TOWN OF NEW LONDON
PERSONNEL POLICY

for all full- and part-time employees

Approved October 17, 2016

This document supersedes all personnel policies previously established or approved by the Town of New London.

WELCOME TO THE TOWN OF NEW LONDON!

We are happy that you have decided to join us here in the Town of New London. Starting a new job is exciting, but at times it can also be overwhelming. This Personnel Policy was developed to acquaint you with the Town of New London and to answer many of your initial questions.

This Personnel Policy explains our policies, procedures and benefits as well as opportunities and responsibilities within our Town. We are part of an evolving organization, which means that changes or additions to this handbook will be necessary from time to time. We will inform you when these changes are made.

As an employee of the Town of New London, the importance of your contribution cannot be overstated. Our goal is to provide the best public service possible, and you are an essential part of achieving that goal.

We are pleased that you have joined us, and we hope you will find your work to be both challenging and rewarding.

Sincerely,

Board of Selectmen
Town of New London

G. William Helm, Jr., Chair

Janet R. Kidder

Nancy L. Rollins

As approved at the New London Board of Selectmen's Meeting on October 17, 2016

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ABOUT THIS POLICY

The policies outlined in this Personnel Policy (also referred to as the "Policy") should be regarded as guidelines only that may require change from time to time. The Town of New London (the "Town") retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Town. This Policy supersedes and replaces any and all prior personnel policies, manuals, procedures, and practices of the Town of New London.

This Personnel Policy also summarizes the current benefit plans maintained by the Town for eligible employees. If any questions arise regarding the implementation or interpretation of any benefit plan, the terms and conditions of the actual plan documents and summary plan descriptions will control rather than the summaries contained in this Policy. The Personnel Policy (and other plan documents) are not contractual in nature and do not guarantee any continuance of benefits.

This Policy is not, and shall not be construed as, an explicit or implied contract, shall not modify any existing at-will status of any Town employee, and shall not create any due process requirements in excess of federal or state constitutional or statutory requirements. Employment at-will means that employees are free to resign from their employment at any time, with or without cause or notice, and the employer has similar rights and can terminate the employment relationship at any time, with or without cause or notice. Please understand that neither the policies contained in this Personnel Policy, nor any other written or verbal communication by any other employee, including management employees, are intended to create a contract of employment or a warranty of any of the benefits described in this Policy.

As the Town of New London continues to grow, the need may arise and the Town reserves the right to revise, supplement, or rescind any policies or portion of the Policy from time to time as it deems appropriate, in its sole and absolute discretion. Employees will, of course, be notified of such changes to the Policy as they occur.

If this Policy is inconsistent with any employment contract, including but not limited to collective bargaining agreements, or state or federal law, then the contract or law shall control and supersede this Policy.

RECEIPT AND ACKNOWLEDGMENT OF PERSONNEL POLICY

This Personnel Policy is an important document intended to help you become acquainted with the Town of New London. This Policy will serve as a guide. It is not the final word in all cases. Individual circumstances may call for individual attention.

Please read the following statements and sign below to indicate your receipt and acknowledgment of the Personnel Policy.

- I have received a copy of the Personnel Policy and understand it is my obligation to read the Policy. I understand that the policies described in the Policy are subject to change at the Town of New London's sole discretion at any time.
- Unless a contract or state statute governs my employment, I acknowledge that I have the right to terminate my employment with the Town of New London at any time without notice, and that the Town has the right to terminate my employment without cause or notice.
- I am aware that the descriptions of benefits in this Policy are not contractual in nature and do not guarantee any continuance of said benefits.
- My signature below indicates that I have read and understand the above statements and have received a copy of the Personnel Policy.

_____
Employee's Name (Please Print)

Date:

_____
Employee's Signature

Date:

_____
Witness Signature

I. GENERAL PROVISIONS

A. THE WORKPLACE

The terms "workplace" and "premises" appear in a number of the Town of New London's policies. For most employers, such terms encompass the buildings and surrounding property that the employer owns or leases. However, the nature of the Town's work as a municipality requires that the use of these terms have a broader definition. Accordingly, whenever "workplace" or "premises" is discussed in this Policy, they mean not only Town buildings, facilities and properties, but also any remote job site to which an employee may be assigned to work and any vehicle in which an employee may be traveling, with or without a supervisor and/or coworker, for Town-related business.

B. EMPLOYMENT AT WILL

Unless otherwise provided in a written contract signed by the Town of New London Board of Selectmen, or unless set forth by statute, Town employees are considered to be employees at will and may resign from their employment at any time for any reason. Likewise, the Town may terminate the employment relationship of at-will employees without cause or notice. Neither the policies contained in this Policy nor any other written or verbal communication by a supervisor is intended to change the at-will relationship or create a contract of employment.

C. EMPLOYMENT CLASSIFICATIONS

Employees are classified as full-time, part-time, or temporary as defined below. Unless otherwise specified, the policies described in this Policy apply to all classifications of employees. The Town Administrator can provide additional information about these classifications.

Regular Full-Time Employees: Individuals who are not in a temporary status and who are regularly scheduled to work 35 or more hours per week. Generally, they are eligible for the Town's benefits, subject to the terms, conditions, and limitations of each benefit program.

Regular Part-Time Employees: Individuals who are not in a temporary status who are regularly scheduled to work 20 hours and fewer than 35 hours per week. Regular part-time employees are eligible for some Town benefits, subject to the terms, conditions, and limitations of each benefit program.

Part-Time Employees: Individuals who are not assigned to a temporary or introductory status and who are regularly scheduled to work fewer than 20 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for the Town's other benefit programs.

Temporary or Seasonal Employees: Individuals who are hired as interim replacements, for seasonal work, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. However, employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change in writing. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for the Town's other benefit programs.

II. FAIR TREATMENT OF EMPLOYEES

A. EQUAL EMPLOYMENT OPPORTUNITY

The Town of New London is committed to a policy of equal employment opportunity for all persons based on individual merit, competence and need. The Town will not discriminate against employees or applicants for employment on any legally recognized basis including, but not limited to: race, color, national origin, religion, sex, age, veteran status, marital status, physical or mental disability, sexual orientation, or pregnancy. This policy applies to all terms and conditions of employment including, but not limited to, recruiting, hiring, placement, training, promotion, termination, layoff, recall, transfers, leaves of absence, compensation, and benefits.

B. ANTI-HARASSMENT POLICY INCLUDING SEXUAL HARASSMENT

The Town of New London believes that each individual employed by us has the right to be free from discrimination or harassment because of race, color, national origin, religion, sex, age, veteran status, marital status, physical or mental disability, sexual orientation, or pregnancy. All employees should be able to work in an environment free from all forms of discrimination, intimidation and harassment, including sexual harassment. All employees must treat each other with courtesy, consideration and professionalism.

To achieve the Town's goal of providing a workplace free from sexual and other illegal harassment, the conduct that is described in this Policy will not be tolerated, and the Town has provided a Reporting Procedure that is described later in this Policy. Where inappropriate conduct is found, the Town will act promptly to eliminate the conduct and impose such corrective actions as are necessary, including disciplinary action or termination of employment.

While this Policy sets forth the Town's goals of promoting a workplace that is free of sexual or other illegal harassment, the Policy is not designed or intended to limit the Town's authority to discipline or take remedial action for workplace conduct that the Town deems unacceptable, regardless of whether that conduct satisfies the legal definition of discrimination or sexual harassment.

Harassment refers to unreasonable conduct or behavior – by superiors, fellow employees, Town residents, visitors, vendors or others conducting Town business or on Town premises – that is personally offensive, threatening, impairs morale, or interferes with the work effectiveness of employees. Examples of harassment include:

- Conduct or comments that threaten physical violence;
- Offensive, unsolicited remarks;
- Unwelcome gestures or physical contact;
- Display or circulation of written materials, items or pictures degrading to any race, color, national origin, religion, sex, age, veteran status, marital status, familial status, physical or mental disability, sexual orientation, or pregnancy;
- Verbal abuse or insults about or directed at any employee or group of employees because of their membership in or relationship to any of the groups listed above.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation, or assistance; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, or offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment, constitute sexual harassment.

The legal definition of sexual harassment is broad. In addition to the above examples, other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers, may also constitute sexual harassment. Sexual harassment includes a wide range of behaviors, from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes and other sexually oriented statements. Sexual harassment may be indirect and even unintentional. Employees are prohibited from bringing into the workplace or otherwise displaying any written materials or pictures that are sexually suggestive or offensive in nature. While it is not possible to list all circumstances that constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment:

- Verbal: Sexual innuendoes, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds;
- Visual/Non-verbal: Derogatory posters, cartoons, or drawings; suggestive objects or pictures; graphic commentaries; leering; or obscene gestures;
- Physical: Unwanted physical contact including touching, interference with an individual's normal work movement or assault;
- Retaliation: Making or threatening reprisals as a result of a negative response to harassment.

Each employee must exercise his or her good judgment to avoid engaging in conduct that may be perceived by others as harassment.

Sexual and other types of harassment can come from superiors, fellow employees, town residents, visitors or vendors. Men as well as women can be victims of sexual or other harassment. It cannot be stressed enough that the Town of New London will not tolerate any form of illegal discrimination or harassment. Violations of this policy, whether intended or not, will not be permitted. Any employee who harasses a person on any of the bases discussed above will be subject to discipline, up to and including discharge.

Experience has shown that a clear statement to the person engaging in the offensive behavior is often all that is necessary to stop the conduct. Employees who believe they are being harassed are encouraged to let the person engaging in the conduct know how they feel. If an employee does not feel comfortable taking this step, the Town certainly does not require him or her to do so. An employee who believes that he/she has been subjected to sexual harassment should report the incident in accordance with the Reporting Procedure contained in this Policy. The matter will be promptly investigated and where it is determined that inappropriate conduct has occurred, the Town will take action to eliminate the conduct.

All employees should take special note that retaliation against an individual who has complained about sexual or other harassment, and retaliation against individuals for cooperating with an investigation of a sexual or other harassment complaint is unlawful and will not be tolerated by the Town. Retaliation is a form of unlawful harassment and will be handled in the same manner as other forms of harassment. If an employee believes that he/she has been subjected to retaliation, he/she should report the incident in accordance with the Reporting Procedure contained in this Policy.

C. REPORTING PROCEDURE FOR SEXUAL AND OTHER UNLAWFUL HARASSMENT AND DISCRIMINATION

An employee who feels she/he has been a victim of sexual or other unlawful harassment or discrimination or who has observed such harassment or discrimination affecting another person should report such incidents in accordance with the following procedure. All complaints will be promptly, discreetly and appropriately investigated.

1. Contact the Town Administrator or Finance Officer. These individuals are available to discuss any questions or concerns employees may have and provide them with information about the Town's policy on harassment, sexual harassment and discrimination as well as this complaint process.

2. The Town will promptly and discreetly investigate every reported incident. Disclosure of complaints will be limited to those with a need to know. There may be instances when, depending upon the nature of the allegations, an alleged harasser will be suspended, with pay, pending investigation. Suspension pending investigation should not be considered a conclusion of wrongdoing.

