

ORDINANCE NO. 863

AN ORDINANCE OF THE
OGDEN DUNES TOWN COUNCIL ADOPTING
A NEW PERSONNEL POLICY HANDBOOK

BE IT AND IT IS HEREBY ORDAINED by the Ogden Dunes Town Council as follows:

SECTION 1: That the document attached to this ordinance entitled "Town of Ogden Dunes Personnel Policy Handbook" is adopted in its entirety. All policies and procedures of the Town are hereby repealed and replaced to the extent that they conflict with the attached Personnel Policy Handbook.

SECTION 2: This Ordinance shall be in full force and effect from and after its adoption as required by law.

ALL OF WHICH IS PASSED AND ADOPTED THIS 5th DAY OF SEPT, 2020

CPPOSED

Mike Webber, President

Scott Lehmann

Scott Lehmann

Nate Ball

Nate Ball

Carolyn Saxton

Carolyn Saxton

CPPOSED

Doug Cannon

ATTEST:

Jean Manna

Jean Manna, Clerk-Treasurer

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FILED

TOWN OF OGDEN DUNES PERSONNEL POLICY HANDBOOK

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This Personnel Policy Manual has been prepared for the employees and representatives of the Town of Ogden Dunes, hereinafter referred to as the “Town,” to promote and maintain a positive work environment. Town representatives shall include all employees as well as committee, board, and council members and shall hereafter be referred to as “representatives.” Since it is not possible for this manual to cover each and every aspect of employment, the policies, procedures and benefits described in this manual are summarily described and are not intended to be all encompassing or applicable to every situation. This manual is based on the Ordinances of the Town particularly, but not totally based on Chapter 34. To clarify or covering evolving issues, the town may add, modify or terminate some of its policies, procedures or benefits at any time for reasons related to the appropriate business operations of the Town. This manual is to help clarify an understanding of expectations between the town and its employees rather be a contract of any kind, expressed or implied, between any employee and the Town. As Indiana is an “Employment-at-Will” state, either the employee or the Town may end the employment relationship with or without cause.

Each employee is expected to read and become familiar with the provisions in this manual. Any questions about this material should be referred to your supervisor. All employees are required to sign a receipt acknowledging that they have received a copy of the manual and have read and understand the contents of the manual.

What we believe in, our values

and what we expect of our employees would also adopt....

- To act with moral courage.
- To make decisions for the public’s best interests, even when they may not be popular.
- Not to engage in any business that would be – directly or indirectly – inconsistent with the conscientious performance of public duties.
- To make no private promises of any kind that may unduly influence public duties.
- To accept the responsibility to:
 - expose corrupt practices and/or behaviors
 - where empowered to do so, protect any public employee from retaliation who has exposed corrupt practices and/or behaviors.
- To treat others as we would wish to be treated.
- To accomplish the goals and responsibilities of this individual position, while respecting the role as a member of a team and the community at large.
- To act in a professional and responsive manner.
- To work together in a spirit of tolerance and understanding.
- To work to build consensus and accommodate diverse opinions.
- To communicate effectively by listening carefully, asking questions and responding in a way that adds value to conversations.
- To work collaboratively in order to create an environment that is respectful of other employees and is free of harassment and intimidation.

Cooperation and Teamwork

We believe that teamwork is the foundation of a successful employment relationship. As a member of our team, you can expect to be treated with courtesy and respect from the other members of the team. Likewise, you are expected to be respectful, cooperative, polite, and positive in relations with coworkers, your supervisor, the public, and others you come into contact with through your employment. We strongly endorse cooperation and teamwork as independent job requirements and performance in these areas will be an integral part of the performance evaluation process.

Our Code of Ethics and Values

The proper operation of the government of our town requires that all official representatives be effective, independent, objective and accountable to the people they serve. To ensure these qualities are upheld, we have adopted a Code of Ethics and Values through the Shared Ethics Advisory Commission to promote and maintain the highest standards of personal and professional conduct in our community. All elected and appointed officials, employees, volunteers, and others who participate in our government are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice these core values in their work. Some of the behaviors that employees must adopt in following our ethics code include the following:

- To not participate in any decision where there is a conflict of interest or from which my family, business, and professional associates or I may personally benefit.
- To not use a position, public property, or public resources for personal benefit, family, or business and professional associates.
- To never solicit or accept any favor or benefit for family, business, and professional associates or that might be construed as influencing the performance of my public duties.
- To make full public disclosure of the nature of any conflict of interest prior to any action taken.
- To avoid disclosing or abusing the information gained by virtue of position for personal benefit, family, or businesses and professional associates.
- To not engage in direct competition with our neighboring communities while an employee, an appointed official, or an elected official.
- To support the public's right to know the truth and encourage diverse and civil public debate in the decision-making process.
- To promote non-discrimination in decision-making and to make decisions based upon the merits of the issue at hand.
- To recognize the function of government to serve the best interests of the citizens.
- To use authority to promote the efficient and effective delivery of public services.
- To refrain from proposing services where adequate resources are not available.
- To work to remedy the imbalance where inadequate resources adversely affect the best interests of the citizens.

Inappropriate Ethical Behavior. Behavior inconsistent with the values set forth in our Code of Ethics & Values may be redressed by the traditional instruments of governance including state law, ordinances, work rules, and disciplinary procedures. A few samples of unethical conduct appear as follows:

Political Activity: No employee of the Town shall solicit any money, influence, service or thing of value, or otherwise aid or promote any political committee or the nomination or election of any person to public office while on the job or during working hours. However, nothing in this section is intended to restrict the right of town employees from expressing their personal political views, to vote in any election, or to support candidates or ballot issues, as long as it is done outside of working hours.

Solicitation is the verbal communication for the purpose of selling, political campaigning, organizing for civic activities or any other cause. **Distribution** is an exchange of printed materials such as handbills, letters and pamphlets for any sale, candidate or cause. Solicitation by an employee of another employee is prohibited while either the person doing the soliciting, or the person being solicited, is on working time. Solicitations must be limited to meal and break periods.

Compliance with the Equal Employment Opportunity Act & Title VI of the Civil Rights Act of 1964

The Town of Ogden Dunes is proud to be an equal opportunity employer. It is our policy to provide equal employment opportunities to all qualified employees and applicants for employment without regard to race, religion, color, sex, age, mental or physical disability unrelated to ability, national origin, marital status, veteran status, or any other protected status consistent with applicable law. Our intent is to recruit and retain qualified employees through objective measures and qualifications, education, training, and performance. See more details on **workplace bulletin boards** regarding federal, state or local laws, rules or regulations, and information from the Town Council to keep you informed at all times of special announcements, activities, work schedules, open job positions, and other matters.

The Hiring Process

No employee is authorized to commit the Town to an offer for full time employment until the appointment is approved in writing by at least three (3) members of the Town Council. Hiring of replacement, part-time, and temporary employees will be at the discretion of Departmental Managers but limited by staffing levels approved within the budget.

