

TOWN OF LEO-CEDARVILLE
PERSONNEL POLICY HANDBOOK

TABLE OF CONTENTS

SECTION 1: GENERAL PROVISIONS3

 POLICY 1.01: SCOPE.....3

 POLICY 1.02: AUTHORITY3

 POLICY 1.03: CHANGES AND CORRECTIONS3

 POLICY 1.04: DISTRIBUTION OF HANDBOOK4

 POLICY 1.05: SEVERABILITY4

SECTION 2: EMPLOYMENT STATUS5

 POLICY 2.01: AT-WILL EMPLOYMENT5

 POLICY 2.04: MANAGEMENT AUTHORITY.....6

 POLICY 2.03: EQUAL EMPLOYMENT OPPORTUNITY7

 POLICY 2.04: IMMIGRATION LAWS.....9

 POLICY 2.05: CONTACT INFORMATION10

 POLICY 2.06: TAX FORMS11

SECTION 3: JOB CLASSIFICATIONS AND DESCRIPTIONS12

 POLICY 3.01: EMPLOYEE CLASSIFICATIONS12

 POLICY 3.02: JOB DESCRIPTIONS13

 POLICY 3.03: STAFFING15

 POLICY 3.04: WORK SCHEDULES16

 POLICY 3.05: WRITTEN JOB DESCRIPTIONS17

SECTION 4: PAY AND FINGE BENEFITS.....18

 POLICY 4.01: PAY INFORMATION.....18

 POLICY 4.02: TIMECARDS19

POLICY 4.03: OVERTIME PAY20

POLICY 4.04: FRINGE BENEFITS.....21

POLICY 4.05: EXPENSE REIMBURSEMENT22

SECTION 5: TIME OFF.....24

POLICY 5.01 PAID TIME OFF (PTO).....24

POLICY 5.02: SNOW EMERGENCIES26

POLICY 5.03: CIVIC DUTY LEAVE.....27

POLICY 5.04: BEREAVEMENT LEAVE.....28

POLICY 5.05: HOLIDAY PAY29

POLICY 5.06: UNPAID TIME OFF.....30

POLICY 5.07: MEDICAL LEAVE31

POLICY 5.08: MILITARY LEAVE.....32

SECTION 6: STANDARDS OF CONDUCT33

POLICY 6.01: STANDARDS OF CONDUCT.....33

POLICY 6.02: SOCIAL NETWORKING35

POLICY 6.03: SMOKING.....38

POLICY 6.04: DRUG AND ALCOHOL POLICY39

POLICY 6.05: WORKPLACE ACCIDENTS.....40

POLICY 6.06: WORKPLACE INJURIES.....41

POLICY 6.07: POLITICAL ACTIVITIES42

POLICY 6.08: CONFLICTS OF INTEREST43

POLICY 6.09: LACTATION SUPPORT45

SECTION 7: INDEMNIFICATION OF EMPLOYEES46

POLICY 7.01: INDEMNITY46

SECTION 1: GENERAL PROVISIONS

POLICY 1.01: SCOPE

This handbook sets forth the policies and procedures pertaining to the employees of the Town of Leo-Cedarville, Indiana. Unless otherwise specified, the policies and procedures set forth herein shall apply to all non-elected Town employees including full-time, part-time, seasonal, and temporary employees and including management personnel. Management personnel includes the Town Manager, deputy Town Managers, and other deputies, supervisors, managers and directors of the Town. Unless otherwise stated, these policies shall not apply to elected officials or volunteer board members including members of the park board, storm water board, plan commission, and board of zoning appeals.

These policies shall apply to employees hired directly by the Town Clerk-Treasurer to assist the Clerk-Treasurer as authorized by I.C. 36-5-6-7 unless the Clerk-Treasurer adopts different policies. The Clerk-Treasurer shall have the authority to modify these policies only with regards to employees hired directly by the Clerk-Treasurer under I.C. 36-5-6-7.

POLICY 1.02: AUTHORITY

The policies contained in this handbook have been adopted by resolution of the Leo-Cedarville Town Council. The Town Manager shall have the authority to administer these policies and to interpret or clarify these policies as needed.

POLICY 1.03: CHANGES AND CORRECTIONS

Any changes or corrections to the policies set forth in this handbook shall be made by resolution adopted by the Leo-Cedarville Town Council. Upon adoption, such changes will be incorporated in this handbook, replacing any relevant prior policy, and shall include the effective date of the new policy in the top right-hand corner of the policy.

POLICY 1.04: DISTRIBUTION OF HANDBOOK

The Town Manager is authorized to distribute and administer the policies of this handbook (and any future amendments) to all Town employees, and shall obtain a signed acknowledgement form from each employee of receipt of the handbook.

POLICY 1.05: SEVERABILITY

If any part of this handbook is found to substantially conflict with any state or federal law, or is judged to be invalid by any court of competent jurisdiction, that part will be null and void but all other parts of the handbook will remain in full force and effect.

SECTION 2: EMPLOYMENT STATUS

POLICY 2.01: AT-WILL EMPLOYMENT

All employment relationships with the Town are considered "at-will" arrangements and either party is free to terminate the relationship any time for whatever reason. Town employees shall retain their employment at the will of the Leo-Cedarville Town Council or other Town Board having the legal authority to hire and fire the employee. No employees of the Town shall have any property or liberty interest in employment with the Town or any expectation of continued employment with the Town. Nothing in this handbook or in the other ordinances or policies of the Town is intended to grant a contract right in employment or an expectation of a property interest in employment. No employee shall have a contractual right to continued employment for a specific term.

This arrangement may be varied only by way of a separate written contract signed by the Town Council. All employees are subject to an introductory period of 90 days (this will be explained further below).