3. Once the investigation is complete, the Town will to the extent possible communicate the results of the investigation with the person filing the complaint and the person alleged to have committed the conduct.

4. Where it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the offending conduct and, where appropriate, will impose disciplinary action, up to and including immediate termination of employment.

D. AMERICANS WITH DISABILITIES ACT POLICY

The Town is committed to providing equal employment opportunities to individuals with disabilities, which includes providing reasonable accommodation to qualified applicants to allow them to perform essential job duties.

In general, it is an employee's responsibility to notify the Town Administrator of the need for an accommodation of any physical or mental disability that substantially limits a major life activity. When appropriate, the Town may need the employee's permission to obtain additional information from the employee's healthcare provider or rehabilitation professionals to document the existence of a disability and to assist the Town in assessing any functional limitations for which a reasonable accommodation may be needed. All medical information will be treated as confidential in accordance with the Americans with Disabilities Act.

The Town will take all requests for accommodation seriously and will promptly determine whether the employee is a qualified individual with a disability and whether a reasonable accommodation exists that would allow the employee to perform the essential functions of the job without imposing an undue hardship on the Town or other employees.

III. COMPENSATION AND HOURS OF WORK

A. PAY CLASSIFICATIONS

A federal law known as the Fair Labor Standards Act ("FLSA") regulates wages and hours for certain employees. Employees are classified as either **exempt** or **non-exempt** from this law.

Non-exempt employees are covered by the provisions of the FLSA. Non-exempt employees are normally paid on an hourly basis and are eligible for overtime pay as defined in the next section.

Exempt employees are not covered by the rules of the FLSA. Exempt employees are normally paid on the basis of a weekly salary and are not eligible for overtime pay.

Rules governing what positions are exempt and non-exempt are contained in the FLSA and generally relate to the type of work and the rate of pay for that position. Typically, employees who are in jobs that are defined as executive, professional, administrative, and outside sales are not covered by the FLSA. For the most part, Department Head positions are considered exempt from the FLSA.

It is the intent of the Town to follow the regulations as set forth in the FLSA. Questions about the FLSA should be directed to the Town Administrator or Finance Officer.

B. PAY, PAY PERIODS AND WORKWEEKS

Employees are informed as to their rate of pay at the time they are hired. An employee's rate of pay is reviewed periodically and may be adjusted. Questions regarding pay should be directed to the Department Head, Finance Officer, or Town Administrator.

The Town's **workweek** begins on Monday at 12:00 a.m. (midnight) and ends on Sunday at 11:59 p.m. Because of the nature of Town business, an employee's work schedule may vary depending on the job and department. The Department Head or supervisor will inform employees about their specific work schedules.

Timesheets from all employees must be submitted to the Department Head no later than 7:00 AM on Monday morning following a workweek. The Department Head shall sign all timesheets prior to their submittal to the Finance Officer.

Employees are paid on a biweekly basis on Thursdays[1] for all hours worked during the previous two workweeks. Paycheck errors should be reported immediately to the Finance Officer. Paychecks will be distributed to the employee whose name is on the paycheck or to the Department Head, unless the Department Head delegates in writing another employee to receive the Department's paychecks.

C. REPORTING TIME WORKED

All employees, **including department heads**, must record all time worked on their timesheets. It is **the law** that employees receive compensation for all time worked, including overtime (see Overtime Pay, below). In some departments, employees may also be required to punch a time clock. No one is authorized to punch a time clock or complete a time sheet on another employee's behalf, and falsification of time records could lead to disciplinary action up to and including

[1] Effective January 3, 2013

termination of employment. Questions about time reporting requirements should be directed to the Department Head or Finance Officer.

D. OVERTIME PAY & COMPENSATORY TIME OFF

From time to time, it may be necessary for employees to perform work beyond their normal work schedule. The Town will attempt to provide employees with advance notice of the necessity for overtime work although this may not always be possible, especially in the case of an emergency.

Overtime is defined as time worked in excess of 40 hours per workweek. Sick days, holidays, vacation time, leaves of absences, and other time off benefits will be counted as time worked for purposes of overtime. Overtime must be approved in advance by the Department Head.

Only employees classified as **non-exempt** (as explained in the Pay Classification section above) are eligible to be paid for overtime. **Exempt** employees are not eligible for overtime pay (note: all exempt employees are salaried, but not all salaried employees are exempt from overtime pay).

Non-exempt employees will be paid at their regular rate of pay for all hours worked through 40 hours per workweek (see definition of workweek in the section above) and will receive one and one-half times their regular pay for overtime.[2] **Non-exempt** employees who are required to work on a Town-scheduled holiday (see Holiday Pay policy in this Policy) will be paid at time and one-half for time worked on the holiday plus full-time employees will also receive their regular holiday pay. Employees who travel to a meeting or conference that is less than one-day in duration will be considered working during any travel time beyond the time of their usual commute.

Because of the nature of certain public safety jobs, outside details may be made according to Department policy.

Compensatory Time Off for Non-Exempt Employees: New Hampshire state law and the Fair Labor Standard Act allow a public agency to provide compensatory time off ("comp time") in lieu of monetary overtime pay, at a rate of one and one-half hours of compensatory time for each hour of overtime worked, up to certain limits.

Therefore, the Town may allow compensatory time off in place of time and a half for any non-exempt employee who makes such a request. An employee who wishes to accumulate compensatory time in lieu of overtime pay must mark "comp time" on his or her timesheet. If an employee does not indicate "comp time" on the timesheet, then he or she will receive overtime pay in the next paycheck. The accumulated compensatory time will be reflected on the employee's pay stub. Any compensatory time used will be subtracted from that balance (compensatory time off may only be used with Department Head approval; please see Section IV, below).

Under state law (RSA 275:43), the Town of New London cannot require the use of compensatory time within a certain period of time (there is no "use it or lose it" policy). However, the law does set the following limits and regulations:

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[2] The law allows public employers to calculate overtime differently for law enforcement and firefighters in certain circumstances. The Town currently chooses to pay overtime to law enforcement and firefighters in the same manner as other employees. If that should change, the Town will provide notice to those employees.

- Public safety, emergency response, or seasonal activity employees may accrue no more than 480 hours of compensatory time for 320 actual overtime hours worked.
- Other public sector employees, including office personnel or civilian employees who may perform public safety activities on an emergency basis, may accrue no more than 240 hours of compensatory time for 160 hours of actual time worked.
- An employee who has accrued more than the applicable ceiling for compensatory time shall be paid overtime at time and one half of the rate of pay on the designated pay day.
- An employee who leaves employment with the Town of New London, for any reason, will be paid for any accumulated compensatory time at the hourly rate at the time of departure (since compensatory time has accumulated at time-and-one-half, this guarantees the employee full compensation for overtime worked).

Administrative Time Off for Exempt Employees: State law and the FLSA do not provide for compensatory time off for exempt employees. However, the Town recognizes that exempt employees are charged with performing the tasks associated with their position without regard to the number of hours worked. Exempt employees are regularly required to commit time beyond the normal office hours and at a sacrifice to their personal lives, without additional compensation (although the additional expectation and responsibility are generally reflected in an exempt employee's salary). It is the Town's expectation that exempt employees will continue to be required to work beyond a regular workweek on an ongoing basis.

In recognition of these factors and to balance the pressures associated with exempt employees' positions, and in recognition of the Town's tradition of allowing exempt employees to take leave without using sick or vacation leave time, the Board of Selectmen has approved the following policy on administrative time off for Exempt Employees:

- The leave must be for a period of one day or less;
- The employee must let the Department Head (if the employee is a Department Head, then the Town Administrator) know when he or she will be absent; and
- The employee must continue to meet the workload or other requirements of the position, including attendance at meetings.

E. CALL BACK POLICY

Occasionally, employees may be called in to work after they have left for the day, before they are scheduled to report to work, or on a scheduled day off. In these cases, full-time **non-exempt** employees who are called in to work are entitled to a minimum of two hours pay at the employee's regular rate of pay, even if actual time worked is less than two hours.[3] If time worked exceeds two hours, the employee will be paid for actual time worked (this time may also count as overtime, as defined above).

[3] The Fire Department's policy is to pay a minimum of one-half hour pay for full-time or volunteer firefighters who respond to an emergency.

F. ON-CALL/PAGER POLICY

Employees who are on call must be available to report to work on relatively short notice outside of the regular work day. An employee who is on call must respond within a reasonable period of time. If the employee does not respond within a reasonable period of time and has no valid reason, the employee may not be eligible for on call compensation. On call compensation, which will be paid for any period an employee is on call and not working, will be determined by each Department. Full-time employees who respond to a call after hours will be paid time-and-a-half, with the minimum number of hours determined by each Department.

G. BREAKS AND MEAL PERIODS

The Town provides full-time employees a one-half hour paid lunch break.[4] Part-time and temporary employees who are scheduled to work five or more hours in a day receive a one-half hour unpaid lunch break.

Any extension of the lunch break beyond one-half hour requires the approval of the Department Head. A full-time employee who wishes to take time for lunch in addition to the paid one-half hour will not receive pay for any additional time taken, and the employee is expected to work his or her full work schedule to make up for any unpaid time taken at lunch. For example, if an employee's normal work schedule totals eight hours from 8 AM to 4 PM, which includes a one-half hour paid lunch break, and the employee wants to take one hour for lunch, then he or she would be expected to extend the workday by one-half hour in order to complete the full eight hours. Subject to the Department Head's approval, the employee could come in a half-hour early or leave a half-hour later. The additional unpaid lunch must be made up on the day it is taken.

On-duty police officers are entitled to one-half hour break every five hours of employment, although the performance of the job may require the police officer to work through the break.

H. EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fires, or power failures can disrupt Town operation. In extreme cases, these circumstances may require closing a work facility for non-essential personnel. Such closings will be determined by the Town Administrator or Department Head. Employees may contact Police Dispatch at 603-526-2626 or the Town Offices at 603-526-4821 for information as to whether the Town will be open for business.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid according to the employee's regular schedule and pay rate. Time off in these circumstances is not considered in calculating overtime pay. In addition, some departments may be required to work in the event of a Town emergency. Employees who are required to work during an emergency will be paid at their regular rate of pay and will receive overtime pay for time worked over 40 hours per week.

In cases where an emergency closing has not been authorized, employees who fail to report for work will not be paid for the time off unless they use personal time or accrued vacation time for the absence.

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[4] Trustees of Tracy Library provide Tracy Library employees with one hour of paid lunch break.

I. COMPENSATION

This Policy incorporates by reference the Town's wage & classification pay plan, completed in November 2006.

J. PAYROLL DEDUCTIONS

There are two categories of payroll deductions:

1. Those required and/or allowed by state or federal law; and,
2. Those authorized by the employee.

Payroll deductions required by state and federal law include federal income tax withholding, Social Security and Medicare taxes (also called FICA), and legally ordered wage garnishments (for example, child support payments, court-ordered payments, or delinquent income tax payments order by the Internal Revenue Service). If authorized in writing by an eligible employee, the Town will also make additional deductions for health insurance and other purposes that are for the employee's benefit. Arrangement for these voluntary deductions may be made with the Finance Officer.