Nepotism & Employment. All elected and appointed officials as well as employees of the Town of Ogden Dunes are hereby directed to fully comply with the provisions of **IC 36-1-20.2**, which is adopted as the policy of the Town of Ogden Dunes. Individuals who are relatives may not be employed by the Town of Ogden Dunes, its executive departments, or utilities, in a position that results in one relative being in the direct line of supervision of the other relative.

For the purposes of this policy, “direct line of supervision” means an elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of a unit, as provided by

law, to make decisions regarding salary ordinances, budgets, or personnel policies of the Town. The Town by this policy recognizes that no individual member of the Town Council is authorized to make decisions regarding the terms and conditions of any individual's employment with the Town. For the purposes of this policy, the term "*relative*" means any of the following:

- A spouse.
- A parent or stepparent or parent-in-laws
- A child or stepchild
- A brother, sister, stepbrother, or stepsister.
- A niece or nephew (by marriage or blood)
- An aunt or uncle (by marriage or blood)
- A daughter-in-law or son-in-law (by marriage or blood)

For purposes of this section, an adopted child of an individual is treated as a natural child of the individual. For the purposes of this policy, "*employed*" means an individual who is employed by the Town of Ogden Dunes on a full-time, part-time, temporary, intermittent, or hourly basis. The term does not include an individual who only holds an elected office.

For the purposes of this policy, the performance of the duties of a volunteer firefighter is not considered employment by the Town under the terms of this policy. Furthermore, "member of the police department" means the Town Marshall or any police officer appointed to the department.

Personnel and Payroll Records; Personal Information Changes - Your personnel file will be established upon your employment with the Town. Your file is not a disclosable public record but will be made available for inspection by the employee or the employee's representative. Your file will include information and records relating to your pay, insurance benefits, attendance, and other important state and federal laws. It is important that your personnel records be kept up to date. It is your responsibility to notify the Office of the Clerk-Treasurer in writing of any changes as they occur in personal status that can affect your income tax, insurance benefits, and other important records. This includes:

- Address
- Telephone number
- Driver's License Number
- Marital status
- Military service status
- Number of tax exemptions
- Individual to contact in case of emergency
- Births, deaths, and all increases or decreases in immediate family members
- Beneficiary of insurance
- Change of legal name

Performance Review - During your first year of employment with the Town, your job performance will be evaluated throughout the year as deemed necessary by your supervisor or, in some cases, the Town Council. After receiving your one-year review, you will receive an annual performance review thereafter. At each of your reviews, your supervisor will share and discuss with the Town Council your progress, accomplishments, areas in need of improvement, attendance, safety record, and overall job performance.

Attendance and Tardiness - You were screened, interviewed, and selected as a Town employee based upon many important factors. One such factor is attendance. We define proper attendance as: Being at work on time, for the scheduled time of every scheduled workday. Your absence has direct effects on town employees and citizens. As a result of excessive absenteeism, tardiness, and/or leaving early, disciplinary action may be required and will be based on frequency of occurrences in accordance with the following:

- Any day that an employee is absent or tardy without proper notification will be considered an occurrence of absenteeism.
- If you agree to work overtime, when asked, and fail to report for work without notifying your supervisor, this will also be considered an absence. If you are excused, in advance, from scheduled overtime work, such absence will not count as an absence.
- Three (3) consecutive workdays of absence without notifying your supervisor will be considered job abandonment and a voluntary termination of employment by the employee.
- If you are absent from work for more than seven (7) consecutive days due to illness, you must apply for a Short-Term Leave of Absence. If you are absent for three (3) or more consecutive days due to illness, on the day of return you may be asked by your supervisor to bring a statement from your doctor releasing you to return to work.

If you know in advance you are going to be late or absent from a scheduled shift, please advise your supervisor at least one day in advance so that your position can be filled if necessary. Please notify your supervisor by text or phone call (speaking directing to your supervisor or department manager), or voice mail prior to the shift or as soon as possible. When reporting an absence, be sure to include information about:

- (1) Name
- (2) Department
- (3) Name of Supervisor
- (4) Reason for Absence
- (5) Expected Date of Return

A pattern of unexplained absences or tardiness will be considered grounds for disciplinary action up to and including termination.

Promotions

Promotions are based on the belief that it is in the best interest of all of us to have the most qualified person on every job. It is our policy to fill vacancies whenever practical by promoting current, qualified employees who deserve such promotions. Various Town positions will be posted on the Town's bulletin boards for five (5) workdays. If you want to be considered for the position, notify your Supervisor. Promotions will be made on the basis of factors such as job performance, efficiency, training, knowledge, job qualifications, skills, ability and the Supervisor's evaluation of the employees' potential abilities. To be eligible for promotion, an employee must meet minimum requirements of the higher-level position and must have a current satisfactory performance rating in the present position. **Final decisions whether to promote a current**

employee or to hire someone outside the organization resides solely with the Town Council.
 A six (6) month trial period is required, subject to the discretion of the Town Council. After an employee accepts a promotion, the employee cannot return to the prior position unless the position is available.

Layoffs

It is our desire to maintain a steady work force and we always strive to avoid layoffs. Although we hope this never happens, if budgets or income were reduced substantially, we might then be forced to decrease our work force. Altered priorities of governing boards, reorganization of work and services, lack of work, lack of funds or other reasons may affect our employment needs. In the event we decide it is necessary to eliminate or consolidate jobs or otherwise curtail staff, layoffs may be necessary. The decision as to which individuals to be laid off will be made by the Town Council. Employees will receive at least ten (10) working days' notice of layoff.

Employee Classifications¹

Regular full-time employees are those salaried or hourly paid employees who are regularly scheduled to work at least 30 hours per week. Full-time employees are also those employees who have been appointed for ongoing employment to a position identified as "full-time" as established in the Wage and Salary Ordinance and the annual budget and who have completed their probationary period. All full-time employees are eligible for benefits identified in this handbook after the prescribed applicable waiting period. Regular part-time employees are those salaried or hourly paid employees who are hired with the understanding that they will regularly work less than 30 hours per week. **Part-time employees** are not eligible for employee benefits except as set forth in this handbook or as required by law, subject to the requirements of the Affordable Health Care Act. A part-time employee who becomes a full-time employee will have seniority and benefits based on the date that full-time employment begins.

Temporary Employees - Temporary employees are those salaried or hourly paid employees who are hired with the understanding that their tenure with the Town is for a fixed period of time. Temporary employees may work any number of hours including **forty (40) or more hours per week**. Temporary employees will not receive any benefits from the Town, except as required by law. A temporary employee who becomes a regular full-time employee will have seniority and benefits based on the date the employee becomes full-time.

Employment-At-Will - Full and part-time employment is for no definite term. This means that you and the Town have an "employment-at-will" relationship. In such a relationship you may end your employment with the Town at any time and the Town may do likewise unless prohibited by law. The Town does request that you give at least two weeks' notice prior to leaving. No written or oral promises have been made to employees regarding the length of their employment or the reason for which their employment can be terminated.