POLICY 2.02: MANAGEMENT AUTHORITY

The Town Manager shall have supervisory authority over all other employees of the Town except for employees hired directly by the Clerk-Treasurer as authorized by I.C. 36-5-6-7. The Town Manager shall directly report to the Town Council. Individual members of the Town Council shall not have direct, individual supervisory control over Town Employees. However, if the Town Manager needs guidance for an issue that cannot wait for a meeting of the Town Council, the Town Manager may seek guidance from the Town Council President pending the next meeting of the Town Council. For matters involving the administration of payroll or benefits the Town Manager shall work with the Clerk-Treasurer and shall comply with the reasonable documenting and reporting procedures set forth by the Clerk-Treasurer. Any disputes between the Town Manager and the Clerk-Treasurer regarding the reasonableness of documenting and reporting procedures shall be brought to the Town Council, which shall have final authority to resolve such conflicts, subject only to the requirements of the Indiana State Board of Accounts and federal and state law.

The Town Manager may establish goals for employees within the parameters of the employees' job descriptions. The Town Manager may monitor employee job performance, provide training and instruction as needed. The Town Manager may designate an employee to supervise other employees, in addition to any chains of command set forth in this handbook. The Town manager may discipline employees short of termination, including providing verbal warnings, written warnings and suspensions. The Town Manager may hire, promote, demote or terminate employees from employment only upon approval of the Town Council or the applicable Town Board that has the legal authority to hire and fire the employee in question (e.g. Stormwater Board for any Storm Water Clerk, Park Board for any Superintendent of Parks, and Plan Commission for the Town Zoning Administrator).

Employees hired by the Clerk-Treasurer to assist the Clerk-Treasurer shall serve at the sole pleasure of the Clerk-Treasurer. These policies apply to the employees hired by the Clerk-Treasurer except to the extent that the Clerk-Treasurer promulgates different policies in writing.

POLICY 2.03: EQUAL EMPLOYMENT OPPORTUNITY

The Town of Leo-Cedarville is an equal opportunity employer. The Town will provide equal employment opportunity without regard to race, color, national origin, gender, religion, or disability.

This policy applies to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation, benefits, social and recreational programs, and all other conditions and privileges of employment.

It is the policy of the Town to comply with all the relevant and applicable provisions of federal, state, and local laws. The Town will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's gender, race, color, religion, national origin, disability or other protected classification. No person over the age of 40 will be discriminated against due to their age. No veteran or person in military service will be discriminated against on the basis of their military service.

The Town will make reasonable accommodation, wherever necessary, for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job with or without any necessary and reasonable accommodation.

Equal employment opportunity notices shall be posted on appropriate employee bulletin boards as required by law. The notices summarize the rights of employees to equal opportunity in employment and list the names and contact information of various government agencies that employees may contact in the event that they believe they have been discriminated against.

The Town Manager is primarily responsible for seeing that Town's equal employment opportunity policies are implemented, but all Town employees share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone. Accordingly, it is the responsibility of every employee to:

- ❖ Report any instances of discrimination harassment or other unlawful conduct observed by the individual to the Town Manager or Town Council President;
- ❖ Thoroughly cooperate in any investigation of alleged discrimination and with any corrective action taken by the Town;
- ❖ Be continually alert to identify and correct any practices by individuals that are at odds with the intent of this policy.

No employee will be punished, disciplined, or in any way retaliated against for complaining of or reporting any conduct that the employee in good faith believes is discriminatory, harassing or otherwise unlawful or for otherwise participating in an investigation of such conduct. Any employee that believes they have been retaliated against for complaining or reporting such conduct or for participating in an investigation should report such retaliation immediately to the Town Manager, or if the retaliation or discrimination is by the Town Manager, to the Town Council President.

Any employees involved in discriminatory practices will be subject to discipline up to and including termination from employment. However, no employee has the right to demand that any other employee be terminated or otherwise disciplined. Every employee has the right to work in an environment free from unlawful discrimination or harassment, but decisions regarding discipline are at the sole discretion of the Town Manager or Town Council.

POLICY 2.04: IMMIGRATION LAWS

In compliance with the Immigration Reform and Control Act of 1986, the Town will employ only United States citizens and aliens who are authorized to work in the United States. Each new employee must sign and date the first section of the Immigration and Naturalization Service Form I-9 on the first day of employment. Additionally, within three working days after hire, each new employee must provide documents as specified on List A, or Lists B and C of form I-9, verifying the employee's identity and employment authorization. The Clerk-Treasurer will keep on file copies of the provided documents along with each employee's Form I-9. An employee otherwise eligible for employment, who is unable to produce employment authorization may be given up to 90 additional days to provide such documents; provided that, a receipt for application for securing the documents is presented to the Clerk-Treasurer within three business days of the start of employment.

POLICY 2.05: CONTACT INFORMATION

Each employee shall provide to the Clerk-Treasurer and to the Town Manager a current home address and any current home telephone number, cell phone number, and e-mail address. Employees shall keep the Town Manager and Clerk-Treasurer advised of any changes in address, telephone numbers, and e-mail that occur during the term of employment.

POLICY 2.06: TAX FORMS

On the first day of employment, new employees must deliver to the Clerk-Treasurer a completed United States Internal Revenue Service Form W-4—Employee's Federal Withholding Allowance Certificate, and an Indiana Department of Revenue Form WH-4—Employee's State Withholding Exemption and County Status. An Employee may review his or her current W-4 and WH-4 on file, and file a new replacement W-4 and/or WH-4 at any time during the calendar year. The Clerk-Treasurer shall cause to be issued a completed IRS form W-2 to each employee of the Town no later than January 1st for income tax reporting purposes for the prior calendar year.

SECTION 3: JOB CLASSIFICATIONS AND DESCRIPTIONS

POLICY 3.01: EMPLOYEE CLASSIFICATIONS

Regular Full-Time Employee

A full-time employee is a person who is scheduled to work an average of at least 32 hours per week or more during the calendar year. A full-time employee is entitled to all fringe benefits offered by the Town for which the employee personally qualifies.

