

# Town of Lloyd Employee Handbook

Adopted September 16, 2026

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## 100 INTRODUCTION

### 101 Welcome

As a Town of Lloyd (“Town”) employee, it is your responsibility to provide the public with service of the highest quality. Regardless of position, employees play a significant role in the delivery of services and programs that the Town provides to our community.

As an employer, it is the Town’s responsibility to provide a safe work place that is free from harassment and discrimination, that complies with all federal, state, and local work safety laws and regulations. At all times we strive to provide our employees with good working conditions, fair pay, and opportunities for advancement based upon their skill and ability. Employees are expected to report to work on time, to be kind and courteous to each other, all visitors to Town offices, and to all members of the community. While at work or otherwise performing services for the Town, each employee serves as a representative of the Town and is expected at all times to carry out their job responsibilities in a professional, conscientious manner as members of a team whose mission is at all times to provide effective and efficient services to the community that we serve.

### 102 Purpose of the Handbook

The purpose of this handbook is to communicate the policies, procedures and practices of the Town. The town has established standards of conduct governing employees in the workplace. The personnel policies are designed to conform to existing state laws and to maintain a proper work atmosphere for the mutual benefit of the Town and its’ employees. This handbook was developed in an effort to clarify the personnel issues and policies common to all employees. It serves as a supplement and does not supersede contract language, Civil Service laws, rules, or regulations or the Town Code. In the event any provision of this handbook conflicts with a provision of a collective bargaining agreement, the language of the collective bargaining agreement will control. The purpose of this handbook is to make existing polices more explicit and covers areas where questions are likely to arise.

### 103 Handbook Modifications or Changes

The Town reserves the right to modify or change the provisions of this handbook from time to time in its discretion.

## 104 Contractual Disclaimer

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The policies set forth in this handbook do not constitute an offer or agreement/contract by the Town of any type between the town and any employee as to the terms or conditions of employment, nor is this an offer of continued future employment. This handbook is not intended to and does not create a contract of employment between the Town and any employee or volunteer. It is not intended to, and does not alter the rights afforded to employees under the Civil Service Law, an applicable Collective Bargaining Agreement, or any applicable Federal, State, or local law.

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## 200 EMPLOYMENT MATTERS AND EMPLOYEE STATUS

### 201 Appearance and Conduct

While working for the Town, employees are expected to maintain an appropriate and professional appearance and must understand and remember that in their actions and in their words they are representatives of the Town. Accordingly, employees must conduct themselves at all times in a manner that contributes to a positive public image of themselves, the Town and its employees. Employees are expected to maintain an adequate working knowledge of the operations of their specific department so that in the event they are in a position to communicate with the public about the operations, hours and functions of the department they work in they can provide helpful, appropriate, and accurate information when asked. All employees are required to be courteous and helpful to the public and provide accurate information when asked questions about their department and their work. In carrying out the functions of their Departments all employees shall direct and coordinate their efforts to establish and maintain the highest standards of efficiency and effectiveness.

### 202 Employee Rights

Whether an employee has a right to a disciplinary hearing either prior to or after any disciplinary action against them, including, but not limited to termination of employment, will be in accordance with and determined by the New York State Civil Service Law and/or any applicable Collective Bargaining Agreement. Determinations regarding whether an employee will pass his or her probationary period and become permanent employees in their Civil Service classification shall be based – upon work performance and conduct during their probationary period. Any such decisions shall be made in conformity with Ulster County Civil Service Rules & Regulations, the New York State Civil Service Law, and the terms of the employee's Collective Bargaining Agreement, where applicable.

## 203 Hiring/Promotions

It is the Town's policy to hire the best available person whenever a vacancy occurs. Employment and promotional opportunities will be posted and qualified individuals interviewed to fill vacancies in accordance with applicable Collective Bargaining Agreements when the position is a position in an existing bargaining unit or if otherwise required by a Collective Bargaining Agreement .

However, unless some other procedure is specifically required by a Collective Bargaining Agreement or County Civil Service, it is the policy of the Town, insofar as practicable, to fill job vacancies from within the ranks of current employees. The town will make every effort to let employees know of promotional opportunities and give all eligible employees an equal chance to apply. However, that being said, this provision in no way prohibits the Town from hiring and promoting from outside the ranks of current employees to the extent allowable by state and county Civil Service provisions or other controlling contractual obligations.

The Town will adhere to all contractual and statutory rules, laws, and regulations throughout the employment selection process.

## 204 The Americans with Disabilities Act (ADA)

The Town does not discriminate against qualified individuals with a disability, who with or without a reasonable accommodation, can perform the essential functions of the job that the individual holds or desires to hold. It is the town's policy to hire, promote, and maintain terms, conditions and privileges of employment in a manner which does not discriminate on the basis of a qualified individual's disability.

### 204.5 Paid Lactation Breaks Pursuant to N.Y.S. Labor Law Sec. 206 - c

Paid Lactation Breaks consistent with New York State Labor Law Section 206-c the Town will provide employees with 30 minutes of paid break time to express breast milk when the employee has a reasonable need to express breast milk. The number of paid breaks an employee will need is unique to each employee. The employee will be accommodated whenever they reasonably need to take a break to express milk.

Employees will be permitted to use existing paid break or meal time for this time. However, if they need additional time for breast milk expression beyond the paid 30 minutes, employers may not require employees to make up this missed work time. Employees are entitled to paid breaks for breastmilk expression for up to three years following childbirth.

Written notice of breast milk expression rights will be provided to employees at the time of hire, upon receiving notice that an employee will be leaving for a childbirth leave, and upon the employee's return from childbirth leave.

Employees will be required to provide the Town with reasonable advance notice of their need for lactation breaks.

In addition, the Town will continue to provide a room or other location to express breast milk once an employee submits a written request to their direct supervisor or an individual designated by the employer to process lactation room requests. The Town will respond to lactation room requests in writing within five days. The lactation room provided to the employee will:

- Be close to an employee's work area.
- Provide good natural or artificial light.
- Private – both shielded from view and free from intrusion.
- Have accessible, clean running water nearby
- Have an electrical outlet (if the workplace is supplied with electricity)
- Include a chair.
- Provide a desk, small table, counter or other flat surface.
- Provide the Employee with the ability to store pumped breast milk in a refrigerator if one is available.

## 205 Equal Employment Opportunity

The Town is an Equal Opportunity Employer. The Town does not discriminate on the basis of age, race, creed, color, national origin, sexual orientation, gender identity, military status, sex, marital status, disability, familial status, domestic violence victim status, or political affiliation

It shall be the policy of the town to promote equal opportunity in employment to all qualified persons and employees and to base all employment decisions as to further the principle of equal employment opportunity. To this end, the Town of Lloyd will not discriminate against any person or employee because of the individual's age, race, creed, color, national origin, sexual orientation, gender identity, military status, sex, marital status, disability, familial status, domestic violence victim status, or political affiliation and will ensure that equal employment opportunity is realized for all jobs and promotional opportunities within the Town.

This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation and training. Discrimination based on any of the above groups is strictly prohibited. Any employee who engages in such conduct is subject to appropriate disciplinary action in accordance with the applicable collective bargaining agreement, if any, or Civil Service Law (section 75).

You are encouraged to bring any perceived violation of this policy to the attention of your department head immediately. If you are unable to discuss this matter with your

department head, take your complaint directly to the Town Supervisor, or another member of the Town Board. All complaints of discrimination will be investigated discreetly and promptly.

## 206 Employment at Will

This Employee Handbook is not a contract of employment and does not alter the employment-at-will relationship between you or any employee and the Town. To the extent that an employee enjoys certain employment protections that modifies or changes the employee's employment at will status is solely a function of the New York State Civil Service Law, or any other applicable law, rule or regulation, or any applicable Collective Bargaining Agreement covering the employee's employment. This handbook does not increase the Town's obligations to its employees or vest any employee with any additional rights not guaranteed to the employee by law, employment contract, or Collective Bargaining Agreement. Any employee may terminate his or her employment with the Town at any time, with or without reason and the Town may terminate any employee's employment with the Town, so long as such termination is in accordance with law, rule regulation, or applicable employment contract, or Collective Bargaining Agreement.

## 207 Resignation

Employees ending their employment with the Town shall submit a letter of resignation indicating their last day of service with the Town Clerk with copies to the Supervisor's office and their department head. Employees are encouraged to provide as much notice as possible to the Town, with a minimum of two weeks' notice. The Town Supervisor, the Deputy Supervisor or a designee of the Town Supervisor, and the Department Heads may accept said resignation letters. The Supervisor or his designee may elect to conduct an exit interview unless otherwise required by Ulster County Civil Service Rules.

## 208 Employees

The following Applies Unless Otherwise Specifically Provided For In a Collective Bargaining Agreement

1. Full-Time Employees: Includes all employees of the Town, except elected officials, members of boards, commissions, part-time, temporary and seasonal employees as defined below. A full-time employee is one who is employed on a regular basis to work at least 37.5 hours per week as set forth in Section 301 of this Employee Handbook. All rates of compensation prescribed in salary schedules set forth in applicable Collective Bargaining Agreements or rates of pay established at the Town's annual reorganization meeting are the standard rates of pay authorized for full time employment
2. Part-Time Employees: A part time employee is one who is employed on a regular (year-round) basis to work less than a normal workweek; usually there is a maximum of one-half regular time and includes employees employed by the Town on an hourly rate for hours actually worked and who are not eligible for all the employee benefits

provided for full-time employees. When employment is on a part-time basis, only the proportionate part of the rate for the time actually worked shall be paid.

3. Seasonal Employees: A seasonal employee has an appointment where the nature of the service is not continuous throughout the year but recurs each successive year for a specific time or season.
4. Temporary Employee: A temporary employee is one appointed to a position, which is established only for a short duration or an appointment to a permanent position, which at the time of hire is temporarily vacant. Such an appointment may extend for the authorized duration of a leave of absence. A temporary employee has no hearing rights under Section 75 of the Civil Service Law and may be removed at will.
5. Elected Officials: Includes all full and part-time elected officials of the Town, Town Supervisor, Town Justices, Town Board Members, Town Clerk, Tax Collector and Highway Superintendent.
- 6.

## 209 Probationary Period

All employees when first hired by the Town will be subject to a probationary period of employment during which time the Town may terminate their employment for any reason so long as such reason is not discriminatory, unconstitutional, or otherwise contrary to law. The length of the employee's minimum and maximum probationary period shall be as set forth in the Ulster County Civil Service Rules & Regulations. Any provision to the contrary in any Collective Bargaining Agreement covering a Town employee's employment shall be controlling.

With regard to Police Officers, the period of probation shall be for a term on no less than twelve (12) weeks but no more than fifty-two (52) weeks. Anything contained in the official rules and regulations of the police department to the contrary shall be controlling.

