for Change:

Over the past few years employees have been talking more about how difficult it is to juggle work and family life and they are asking for more flexibility to help them balance these competing demands.

This flexibility translates into work/life initiatives like more flexible leave policies. According to a recent research, work/life programs have the potential to significantly improve employee morale, reduce absenteeism and retain organizational knowledge, particularly during difficult economic times.

Currently our personnel rules require that sick, vacation and personal leave be used in four-hour increments. The proposed change offers employees more flexibility for using their leave time.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

Sick Leave. Each regular full-time employee shall be eligible for sick leave with pay according to the following schedule: **Each regular full-time employee shall receive ten (10) days of sick leave each fiscal year.**

<u>Years of Service</u>	<u>Work Days at Full Pay Per Year</u>
Up to 2 years	5
2 years and over	10

For new employees, sick leave shall be prorated from the date of hire to July 1. The employee will receive 1.54 hours per week for the number of weeks remaining in the fiscal year at time of hire. On July 1 the new employee will receive ten (days) of sick leave. ~~New employees shall be eligible for 5 days sick leave from date of hire to their first anniversary date. Employees will be eligible for five (5) days sick leave from their first anniversary to their second anniversary. Employees shall be eligible for sick leave at a rate of ten (10) days per year from their second anniversary date to the following July 1 on a pro-rated basis. Thereafter, sick leave eligibility will be computed on a fiscal year basis and will be renewed annually on July 1. Sick leave shall not accrue from year to year.~~

Reason for Change:

Again, this affords employees more flexibility to deal with their own or a family member's illness. The current personnel rules treat employees with less seniority differently than more tenured employees. It also implies that they are valued less and are more likely to abuse their sick leave.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

Each regular part-time employee shall receive one week of sick leave based on the number of hours the employee is regularly scheduled to work. For example, an employee whose regular schedule is thirty (30) hours per week will receive thirty (30) hours of sick leave for the fiscal year. New employees sick leave shall be prorated from the date of hire to July 1. The employee will receive sick leave based on the number of weeks remaining in the fiscal year at time of hire. On July 1 the new employee will receive the appropriate amount of sick leave based on his/her work schedule.

Reason for Change:

Again, by providing the 23 employees regularly working between 20 and 39 hours a week with sick leave benefits, we are demonstrating that we value them while we promote retention and stability in our workforce. Many of these employees are long term employees with institutional knowledge and skills that are very beneficial. At times employees and their family members will likely become sick and by providing them with some sick leave benefits they have a safety net for these times.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

Medical Appointments. Employees may use up to two (2) hours of time with pay for doctor's and dentist appointments for the employee or the employee's child, spouse or parent. The Department Head or supervisor must be notified in advance of these appointments except in cases of sudden illness or injury. If regularly scheduled appointments are needed for a condition lasting more than thirty (30) days, sick leave shall be used. The Department Head may require proof of the dentist appointment.

Reason for Change:

This is a current practice that has not been included in the personnel rules. Adding this allows the town to outline the parameters of this leave and clarifies the circumstances under which it is to be used.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

Eligibility for Disability Payments. Disability income payments begin the first day of absence due to an "off the job" accident and on the sixth day of absence from work due to illness. An employee is eligible to receive payments under the disability income plan provided he/she has completed six months employment with the Town and is in a work status at the completion of his/her six months employment. While it is not necessary to be confined in a hospital, the employee must be under a doctor's care in order to be eligible. **Employees may use accrued vacation and personal leave to supplement the disability payments so the employee may receive full pay during his/her absence.**

Reason for Change:

This allows employees to receive 100% of pay while on disability by using their accrued vacation and personal leave to make up the difference between what the insurance pays and the employee's full salary. This is particularly beneficial for one-income families and single parents who become temporarily disabled.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

For employees who are at least 55 years of age and who retire either with 25 years of Town service if members of MERF B, or 30 years of Town service as defined in the Town's pension program, if members of the Town of Windsor Retirement Plan, or who are at least 65 years of age with at least 10 years of service, the Town will also pay the cost of providing health coverage for the retiree's spouse.

~~This provision only applies to the employee's spouse at the time of retirement until the spouse becomes divorced, remarried, becomes covered by another employer's benefit plan, or dies.~~

This provision only applies to the employee's spouse at the time of retirement. The Town will not continue to pay the cost of providing health insurance for the employee's spouse if the employee and spouse get divorced or if the spouse becomes eligible for coverage under his/her employer's benefit plan.

2) For employees who retire with a disability retirement from the town's pension plan, the town will pay the cost of providing health insurance coverage for the retiree and for the retiree's spouse at the time of retirement. If the employee qualifies for Medicare, Medicare will be the primary insurance and the town's plan will be secondary. If the retiree becomes eligible for insurance through another employer, the town's plan will be secondary. The Town will not continue to pay the cost of providing health insurance for the employee's spouse if the employee and spouse get divorced or if the spouse becomes eligible for coverage under his/her employer's benefit plan.

Reason for Change:

To be clear that the town will continue health insurance benefits for the employee and spouse if the employee becomes disabled and takes a disability retirement. Also, to clarify the existing language regarding the circumstances in which coverage ceases for the spouse.

Proposed Changes (deleted language is shown with strikethroughs and new language is in bold typeface):

APPENDIX

Temporary Appointment. ~~A temporary appointment indicates that the employee is to work for the Town for a period of less than three (3) consecutive months. When an employee has served three (3) consecutive months in a temporary appointment, a personnel action shall be submitted changing his/her status to a regular appointment or separating him/her from the Town service.~~

When the appointment of an employee is changed from temporary, **full-time** to regular, **full-time**; crediting of annual leave and sick leave becomes retroactive to the date of the original appointment, provided there has been no break in service.

Temporary employees may be separated at any time ~~within the three (3) months appointment~~ when their services are no longer required. This separation is not subject to the rules under Chapter 11 or **Chapter 12**.

Reason for Change:

The definition of a temporary assignment was changed and moved to the definition section of the personnel rules. Adding full-time clarifies our past practice of granting leave benefits retroactively to the temporary hire date when a full-time temporary employee becomes a regular full-time employee.