Part-Time Employee

A part-time employee is a person who is scheduled to work less than an average of 32 hours per week during the calendar year. A part-time employee is not eligible for fringe benefits or paid time off except holiday pay.

Temporary/Seasonal/Intern Employee

A temporary employee is a person who is employed for a specific period (such as summer) or for a specific purpose (such as to replace a regular employee who is temporarily absent). Temporary employees also include any student interns. A temporary employee is not eligible for fringe benefits or paid time off.

Exempt Employee

An exempt employee is a salaried full time employee who is not entitled to be paid overtime, in accordance with applicable federal wage and hour laws, for work performed beyond forty hours in a workweek. Executives, professional employees, outside sales representatives, and certain employees in administrative positions are typically exempt employees.

Non-Exempt Employee

Employees who are required to be paid overtime at the rate of time and one half (i.e., one-and-one-half times) their regular rate of pay for all hours worked beyond forty hours in a workweek, in accordance with applicable federal wage and law hours. Non-exempt employees will typically be paid an hourly rate but may be paid a salary.

Probationary Employee

All employees are considered probationary employees during their first 90 days of employment. During such time frame, employees are not eligible for employee fringe benefits or paid time off except Holiday pay.

POLICY 3.02: JOB DESCRIPTIONS

The following job classifications exist within the Town:

Town Manager: As established by Town Ordinance 2011-04. The Town Manager position is a full-time, exempt position. The Town Manager generally serves as the administrative head of the Town and has direct, day-to-day supervisory authority over all other Town employees, except employees hired by the Clerk-Treasurer. The Town Manager shall also serve as Secretary to the Plan Commission and Zoning Administrator at the discretion of the Plan Commission and as Secretary to the Board of Zoning Appeals at the discretion of the BZA. A full description of the Town Manager's duties is set forth in the enabling ordinance which shall be attached hereto for reference as Appendix "A".

Town Maintenance Person: The Town Maintenance Person is a full-time, non-exempt position established by Town Ordinance 2006-01. The Town Maintenance Person generally responsible for maintenance and upkeep of Town buildings, equipment, rights of way, and facilities. The Town Maintenance Person shall report directly to the Town Manager. The job description of the Town Maintenance Person is included in the enabling ordinance which shall be attached hereto as Appendix "B". The Town Manager may supplement this job description by attaching a new job description hereto that does not conflict with the enabling ordinance.

Utility Billing Clerk: The Utility Billing Clerk is a part-time, non-exempt position. The Utility Billing Clerk serves as the Stormwater billing clerk under the Stormwater Utility Board and as the Billing Clerk for other Town utilities and services under the Town Manager. A full job description of the Utility Billing Clerk position shall be attached hereto as Appendix "C".

Town Maintenance Assistant: Town Maintenance Assistants may be hired as needed, on a part-time, or temporary basis. The Town Maintenance Assistants are non-exempt positions. Town Maintenance Assistants shall be directly supervised by and shall assist the Town Maintenance Person. A full job description of the Town Maintenance Assistant shall be attached hereto as Appendix "D".

Park Custodian: The Park Custodian is a part-time, non-exempt position. The Park Custodian is responsible for cleaning the park pavilion(s) and keeping the walkways to the pavilions clear from snow and ice when the pavilions are rented.

The Park Custodian reports directly to the Town Manager. A full job description of the Park Custodian position shall be attached hereto as Appendix “E”.

Park Groundskeeper: The Park Groundskeeper is a part-time, seasonal, non-exempt position. The Park Groundskeeper shall report directly to the Town Manager. A full job description of the Park Groundskeeper position shall be attached hereto as Appendix “F”.

Park Helper: The Park Helper position, is a part-time, non-exempt position. The Park Helper shall report directly to the Town Manager and shall assist the Park Groundskeeper. A full job description of the Park Helper position shall be attached hereto as Appendix “G”.

Deputy Clerk-Treasurers: As permitted by I.C. 36-5-6-7, the Town Clerk Treasurer may, upon approval of the Leo-Cedarville Town Council, hire one or more deputy clerk-treasurers. If so appointed, the Deputy Clerk-Treasurer(s) shall report directly to the Clerk-Treasurer and serve at the pleasure of the Clerk-Treasurer. If so appointed, the Clerk Treasurer shall provide to the Town Manager a written job description of the Deputy Clerk-Treasurer(s) which shall be appended hereto as Appendix “H”.

Clerk-Treasurer Assistants: As permitted by I.C. 36-5-6-7, the Town Clerk Treasurer may, upon approval of the Leo-Cedarville Town Council, hire one or more other employees to assist the Clerk-Treasurers. If so appointed, these assistants shall report directly to the Clerk-Treasurer and serve at the pleasure of the Clerk-Treasurer. If so appointed, the Clerk Treasurer shall provide to the Town Manager a written job description of the Clerk-Treasurer assistant position which shall be appended hereto as Appendix “I”.

POLICY 3.03: STAFFING

The positions of Town Manager, and Town Maintenance Person shall be staffed at the sole discretion of the Town Council.

The position of Utility Billing Person shall be staffed at the discretion of the Town Council, but may also serve as the Stormwater Billing Clerk at the discretion of the Stormwater Board.

The positions of Town Maintenance Assistant, Park Custodian, Park Groundskeeper, and Park Helper shall be staffed at the discretion of the Town Manager.

The positions of Deputy Clerk-Treasurer and Clerk-Treasurer Assistant shall be staffed at the discretion of the Clerk-Treasurer with Town Council Approval.

The position of Zoning Administrator and Plan Commission Secretary shall be staffed at the discretion of the Plan Commission.

The position of BZA Secretary shall be staffed at the discretion of the Board of Zoning Appeals.

All employment positions are subject to annual budget approval by the Town Council.