¹ See Chapter 34 of the ordinances, specifically section 34.02

Hours of Work and Compensation Policies

Workday and Work Week - Your supervisor will tell you the starting and quitting time for your shift. Unpaid lunch periods are normally 30 minutes long. Most personnel will be expected to work a five (5) consecutive day work week. The lunch period shall be designated by each department manager. Personnel of the Police Department may be assigned to different workday and work week schedules.

Overtime Work - On occasion, we have to work overtime to satisfy needs. When overtime is necessary, you will receive as much advance notice as possible. If for some reason you are unable to work overtime, please discuss this with your supervisor. No overtime may be worked unless specifically authorized by your supervisor. Regular full-time employees will receive preference and an effort will be made to equalize such overtime among those able to perform the available work.

Work Schedules and Overtime Pay - All non-exempt, non-salaried employees will be paid time and one-half the regular rate of pay OR will receive compensatory time at one and one-half the time for all work performed in excess of forty (40) hours per week. No more than 24 hours of compensatory time may be accumulated before the employee must take pay for any overtime worked. For all full-time employees, holidays and comp hours/days will be counted as hours worked for purposes of calculating your overtime hours. Other time off of work shall not count toward overtime. Overtime pay will be computed in fifteen-minute increments

Except as provided elsewhere, with the approval of the department head and Town Council, all salaried supervisory personnel exempt from the Fair Labor Standards Act may be scheduled and receive appropriate overtime pay or compensatory time off. Such pay will not be calculated at any time and one-half premium but rather at the straight time hourly calculation of the particular worker's composite pay, unless otherwise provided in this handbook or the wage and salary ordinance.

No full-time, salaried employee of the Town may receive overtime pay or compensatory time off, without the express written permission of the Town Council.

Employees are responsible for notifying their responsible elected official or department head during each pay period when overtime occurs, to request compensatory time off in lieu of pay for the overtime accumulated during the pay period.

In all cases, when the overtime assignment involves a task or duty that is not part of the regular task or duty associated with the exempt supervisory worker, the rate of pay must be authorized by the Town Council.

Pay Day - All probationary, regular full-time, regular part-time and temporary employees as well as the Clerk-Treasurer shall be paid bi-weekly. Employees shall only be paid by

direct deposit to a checking or savings account as identified by the employee. All elected officers shall be paid according to a frequency fixed by state law and ordinance.

If there is any question concerning your salary or wages, please notify your supervisor as soon as possible to take steps to correct any errors. There will be no advances of wages as it is prohibited under Indiana law. (IC 5-7-3-1.)

Payroll Deductions - The law requires that we make certain deductions from your paycheck for federal income tax, state income tax, Social Security, any other applicable taxes and court orders. These deductions will vary depending upon how much you earn and how many dependents you have. This is another good reason for you to report any change in marital status or number of dependents to the Office of the Clerk-Treasurer immediately. You may request a payroll deduction for other purposes upon a written request to the Office of the Clerk-Treasurer. Except where expressly indicated otherwise, no deduction, other than those named above, will be made from your check without your consent. If you have any questions about any deductions, do not hesitate to ask your supervisor. The Town reserves the rights to make corrections for payroll errors, including the right to deduct from future paychecks those overpayments which have been made to employees in error.

Pay for Temporarily Replacing another Employee at a Higher-Grade Level - If a regular full-time employee is assigned to temporarily replace another employee at a higher grade-level for an extended period of time, that employee will begin to receive the higher rate of pay after completing thirty (30) calendar days in that position. *The actual rate will be subject to approval by the Town Council.* All other benefits remain the same.

Employee Benefits²

Holidays - The Town recognizes and pays for holidays throughout the year for full-time employees who have worked at least 30 calendar days with the Town. The holidays recognized by the Town are as follows:

New Year's Day, January 1
 Good Friday
 Memorial Day
 Independence Day, July 4
 Labor Day
 Veterans Day
 Thanksgiving Day
 Day After Thanksgiving
 Christmas Day, December 25

If a recognized holiday falls on a Saturday, the previous Friday will normally be observed as the holiday. If the holiday falls on a Sunday, the following Monday will normally be observed. The Town Council President is authorized to issue a written clarification when the weekend rules are unclear. You will be paid for eight hours **or the appropriate equivalent for salaried workers.**

In addition to the paid holidays listed above, all full-time employees shall be eligible for two additional, paid holidays, one to be either the day before or the day after the Christmas Day holiday, and the other either the day before or the day after New Year's Day as determined by the Town Council.

To be eligible for holiday pay, an employee must work his or her last scheduled day before and the next scheduled day after the observed holiday. This policy does not apply to a pre-approved vacation or a compensatory or regularly scheduled day off. In the event an employee is ill on the last scheduled day before or next scheduled day after a holiday, the employee may be eligible for holiday pay, provided proof of the illness is presented in a form sufficient to the employee's supervisor. Employees on medical or other leaves of absence, including disciplinary leaves of absence, and employees who are scheduled to work on a holiday but call off are not eligible for holiday pay.

Employees who are required to work on an observed holiday will be paid at a rate of one-and-a-half times their regular rate of pay for each hour worked. In addition, full time employees shall receive up to eight hours of vacation time, at the rate of one (1) hour compensatory time for each one (1) hour worked, to be used at a later date.

The Town Council will designate the observed holidays. Full time employees whose regularly scheduled day off falls on a holiday, at their option, may choose to be paid

² See Chapter 34 of the ordinances, specifically section 34.20-34.30

an additional eight (8) hours for the holiday, or may receive eight (8) hours of vacation time to be used at a later date.

Employees who have already worked two 40 hours weeks prior to working a holiday shift, and who are eligible for overtime pay, shall be entitled to overtime pay for the shift worked.

Vacation Leave - We believe that you should have a time of rest and relaxation each year. Vacation with pay (straight time base rate and any longevity) is one of the ways we show our appreciation for your length of service and productive efforts. A full-time employee becomes eligible for vacation after completing six (6) months of uninterrupted full-time employment. Full-time employees receive vacation leave at rates from 5 days to 25 days per year based upon the number of years of service. Paid vacation leave is earned according to the following schedule:

<u>Years of Service</u>	<u>Entitled To</u>
First year	.00923 hour per hours worked (1 week)
Second year	.03846 hour per hours worked (2 weeks)
Seventh year	.05769 hour per hours worked (3 weeks)
Tenth year	.07692 hour per hours worked (4 weeks)
Fifteenth year	.09615 hour per hours worked (5 weeks)

Accumulated vacation leave is paid to employees upon separation of employment unless that occurs in first six months of employment; the initial period of ineligibility. Vacation leave may be taken any time after it has been earned, provided the scheduling of the leave has been approved by the responsible elected official or, where appropriate, department head.

The employee must receive written approval from the responsible elected official or, where appropriate, department head for utilizing more than 20 consecutive days of earned vacation time.