Payroll deductions are also permitted by law for required clothing not considered to be uniforms; voluntary rental fees for non-required clothing; voluntary cleaning of uniforms and non-required clothing; medical, surgical, hospital, and other group insurance benefits having no financial advantage for the employer; payments into savings funds held by someone other than the employer; housing and utilities; and strictly voluntary contributions to charities.

The Finance Officer can answer questions about payroll deductions.

K. REIMBURSABLE EXPENSES

Employees will be reimbursed by the Town for legitimate work-related expenses, such as equipment or supplies that have been bought on behalf of the Town or travel expenses while an employee is on Town business, including mileage at the current federal mileage rate and reasonable expenses for lodging and meals. Employees must obtain advance approval from the Department Head before incurring expenses. Employees are encouraged to carpool when they attend the same out-of-town event.

Employees must complete a Request for Reimbursement and/or Travel Expenses Form, attach their receipts, and submit the form for approval to the Department Head and the Finance Officer. Reimbursement may be made from petty cash for total expenses of less than $10.00. Otherwise reimbursement will be paid by a check (separate from the paycheck) that will be issued with the disbursement voucher in the week following receipt of the Request for Reimbursement.

L. TAXABLE REIMBURSEMENTS OR FRINGE BENEFITS

The following benefits or reimbursed expenses may be considered taxable by the Internal Revenue Service:

1. Health and dental benefits offered to domestic partners;
2. Health and dental premium buyout;

3. Certain town vehicles that are driven to the employee's home;
4. Certain meal reimbursements;
5. Certain clothing and uniform reimbursements.

IV. TIME AWAY FROM WORK AND OTHER BENEFITS

A. HOLIDAY PAY

All regular full-time employees and regular part-time employees are entitled to receive paid holidays. Part-time employees and temporary employees who actually work on any of the nine holidays listed will be paid at the rate of time and one half for the hours worked.[5] There is no waiting period for holiday pay for eligible new employees; however, employees who begin work after July 1 are not eligible to use floating holidays in that fiscal year, unless the department is closed for that holiday.

The Town of New London observes a total of 11 paid holidays. Nine of these are scheduled holidays as follows:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Independence Day
Labor Day
Veterans' Day
Thanksgiving Day
Christmas Day

Two additional days are granted during the calendar year as floating holidays to be scheduled at the employee's discretion with advance approval from the Department Head. All members of a department may agree to take a particular day as a floating holiday and close their department on that day. Floating holidays cannot be carried over into the next calendar year and there is no pay in lieu of unused floating holidays.

All employees will receive holiday pay based on one day's pay at the employee's regular rate of pay. If an employee was not scheduled to work on a holiday, he or she may choose to take the holiday on another day, with prior Department Head approval, and will not receive holiday pay for that holiday. This decision should be reflected on the employee's timesheet. Regular part-time non-exempt employees are entitled to the same provisions as full-time non-exempt employees, except that the part-time employees' holiday pay shall be pro-rated.

The following applies if an employee is required to work on a holiday:

- Non-exempt, part-time and temporary[6] employees who are required to work on a holiday will receive pay at time and one-half for actual time worked. In addition, full-time employees will receive their regular holiday pay.
- Exempt employees who are required to work on a holiday may take the holiday off at a later time. The day off must be scheduled at least one week in advance and approved by the Department Head.

For non-exempt employees, holiday pay is considered time worked for purposes of determining overtime pay. If a holiday occurs during an employee's scheduled paid vacation leave, the employee is entitled to an additional day of paid vacation. Employees who are on any type of leave of absence are not eligible for holiday pay while on leave.

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[5] Effective December 30, 2013
[6] Effective December 30, 2013

B. LEAVE TIME

Full-time employees are eligible for paid leave time. Regular part-time employees are eligible for paid leave, prorated to the number of hours that they are regularly scheduled to work. For instance, a part-time employee who is regularly scheduled to work five hours per day will be entitled to five hours of pay when he or she takes a scheduled day as a vacation day. Part-time and temporary employees do not receive paid leave time.

Leave time is accrued in monthly increments based on the employee's regularly scheduled hours and accrual is based upon length of service, which is calculated as of the employee's anniversary date of hire and effective the month following the anniversary date. If there is a break in service, the accrual for leave time will be based on the employee's most recent hire date.

Payment of leave time is made at the employee's current regular rate of pay. Leave time pay may not exceed the employee's regular workday and/or workweek hours. If a scheduled holiday falls during an employee's scheduled leave, then leave time is not charged for that day. Questions about leave time accrual should be directed to the Finance Officer or Town Administrator.

Years of Service	Leave Time	Monthly Accrual	Maximum Allowed Accrual at Year-end
0-4 years	17 days	1.42 days/month	30 days
5th anniversary (5-9 years)	22 days	1.83 days/month	30 days
10th anniversary (10-14)	27 days	2.25 days/month	35 days
15th anniversary	32 days	2.75 days/month	45 days

Employees may use their leave time as soon as it earned. Unless used for unscheduled personal or family sickness, the use of leave time will require prior approval by the Department Head (or Town Administrator for Department Heads). The Department Head may not always be able to arrange coverage for those wishing to be away at a particular time and may have to reschedule or postpone some requests for use of leave time. However, Department Heads will do their best to accommodate requests for leave time.

Employees may accumulate leave time from year to year, up to the maximum accrual listed above (maximum accrual will be applied at year-end). Employees are encouraged to use their leave time, and therefore time accrued beyond the maximum accrual will not be reimbursed.

Vacation does not accrue while an employee is on any type of leave of absence. If an employee is on a leave of absence and returns to active employment later in the year, vacation accrual will begin upon employee's return to active employment.

Upon separation from employment, employees will be paid in full for unused leave time up to the maximum accrual allowed.[7]

C. SICK LEAVE

The Town sick leave plan provides pay to full-time employees and regular part-time employees (pro-rated) for time away from work due to illness or injury. Part-time and temporary employees

[7] Due to the potentially high cost of buying out an employee's accumulated leave time upon separation, the Town requests, but does not require, at least six months' notice before separation from employment.

are not eligible for this plan. Sick time may only be used for **personal** sickness or doctor's appointments; absence for the sickness of family members must come out of leave time.

Full-time employees will receive seven sick days (56 hours) per year and may accumulate a maximum of 30 days (240 hours) for use as sick days. Regular part-time employees will receive sick leave on a prorated basis according to their work schedule and may also accumulate up to 240 hours for use as sick days. Once an employee has reached the maximum accumulation of 240 sick hours, there will be no additional accumulation of hours.

Employees will receive pro-rated sick leave starting with the first full month of employment after the date of hire, but sick leave may not be taken during the first 90 days of employment. Sick leave may be used in hourly or full-day increments. Employees will be paid at their current regular rate of pay. Sick leave pay may not exceed an employee's regular workday and/or workweek hours.

Employees who are not able to report for work due to illness or injury must contact the Department Head or Town Administrator **by telephone** on a daily basis about the status of their absence, unless they are directed by the Department Head to report on a different basis. Reporting absence to any employee other than the Department Head, unless directed to do so, will not be accepted as compliance with the reporting requirement.

Since sick leave is to be used for absences due only to personal illness or injury, the Town, at its discretion, may require that an employee provide certification from a healthcare provider regarding the necessity for taking sick leave. **Improper use of sick leave may be grounds for discipline, up to and including termination.** If an employee is absent from work due to illness or injury for three consecutive work days, the Town, at its discretion, may require certification from a healthcare provider that the employee is able to return to work.

If an employee fails to report to work without calling in to the Department Head for three consecutive work days, the employee will be considered to have voluntarily resigned from employment with the Town, effective the first day of absence.

Unused sick time up to 30 days (240 hours) will not be paid out upon separation of employment. However, sick time that had been converted to leave time *in previous years* would be payable as leave time if the employee left employment. Questions about sick leave should be addressed to the Finance Officer or Town Administrator.

E. UNPAID LEAVE

The Town recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under the above leave time provisions. Employees may therefore request unpaid leave once all other leave and sick time has been exhausted. Leave time may be granted for good cause at the discretion of the Department Head and Town Administrator. However, this provision has not been adopted to allow employees to regularly miss full-time work without pay. Doing so may change an employee's status from full-time to part-time and may be cause for termination. Employees who are absent on unpaid leave may continue to participate in the Town's insurance benefit for the calendar month during which the leave begins, and employees must reimburse the Town for their share of any benefits extended during their leave of absence.

Requests for leave will be considered on a case-by-case basis, taking into account the Town's staffing needs and other factors. The employee must inform the Town when he or she is ready to return to work.

F. FAMILY AND MEDICAL LEAVES OF ABSENCE

1. General Provisions

Under the provisions of the federal Family and Medical Leave Act of 1993 ("FMLA"), certain employees may be entitled to take an unpaid leave of absence of not more than 12 workweeks in the event of:

A. The birth of a child, in order to care for the child (leave must be taken within 12 months of the birth of said child);

B. An adoption or foster care placement of a child in order to care for the child (leave must be taken within 12 months of the adoption or placement);

C. A serious health condition of the employee's parent, spouse, minor child, or adult child when the ill person is not capable of self-care and the employee is needed for such care; or

D. A serious health condition of the employee that results in the employee's inability to perform his or her job.

In order to be eligible to take FMLA leave, the employee must have worked for the employer for at least 12 months, must have worked at least 1,250 hours in the preceding 12-month period, and must be employed by an employer with at least 50 employees. As of the date this Policy was prepared, the Town has at least 50 employees.

As stated above, an eligible employee is entitled to a total of 12 workweeks of leave during any 12-month period. That 12-month period is defined as a "rolling" 12-month period measured backward from the date that an employee begins FMLA leave. In other words, the number of weeks that an employee has available upon the beginning of FMLA leave shall be 12 weeks less the number of FMLA leave weeks taken in the 12-month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee has taken eight weeks of FMLA leave during the past 12 months, an additional four weeks of leave could be taken when a second leave is requested. If an employee used four weeks beginning February 1, 2006, four weeks beginning June 1, 2006, and four weeks beginning December 1, 2006, the employee would not be entitled to any additional leave until February 1, 2007. Beginning on February 1, 2007, the employee would be entitled to four weeks of leave and on June 1, 2007, the employee would be entitled to four additional weeks.

FMLA leaves for the birth or placement for adoption or foster care of a child, as described in paragraphs A and B above, must be taken all at once unless otherwise agreed to by the Town. If medically necessary, FMLA leaves due to illness as described in paragraphs C and D above may be taken on an intermittent or reduced leave schedule. If FMLA leave is requested on this basis, however, the Town may require the employee to transfer temporarily to an alternative position that better accommodates periods of absence or a part-time schedule, provided that the position has equivalent pay and benefits.

If the employee on FMLA leave is an exempt employee and is among the highest paid ten percent of Town employees within a 75-mile radius and keeping the job open for the employee would result in substantial economic injury to the Town, reinstatement can be denied at the end of the leave period.

When an employee requests any leave of absence that qualifies as leave under the FMLA, the Town may designate such leave as FMLA leave upon written notification to the employee.

