



Personnel Policies and Procedures Manual for Town of Exeter, NH

**Approved – November 21, 2011
Effective - January 1, 2012
Amended – August 10, 2015**

This document supersedes all personnel policies previously established or approved by the Town of Exeter and is subject to change.

HISTORY OF EXETER

The Town of Exeter is a full service community, governed under the Selectmen/Manager plan of government. A member of the New Hampshire Municipal Association and ICMA-recognized, the Town operated various departments to fulfill its governmental functions as required by law, ordinance and good practical community assessment.

The Town of Exeter was founded in 1638 by John Wheelwright, and its history has been long and replete with events that have gained National and International attention. While not a chartered community, the Town has long been a seat of governmental activity and its present form of government has evolved from a steady knowledge that society demands good government. The challenges of the eighties and nineties have not waived that principal and, as we enter the 21st century, we continue to be a strong Town Meeting type, always striving towards excellence.

ABOUT THIS MANUAL

The Personnel Plan, originally established on September 24, 1968, is the basis for the current version. Major amendments were accomplished in 1975 and the document, as amended from time to time, shall continue to be referred to as the “Personnel Plan”.

The Town of Exeter 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 Manual supersedes and replaces any and all prior Manuals, policies, procedures, and practices of the Town of Exeter.

This Manual 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 Manual. The Manual (and other plan documents) are not contractual in nature and do not guarantee any continuance of benefits.

This Manual is not, and should not be construed as an express or implied contract and does not modify any existing at-will status of any Town employee. It is not intended to create any due process protections or requirements in excess of federal or state constitutional or statutory requirements, nor does it guarantee any fixed terms and conditions of employment and/or benefits. Employment at-will means that employees are free to resign from their employment at any time, with or without cause or notice, and the Town has similar rights and can terminate the employment relationship at any time, with or without cause or notice, except as provided by law. Please also be aware that the Town reserves the right to change, revise, or eliminate any of the policies, procedures, or benefits described in this Manual at any time, in its sole discretion. If and when provisions are changed, you will be given replacement pages for those that have become outdated.

The purpose of this policy is to establish procedures to guide administrative actions relating to personnel. Questions regarding any personnel policy should be directed to your Supervisor, Department Head, Human Resources Director, or Town Manager.

SUGGESTIONS AND IDEAS

We are always interested in your constructive ideas and suggestions for improving our operations. We believe constructive suggestions indicate initiative on the part of an employee, and we encourage employees to submit them. A constructive suggestion notes an issue and offers a reasonable suggestion for improvement. After your idea or suggestion is reviewed you will be notified of the status.

TABLE OF CONTENTS

I. <u>GENERAL PROVISIONS</u>	7
1) OUR WORKPLACE	7
2) APPLICABILITY OF MANUAL: ADMINISTRATION	7
3) SCOPE OF POLICIES	7
4) DEFINITIONS	8
5) EQUAL EMPLOYMENT OPPORTUNITY	10
6) POLICY AGAINST HARASSMENT	10
7) SEXUAL HARASSMENT POLICY	11
8) REPORTING PROCEDURE FOR SEXUAL AND OTHER HARASSMENT AND DISCRIMINATION	13
9) AMERICANS WITH DISABILITIES ACT	14
II. <u>EMPLOYEE CLASSIFICATIONS</u>	14
1) EMPLOYMENT AT WILL	14
2) EMPLOYMENT CLASSIFICATIONS	14
3) PROBATIONARY PERIOD	15
III. <u>RECRUITING AND HIRING</u>	15
1) RECRUITMENT	15
2) APPLICATION	16
3) CRIMINAL AND BACKGROUND CHECKS	16
4) HIRING	16
5) RESIDENCY	16
6) EMPLOYMENT OF RELATIVES (NEPOTISM)	17
7) PROMOTIONS, TRANSFERS & JOB POSTINGS	17
IV. <u>COMPENSATION AND HOURS OF WORK</u>	18
1) REPORTING OF TIME WORKED.....	18
2) PAY/PAY PERIODS	18
3) WORKWEEK/HOURS OF WORK	18
4) OVERTIME	19
5) MEAL AND BREAK PERIODS	19
6) POLICE DETAIL POLICY	20
7) PAYROLL DEDUCTIONS	20
8) REIMBURSABLE EXPENSES	20
9) PAY PLAN	20
V. <u>EMPLOYMENT EVALUATIONS AND TRAINING</u>	21
1) PERFORMANCE EVALUATIONS	21
2) FITNESS FOR DUTY EVALUATION	22
3) TRAINING POLICY	22

VI. <u>HEALTH AND OTHER RELATED BENEFITS</u>	22
1) MEDICAL INSURANCE	22
2) DENTAL INSURANCE	23
3) CONTINUATION OF INSURANCE COVERAGE	23
4) RETIRED PERSONNEL	23
5) LONG TERM DISABILITY	23
6) TUITION REIMBURSEMENT	23
7) WORKERS COMPENSATION	24
8) TEMPORARY ALTERNATIVE (LIGHT) DUTY POLICY	24
9) UNEMPLOYMENT INSURANCE	25
10) LIFE INSURANCE	25
11) RETIRMENT PLAN	25
12) DIRECT DEPOSIT	26
13) FLEXIBLE SPENDING PROGRAM (SECTION 125)	26
14) SOCIAL SECURITY	26
VII. <u>TIME AWAY FROM WORK</u>	26
1) HOLIDAYS	26
2) VACATION	27
3) SICK LEAVE	28
4) SICK LEAVE BANK	30
5) PERSONAL DAYS	31
6) FAMILY AND MEDICAL LEAVE (FMLA)	31
7) MATERNITY LEAVE	34
8) PERSONAL LEAVE OF ABSENCE	34
9) UNAUTHORIZED ABSENCE	35
10) MILITARY LEAVE	35
11) BEREAVEMENT LEAVE	37
12) JURY DUTY AND WITNESS LEAVE	38
13) LEAVE OF ABSENCE FOR VICTIMS OF CRIME	38
14) ADMINISTRATIVE LEAVE	39
VIII. <u>ON THE JOB</u>	39
1) ATTENDANCE	39
2) CONFIDENTIALITY	40
3) TOWN EQUIPMENT, TELEPHONES, FACSIMILE, E-MAIL AND INTERNET USE	41
4) COMMUNICATIONS	41
5) DRESS CODE	41
6) INCLEMENT WEATHER (<u>Replaces Snow Day Policy</u>)	42
7) SOLICITATIONS	42
8) MOTOR VEHICLE VIOLATIONS	42
9) OPERATION OF VEHICLES	42
10) TOWN PROPERTY	43
11) TOWN SECURITY	43
12) CONFLICT OF INTEREST	44
13) SEAT BELT POLICY	44
14) COMPUTER USE AND COMMUNICATIONS EQUIPMENT POLICY	44
15) PERSONNEL RECORDS	47
16) STANDARDS OF CONDUCT	48
17) DISCIPLINE	49
18) LEVELS OF DISCIPLINE	50