TOWN OF WINDSOR, CONNECTICUT

PERSONNEL RULES

2001 EDITION

DEFINITIONS:

Wherever used in these Rules, the following terms and words shall be defined and indicated below:

Allocation: The assignment of an individual position to an appropriate class on the basis of kind of work, duties, and the responsibilities of the position.

Appeal: An application or procedure for review of an administrative decision, or disciplinary action, submitted or instituted by an employee to higher authorities as provided by these Rules.

Applicant: A person who has completed and submitted an application for employment with the Town.

Appointment: The naming or selection of a person as an employee of the Town. Appointments may be regular, emergency, temporary, seasonal, re-employment, transfer, promotion, or demotion.

Class: A group of positions which are identical with respect to their major duties, authority, and level of responsibilities, to justify their being covered by a single title and to be treated the same for purposes of pay and job requirements.

Classification Plan: The systematic arrangement of all positions in the classified service into classes and assignment to the pay plan by class title.

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

Demotion: The change of an employee from a position in one class to a position in a class having a salary range with a lower rate of pay.

Dismissal: Involuntary separation of an employee resulting from disciplinary action, inability to perform the duties of the position or other just cause.

Examination: Any test of fitness used to evaluate the ability of applicants to perform the duties of a position (in example: oral board, written test, performance test, physical examination).

Grade: A ranking established for regular salary purposes wherein all positions or classes of positions in the classified service that are determined to be of the same level with respect to the difficulty and responsibility of their duties are equal salary-wise.

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

Part-time – A position that requires working an average of less than 20 hours per week, and less than 1,040 hours per year, year-round.

Pay Plan: The schedules of compensation for all classes of positions recognized under the Town classification plan. All positions allocated to class will be paid according to the pay range established for that class.

Pay Range: The spread of pay rates between the minimum and maximum rates established for each classification.

Position: A collection of tasks constituting the total work assignment of a single worker.

Probationary Period: A working test period, following initial appointment or promotion during which an employee is required to demonstrate by conduct and actual performance of the duties his/her fitness for the position to which he/she is appointed.

Promotion: The change of an employee from a position in one class to a position in a class allocated to a higher classification level.

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

~~Regular Full-time Position: An employee working forty (40) hours per week.~~

Regular Full-time – A position regularly scheduled for year-round employment that includes 40 hours in a standard 7-day work week.

~~Regular Part-time Position: An employee working less than forty (40) hours per week.~~

Regular Part-time – A position that works a regular schedule, averaging 20 hours per week, and not less than 1,040 hours per year, year-round.

Resignation: Separation of an employee from Town employment by his or her own voluntary action.

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

Temporary – A position that is scheduled to fill job requirements which occur intermittently for a program or project, or during certain times of the year. The anticipated duration of the temporary assignment is known prior to commencement of employment and will typically not be more than five (5) months.

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CHAPTER 1 - GENERAL POLICY

- 1-1 Personnel Policy. It is hereby declared personnel policy of the Town of Windsor that:
- Employment in the Town government shall be based on ability and fitness, free of personal and political considerations;
 - Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and economy in the operation of the Town government;
 - Positions having similar duties and responsibilities shall be classified and compensated on a uniform basis;
 - Appointments, promotions and other actions requiring the application of merit principles shall be based on systematic tests and/or evaluations;
 - Every consideration shall be given to the rights and interests of employees consistent with the best interests of the public and the Town;
 - Every employee has a moral obligation and is expected to comply with the spirit and intent of this merit system.
- 1-2 Non-Discrimination. There shall be no discrimination against any employee or applicant on the basis of race, creed, color, sex, religion, age, national origin, political affiliation, marital, family or veteran status, ancestry, sexual orientation, or disability.
- 1-3 Continued Employment. Nothing in these Personnel Rules, the employment application, or any other Town of Windsor Policy shall be construed as a guarantee of continued employment, nor shall the completion of the probationary period as defined in Chapter 8 of these Rules be interpreted as a guarantee of continued employment with the Town.

CHAPTER 2 - PURPOSE AND SCOPE

2-1 Purpose of Rules. It is the purpose of these rules to give effect to the Town Charter section 5-12, which states that:

"The Manager shall also cause to have prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the Town."

2-2 Scope. The classified service shall include appointees to all positions now or hereafter created except the following:

1. All elected officials and persons appointed to fill vacancies in elective offices;
2. Members of boards and commissions;
3. The Town Manager, Town Attorney, and Town Treasurer;
4. Employees of the Board of Education;
5. Persons employed in a professional capacity to make or conduct a temporary and special inquiry, study or investigation;
6. The judges, clerks and other personnel of the Probate Court;
7. Persons employed for a temporary period ~~not exceeding three months;~~
8. Volunteer personnel.

2-3 Application. Provisions of these personnel rules may be specifically included in and are subject to labor contracts negotiated with the Town employee bargaining units constituted under Section 7-467 to et.seq. inclusive of the General Statutes of Connecticut.

CHAPTER 3 - ADMINISTRATION

- 3-1 Administration of Merit System. The Town Manager shall administer the merit personnel system, benefits and procedures established by these rules, including such supplemental personnel regulations as may be necessary for the effective implementation of these rules.
- 3-2 Technical Personnel Services. The Town Manager, with the concurrence of Council, may contract with any qualified person or agency for the performance of such technical services as may be needed in the establishment and operation of the personnel program.
- 3-3 Delegation of Authority to Assistant Town Manager or the Town Manager's designee. In the temporary absence of the Town Manager, the Assistant Town Manager or the Town Manager's designee shall serve as Town Manager and shall have full authority to act as the Town's chief executive.
- 3-4 Delegation of Authority to Department Directors. The Town Manager may delegate to Department Directors the authority to take personnel actions in their departments in accordance with these rules. This authority may not be redelegated by Department Directors.
- 3-5 Emergencies. In an emergency, the Town Manager shall have the power to make decisions involving Town personnel not specifically covered by these rules or the Town Charter. Such action shall be reported to the Council as soon as possible, but not later than its next regular meeting.
- 3-6 Department Regulations. Subject to the approval of the Town Manager, a Department Director may adopt regulations to implement these rules for the operation of his/her department.