2. Substitution of Paid Leave for Unpaid Leave

In the case of leave for the birth or adoption of a child, or the serious health condition of a spouse, child or parent, an eligible employee must substitute any accrued leave time for any part of the unpaid leave provided for under the FMLA. In the case of the employee's own serious health condition, an eligible employee must substitute any accrued vacation leave and sick leave for any part of the unpaid leave provided for under the FMLA. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period. FMLA leave will run concurrently with other types of leave. Leave time and other benefits will not accrue while on unpaid leave.

3. Status of Employee Benefits

While on FMLA leave, employees may continue to participate in the Town's group health insurance in the same manner as employees not on FMLA leave. However, in the event of unpaid FMLA leave, an employee shall pay the Town for the employee's share of any medical and dental insurance premiums once per month in advance on the first day of each month. In the event that the employee elects not to return to work upon completion of FMLA leave, the Town may recover from the employee the cost of any payments to maintain the employee's medical and dental coverage, unless the employee's failure to return to work was for reasons beyond the employee's control.

Benefit entitlements will be calculated as of the last paid work day prior to the start of the leave of absence; an employee on leave will not accrue vacation or sick leave. At the end of authorized FMLA leave, an employee will be reinstated to his or her original position or a comparable position.

4. Basic Regulations and Conditions of Leave

The Town may require medical certification to support a claim for FMLA leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. For the employee's own medical leave, the certification must include a statement that the employee is unable to perform the functions of his or her position. For FMLA leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. At its discretion, the Town, at its own expense, may require a second medical opinion and periodic recertification at its own expense. If the first and second opinions differ, the Town may require the binding opinion of a third health care provider, approved jointly by the Town and the employee.

5. Notification and Reporting Requirements

When the need for a FMLA leave is foreseeable, such as the birth or adoption of a child, or planned medical treatment, the employee must provide reasonable prior notice and make efforts to schedule leave so as not to disrupt Town operations. In case of illness, the employee will be required to

report periodically on his or her FMLA leave status and intention to return to work. At the expiration of any FMLA leave due to the employee's own illness, the employee must present a written authorization from his or her doctor stating that the employee is ready to *return* to work.

6. Procedures

The following steps should be taken when seeking FMLA leave.

a) A Request for FMLA leave should be submitted to the Town Administrator. If possible, the form should be submitted 30 days in advance of the effective date of the FMLA leave.

b) All requests for FMLA leaves of absence due to illness should include the following information to be supplied by the treating medical provider:

   1. The date on which the serious health condition commenced;

   2. The probable duration of the condition (in the case of certification for intermittent FMLA leave or FMLA leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment must be stated);

   3. The appropriate medical facts within the knowledge of the health care provider regarding the condition;

   4. For purposes of FMLA leave for an employee's illness, the request must state that the employee is unable to perform the functions of his or her position;

   5. For purposes of FMLA leave to care for a child, spouse, or parent, the request should give an estimate of the amount of time that the employee is needed to provide such care.

7. Coordination with Other Town Policies

In the event of any conflicts between this policy and other Town policies, the provisions of this policy shall govern. The Family and Medical Leave Act contains many limitations and qualifications for entitlement and leave that are not stated herein. The terms of the FMLA are incorporated herein and will be applied in all instances of requested or designated FMLA leave.

8. Coordination with Maternity Leave

The Town provides employees with a leave of absence for the period of temporary physical disability resulting from childbirth and related medical conditions (see Maternity Leave at Section F, below). A maternity leave begins when an employee is medically determined to be disabled and ends when medically determined to be able to return to work.

Maternity disability will be treated in the same manner as a type D FMLA leave of absence (as outlined above in Section E, 1, General Provisions). The employee is required to exhaust accrued, unused sick and leave time before taking any unpaid leave. However, maternity leaves are not limited by any measure other than the period of medical disability. If a maternity disability is for the number of available FMLA leave weeks or less, the employee will be reinstated in accordance with this policy. If a maternity disability exceeds the available FMLA leave, the employee will be reinstated unless business necessity makes reinstatement impossible or unreasonable.

An employee who uses less than the available leave weeks for type D leave for maternity may take additional type A FMLA leave (as outlined in Section E, 1, General Provisions) after the end of the disability period for a period not to exceed the available leave weeks.

F. MATERNITY LEAVE

All female employees may take an unpaid leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, or related medical conditions. A maternity leave begins when an employee is medically determined to be disabled and ends when medically determined to be able to return to work. Employees will be required to take FMLA leave as set forth above, if they are eligible for such leave. In addition, employees will be required to exhaust unused accrued paid leave or sick time before taking any unpaid leave. Maternity Leave may be coordinated with short- and long-term disability programs.

When the employee is physically able to return to work, her original job or a comparable position will be made available to her unless business necessity makes this impossible or unreasonable. Employees who cannot be returned to their former or a comparable position remain eligible to apply for any available position with the Town. An employee on maternity leave should contact the Finance Officer to make arrangements for payment of health insurance premiums during her leave.

An employee on maternity leave who states that she will not be returning to work will be considered to have resigned as of the date that her leave began. In that event, the Town may recover from the employee the cost of any payments to maintain the employee's medical and dental coverage, unless the employee's failure to return to work was for reasons beyond the employee's control.

G. MILITARY LEAVE

It is the Town's policy to grant leaves of absence without pay to full-time and part-time employees who enlist, are drafted, or are recalled to active service in the Armed Forces of the United States. Employees serving in the military reserve will receive the required time off to complete their training and drill obligations. Full-time and regular part-time employees who serve in the National Guard will be paid for regularly scheduled work during their absence for required training and drill obligations, up two weeks a year and one weekend per month. However, payment received by the National Guard should be reported to the Town and will be deducted from the employee's pay. This information will be made a part of the employee's personnel record.

Employees on military leave will not accrue vacation or sick days while on leave. Employees who return from military leave may choose to make retroactive contributions to their retirement accounts, but are not required to do so.

The Town will abide by all of the provisions of the Uniformed Services Employment Reemployment Rights Act (USERRA) and any other applicable law regarding military leave.

H. CRIME VICTIM EMPLOYMENT LEAVE

The New Hampshire Crime Victim Employment Leave Act, N.H. RSA 275:61, became effective on January 1, 2006. The Town complies with this law.

1. Definitions: For purposes of this policy:

a. "Crime" means an offense designated by law as a felony or a misdemeanor.

b. "Victim" means any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or the attempted commission of a crime. "Victim" also includes the immediate family of any victim who is a minor or who is incompetent, or the immediate family of a homicide victim.

c. "Immediate family" means the father, mother, stepparent, child, stepchild, sibling, spouse, grandparent, or legal guardian of the victim; or any person involved in an intimate relationship and residing in the same household with the victim.

2. Right to Leave Work: The Town will permit an employee who is a victim of a crime to leave work so that the employee may attend court or other legal or investigative proceedings associated with the prosecution of the crime. This time will be considered an authorized unpaid leave of absence. The employee will not lose seniority while taking this leave.

3. Substitution of Paid Leave: The employee may substitute any accrued leave time and/or sick leave for any part of the unpaid leave provided for under this policy. This time will not count towards the calculation of overtime pay.

4. Notice Required: Before taking leave under this policy, the employee must provide the Finance Officer with a copy of the notice of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency responsible for providing notice to the employee. The Finance Officer will maintain the confidentiality of any written documents or records submitted by the employee relative to the employee's request for leave under this policy.

5. Limitations on Leave: The Town may limit the leave provided under this policy if the employee's leave creates an undue hardship to the Town's operations.

6. No Discrimination: The Town will not discharge, threaten, or otherwise discriminate against any employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee has exercised his or her right to leave work as provided under this policy. Complaints of discrimination should immediately be brought to the attention of the Finance Officer or Town Administrator. Complaints of discrimination will be investigated and, if appropriate, remedial action will be taken.

I. BEREAVEMENT LEAVE

In the event of the death of a member of an employee's immediate family, the Town will provide up to three days off. Full-time and regular part-time employees will be paid at their regular rate of pay for their regular schedule on the days taken. Part-time employees and temporary employees will take the time without pay. "Immediate family" includes spouse or domestic partner, children, step-children, parents, brothers, sisters, step-parents, step-brothers, step-sisters, mother-in-law, father-in-law, grandparents, and grandchildren of the employee.

Additional unpaid time off due to bereavement may be granted for a specified and limited period of time with the approval of the Department Head and Town Administrator. Employees must demonstrate the need for such additional bereavement leave.

In the event that an employee is on paid leave at the time of the death of the relative, the employee may replace such paid leave with bereavement leave. Paid bereavement leave does not count toward the calculation of overtime pay.

The Town Administrator can provide additional information about bereavement leave.

J. JURY DUTY

The Town considers it a civic duty to serve on a jury if summoned and will grant employees leave in order to do so. Full-time and regular part-time employees summoned for jury duty will be paid the difference between their regular rate of pay and the pay provided by the government for jury service. Jury duty leave for part-time and temporary employees will be unpaid.

Employees must show their jury summons to the Department Head as soon as it is received. In order to receive jury duty pay, an employee will be required to furnish the Finance Officer with copies of the checks that he or she received for jury duty pay.

While serving on a jury, employees are expected to call the Department Head daily to advise of their status. In addition, employees are expected to return to the job if they are excused from jury duty during regular working hours. Jury Duty pay will not count towards the calculation of overtime pay.

K. TRAINING, EDUCATION & EDUCATIONAL ASSISTANCE

The Town recognizes the importance of training, workshops, seminars and other types of education for its employees. Employees will be paid at their regular rate of pay for time spent at seminars, training or educational sessions that are required as part of their job with the Town and that are approved in advance by the Department Head. Such training is considered time worked for calculating overtime pay. Employees are encouraged to discuss training or educational opportunities with their Department Head.

Educational Assistance/Tuition Reimbursement: The Town also offers educational assistance to encourage personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within the Town. The Town will provide educational assistance to full-time employees who have completed at least six months of employment with the Town. To maintain eligibility employees must remain on the active payroll and be performing their job satisfactorily through completion of each course.

Individual courses or courses that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable future position in the organization in order to be eligible for educational assistance. The Board of Selectmen has the sole discretion to determine whether a course relates to an employee's current job duties or a foreseeable future position. Employees should contact the Finance Officer for more information or questions about educational assistance.

Attendance Requirements: Workshops, institutes or short-term courses that are relevant to the employee's job but are voluntary on the employee's part and are not required as part of his/her job generally must be scheduled outside an employee's established work hours unless agreed upon by the employee's Department Head. At the discretion of the Department Head, an employee may be

granted unpaid time off to attend such courses. In addition, any coursework for which an employee seeks tuition reimbursement must be performed on the employee's own time.