## 210 Personnel File

The Town shall maintain an official personnel file for every employee. The Town Supervisor shall maintain the file in the Supervisor's office and it shall be maintained confidentially. The Town Bookkeeper shall maintain all payroll records.

An employee may review his/her personnel file as maintained by the Town Supervisor. An employee must notify the Town Supervisor in writing of their desire to review their personnel file. Within three (3) days of the request, the Town Supervisor shall make arrangements for the employee to review the file in the presence of an authorized Town official or a designee of the Town Supervisor. An employee may request to have certain documents copied by the town at the employee's expense; however, the employee may not remove any documents or information from the personnel file. Any requests for copies shall be provided to the employee within three (3) days of the request.

## 211 Change in Status

Employees are responsible for immediately notifying their respective department heads and the Town Supervisor of any changes in their personal information, including but not limited to, change of name, address, telephone number, personal status, emergency information, beneficiary designations and other relevant information. Change of address should be submitted to the Town Bookkeeper in writing; electronic notification (email) is acceptable. The employee is responsible for contacting the New York State Retirement System with this information as well.

## 212 Discipline

Disciplinary procedures follow Section 75 of New York State Civil Service Law unless specific modifications are contained in respective collective bargaining agreements.

Section 75 of the New York State Civil Service Law applies to competitive Civil Service employees upon the completion of their probationary period and to non-competitive and labor class employees upon the completion of five years of service to the Town in such position. In accordance with Section 75 of the Civil Service Law, the protections provided by Section 75 shall also apply to honorably discharged veterans who served during a time of war as defined therein and to volunteer firefighters. Exempt class employees and appointed positions do not have rights under Section 75 of the Civil Service Law.

The right to an alternative disciplinary procedure, such as “Just Cause disciplinary arbitration” may be provided to employees in lieu of a hearing under Section 75 of the Civil Service Law, but only to the extent that such alternative disciplinary hearing rights is set forth in a Collective Bargaining Agreement or other collectively negotiated agreement.

## 213 Absenteeism/Unauthorized Absence

Each department head will maintain a log of each employee’s absenteeism

An absenteeism report will be submitted to the Town Bookkeeper on the employee’s timesheet each pay period.

Unless an employee has a right to a hearing under Section 75 of the Civil Service Law or pursuant to the terms of a Collective Bargaining Agreement or an alternative disciplinary procedure set forth in a Collective Bargaining Agreement, when an employee is absent without leave and/or without justifiable explanation for a period of five (5) consecutive work days, such absence shall be deemed to constitute a resignation effective on the date of the commencement of the absence.

Unless an employee has a right to a hearing under Section 75 of the Civil Service Law or otherwise has a right to a hearing and/or alternative disciplinary process under an applicable Collective Bargaining Agreement, an employee who does not return to his or her position within five (5) working days following the expiration of a leave of absence shall constitute a resignation effective on the date of expiration of the employee’s leave of absence.

## 214 Grievances

Every permanent full-time employee not covered by a grievance procedure contained in a Collective Bargaining Agreement shall have a right to present a grievance to the Town board concerning the terms and conditions of their employment within 10 days of when he/she knew or should have known of the event giving rise to the grievance. The Town Board shall issue a decision on the grievance within 30 calendar days of receipt of the grievance. All decisions issued by the Town Board shall be binding and final.

## 300 COMPENSATION AND BENEFITS

### 301 Hours of Employment/Work Week

The basic workweek, unless modified by a collective bargaining agreement, shall run Monday through Friday, except for those in continuous operations. Full time employees are required to work between seven (7) and eight and one-half (8.5) hours per day including a 30 minute unpaid lunch break. Employees currently subject to the collective bargaining agreement have a normal work day from 7:00 am to 3:30 pm. Town Hall and other offices contained in Town Hall are normally open from 8:00am to 4:00pm. The particular work schedules in other departments may vary depending upon the particular needs and requirements of the department or applicable collective bargaining agreement provisions.

### 302 Snow and Emergency Days

In cases of serious emergency or when the operation of Town facilities could be hazardous to the lives of employees, the Supervisor or his/her designee may declare an emergency day. Notification will be via local radio/TV stations, and/or email and/or text and/or phone call, and/or automated communication and/or social media if the emergency occurs prior to normal work hours.

When such a day is declared either by the Supervisor, the county or the State, employees who have been excused from work due to the emergency shall receive their regular pay. Those employees who are classified as essential personnel and are required nonetheless, will be entitled to a day off from work with full pay to be used at a later date, but not to be received as additional compensation. Any overtime work required as a result of the emergency will be compensated at the appropriate rate detailed in the applicable collective bargaining agreement or pursuant to the Fair Labor Standards Act.

In the event of inclement weather, in which a State of Emergency has not been declared, the Town Supervisor may allow, but not direct, that employees who perform non-essential services, to leave work and charge all time not worked to accumulated vacation, personal, or compensatory time. If the employee does not have any accumulated leave time, all time not worked will be unpaid.

### 303 Time Records, Tardiness, Absenteeism

Each employee with the exception of elected officials must have his/her attendance recorded with actual time of arrival and departure. Recordings shall be accomplished via method selected by Town Board (electronic, paper, etc.). Falsification of this time record is cause for dismissal.

Time records must be verified and signed by the department head with a copy being sent to the Town bookkeeper for payroll computations. Any errors in time records should be brought to the attention of your department head immediately, which will make and initial the correction.

Employees are required to report for work on time, both in the morning and after the lunch break, unless prior approval has been obtained from the department head. Reporting in late is tardiness and tardiness will result in a payroll deduction. Accumulated documented tardiness in any payroll period (one week) may result in a deduction from a non-exempt employee's pay.

If it is determined that an employee is habitually tardy, that employee may be subject to appropriate disciplinary measures as provided by the Civil Service Law or applicable collective bargaining agreement.

Absenteeism is any failure to report for or remain at work as scheduled, regardless of the reason.

### 304 Overtime

During emergencies, inclement weather or due to other unusual circumstances requiring an employee to work in excess of forty (40) hours in a work week, the employee will be compensated at time and one half for all hours actually worked in excess of forty (40) hours in a single work week, in accordance with the New York State Wage and Hour Law, and the Fair Labor Standards Act. To the extent that the employee working overtime is covered by a Collective Bargaining Agreement, the overtime provisions of that agreement shall govern.

All overtime must be pre-approved by the employee's department head or the Town Supervisor.

### 305 Pay Days and Vacation Pay

In general, payroll weeks run Saturday-Friday. All employees are paid on bi-weekly basis on the following Thursday. Payroll deductions can be made for items offered through the Town such as deferred compensation, credit union, or other offered deduction, so long as such form authorizing the deduction is signed by the employee who will have such deduction made from their paycheck. Information and appropriate forms for payroll deductions are available from the Town Bookkeeper. Additionally, the town will make all necessary and required deductions such as Federal, State and Social Security taxes.

In order for an employee to receive vacation pay in advance of their vacation, the employee must provide the Town Bookkeeper with notice of the request for an advance of their vacation pay at least two weeks prior to the first day of the employee's vacation, unless

otherwise set forth in the employee's Collective Bargaining Agreement. Such an advance may not exceed the amount of vacation accumulated by the employee at the time the advance is requested, unless otherwise authorized in writing by the Town Supervisor or permitted by the employee's Collective Bargaining Agreement.

### 306 Health Insurance

Whether an employee who is a member of a Collective Bargaining Unit is entitled to Town provided health insurance will be in accordance with the terms of the Collective Bargaining Agreement covering the employee's employment. In addition, the contribution rate to be paid by bargaining unit employees eligible for employee health insurance shall be in accordance with the terms of the employee's collective bargaining agreement. Employees who are not members of a Collective Bargaining unit will have their eligibility for health insurance and their contribution rate determined by the Town Board, on annual basis, at the Town's annual reorganization meeting.

### 307 Health Insurance Open Periods

Employees will have a 30-day window during which to re-enter the Town's health insurance coverage plans in case of a qualifying life event. This includes qualifying events such as: the loss of outside source of health insurance coverage, marriage, birth of a child, adoption, or placement of a child for adoption. Employees are responsible for contacting the Town Bookkeeper within their 30-day window. In addition, employees will also have the June 1- June 30 open enrollment period to sign up for coverage under the Town's existing plans to be effective July 1. Eligibility, employee contribution rates, and any additional requirements will be governed by the applicable health insurance plan documents and collective bargaining agreements. Further information can be found in the respective collective bargaining agreements.

### 308 COBRA Coverage

Qualified Beneficiaries who would lose health coverage under the Town's group health plan due to qualifying events (i.e. loss of job, reduction of hours, divorce, etc.) are given the opportunity to purchase continued health coverage ("COBRA coverage") for a period of at least 18 months in the event of termination or reduction of hours.

If the Qualified Beneficiary is determined to have a disability at the time of termination or reduction of hours in accordance with Title II or XVI of the Social Security, the period may be extended from 18 months to 29 months. In order to be eligible for the 29-month period, the Qualified Beneficiary must notify the plan administrator within 60 days of the determination of disability but within the 18 month period the period can also be extended to 36 months in the event of death of the covered employee, the loss of dependent child status under the plan, the covered employee becomes entitled to Medicare, or for divorce or legal separation of the covered employee.

Qualified Beneficiaries include covered employees who are terminated for reason other than gross misconduct, covered employees who have their working hours reduced, or a spouse or dependent child of covered employee who is a qualified beneficiary on the day before the qualifying event.

Qualifying Events, which trigger COBRA coverage, are

- Covered employees that voluntarily or involuntarily terminate their employment for any reason other than gross misconduct.
- Covered employees that suffer a reduction in the number of hours worked
- Covered employees that fails to return to work following a FMLA leave
- Being married to or a dependent child of a covered employee at the time of covered employees voluntary or involuntary termination for any reason other than gross misconduct
- Being married to or a dependent child of a covered employee at the time of the covered employee's reduction of hours worked
- Divorce or legal separation from the covered employee
- Being married to or a dependent child of a covered employee at the time of the covered employee becoming eligible for Medicare
- Being married to or a dependent child of a covered employee at the time of the covered employee's failure to return to work following a FMLA leave
- A dependent child of a covered employee ceases being dependent under the plan

The Town will notify you in writing shortly after a Qualifying Event of your right to elect COBRA coverage. You must notify the Town within sixty (60) days of receiving the written notice if you wish to purchase COBRA coverage. The employee is responsible for notifying the Town Bookkeeper of any Qualifying Event. If you have any questions regarding COBRA coverage, please contact the Town Bookkeeper or the Town Supervisor.

### 309 Retirement Plans

Employees shall be retired in accordance with New York State Civil Service Law and/or the Retirement and Social Security Law. Depending on the nature of the employee's employment, eligible employees may choose to be members of the New York State and Local Employees Retirement System Plan or the New York State Police and Fire Retirement Plan. There is currently no mandatory retirement age for non-fire/police personnel.