19) GRIEVANCE PROCEDURE	51
IX. <u>EMPLOYEE SAFETY AND HEALTH</u>	51
1) SAFETY AND HEALTH STATEMENT	52
2) JOINT LOSS SAFETY RESPONSIBILITIES (SAFETY COMM.)	52
3) WORKPLACE VIOLENCE	54
4) ALCOHOL AND DRUG POLICY	54
5) SMOKE FREE POLICY	56
6) WORKPLACE SEARCHES	56
7) ELECTRONIC DEVICES	56
X. <u>OTHER</u>	57
1) SOCIAL NETWORKING AND BLOG POSTINGS	57
XI. <u>SEPARATION FROM EMPLOYMENT</u>	58
1) RESIGNATION/TERMINATION	58
2) EXIT INTERVIEWS	58
3) RETURN OF TOWN PROPERTY	58
4) LAYOFF	58

I. GENERAL PROVISIONS

OUR WORKPLACE

As you review this Manual, you will notice that terms such as “workplace” and “premises” appear in many of the Town’s policies. For most employers, such terms encompass the buildings and surrounding property that they own or lease. However, the nature of our work as a municipality requires that our use of these terms have a broader definition. Accordingly, whenever our “workplace” or “premises” is discussed in this Manual, please understand that we are discussing not only Town buildings, facilities and properties, but also any remote job site to which you may be assigned to work and any vehicle you may be traveling in or using for Town related business.

APPLICABILITY OF MANUAL: ADMINISTRATION

The rules, regulations, policies and procedures in this Manual constitute the Town of Exeter’s Personnel Policies and Procedures Manual, and they have been adopted by the Board of Selectmen. This manual is for information and guidance and for use by the Exeter Board of Selectmen, Town Manager, supervisory personnel and employees of the Town.

The Town Manager is responsible for the administration of the provisions of this manual and has the authority to take appropriate action in dealing with cases of violations of this manual.

In implementing this manual, the Town Manager is authorized to prepare Administrative Regulations on personnel management not inconsistent with this plan. Administrative Regulations may be promulgated by the Town Manager and will generally itemize or detail specifics relating to a personnel management subject. They may be implemented in conjunction with this plan and will bear the same authority.

In addition to this Personnel Policies and Procedures Manual, employees may be subject to Administrative Regulations of the Town Manager and to departmental regulations and policies.

Department Heads subject to review and approval by the Town Manager and/or Board of Selectmen, shall be responsible for the appointment, retention, transfer, promotion, discipline and separation of employees in their respective departments in accordance with these procedures and policies. They are expected to supervise their employees; to report on the efficiency and performance of their subordinates; and to notify the Town Manager of changes in the duties and responsibilities of their employees in order that employee classification will be maintained.

SCOPE OF POLICIES

These personnel policies apply to all Town employees. In cases where these policies conflict with any Town ordinance, the provisions of a collective bargaining agreement, State or Federal law, the terms of that law or agreement shall prevail. In all other cases, these policies apply.

Each department of the Town may develop, implement, and revise as necessary, such policies, procedures, and rules pertaining to unique operational requirements and their effect upon employees as are needed for the efficient performance of the department. Such policies,

procedures, and rules should not conflict with these policies or amendments thereto and must, therefore, be approved by the Town Manager and Board of Selectmen prior to implementation. Where conflicts arise, these policies shall prevail.

DEFINITIONS

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

ANNIVERSARY DATE/SENIORITY - An employee's anniversary date is the date when the Town first employed the employee. An employee's actual start date shall be used for leave accrual or employment verifications.

Seniority shall be the length of continuous service with the Town from the actual start date and shall be calculated on the basis of years, months and days of **full time** service. Should there be a voluntary interruption or break in service, seniority shall commence as of the date of last entrance into Town service. Should the break in service be due to a reduction in force, prior seniority will be retained upon re-entry into the Town service. Leaves of absence shall not be considered as breaks in service.

Seniority is usually a tie breaker for the purpose of establishing a vacation schedule. The Town Manager shall be consulted on questions of leave disputes.

APPOINTING AUTHORITY – The Town Manager and/or the Board of Selectmen is the appointing authority for all classified positions.

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

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

DISABILITY – A disabling condition; partial or permanent, which prevents, hinders or adversely affects an individual's performance of their normal routine of work. A formal determination of disability may be based on the disability policy then in place. (ADA and/or Retirement disability).

ELIGIBLE – A person who has met the minimum qualification requirement established for a position or has met the requirements established to receive benefits from the Town.

EXAMINATION (Selection Device) – Any test of fitness used to evaluate the ability of applicants to perform the duties of a position. (Example: oral board, written test, performance test, physical examination).

EXEMPT – Designation of employment status in accordance with provisions of the Fair Labor Standards Act (not eligible for overtime).

FULL-TIME EMPLOYEE – An employee who regularly works a minimum of forty (40) hours per week.