Criteria for Eligibility for Tuition Reimbursement: All courses must be offered by an accredited educational institution. Approval for each class is required by the Department Head or Town Administrator and Board of Selectmen (for the employee's benefit, the employee should seek approval prior to registering for the class). Online courses from an accredited NH institution may be approved, as long as the student can document no fewer than 30 hours of online instruction and/or discussion boards. The maximum allowable classes per calendar year is two, dependent on prior approval and the availability of funds. The employee must pay for the class in advance. In an effort to encourage academic excellence, the Town provides reimbursement based on performance as follows based on GPA and the availability of funds:

Course Grade	% Reimbursed	Maximum Reimbursement
A+ - A- (4.0 to 3.7 GPA)	80%	$1000
B+ - B- (3.3 to 2.7 GPA)	50%	$750
C+ - C (2.3 to 2.0 GPA)	25%	$250

While educational assistance is expected to enhance employee performance and professional abilities, the Town cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases. The Town invests in educational assistance to employees with the expectation that the investment be returned through enhanced job performance. However, if an employee voluntarily separates from the Town's employment within one year of the last educational assistance payment, the amount of the payment will be considered only a loan, and the employee will be required to repay up to 50 percent of the original educational assistance payment on a pro-rated basis as listed below:

Time between separation	Percent Repayment Due
1 Month	80 Percent
2-4 Months	65 Percent
4-6 Months	50 Percent
6-8 Months	25 Percent
8-12 Months	10 Percent

L. HEALTH AND DENTAL INSURANCE

The benefits described herein are those offered by the Town at the time this policy was adopted and the benefits and eligibility requirements may be subject to change. The Town currently provides health and dental insurance coverage to full-time employees who have met the eligibility requirements of the insurance plan. Coverage for an eligible employee's spouse, domestic partner, and dependent children is also available upon application. Regular part-time employees are eligible to receive health and dental insurance coverage through the Town's insurer, provided that the employee pays 100% of the cost of such coverage. Part-time employees and temporary employees are not eligible for coverage by the Town's health and dental insurance plan and do not receive compensation to make up for the lack of coverage.

The Town shares the cost of the insurance coverage with its employees. Employees may pay their share of the insurance premiums with pre-tax deductions from their paychecks.

The Town recognizes that some employees have the option of obtaining health insurance elsewhere, such as through a spouse's plan. Therefore, the Town offers such full-time employees a cash payment in lieu of insurance. At the time this policy was approved, the Town offers employees a cash payment of 50% of the cost of the policy that the employee would receive if he or she were covered by the Town. For example, if an employee has eligible dependents and qualifies for family coverage, but the employee and dependents are able to obtain that coverage from another source, the Town will pay 50% of the family coverage premium. If the employee receives single coverage and opts to go onto the spouse's plan, the employee will receive reimbursement for 50% of the cost of the single plan that the employee had received.

In order to qualify for the buyout program, the following requirements apply:

1. Employees must provide proof of coverage in another health insurance plan for themselves, and their spouse and dependents if applicable. Employees are prohibited from declining Town-provided health insurance for themselves or their spouse or dependent children when no other health insurance coverage is in effect for the employee, spouse and/or dependent children.

2. If the employee and spouse are eligible for health insurance coverage under any other plan for which the Town also pays the premiums (such as two Town employees married to each other), the employee is not permitted to "double dip." For example, a married couple employed by the Town each has the right to take a single person plan if they so choose, or one may decline health insurance while the other elects to take two-person or family coverage. In this case, the declining employee shall not be eligible for the cash buyout, as the Town will receive no cost savings.

3. If the employee's alternative coverage is lost at any point, the employee may return to the Town's plan on the first of the month following the loss of coverage.

Please contact the Finance Officer to apply for payment in lieu of insurance or for general information about health and dental insurance coverage.

Falsification of other insurance coverage to obtain a payment in lieu of insurance or failure to notify the Finance Officer immediately when other insurance eligibility ceases may result in disciplinary action. Falsification of information about a spouse or dependent children in order to obtain insurance coverage for them may also result in disciplinary action.

M. CONTINUATION OF GROUP HEALTH INSURANCE

The Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage at group rates in certain instances where coverage under the plan otherwise would end, such as termination of employment or a spouse or dependents loss of eligibility. Under COBRA, the employee, spouse or dependent children pay the full cost of the Town group insurance rates plus an administrative fee. The Finance Officer can provide more details regarding COBRA.

N. RETIREMENT PLAN

All permanent full-time employees are covered by the New Hampshire Retirement System and as such, participation is mandatory for all eligible personnel. NHRS requires that police employees (Group II) have 11.55% of their salaries deducted and fire department employees (Group II) have

11.8% of their salaries deducted from their paycheck and deposited into the retirement program. All other eligible employees (Group I) have 7% of their salary paid into the retirement system.

The Town is required to contribute to the employee's retirement fund. The required employer contribution for Group I is 8.8%; for police (Group II) is 19.95%; and for fire (Group II) is 22.89%. Employees participating will become vested after 10 years of employment.

Please contact the Finance Officer or the New Hampshire Retirement System for information regarding the retirement plan and eligibility for retirement.

SUCCESSION PLANNING: For the purposes of succession planning, budgeting, and smooth transitions, and to remove any ambiguity, the Town requests (but does not require) Department Heads who are planning to terminate the employment relationship to notify the Board of Selectmen of their intentions at least six months prior to the employee's intended separation date, if possible. Advance notification will provide the following benefits:

1. Allow the Town to prioritize short and long-term goals and objectives;
2. Allow the Town to review the needs of the position and look at internal and external candidate potential;
3. Allow the Town to develop a replacement or recruitment plan, including training;
4. Allow staff to participate in the decisions regarding future needs of the department.

In certain cases, the Board of Selectmen may ask an employee for a contractual commitment to work until the separation date. In the absence of a contract, the at-will status of the employee will not be altered by giving such prior notice.

P. LIFE AND DISABILITY INSURANCE

Life insurance is provided to full-time employees for the equivalent of their regular annual earnings; both short and long-term disability insurance are provided to full-time employees. Life insurance coverage at lesser amounts is also provided to the employee's spouse and dependent children. In addition, both short and long-term disability insurance are provided to full-time employees.

The Finance Officer can provide additional information about these plans.

Q. WORKERS' COMPENSATION

The Town covers all employees for Workers' Compensation insurance that provides income continuation and payment of medical expenses in the case of an occupational injury or illness.

If an injury occurs, the employee should seek immediate medical assistance, if required.

The Town is required by law to report all occupational injuries and illnesses to state of New Hampshire. Therefore, employees are *required* to immediately report all work-related injuries or illnesses, *no matter how minor,* to the Department Head and the Finance Officer. The Finance Officer will initiate the appropriate paperwork. The Town asks for employee assistance in alerting the Town to any condition that could lead or contribute to an employee accident.

Employees with work-related injuries or illnesses are entitled to temporary alternative duty in accordance with the New Hampshire Workers' Compensation law.

R. OTHER BENEFITS

The Town also currently provides the following benefits:

1. Deferred Compensation Section 125 ("flex") spending accounts for full-time employees. These spending accounts allow eligible employees to set aside pre-tax earnings to be used for reimbursement of qualified health and prescription expenses not covered by insurance (including co-pays) and dependent care expenses.
2. Discounted memberships at Hogan Sports Center at Colby-Sawyer College are offered to full-time and part-time employees.
3. Employees who are not residents of New London may receive a Tracy Memorial Library card and a New London Town Beach permit (these benefits are already allowed to New London residents).

V. ON THE JOB

A. ATTENDANCE

Every employee is a valuable and contributing member of the Town, and regular attendance, subject to the Town's ADA and FMLA policies, is important to the Town's success and efficiency. The Town must be able to depend on employees to be at work as scheduled.

Excessive absence, unexcused absence, reporting to work late, and quitting early are all grounds for disciplinary action, including termination of employment.

- An employee who expects to be absent from or late for work must contact the Department Head by telephone *as soon as it is known* and no later than his/her scheduled starting time to explain the reason for the absence or tardiness. An employee who fails to call in on a timely basis may be subject to discipline up to and including termination of employment.
- Employees who are not able to report for work due to illness or injury must contact the Department Head on a daily basis about the status of their absence unless they are directed to report on a different basis. Reporting absence to any employee other than the Department Head (unless directed to report to another person) will not be accepted as compliance with the reporting requirement.
- If an employee is absent due to illness or injury, the Town, at its discretion, may request a written statement from a healthcare provider indicating that the employee is unable to work due to the illness or injury.
- If an employee is absent from work due to illness or injury for three consecutive work days, the Town, at its discretion, may require certification from a healthcare provider that the employee is able to *return* to work.
- If an employee fails to report to work without calling in to the Department Head for three consecutive work days, the employee will be considered to have voluntarily resigned from employment the Town effective with the first day of absence.

Notwithstanding the above guidelines, each Department Head may require more or less notice for absence. Employees are advised to ask Department Heads for any exceptions to this provision.

B. CONFIDENTIALITY

Employees are expected to respect the confidentiality of information received during the course of their employment with the Town. Divulging confidential information to unauthorized parties is considered a serious infraction and may result in disciplinary action, including termination of employment. If an employee has any questions about the confidentiality of information, please see the Department Head or Town Administrator.

C. PERFORMANCE APPRAISALS

The Town requires written performance appraisals of its full-time employees and part-time employees who are scheduled to work 15 or more hours per week. This appraisal process is an opportunity for the Department Head and the employee to discuss performance of job duties, areas for growth and development, and objectives for the future.

1. New employees will receive a performance appraisal approximately six months following hire;
2. Employees who are promoted or transferred to a new position will also receive a performance appraisal approximately six months following the job change;
3. After the initial six-month review, employees will receive a performance appraisal on an annual basis, usually by October 1 of each calendar year.

The Department Head will complete a performance appraisal form and will discuss it with the employee (in the case of the Department Head, the Town Administrator will complete an appraisal form). This discussion will give the employee the opportunity to understand the expectations of his/her position; how well the job is being performed; the employee's strengths and areas in which to improve and develop; and objectives for the future. Employees will have the opportunity to comment on and sign the performance appraisal form. An employee's signature on the performance appraisal form indicates that he or she has seen the appraisal, but does not indicate agreement or disagreement with the content of the review.

Following the performance review, the Department Head will submit one copy of the completed appraisal form to the Town Administrator and one copy to the Finance Officer for the employee's personnel file.

Since job performance is an ongoing process, Department Heads are encouraged to discuss job performance issues and objectives with employees on a regular basis, not just during the annual review.

A performance appraisal is not a contract or a commitment to provide a compensation adjustment, a bonus, or continued employment. Appraisals are only one of several factors that the Town uses in connection with compensation, promotion, and retention decisions.

D. PROMOTIONS, TRANSFERS & JOB POSTINGS

Although not legally required, in an effort to inform employees about promotion and transfer opportunities, the Town announces vacancies for open positions by sending a notice to the Department Heads and posting open positions on bulletin boards in Town buildings. Notices are distributed one week before the job is advertised to the general public. The job posting will contain the job title and description, job requirements, starting pay and procedures for applying for the open position.

Every effort is made to place employees in jobs that are best suited to their abilities. The Town reserves the right to recruit and hire employees from outside in addition to considering the transfer or promotion of Town employees.

Employees may obtain additional information about open positions and request consideration for any opening by contacting the Department Head. The Board of Selectmen has final approval of all transfers and promotions.