Further details on retirement provisions are available from the Town Hall or as detailed in specific collective bargaining agreements, or by contacting the applicable New York State retirement plan. Employees retiring with over 15 years of service may be entitled to additional benefits, including, but not limited to health insurance in retirement. Retiring employees who are members of a Collective Bargaining Unit are advised to review their applicable Collective Bargaining Agreement and their union for a better understanding of their retirement benefits

contained in their Collective Bargaining Agreement and any notice that the employee may be required to provide the Town in order to be eligible for any benefits contained therein at the time of their retirement.

### 310 Jury Duty/Testifying Witness

On proof of the necessity of jury service or attending court pursuant to a subpoena or other order of the Court for a work-related legal matter, a full-time employee shall be granted a leave of absence with pay. An employee's supervisor should be notified of such a leave requirement as soon as possible. Employees, irrespective of whether they are a full-time or part-time, required to serve as jurors, will be granted leave and compensated as required by applicable law or a collective bargaining agreement. No employee will be discharged, penalized, or retaliated against for fulfilling a lawful jury-service obligation. To the extent that an employee's jury duty pay is less than their regular pay, the employee performing jury duty shall be paid the difference between his or her regular pay and fees paid for jury duty. In the alternative, any funds received by an employee for jury service (state, federal, county, Town, etc.) or any witness fees if testifying on behalf of the Town, must be turned over to the Town, with the employee receiving their regular pay for the day.

Employees who are released from jury service 3 hours or more prior to the end of their scheduled work day are required to return to work for the remainder of the work day.

This leave shall not apply to an employee's personal legal matters.

### 311 Holidays

The following days are holidays for all regular full-time employees who shall be paid at the employee's regular rate for these days (unless otherwise provided in a specific collective bargaining agreement). Part-time non-union employees are paid for holidays that fall on that employee's normal work day; in that event, the part-time employee is paid for the number of hours they would normally work on that day. Holidays and dates of observance for employees are covered in specific collective bargaining agreements. The observed dates are established by the Town Board annually at the Reorganization meeting in January each year. The current holidays are as follows:

| Holiday                    | Date of Observance                                               |
|----------------------------|------------------------------------------------------------------|
| New Year's Day             | January 1                                                        |
| Martin Luther King Jr. Day | 3 <sup>rd</sup> Monday in January                                |
| President's Day            | 3 <sup>rd</sup> Monday in February                               |
| Good Friday                | Friday before Easter Sunday                                      |
| Memorial Day               | Last Monday in May                                               |
| Juneteenth                 | June 19 <sup>th</sup>                                            |
| Independence Day           | July 4 <sup>th</sup>                                             |
| Labor Day                  | 1 <sup>st</sup> Monday in September                              |
| Columbus Day               | 2 <sup>nd</sup> Monday in October                                |
| Election Day               | 1 <sup>st</sup> Tuesday after 1 <sup>st</sup> Monday in November |

Veteran's Day  
Thanksgiving  
Friday after Thanksgiving  
Christmas

November 11<sup>th</sup>  
4<sup>th</sup> Thursday in November  
Friday after Thanksgiving  
December 25<sup>th</sup>

If any holiday falls on a Saturday, the preceding Friday shall be the observance day. If a holiday falls on a Sunday, the succeeding Monday shall be the observance day. With respect to employees covered by a Collective Bargaining Agreement, the language in the Collective Bargaining Agreement concerning the holidays to be observed and when, will be controlling. . The Town Board may choose to modify the holidays available to non-represented employees at its discretion. The above- holidays will be provided to non-represented employees unless otherwise revised by the Town Board.

### 312 Vacation

Town employees are entitled to vacation days through the terms set forth in a Collective Bargaining Agreement covering their employment. Town employees will not be permitted to accrue vacation days beyond the maximum number of days permitted by their Collective Bargaining Agreement. Town employees not covered by a Collective Bargaining Agreement shall receive the following vacation benefits and such employees may not accrue vacation days beyond the maximum number set forth herein.

1. Unless otherwise specified in a Collective Bargaining Agreement covering an employee's employment with the Town or a well-established past practice covering the employee's employment as a member of a bargaining unit, all full-time employees will be credited with paid vacation on a monthly basis starting from employee's date of hire in accordance with the schedule set forth below. A part-time employee who regularly works one-half of the hours applicable to the full-time position shall receive prorated vacation leave accruals (one-half).

|                                                   | CREDITS PER<br>MONTH<br>(40 hour workweek) | CREDITS PER<br>MONTH<br>(37.5 hour<br>workweek) | CREDITS PER<br>MONTH<br>(35 hour workweek) |
|---------------------------------------------------|--------------------------------------------|-------------------------------------------------|--------------------------------------------|
| Upon hire                                         | 6.67 hours<br>(equals 80 hours/year)       | 6.25 hours<br>(equals 75<br>hours/year)         | 5.83 hours<br>(equals 70 hours/year)       |
| Upon start of 5 <sup>th</sup> year<br>of service  | 10 hours<br>(equals 120<br>hours/year)     | 9.38 hours<br>(equals 112.5<br>hours/year)      | 8.75 hours<br>(equals 105<br>hours/year)   |
| Upon start of 10 <sup>th</sup><br>year of service | 13.33 hours<br>(equals 160<br>hours/year)  | 12.5 hours<br>(equals 150<br>hours/year)        | 11.66 hours<br>(equals 140<br>hours/year)  |

|                                                                                |                                     |                                     |                                     |
|--------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Upon start of 18 <sup>th</sup> year of service (only if hired before 1-1-2007) | 16.66 hours (equals 200 hours/year) | 15.63 hours (equals 175 hours/year) | 14.58 hours (equals 175 hours/year) |
| Upon start of 25 <sup>th</sup> year of service (only if hired before 1-1-2007) | 20.00 hours (equals 240 hours/year) | 18.75 hours (equals 225 hours/year) | 17.50 hours (equals 210 hours/year) |

2. Vacation ground rules as established by the Town Board are as follows:

- A. All vacation will be granted, so far as possible, in order of seniority. Any days in excess of ten (10) may be taken within the normal vacation period only if work conditions permit it, otherwise they may be taken outside the normal vacation period. The normal vacation period shall be May 1 to September 1.
- B. Employees may elect to take their vacation at any other time to suit their plans, provided that it is possible for them to do so without adversely affecting operations of the Town's business.
- C. Employees may accumulate vacation leave credits to a maximum of two hundred. Any vacation credits in excess of two hundred hours will be cancelled. However, in the event an employee is unable to take vacation leave due to no fault of the employee, the employee may "carry" the excess for ninety calendar days. Any vacation days, beyond 200 days, remaining in the employee's accruals at the conclusion of the ninety (90) day extension period shall be deemed forfeited by the employee.
- D. An employee may elect to receive cash payment for up to eighty hours of accumulated vacation leave credits during any calendar year (January 1-December 31). Payment will be made within the pay period following the date the request was made. Payment will be at the employee's then current rate of pay.
- E. Should a holiday be observed while an employee is on vacation, the employee will not be required to use a vacation day to receive pay for the holiday. The employee will either be given an additional vacation day to be tacked onto their vacation or for use at another time or the employee will not be charged a vacation day that falls on a holiday.
- F. Vacation will normally be taken in periods of full weeks. Employees eligible for three or more weeks of vacation may take up to two weeks of vacation as single days if work conditions permit and supervisor approves.
- G. Vacation schedules shall be established and posted on bulletin boards a reasonable time in advance of the normal vacation period. All changes or selections made after May 1, in any year will be made only with the approval of the employee's supervisor and the agreement of any employee whose vacation is affected thereby.

- H. The Highway Superintendent, at his/her discretion, may choose to close down the Highway Department for one or two weeks during the summer time (July or August months) for the purpose of having his/her employees use their vacation time at one time.
- I. Employees shall be given in advance the pay due on the pay days falling within their vacation period if they so desire and apply two weeks prior to the pay period preceding the vacation.
- J. An employee, who provides a minimum of two weeks' notice of their separation from employment with the Town, whether through resignation or retirement, shall be permitted to use their vacation days up until their last day of employment. If the employee reports to work from the date that he or she has given notice of their resignation or retirement to the Town Supervisor until his or her last day of employment, without taking a vacation, he or she will be entitled to vacation pay equal to the unused portion of all vacation days the employee has earned but has not used during the final year of the employee's employment with the Town as of the date of the employee's separation from service with the Town. An employee who has not given at least two weeks' notice of the date of his/her resignation or retirement shall forfeit any and all entitlement to take vacation before their last day of work or to receive vacation pay in lieu of taking vacation. Employees who do not use any vacation days, sick days, or personal days after giving notice to the Town of their date of resignation or retirement will be required to report to work during that period to be eligible for a pay out of their vacation days as set forth herein. To the extent that the employee is a member of a collective bargaining unit that has a different language for the cashing out or taking of vacation at the time of retirement or resignation, such collectively negotiated language shall prevail.

3. The Town may apply the following so long as it is not abused:

In the event that an employee is or becomes ill prior to the employees scheduled vacation or is admitted to a hospital during the employee's scheduled vacation and it is determined that the illness or injury was in no way attributable to the employee's reckless or willful action while on vacation, then sick time will be charged rather than vacation time and any remaining vacation will be rescheduled.

4. To the extent that any of the provisions in Section 312 Vacation, conflicts with any language set forth in a Collective Bargaining Agreement covering the employee's employment, the language in such Collective Bargaining Agreement shall prevail.

### 313 Sick Leave

Absence from duty by an employee for reason of personal illness shall be allowed as provided in this section. All absence from duty for personal illness shall be granted by the Department Head.