IMMEDIATE FAMILY – “Immediate family” includes spouse, children (natural or adopted), stepchildren, parents, parents –in-law, brothers, sisters, stepparents, stepbrothers, stepsisters, grandparents, and grandchildren of the employee, or person living in the employee’s immediate household.

JOB DESCRIPTION – The written description of the duties and responsibilities of a class of positions along with its fitness and qualification requirements.

LAYOFF – Involuntary separation of an employee resulting from a reduction in force due to lack of work, lack of funds, or abolishment of the employee’s position.

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

NON-EXEMPT – Designation of employment status in accordance with provisions of the Fair Labor Standards Act (eligible for overtime).

OPEN ENROLLMENT – Designated time frame to make changes or enroll in eligible benefits.

PART-TIME EMPLOYEE – An individual who is assigned regular working hours less than (35) hours per workweek.

PERSONNEL ACTION – All activities affecting any aspect of an employee’s status. Includes appointments and changes in appointments, original hiring, re-employment, transfer, promotion, demotion, changes in hours, reallocation, resignation, suspension, dismissal, and placement in leave status.

POSITION – A regularly established job in the classified service of the Town.

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

PROMOTION – Assignment of an employee from a position to another, which has a higher maximum rate of pay.

RECLASSIFICATION – Reassignment of a position from one pay grade, class or title to another pay grade class or title in the Town to more accurately reflect the duties and responsibilities involved.

RESIGNATION – Separation of an employee from Town employment by his or her own voluntary act.

REGULAR EMPLOYEE – Any non-probationary employee of the Town who is other than a temporary/seasonal employee, and may be part-time or full-time.

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

SEPARATION – Separation is the termination of an employee from employment by the Town through retirement, resignation, layoff or dismissal.

SUSPENSION – An enforced leave of absence for disciplinary purposes or pending and investigation of charges made against an employee.

TEMPORARY/SEASONAL EMPLOYEE – An employee who holds a job of limited duration due to special projects, abnormal workloads or emergencies, or, that are seasonal in nature. Temporary/Seasonal employees are not eligible for Town benefits. Temporary/Seasonal employees are still “at will” employees.

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

TRANSFER – A change of an employee from a position in a class in one department to another position in the same class in another department or to a different class through reclassification of the position.

EQUAL EMPLOYMENT OPPORTUNITY

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

POLICY AGAINST HARASSMENT

The Town of Exeter does not tolerate harassment in the workplace on the basis of marital status, physical or mental disability, age, race, color, religion, sex, sexual orientation, veteran status, pregnancy, or national origin.

In support of our commitment to equal employment opportunities, the Town of Exeter prohibits harassment of one employee by another employee or supervisor on any of the bases discussed above. Any employee who harasses another employee or a customer on any of the bases discussed above will be subject to discipline, up to and including discharge. The Town of Exeter defines harassment as follows:

Harassment is verbal and/or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or

her race, color, sex, pregnancy, national origin, age, religion, disability, marital status, sexual orientation or veteran status, or that of his or her relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

It is not possible to list all of the circumstances and behaviors that may constitute unlawful harassment in violation of Town of Exeter policy. However, the following are some examples of conduct which, if unwelcome, may constitute harassment depending on the circumstances, including the severity of the conduct and its pervasiveness:

- Epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, pregnancy, age, disability, sexual orientation, marital status, or veteran status; and
- Written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, age, disability, sexual orientation or veteran status that is placed on walls, bulletin boards, or elsewhere on Town of Exeter premises, or in circulation in the workplace.

The Town of Exeter prohibits all of the activities discussed above, whether engaged in by an employee, consultant, contractor or volunteer.

If you believe that you have been subjected to harassment in violation of this policy, you should report the incident in accordance with the Reporting Procedure contained in section II-4. The matter will be promptly investigated and appropriate action will be taken, depending on the nature and severity of any proven incident.

Retaliation against an employee who complains in good faith about harassment in accordance with this policy is a violation of this policy. Retaliation is a form of unlawful harassment and will be handled in the same manner as other forms of harassment. If you believe that you have been subjected to retaliation, you should report the incident in accordance with the Reporting Procedure contained in this Manual.

SEXUAL HARASSMENT POLICY

A. Introduction

The Town's goal is to provide a workplace that is free of sexual harassment. Sexual harassment of employees in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by our Town. Further, any retaliation against an individual who has complained about sexual harassment and/or retaliation against an individual who has cooperated in an investigation of sexual harassment is unlawful and will not be tolerated.

Because the Town takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment. Where it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the conduct and implement any necessary remedial or corrective action, including disciplinary action where appropriate.

B. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical 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.

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 and unwelcome behavior emphasizing sexual identity. 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.

This policy prohibits all of the activities discussed above, whether engaged in by a supervisor, employee, co-worker, agent or non-employee who is on Town premises or who comes into contact with Town employees.

It is not possible to list all of the additional circumstances and behaviors that may constitute sexual harassment or other inappropriate conduct that will not be tolerated. However, the following are some examples of prohibited conduct:

- Unwelcome sexual advances, whether or not they involve physical touching;
- Sexual epithets; sexual jokes; written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body; comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body; sexual gestures;
- Suggestive or insulting comments;
- Inquiries into an individual's sexual experiences; and
- Discussion of one's sexual activities.

C. Complaints of Sexual Harassment

Experience has shown that a clear statement to the person engaging in the offensive behavior is sometimes all that is necessary to stop the conduct. If you believe you are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, you are not required to do so. If you believe that you have been subjected to sexual harassment, you should report the incident immediately. All reports must be made in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

D. Retaliation

Retaliation against an employee who complains in good faith about sexual harassment or who participates in good faith in an investigation of a complaint is a violation of this policy and is prohibited by law. If you believe that you have been subjected to retaliation, you must report the incident in accordance with the Reporting Procedure contained in this Manual.