If a transfer or promotion is granted, the employee's pay rate in the new position will be determined at the time of the transfer or promotion based upon the employee's qualifications, experience, job performance, and other considerations within the discretion of the Town.

Employees will receive a written performance appraisal after six months in a new position. After that, written performance appraisals will typically be conducted on an annual basis as described above.

E. PERSONNEL RECORDS

The Finance Officer must be notified immediately when there are any changes in an employee's name, address, telephone number, marital status, dependents and/or beneficiaries.

The Town maintains personnel records containing job-related information on all employees in compliance with state and federal laws and to maintain a record of employee progress. Personnel records are kept by the Finance Officer, and copies of any personnel-related documentation must be copied to the Finance Officer within seven days. The only departments that may maintain additional personnel records are the Police and Fire Departments, which may maintain files of background information on Police and Communications Department employees and Fire Department personnel. The personnel file is a continuous record of information relative to an individual's employment.

An employee may inspect his or her own personnel file during regular office hours upon reasonable request. However, an employee may not be permitted to review his or her personnel file if he or she is subject to a criminal investigation at the time of the request and disclosure of such information would prejudice law enforcement.

1. File inspection must be done on the employee's own time, and must be arranged in advance through the Finance Officer.
2. An employee may read his or her personnel file but may not remove any portion of the file.
3. Upon request, employees will be provided with a copy of all or a part of their personnel file.

An employee who disagrees with any of the information contained in the file may submit a written statement explaining his or her version of the information together with any evidence supporting that version. The Town will maintain the statement as part of the employee's personnel file and will include the statement in any transmittal of the file to a third party.

F. ETHICS, CONDUCT, AND CONFLICT OF INTEREST

The successful operation and reputation of the Town is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the Town is dependent upon our citizens' trust and we are dedicated to earning and preserving that trust. Employees owe a duty to the Town, its citizens, and taxpayers to act in a way that will merit the continued trust and confidence of the public. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with the Department Head and, if necessary, with the Town Administrator for advice and consultation.

Employees are required to refrain from engaging in any activities that create a conflict of interest or even the appearance of a conflict of interest. Examples of conduct and behavior that would violate this policy include, but are not limited to, the following:

- Investment in any of the Town's vendors or suppliers (unless the securities are publicly traded and the investments are on the same terms available to the general public and not based on any inside information), or any financial interest in a vendor or supplier that could cause divided loyalty or even the appearance of divided loyalty.
- Receipt of any gifts or favors from any members of the public, vendors, or suppliers.
- Use of Town funds, assets, or other resources for any personal benefit or unlawful goal or purpose either directly or indirectly.
- Award of bids or contracts to family members or friends without conducting open bidding process.

Compliance with this policy of business ethics and conduct is the responsibility of every employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

Employees are expected to direct questions about these guidelines to the Department Head or Town Administrator prior to engaging in any activity or conduct that could violate this policy.

G. COMPUTERS, TELEPHONE AND ELECTRONIC EQUIPMENT POLICY

The Town provides computers and software ("computers"), telephonic communication systems ("telephones"), and other electronic equipment, including but not limited to facsimile machines and photocopiers, to its employees to conduct Town business.

Computers, telephones and electronic equipment are the property of the Town and may only be used for the business purposes of the Town. Occasional, limited, appropriate personal use of Town equipment is permitted provided that the use is legal; does not interfere with the employee's work performance or with any other employee's work performance; does not have undue impact on the operation of the equipment; or violate any other provision of this policy or any other policy, guideline, or standard of the Town. Employees who use the telephone or other equipment for long-distance calls will be expected to reimburse the Town for the cost of those calls.

At all times, users have the responsibility to use computers, telephones and electronic equipment in a professional, ethical, and lawful manner. Personal use of this Town equipment is a privilege that may be revoked at any time. Any questions about use of this equipment should be directed to the Town Administrator.

Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

1. Computer Resources Policy

This policy is intended to minimize computer downtime; protect the security and integrity of the data stored on the Town's computers; insure that all software installed on the Town's computers complies fully with the terms and conditions of any applicable software licenses; and promote

proper and cost-effective utilization of the Town's human and technological resources. For the purpose of this policy:

1. The term "computer resources" shall mean any portions of the Town's computer network, wherever they may be located. Computer resources include but are not limited to networked computers, servers, stand-alone computers, laptops, software, data files and all internal and external communication services.

2. The term "users" refers to all employees, contractors, consultants, vendors, temporary workers or other persons who use Town computer resources

3. The term "non-Town software" shall mean any application software for which the ownership or license is held by any entity other than the Town.

Unless otherwise authorized by the Town Administrator, access to software applications loaded on the Town computers is restricted to Town personnel or contractors only.

2. No Expectation of Privacy

Computers, telephones and electronic equipment purchased by the Town or received through gifts or grants are Town property. Additionally, all information sent or received on any or all of these electronic systems is and remains the property of the Town and are not the private property of any employee. Employees should not have an expectation of privacy in anything created, stored, sent or received on Town equipment, even if that equipment is used at home or away from the employee's primary work location.

To ensure that the use of computers, telephones and electronic equipment is consistent with the Town's legitimate business interests, the Department Head, Town Administrator, or authorized representatives of the Town may monitor the use of such equipment from time to time. This may include but is not limited to monitoring sites visited by employees on the Internet, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded by users to the Internet or other computer resources, and reviewing e-mail or voice mail sent and received by users.

Employees are not permitted to create or use a pass code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from the Department Head or Town Administrator. All pass codes are the property of the Town and must be registered with the Department Head or Town Administrator. Employees may not use a pass code or voice-mail access code that has not been issued to them or that is unknown to the Town. In addition, use of passwords to gain access to any system does not imply that users have an expectation of privacy in the material they create or receive on Town equipment.

The Town may conduct a periodic inspection and/or inventory of computers, telephones and electronic equipment. Such monitoring will be conducted by the Town Administrator, Department Head, or private contractor hired for such purpose.

3. Use of E-mail and Voice Mail

Use of Town e-mail and voice mail is based on common sense, common decency, and civility applied to the electronic communications environment. It is anticipated that the Town e-mail and voice mail services will be utilized primarily to facilitate the delivery of services to those doing

business with the Town, and to assist in the day-to-day operation of the Town. It is expected that employees who have e-mail and voicemail will access those services at least daily, when possible.

Unacceptable uses of Town e-mail and voicemail include, but are not limited to, the following:

a) Use for unauthorized transmission of highly confidential or sensitive Town or proprietary material outside of the office.

b) Use for any business or commercial purposes other than the Town's delivery of services to its customers.

c) Misrepresenting an employee's identity or affiliation or using someone else's identity and/or password to send or receive messages without the express permission of that user.

d) Sending harassing, intimidating, abusive or offensive material to, or about, others.

e) Receiving or transmitting sexually explicit material of any type.

f) Intercepting, disrupting or altering electronic communications messages or data packets.

g) Posting unauthorized newsgroup or bulletin board messages on behalf of the Town.

h) Storing or downloading personal photos.

i) Causing, directly or indirectly, excessive strain on the computer or telephone system or unwarranted or unsolicited interference with others' use of these systems. Such activities include, but are not limited to, the following:

- Sending or forwarding e-mail chain letters;
- Sending "spam." That is, to exploit list servers or similar broadcast systems for purposes beyond their intended scope to amplify the widespread distribution of unsolicited e-mail;
- Sending "letter-bombs." That is, to resend the same e-mail repeatedly to one or more recipients, typically with the purpose of interfering with the recipient's use of e-mail.
- Using e-mail for any purpose that violates federal or state laws

4. Use of the Internet

The Town maintains a connection to the Internet including access to the World Wide Web, newsgroups, File Transfer Protocol (FTP), and other services. These, and all other services that can be obtained using the Internet, are collectively referred to below as "Internet access." Internet access is provided by the Town to assist in the conduct of business. The following policies apply to the use of this Internet connection:

a) Internet access is reserved for the conduct of Town business with the exception of occasional off-duty personal use.

b) Internet access may not be used for personal business ventures or to solicit or proselytize for religious or political causes, outside organizations, or other non-job-related solicitations (the use for work-related membership organizations is allowed).

c) Internet access may not be used for selling or buying personal items.

d) Internet access may not be used for on-line games, such as Hearts, Poker, and other interactive and non-interactive games.

e) Internet access may not be used to send or receive offensive or disruptive information, including information that contains sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses such areas as someone's age, sexual orientation, religious or political beliefs, national origin, or disability.

f) Internet access shall not be used to send, upload, receive, or download copyrighted material, trade secrets, proprietary information, or similar material without prior authorization.

g) Software downloaded using Internet access cannot be installed on Town hardware without prior permission of the Town Administrator.

h) The Town reserves and intends to exercise the rights to review, audit, intercept, access and disclose information received or sent using Internet access for any purpose.

i) Certain types of Internet access, such as newsgroups, can generate excessive traffic on Town hardware that could overburden this equipment. The use of these types of Internet access should be limited to Town business only. Participation in non-professional newsgroups, chat rooms and forums using the Town's Internet access is prohibited.

5. Use of Non-Town Software

The installation and use of non-Town-owned software can pose a number of serious threats to the Town's computer resources, including the loss of data resulting from computer viruses; the loss of employee time or Town expense spent diagnosing and correcting problems created by computer viruses; the loss of employee time or Town expense spent diagnosing and correcting problems created by the installation of software that is incompatible with the Town's existing software; and the loss of employee time resulting from inappropriate use of game software.
In order to minimize these risks, and to maximize the overall utility of the Town's investment in computer technology, the following policy applies:

a) No non-Town software, including software downloaded from the Internet or via e-mail, will be installed on any Town computers without the authorization of the Town Administrator.

b) Prior to installing any non-Town software, the Town Administrator will determine whether the software has a valid application to the performance of Town business.

c) Prior to installing any non-Town software, it is the responsibility of the department installing the software to ensure that a virus check is performed on the incoming software and to report such in writing to the Town Administrator.

d) No non-Town software will be installed from any medium other than the original distribution diskettes or CDs provided by the software vendor.

e) After consultation with the users, any unauthorized non-Town software discovered on Town computers or servers will be removed.

f) The installation and/or use of game software on Town computers is prohibited.

g) The installation of games that can be played over the internet or network and that allow multiple interactive players (such as *Doom* and *Nukem*) is prohibited.

6. Use of Mobile Electronic Devices While Driving

The Town requires employees to conform to the prohibitions defined in New Hampshire RSA 265:79-c of state law RSA 265:79-c Use of Mobile Electronic Devices While Driving; Prohibited, as provided below, in pertinent part: (employees are encouraged to review the law in its entirety to understand state penalties that might be applicable).

a.) No Use of Hand-held Devices While Driving

1. No person, while driving a moving motor vehicle upon a way or temporarily halted in traffic for a traffic control device or other momentary delay, shall use any hand-held mobile electronic device capable of providing voice or data communication, including but not limited to: reading, composing, viewing, or posting any electronic message; or initiating, receiving, or conducting a conversation; or initiating a command or request to access the Internet; or inputting information into a global positioning system or navigation device; or manually typing data into any other portable electronic device. An operator of a motor vehicle who holds a cellular telephone or other electronic device capable of voice communication in the immediate proximity of his or her ear while such vehicle is in motion is presumed to be engaging in a call within the meaning of this section.