1. Absence from duty by an employee by reason of the employee's personal illness shall be permitted as set forth in this section or as otherwise set forth in the Collective Bargaining Agreement covering the employee's employment. All absences from duty for personal illness of the employee are subject to review and approval by the employee's Department Head. If the employee is a member of a collective bargaining unit, the terms of the Collective Bargaining Agreement covering the employee's employment shall prevail.
2. If an employee cannot notify the Department Head because of the serious nature of the illness or disability, a the employee's designated emergency contact, spouse or parent may make the report on behalf of the employee.
3. Twelve (12) days of sick leave shall be allowed each year and the employee may accumulate twelve (12) days per year at the rate of one (1) day per month.
4. When an employee, because of illness or disability remains away from his/her duty beyond his/her sick leave allowance, the Department Head may propose to the Town Board grant the employee additional sick leave with pay.
5. Any false representations made by an employee in connection with his or her use of sick leave, will result in the employee forfeiting any fraudulently used sick leave days and termination of the employee's employment in accordance with the procedures set forth in Section 75 of the New York State Civil Service law or the provisions of an applicable Collectively Negotiated Agreement. Employees who do not have disciplinary hearing rights pursuant to statute or Collective Bargaining Agreement may be summarily dismissed from their employment by the Town for such conduct.
6. A physician's certification may be required after the employee has been on sick leave for three (3) continuous days. The Department Head may require a physician's certification in other cases.
7. It shall be the responsibility of the Department Head to keep an accurate record of all sick leave accumulations on such forms prescribed by the Town Board so that a report of same can be readily furnished upon request of the Town Board.
8. In cases where the employee is entitled to payments under the Workers' Compensation Law and Town disability insurance, said law shall be consulted for criteria of making proper sick leave benefit to the employee.
9. Sick leave or accumulated sick leave can only be used for the purposes stated and not for vacation or personal business.
10. Where a retiring employee is not a member of a Collective Bargaining Unit, and that non-represented employee retires from the Town for the purpose of receiving benefits from the New York State and Local Employees Retirement System ("NYSLRS"), that employee, if hired prior to January 1, 2007, may take up to, but not exceeding, fourteen hundred and forty hours (180 eight (8) hour days) at the rate of one third their hourly rate of pay or one-third their current daily pay if on an annual salary. Payments shall be made when the

employee meets the NYS Employees' Retirement System criteria for retirement benefits. An employee hired on or after January 1, 2007, who retires from the Town and has applied for and been granted a retirement benefit from the New York State Employees' Retirement System may elect to receive cash payment for up to one-tenth of any amount of the employee's accumulated sick leave (with no cap on payment for such accumulations) at the employee's rate of pay at the time of retirement.

- a. In the alternative, the Town will make available Section 41-j of the Retirement and Social Security law, which allows credit for up to one hundred sixty-five days of accumulated sick leave at the time of retirement. The additional service credit is determined by dividing the total unused, unpaid sick leave days (not to exceed 165 days) by 260. To be eligible and employee must retire directly from covered employment or within one year of leaving covered employment. If the employee is paid for a portion of the total accumulated sick leave credits only the remaining unpaid portion will be used to increase the employee's service credit at retirement.
- b. At the time of retirement for the purposes of receiving benefits from the NYSLRS, an employee (regardless of date of hire) may elect to apply any amount of accumulated sick leave credits not already paid out to him or her or not otherwise used for 41-j benefit purposes, toward monthly premium payment for retiree medical insurance. The value of the sick leave credits will be set at fifty percent of the employee's rate of pay at the time of retirement.
- c. An employee who is not retiring from the Town for the purpose of receiving pension benefits from NYSLRS, their unused sick leave will have no cash value and will not be paid when an employee resigns, is terminated, or otherwise separates from Town employment without retiring directly from Town service. Upon separation from employment, for purposes other than described herein, any unused sick leave will be forfeited.

11. The smallest increment of sick days that can be taken is one (1) hour.

Town employees who are members of a bargaining unit at the time of their retirement from the Town, will have their rights with respect to accrual, payment, value and use of sick leave days at retirement governed solely by the terms of the Collective Bargaining Agreement covering their employment.

## **314 Bereavement Leave**

An employee must be regularly scheduled to work 35 hours per week or more to be eligible for bereavement leave. A part-time employee, who works less than 35 hours per week is

not eligible for paid bereavement leave but may be allowed to take time-off without pay provided the individual has notified the Department Head.

1. Immediate Family – in the event of a death of an employee's immediate family member, i.e. spouse, domestic partner, significant other, child (including step, domestic, and foster), parent or legal guardian, sibling, grandparent, grandchild, or pregnancy loss, the employee may take a leave of absence up to five (5) scheduled workdays between date of the death and the day after the burial or cremation of the decedent.
2. Extended Family – in the event of a death of an employee's extended family member, i.e., spouse's parent, the employee may take a leave of absence without loss of pay or leave credits for up to three (3) scheduled workdays between the date of death and the day after the burial or cremation of the decedent.
3. An employee may receive an unpaid leave of absence or use vacation leave credits and/or personal leave credits to extend bereavement leave due to the death of an immediate or extended family member who is either covered or not covered above. In the absence of extenuating circumstances, the department head must be contacted.
4. To the extent that the decedent described herein is neither buried or cremated, with the approval of the Town Supervisor, the employee make take the time indicated in paragraph 1 or 2 above, as applicable, to attend a memorial service for the decedent or at some other time upon a specific written request of the employee to the Town Supervisor and only with the express authorization of the Town Supervisor.

### 315 Military Leave

Every employee shall receive leave in accordance with the applicable section of New York State Military Law and the Uniformed Services Employment and Reemployment Rights Act of 1994 unless otherwise specified by the applicable collective bargaining agreement.

### 316 Personal Leave

An employee is permitted to take a maximum of five (5) days personal leave per year unless otherwise specified in Collective Bargaining Agreement covering the employee's employment. Unused personal leave days not used in a given year are forfeited and are not carried over to the following year or subject to pay out at the time of resignation, retirement, or termination from employment.

1. An employee shall be entitled to 5 days of personal leave time per year for any business which cannot be reasonably accomplished outside of regular working hours. This also includes the observance of required religious abstention from work.
2. Personal leave credits shall not be cumulative from year to year and shall never exceed 5 days per year.
3. A one-day notice of the request to take personal leave time shall be given by the employee to his/her supervisor, except in the case of emergency.
4. The smallest increment of personal day that can be taken is one-half (1/2) day.

## 317 Leave of Absence Without Pay

The Supervisor may grant leaves of absence without pay, but if the leave is for longer than ten (10) working days, the approval of the Town Board is required. The request must be made and approved prior to taking a leave of absence, otherwise it will be deemed job abandonment as referenced in section 213.

The Town Board may grant a leave of absence of up to one-year in accordance with Civil Service Law and/or local civil service rules. Such leaves are granted without pay but without loss of seniority. For specific provisions for specific employees please refer to the applicable collective bargaining agreement.

In an exceptional case, the local Civil Service Commission may, for good cause shown, permit an extension of the leave of absence for an additional one-year period. However, in no case may a leave of absence exceed two (2) years from the date of commencement of the leave. An employee wishing to extend a leave beyond one year must apply to his/her department head for an extension. If approved, the Town will apply to the Civil Service commission on behalf of the employee.

## 318 Family and Medical Leave of Absence Policy (FMLA)

Eligible employees may take up to 12 weeks of unpaid family/medical leave within a 12-month period and be restored to the same or an equivalent position upon their return to work. The Town will measure the 12-month period as a rolling backward 12-month period.

To be eligible for FMLA leave, the employee must be an employee of the Town, worked for the Town for at least 12 months as of the date the FMLA leave is to start, and must have worked at least 1,250 hours of service for the Town during the 12-month period immediately before the date the FMLA leave is to start.

Eligible employees may take family/medical leave for any of the following reasons:

1. The birth of your child or to care for such child;
2. The placement of a child with you for adoption or foster care and in order to care for the newly placed child;
3. To care for a spouse, your child or parent (“covered relations”) with a serious health condition; and
4. Because of your own serious health condition that renders you unable to perform an essential function of your position.

Any leave due to the birth and care of a child or placement of a child for adoption or foster care, and care of the newly placed child, must be completed within one (1) year of the date of birth or placement of the child.

If the leave is designated in response to the birth, adoption, or foster care placement of a child, or to care for a covered relation with a serious health condition, you may be required to use your accrued time in conjunction with such leave.

If leave is designated in response to your own serious health condition, any accrued time or medical/sick leave, if applicable, may be required to be taken in conjunction with such leave.

During an approved family/medical leave, the Town will maintain your health benefits under the same terms and conditions applicable to employees not on leave.

-If paid leave is substituted for unpaid family/medical leave, the town will deduct your portion of the health plan premium as a regular payroll deduction.

-If your leave is unpaid, you must pay your portion of the premium by making arrangements with the Town Bookkeeper

-Your health coverage may cease if your premium payment is more than 30 days late. If your payment is more than 30 days late, we will send you a letter to this effect. If we do not receive your payment within 15 days of this letter your coverage will cease.

If you elect not to return to work at the end of the leave for at least 30 calendar days, you will be required to reimburse the Town for maintaining health insurance coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or because of other circumstances beyond your control.

Leave due to a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. If the leave is unpaid, the Town will adjust your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced-schedule leave, the town may temporarily transfer you to an available alternate position that better accommodates your recurring leave and that has equivalent pay and benefits.

You must complete the appropriate family/medical leave forms. The FMLA request form is included in Appendix B.

If your need for family/medical leave is foreseeable, you must give 30 days prior written notice. If this is not possible, you must give notice to the Supervisor's Office as soon as practicable (within one or two business days of learning of your need for leave). Failure to provide such notice may be ground for delay of leave. If your need is because of planned medical treatment, please make a reasonable effort to schedule your planned medical treatment outside of work hours.

#### Medical Certification for a Serious Condition

If you are requesting leave because of your own or a covered relation's serious health condition, the appropriate health care provider must supply medical certification. You should provide the medical certification within 15 days after you request leave.

If you provide at least 30 days' notice of your need for medical leave, you should provide the medical certification before your leave begins. If you do not provide the required medical certification in a timely manner, your leave may be delayed until it is provided.

The Town, at its expense, may require an examination by a second health care provider designated by the Town, if it reasonably doubts the medical certification, you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the Town, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The Town may require subsequent medical recertification. Failure to provide requested certification within 15 days, if such is practicable, may result in delay of further leave until it is provided.

#### Tracking Your Leave

The 12-month period in which 12 weeks of leave will be tracked based on the first day of the FMLA leave rolling backwards.

#### Reporting While on Leave

If you take leave because of your own serious health condition or to care for a covered relation with a serious health condition, contact the Supervisor's office on a prescheduled basis regarding the status of the medical condition and your intention to return to work. In addition, you must give notice as soon as practicable (within two business days if feasible) if the dates of leave change or are extended or initially are unknown.

#### Returning to work

If you take leave because of your own serious health condition (except if you are taking intermittent leave), you must provide medical certification that you are able to resume work before you return.

Employees failing to provide a return-to-work medical certification will not be permitted to resume work until it is provided.

## **319 Seniority**

If not otherwise set forth in a Collective Bargaining Agreement covering the employee's employment, or the Ulster County's Civil Service Rules & Regulations, seniority is defined as continuous paid service by the employee of the Town. While consecutive service will not be broken by absence due to illness, authorized leave of absence, or a furlough, continuous service shall be broken by an employee's separation from service for a period of a one (1) year or more. An employee returning to Town service after a resignation or layoff, other than a layoff of a competitive class employee, and subsequent separation from service for a period of time in excess of one year shall result in the employee's forfeiting all past service time with the Town. In such circumstances, the employee's hire date and calculation of service time for seniority purposes shall commence with and be calculated from the date the employee was rehired by the

Town. No prior service after a separation from employment for a period of one year or more shall count for seniority purposes.

### 320 Travel

Employees who make authorized trips for Town purposes will be reimbursed for their travel expenses including appropriate transportation, meals and lodging. Proper documentation of this expense is required.