REPORTING PROCEDURE FOR SEXUAL AND OTHER UNLAWFUL HARASSMENT, DISCRIMINATION AND RETALIATION

Any employee who feels that he or she has experienced sexual or other unlawful harassment and discrimination or retaliation should immediately report such actions. All reports must be made in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If you believe that you have experienced sexual or other unlawful harassment, discrimination or retaliation, you should report the incident immediately to the Human Resources Director or the Town Manager.
2. Supervisors and managers who become aware of discriminatory or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to the Human Resources Director or the Town Manager.
3. The Town will promptly investigate incidents reported through this procedure. Any employee, supervisor, or agent of the Town who has been found to have engaged in conduct that violates our policies against discrimination and/or harassment will be subject to appropriate remedial and/or disciplinary action, up to and including immediate discharge. The complainant will be informed generally of the outcome of the investigation and whether remedial action is being undertaken by the Town.
4. The Town will conduct all investigations in a discreet manner. Disclosure of complaints will be limited to those with a need to know in order to investigate the complaint and take appropriate remedial action.
5. If the matter is not satisfied it can be report to the EEOC.
Boston Area EEOC Office:
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203

ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES (ADA)

In accordance with the Americans with Disabilities Act of 1990 (“ADA”) and RSA 354-A, the Town prohibits any form of discrimination in hiring as well as in all terms and conditions of employment against individuals with physical or mental disabilities. We will make every effort to make reasonable accommodations to ensure equal opportunity for qualified individuals with disabilities in the application process and in performing essential job functions, so as to afford enjoyment of the same benefits and privileges of employment as are enjoyed by employees without disabilities.

Please notify Human Resources if, because of a disability, you require an accommodation to perform the essential functions of your job. You may be asked to provide medical information regarding your disability and possible accommodations, and we expect that you will engage in this interactive process in good faith so that we may determine eligibility for accommodation and identify reasonable accommodations. We will maintain all medical information in a confidential manner in accordance with the ADA, and will provide reasonable accommodations as required by law. The Town may decline to provide accommodations to individuals who are not qualified individuals within the meaning of the law, and may also decline to provide accommodations that are not reasonable or that cause an undue hardship.

II. EMPLOYMENT CLASSIFICATIONS

EMPLOYMENT AT WILL

Unless otherwise provided in a written contract or unless set forth by statute, Town employees are considered to be employees at-will. Employment at-will status enables both the Town and the employee to terminate the employment relationship with or without cause or notice, at any time, for no reason or for any reason not prohibited by law. Neither the policies contained in this Manual, nor any other written or verbal communication by a supervisor or official, are intended to change the at-will relationship or create a contract of employment.

EMPLOYMENT CLASSIFICATIONS

At the time that you are hired, you are classified as full-time, part-time, or temporary and are informed as to whether you qualify for overtime pay. Unless otherwise specified in writing or as required by law, the benefits described in this Manual apply only to full-time employees. All other policies described in this Manual apply to all employees, with the exception of certain wage, salary and time off limitations, and those employees covered by collective bargaining agreements. If you are unsure of which job classification into which your position fits, please ask Human Resources.

REGULAR FULL-TIME EMPLOYEES: Individuals who are regularly scheduled to work 40 or more hours per week.

REGULAR PART-TIME EMPLOYEES: Individuals who are regularly scheduled to work less than 35 hours per week. Part-time employees are not eligible for benefits described in the Manual except where noted, authorized by the Town Manager or to the extent required by state or federal law.

TEMPORARY/SEASONAL/ON CALL EMPLOYEES: Individuals who are hired for specific periods of time or for the completion of a specific project. Seasonal employees, those hired to work for twenty-six (26) weeks or less, are considered to be temporary employees. Temporary/Seasonal/On Call employees are not eligible for benefits described in this Manual except to the extent required by state or federal law.

NON-EXEMPT AND EXEMPT EMPLOYEES: All employees will be classified as either “exempt” or “non-exempt.” Exempt employees are paid on a salary basis and their duties and responsibilities allow them to be considered exempt from the overtime requirements of the Fair Labor Standards Act (“FLSA”). Therefore, these employees are not eligible to receive overtime pay. Non-exempt employees do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and Town policy.

Upon hiring, employees are told whether they are classified as exempt or non-exempt from the overtime provisions of the FLSA. If you have questions about whether you are classified as exempt or non-exempt under the FLSA, please contact Human Resources.

PROBATIONARY PERIOD

Appointments by the Town Manager for all personnel shall, in the first instance, serve in a probationary status for twelve (12) months commencing on the first day of employment, except as may be otherwise stated in a collective bargaining agreement. The Town Manager or his/her designee may discharge any employee without advance notice during the probationary period. Except in cases of alleged discrimination, a probationary employee may not appeal such action.

The Department Head and Supervisor shall meet with each new employee at the conclusion of the eleven (11) months of employment to review the employee’s performance. Where appropriate, the Department Head and Supervisor will offer remedial suggestions for improvement. An employee becomes a regular full-time employee upon successful completion of a probationary evaluation.

At the discretion of the Town Manager, or their designee, the probationary period may be extended an additional three (3) months. The probationary employee, after successfully completing the probationary period, shall be upgraded one step upon recommendation of the Department Head and approved by the Town Manager. Probationary employees are not entitled to the protection afforded regular employees under the “Discipline, Grievance Procedure,” or “Termination” provisions of this Personnel Policy Manual.

III. RECRUITING AND HIRING

RECRUITMENT

When a position vacancy occurs, the Department Head shall notify Human Resources stating the date of vacancy, position, title and other pertinent facts, which may be necessary. No position will be filled without prior approval of the Town Manager.

When a Department Head wishes to establish a new position, they shall notify Human Resources, in writing, stating the class/title, if such a class exists, or a job description when no such position is classified, and the reason for the request. No new position will be established without the approval of the Town Manager and the Board of Selectmen.

APPLICATION

Application for employment with the Town must be filed on the available forms prescribed by the Human Resources department. Such forms may require whatever information is deemed necessary and all applications must be signed by the applicant.