2. "Driving," for the purposes of this section, shall not include when a person is behind the controls of a vehicle that has pulled to the side of or off the road at a location where it is legal to do so and where the vehicle remains stationary.

3. "Motor vehicle" is not limited to cars and trucks, but shall include all forms of motorized, moveable equipment that is driven or operated.

b). It shall not be a violation for any person driving a motor vehicle:

1. To make use of a cellular telephone or other electronic device capable of voice communication to report an emergency to the enhanced 911 system or directly to a law enforcement agency, fire department, or emergency medical provider.

2. To use one hand to transmit or receive messages on any non-cellular 2-way radio.

3. To use a Bluetooth enabled or other hands-free electronic device, or a similar device that is physically or electronically integrated into a motor vehicle, for such a purpose to send or receive information provided the driver does not have to divert his or her attention from the road ahead. As used in this section, "hands-free electronic device" means a mobile electronic device that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such mobile electronic device, by which a user engages in conversation without the use of either hand; provided, however, this definition shall not preclude the use of either hand merely to activate, deactivate, or initiate a function of the telephone.

c.) No person less than 18 years of age shall use a cellular or mobile telephone or other mobile electronic device, whether hands-free or not, while driving a motor vehicle in motion or

temporarily stopped in traffic upon any way, except to report an emergency to the enhanced 911 system or any public safety agency.

Employees who violate this policy are subject to disciplinary action, up to and including termination.

H. SOLICITATIONS

"Solicitation" is defined as requests for contributions, donations, raffles, lotteries, membership in organizations, attendance at events, or other similar conduct. The Town does not permit solicitation by employees during working time, unless first approved by the Town Administrator. "Working time" is defined as time during which employees are scheduled to be on the job, except for break periods, meal times, or time before or after work hours. Employees may leave information regarding charitable or social events in common areas for coworkers to review on their own time. This rule applies to solicitation for both charitable and non-charitable causes.

Individuals not employed by the Town are prohibited from distributing materials or soliciting employees on Town premises at any time, unless authorized in advance by the Town Administrator.

I. TOWN PROPERTY

Town property of any type or value may not be used or removed from Town premises without authorization of the Department Head or Town Administrator and without following department policy. All Town keys, equipment, memoranda, records, communications, computer data, disks, or other documents made or compiled by an employee or made available to an employee in connection with the business of the Town shall be delivered to the Town promptly upon termination of employment or at any other time upon request.

Town issued equipment such as uniforms, turnout gear, laptops, and firearms may not be used for personal use. Town buildings and tools may not be used for personal use without prior Department Head approval.

J. PERSONAL APPEARANCE

Discretion in style of dress, grooming, cleanliness, and behavior is extremely important to the Town, and employees are expected to use good judgment in their appearance to best represent themselves and the Town. Employees are required to dress in attire that is safe and appropriate for their position and, in some instances, may be required uniforms. For office positions in which uniforms are not standard, a minimum of business casual dress is acceptable. Jeans and shorts are not allowed, nor is any attire exposing the midriff. For outdoor active work, work clothing must be in good repair, must not be so loose as to be caught by machinery or equipment, must meet safety requirements, and must not display inappropriate language or graphics.

Any questions regarding appropriate dress for a particular department should be directed to the Department Head. If the Department Head decides that your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work.

<u>Required Clothing</u>: The following Town-issued clothing is required for the following departments:

- Police Department: Employees must wear Police Department uniform with associated equipment. Other clothing, such as shirts and ties for court or other functions, are not required uniforms but may be appropriate professional attire.
- Highway Department: Employees must wear steel toed boots, dark gray or dark blue work pants, dark gray, navy blue or red work shirts, and t-shirts. Employees must wear chaps and other department-issued protective equipment when operating chainsaws. Employees may not wear town-issued clothing on personal time, except in traveling to and from work assignments.
- Fire Department: Employees must wear navy blue pants and shirts and sweatshirts identifying the New London Fire Department. Employees may also be issued turnout gear for emergency response. Officers and firefighters may also be issued dress uniforms for special events. Employees may not wear town-issued clothing on personal time, except in traveling to and from work assignments.

K. BULLETIN BOARDS

Bulletin boards are maintained within Town buildings to bring provide important information about federal and state regulations, safety and health, Town policies, job openings and other announcements. No notices, posters or other material may be displayed on these bulletin boards without the approval of the Department Head. Employees are urged to check these boards daily. Failure to read bulletins will not serve as an excuse for violation of posted policies.

VI. STANDARDS OF CONDUCT AND DISCIPLINARY PROCEDURES

The Town is proud of its employees and the manner in which they conduct themselves. The Town relies on its employees' good judgment and sense of responsibility. However, for the protection of its property and other employees, the Town has established certain rules of conduct that must be followed at all times. The Town has the right to terminate employment without cause or notice.

A. STANDARDS OF CONDUCT

There are certain standards of common honesty and decent behavior that all employees are expected to follow in the interest of consistency and harmony and to support the objectives and mission of the Town. Although no list of rules can be all inclusive, the following areas are described to give employees an example of certain behaviors that are clearly prohibited and that can result in disciplinary action, up to and including termination of employment. Particular disciplinary action to be taken in any specific instance will depend on a review of all factors involved and the employee's employment record.

1. Absence and Lateness: Absence and lateness without good reason; failure to report when absent; overstaying allotted break time; excessive or unexcused absences; three consecutive days of absence without calling in.[8]

2. Attitude: Abusive language; creating any type of disturbance; complaining in front of visitors; being uncooperative; abuse or neglect of visitors or residents; abuse, neglect, or intentional destruction of Town property.

3. Confidentiality: Disclosure of confidential information.

4. Crime: Conviction of a crime that adversely impacts the employee's position with the Town.

5. Dishonesty: Dishonesty to a coworker, resident, visitor, or the Town; falsification of time sheets or records; engaging in actions that create a conflict of interest.

6. Employee Relations: Abusive or profane language to another employee; intentional destruction of another employee's personal possessions; threatening bodily harm, intent to strike, and/or striking another employee; creating a disturbance; causing dissension among employees.

7. Falsification of Records: Making a false statement on the application form; falsifying Town and employment records.

8. Graft: Accepting cash, gifts, or other valuable items in exchange for special favors.

9. Incompetence/Neglect of Duty/Unsatisfactory Performance: Repetition of avoidable mistakes to a point that the mistakes demonstrate the inability to perform designated tasks or a willful disregard for the Town's interest. Negligence in the performance of duties. Failure to demonstrate the requisite skill or abilities to satisfactorily perform the duties of the job.

[8] Subject to the Town's ADA and FMLA policies.

10. Insubordination: Acting in an insubordinate manner toward any supervisor or any other directive of the Town; violation of official order; refusal to carry out lawful and reasonable directions given by a supervisor.

11. Intoxicants: Bringing, possessing, or using alcoholic beverages or illegal drugs on Town property or while on the job; being under the influence of or testing positive for these substances during working hours.

12. Safety: Violation of safety regulations (Joint Loss Management Policy), safety standards, or endangering the health or safety of the employee or other persons; causing hazardous or dangerous situations; failure to report such situations or remedy them where appropriate.

13. Sexual or Other Unlawful Harassment or Discrimination: Discrimination, sexual or other unlawful harassment, and inappropriate conduct in violation of Town policies.

14. Telephone, Facsimile, Computer, E-Mail, Copier: Use of a Town computer, telephone, facsimile, e-mail, or copier in violation of Town policy.

15. Theft or Destruction of Property: The theft or negligent or intentional destruction of any Town property or the personal property of another, such as a coworker or vendor.

16. Weapons: Possession of any kind of weapons in the workplace (unless authorized by law or as a public safety officer). Inappropriate display or inappropriate behavior with weapons on Town property.

B. DISCIPLINE

The Town has the right to terminate employment without cause or notice. It is the policy of the Town to take disciplinary action whenever an employee violates a rule, regulation, endangers the safety of others, or performs unsatisfactorily. In each instance, the disciplinary action taken will be just and in proportion to the seriousness of the violation. Generally, there are four types of discipline used by the Town: verbal warning (with documentation), written warning, suspension, and dismissal. If circumstances warrant, the Town may skip or repeat steps in the progressive discipline system. Progressive discipline does not prevent the Town from placing any employee on paid or unpaid administrative leave on a temporary basis.

C. ALCOHOL AND DRUG FREE WORKPLACE POLICY

The Federal Drug Free Workplace Act of 1988 provides for a safe and productive work environment that is free from impaired performance caused by employee use or abuse of alcohol, controlled substances, and/or medication.

The following rules apply to all employees:

1. No employee shall unlawfully manufacture, dispense, possess, use, or distribute any controlled substance, medication, or alcohol.

2. Any employee convicted under a federal or state statute regulating controlled substances shall notify the Town Administrator within five days after the conviction.

3. Employees are prohibited from consuming alcoholic beverages immediately before work, during work hours, or while at work during breaks or lunches.

4. Employees are prohibited from operating a motor vehicle or any Town equipment under the impairment of alcohol.
5. No employee shall be impaired by alcohol, illegal drugs, or medication during work hours.
6. No employee shall represent the Town of New London in an official capacity while impaired by alcohol, illegal drugs, or medication.
7. No employee using medication that may impair performance shall operate a motor vehicle or engage in safety sensitive functions while on duty for the Town.
8. If an employee is using prescription or non-prescription medication that may impair the ability to safely perform her/his duties, the employee shall report that fact to the Department Head.
9. An employee who has reason to believe that the performance of another employee is impaired by alcohol, illegal drugs, and/or medication shall immediately notify the Department Head or Town Administrator.

Because of the serious nature of illegal use or abuse of alcohol, controlled substances, and/or medication, violations of this policy will lead to appropriate disciplinary action, up to and including termination of employment. For some employees, drug testing may be required to comply with special licensing requirements, such as the Commercial Driver's License (CDL).

In addition, certain Town employees who operate Town vehicles may be subject to drug testing in accordance with federal and state law. Questions concerning this policy should be directed to the Town Administrator or Finance Officer.

D. USE OF TOBACCO POLICY

The Town is committed to providing a safe, healthy, and tobacco-free work environment. Consistent with the Town's commitment and state law, no smoking or use of tobacco products is allowed in any areas of Town buildings or in Town vehicles.

Employees wishing to smoke or use tobacco products must do so outside, in designated areas if applicable, and only during authorized breaks. The Town expects that employees who use designated areas will keep such areas free of litter. Failure to comply with the tobacco use policy may result in disciplinary action, up to and including termination of employment.

E. MOTOR VEHICLE VIOLATIONS

Employees who operate a Town vehicle are required to notify the Department Heads within one working day if they have been convicted of or plead *nolo contendere* to any and all motor vehicle violations. An employee who operates Town vehicles and has her/his license suspended, revoked, or otherwise restricted must notify the Department Head within one working day of learning of the suspension, revocation, or restriction.