CHAPTER 4 - CLASSIFICATION PLAN

- 4-1 Classification of Positions. All positions in the classified service shall be grouped into classes, and each class shall include those positions sufficiently similar as to character, difficulty, and responsibility that:

The same descriptive title may be used to designate each position allocated to the class;

The same level of education, experience, knowledge, ability, and other qualifications may be required of the incumbents;

Similar tests of fitness may be used to select incumbents; and

The same range of compensation will apply with equity under substantially the same employment conditions.

- 4-2 Class Specification. Written specifications shall be prepared for each class. Each class specification shall at least include a class title, a description of the duties and responsibilities of the class, and the minimum qualifications required of applicants seeking appointment. Class specifications shall be descriptive and explanatory and are not restrictive. The use of a particular expression or illustration as to duties, qualifications, or other attributes shall not be held to exclude others not mentioned if such others are similar in kind or quality, nor to limit the duties of a position. Class specifications shall determine the class to which any position will be allocated.

- 4-3 Classes in the Plan. The Classification Plan shall consist of the classes listed with amendments thereto from time to time as may be recommended by the Town Manager and adopted by resolution of the Town Council.

- 4-4 Minimum Class Requirements. Although they may not be mentioned in the class specifications, certain responsibilities apply to all positions such as loyalty, honesty, sobriety, industry and good physical condition. The Town Manager may prescribe minimum and maximum age and physical condition requirements for a particular class, provided that these requirements are consistent with federal and state anti-discrimination and other applicable statutes.

- 4-5 Reclassification of Positions. Whenever the duties and responsibilities of an existing position are so changed that the position in effect becomes one of a different class from that to which it is allocated, the Director of Human Resources, on his/her own initiative, or at the request of a Department Director, shall study the position and recommend reallocation to the appropriate class.

- 4-6 Employee Requests for Reclassification. Any regular employee who considers his/her position improperly classified shall first submit his/her request for reclassification to the Department Director who shall review such request as to its justification. If the Department Director finds that there is merit in the request, the Department Director shall transmit his/her recommendation to the Director of Human Resources who shall study the recommendation, and make a recommendation to the Town Manager. If the Department Director finds that the request is not justified, he/she shall so advise the employee of the decision and also of the employee's right to appeal under the grievance procedure in Chapter 12.
- 4-7 Status of Employees Upon Reclassification. Upon the reclassification of a position from one class to another class of the same, a lower level, or a higher level, the method of filling the position shall be determined in accordance with the rules regarding transfers, demotions or promotions, as may be appropriate. The Town Manager may, before recognizing an employee's right to retain a position reclassified to a higher level, require evidence of the qualifications and fitness of the incumbent, including hearings, investigations, and either competitive or non-competitive examinations.

CHAPTER 5 - PAY PLAN

- 5-1 Guidelines for Establishing Salaries. In order to assure the recruitment and retention of personnel necessary to maintain a continued high level of public service, it is the policy of the Town that the level of compensation of municipal employees should favorably compare with prevailing rates in private industry and other governmental agencies in the competitive area. In carrying out this policy, consideration shall be given to the relative qualifications, duties, and responsibilities of the various types of positions, rates paid for comparable services in public and private employment, experience in recruiting for such positions, and availability of funds.
- 5-2 Preparation of the Plan. Director of Human Resources shall prepare for the Town Manager uniform and equitable pay plans which shall consist of minimum and maximum rates of pay for each class and such intermediate rates as he/she considers necessary or equitable. After review and approval by the Town Manager, the pay plans shall be submitted to the Town Council for action. The salary ranges for positions in the classified service shall consist of those listed in the approved annual budget, separately approved plans, or collective bargaining agreements. However, nothing in this section shall preclude the Town Manager from keeping an employee at a prior year's salary range.
- 5-3 Pay Survey. The Director of Human Resources shall make comparative studies of factors affecting the level of salary ranges. On the basis of the information derived from the studies, requests for adjustments in salary ranges may be initiated by the Town Manager and submitted to the Town Council for action.
- 5-4 Entrance Salary Rates.
- A. Starting Rate on Initial Employment. The entrance rate of pay for a class shall normally be offered for recruitment purposes and shall normally be paid upon appointment to the class. The Town Manager may approve initial compensation at a rate higher than the minimum rate in the pay range for the class when the needs of the service make such action necessary, provided that:
1. The qualifications of the applicant are outstanding in relation to those of competing applicants, the applicant's qualifications are substantially in excess of the requirements of the class, and his/her employment cannot be obtained at the minimum rate; and/or
 2. There is a shortage of qualified applicants at the minimum rate of the range.

- B. Starting Rate on Return from Military Service. Any regular employee who leaves the Town service to enter the Armed Forces shall be reinstated in accordance with Section 7-462 of the Connecticut General Statutes as amended.
- C. Rate of Pay on Transfer or Demotion. When a regular employee is transferred from a position in one class to a position in another class at the same grade, the employee shall continue to be paid at the same rate. When a regular employee is demoted to a lower grade, the employee's salary shall be set at:
 - 1. The rate in the lower grade which provides the smallest decrease in pay, if the action is not for cause; or
 - 2. Any appropriate rate as determined by the Town Manager in the lower grade that is less than his/her existing salary if the action is for cause.
- D. Rate of Pay on Promotion. In general, where an employee is promoted, the beginning rate shall be at the lowest rate in the higher range that will provide an increase of no less than 5%. Advancement to the maximum rate subsequent to the promotion will be on the same basis as described in Section 5-5 below.

5-5 Salary Advancement Within Range.