An employee may accumulate no more than 160 hours of vacation leave before the employee must schedule time off. The Town Clerk's office will notify the employee's Supervisor that the 160-hour vacation leave threshold has been met.

If vacation time off has not been scheduled within 30 days, any time accumulated after that pay period will be forfeited to keep accumulated vacation leave below 160 hours.

If you terminate employment with the Town, you will be eligible to receive pay for any unused vacation time.

In the event of your death, payment will be made for any unused vacation allowance for which you were eligible on the date of your death. Such payment will be made to the same person who is entitled to receive unpaid wages.

Payment in lieu of vacation is prohibited under conditions of this policy and in keeping with the Indiana Statutes.

Group Insurance

Unemployment Compensation Insurance - Unemployment Compensation Insurance protects you if you become unemployed through no fault of your own. Application for benefits is made through our local State Employment Service offices.

Workers Compensation Insurance - This insurance becomes effective on your first day worked and protects you if you are injured on the job. To be sure to protect yourself under this insurance, you must REPORT ALL INJURIES, HOWEVER SLIGHT, TO YOUR SUPERVISOR IMMEDIATELY. With the exception of employer provided health insurance coverage, all other employer provided monetary and other benefits, including accrual of vacation and sick leave, will be suspended during unemployment under Workers Compensation leave.

Medical and Life Insurance - The Town will provide health, hospitalization and life insurance to all qualified full-time employees and will make insurance benefits available to all qualified dependents through payroll deductions. The Town reserves the right to change alter, modify or cancel the insurance plan coverage with or without notification. For specific details on the type and extent of coverage, please refer to the plan document, which will be provided at the time of enrollment. The Town requires a co-payment by employees covered by the Town Medical policy. The Town will not pay the premiums for the members of the Town Council for participation in any group insurance plans.

Extension of Insurance Plan – COBRA - The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

Group Health Insurance Plan as defined in this section includes medical insurance that may be offered by the Town or mandated by state or federal law at the time of retirement or separation of an employee.

Employees who separate from employment for any reason and who elect to continue their group insurance plan coverage according to the terms of the insurance company contract, must personally pay insurance premiums under the terms of the COBRA law. Such electing employees shall pay the actual cost of the premium plus a two percent (2%) service fee. Payment must be made to the Clerk-Treasurer prior to the 5th day of each month for the month's insurance. If payment is not received by the fifth day of the month, the premium will not be paid for that month. No notices of payment due will be sent to separating employees. The Clerk-Treasurer shall have authority to implement and administer this benefit policy, as

adopted, including implementing the provisions related to the employee group premium co-payment, all in accordance with IC 36-5-6 et seq.

Health Savings Accounts (HSA Accounts) - The Town of Ogden Dunes may provide the option to support worker establishment of a *Health Savings Account* pursuant to and as outlined in the relevant sections of the Internal Revenue Code. The plan option will only be available to **eligible full-time employees of the Town as defined by Section 2.01**. The Town of Ogden Dunes as employer will make a financial contribution to the individual health saving account of **eligible employees of the town** that elect to participate. The **eligible employees of the town** must not be covered by any other group health insurance plan. Details of the plan shall be maintained as a plan document and retained on file.

Sick Leave - Only full-time employees are entitled to be paid sick leave. Employees shall be granted sick leave at the rate of six and two thirds hours per month of continuous service with the Town. For full-time employees who have served at least one year with the Town, sick leave will be awarded at a rate of ten (10) days a year at the beginning of the employee's employment anniversary date as a lump sum. Paid sick leave is intended for use in instances of a bona fide illness or injury of the employee, or for use for the care of a spouse, child, or parent of the employee who has a bona fide illness or injury. If not used, sick leave will accumulate and be placed in a personal sick bank, to a maximum of 30 days, for use in the event of an extended illness with approval of the council. See town ordinance 34.22 Sick Leave section B, section 2-4.

Military Leave - The Town of Ogden Dunes provides military leave to eligible employees. The Town's military leave follows established regulations which follow federal and state laws including the federal Uniformed Services Employment and Reemployment Rights Act which are in force at the time the military leave is taken. Employees should notify their supervisors as soon as they become aware of military service.

Bereavement Leave - If a death should occur in your **immediate family**, you may be given personal paid time off for personal bereavement. The pay will be for the time lost from work because of the bereavement, but not to exceed eight (8) hours per day at your straight time rate, up to a maximum of (5) five days per year. You will not be paid for bereavement leave on days for which you are otherwise compensated (holidays, vacation, etc.). Immediate family is defined as current spouse, cohabitating partner, child, parent, brother, sister, grandparents, grandchildren (all by blood or marriage). If you need time off for bereavement leave, you must notify your Supervisor as soon as possible. Upon returning from bereavement leave, you may be asked to present a copy of the funeral notice to your supervisor. Unused bereavement leave will not 'roll over' but will be lost if not used prior to the employee's anniversary date. Employees who leave employment, whether voluntarily or involuntarily, will not be compensated for unused bereavement leave. Bereavement leave benefit occurs after one year of employment based on your anniversary date of your employment.

Disability Leave - The Town provides a Worker's Compensation Benefit and short/long term disability insurance to provide wage continuation for those employees who may become injured or ill. The health and well-being of our employees is important to us. Since we endeavor to hire the finest possible employees, we believe it is in the best interest of both the employee and the Town to protect the health of all personnel. The purpose of Workers Compensation Leave is to provide salary continuation for salaried and hourly full-time employees who are unable to work because of disability as a result of injury or illness.

Other Benefit Coverage During Disability Leave. With the exception of employer provided health insurance coverage and payments to the employee's Health Savings Account, all other employer provided monetary and other benefits, including the accrual of vacation, bereavement leave and sick leave, will be suspended during Disability Leave.

The Town provides, at no expense to you short-term and long-term Disability insurance. The purpose of Disability coverage is to provide salary continuation for salaried and hourly full-time employees who are unable to work because of disability as a result of illness or a non-related work injury that is not covered by Worker's Compensation.

Subject to the terms of the applicable disability policy, short term and long-term insurance benefit shall be in force after seven (7) consecutive days disabled and after the employee has obtained a doctor's or attending physician's report. Council approval expressed by the written signature of Town Council President is mandatory for payments to be made. The first seven (7) days of sickness/disability, before Disability Leave begins, are charged to the employee's accrued sick leave, personal leave or vacation leave. The first seven (7) days are unpaid if accrued leave is not available. Disability Leave is supplemental to the disability benefit provided by workers compensation insurance for a job-related injury or sickness.

Public Employee Retirement Program - The Town will enroll its employees in the State Public Employee Retirement Program according to their status. Eligible employees include all qualified full-time employees of the Police Department, Clerk-Treasurer's office, and the Public Works Departments of the Town. For the purposes of this section, Public Works Departments shall mean both the Streets Department and Water Utility so that all full-time employees of the Street Department and Water Utility are included as "Public Works Department" employees.