Travel by public transportation will be reimbursed at cost. An employee required to use his/her personal car will be paid for mileage per Federal law or collective bargaining agreement.

Employees who make authorized trips for the Town are required to have at least \$500,000 in minimum personal insurance coverage.

The employee claiming reimbursement for travel expenses will obtain a travel voucher, provide the required information, attach receipts, and submit it to the Department Head for approval. Upon approval, the Audit committee will issue reimbursement payment.

Travel reimbursement guidelines are as follows:

- The town will pay actual expense (provided receipts are supplied) up to a maximum of \$80.00 per diem for meals (exclusive of taxes, alcohol and entertainment) and a reasonable rate for accommodations dependent upon geographic location. Legitimate car rental expense will be paid with the advance approval of the Town Supervisor. For approved conferences, the Town will pay the stipulated rates for registration, meals and lodging.
- The employee must attempt to obtain the “government rate” or the lowest possible rate available.
- The Town credit card can be charged directly for the hotel accommodations if it is set up prior to the trip
- The Town will only reimburse for the employee’s expenses.

### 321 Workers’ compensation

Workers’ Compensation benefits, including payment of medical costs and replacement of lost wages up to the regulated maximum, are provided for all eligible employees who suffer a job-related injury. The cost of Worker’s Compensation is paid entirely by the Town.

Except for Police Section 207C of General Municipal Law, all those employees who develop a job-related injury or illness will be paid their full pay up to a maximum of six (6) months or as pursuant to the negotiated union contract.

It is the employee’s responsibility to submit a written report of the injury to your department head and the Town’s bookkeeper, within twenty-four (24) hours of the accident in order to ensure prompt coverage of the claim. In the event of the employee’s incapacitation, the department head will complete and submit the required forms on behalf of the injured employee.

## 322 Purchasing Town Uniforms

Certain Town employees will be provided monetary allowances for uniforms, as better identified in the collective bargaining agreements. However, Town employees are obligated to shop for and purchase their Town uniforms on their own time and will not be compensated for the time spent to purchase these uniforms.

# 400 TOWN PROPERTY /EQUIPMENT

## 401 Employee Responsibility

Employees are responsible for the proper care of all Town property and equipment assigned to them. Intentionally damaged or lost property will subject the responsible individual to disciplinary action and/or replacement of said property. Employees are also responsible for their conduct while using the Town's radio system. As per F.C.C. guidelines, the use of inappropriate and foul language is strictly prohibited. In addition to prohibiting foul and inappropriate language, insubordination and/or personal conversations on the Town's radio system are also strictly prohibited. Disciplinary action will be taken in cases where abuse of this policy is documented.

## Payroll /Employment Records

It is the employee's responsibility to keep complete and accurate records of their employment and wages. In the event that an employee is no longer employed by the Town and later, perhaps years later, wants proof of employment for whatever reason there will be a minimum charge of \$100 and \$100 per hour for the next hour and thereafter to search for and verify records. In the event that a record cannot be found or verified, the first \$100 is non-refundable.

## 402 Equipment Condition

All equipment and property must be in good working order, be clean and conform to Department specifications. Town property and equipment shall be used only for official purposes and in the Town for which it was designated. It shall not be transferred to another individual without specific authorization from the department head.

## 403 Cellular Phone Use

Employees who use Town issued "cell phones" for business use will be required to reimburse the Town for the cost of personal calls and data usage that causes an additional cost to the Town. Additionally, employees may not use hand held "cell phones" while driving Town vehicles in accordance with New York State law. If an accident resulting while an employee is violating this policy, disciplinary action will result, and the penalty for such conduct may include termination of employment.

- A. Each cellular telephone account, as it is authorized and opened by rules hereinafter set forth, must be in the name of the Town, and the number issued by the provider registered by number in the Supervisor's Office, with all billings sent to the Town Supervisor's office to be reviewed by department heads prior to payment.
- B. That the issuance of any cellular telephone, or any unusual utilization of the same, after either recommendation of a department head or on the Town Board's own determination, may be revoked.
- C. The only persons eligible for a cellular telephone in the town shall be the Town Board, department heads, and such other employees, appointees, officers or agents as the Town Board and department head deem necessary, with Town Board approval before the account is opened.
- D. Employees issued a Town cellular phone is expected to keep said phone charged and in good working order at all times. Problems with the use or operation of said cellular phone must be reported to the department head or Town Supervisor's office immediately. Repairs must be authorized by the Town. Any unauthorized repairs to the phone will not be reimbursed by the Town.
- E. All bills shall be submitted monthly, showing detail of the calls, and must be, in the case of an employee or appointee working under the auspices of a department head, approved by the department head prior to any payment by the Town.
- F. Use of cellular phones is restricted to and only for official business of the Town. However, the use of Town issued cellular telephones is permitted for emergencies which threaten the safety of the Town member making the call.
- G. Each employee or Town Board member who is issued a cellular telephone shall be responsible for the security of the phone in his or her possession and must take whatever steps are necessary to safeguard against loss or unauthorized use.

## 404 Surrender of Town Property

Town employees are required to surrender all Town property in their possession upon separation from employment. Failure to return such item(s) may cause the individual to be required to reimburse the Town for the fair market value of the article(s).

## 405 Personal Telephone Calls

The Town recognizes that employees must sometimes place or receive personal calls on Town telephones. However, the telephone system is intended for Town business, so it is essential that we keep personal use from interfering with that purpose.

If you must make a personal call, do so during non-work periods. Ask callers to minimize the time and number of calls you receive.

Additionally, employees bringing their personal cellular phones to the workplace must be turned off during work hours and only be used on breaks or lunch time.

## 406 Software Policy

The software installed on each computer is the property of the Town. While certain rights are provided under terms of software license agreements, the Town has opted to limit such rights.

- Software shall not be removed from the Town's premises.
- Software manuals shall not be removed from the Town's premises.
- Copying software for personal use is forbidden and carries a \$50,000 fine, for each occurrence, imposed by the Federal government.
- Removal of software license from Town property shall be considered theft and shall be dealt with accordingly.
- The installation of unapproved software on hardware shall be considered Town property and shall be dealt with accordingly.
- All Town owned computers, computer equipment, laptops, printers, etc. must be used only for Town business.
- To prevent the downloading of computer viruses that could contaminate the computer system, no employee may download, software from the internet or install any personal software without prior authorization from the Town.
- Software and other documents or files that are developed or rated by Town employees using the Town computer system are the property of the Town. Therefore, employees must return all software, programming, data, portable storage devices and physical media to the Town upon leaving Town employment.

## 407 Acceptable uses of the Computer, E-Mail and Internet Systems

Town computers, email accounts, internet access, networks, software, and other electronic systems are provided primarily for Town business. Employees must use these systems responsibly, professionally, and in a manner that protects Town information and technology.

Limited personal use is permitted when it is occasional, does not interfere with an employee's work, does not create additional costs or security risks, and does not violate any Town policy. To the extent that employees use their Town provided email, computer and email systems for personal use, it is understood that there is no expectation of privacy in an employee's use of any Town owned and provided computer, emails, cell phone or other electronic devices. To the extent that an employee uses their Town computer for personal use personal emails may be produced pursuant to a valid FOIL request for such information. Every employee has a responsibility to use these systems in a productive and respectful manner. Any unauthorized or improper use of E-mail or the Internet is not acceptable and will not be permitted. Violation of

this policy may result in discipline. The Town has established the following guidelines for using these systems:

Town systems may not be used to:

- E-mail and Internet access may not be used for transmitting, retrieving or storing any communications of a defamatory or harassing nature or materials that are obscene, sexual in nature, X-rated, racist, homophobic, or otherwise discriminatory.
- Engage in unlawful, discriminatory, harassing, threatening, or abusive conduct, including but not limited to messages with derogatory or inflammatory remarks about an individual's sex, race, age, disability, religion or national origin may be transmitted or forwarded using the Town's system.
- Access, create, store, or transmit material that violates the Town's discrimination or harassment policies;
- Operate or promote a private business, solicit non-Town business, or obtain personal financial gain;
- Disclose confidential, privileged, personal, or legally protected information without authorization;
- Misrepresent the identity of the sender or make a communication appear to have been sent by another person;
- Download unauthorized software or connect unauthorized devices, applications, or services to Town systems;
- Share passwords or permit another person to use an employee's account;
- Attempt to gain unauthorized access to information, accounts, or systems; or
- Disable or circumvent security, access, monitoring, or records-retention controls.
- Transmit abusive, profane or offensive language may be transmitted through the Town's E-mail or internet systems.
- **Employees do not have a personal privacy right regarding any matter created, received, stored or sent from or on the Town's email or internet system or computers.**
- The Town's email and internet system may not be used for any purpose that is illegal, against Town Policy or contrary to the Town's best interest.
- Solicitation of non-Town business or any use of the Town's email or internet system for personal gain is prohibited (including but not limited to eBay, Amazon, Staples, private business, other business ventures, etc.)

Rules for Electronic Communications:

- Each employee is responsible for the content of all text, audio or images that he or she places on or sends over the Town's email or internet system.

- Employees must use reasonable care when opening attachments, following links, transmitting sensitive information, or responding to unusual requests. Suspected phishing, malware, unauthorized access, data loss, or other security incidents must be reported promptly to the employee's Department Head or the Town's designated technology provider.
- Employees should conduct Town business through Town-approved accounts and systems. Electronic communications and other materials created, received, or maintained in connection with Town business may constitute Town records, regardless of the device or account used. If Town business is conducted through a personal account or device, the employee must preserve the record and provide it to the Town as required by applicable law and Town policy.
- Town records must be retained and disposed of in accordance with applicable law, the Town's records-retention policy, and any litigation hold or preservation notice. Town records may be subject to disclosure under the Freedom of Information Law. Applicable exemptions, privileges, and confidentiality protections will continue to apply.
- Employees should not expect communications or information stored on Town-owned equipment, accounts, or systems to be private. The Town may access, review, preserve, or monitor its systems when reasonably necessary for system administration, cybersecurity, records management, legal compliance, an authorized investigation, or another legitimate Town purpose. Any access or monitoring must be conducted by an authorized person and in accordance with applicable law.
- Nothing in this policy is intended to prohibit or interfere with legally protected union activity, lawful reporting of misconduct, cooperation with an investigation, communication with a government agency, or the exercise of any other right protected by law.
- Violations of this policy may result in disciplinary action in accordance with applicable law and any collective bargaining agreement. If any provision of this policy conflicts with an applicable collective bargaining agreement, the collective bargaining agreement will take precedence.

## 408 Copyright and Trademark Issues

Employees must comply with copyright, trademark, and licensing laws when using Town systems or conducting Town business. Materials may be copied, modified, posted, or distributed only when authorized by the owner, permitted by a license, in the public domain, or otherwise allowed by law.

Employees may not install or copy unauthorized software, remove ownership notices, or use a trademark in a manner that falsely suggests sponsorship or endorsement.