- A. Completion of Probation. Upon satisfactory completion of the **probationary period** following initial appointment or promotion, the salary of a regular employee may be advanced approximately **regular full-time employee may receive up to a 5% pay increase**, provided that no employee shall exceed the maximum of the pay range.
- B. Advancement Within Pay Range. Advancement within the range shall be dependent upon approval by the Town Manager. **All full-time and regular part-time employees will receive a performance evaluation at least annually and are eligible for a merit increase at the time of annual evaluation. The evaluation date is based on the employee's date of hire, promotion, demotion or transfer.** The exact amount of the merit increase and the time of increases will depend upon the employee's performance, **the merit percentage range as determined by the Town Manager** and the availability of funds.
- ~~C. Pay Increases by Merit. Pay increases or advancement in the range, promotions, and other salary actions are based on meritorious service and are not to be considered automatic nor based on length of service alone.~~
- C. Annual Salaries. Regular full-time Town employees' salaries shall be stated in annual terms.

CHAPTER 6 - HOURS OF WORK AND OVERTIME

6-1 Hours of Work.

- A. Normal Work Week. The normal work week for regular full-time employees shall be a total of 40 hours, consisting of 5 work days of 8 hours each.
- B. Normal Work Day. The normal work day for regular full-time employees shall be:
 - 1. From 8:00 a.m. until 5:00 p.m. five days per week with one hour for lunch.
 - 2. In Town Departments or Divisions where service to the public is required on a seasonal or 24-hour basis, or where flexibility in scheduling is necessary to meet operational needs, work schedules shall be prepared by the Department or Division concerned, with the approval of the Town Manager. Examples of such operations include but are not limited to the Library, the Sanitary Landfill, Child Development Center, and the Police Department.
- C. Meal Periods. The Town Manager may authorize the inclusion of meal periods as time actually worked for shift-type operations.
- D. Rest Periods. The Town Manager may authorize the inclusion of a 10 minute rest period during each half of the daily schedule as time actually worked. The Department Director will schedule specific times for rest periods and may combine both into one 20 minute period.
- E. Flextime. The Town Manager may establish a flexible work schedule providing employees work a total of 40 hours per week.
- F. Job Sharing. A Department Director may request that one regular, full-time position be filled by two employees. With the approval of the Town Manager, a job-sharing plan, which equitably divides the salary and benefits for the position, shall be established.

6-2 Overtime.

- A. Overtime Authorization. In emergencies the Town Manager may prescribe reasonable periods of overtime work to meet operational needs. Overtime shall be compensated only when properly authorized as prescribed by the Town Manager **or the Department Head**. Complete records of overtime of employees shall be maintained.

B. Positions Exempt From Overtime. Because supervisory, professional and administrative personnel have an obligation that goes beyond fixed work schedules, they shall not be paid for overtime work except under exceptional circumstances and with prior written approval of the Town Manager. Exemption from overtime eligibility shall be determined in accordance with applicable State and Federal Statutes. Compensatory leave for exempt personnel may be granted by the Town Manager when appropriate, again following the guidelines established by State and Federal law.

C. Overtime Compensation. When a regular full-time employee in a non-exempt position is required to work in excess of the normal workweek as described in Section 6-1A, the employee shall receive payment or compensatory leave as follows:

1. Overtime Payment

a. One and one-half times the employee's regular hourly rate for all hours worked over 40 hours per week, except that the rate shall be twice the employee's regular rate for all work on Sunday or an observed holiday. Vacation leave shall be counted for the computation of overtime.

b. New Classes - when any new class is created and when the salary level of any existing class is changed, the overtime provisions of the section shall be applied in an equitable manner according to the classification group in which the class is allocated.

2. Compensatory Leave

A regular full-time employee in a non-exempt position may request compensatory leave in lieu of payment. Compensatory leave shall be scheduled at a time mutually agreeable to the employee and the supervisor. Compensatory leave shall be granted in accordance with the provisions of the Fair Labor Standards Act and the statutes of the State of Connecticut.

6-3 Call-Back Time. When a regular full-time employee in a non-exempt position, after departing from his/her regularly scheduled shift, is officially ordered to report back to work for emergency service, he/she shall be compensated for all hours worked at the rates set forth in Section 6-2C or 4 hours pay at his/her regular rate, whichever is the greater.

CHAPTER 7 - RECRUITMENT, SELECTION, AND APPOINTMENT OF EMPLOYEES

7-1 Recruitment of Employees.

- A. Recruitment Policy. Individuals shall be recruited from a geographic area as wide as is necessary to assure obtaining well-qualified candidates for the various types of positions. In cases where residents of Windsor and non-residents are equally qualified for particular vacant positions, the residents shall receive first consideration in filling such vacancies.
- B. Announcement. The Town Manager shall cause to be made known all vacancies for all positions in the classified service by posting announcements of such vacancies on official bulletin boards, websites, in newspapers and other publications, and in such places as the Town Manager deems advisable.
- C. Recruitment and Moving Expenses. While it is the policy of the Town to recruit local persons, it is recognized that various staff, professional and supervisory positions may require recruitment from outside the area to obtain well-qualified applicants. Accordingly, in recruiting for and filling positions of this type, the Town Manager may authorize payment of expenses for:
 - 1. An applicant's trip for a personal interview and/or reporting to duty upon appointment to Town service. Reimbursable expenses may include an allowance for transportation, meals, and lodging.
 - 2. All reasonable and customary relocation costs including moving household goods to Windsor. Three price quotations must be obtained. If the employee leaves employment with the Town of Windsor prior to a full year's service then the Town would be reimbursed for expenses by the employee.

7-2 Selection of Employees.

- A. Application Forms. Applications for employment shall be accepted at any time or by date specified in job announcement. Each candidate for municipal employment shall make application on the standard form or online as prescribed and provided by the Town. Such information may be required as is deemed necessary in order to judge the applicant's fitness for service in the Town. Applications shall not be returned but will remain on file for as long as required by State regulation.