Qualified employees are those made eligible by this section and accepted by the Public Employees Retirement Fund of Indiana and covered by the pension plan agreement with Public Employees Retirement Fund of Indiana.

The Town shall pay that portion of an eligible employee's gross wages in the Public Employees Retirement Fund mandated by state law to be paid by the employer. Eligible employees are required to contribute to the Public Employees Retirement Fund the mandatory amount set by state law. Eligible employees may elect to contribute to the Public Employees Retirement Fund an additional amount of their gross wages (over the mandatory state amount) as permitted by state law.

Deferred Compensation Retirement Program - Employees of the Town, both full-time and regular part-time employees may become voluntary participants of the town's I.R.C. Section 457 (Internal Revenue Code) deferred compensation retirement program.

Miscellaneous Benefits

Authorized Use of Town Owned and/or Leased Vehicles - The following individuals by title are permitted, subject to the concurrence of the governing board of jurisdiction, to utilize municipal leased and owned vehicles for the purpose of conducting public business, providing transportation to and from the workplace, and limited personal business.: *Town Marshall, Street Department Manager*. In the event of leave lasting more than three consecutive days, the vehicle must remain in Ogden Dunes.

The persons identified by title and only these persons are authorized to use vehicles for limited personal business. Except as otherwise restricted by rules or regulations of the Town of Ogden Dunes, reasonable personal business is described as usage of an assigned vehicle within a thirty (30) mile radius of the Town of Ogden Dunes by an assigned worker who can be called for duty at any time. In all cases municipal vehicles may not be used for personal business beyond the thirty-mile radius. No other persons, other than the municipal employees listed by title in this section, are authorized to operate the vehicle for personal use. Pursuant to Federal and State income tax guidelines, employees using town owned or leased vehicles shall keep records of personal use. Personal use shall be taxed as fringe benefits according to the mileage rates established by the United States Internal Revenue Code.

Mileage Reimbursement - All elected town officials and full-time department heads and staff shall be entitled to reimbursement for official and necessary travel by private automobile on appropriate and official town business.

The rate of reimbursement shall be a sum for mileage equal to that sum per mile paid to state officers and employees.

Police Department Clothing Allowance - Law Enforcement Officers of the Ogden Dunes Police Department as defined by I.C. 5-2-1-2(a) shall be reimbursed for uniform expenses. It is hereby declared necessary and essential that a clothing allowance be created for certain members of the police force of the town and that each police officer coming within this provision have certain allowances for clothing as follows:

- The Marshal shall be entitled to a reimbursable clothing allowance up to \$1,200 per year (detailed receipts required).
- All other full-time officers shall be entitled to a reimbursable clothing allowance up to \$1,200 per year (detailed receipts required).

The Marshal is hereby given the authority to supply the Clerk-Treasurer with a list of those individuals eligible for clothing allowance and may request the distribution of reimbursable funds payable pursuant to this section throughout each calendar year as may be necessary for the replacement of clothing for the police personnel provided for and as reasonably necessary.

Patches and badges and other police department equipment issued to part-time officers remain the permanent property of the town and must be returned to the Marshal or the Town by the employee upon termination.

Elective Waiver of Benefits - Any employee or elected officer of the Town of Ogden Dunes, may decline and waive any of the benefits conferred and set forth in the Compensation and Benefits Ordinance, provided such waiver be in writing, in a form approved by the Town Attorney, a copy of which shall be retained and placed on file with the municipality and that any such waiver may not be rescinded once executed without authorization and approval of the municipal legislative body.

Complaint Procedure

The Town recognizes that there are going to be times when you have a problem or complaint that needs to be resolved. We seek to ensure that any problem or complaint you may have receives prompt and thorough consideration.

In order to provide you with an effective means to bring your problems or complaints concerning your well-being at work, we have established a "Complaint Procedure" to be used by all employees. Remember, the only way we can answer your questions or help solve your problems is for you tell us about them. We hope you will feel free to use our Complaint Procedure. You, as well as all of us at the Town, can benefit from it.

For general workplace complaints, first, see your Supervisor or Department Manager. In most cases, any problems or complaints you may have can be resolved by frank and friendly discussion with your Department Manager. Your Department Manager is there to help you and to see that you are treated fairly; you should feel free to speak with him or her candidly. The Department Manager will generally make a final decision as to the merits of your complaint.

If the problem or complaint is still unresolved, the decision of the Department Manager may be reviewed (if submitted in writing) by the Department liaison of the Town Council within fifteen (15) working days after the decision of the Department Manager. After receipt of an employee complaint, the Town Council will meet with the employee and the Department Manager in an attempt to resolve the problem or complaint. The Town Council will respond to the employee and the decision of the governing board shall be final and binding between the Town and the employee involved.

In special cases, you can go directly to the Town Council. If the complaint should involve your Department Manager, you can request a personal meeting with the Department's Town Council liaison.

Complaints alleging discrimination or harassment on the basis of age, gender, race, color, or national origin should follow the grievance procedures below.

Grievance Procedure:

The Town of Ogden Dunes has adopted and implemented a grievance procedure for complaints under Section 36.01 of the Town of Ogden Dunes, Indiana, Code of Ordinances. The grievance procedure was established to meet the requirements of Title VI of the Civil Rights Act of 1964. It may be used by anyone who wishes to file a complaint alleging the Town of Ogden Dunes discriminated on the basis of race, color, or national origin regarding the exclusion from participation in, being denied the benefits of, or being subjected to discrimination under any program or activity receiving Federal financial assistance.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem.

The complaint should be submitted by the grievant or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation. To protect the privacy of the grievant, the complaint must be sealed and marked as confidential and delivered to the Town Council President and to the appointed Title VI Coordinator for the Town of Ogden Dunes. Thereafter, the Town Council President and the Title VI Coordinator may meet with the town attorney for legal guidance on the appropriate steps to investigate the complaint. Any future actions indicated in this document and taken by the Title VI Coordinator will be under the legal guidance of the town attorney.

Within thirty (30) calendar days after receipt of the complaint, acting under legal guidance from the town attorney, the Town of Ogden Dunes' Title VI Coordinator will meet with the complainant to discuss the complaint and the possible resolution. Within thirty (30) calendar days of the meeting the Town of Ogden Dunes' Title VI Coordinator or his designee will respond in a format accessible to the complainant. The response will offer options for substantive resolution of the complaint.

If the response of the Town of Ogden Dunes' Title VI Coordinator or his designee does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision, in writing, within fifteen (15) calendar days after receipt of the response to the Ogden Dunes Town Council.

Within fifteen (15) calendar days after receipt of the appeal, the Ogden Dunes Town Council will meet with the complainant to discuss the complaint and possible resolution. Within fifteen (15) calendar days after that meeting, the Ogden Dunes Town Council will respond in a format accessible to the complainant with a final resolution of the complaint.