It is the policy of the Town that vacancies, except those filled by promotion or transfer, be advertised in at least one issue of a local newspaper. Applications shall be received for at least one week after the date of advertisement. All positions requiring Commercial licenses, other than emergency vehicle operators, for operation of equipment over 26,000 GVW's must meet the Federal Motor Carrier Safety Regulations. The Federal Motor Carrier Safety Regulation handbook is available at the Human Resources Department.

CRIMINAL AND BACKGROUND CHECKS

The Town will conduct a job-related background check. A comprehensive background check may consist of prior employment verification, professional references and education confirmation. A motor vehicle and criminal record check will also be performed.

HIRING

Employment to fill a vacancy, which falls in jurisdiction of the Town Manager, will follow a joint review of all applicants with the Department Head in whose Department the vacancy exists.

The rate of pay at the time of employment will be at the minimum rate for that position unless the applicant has above normal qualifications for the position to be filled, in which case the Town Manager may, at his/her discretion, employ the applicant at a pay rate above the minimum rate. Any proposed hiring above Step 3 will require prior approval of the Board of Selectmen, unless waived.

If a former employee is rehired, no benefits will be carried forward from previous service. The Town may administer pre-employment examinations to test the qualifications and ability of applicants. These may include written test. After an offer of employment has been made and prior to commencement of employment, the Town may require persons selected for employment to successfully pass a polygraph, psychological and/or medical examination, which may include testing for alcohol and controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the job and to insure his/her physical condition will not endanger the health, safety or well being of other employees or the public. The offer of employment may be conditioned on the results of the examinations.

RESIDENCY

The Town Manager, Police Chief, Fire Chief shall reside in the Town of Exeter. The Board of Selectmen may waive this requirement. Police Officers and Firefighters have a response time

requirement in establishing residency. Other employees are expected to be able to respond to a special call to work in a reasonable amount of time.

EMPLOYMENT OF RELATIVES (NEPOTISM)

Nothing in the Town's equal employment opportunity policy is intended to be interpreted as preventing the Town from reasonably regulating nepotism for reasons of supervision, safety, security, or morale.

Notwithstanding the above provisions, the Town retains the right to:

- a) Refuse to place a spouse or live-in significant other under the direct supervision of the other spouse or live-in significant other where such has the potential for creating an adverse effect on supervision, safety, security or morale.
- b) Refuse to place both spouses or live-in significant others in the Police Department if there is the potential for creating an adverse effect on supervision, safety, security or morale.
- c) Other relatives shall not be hired in the same department where such has the potential for creating an adverse effect on supervision, safety, security, moral or involves potential conflicts of interest unless there are no other equally qualified candidates and the Town Manager and/or the Board of Selectmen vote an exception.

If two employees marry, become related or begin sharing living quarters with one another, and, in the Town's judgment, the potential problems noted above exist or reasonably could exist, only one of the employees will be permitted to stay in the Town's employ, unless reasonable accommodations, as determined by the Town Manager and/or the Board of Selectmen, can be made to eliminate the potential problem. The decision as to which employee will remain with the Town must be made by the two employees within thirty (30) calendar days of the date they marry, become related or begin sharing living quarters. If no decision is made during that time, the Town reserves the right to terminate either employee.

PROMOTIONS, TRANSFERS & JOB POSTINGS

The Town of Exeter strives to provide employees with the opportunity to make full use of their skills, interests and potential. To support employee growth and development, we will make every effort to promote or transfer qualified employees from within the Town, if possible, based upon the needs of the business and employees qualifications. Every effort is made to place the employees in jobs that they are best suited to their abilities. We may also recruit individuals from outside of the Town, depending upon the circumstance.

Employees who have at least twelve (12) months of service in their present position and who meet the qualifications of the open position are eligible to apply. Generally, in order to maintain stability, employees who have been working in their current position for less than one year, will not be considered for another position, unless the Town in its discretion, decides otherwise. However, a transfer or promotion initiated by the Town may take place at anytime regardless of the employee's length of service in their present position.

Employees will generally receive a performance evaluation after 90 days in a new position. Another performance evaluation will typically be conducted after 8 months of service in the new position. Employees may be eligible for a pay increase in conjunction with the month evaluation, depending upon the circumstances.

IV. COMPENSATION AND HOURS OF WORK

REPORTING OF TIME WORKED

It is important that your time be accurately reported so that you are compensated for the hours that you work. You may be required to complete time sheets or to punch a time clock. No one is authorized to punch a time clock on your behalf, and falsification of time records could lead to disciplinary action, up to and including termination from employment. If there are any changes needed to your weekly time card, then you must initial the change, indicating that you agree to the change and the accuracy of the change. Your supervisor will provide you with details concerning your obligation to report all time you have worked.

PAY AND PAY PERIODS

Employees are informed as to their rates of pay and the pay period at the time that they are hired. Rates of pay are reviewed periodically and may be adjusted. If you have any questions regarding your rate of pay, please see Human Resources.

Employees are paid on a weekly basis on Wednesday for all hours worked during the most recent pay cycle. Please review your paycheck for errors. If you find a mistake, report it immediately to the Finance Department.

WORKWEEK/HOURS OF WORK/FLEX SCHEDULE

The Town of Exeter's workweek begins on Sunday at 12:00 a.m. (midnight) and ends on Saturday at 11:59 p.m. Because of the nature of our business, your work schedule may vary depending on your job and department. When hired, your supervisor will inform you of your hours of work.

Actual starting and quitting times vary from department to department and are established by the respective Department Head with approval of Town Manager. The workweek shall be either four (4) or five (5) days, out of seven (7) continuous days, forty (40) hours per week. The hours and days of work are subject to change depending on the circumstances of each department. The Town Manager has the authority to reduce hours of any position or employee within any of the departments within his/her administrative control. No employee other than firefighters shall be permitted to work more than sixteen consecutive hours within a twenty-four hour period.

After sixteen consecutive work hours have been completed by an employee, said employee shall be released from work duty for a period of not less than six hours. After said six-hour minimum release period, an employee may be recalled for additional work duty at the discretion of the department supervisor. Public Works shall be exempt according to the U.S. Department of Transportation Federal Motor Carrier Safety Regulations.