- B. References. As part of the pre-employment procedure, former supervisors, employers (for a reasonable past period) and references provided by candidates on the standard application shall be checked in order to insure hiring the best candidate. References and other checks shall be documented and made part of the applicant's file. These checks shall be completed prior to an offer of employment. All such information is to be handled in accordance with applicable laws and regulations regarding availability.
- C. Disqualification. The Town Manager may remove from further consideration the application of an applicant who:
1. Does not possess the minimum qualifications required for the position.
 2. Has established an unsatisfactory employment or personal record as evidenced by reference or other checks.
 3. Has made false statements of any material fact or practiced deception in his/her application process.
 4. Has been convicted of crimes other than minor traffic violations.
 5. Does not pass the physical exam (if applicable).
- D. Competitive Examination. All appointments to positions in the classified service of the Town of Windsor shall be made according to merit and fitness to be ascertained as far as possible by open competitive examinations. These examinations may be assembled or unassembled, and may include written, oral, physical, psychological or performance tests or any combination of these. Education, experience, aptitude, knowledge, **and overall suitability** ~~character and physical fitness~~ shall be considered with weights assigned to each factor as may be deemed proper by the Town Manager or such advisory committee or examining committee as he/she may appoint.
1. Veterans Preference:
 - a. Honorably discharged veterans of the Armed Forces of the United States who have served a recognizable period of active duty and who meet the minimum qualifications of the position applied for shall be granted five (5) preference points to be added to a passing written exam score for an entrance level position in the classified service.
 - b. Honorably discharged veterans of the Armed Forces of the United States who have served a recognizable period of active duty and who meet the minimum qualifications of the position applied for and who have at least a ten percent (10%) compensable disability rating as verified by the United States Veteran's Administration shall be granted ten (10) preference points to be added to a passing written exam score for an entrance level position in the classified service.

c. Preference points for veterans shall not exceed a total of ten (10) points and eligibility for such preference points shall be limited to a period of five (5) years after honorable discharge or release from service, whichever date is later.

d. For purposes of granting preference points to veterans, the Armed Forces of the United States shall include the Army, Navy, Air Force, Marine Corps, and Coast Guard.

E. Eligibility for Competitive Examinations. Tests for original appointment in the classified service shall be open to all applicants who meet the minimum qualifications required of a particular position. Advancement within the service shall be through promotional tests, which shall be open to all regular employees who meet the necessary requirements and who are serving in an appropriate class as determined by the Town Manager. Promotional examinations may be limited to a single Department. While vacancies in a higher position shall, as far as practicable, be filled by promotion from lower positions, the Town Manager may direct that such positions shall be filled by competitive tests open not only to members of the classified service but also to all other qualified persons.

F. Method of Rating. Applicants for original and promotional appointments will be rated by the Town Manager, or his designee, as follows:

1. Group A - Outstandingly Qualified.
2. Group B - Well Qualified.
3. Group C - Qualified. Meets the minimum essential requirements for the position.
4. Group D - Does not meet the minimum essential requirements for the position.

Applicants shall be rated in group A, B, C or D based on job performance, training and experience, information furnished by reference or other checks, and test results. If, during the screening process for filling a position, additional information is obtained which reflects significantly on an applicant's suitability for the position, his/her rating may be changed to a higher or lower group.

7-3 Medical Examination. In accordance with the provisions of the Americans with Disabilities Act, a medical examination may be required after a conditional offer of employment has been extended to an applicant. An employer may exclude an applicant based on a post-offer, pre-employment medical examination if the results indicate that the applicant is not qualified for the position or if it establishes that there is a high probability of substantial harm to the applicant or to others if they were to perform the functions of the position. No employee may be required to undergo a medical examination or be questioned about the existence and/or nature of a disability unless the examination or inquiry is job-related and consistent with business necessity. All required examinations shall be paid for by the Town and shall be given by physicians designated by the Town.

7-4 Appointment of Employees.

A. Method of Appointment. All vacancies shall be filled by regular appointment, promotion, transfer, or demotion. Appointment to a vacancy in the classified service shall be recommended by the Director of Human Resources from the qualified candidates and submitted to the Town Manager for final action.

B. Regular Appointment. A regular appointment indicates that the employee is to work for the Town on a continuing basis. Every regular employee shall serve a probationary period after original appointment in accordance with the provisions of these rules. The status of the employee shall not be changed from probationary to regular status until a certification is made by the supervisor that the employee's services are satisfactory.

C. Part-time Positions. Employees appointed to regular part-time positions become members of the classified service just as do regular full-time employees.

CHAPTER 8 - PROBATIONARY PERIOD

- 8-1 Objective of Probationary Period. The probationary or working test period shall be regarded as an integral part of the examination process and shall be utilized by supervisors and Department Directors for closely observing the employee's work, for securing the most effective adjustment of a new employee to his/her position, and for rejecting any employee whose performance does not meet the required work standards.
- 8-2 Duration of Probationary Period. Every person appointed to a **regular full-time or regular part-time position or promoted, transferred or demoted** shall be required to successfully complete a probationary period which shall be of sufficient length to enable the Department Director to observe the employee's ability to perform the various duties of the position. The probationary period shall begin immediately upon original appointment or promotion and shall continue for not less than six months nor more than twelve months. A Department Director may, at any time after the minimum probationary period has been served and before the maximum has been reached, notify the Town Manager in writing that he/she is satisfied with the employee's performance and the probationary period should end.
- 8-3 Evaluation of Performance. At the end of the second month of employment during the probationary period and at intervals of two months thereafter for the duration of the probationary period, a probationary report **evaluation** form shall be prepared by the supervisor, reviewed by the Department Director and forwarded to the Town Manager. Such reports shall give an accurate and fair appraisal of the employee's work, his/her willingness and ability to perform assigned duties satisfactorily, and observations concerning work habits and dependability.
- 8-4 Removal. At any time during the probationary period, the Department Director may recommend in writing to the Town Manager the removal of an employee if the employee's performance indicates that he/she is unable or unwilling to perform the duties of the position satisfactorily, or that his/her habits and dependability do not merit continuance in the service. Such recommendation of the Department Director, and the reasons therefore, shall be in writing to the Town Manager with a copy to the employee. No employee shall be removed from a position during the probationary period without the approval of the Town Manager. Employees on probation as a result of initial appointment have no rights to appeal their removal under Chapter 12, Section 12-2. An employee appointed through **on probation due to promotion, transfer or voluntary demotion** who does not successfully complete his/her probationary period **shall be reinstated to the employee's prior position if the position is vacant.** ~~in a position in the class occupied by the employee immediately prior to promotion.~~ **If the employee's prior position is not vacant the employee may be considered for other vacant positions for which the employee is qualified. If no such positions are available the employee will be terminated. The employee will have rights to appeal under Chapter 12, Section 12-2.**