If this policy conflicts with an applicable collective bargaining agreement, the collective bargaining agreement will take precedence.**409 Use of Town Vehicles for Town Business**

It is the policy of the Town to prohibit personal use of municipally provided vehicles for any reason other than a business reason as determined by the department head.

Town vehicles shall be assigned for use to an employee only with approval of the Town Board and only when such transportation is determined to be required in the fulfillment of Town duties. It shall not be assigned to an employee as a convenience and employees are prohibited from using Town-provided vehicles for personal purposes. Town owned vehicles shall only be used for Town business. Town vehicles when left unattended must be locked.

Employees shall not perform private work on Town property or perform private work with the use of Town owned materials, tools, equipment or labor.

All operators shall operate their equipment and vehicles in conformity with all traffic laws unless specific instructions are issued by Department Heads for public works assignments that conform with accepted and lawful public works projects. Operators shall not permit unauthorized persons to ride in Town vehicles or drive Town equipment or vehicles. All equipment operators must be licensed as require by State and Federal law to operate the equipment to which they are assigned (*see also*, Commercial Driver's License policy section 410)

Any employee who is assigned a vehicle to commute between his or her personal residence and work headquarters must hold a position of responsibility which require that transportation must be immediately available for the conduct of the Town's operations, for the maintenance of its services, for response to emergencies or for the insurance of the safety of Town employees or the public.

Based on current Internal Revenue Service regulations the Town will withhold payroll income and employment tax payments for any employee's use of an assigned Town vehicle for commuting between the employee's residence and work headquarters as "other compensation". Only qualified nonpersonal use vehicles (such as clearly marked police cruisers or emergency vehicles with specific markings) are exempt from this taxation rule.

All Town vehicles shall have the Town logo or name permanently displayed on the vehicle's two front doors. Department identification shall be on the front fenders. Exceptions shall be made only by Town Board resolution or approval in writing.

## **410 Driver's Licenses**

Any employee who is required to drive either a Town owned vehicle or a private personal vehicle to conduct Town business to carry out their respective job duties, must possess at the time of appointment and must maintain throughout their employment with the Town, a valid New York State driver's license. In addition, an employee who is required to operate vehicles

requiring a Commercial Driver's License (CDL) must maintain their license throughout employment.

**If your job duties require that you maintain your driver's license and if for any reason your license is suspended or revoked, you must notify your department head immediately.** Loss or suspension of your license may have an effect on your continued employment with the Town. The Town will reimburse all reasonable statutory costs associated with the continued renewal of an employee's CDL license if necessary to perform his or her job duties.

## 411 Use of Employee's Vehicles for Town Business

Employees who are authorized to use their personal vehicles in the conduct of Town business shall be reimbursed for said use on a mileage basis at the rate established by the Town Board at the annual Organizational Meeting. With Town Board approval the mileage rate may be increased for unusual circumstances on an individual basis.

Any employee using his or her own personal vehicle on a part-time or full-time basis for Town business purposes must:

- A. Obtain written authorization to use their personal vehicle for business purposes.
- B. Carry a minimum automobile insurance coverage on personal vehicle of \$300,000/\$500,000 bodily injury and \$50,000 property damage.
- C. If Town property is installed in such vehicle, such property should be covered by the employee's own personal automobile insurance coverage.
- D. Submit a signed receipt and agreement acknowledging full responsibility for any Town equipment installed or stored in the employee's personal vehicle

## 412 Reporting Accidents

It is the responsibility of all Town employees to report any accident to his or her supervisor and the Town Supervisor's office immediately, upon the accident or damage to the vehicle occurring and in no event, more than twenty-four hours from the accident occurring or the employee's discovery of the damage to the Town vehicle: no matter how slight.

All accidents involving Town personnel, property and/or equipment must be reported to the employee's immediate supervisor, and when applicable a police incident report shall be filed. Documented abuse of Town vehicles, equipment or property may be reason for disciplinary proceedings.

Additionally, Town personnel must report all accidents regarding personal injury of any kind and complete all necessary accident reports on the date of occurrence.

# 500 TOWN POLICES AND PROCEDURES

## 501 Code of Ethics

### 1. Statutory authority; purpose.

Pursuant to the provisions of § 806 of the General Municipal Law, the Town recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is for this purpose that these rules of ethical conduct are proposed for the officers and employees of the Town. These rules, as adopted, shall serve as a guide for official conduct and shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other laws relative to ethical conduct and interest in contracts of municipal officers and employees.

### 2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated.

#### INTEREST

A pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

#### MUNICIPAL OFFICER OR EMPLOYEE

An elected or appointed officer or employee of the Town of Lloyd, whether paid or unpaid, including members of any administrative board, commission or committee thereof. No persons shall be deemed to be a "municipal officer or employee" solely by reason of being a volunteer fireman or civil defense volunteer.

#### RELATIVES

A parent, spouse, child, spouse of a child or sibling of the officer or employee of the Town of Lloyd.

### 3. Standards of conduct.

A. Conflicts of interest. No officer or employee shall use his or her official position to provide a financial or other private benefit to officials, relatives, customers, clients, employers or campaign contributors, etc.

B. Appearance of impropriety. An officer or employee must avoid circumstances that compromise his ability to make decisions solely in the public interest or create an appearance of impropriety.

C. Recusal. An officer or employee must recuse himself when faced with conflicts of interest.

D. Town Board. A Town Board member or committee member appointed by the Town Board must disclose any and all interest in any application which comes before the Town Board and must recuse, as defined above. This would include acts before an application is submitted and any action during or after a submitted application.

E. Town property. No officer or employee shall use town-owned property or assets for personal purpose or profit or to benefit a private party. Use of Town property or assets is restricted to the conduct of official business for the benefit of all residents.

F. Gifts. He or she shall not directly or indirectly, solicit any gift, accept or receive any gift having a value of \$50 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

G. Confidential information. An officer or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest.

H. Representation before one's own agency. He or she shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee.

I. Representation before any agency for contingent fee. He or she shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matters before any agency of his or her municipality, whereby his or her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

J. Disclosure of interest in legislation and administrative acts. To the extent that he or she knows thereof, a member of the Town Board and any officer or employee of the Town, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation or administrative action before the Board, shall publicly disclose in the official record the nature and extent of any direct or indirect financial or private interest he or she has in the same.

K. Investments in conflict with official duties. He or she shall not invest or hold any investments, directly or indirectly, in any financial business, commercial or other private transaction which creates a conflict with his or her official duties.

L. Private employment. He or she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

M. Future employment. He or she shall not, after termination of services or employment with the municipality, appear before any board or agency of the Town in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment, or which was under his or her active consideration.

N. Penalties for offenses. In addition to any penalty contained in any provision of law, any person who shall knowingly and intentionally violate any of the provisions of this Code of Ethics may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

#### 4. Board of Ethics.

[Amended 12-12-2007 by L.L. No. 12-2007; 12-10-2008 by L.L. No. 4-2008; 4-8-2009 by L.L. No. 2-2009]

A. Membership. There shall be a membership of five members appointed by the Lloyd Town Board to the Board of Ethics consisting of:

(1) Five members of the general public residing in the Town of Lloyd; and

(2) Two alternate members to act only in any meeting wherein an appointed member is absent or recused from sitting on a particular matter. The alternates will be chosen to sit on a particular matter on an alternating basis. An alternate appointed to sit on a particular matter shall continue to sit as a regular member in place of the absent or recused member and vote on the cases in which he or she has attended for the absent or recused member.

B. Role of Board of Ethics. The function of the Board of Ethics is to render advisory opinions to the Town Board regarding General Municipal Law Article 18 and this local Code of Ethics. It may also act as the repository of any financial disclosure documents. Such advisory opinions shall be rendered pursuant to the written request of the Town Board, a Town officer or Town employee, under such rules and regulations as the Town Board may prescribe, and shall have the advice and counsel furnished by the Town Board. In addition, it may make recommendations with respect to the drafting and adoption of amendments to the Code of Ethics, or a new Code of Ethics, upon the request of the Town Board. The Town Board retains subpoena power in connection with the collection of information for the Board of Ethics, and the Board of Ethics shall have no subpoena power in connection with its duties.

#### 5. Training.

Municipal officials must attend periodic training, scheduled by the Town Board, concerning the requirements of the Code of Ethics and the procedure for seeking an opinion or investigation by the Board of Ethics. Training may also be received at the annual Association of Towns meeting. The Town Board may approve alternate training.

#### 6. Exception for bid to perform paid Town work.

A member of a board or commission who is appointed by the Town Board and serves without remuneration may submit a bid to propose to perform paid work for the Town, provided that:

- A. The procurement policy of the Town must be followed;
  - B. The job must be unrelated to the employee's duties as a board or committee member.
7. Distribution.

The Town of Lloyd Ethics Code will be included in the Town of Lloyd Employee Handbook and given to all elected officials, employees, and members of boards and committees.

## 502 Disclosure of Information

Employees must protect confidential, privileged, personal, and legally restricted information obtained through their employment. Town business is not confidential merely because it has not previously been made public.

FOIL requests must be referred to the Town's Records Access Officer. Employees may not approve or deny a request unless authorized to do so.

Employees may not speak on behalf of the Town unless authorized. Media inquiries should be referred to the appropriate Department Head or authorized spokesperson. Town-wide press releases must be approved by the Supervisor's Office. This does not limit the lawful authority of another elected Town official.

Nothing in this policy prohibits protected whistleblower disclosures, union activity, cooperation with an investigation, compliance with legal process, or the exercise of any other right protected by law.

If this policy conflicts with an applicable collective bargaining agreement, the collective bargaining agreement will take precedence.

## 503 Policy and Complaint Procedure Regarding Discrimination and Harassment Including Sexual Harassment

### **Introduction**

The Town of Lloyd is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Town's commitment to a discrimination-free work environment. Sexual harassment is against the law<sup>1</sup> and all employees have a legal right

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<sup>1</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race,

to a workplace free from sexual harassment. Employees are urged to report sexual harassment by filing a complaint internally with Town of Lloyd's Discrimination/Harassment Complaint Officer(s), or the Town Supervisor. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws.

**Policy:**

1. The Town's policy applies to all employees, elected officials, applicants for employment, interns (whether paid or unpaid), contractors and persons conducting business, regardless of immigration status, with the Town of Lloyd. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The Town will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of the Town who retaliates against anyone involved in a sexual harassment investigation will be subject to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees<sup>2</sup> working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the Town Supervisor's Office. All employees, paid or unpaid interns, or non-employees who believe they have been a target of such retaliation may also seek relief in other available forms, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the Town to liability for harm to targets of sexual harassment. Harassers may also be individually liable for engaging in harassing or discriminatory conduct. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. The Town will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The Town will keep the investigation confidential to the extent possible. Effective corrective action will be taken

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creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and expression, familial status, predisposing genetic characteristics, and criminal history.