To ensure the confidentiality of the Grievance Procedure, all written complaints received by the Ogden Dunes' Title VI Coordinator or his designee, investigatory documents created, written appeals to the Ogden Dunes Town Council and responses from these two offices will be considered confidential and, at the discretion of the Town Council, shall be excepted from disclosure. All records shall be retained by the Town of Ogden Dunes for not less than three (3) years. In the case of records involving employees of the Town, such records shall be maintained in a file separate from the employee's personnel file.

Authority for Leaves with pay during the pendency of investigations.

- During the course of investigating alleged violations of work rules or employee misconduct, department managers are authorized to suspend from the work schedule an employee or employees with pay and continuation of benefits about whom the allegations are made.
- When the alleged violations of work rules or employee misconduct allege a department head, the authority to suspend the department head with pay and continuation of benefits is conferred upon the Town Council.
- The suspension may not exceed twenty (20) days, excluding weekends, unless specifically approved by the Town Council.

Workplace Safety Rules

All employees are responsible for maintaining a safe workplace. Accidents do not "merely happen." The work equipment and facilities have been engineered to provide a safe work environment; however, no mechanical safeguard has been devised that is as effective as a safety-conscious employee. You must consider safety as the most essential aspect of your job. Specific rules vary from job to job. The following rules apply to all jobs and have been established for your protection:

- (1) Use the safety equipment and follow the safety procedures for each job.
- (2) If an injury or illness occurs while on the job, the supervisor must be notified.
All injuries, no matter how slight, must be reported at once. You should never treat your own or another employee's injury nor remove foreign particles from the eye.
- (3) If you need to leave work before the end of a scheduled shift because of illness or injury, you must notify your supervisor.
- (4) Before beginning any job, take the time to think about the hazards that you may encounter. Preparation and experience prevents surprises.
- (5) If medical treatment is necessary for an injury, notify the supervisor so that proper records can be maintained
- (6) Aisles, passageways, and floors should remain clean, dry, and free from tripping hazards at all times.
- (7) Turn off and unplug machines before cleaning, adjusting, or repairing. Use appropriate lock-out/tag-out system.

- (8) Ladders should be routinely inspected and free from defects. When necessary to prevent slipping, inspect the condition of the floor area and the ladder's rubber feet, and have another worker "steady" the ladder for you if needed.
- (9) Never use "makeshift" or defective scaffolding, rigging, or stages. Five gallon buckets are deceptively dangerous!
- (10) Do not attempt to lift or push excessively heavy objects that can be done with a lift or a helping hand. Never bend at the waste, bend at the knees! When lifting, tense the muscles in your stomach; this actually supports your back.
- (11) Never use any defective tool! Defective cords or wooden handles should be removed immediately and not temporarily taped back into service. Dispose or destroy any tool that cannot be repaired...Do not leave it sitting around waiting for a victim.
- (12) Know the locations of all fire extinguishers in town vehicles or work areas. If seal is broken, pin pulled, or extinguisher is used, notify your supervisor at once so that it can be replaced or re-charged.
- (13) Learn the location and proper use of firefighting equipment that is accessible to your department.
- (14) Gloves should only be worn where it will not impede the ability to operate machinery safely. Do not wear gloves or loose clothing around moving machinery such as saws, lathes, and drill presses.
- (15) Notify the supervisor of any electrical issues in need of repair. Do not make electrical repairs unless you are qualified to do so. Make sure all power is turned off until electrical issue has been resolved and is safe to use again.

General Policies Regarding Employee Conduct

Appropriate Dress and Grooming - As an employee of the Town, you are a representative of the Town and a role model to the public. Although we do not have a formal dress code, you are required to be neatly groomed and to wear suitable clothing for your work environment, including approved uniforms as required by your Department.

Outside Employment - We expect that your employment with the Town to be your major obligation. In order to avoid any misunderstandings or potential conflict of interests, any outside employment must be approved in advance by your Department Manager and the governing board of jurisdiction. Generally, we have no objection to employees holding other jobs or being self-employed as long as: you are able to meet the performance, attendance requirements, overtime and other requirements of your job; your off-duty work activities do not constitute a conflict of interest, interfere or negatively reflect on the interests and reputation of the Town; and you do not engage in off-duty work activities that directly compete with the Town or obligate the Town to overtime under FLSA requirements. During scheduled work hours, employees are required to conduct only the business of the Town.

Use of Municipal Property and Facilities - Employees who operate vehicles owned by the Town will lock the vehicle when it is not occupied or otherwise secured in a facility that is locked down. **The use of Town postage stamps or the postage meter for personal**

use is strictly prohibited; use of Town tools, material, facilities, vehicles, computer equipment or any other equipment for personal use is prohibited. This prohibition does not prevent the use of facsimile or photo-copying machines provided the authorized fees for such uses are paid. Still further, this policy does not prohibit the use of Town properties that are otherwise made available to the public subject to a rental or user fee, provided the employee applies for the use as would any member of the public and pays the appropriate user fees. No town tools should leave the town at any time.

Confidential Information - In the course of your employment with the Town, you may have access to information which is confidential, including, but not limited to, information about new Town projects, accounting records, insurance records, personnel records and information about our citizens. You shall not use, disclose or divulge the confidential information of the Town or its citizens to any third party, without prior written authorization by the Town Council.

Residency - Residency will not be a condition of employment or continued employment.

Use of Telephones and Computers - Although we recognize that there will be times when personal phone calls or messages must be made or received during business hours, personal phone calls or e-mails (both incoming and outgoing) shall be kept to a minimum. Make personal calls or e-mails and take care of personal business on your breaks or during your meal period. An employee's excessive phone calls or emails may be subject to disciplinary action by the Department Manager.

An employee's use of Town computers or phones to engage in illicit/illegal acts, distribute or solicit illicit or illegal materials, or to visit pornography sites or visit sites that promote discrimination against individuals based on religion, race, gender, sexual orientation, ethnicity may result in immediate dismissal.

Use of a Mobile/Cellular Phones While Operating a Motor Vehicle - Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their telephone while driving. Regardless of the circumstances, employees shall pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs. Employees who are charged with traffic violations resulting from the use of their telephone while driving will be solely responsible for all liabilities that result from such actions. Use of a cell phone in violation of this policy includes the writing, sending, or receiving of a text message. Employees are expected to refrain from texting while in a vehicle during their on-duty hours or while performing any function for the Town. Violations of this section will be subject to discipline, up to and including termination.

Non-Smoking Policy - No smoking is permitted in any Town Building or Town owned vehicle.

Anti-Theft Policy - Property losses resulting from theft increases costs, harm morale, cause suspicion and mistrust and threaten the future of our jobs. As a result, we have a

policy to ensure that all suspected theft cases are handled consistently, fairly and with dignity. In the event of theft or suspected theft, the Town will thoroughly investigate the matter. Law enforcement may be called in to investigate such theft. Any employee caught stealing will be subject to possible criminal prosecution and/or termination from employment with the Town of Ogden Dunes. While the Town cannot be held accountable for any loss, destruction, or theft of employee's personal property, this policy should help to minimize the risk of loss due to theft.