CHAPTER 9 - PROMOTIONS, TRANSFERS AND DEMOTIONS

- 9-1 Promotion Policy. The Town encourages employees to develop skills, attain greater knowledge of their work and make known their qualifications for promotion to more responsible positions. No supervisor shall deny an employee permission to apply for a promotional opportunity in any Town office or Department.
- 9-2 Transfer Policy. Transfer of an employee from one position to another without change in grade may be effected when:
- A. The employee meets the qualifications of the new position, or
 - B. It is in the best interests of the Town, or
 - C. Further training and development of an employee in another position would be beneficial to the future staffing requirements of the Town, or
 - D. It meets a personal need of the employee and is consistent with A and B above.
- 9-3 Demotion Policy. An employee may be demoted to a position of a lower grade, for which he/she is qualified, for any of the following reasons:
- A. When an employee would otherwise be laid off because his/her position is being abolished, his/her position is reclassified to a lower grade, lack of work, lack of funds, or because of the return to work from authorized leave of another employee to such position in accordance with these rules.
 - B. When an employee does not possess the necessary qualifications to render satisfactory service in the position he/she holds.
 - C. When an employee voluntarily requests such demotion.

CHAPTER 10 - LEAVE

- 10-1 General Policy. Leave is any authorized absence during regularly scheduled work hours that is approved by proper authority. Leave may be authorized with or without pay and shall be granted in accordance with these rules on the basis of the work requirements of the Department and, whenever possible, the personal wishes of the employee.
- 10-2 Types of Leave. The following types of leave are officially established:
- A. Holiday Leave.
 - B. Vacation Leave.
 - C. Sick Leave.
 - D. Disability Leave.
 - E. Injury Leave.
 - F. Compensatory Leave. (See Section 6.2 C)
 - G. Bereavement Leave.
 - H. Personal Leave.
 - I. Other Leave With Pay.
 - J. Leave Without Pay.
 - K. Family and Medical Leave.
 - L. Any other Leave required by state or Federal law.
- 10-3 Procedure for Requesting Leave. For all leave other than holiday, sick, disability, injury and bereavement leave, a written request on forms prescribed by the Town Manager indicating the kind of leave, duration, and dates of departure and return must be approved prior to the taking of leave. In the case of sick, disability, injury and bereavement leave, the forms shall be completed and submitted for approval immediately upon the employee's return to duty. Unless an absence is substantiated by a leave form approved by the Town Manager or his/her designee, an employee shall not be paid for any absence from scheduled work hours.
- 10-4 Holidays. The following holidays for regular full-time employees shall be granted with pay:

New Year's Day
 Martin Luther King's Birthday
 Memorial Day
 Independence Day
 Labor Day

Thanksgiving Day
 Friday Following Thanksgiving Day
 Christmas Day
 Employee's Birthday
 A Floating Holiday

Two additional days from the following list shall be designated for the fiscal year by the Town Manager: (1) Lincoln's Birthday, Washington's Birthday, Columbus Day, or Veterans Day; or (2) as half days the day before Christmas and New Year's Day; or (3) as part of a four day weekend if a holiday falls on a Tuesday or Thursday. When a holiday falls on a Saturday, it shall be observed on the preceding Friday; when a holiday falls on a Sunday it shall be observed the following Monday.

A. Holidays for Regular Part-time Employees. Regular Part-time employees who are scheduled to work on the day the holiday falls will receive pay for the holiday based on the number of hours the employee is regularly scheduled to work.

B. Holidays For Part-time Employees. Part-time employees shall not be eligible for holiday leave.

B. Holidays During Paid Status. In order to receive pay for an observed holiday, an employee must be in a work or paid leave status on his/her scheduled workday immediately preceding and following the holiday.

10-5 Vacation Leave. Regular full-time employees whose work week is 40 hours and who have completed six months employment are eligible for vacation leave as follows:

<u>Length of Continuous Service</u>	<u>Earned Vacation Leave</u>
Up to 5 years	10 days/year
5 years up to 10 years	15 days/year
10 years and over	20 days/year

A. Maximum Accumulation of Vacation Leave for Full-Time. A regular full-time employee may accumulate vacation leave up to the following maximum limits:

Up to 2 years of service	15 days
2 years up to 10 years	22.5 days
Over 10 years of service	30 days

C. Break in Service. Vacation leave shall be determined by the length of continuous service. For purposes of computing vacation leave, employees who leave the Town service and are later restored shall be considered new employees, except in the most unusual cases as determined by the Town

employees, except in the most unusual cases as determined by the Town Manager.

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

E. Advanced Vacation. No employee may take vacation leave beyond the amount earned except in the most unusual cases. Requests for advanced vacation must be submitted by the Department Director to the Town Manager in writing. All approved vacation advances shall be treated as an advance against the employee's earnings. New employees are eligible to request vacation leave after working for six (6) months.

F. Holiday Celebrated During Vacation Leave. Observed holidays established by these rules shall not be considered in the computation of vacation credit nor as part of vacation leave.

G. Use of Vacation Credit. An employee may take earned vacation leave during the year with proper authorization except that no employee may take vacation leave of less than half day (4 hour) **one (1) hour** increments. Since the purpose of vacation leave is rest and relaxation, no additional salary shall be paid an employee in lieu of vacation except in the most unusual cases and with the approval of the Town Manager.

H. Payment for Accumulated Vacation upon Resignation/Retirement. The effective date of a regular employee's resignation/retirement shall be the last day of work. The employee shall be paid for all vacation accrued through that date up to a maximum as specified in 10-5.B.

I. Sickness While on Vacation. An employee who becomes ill while on vacation leave may not charge such illness to sick leave unless the employee files a physician's certificate describing the nature and duration of the illness with his/her Department Director. Any such substitution of sick leave for vacation leave is subject to the amount of sick leave which the employee has remaining, and to the approval of the Town Manager or his/her designee.