<sup>2</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services provided pursuant to a contract with an employer.

whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

6. All employees are encouraged to report any harassment or behaviors that violate this policy. The Town will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers, supervisors, and elected officials are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Supervisor's Office and/or the Town's designated Discrimination/Harassment Complaint Officer(s).
8. This policy applies to all employees, elected officials, paid or unpaid interns, and non-employees, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a work office, not an off-site work location) and be provided to employees upon hiring.

### **What Is "Sexual Harassment"?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local laws. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful, and can be any harassing conduct that consists of more than petty slights or trivial inconveniences. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of Sexual Harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body;
  - Rape, sexual battery, molestation, or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion, or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people’s ideas or perceptions about how individuals or a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
  - Sabotaging an individual’s work;
  - Bullying, yelling, and name-calling.

### **Who can be a target of sexual harassment?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment,

even if they occur away from the workplace premises, on personal devices, or during non-work hours.

### **Retaliation**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity”.

Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed, or;
- encouraged a fellow employee to report harassment.
  - Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

### **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone’s responsibility.** The Town of Lloyd cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern, or non-employee who has been subjected behavior that might constitute sexual harassment is encouraged to report such behavior to a supervisor, manager, or Supervisor’s Office.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use this complaint form and note that it is on another employee’s behalf.

Employees, paid or unpaid interns, or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior, or for any reason suspect that sexual harassment is occurring, **are required** to report in writing such suspected sexual harassment to the Supervisor's Office.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

*All* complaints or information about sexual harassment will be investigated, whether that information was reported in a verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately, and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses, and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Town of Lloyd will not tolerate retaliation against employees who file complaints, support another person's complaint, or participate in an investigation regarding a violation of this policy. While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Supervisor's Office will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant) as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails, or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including all relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo, or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and

- The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally at outlined in the next section.

### **Legal Protections and External Remedies**

Sexual harassment is not only prohibited by the Town of Lloyd, but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Town, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney. In addition to those outlined below, employees in certain industries may have additional legal protections.

### **New York State Human Rights Law (NYSHRL)**

The New York State Human Rights Law (NYSHRL), codified as N.Y. Executive Law, art. 15 § 290 et seq., applies to all employees in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns, and non-employees, regardless of immigration status. A complaint alleging violation of the NYSHRL may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within three years** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Town of Lloyd does not extend your time to file with DHR or in court. The three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor Bronx, New York 10458. You may call (718) 741-8300 or visit: <https://dhr.ny.gov/>.

Contact DHR at (844) 697-3471 or visit <https://dhr.ny.gov/report> for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days of the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination". The EEOC has district, area, and field offices where complaints can be filed. Contact EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at <https://www.eeoc.gov/> or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the Town of Lloyd Police Department.

## **504 Drug and Alcohol-Free Workplace Policy Statement**

- The Town Board, in the interest of providing a safe work environment, hereby complies with the requirement of the Drug-Free Workplace Act by adopting the following policy and drug-free awareness program. Further it is the policy of the Town to maintain a drug-free (including, but not limited to, adult-use cannabis, THC, other cannabis derivatives etc.) and alcohol-free workplace. Thus, employees are not permitted to be in possession of marijuana, including medical marijuana at work, including but not limited to while actively engaged in work for the Town or while on a break or on Town property at any time. Employees are also not permitted to be under the influence of marijuana while on the clock for the Town. However, this policy is not intended, nor should it be construed to bar the use of legally prescribed medical marijuana or the lawful recreational

use of marijuana while the employee is off duty and/or not otherwise representing the Town.

- However, if a Town job is tied to federal grants, contracts, or regulations requiring a federal drug-free workplace (such as commercial driver's license holders under federal Department of Transportation rules, or law enforcement jobs), federal law takes priority, and require the Town to comply with federal law with respect to such employees.

The Town regards the unlawful manufacture, distribution, dispensation, possession or use of a controlled dangerous substance by an employee as misconduct, and is expressly prohibited in the workplace. Further, the Town considers the consumption of alcohol or being under the influence of alcohol in the Town workplace by an employee to be misconduct and likewise prohibited. Employees found to have violated this policy can and will be subject to appropriate discipline in accordance with their applicable collective bargaining agreement, if any, or Civil Service law.

## 1. POLICY

It is the policy of the Town that:

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on the job or at the workplace.

Employees may be subject to civil, criminal and disciplinary penalties, including dismissal from employment, for failure to observe this policy. (All terms in their policy shall have the meaning and definition as set forth in the Drug-Free Workplace Act)

## 2. DRUG-FREE AWARENESS PROGRAM

### A. Dangers of Drug Abuse in the Workplace

Employees with chemical dependency problems have a major impact on productivity, staff morale, and labor/management relations. Their hidden illnesses are responsible for:

- a. Declining Performance
- b. Increased costs
- c. Absenteeism and Tardiness
- d. Damaged Relationships

### B. Town's Policy of Maintaining a Drug-Free Workplace

It is the policy of the Town of Lloyd to maintain a drug-free workplace as required by the Drug-Free Workplace Act by prohibiting the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance while on the job and/or in the workplace of the Town of Lloyd.

### C. Availability of Drug Counseling and Rehabilitation

The Town of Lloyd has an Employee Assistance Program designed to offer help to employees facing drug problems. Contact your Department Head for further information

### 3. EMPLOYEE RESPONSIBILITIES

All employees are hereby notified that as a condition of employment, employees are required to

- a. Abide by the terms of this policy; and
- b. Notify the Supervisor of any criminal drug statute convictions for a violation occurring in the workplace no later than five (5) days after the employee's conviction; and
- c. Upon hire (and/or if required as part of their job/assignment) may be subject to drug/alcohol testing in accordance with the Town's CDL testing program
- d. Refrain from driving or operating any Town vehicle or heavy equipment while under the influence of either drugs or alcohol.
- e. Not possess any alcohol or drugs at the workplace

### 4. TOWN RESPONSIBILITIES

- a. The Town must notify the granting agency within ten (10) days after receiving notice from an employee of such a conviction or otherwise receiving actual notice of such conviction
- b. Within thirty (30) days after receiving notice of such an employee's conviction, the Town shall either:
  1. Take appropriate personnel action against such employee up to and including termination from employment; and/or
  2. Require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purpose by a federal, state, or local health, law enforcement or other appropriate agency.

### 5. CONTINUING RESPONSIBILITY

The Town shall make a good faith effort to continue to maintain a drug-free workplace through the implementation of the requirements contained in the Drug-Free Workplace Act.

If there are any questions regarding this policy, please contact the Office of the Supervisor.

## 505 Drug and Alcohol Misuse Policy

- 1a. Any driver who refuses a FHWA-mandated drug test will be suspended without pay until such time as the test is administered.

1b. Any driver who refuses a FHWA-mandated alcohol test will be suspended without pay until such time as the test is administered.

2. Any driver who tests positive will be advised to obtain an evaluation from the Workplace EAP or SAP to determine if the driver is in need of assistance with a drug-controlled substance problem. The employee will pay for this evaluation and will receive the SAP report. A copy of the report will be given to the employer by the Workplace EAP.

### 3. Confirmed Positive Result

- Incident 1: Employee is suspended without pay, but may utilize accumulated sick leave time until such time as the Workplace EAP indicated compliance.
- Incident 2: Employee is suspended without pay for thirty (30) days, and may not return to work until the Workplace EAP indicated compliance.
- Incident 3: Employee is terminated
- An incident is deemed to be a positive test result, a refusal for evaluation and/or non-compliance of recommended assistance.
- An employee who twice received a confirmed positive test result will be terminated.

## 506 Employee Assistance Plan

The Town has an Employee Assistance Program designed to offer help to employees who have, themselves or within their families, problems with alcohol or other drugs, emotional problems, financial problems and/or other difficulties which may affect their job performance. Referrals to the EAP may be voluntary or as a result of job performance interviews with supervisors. The purpose of this program is to rehabilitate and restore the employee to full job efficiency. **Please refer to separate literature for details of location and procedure, or see your Department Head.**

All referrals and discussions which take place in the EAP are strictly confidential.

## 507 Political Participation

The laws which pertain to all Town employees concerning certain prohibited political activities may be found in the election Law and/or the Civil Service Law of the State of New York. These laws do not prohibit an employee from voting as s/he chooses or from expressing personal opinions on political subjects or candidates. These laws do not prohibit an employee from voluntarily engaging in political management or from campaigning during free time or from contributing to the candidate or party of the employee's choosing.

What is prohibited, however, is the coercing of other employees to: engage in political activities, make donations, or use an employee's official position to influence the vote of others. Also prohibited is the appearance of signs or bumper stickers on any Town property including buildings and vehicles.

In addition, Federal legislation in the Hatch Act prohibits certain employees from being candidates for elective office in a partisan election. Covered employees are those whose principal employment is in connection with any activity financed by Federal loans or grants. Examples of some programs which fall under the Hatch Act are: public health and housing, planning, public works, civil defense and transportation.

## 508 Solicitation Policy

The Town will not, under normal circumstances, authorize the solicitation of, or sale of, goods or services to, or request for contributions from, Town employees during working hours.

Solicitations for charitable organizations and civic purposes endorsed by the Town may be permitted. When solicitations are permitted, no employee shall be required or pressured to respond to them or to make any contribution or purchase.

Any requests for permission to solicit must be processed through the Supervisor's Office 5-10 business days in advance.

## 509 Legal Coverage/Indemnification

The Town will provide, in accordance with Public Officers Law §18, for the defense of an employee in a civil action arising out of an act or omission, which occurred, or is alleged to have occurred in the scope of the employee's job duties. However, the Town will not provide a defense in the event the lawsuit against the employee was brought by, or at the request of the Town.

The Town has also adopted the provisions of General Municipal Law §50-j(6), which provides for the defense and indemnification of any civil action brought against a Police Officer. The lawsuit must arise out of a negligent act the Police Officer is alleged to have committed within the scope of his/her employment. However, provisions set forth in the collective bargaining agreement will be controlling.

**NOTE:** The Town will **not** indemnify an employee who is found to have committed intentional or reckless wrongdoing regardless of whether any rules or procedures were violated or for any conduct engaged in by the employee that was outside of work and not within the scope of their employment.

## 510 Dress Code/Personal Appearance

Since Town employees are representatives of the Town, their appearance is a reflection of the Town and therefore important. Employees are encouraged to maintain good personal hygiene and appearance. However, the following guidelines are to be adhered to by Town employees with regard to their dress.

1. Those employees that are provided uniforms by the Town in accordance with provisions set forth in their respective collective bargaining agreements, are expected to wear said uniforms during work hours. Said uniforms are expected to be clean and neat at the time the employee reports for work. Specifically, highway, transfer

station, buildings & grounds, sewer and water employees are expected to wear jeans, steel toed boots and all other uniform disbursements and safety gear provided by the Town, as directed.