POLICY 3.04: WORK SCHEDULES

The scheduled time for work for each employee will be arranged by the Town Manager or by the employee's supervisor, subject to the approval of the Town Manager. An employee may request a change in their normal schedule. Such requests should be made in writing. The Town Manager must approve any changes in an employee's work schedule.

Any employee working eight (8) hours or more in a work day will be allowed to take a one-hour lunch break. Employees are free to leave the Town's worksite at their discretion during their lunch break. Employees shall not be required to answer phone calls or perform any other work during their lunch breaks. Lunch times shall be coordinated through the Town Manager or other supervising employee.

Any breaks other than the lunch break must be authorized by the Town Manager. Employees are not entitled to breaks, and breaks will be granted only as the Town Manager deems necessary.

Any break of twenty minutes or more (including the lunch break) shall be unpaid. Employees may leave the work site during any unpaid break and shall not perform any job duties during their lunch break. All breaks of less than twenty minutes shall be paid. Employees may not leave the worksite during any paid break except with express permission of the Town Manager or their supervisor. Employees may be asked to perform duties during a paid break period.

POLICY 3.05: WRITTEN JOB DESCRIPTIONS

The Town Manager, or appropriate supervisor/supervising body shall prepare and update as necessary written job descriptions for each job classification within the Town. Such job descriptions shall be provided to each employee upon the start of employment or upon the amendment of the job description. Current copies of all written job descriptions shall be kept on file by the Town Manager and copies shall be given to the Town Clerk-Treasurer, and shall be appended to this handbook as designated in Policy 3.01 above.

SECTION 4: PAY AND FRINGE BENEFITS

POLICY 4.01: PAY INFORMATION

Employee rates of pay are set by the Town Council and are subject to change during any budget cycle. The current rates of pay for each job classification are set forth in the Town's Salary Ordinance or, in the case of temporary part-time positions, in the resolution passed by the appropriate board governing the fund to which the employee will be expensed.

No employee shall be paid less than the statutory minimum wage. All nonexempt employees shall be paid time-and-a-half for all hours worked over 40 hours in any single week. The fact that an employee is paid a salary rather than an hourly rate of pay does not determine the employee's eligibility for overtime pay. Pay periods for all employees will be bi-weekly, running from Monday to the second consecutive Sunday. Paychecks will be issued by 6:00 p.m. of the following Friday.

There may be certain amounts deducted from an employee's paycheck concerning the benefits the employee has chosen. Employees should review their paycheck stubs to make sure everything is accurate. For any discrepancy, contact the Town Manager or Clerk-Treasurer immediately. Other than for taxes, FICA, and employee benefits, no other withholdings will be made from an employee's paycheck without a signed authorization from the employee approved by the Town Attorney or a court order of garnishment.

POLICY 4.02: TIMECARDS

All employees will be required to keep an accurate record of time worked each day. Such record shall show the time the employee began work and ended work and the start and end times of any unpaid breaks during the work day. If an employee has used a paid absence such as holiday, vacation, or sick day, the employee should note that on the time card as well and highlight those hours. The hours shown on the timecard are the basis for the employee's pay; therefore, it is primarily the responsibility of each employee to make sure the hours are accurate. Each employee shall sign their time card each week verifying the accuracy of the information on the time card.

The employees shall turn their time cards into the Town Manager at the end of the last shift for each work week. The Town Manager shall check the timecards for accuracy and shall total up the number of hours worked each week, and shall sign the time cards.

The Town Manager shall deliver the time cards to the Clerk Treasurer on the first Monday of each week. The Clerk-Treasurer shall issue the paychecks or shall cause the paychecks to be issued by a third-party payroll provider approved by the Town Council.

POLICY 4.03: OVERTIME PAY

Overtime is defined as any time worked over 40 hours per week. Overtime must be approved by the Town Manager in advance. Unapproved overtime will be paid if it is established that the hours were actually worked, but will result in disciplinary action.

The overtime will be paid at the rate of one and one half times the employee's regular rate. Exempt employees are not eligible for overtime. Overtime cannot be created by sick or vacation time.

POLICY 4.04: FRINGE BENEFITS

Deferred Compensation Plan (457 plan): As a retirement benefit, the Town provides to all eligible full-time employees a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code. The Town will match the contributions of all eligible employees' paid into the plan up to a maximum of ten percent (10%) of the employee's base annual salary or base pay annual pay excluding overtime. The Town shall deposit matching funds into the employee's 457 account or 401(a) account. Employees should consult the Town Clerk-Treasurer for plan documents or additional details regarding the deferred compensation plan.

Health Savings Account Benefit (HSA): For all Regular Full-Time employees that procure a qualified high-deductible insurance policy and open a qualified Health Savings Account ("HSA"), the Town shall contribute the maximum amount allowed by law per year into the employee's HSA account.

Cell Phones: The Town may provide cell phone service to certain employees, pursuant to the Town's cell phone policy, which shall be attached hereto as Appendix "J".

Any conflict between this policy and the Town's current salary ordinance or other ordinance shall be resolved in favor of the ordinance.

POLICY 4.05: EXPENSE REIMBURSEMENT

Travel and related business expenses are sometimes a necessary component of the operation of local government. This policy is intended to maintain equitable standards for reimbursement of expenses to provide consistent and fair treatment to employees and to maintain control over expenses. All reasonable expenses incurred by employees on behalf of the Town consistent with this policy are reimbursable to the employee.

Mileage Reimbursement: An employee may be reimbursed for mileage at the federal government mileage rate for authorized travel involving official business or authorized training if the employee used a privately owned automobile. Such reimbursement may be made only if the employee carries motor vehicle liability insurance required by law, and can demonstrate proof of such insurance. No mileage reimbursement shall be paid for travel between an employee's home and the Town office or other Town work area. Mileage reimbursement shall be calculated from the Town office or regular work area to the out of town destination and back again. Travel expense reports shall be submitted on a form approved by the Clerk-Treasurer, and shall state the address of the Town Hall as the place of origin and the address to where the employee travelled. Recreational travel while out of town (e.g. leaving a hotel to go eat, to site see, or for entertainment) is not reimbursable. The travel expense report with attached receipts must be submitted to the Town Manager within seven (7) days of the date on which the employee returns from the trip. The Town Manager shall submit the travel expense report and receipts to the Clerk-Treasurer.