Each department is challenged with accommodating various work related programs and meetings outside of their traditional work week. This results in department Heads and other salaried staff to work beyond normal office hours. In some instances this is a seasonal occurrence, in other instances it may be weekly or monthly. In order to accommodate such situations, a flexible schedule may be allowed on an individual basis. Such allowances may be granted provided there are no appreciable disruptions to either department operations or service to the public during typical office hours. An employee who wishes to work a flexible schedule must submit a written request that includes their proposed schedule, as well as pertinent information on how the office is to be covered, for approval from their supervisor. Approved written request will then be forwarded to the Human Resources Department.

OVERTIME

Personnel shortages, peak workloads and other emergency situations may make it necessary for an employee to work beyond the regularly scheduled workweek. Hours of work beyond the employee's regular work period over forty (40) hours in a workweek is considered as overtime.

Distribution of Overtime – To the extent possible, overtime will be distributed as evenly as possible among the employees qualified to perform the particular job to be accomplished during overtime.

Compensation – All employees except those designated as exempt from the provisions of the Fair Labor Standards Act shall be compensated for all hours actually worked in excess of forty (40) hours at a rate of one and one-half times their regular rate of pay. Employee's exempt from the provisions of the Fair Labor Standards Act may be allowed to take time off (administrative leave) with the approval of the Town Manager. However, it is understood that specific salaried positions are paid on the basis of job responsibility to accomplish the work assigned to the position regardless of the hours required to do the work.

Call Outs – Nonsupervisory employees called out to perform emergency work on other than paid holidays shall be credited with not less than two (2) hours of work.

MEAL & BREAK PERIODS

Meal periods are unpaid and are thirty (30) minutes in length.

One or two break periods are permitted in the workday and shall be governed by the departmental schedule and mission. When authorized, these shall not exceed fifteen (15) minutes for either session, these breaks are not guaranteed.

An employee will not work more than five (5) consecutive hours before being required to take a meal or break period, except if the employee cannot leave their workstation because of coverage. See Human Resources for a waive form.

Break Time for Nursing Mothers: Non-exempt employees will be provided with a reasonable break time for the employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk. A private area will be provided. These breaks are unpaid.

POLICE DETAIL POLICY

Detail hours are not included when calculating overtime pay. Finance will request payment from a customer at the specified rate plus administrative costs and the use of a police vehicle.

PAYROLL DEDUCTIONS

There are two categories of payroll deductions: those required by state or federal law and those authorized by the employee. Payroll deductions required by state and federal law include federal withholding, income tax, social security tax, and wage garnishments as required by law (i.e., child support payments, court-ordered payments, IRS garnishments). If authorized in writing by an eligible employee, the Town will also make additional deductions for health insurance and other purposes that are for your benefit. Arrangement for these voluntary deductions may be made with Human Resources. Please contact the Finance Department with any questions about payroll deductions.

REIMBURSABLE EXPENSES

With prior written approval by your Department Head or the Town Manager, legitimate expenses will be reimbursed by the Town to the employee. The employee must submit receipts in order to reimburse the employee. Reimbursement may be in the form of petty cash or a separate check. See Human Resources with any questions as to what expenses may be reimbursed the employee.

PAY PLAN

1. PREPARATION

The Board of Selectmen shall adopt a uniform and equitable pay plan for the classification service upon recommendation by the Town Manager which shall consist of a minimum and maximum rate of pay for each class or position and other in-between rates as they consider necessary or equitable. Salary ranges shall be tied to the classification plan and will be determined with due regard to ranges of pay for other benefits received by employees, the financial policy of the Town and other economic consideration.

2. ADOPTION

The Pay Plan shall be adopted by the Board of Selectmen. After adoption by the Board, no position shall be assigned a higher salary than the maximum or lower than the minimum salary provided for the class of position unless the Salary Schedule for the class is changed. The adoption of the Pay Plan is a result of adoption of the budget that includes pay adjustments. The current pay plan as amended will be maintained by the Human Resources Department.

3. AMENDMENTS

Amendments to the salary plan may be made from time to time by the Board of Selectmen upon recommendation by the Town Manager and Human Resources, when changes in responsibility or work of classes, rates of pay, the Town's financial position and policies, or other information warrant such action.

4. ADMINISTRATION

- Appointment Rates:

The minimum rate of pay for a class shall normally be paid upon appointment to the Class. Appointment rates above the minimum rate may be paid upon the recommendation of Human Resources with the approval of the Town Manager. Appointments above Justification for approval will be recognition of exceptional qualifications or experience of the appointee. Lack of qualified persons at the minimum rate may also justify the appointment rate. If a former employee is re-employed, the Town Manager may make an appointment at the same rate of pay, which the employee had been receiving at the termination of his previous service.

- Salary Increases:

Salary adjustment within established ranges in the approved budget shall be based upon steps as recommended by the Department Head, Human Resources and approved by the Town Manager. The Department Head shall conduct performance reviews with each employee at least once a year. Department Heads performance will be reviewed by the Town Manager annually. The evaluation will be reviewed with the employee. The evaluation shall be in writing and a copy shall be placed in the employee's personnel file. Promotions from one job classification to another may be made by the Town Manager at anytime, subject to a six-month probationary period.

- Transfers, Demotions or Adjustments:

It may be necessary at times for employees to be transferred, demoted or an adjustment made throughout the Town Departments due to staffing needs, most effective use of personnel, inability to handle position responsibilities or discipline. Employees are to be trained on any new responsibilities a new position would require. Once an employee successfully completes that training, the employee will receive the same step amount as the previous grade position.

V. EMPLOYMENT EVALUATIONS AND TRAINING

PERFORMANCE EVALUATIONS

In order for employees to improve performance and better understand the Town of Exeter's expectations, the performance of employees will be periodically reviewed. You will generally receive performance evaluations from your Supervisor or Department Head during or at the expiration of the probationary period and yearly thereafter. However, job coaching is a continuing process throughout the course of employment, and you may meet with your supervisor or Department Head to discuss performance more frequently.