2. All Police personnel are required to work in Town issued uniforms and said uniforms are to be maintained in accordance with all Town Rules & Regulations. A neat, clean and professional appearance is expected and failure to appear for work in accordance with these guidelines can result in discipline and/or being sent home. Further, Police personnel that are required to wear a Town issued uniform are to wear limited jewelry, specifically, a wedding ring or school ring and a wristwatch. All other visible jewelry is to be removed by the employee prior to beginning their work shift including but not limited to all body piercings, visible to the public.
3. Employees must maintain a clean, neat appearance appropriate to their duties, work location, safety requirements, and level of public contact. Clothing may not create a safety hazard, interfere with job performance, display discriminatory, harassing, obscene, or offensive material, or be excessively torn, soiled, or otherwise unsuitable for the workplace.
4. Dress standards will be applied consistently and without regard to sex, gender identity or expression, religion, disability, pregnancy, or any other protected characteristic. The Town will provide reasonable accommodations as required by law.
5. A Department Head or supervisor who has a concern about an employee's attire should address it privately and provide the employee a reasonable opportunity to correct the issue. Department-specific uniforms or safety requirements may be established when reasonably related to the work performed.  
If this policy conflicts with an applicable collective bargaining agreement, the collective bargaining agreement will take precedence
6. All seasonal summer help are required to dress in accordance with the directives established by the department head as is applicable to their respective job duties.

## 511 Smoking Policy

Pursuant to New York State law, it is the Town's policy that smoking shall not be permitted, and no person shall smoke on Town property, including but not limited to in any and all Town building, facilities, grounds, enclosed common areas or Town vehicles. Further, employees shall not smoke in the entrance of any Town building, facility or common area. Employees found violating this policy may be subject to discipline in accordance with New York State Civil Service provisions or their respective collective bargaining agreement.

The restriction shall include, but not limited to, offices, school grounds, employee cafeterias, auditoriums, libraries, hallways, elevators, areas containing photocopying equipment or other office equipment, restrooms, gymnasiums, warehouses, factories, youth centers, or any enclosed indoor area.

Smoking means the burning of a lighted cigar, cigarette, pipe, vaping containing tobacco, THC, marijuana, or other cannabis product, or any other matter or substance.

## 512 Volunteer Firefighters

The Town shall compensate all Town employees that leave the workplace to respond to a volunteer fire call during work hours. Any compensation paid to Town employees responding to fire calls will constitute time worked for purposes of calculating overtime. Additionally, Town employees shall not respond to fire calls until the second set of fire alarms are sounded.

## 513 Social Media Policy

### TOWN OF LLOYD SOCIAL MEDIA POLICY

#### **Purpose and Policy:**

This Social Media Policy describes the rules and guidelines regarding personal conduct by employees while engaging in social networking and utilizing social media. This Policy applies to all employees and its purpose is to:

1. Encourage the responsible use of social media by employees; and
2. Establish minimum requirements for the use of social media in local government.

#### **Definition of Social Media/Social Networking:**

This policy refers to the use of Internet forums, sites like Facebook, Twitter, YouTube, LinkedIn, TikTok, Instagram, and photo-sharing sites and blogging sites, among others. Because new social media/networking sites are created regularly, this Policy is not limited to the sites named herein.

#### **Use of Social Media/Networking:**

For an employee to utilize social media for official purposes employees must receive the authorization of the Department Head. If authorization is obtained, the employee utilizing social media is required to be respectful to other employees, community partners, and elected and appointed officials and government agencies. All other use of social media or networking websites by employees during business hours is prohibited. Outside the workplace, an employee's right to privacy and free speech will generally protect an employee's online activity conducted on the employee's social networks with personal e-mail addresses. However, what an employee publishes on such personal online sites should never be attributed to the municipality and should not appear to be endorsed by or originated from the municipality. If an employee chooses to list his/her work affiliation on a social network, then the employee should regard all communication on that network as he/she would in a professional network. All employees are expected to communicate on social media in a manner that upholds the dignity of their position. While employees, including members of law enforcement, have the right to comment on matters of public interest on their private, non-work-related social media pages, they should be mindful that not all speech by an employee is protected by the First Amendment. Employees should also understand that they can be subject to discipline for sexualized and offensive comments that do not fall within the protection of the First Amendment.

**Identifying Oneself as an Employee:**

Because most social networking sites have fields in the "user Profile" for work experience, job title, etc., by identifying oneself as an employee, a social networker becomes, to some extent, associated with the municipality, and everything posted on the employee's personal social media or networking website or page has the potential to reflect on the municipality and its image. If an employee participates in social media/networking, the municipality expects the following:

1. That each employee will exercise good judgment and proper taste in social media postings and photos;
2. Employees are not permitted to identify themselves as representatives of the municipality unless explicitly authorized by their Department Head;
3. The municipality prohibits employees from listing a job title or using the municipality's logo without written consent from the Town board; and
4. If a social network user identifies him/herself as an employee, then any personal blogs and other personal posts must contain disclaimers that make it clear that the opinions expressed are solely those of the author and do not represent the views of the municipality. (An example for a blogger, "the posts on this site, including but not limited to images, links, and comments left by readers, are the author's own and do not represent the position or opinion of the author's employer.")

Please remember that an employee's online presence, actions, captured images, posts or comments reflect upon the municipality. Each employee is personally responsible for any of their online activity conducted with a municipal e-mail address or which can be traced back to the municipality's domain or which uses municipal assets. Utilizing a municipal employment title or e-mail address may imply that an employee is acting on the municipality's behalf.

**Confidential Information:**

Employees must protect information that is considered to be non-public in nature, in accordance with policies pertaining to confidential information and disclosure.

**Complying with Terms of Service for Social Networking Sites:**

Most social networking sites require that users, when they sign up, agree to abide by a Terms of Service Agreement. For employees who may have been assigned a job-related duty to use a social network, the employee is responsible for reading, knowing and complying with the Terms of Service Agreement of the sites used.

**Consequences to Employee for Policy Violations:**

Violations of this Policy may result in disciplinary action, including termination. Where no policy or guidelines exist, employees should use their professional judgment and take the most prudent action possible. Consult with your Department Head if you are uncertain or need clarification about this Policy.

## 600 SAFETY

All safety guidelines for which employees are expected to adhere to are set forth in the Safety and Health Manual which is incorporated herein for reference.

# APPENDIX

## Appendix A Town of Lloyd Discrimination Complaint Form:

If you believe that you have been harassed, discriminated against, or retaliated against for filing a complaint of discrimination and/or harassment, you are encouraged to complete this form and submit it to the Town's designated discrimination/harassment complaint officer, the Town Supervisor, or your direct supervisor. You may not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, the Town's designated discrimination/harassment complaint officer will complete this form, provide you with a copy and follow this policy by investigating the claims as outlined at the end of this form.

### COMPLAINANT INFORMATION

Name: \_\_\_\_\_

Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Job Title: \_\_\_\_\_ Email: \_\_\_\_\_

Select Preferred Communications ☐ ☐ ☐ Method: Email Phone In person

### SUPERVISORY INFORMATION

Immediate Supervisor's Name: \_\_\_\_\_

Title: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Work Address: \_\_\_\_\_

### COMPLAINT INFORMATION

1. Who are you filing a complaint against?

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Relationship to ☐ you: ☐ Supervisor ☐ ☐ Subordinate Co-Worker Other

2. What is the basis of your complaint? Check all that apply

☐ Race discrimination/harassment ☐ Gender Discrimination  
☐ Color discrimination/harassment ☐ Pregnancy Discrimination  
☐ National Origin discrimination/harassment ☐ Military Service/Veteran Status

- ☐ Disability discrimination/harassment      ☐ Familial Status  
☐ Sexual Orientation discrimination/harassment      ☐ Marital Status  
☐ Age      ☐ Other \_\_\_\_\_ (Describe)

3. Please describe what happened/how you were discriminated against and/or harassed and how it is

affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

4. Date(s) discrimination/harassment occurred: \_\_\_\_\_

Is the discrimination/harassment continuing? Yes ☐ No ☐

5. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

*The last question is optional, but may help the investigation.*

6. Have you previously complained or provided information (verbal or written) about related incidents?  
If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

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

### **Instructions for Employers**

If you receive a complaint about alleged discrimination and/or harassment follow the Town's discrimination/harassment prevention policy as set forth in Sec. 503 in the Employee Handbook.

An investigation involves:

- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

The findings of the investigation will be documented including the basis for any decision along with any corrective actions to be taken. The Complainant and the Respondent/Accused will be notified of the outcome of the investigation. To the extent that the outcome of an investigation shall result in the counseling or discipline of an employee, the specific outcome for the Respondent/Accused shall be treated as a confidential personnel matter and shall not be shared with the Complainant or the public. The outcome of the investigation may be delivered to the Complainant and the Accused/Respondent via email.

## Appendix B      Family Medical Leave Act Request Form

You have a right under the FMLA for up to 12 weeks of unpaid leave in a 12 month period for the reasons listed above. Also, your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work, and you must be reinstated to the same or equivalent job with the same pay, benefits and terms and condition of employment on your return from leave.

Employee requesting leave: \_\_\_\_\_ Date of request: \_\_\_\_\_

Reason for leave:

The birth of your child

The placement of a child with you for adoption or foster care

A serious health condition that makes you unable to performs at least one of the essential functions of your job

A serious health condition affecting your [ spouse, child, parent ] for which you provide care. (please circle which relation)

Date of expected leave to begin: \_\_\_\_\_

Expected duration of leave: \_\_\_\_\_

You expect the leave will be:

Consecutive leave

Intermittent or reduced leave and you will work as follows: (please explain):

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You will be contacted with additional information upon approval/denial of request.

## Appendix C      Training Classes

This is a guideline of the Trainings that are provided by the Town of Lloyd and frequency. This is not a guarantee of training offered and other trainings will be offered as need

| <b><u>Training</u></b>                | <b><u>Frequency</u></b> |
|---------------------------------------|-------------------------|
| Sexual Harassment                     | Annually                |
| Workplace Violence                    | Annually                |
| Right to Know / Hazard Communications | Annually                |
| Active Shooter                        |                         |
| Defensive Driving                     | Every 3 years           |
| Fire Extinguisher Training            |                         |
| AED                                   |                         |
| OSHA training                         |                         |
| Confined Space                        |                         |
| Respirator                            |                         |
| PESH trainings                        |                         |

## Appendix D      Acknowledgment Form

### **ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING OF THE Town of Lloyd EMPLOYEE HANDBOOK**

I, the undersigned, acknowledge that I have received a copy (by email, physical copy or available on [www.townoflloyd.com](http://www.townoflloyd.com) ) and read the Town of Lloyd Employee Handbook adopted by the Town Board on September 16, 2026.

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Employee's Name

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Job Title

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Employee's signature

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Date