Toll Charges and Parking: Necessary toll road charges and parking charges are reimbursable with proper receipts.

Lodging: If an employee is traveling out of town for more than 24 hours, the employee shall be entitled to reimbursement for the reasonable cost of lodging. The employee shall present a receipt along with a completed expense report itemizing the cost each night for lodging. Room charges such as phone calls or in room movies are not reimbursable.

Meals: Employees are entitled to reimbursement for meals required by business needs (e.g. a meeting during a meal time) the cost of the meal to the employee is reimbursable if the employee provides a receipt and files an expense report stating the business purpose of the meal.

If an employee is traveling for more than 24 hours, the employee shall be entitled to a \$50.00 maximum meal expense daily.

If an employee travels for less than 24 hours the employee shall, with Town Manager approval, be entitled to be reimbursed for meals incurred during the travel up to the following maximums:

Breakfast:	\$10.00
Lunch:	\$15.00
Dinner:	\$25.00

For all meal reimbursements, the employee must submit receipts along with an expense report. All meal receipts must show itemization of purchases. The cost of alcohol shall not be reimbursed.

Hospitality Reimbursement: If an employee is hosting a meeting during normal meal hours, and has the approval of the Town Manager, the employee is entitled to pay for the meal of one or more guests (as approved by the Town manager) up to the above stated limits per guest. In such event, all itemized receipts and forms required for employee reimbursement would apply to all hospitality reimbursements.

Registration Fees: Employees are entitled to reimbursement for payment of approved training, registration a material costs. Receipts must be provided.

Other Personal Expenses: Personal expenses incurred during travel are not reimbursable including telephone calls, laundry, entertainment and alcoholic beverages.

SECTION 5: TIME OFF**POLICY 5.01: PAID TIME OFF (PTO)****A. Use of PTO**

Paid Time Off (“PTO”) is provided to employees for rest, relaxation, vacation, personal business, their own illness or that of others, and to celebrate holidays not recognized by the Town. Care should be taken in planning the use of PTO to allow for unexpected illnesses, emergencies, or other circumstances that could keep you away from work. Employees may schedule PTO at times mutually agreeable with the Town Manager and their supervisor.

PTO may be taken for no less than two-hours except as otherwise approved by the Town Manager. PTO should be taken in 15 minute increments after the initial two-hours. Employees shall be paid for up to five (5) days of PTO time that is unused by the end of the year. Unused PTO shall not be carried over to the following year. Any unused PTO exceeding five (5) days at the end of a calendar year will be forfeited.

All PTO shall be forfeited if an employee is terminated for cause or if an employee quits their employment without providing two weeks advanced notice to the Town Manager. If an employee is terminated without cause or if an employee quits after providing two week’s notice, or if an employee dies while still employed, all unused PTO up to five (5) days shall be paid to the employee or the employee’s estate and any additional unused PTO will be forfeited.

PTO Scheduling – PTO must be scheduled in advance when possible and approved by the Town Manager and appropriate supervisor. The Town Manager may disapprove unscheduled PTO time at her/his discretion except in the case of unexpected illness or emergencies. In the case of unexpected illness or emergencies, PTO will be approved despite the lack of advanced notice. The Town Manager may request documentation of the illness or emergency when such documentation is available, but may only require an employee to obtain a doctor’s note for absences of more than one day. The Town Manager shall schedule her own PTO and shall inform the Town Council President and Clerk-Treasurer of her scheduled time off and shall post her scheduled time off on an appropriate employee bulletin board.

B. PTO Eligibility and Accrual

PTO shall accrue to Town employees as follows:

New Hires – No PTO is accrued during the first 90 days of employment (i.e. the probationary period). Following the probationary period, during the first calendar year of employment, each regular full-time employee will receive 1 day of PTO for each full month of continuous service completed. Thus, an employee hired on January 1 will have no PTO time on April 1, but will have 1 day of PTO available for use beginning May 1. Partial months worked shall not be counted.

Less than 1 year of service - On January 1, regular employees with more than three (3) months, but less than one full year, of service will be eligible to take 1 day for each month of completed service measured from the employee's start date.

1 to 5 years of service - On January 1, regular employees with at least one (1) year, but less than five (5) years, of service will be eligible for twelve (12) days of PTO.

5 to 10 years of service - On January 1, regular employees with five (5) years, but less than ten (10) years of service will be eligible for seventeen (17) days of PTO.

10 to 15 years of service - On January 1, regular employees with at least ten (10) but less than fifteen (15) years of service will be eligible for twenty-two (22) days of PTO.

15 or more years of service - On January 1, regular employees with fifteen (15) years or more of service will be eligible for twenty-seven (27) days of PTO.

Grandfathering clause: Employees employed as of the date of the adoption of this policy who are receiving more paid time off (including vacation time etc. . .) than provided under this policy are grandfathered in with their current number of PTO days until such time that the employee's allowed PTO time under this policy exceeds the employee's current allotment. However, all other aspects of this policy, such as the maximum 5 day pay out, and the forfeiture provisions shall apply.

POLICY 5.02: SNOW EMERGENCIES

In the event that the Indiana Department of Homeland Security or the Town declare a Level 1 snow emergency (i.e. a “warning”), or otherwise order traffic off of the streets the Town office will be closed. Employees who were scheduled to work on such days will be paid their regular wages up to a maximum of 5 such days a year. In the event that a Level 2 snow emergency (i.e. a “watch”) is declared, the office will remain open, but employees are instructed to use their own discretion regarding whether they are able to safely come to the office. Absences on such days will be excused provided that the employee calls in and informs the Town Manager or leaves a message on the office answering machine advising the Town Manager of the employee’s inability to safely come to work. However such excused absences shall be unpaid. Employees may use their accrued PTO time for such days.