10-6 Sick Leave. ~~Each regular full-time employee shall be eligible for sick leave with pay according to the following schedule:~~ **Each regular full-time employee shall receive ten (10) days of sick leave each fiscal year.**

<u>Years of Service</u>	<u>Work Days at Full Pay Per Year</u>
Up to 2 years	5
2 years and over	10

For new employees, sick leave shall be prorated from the date of hire to July 1. The employee will receive 1.54 hours per week for the number of weeks remaining in the fiscal year at time of hire. On July 1 the new employee will receive ten (days) of sick leave. ~~New employees shall be eligible for 5 days sick~~

~~leave from date of hire to their first anniversary date. Employees will be eligible for five (5) days sick leave from their first anniversary to their second anniversary. Employees shall be eligible for sick leave at a rate of ten (10) days per year from their second anniversary date to the following July 1 on a pro-rated basis. Thereafter, sick leave eligibility will be computed on a fiscal year basis and will be renewed annually on July 1. Sick leave shall not accrue from year to year.~~

Each regular part-time employee shall receive one week of sick leave based on the number of hours the employee is regularly scheduled to work. For example, an employee whose regular schedule is thirty (30) hours per week will receive thirty (30) hours of sick leave for the fiscal year. New employees sick leave shall be prorated from the date of hire to July 1. The employee will receive sick leave based on the number of weeks remaining in the fiscal year at time of hire. On July 1 the new employee will receive the appropriate amount of sick leave based on his/her work schedule.

A. Use of Sick Leave. Sick leave may not be taken in less than half day (4 hour) **one (1) hour** increments. ~~It may be allowed by the Division Manager or Department Director~~ Sick leave may be used for the following purposes:

1. Personal illness, physical incapacity or non-compensable injury or disease.
2. To meet medical and dental appointments in excess of two hours duration when an employee has made reasonable efforts to secure appointments outside his/her normal working hours provided the Department Director is notified at least one day in advance of the day on which the absence occurs.
3. Family and Medical Leave Act (FMLA). Sick leave may be used only for leave taken because of the employee's own serious health condition or to care for an immediate family member who has a serious health condition that requires treatment or supervision **in accordance with the town's Family and Medical Leave Policy.**
3. Illness or physical incapacity in the employee's immediate family (father, mother, sister, brother, wife, husband, children, grandparents, grandchildren, aunts or uncles by blood, marriage, or adoption and anyone who is domiciled in the employee's household), requiring his/her personal attention.

B. Proof of Illness. Department Director may require proof of illness for authorized sick leave. In the judgment of the Department Director, proof of sickness may include a doctor's certificate or other proof of illness from the employee's physician indicating the nature and duration of the illness. The Town may investigate any absence for which sick leave is requested.

C. Report of Illness. On the first day of absence from work due to illness, the employee shall report his/her illness to his/her supervisor no later than the beginning of his/her scheduled work assignment, except that where a relief

employee is required, such report must be made at least one hour prior to the beginning of his/her scheduled work assignment. If an employee is absent more than one day, he/she must notify his/her supervisor on each day of the absence, or must initially notify the supervisor of the intended date of return. Nothing in this section shall preclude the payment of sick leave to an employee who cannot comply with provisions of this section due to extenuating circumstances.

D. Doctor's Appointments. Regular full-time employees may use up to two (2) hours of time with pay for doctor's and dentist appointments for the employee or the employee's child, spouse or parent. The Department Head or supervisor must be notified in advance of these appointments except in cases of sudden illness or injury. If regularly scheduled appointments are needed for a condition lasting more than thirty (30) days, sick leave shall be used. The Department Head may require proof of the doctor or dentist appointment.

10-7 Disability Leave. ~~Sick leave benefits are supplemented by the Town disability income plan.~~ Each regular full-time employee shall be eligible for disability income benefits in accordance with the following schedule:

<u>Length of Service</u>	Work Days	
	at 90% of Full Pay	at 2/3 of Full Pay
6 months up to but not including 2 years	0	255
2 years up to but not including 5 years	5	250
5 years up to but not including 10 years	20	235
10 years up to but not including 15 years	50	205
15 years and over	120	135

A. Eligibility for Disability Payments. Disability income payments begin the first day of absence due to an "off the job" accident and on the sixth day of absence from work due to illness. An employee is eligible to receive payments under the disability income plan provided he/she has completed six months employment with the Town and is in a work status at the completion of his/her six months employment. While it is not necessary to be confined in a hospital, the employee must be under a doctor's care in order to be eligible. **Employees may use accrued vacation and personal leave to supplement the disability payments so the employee may receive full pay during his/her absence.**

B. Length of Disability Payments. The length of disability payments is limited to 52 weeks.

10-8 Injury—Worker's Compensation Leave. Worker's Compensation leave, as distinguished from sick leave, shall mean paid leave given to an employee due to absence from duty caused by an accident, injury, or occupational disease that

occurred while the employee was engaged in the performance of his/her duties. Employees of the Town are covered by worker's compensation insurance and are paid for work time lost due to injuries sustained on the job. The Town, in case of **worker's compensation** leave, shall supplement the payments of the insurance company so that the employee will receive full pay during his/her absence, for a period not to exceed **a total of six months at full pay**. In the case of injuries causing temporary disability and for absences of three days or less, the Town shall pay the employee's regular salary for such period since payments are not made under worker's compensation insurance for such accidents. In the event of permanent total disability resulting from an accident occurring on the job, supplemental payments shall be made for a period not to exceed six months.

All payments on **worker's compensation** leave shall be made subject to the same rules and regulations of worker's compensation insurance and shall not be payable if the accident shall have been due to willful intoxication or misconduct on the part of the employee. Lost time under **worker's compensation** leave shall not be charged to vacation or sick leave accruals.

10-9 Bereavement Leave. Each regular full-time employee shall be granted bereavement leave up to three (3) days by the Town Manager or Department Director when death occurs in the employee's or spouse's immediate family as defined in 10-6A.4.

10-10 Personal Leave.

A. Each employee in the administrative group shall be granted two personal leave days each year for the following purposes: 1) to observe other holidays that are not formally observed by the Town, or 2) to conduct personal business that must be conducted during normal working hours.