Failure to comply with this policy may result in disciplinary action, up to and including termination of employment.

F. SEAT BELTS

The Town requires all employees to use seat belts while operating or riding in a motor vehicle on Town business, whether the vehicle is Town owned or private. Passengers in vehicles operated by Town employees while on Town business are required to wear seat belts.

If a vehicle does not have seat belts installed, this requirement does not apply. Disarming or disengaging automatic seat belt systems or alarms in Town vehicles is prohibited.

VI. DISPUTE RESOLUTION PROCEDURE

Employees are encouraged to bring their questions, suggestions and complaints to the attention of Town management. Careful consideration will be given to each of these in a continuing effort to improve Town operations.

Employees who feel they have a problem should present the situation to their supervisor so that the problem can be settled by examination and discussion of the facts. Employees can choose to do this verbally or use the Dispute Resolution Procedure form attached to this Policy or available from the Finance Officer. The Town is optimistic that the supervisor will be able to satisfactorily resolve most matters. The supervisor must respond within five business days.

If there is no intermediate supervisor, or if the employee is not satisfied with the supervisor's response, or if the employee is uncomfortable going to the supervisor, he or she is urged to contact the Department Head and again try to resolve the issue. If the matter is not resolved by the Department Head within ten business days, the employee may bring the issue to the attention of the Town Administrator. The Town Administrator will have 10 business days to respond, and may consult with the Board of Selectmen during this time. The response of the Board of Selectmen, through the Town Administrator, is the final step in the Dispute Resolution procedure with no further right of appeal. The Board of Selectmen may ask to meet with the employee in its consideration of the employee's appeal.

The Town urges every employee to follow through rather than be dissatisfied. Any complaint will be investigated and the findings and determination reported back to the employee. Employee suggestions and comments on any subject are important to Town operations so employees are encouraged to take every opportunity to share their concerns, thoughts and ideas with Town management. An employee's job will not be adversely affected in any way because she/he chose to use this procedure.

Nothing in this policy creates a legal right to "due process" or changes the at-will nature of employment.

VII. EMPLOYEE SAFETY AND HEALTH

A. JOINT LOSS MANAGEMENT COMMITTEE

It is the Town's policy to provide and maintain safe and healthy working conditions and to require safe work practices. To assure that everyone's best efforts are directed toward this goal, the Town has established a comprehensive Joint Loss Management Committee and has written a Joint Loss Management Policy, a copy of which is given to every employee upon the beginning of employment.

The Joint Loss Management Committee ("JLMC") is established jointly between employees and management and is designed to prevent occupational accidents and illnesses. The JLMC provides information to employees about workplace safety and health issues through regular internal communication channels such as meetings, bulletin board postings, memos, or other written communications.

The Town Administrator has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all employees.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with the Department Head, the Town Administrator or a member of the JLMC. Reports and concerns about workplace safety issues may be made by employees without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the Department Head or Town Administrator. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report such situations or remedy them where appropriate, may be subject to disciplinary action, up to and including termination of employment.

Accidents on the job that result in injury, regardless of how insignificant the injury may appear, must be reported immediately to the Department Head and to the Finance Officer. Such reports are necessary to comply with the law and to initiate insurance and workers' compensation benefits procedures. (See the section on Workers' Compensation in this Policy.)

B. TEMPORARY ALTERNATIVE DUTY/LIGHT DUTY POLICY

In accordance with NH Department of Labor Rule 504.04, the Town shall provide temporary alternative duty or "light duty" work for employees who are injured on the job. Such work shall be limited and transitional in nature and will be reviewed regularly by the Town, the employee, and the medical provider to determine whether alternative duty should be continued. The employee must report injuries to the Department Head, Finance Officer, or Town Administrator pursuant to the Town's Joint Loss Management Policy. Once the employee's medical condition is known, the Joint Loss Management Committee will provide a list of light duty work that could be performed by the injured employee.

C. TOWN SECURITY

It is each employee's responsibility to help ensure that proper security measures are exercised at all times. Employees must be familiar with emergency exits, alarm systems and the proper steps to take in an emergency.

Unfortunately, violence in the workplace has become a reality for many employers. The Town, therefore, prohibits employees (other than employees with proper permits or public safety employees authorized to carry a weapon) from bringing weapons of any type onto Town premises, including parking lots.

Moreover, violence or verbal and physical threats of violence of any kind in the workplace or on Town property will not be tolerated, and employees engaging in such conduct will be subject to disciplinary action, up to and including termination of employment.

Employees are expected to report any violence or threat of violence and suspicious individuals or events to the immediate attention of the Department Head, the Town Administrator or Police Department, as appropriate.

D. WORKPLACE SEARCHES

To safeguard the safety and property of employees, residents, and the Town and to help prevent the possession and use of weapons and illegal drugs on Town premises, it may become necessary to question employees and to request inspection of any packages, parcels, purses, handbags, briefcases, lunch boxes, laptops, or any other possessions or articles carried to and from Town property. In addition, the Town reserves the right to search any employee's office, desk, computers, files, locker, or any other area or article on Town premises in pursuit of the Town's concern to safeguard the safety and property of employees and the Town.

Employees should not have an expectation of privacy in anything created, stored, sent or received on Town equipment, even if that equipment is used at home or away from the employee's primary work location. All offices, desks, files, lockers, and so forth, are the property of the Town and are issued for the use of employees only during their employment with the Town. Inspections may be conducted at any time at the discretion of the Town.

Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property, weapons, or illegal drugs, will be sent immediately to the Town Administrator or the Police Department, as appropriate, and may be subject to disciplinary action up to and including termination of employment.

VIII. SEPARATION FROM EMPLOYMENT

A. REQUESTED NOTICE OF DECISION TO TERMINATE EMPLOYMENT

Employees who decide to resign from employment with the Town are requested (but not required) to notify the Department Head in writing at least two weeks in advance of their planned departure date (notwithstanding the Succession Planning section earlier in this Policy). This will allow the Town to plan for the employee's departure and maintain work schedules.

B. TERMINATION OF BENEFITS

All employees who terminate their employment should see the Finance Officer to discuss termination of benefits, benefit continuation, and final pay.

C. EXIT INTERVIEWS

All employees whose employment has ended will be asked to participate in an exit interview with the Town Administrator. The purpose of the exit interview is to give the employee the opportunity to provide feedback on ways in which the Town can improve operations and retention of employees.

D. RETURN OF TOWN PROPERTY

All Town keys, equipment, electronics, memoranda, records, communications, computer data, disks, or other documents made or compiled by an employee or made available to an employee in connection with the business of the Town must be delivered to the Town promptly upon termination of employment or at any other time upon request.

DISPUTE RESOLUTION FORM

The Town encourages employees to resolve any problem or issue informally with the individuals involved. However, if you are aware of a work-related issue that affects you or your co-workers, or others, we have provided the following course of action:

Step 1: Complete this form and return it to your supervisor or Department Head as soon as possible.

_____
Date

_____
Employee's Name

_____
Supervisor's Name

_____
Employee's Signature

_____
Supervisor's Name

_____
Date of Incident, if applicable

Please state the incident(s) or the event(s) that led you to write this complaint. Attach an additional sheet of paper if necessary.

_____

_____

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Instructions to Supervisor: Provide a written response to the above complaint and give copies to the employee and the Town Administrator within 5 business days.

Additional instructions to Employee: If you are unsatisfied with the response at Step I, you may take this complaint to Step II, and submit it to the Department Head who will have 10 business days to respond.

_____I would like to take this complaint to Step II.

_____	_____
Employee Signature	Date of Supervisor's Response
_____	_____
Department Head Signature	Date Step II Filed

STEP II: DEPARTMENT HEAD REVIEW

Instructions to Department Head: Provide a written response to the above complaint and give copies to the employee, supervisor, and Town Administrator within 10 business days.

Additional Instructions to Employee: If you are unsatisfied with the response at Step II, you may take this complaint to Step III, and submit it to the Town Administrator who will have 10 business days to respond.

_____I would like to take this complaint to Step III.

_____	_____
Employee Signature	Date of Department Head's Response
_____	_____
Town Administrator Signature	Date Step III Filed

STEP III: TOWN ADMINISTRATOR REVIEW

Instructions to Town Administrator: Provide a written response to the above complaint, after consulting with the Board of Selectmen, if necessary.

Additional Instructions to Employee: If you are dissatisfied with the response at Step III, you may request a meeting with the Board of Selectmen. **Please note that this step is the final step in the Complaint Resolution Procedure, and employee has no further right to appeal.**

ADDENDUM I
TOWN OF NEW LONDON PERSONNEL POLICY
SECTION IV. TIME AWAY FROM WORK AND OTHER BENEFITS

SECTION L. HEALTH AND DENTAL INSURACE

Employee Contribution to Health and Dental Premiums.

Employees hired on or before December 10, 2012 contribute to the cost town-provided health insurance in the following percentages, calculated against the lowest cost plan offered by the town: single plans 4% of the total premium cost; two-person and family plans 10% of the total premium cost. All employees in this group contribute 25% of the total premium cost of the dental insurance.

Employees hired after December 10, 2012 are required to contribute 15% of the total premium cost, calculated against the lowest cost plan offered by the town, of their health insurance regardless of whether the policy is a single, two-person, or family plan. All employees in this group contribute 25% of the total premium cost of the dental insurance.

The policy is subject to change at the discretion of the Town.

Addendum effective date: December 10, 2012

ADDENDUM II
TOWN OF NEW LONDON PERSONNEL POLICY
PART SECTION IV, SECTION C
TIME AWAY FROM WORK AND OTHER BENEFITS: SICK LEAVE

The Board of Selectmen voted to eliminate the provisions of the policy regarding the ability to receive a cash payment of unused sick time and the ability to convert unused sick time to leave time. Employees may accrue a maximum of 30 days (240 hours) of sick time. There is no cash value to any sick time nor is there an ability to convert unused sick time to another type of leave time. There is no payment of unused sick time at the time of separation of employment.

The policy is subject to change at the discretion of the Town.

Addendum effective date: January 2, 2013

ADDENDUM III
TOWN OF NEW LONDON PERSONNEL POLICY
SECTION IV. TIME AWAY FROM WORK AND OTHER BENEFITS

SECTION B. LEAVE TIME

Employee Leave Time.

Employees hired on or before January 2, 2013 receive leave time and accrue it in the following manner:

Years of Service	**Leave Time**	**Maximum Allowed Accrual at Year-End**
0-4 years	17 days	30 days
5th anniversary (5-9 years)	22 days	30 days
10th anniversary (10-14 years)	27 days	35 days
15th anniversary	32 days	45 days

Employees hired after January 2, 2013 receive leave time in the following manner:

Years of Service	**Leave Time**	**Maximum Allowed Accrual at Year-End**
0-4 years	10 days	30 days
5th anniversary (5-9 years)	15 days	30 days
10th anniversary (10-14 years)	20 days	30 days
15th anniversary	25 days	30 days

The policy is subject to change at the discretion of the Town.

Addendum effective date: January 2, 2013