The Town Maintenance personnel may be required to work during snow emergencies to assist with snow and ice removal.

POLICY 5.03: CIVIC DUTY LEAVE

Absences for the following reasons are excused provided that the employee provides the Town Manager (or in the case of the Town Manager, the Town Council President) with a copy of the summons, subpoena or other document:

Jury Duty

Service on a Grand Jury

Witness before a Grand Jury

Witness at a Coroner's Inquest

Any absence in compliance with a Subpoena

If an employee is summoned for any of these reasons, the Town will pay the employee normal wages for regular days that would have been worked during the active period civic duty for up to a maximum of ten (10) working days per calendar year. Employees are allowed unpaid time off if summoned to appear for more than ten days but may use PTO time if available.

To qualify for civic duty leave, an employee must submit to the Town Manager a copy of the summons to serve as soon as it is received.

POLICY 5.04: BEREAVEMENT LEAVE

An employee experiencing the death of a spouse, domestic partner, child, parent, or sibling will receive up to five (5) days paid time off. An employee experiencing the death of a grandparent, aunt, uncle or first cousin will receive two (2) days paid time off. Employees may use PTO time for additional days if desired.

POLICY 5.05: HOLIDAY PAY

The following paid holidays will be observed by the Town:

New Years Day
Memorial Day
Independence Day
Labor Day
Good Friday
Thanksgiving Day
The day after Thanksgiving Day
Christmas Day
Veteran's Day

Holidays that fall on a Saturday shall be celebrated on the Friday before the holiday. Holidays that fall on a Sunday shall be celebrated on the Monday following the holiday. The Town's offices shall be closed on these holidays or the days celebrated for the holidays. All full-time and part-time employees (except temporary/seasonal/intern employees) will be given one day's pay (at their regular rate) for each holiday that falls or is celebrated on a day when the employee would otherwise have normally worked. Full-time employees shall be paid for 8 hours, part-time employees shall be paid for 4 hours for each holiday.

POLICY 5.06: UNPAID TIME OFF

Employees shall be allowed unpaid time off work up to five consecutive days at the sole discretion of the Town Manager. Employees seeking more than five consecutive days off work without pay (i.e. no PTO time remains) must request a Leave of Absence from the Town Council or other appointing board. Such leaves shall be granted or denied at the discretion of the Town Council or appointing board.

POLICY 5.07 MEDICAL LEAVE

An employee who is unable to perform the essential functions of his or her job due to a temporary illness or injury or due to treatment of an illness or injury may apply to the Town Council for a medical leave of absence. The Town Council reserves the right to require the employee to perform light duty work which falls within the employee's medical restrictions if such work is available. An employee requesting a medical leave must supply medical documentation of the need for the leave. The Town Council reserves the right to require the employee to submit to a medical examination by a physician selected and paid for by the Town to confirm the employee's inability to perform the functions of their job. All leaves are granted at the sole discretion of the Town Council. All leaves are without pay. All unused PTO shall be used contemporaneously with any medical leave of absence.

The Town Council further reserves the right to require the employee to be examined by a physician and to obtain a release to return to work prior to reinstating any employee following the expiration of a medical leave of absence.

POLICY 5.08: MILITARY LEAVES

Leaves of absence shall be provided for military service in the United States Military or the Indiana National Guard. Employees must provide notice to the Town Manager of the need for military leave as soon as possible, and provide copies of the military orders prior to beginning leave. The Town will provide up to 15 days of paid military leave per year as required by IC 10-2-4-3. The Town will reinstate employees to their former positions following military leave as required by the Uniformed Services Employment and Re-employment Rights Act 38 U.S.C.A. §§ 4301-4333.

SECTION 6: STANDARDS OF CONDUCT

POLICY 6.01: STANDARDS OF CONDUCT

The Town's employees are representatives of the Town of Leo-Cedarville to the public. This places an important responsibility on all employees to be professional, respectful and courteous at all times, both on and off the job. Thoughtless words and acts can blemish the good relations developed by the Town through its service to its constituents and the community at large. Accordingly, inappropriate conduct either on or off the job may result in disciplinary action up to and including termination from employment.

Listed below are some examples of conduct which may result in immediate dismissal from employment or other lesser discipline:

- A. Failure to appear for work at a scheduled shift without providing a reasonable justification for the absence;
- B. Having an unreasonable number of absences or tardiness;
- C. Leaving work early or for part of the day without authorization;
- D. Falsification of Town records;
- E. Lying to the Town Manager, a supervisor, or other Town Officer or Council Member about any matter relevant to the employee's job or other Town business;
- F. Acting carelessly or engaging in misconduct which results in property damage, personal injury, or placing people or property at risk of damage or injury;
- G. Refusing to follow instructions of the Town Manager or a supervisor regarding work assignments or other workplace conduct;
- H. The use or possession of drugs, other than those prescribed by a doctor, or the use or possession of illegal narcotics or intoxicating beverages on Town property;
- I. Indecent or immoral conduct on the Town premises;
- J. Abusing, fighting, striking or threatening bodily harm (direct or by implication) any person;
- K. Defacing property belonging to the Town or another person;
- L. Smoking in the Town buildings, or in undesignated sites on the Town grounds;
- M. Assisting unauthorized persons to gain entrance to restricted Town premises;