Sexual Harassment and Non-Fraternization Policy

Sexual Harassment Prohibition - All our employees should be able to work in an atmosphere free from all forms of employment discrimination, including sexual harassment. The Town's policy is to forbid sexual harassment, and this policy extends to each and every level of our operations. Accordingly, sexual harassment, whether by a fellow employee, supervisor, or manager, will not be tolerated. Activities of this nature serve no legitimate purpose; they have a disruptive effect on your ability to perform, and they undermine the integrity of the employment relationship.

Allegations of sexual harassment are taken very seriously. Any employee who believes that he or she is the victim of sexual harassment should immediately bring the matter to the attention of his or her supervisor, or to any other member of management (if the employee would feel more comfortable speaking with someone other than his or her supervisor). All such matters will be treated confidentially, and with the utmost discretion. The Town will actively investigate all sexual harassment complaints, and if it is determined that sexual harassment has occurred, management will take appropriate disciplinary action against the offending party, up to and including discharge.

Acts considered to constitute sexual harassment include, but are not limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:

- (1) submission to such conduct is either an express or implied term or condition of employment;
- (2) submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or
- (3) the purpose or the effect of such conduct is to substantially interfere with the affected individual's job performance or to create an intimidating, hostile or offensive work environment.

Prohibited Relationships among employees where there is direct supervision or control between the parties - The Town strives to provide an environment for its employees that is respectful, fair and free of unlawful harassment and discrimination. In keeping with its commitment to provide equal opportunity to its employees, and in order to avoid potential conflicts of interest, favoritism, exploitation, harassment or breaches of professional standards, the Town prohibits romantic or sexual relationships among employees where there is supervision,

direction or control between the parties. This policy applies to *all employees*, as defined herein. For purposes of this policy the following definitions shall apply:

- "Supervisor" shall mean any person who has the authority and/or responsibility to hire, promote, discipline, evaluate, assign or direct employees of the Town.
- "Employee" shall mean any person employed by the Town in any capacity.

Non-Fraternization Policy - No supervisor shall have or pursue a romantic or sexual relationship with any employee who reports to the supervisor or over whom the supervisor has the authority and/or responsibility to hire, promote, discipline, evaluate, assign or direct. If such a relationship exists, both the involved supervisor and involved employee shall report such relationship to the next-level supervisor, to whom the supervisor reports. The next-level supervisor shall take appropriate steps consistent with this policy, including the removal of any reporting or similar relationship between the supervisor and the employee.

Any employee who becomes aware of a relationship prohibited by this policy shall report such relationship to their next-level supervisor (who is not the involved employee/supervisor), or to any other member of management (if the employee would feel more comfortable speaking with someone other than his or her supervisor). The supervisor or manager receiving the report shall inform the department head, who shall coordinate with the supervisor or manager of the involved employee/supervisor to take appropriate action consistent with this policy.

Employees who violate this policy will be subject to discipline, up to and including termination of employment.

Upon request, the Town, **through the Town Council**, may grant exceptions to this policy if it determines that an otherwise prohibited relationship (1) existed prior to the professional relationship of the parties at the Town, and (2) does not present a likelihood of abuse of power by or exploitation of either party.

Questions regarding the applicability of or reporting requirements contained in this policy may be directed to any supervisor or manager. Allegations of harassing behavior must immediately be reported to his or her supervisor, or to any other member of management.

It is unlawful to take adverse actions against any employee/supervisor of the Town for filing a complaint of harassment or discrimination, or for cooperating in an investigation of such a complaint. Retaliation against any employee of the Town who, in good faith, reports alleged harassment or who participates in an investigation is a violation of our policy and is subject to appropriate discipline. Retaliation may have an adverse impact in the following areas: hiring, firing, promotions, demotions, compensation, benefits, ignoring or refusing requests for assistance. This list is not exhaustive.

Substance Abuse Policy - The Town Council holds that drug and alcohol use is highly detrimental to the safety and productivity of our people and its citizens. Additionally, the Town supports and complies with both State and Federal Drug Free Work-Place Acts. The Town is committed to maintaining a drug free workplace. The unlawful manufacture, distribution, dispensation, use, or being under the influence of alcoholic beverages or illegal drugs while on the Town's property, while attending work related activities, while on duty, or while operating a vehicle or machine leased or owned by the Town is strictly prohibited. Employees in the workplace in violation of any of the prohibitions above shall be subject to disciplinary proceedings before the Town Council.

Social Media - This policy governs the publication of and commentary on Social Media by town employees as well as Committee, Board, and Council members (herein referred to as “representatives”) of the Town of Ogden Dunes (herein referred to as “Town”) and is not designed for the purposes of interference with or restriction of town representatives’ rights under all applicable laws including the National Labor Relations Act as well as federal, and state equal opportunity laws.

We respect the laws and employees’ rights to engage in concerted activities under the laws. For the purposes of this policy, the term “Social Media” describes any facility for online publication and commentary, including without limitation the Town’s blogs, wiki’s, social networking sites such as Facebook, LinkedIn, Twitter, Flickr, YouTube, Instagram and the Town’s organizational website. This policy is in addition to and complements any existing or future policies regarding the use of technology, computers, e-mail and the internet. It is the representative’s responsibility to read, understand, and follow this policy when establishing or participating in the Town’s wikis, social networks, blogs, or any other sort of Social Media. The Town takes no position on a representative’s decision to start or maintain a blog or participate in other Social Media or social networking activities. However, it is the right and duty of the Town to protect itself from Town representatives who indicate that they are speaking on behalf of the Town when they are not authorized to do so.

Town representatives are free to publish or comment via Social Media in accordance with this policy. Town representatives are subject to this policy to the extent that they identify or represent themselves as a Town representative (other than as an incidental mention of place of employment in a personal blog on topics unrelated to the Town). Notwithstanding the previous section, this policy applies to all uses of Social Media, including personal, by Town representatives. All uses of Social Media must follow the same ethical standards that Town representatives must otherwise follow.

Setting up Social Media. The Town respects the right of its representatives to write blogs and use Social Media and social networking sites. The Town does not want to discourage its representatives from self-publishing and self-expression, and the Town takes a neutral position toward representatives who use Social Media in connection with personal interests and affiliations, or for other lawful purposes. However, Town representatives are expected to follow the guidelines and policies

set forth to make clear that their comments and posts are made as individuals and not as Town representatives.

Maintain Confidentiality. Town representatives must adhere to the Town's Policy on Confidentiality in their use of Social Media. Likewise, these representatives may not post through Social Media confidential and/or proprietary Town-related documents or post any information that would violate the Town's Policy on Confidentiality.

Protect Privacy. Privacy settings on Social Media platforms should be set to allow anyone to see profile information similar to what would be on the Town's website or any other information that is simple public knowledge. Other privacy settings that might allow others to post information or see information that is personal should be set to limit access. Town representatives should be mindful of posting information that the public should not be able to see.