You and your Supervisor or Department Head will discuss your performance evaluation, giving you the opportunity to understand the expectations of your Supervisor or Department Head and to examine your strengths, as well as areas in which you need to improve. You and your Supervisor or Department Head will also discuss additional opportunities for professional growth at the Town. You will have the opportunity to comment on and sign the evaluation. Your signature on the performance evaluation form indicates that you have seen the evaluation; it does

not indicate agreement or disagreement with the content of the review. Human Resources will review all evaluations for conformity with Town policy.

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

Employees will generally receive a performance evaluation after ninety (90) days in a new position. Another performance evaluation will typically be conducted prior to twelve (12) months of service in the new position. Employees may be eligible for a pay increase in conjunction with the twelve-month evaluation, depending upon the circumstances.

FITNESS FOR DUTY EVALUATION

The Town may continue to evaluate its employees' fitness for the performance of their duties. The Town will determine the types and frequencies of such evaluations. Such evaluations may include medical or psychological examinations or a physical fitness review, in addition to an objective analysis of each employee's competence and skill in carrying out his/her assigned duties over a defined period of time. The employee shall be permitted to permanently affix any written responses he/she chooses to such evaluations and shall receive a copy thereof.

Some departments, such as the Police or fire Departments, may also require that employees successfully complete periodic physical agility tests. The testing shall be designed so that employees are required to pass the minimum standards as determined by the appropriate Training Academy. Employees failing a physical agility test will be given the opportunity to re-test. Those who cannot pass the physical agility tests are subject to disciplinary action, including termination.

This policy is subject to the Town's ADA policy and if this policy and the ADA policy are inconsistent, the ADA policy shall prevail.

TRAINING

The Town seeks, within the limits of available resources, to offer training to increase an employee's skill, knowledge, and abilities directly related to Town employment, to obtain or maintain required licenses and certifications, and to develop staff resources. Opportunities may include, but are not limited to, on-the-job training, in-house workshops, and seminars/classes sponsored by other agencies or organizations.

VI. HEALTH AND OTHER RELATED BENEFITS

MEDICAL BENEFIT PLAN

The Town provides all full-time employees who have met the eligibility requirements of the insurance plan with health insurance. Details concerning the Town's health insurance plan may be obtained from Human Resources. New employee coverage begins on the first day of month following their initial thirty days of employment.

Opt-Out Benefit

The Town of Exeter offers an Opt-Out benefit for employees who have health coverage through other means. The Opt-Out amount of thirty-percent (30%) of the employer's share of the plan cost, as long as the employee is employed and does not partake in the health insurance coverage through the Town. The Employee must provide proof of alternative health coverage. Buy Out payments will be made through regularly scheduled payroll periods.

DENTAL PLAN

The Town provides all full-time employees who have met the eligibility requirements of the dental plan with dental insurance coverage. Details regarding this plan may be obtained from Human Resources. New employee coverage begins on the first day of month following their initial thirty days of employment.

CONTINUATION OF GROUP HEALTH INSURANCE (COBRA)

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. Please contact Human Resources for more details regarding COBRA.

RETIRED PERSONNEL

Retired personnel may continue to carry their Health Insurance through our group insurance program. They must remit full payment monthly for this benefit. Retired personnel for the purpose of this section shall mean those employees who have retired under the Town's Retirement System (see Retirement Plan section) and /or have been full time in the employment of the Town for twenty (20) or more years.

LONG TERM DISABILITY

The Town currently provides certain employees who have met the eligibility requirement Long Term Disability Insurance. New employee coverage begins on the first day of month following their initial thirty days of employment.

TUITION

Courses which are a requirement of the job within a department shall be paid for entirely by the department, subject to appropriation. Courses which are related to the job, but are not required are also eligible for a tuition refund by the department within the limits of its budget; with a Grade C or better.

All courses must be approved in advance by the Department Head and the Town Manager. Approved paperwork will be sent to Human Resources for tracking and reimbursement. Upon satisfactory completion proof of payment and grade must be presented to Human Resources to be eligible for reimbursement under this policy.

When a course is paid for in whole or in part through a Federal or State program, then the Town will not reimburse for such amount, it being the intent to eliminate double payment for a course.

WORKERS' COMPENSATION

The Town pays a premium for Workers' Compensation insurance for all employees. This insurance coverage protects employees from a loss of income and pays medical expenses, resulting from a workplace accident or injury. You are required to report all work-related injuries to your supervisor and Human Resources immediately.

Employees with work-related injuries may be entitled to temporary alternative duty in accordance with the New Hampshire Workers' Compensation law. In New Hampshire an injured worker is entitled to worker's compensation for injuries and medical conditions that arise out of an exposure at work. Claims are divided into two categories:

1. Medical Only Claims: Any claim with no time lost from work or any claim in which the lost time is less than three days.
2. Lost Time or Indemnity Claims: Any claim where the injured worker is out of work for more than three days.

When a worker is injured, they receive no wage replacement benefit for the first three days of disability. The employee shall use accrued sick leave in order to make their paycheck "whole". If the disability is greater than fourteen days, then the waiting period is waived. Worker's Compensation benefits are based on 60% of the employee's average weekly wage.

The Town will continue to pay the employee's base salary and in turn the employee will sign over the Worker's Compensation check to the Town as reimbursement for wages paid.

Employees with non-work-related injuries or other physical or mental impairments who require accommodations to perform their jobs should make any accommodation requests in writing to Human Resources. The Town will consider the request in accordance with its Americans with Disabilities Act policy.

TEMPORARY ALTERNATIVE (LIGHT) DUTY POLICY

It is the policy of the Town to ensure employee productivity by matching employee responsibility with capabilities. The Town cannot expect or allow employees to do a job they are not physically or mentally capable of doing. Employees are expected to be physically and mentally fit to adequately and productively do all task their job description outlines.

Prior to returning to work with an on the job injury or illness still present, the employee will meet the following criteria:

1. Presentation of a physician's certificate stating that all criteria of the work can be performed; or only what portions of the job can be performed;
2. Provisions of a time table for return to full duty status.