- N. Tampering with locked cabinets, file cabinets, or boxes for which the employee is not authorized to access;
- O. Knowingly Violating safety, health, and fire regulations established by the fire department, the board of health, the building department, IOSHA or other governmental agency;
- P. Failure to report a theft of or damage to Town property;
- Q. Theft of any property of the Town, other employees, or Town constituents;
- R. Engaging in harassment of a co-worker, volunteer, or constituent of the Town or making harassing, belittling, disparaging, or offensive comments to or about the Town, or any employee officer or volunteer of the Town. This policy shall not apply to purely political speech made while off the job and outside of the Town premises;
- S. Violating any of the written policies or work rules set forth in this handbook or elsewhere.
- T. Engaging in horseplay which disrupts work or endangers the physical well being or property of others or Town property;
- U. Loitering or taking unauthorized breaks;
- V. Wearing inappropriate jewelry, clothing, footwear, or headwear after being counseled by the Town Manager;
- W. Soliciting, selling or collecting money for any purpose while on the job or on Town property without the prior approval of the Town Manager;
- X. Removing any material from bulletin boards or altering memos without the authorization of the Town Manager;
- Y. Posting, transferring, transmitting, or communicating, in any form, personal information of co-workers, Town officers, Town Volunteers, or Town constituents, without permission of the Town Manager.

These lists are not all-inclusive, and the Town reserves the right to reprimand, suspend or terminate an employee for any reason. If the Town Manager and/or an employee's supervisor find that an employee's performance is not satisfactory or that the employee's conduct is not acceptable or for any other reason deemed by the Town to be insufficient, disciplinary action may be taken. This may range from informal discussion with the employee to immediate unpaid suspension pending approval for discharge from employment by the Town Council or other appropriate Board. The Town Manager will consider, in her/his opinion, the seriousness of the situation, the employee's work history, and other relevant factors. The Town Manager shall not be required to follow any step disciplinary process.

POLICY 6.02: SOCIAL NETWORKING

The Town recognizes that many of its employees use social media such as Facebook, Twitter, LinkedIn, You Tube, and MySpace, to name a few. However, Employee's use of social media could become a problem if it:

Interferes with the Employee's work

Is used to harass or discriminate against co-workers or the Town's residents

Creates a hostile work environment

Divulges confidential information about the Town, its employees or residents

Harms the goodwill and reputation of the Town

Is used to criticize, disparage, make insensitive or unflattering comments, or to gossip about the Town's employees, or is otherwise used to undermine the teamwork, camaraderie and good working relationships so important to the morale of the Town staff; or

Is used to make disparaging, or disloyal statements about the Town, its residents, or its employees.

As a result, the Town requires its employees to use social media within the following guidelines. If you are uncertain about the appropriateness of a social media posting, check with the Town Manager.

Social Media Guidelines:

Do not post any picture or video involving another Town, , employee, without their express written consent.

Do not post any comment, narrative, gossip or text about the Town, its officers, employees, or volunteers, which is, disparaging, harassing, discriminatory, inflammatory, belittling, , or defamatory. It is irrelevant for purposes of this policy whether any such comment, narrative, gossip, or text is true or whether the statement is made as a joke or in a sarcastic manner. Nothing in this policy shall prohibit employees from speaking together about the terms and conditions of employment or otherwise engaging in concerted activity otherwise protected by the National Labor Relations Act ("NLRA") or other federal or state law. Nothing in this policy shall prohibit an employee from engaging in protected political speech about Town policies or about elected officials.

Do not use any social media or computer network to purport to speak on behalf of the Town without the express instruction or consent of the Town Council. If you

post any comment about the Town or its operations, you must clearly and conspicuously state that you are posting in your individual capacity and that the views posted are yours alone and do not represent the views of the Town. This policy does not prohibit any employee from making a truthful report to OSHA, IOSHA, the EEOC or any other administrative agency or regulatory agency as allowed by law.

Unless given written consent, you may not use the Town's name, trademark, logo, or any organizational material in your post. Nor may you use the Town's name or goodwill or the reputation or goodwill of any officer or employee of the Town to endorse any services or products of any third party without the express written consent of the Town Council.

All postings on social media must comply with the Town's policies on confidentiality and disclosure of proprietary information. If you are unsure about the confidential nature of information you are considering posting, consult the Town Manager. Do not link to the Town web site or post any the Town material on a social media site without written permission of the Town Manager.

Don't forget that you are responsible for what you write or present on social media. You can be sued by other employees or any individual that views your social media posts as defamatory, harassing, libelous, or creating a hostile work environment.

All the Town policies that regulate on or off-duty conduct apply to social media activity including, but not limited to, policies relating to illegal harassment, code of conduct, non-discrimination, and protecting confidential and/or proprietary information.

Employees may not use Town equipment for non-work-related activities without permission. Additionally, the Town's policy on use of computers, electronic mail and internet usage apply to social media use at work, including the Town's policy that personal use of its computers, including personal social media activities, should be kept to a minimum and should not interfere with your duties at work. The Town monitors our facilities to ensure compliance with this restriction. Employees should not have an expectation of privacy in electronic communications made on Town computers and equipment. All e-mails and other electronic communications are subject to review by the Town Manager, and may constitute public documents subject to public disclosure under the Indiana Access to Public Records Act.

Employees may not sell or promote services or products on the web that compete with the Town's services and products. Police your social network files to make sure material posted there does not violate this policy.

Violation of this policy may lead to discipline up to and including immediate termination of employment

POLICY 6.03 SMOKING

In order to provide a safe and healthy environment for our employees and constituents, smoking will be permitted only in designated areas on the Town property. Such smoking areas must be outside of all Town buildings and structures, and must have a container for the safe and sanitary disposal of cigarette butts.

Please note that any material that is combustible is to remain away from the designated smoking areas.