Honesty. Representatives are not to blog anonymously, or use pseudonyms or false screen names when undertaken as part of the work for and on behalf of the Town. The Town believes in transparency and honesty. Representatives should use real names, establish identity, and state that they are Town representatives. Representatives should refrain from saying anything that is knowingly false. If a vested personal interest exists in something being discussed, the representative should disclose this.

Respect Copyright Laws. It is critical that representatives show proper respect for the laws governing copyright and fair use or fair dealing of copyrighted material owned by others, including Town's own copyrights and brands. Representatives should never quote more than short excerpts of works that are not their own, and always attribute such work to the original author/source. It is good general practice to link to others' work rather than reproduce it.

Respect Audience, Town, and Coworkers. The public in general and Town representatives reflect a diverse set of customs, values, and points of view and should therefore refrain from saying anything contradictory or in conflict with the Town mission or values. Representatives should not be afraid to be themselves, but this must be done in a respectful manner. This includes not only the obvious (no ethnic slurs, offensive comments, defamatory comments, personal insults, obscenity, etc.), but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory - such as politics and religion. Employees should use best judgment and be sure to make it clear that the views and opinions expressed are theirs alone and do not represent the official views of the Town.

If a representative sees misrepresentations made about the Town in the media, they are permitted to correct this. Representatives must always do so with respect and with the facts. When speaking about others, representatives must not make

statements that are knowingly false and malicious. All Town policies, including but not limited to policies regarding harassment and discrimination, apply to representatives and in their use of social media.

Reporting Violations. The Town requests and strongly urges representatives to report any violations, or possible or perceived violations, of this policy to supervisors or the Town President Council President. representatives are encouraged to report violations to the Town Council President. In particular, the Town would request that residents or representatives provide a snapshot and/or printout of the page(s) that is believed to contain the violation so that the Town may examine the entire context of the alleged violation.

Consider Consequences. Representatives are personally responsible for their commentary and posts through Social Media. Representatives can be held personally liable for commentary that is considered defamatory, threatening, intimidating, harassing, obscene, proprietary, or libelous and should always exercise their best judgment.

Disclaimers. Many Social Media users include a prominent disclaimer saying who they work for, but that they are not speaking officially on behalf of the organization. This is good practice and is encouraged but should not be counted on to avoid trouble - it may not have much legal effect.

Interference with Duties. Employees must ensure that Social Media activities do not interfere with duties or commitments. Use of the Town's IT capabilities to conduct personal Social Media activities should be kept to a minimum and not disrupt work activities. Excessive or inappropriate personal use of the Town's IT resources for Social Media purposes will be subject to disciplinary action.

Enforcement - Policy violations will be subject to disciplinary action, up to and including termination for cause. Any violations of this policy should be reported to the President of the Town Council immediately. Proper disciplinary action will then be determined upon a complete and thorough investigation. The Town may request that employees avoid certain subjects or withdraw certain information concerning Town if the Town believes that doing so will help ensure compliance with applicable laws. The Town reserves the right to remove any posted comment on any of its related sites if it is deemed not appropriate for the topic discussed or the use inappropriate language is present. Internet postings should not violate any other applicable policy of the Town, including those set forth in the Employee Handbook. Representatives must agree that Town shall not be liable, under any circumstance, for any errors, omissions, loss, or damages claimed or incurred due to any internet postings of their own. The Town reserves the right to suspend, modify, or withdraw this Social Media Policy at any time and for any reason, and representatives are responsible for reviewing the terms of this policy regularly for any changes or updates.

Employee Conduct and Discipline

Employees who commit any of the following acts, which have been determined to be violations of acceptable work behavior, may be subject to corrective disciplinary action through the procedures established for performance management.

- (A) Exceeding time limits on break or meal periods or taking break or meal periods other than the designated times without proper authorization.
- (B) Stopping or leaving work before the end of a scheduled work period without proper authorization.
- (C) Sleeping, loafing or wasting time during a scheduled work period.
- (D) Using work hours for personal matters. This includes making or receiving non-emergency personal telephone calls, personal e-mails, personal use of computers and the Internet during scheduled work periods.
- (E) Directing profane, abusive, insulting or threatening language at a fellow employee.
- (F) Creating disharmony among employees or interfering with other employees on the job.
- (G) Working time is for work. Solicitation by employees is prohibited during the working time of the solicitor and the employee being solicited. Distribution of literature by employees, including handbills, leaflets, circulars or other matter is prohibited in any working area, including aisles and corridors, at any time. "Working time," means the time when you are actually scheduled to work as opposed to mealtime, breaks, etc.
- (H) Posting materials on bulletin boards without the prior written approval of the Department Manager, or defacing, marking, damaging, destroying, or removing materials posted on the s authorized by management.
- (I) Failure to observe safety rules or regulations or engaging in any other unsafe or unhealthful conduct.
- (J) Having or allowing unauthorized or unregistered visitors in your work area.
- (K) Engaging in conduct that violates the Town's policy concerning business ethics and conflicts of interest.
- (L) Failure to report any work-related injury or accident -- no matter how minor -- to your Supervisor or the Department Manager.
- (M) Irregular attendance or excessive tardiness or absenteeism, whether with or without proper notice.
- (N) Failure to provide adequate and acceptable verification of illness or injury, or substantiating documentation for absences due to other reasons when required by your Supervisor or the Department Manager.
- (O) Unauthorized entry into designated limited access areas.

- (P) Poor workmanship, low productivity or substandard performance.
- (Q) Smoking in non-smoking areas.

References when leaving employment

Employees who leave our employment will be given the option of authorizing us to release information regarding their work performance, attendance, inter-personal relations, length of employment, position, pay rate and other job-related information. When employees leave our employment without giving us written authorization to release more detailed information, we will as general practice release only information about their length of employment, position and pay rate. All reference requests should be directed to the Department Manager.

Handbook Updates

It is the responsibility of each employee to use common sense, sound judgment and to conscientiously perform your work duties while following our policies and management directives in the performance of your job. You should familiarize yourself with our employment policies and keep yourself abreast of changes in them. When new or revised sections of this Handbook are issued, you are responsible for inserting those sections in your copy of the Handbook, discarding sections that have been replaced and signing acknowledgement of receipt of new sections. In cases where this handbook may be in conflict with Chapter 34 or other sections of the Town of Ogden Dunes Ordinances, the Town Ordinances will prevail.

Acknowledgement of Receipt

I have received a copy of the Town of Ogden Dunes Employee Handbook. I understand that it is my responsibility to become familiar with the contents of this book, as it outlines my benefits and the Town's policies. I also understand that nothing contained in this Handbook shall be construed as a contract or guarantee of employment. I understand that the Town and I have an "employment-at-will" relationship. In such a relationship I may end my employment with the Town at any time and the Town may do likewise.

Should I have any questions regarding these benefits and policies, I understand that I am encouraged to talk them over with my supervisor.

Signed: _____

Employee: _____ Date: _____

Print Name: _____

Counter Signed:

Supervisor: _____ Date: _____

Print Name: _____