In addition, a regular full-time employee in the administrative group may earn personal leave days by maintaining an exemplary attendance record throughout the fiscal year. If an employee uses either no or very little sick leave, ~~disability leave, or injury leave~~ during the fiscal year, he/she will earn personal leave days according to the following schedule:

<u>Days Absent</u>	<u>Personal Days Earned</u>
0	3
1 or 2	2
3 or 4	1

Personal leave days must be taken during the fiscal year immediately following the year in which they are earned, they may not be carried over into any subsequent year, and there will be no compensation for unused personal days upon resignation or retirement. Personal leave days must be requested and approved in advance, and they ~~must be taken in increments of at least 1/2 day~~ **must not be taken in less than one (1) hour increments**.

B. Regular part-time employees who have completed a minimum of one year

continuous service are eligible for personal leave as follows:

<u>Length of Continuous Service</u>	<u>Earned Personal Leave</u>
After completion of one year	One day/year
After completion of two years	Two days/year
After completion of three years	Three days/year
After completion of four years	Four days/year
After completion of five years and above	Five days/year

An earned personal leave day is based upon the previous fiscal year hours worked. These days must be taken during the fiscal year immediately following the year in which they are earned and they may not be carried over into any subsequent year. There will be no compensation for unused personal days upon resignation or retirement. Personal leave days must be requested and approved in advance by a supervisor.

10-11 Other Leave with Pay. Regular full-time employees may be granted leave with pay in accordance with the following:

A. Administrative Leave.

1. Training. With the approval of the Town Manager, leave of absence with pay may be granted by the Department Director for the purpose of allowing a regular employee to participate in conferences, seminars, training courses, and official meetings which enhance the employee's performance.

2. Special. The Town Manager may authorize either full or partial days off in addition to those already authorized in these rules to permit closing of some or all Town offices for severe storms, public celebrations, or days of mourning.

3. Exceptional Personal. The Town Manager may authorize either full or partial days off in addition to those already authorized in these rules when personal circumstances require the employee to be absent from his/her normal work assignment. Such circumstances would include but are not limited to: an emotional crisis, a crisis in the employee's family, or an interpersonal crisis in the work setting.

B. Jury Duty. Regular full-time employees shall be granted leave of absence with pay for required jury duty. In such cases, the employee shall receive that portion of his regular salary, which will, together with the jury pay, equal his/her total salary for the same pay period. The employee shall notify his/her Department Director of the scheduled jury duty in advance.

C. Military Leave. A regular full-time employee participating in required field training and in the Federal Reserve or National Guard shall be entitled to be absent from his/her Town duties while engaged in required field training. No such employee shall be subjected to any loss or reduction of vacation or

sick leave accrual. The period of absence in any calendar year shall not normally exceed thirty (30) calendar days, by counting from the first day of authorized military *training* leave, consecutively - including regularly scheduled days off and holidays, to the last day of authorized military leave. For this period, the compensation paid to the employee for such leave of absence shall be the difference between his/her compensation for military service as evidenced by an official military statement listing his/her rank, pay, and allowances and the amount of salary or wages due as an employee of the town. If the compensation for military service is equal to or greater than the salary or wages due as a town employee for the period covered by such military leave, then no payment shall be made, except that normal payroll deductions for insurance purposes shall be paid by the town during such leave. The Town Manager may allow an employee to be absent for more than 30 calendar days on military *training* leave by allowing the employee to use vacation time, or authorized leave without pay. An employee participating in such reserve military training shall give his/her Department Director sufficient advance notice.

Full-time employees who are ordered to report for active duty as military reservist or National Guardsmen will in addition to the protections afforded under federal law (Title 38, Chapter 43, Section 2024 of the United States Code, Annotated) be provided the following:

In accordance with state and federal law, a returning reservist or guardsman will be offered his/her former job or a job with the same pay, rank, and seniority that the employee could have expected if his/her work had not been interrupted by emergency military duty.

The town will pay the difference between the reservist's or guardsman's military pay and his/her base salary while on active duty as evidenced by an official military statement listing his/her rank, pay, and allowances and the amount of salary or wages due as an employee of the town.

When an employee is called for active duty, he/she is automatically covered under the military's health care coverage. Therefore, after the initial 30 calendar days of leave, the military's insurance shall be primary for the employee. An employee's spouse and dependents are also eligible for coverage under the military's health care plan or they may select to continue to be covered by the town's health and dental plan. If the spouse and/or dependents remain under the town's plan the cost of insurance premiums shall be shared between the employee and the town on the same percentage basis as prior to the employee being ordered to active military duty.

The employee shall retain any unused sick, holiday, vacation, and compensatory time earned prior to active duty, to be credited to the employee upon his/her return. No additional sick, vacation, holiday or other earned or unearned time will accrue while the employee is away from the employment with the town.

If there are any differences between this policy and a particular bargaining unit contract, the contract provisions will prevail.

- 10-12 Leave Without Pay. The Town Manager may grant a regular full-time employee leave of absence without pay for professional development or special circumstances. Such leave shall be granted only after consideration of the service record of the employee and when it will not result in undue harm to the interests of the Town. No leave without pay shall be granted except upon written request of the employee including a signed statement that he/she will serve the Town for a minimum of one year after return from such leave.

The Town Manager may grant a leave of absence without pay to an employee provided the position remains vacant, or is filled by temporary appointment until the expiration of such leave.

- 10-13 Family and Medical Leave Act (FMLA). The Town shall establish a policy and guidelines for the use of family or medical leave by eligible employees in accordance with the 1993 Federal Act.

- 10-14 Absence Without Leave. An absence of an employee from duty, including an absence for a whole or part of a day, that is not authorized by a specific approved leave of absence under the provisions of these rules, shall be deemed an absence without leave. Any such absence shall be without pay and may be subject to disciplinary action. Any employee who is absent from work for three (3) consecutive work days, or on three (3) separate occasions without notifying his/her Department Director or immediate supervisor of the reason for such absence or absences shall be considered to have resigned from the Town service.