POLICY 6.04: DRUG AND ALCOHOL POLICY

To ensure a safe and productive work environment, the Town prohibits the use, purchase, sale, possession, or transfer of any alcoholic beverage or non-medically prescribed controlled drug while on the Town property. The Town also prohibits any employee reporting for or being at work while under the influence of alcohol or drugs. If you are using a prescribed drug which might in any way affect job performance, report this to the Town Manager or your supervisor immediately. Any violation of this policy will result in disciplinary action, including termination. If there are facts or circumstances which would indicate that an employee is under the influence of alcohol or any drug, the Town may require the employee to take the appropriate test to determine whether the employee is under the influence of any drug or alcohol. A person is considered to be under the influence when the test for alcohol indicates the equivalent of .05 percent (blood alcohol content) or greater or when there is any detectable level of drugs in the body. Refusal to submit to such a test is grounds for termination.

POLICY 6.05 WORKPLACE ACCIDENTS

Employees who have experienced or have witnessed an accident in which an injury has occurred involving an employee, or visitor, regardless of the seriousness, are required to report the accident to the supervisor immediately. Any employee who has suffered a job related injury or has been exposed to occupational health hazards is to report immediately to the Town Manager. The failure to report any accidents or injuries may result in the delay of processing insurance and benefits claims as well as a violation of legal requirements.

POLICY 6.06: WORK PLACE INJURIES

The Town carries Workers Compensation Insurance to cover medical expenses and other statutory benefits related to work place injuries. If an employee is injured at work, or incurs an injury or illness over-time which the employee in good faith believes was caused by the employee's working conditions, the employee should report the illness or injury to the Town Manager immediately. The Town Manager will notify the Town's Workers Compensation Carrier which will then handle the claim. The Town Manager will insure that a report of first injury form or other proper form is completed for the injury and filed with the Indiana Workers Compensation Board and the Workers Compensation Carrier.

No employee will be subject to discipline for reporting a workplace injury/illness, whether or not the injury/illness is ultimately determined to be work related.

POLICY 6.07: POLITICAL ACTIVITIES

Employees of the Town of Leo-Cedarville are free to engage in political activity and free speech as protected by the First Amendment to the United States Constitution. However, no political activity shall occur during work hours or on Town property unless such property is made available to the general public for such political activity.

POLICY 6.08 CONFLICTS OF INTEREST

Employees of the Town are “Public Servants” as defined by IC 35-41-1-24. As such, Town employees must be on guard for potential conflicts of interest. Conflicts of interest include any situation where a Town employee has a pecuniary interest in or derives a profit from a contract or purchase of the Town. Employees must disclose any potential or apparent conflicts of interest to the Town Manager and/or the Clerk-Treasurer. The Town Manager shall report all apparent or potential conflicts of interest to the Town Council President. If necessary, additional disclosures may need to be filed pursuant to IC 35-44-1-3.

Employees shall not use their employment with the Town to provide benefits to themselves, their family, friends or associates that are not similarly available to citizens of the Town generally, or are not specifically provided to the employee by the Town as a benefit of employment. Employees shall not convert Town property for personal use.

Employees shall not obtain a pecuniary interest in a contract or purchase with the Town within one year of the employee’s separation from employment with the Town if the employee approved, negotiated, or prepared on behalf of the Town the terms or specifications of the contract or purchase, or otherwise engage in conduct which could be considered “profiteering” within the meaning of I.C. 35-44-1-7.

Employees shall not accept personal gifts of greater than \$25.00 in value (cumulative annually) from Town vendors, contractors or constituents. This rule shall not prohibit a Town employee from allowing a vendor, contractor or constituent to pay for a meal if Town business was discussed during the meal. Employees may partake of food items given to the Town during holidays or other events. Employees may use or take gifts of nominal value (less than \$10.00) given to the Town by vendors.

Employees may receive an honorarium for speaking engagements relating to the Town, but must report such speaking engagements to the Town Council for approval in advance, must report the amount of the honorarium to the Town Council, and may not be paid their regular wages or PTO during the speaking engagement. No honorarium may be accepted from any vendor or contractor of the Town.

No employee shall allow the giving of any gift or the purchase of any meal to influence the employee in the performance of the employee’s duties. If an

employee believes that the acceptance of any gift of any size will influence the employee's job, the employee must refuse the gift.

It is illegal for an employee to accept a bribe in return for influencing the award of a contract or purchase of goods or services for the Town or to influence the performance of Town services.

Employees of the Town may not be simultaneously employed by the Town and any vendor or contractor of the Town.

POLICY 6.09: LACTATION SUPPORT

Pursuant to I.C. 5-10-6-2, the Town will support lactating needs in the workplace as follows:

An employee who wishes to express breast milk for the employee's infant child should inform the Town Manager and supervisor. The Town Manager and other supervisor will work with the employee to provide reasonable breaks, which may run concurrently with any other breaks provided to the employee, when possible. Breaks will not be allowed if providing the break time would unduly disrupt the operations of the Town.

The Town Manager shall designate a private area or room in close proximity to the employee's work area where the employee may express breast milk in private. The designated area shall not be a toilet stall.

If possible, the employee shall be provided access to a refrigerator or other cold storage unit for storing the breast milk. Otherwise, the employee may bring a portable storage container to work to store the breast milk in until the end of her shift.

Any questions regarding how to comply with this policy or the statute shall be directed to the Town Attorney.

SECTION 7: INDEMNIFICATION OF EMPLOYEES**POLICY 7.01: INDEMNITY**

The Town of Leo-Cedarville shall defend and indemnify its employees from any liability arising from conduct occurring within the scope and arising out of the performance of the employee's official duties and responsibilities for the Town.

This indemnity and duty to defend shall be conditioned upon the employee providing notice to the Town of the claim, the threat of claim, or the potential for the claim at the earliest possible convenience. The indemnity and duty to defend shall be deemed waived and shall not apply if the employee fails to provide notice of the claim or threat of claim to the Town and such failure prejudices the Town's ability to defend the claim.

The duty to indemnify an employee shall not apply in situations where the liability arises from intentional or criminal conduct of the employee.

In no event shall the Town be responsible for indemnifying an employee from punitive damages that the Town would be immune from under state law.