Temporary assignments for less than full duties shall be the responsibility of the Department Manager using the guidelines outlined in the physician's certificate. Each Town Department

shall be prepared to develop and identify temporary alternate work opportunities based on the limitations of the illness or injury.

For any off the job injury or illness, the employee may request Light Duty by forwarding a written request to the Department Manager providing the same information as required in on the job injuries. The Department Managers, with the concurrence of the Town Manager, will make a timely decision on whether such a request can be approved.

Nothing in this policy suggests that Light Duty must be requested or assigned for off the job injuries or illnesses.

Nothing in this policy prevents a position to be filled while an employee is out with an on the injury. The Town will reinstate the employee into his/her former position upon request; or if the position has been eliminated, they will be reinstated into any other position that is vacant and suitable with reasonable accommodations for the employee's limitations.

Any appeal to any decision based on this policy shall follow the applicable union or personnel plan grievance process.

UNEMPLOYMENT INSURANCE

The Town pays into the unemployment compensation fund established by the State of New Hampshire. Individuals laid off from employment by the Town of Exeter may be eligible for unemployment compensation benefits through the New Hampshire Department of Employment Security.

LIFE INSURANCE

The Town shall provide Life Insurance in the amount of twenty-five thousand dollars (\$25,000) for each non-exempt full-time employee. Exempt employees receive life insurance equal to their base salary, not to exceed fifty thousand dollars (\$50,000). New employee coverage begins on the first day of month following their initial thirty days of employment.

RETIREMENT PLAN

All full-time employees hired after December 1, 2002 are required to enroll in the New Hampshire Retirement System.

Group I employees consist of all employees other than Fire and Police. They are required to join the retirement system immediately upon employment with the Town.

Group II employees consist of Police and Fire. These employees are required to join the retirement system immediately upon employment with the Town.

A percentage of the employee's gross earnings are deducted weekly from the employee's paycheck and are submitted monthly to the system by the Town. The Town of Exeter submits, at the same time, a percentage towards each employee's retirement fund. Each group's percentages are available from the Finance Department. All percentages are designated by New Hampshire Retirement System.

Upon termination of employment from the Town, a form provided by the New Hampshire Retirement System is available from Human Resources or on line at www.state.nh.us/retirement/ for the return of accumulated contributions made by the employee. This form must be filled out by the employee, signed by the Town Manager or Human Resources and mailed by the employee.

DIRECT DEPOSIT

The Town provides payroll direct deposit for employees.

FLEXIBLE BENEFIT PROGRAM

The Town participates in a Flexible Benefit Program to be funded by employees for pretax reimbursement in accordance with Section 125 of the Internal Revenue Code. Employee contributions are made directly from gross pay, before federal, state, Social Security and federal unemployment taxes for eligible medical and/or dependent care expenses. Details regarding this plan may be obtained from Human Resources.

SOCIAL SECURITY

Social Security is a payroll deduction representing your contribution to the federal government's Social Security Program. The Town also contributes money on your behalf to the Social Security Program.

VII. TIME AWAY FROM WORK

Full time and part time employees are entitled to the paid holidays listed below, provided that the employee normally works on that day and provided that the employee works his or her assigned day preceding and following the holiday. Part time employees with at least twenty (20) hours and less than thirty- five (35) hours weekly on a year round basis are eligible for pro-rated holiday and sick leave.

HOLIDAYS

The following holidays are observed by the Town of Exeter:

New Year's Day	January 1 st
Civil Right's Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Day	December 25 th

Holidays are observed on the dates specified by the laws of the State of New Hampshire. Employees who are absent, without authority, on workdays directly preceding or following a holiday will not be paid for the holiday.

Holidays falling on a Sunday will be observed on the following Monday; holidays falling on a Saturday will be observed on the preceding Friday.

Regular full-time employees who do not work on holidays will be paid for the holiday at the regular straight time rate (except those absent without pay on authorized leave of absence). Regular straight holiday time paid for holidays shall be considered actual hours worked and shall be figured into overtime pay. Employees who work on holidays will be paid for the holidays, and time and one-half for hours worked, but in no case will such employees be credited with less than two (2) hours of work.

Part-time employees working an average of 20+ hours per week on a year-round basis will be paid for holidays, based upon the following:

- (a) Number of hours the employee is scheduled to work on the holiday;
- (b) Only if the holiday is a scheduled workday; if not normally scheduled, no payment is made.

VACATION LEAVE

Vacation is a time for you to rest, relax, and pursue special interests. The Town of Exeter provides paid vacation as one of the many ways in which we show our appreciation for your loyalty and continued service.

Regular full-time employees are eligible for paid vacation. Part time, temporary or seasonal employees are not entitled to paid vacation time.

Vacation time is granted to eligible employees based upon length of service and anniversary date. If there is a break in service, eligibility for vacation will be based on the employee’s current hire date.

No part of an employee’s scheduled vacation may be converted to sick leave. If illness or injury occurs during a vacation, sick leave benefits will not begin until the employee is scheduled to return to work.

Regular, full-time employees shall be entitled to annual leave with full pay, on the basis of the following schedule:

Salaried Employees	
After first year	5 work days
After second year	10 work days
After fifth year	15 work days
After tenth year	20 work days
After fifteenth year	25 work days

Department Heads	
After 6 months employment	10 work days
After third year	15 work days
After tenth year	20 work days
After fifteenth year	25 work days

Vacation allowances for employees covered by collective bargaining agreements will be governed by their respective contract.

Probationary employees may not take vacation time unless approved by the Town Manager.

Vacation leave shall be used at the rate of eight hours of paid leave for each normal workday from which the employee is absent. Vacation leave may be used at a minimum of half day (4 hour) increments as desired by the employee and approved by their supervisor. Vacation leave may not be used in advance of accrual. Use of vacation leave at a particular time is contingent upon whether the employee's services can be spared at, and during the time requested, and therefore, is subject to approval by the employee's supervisor.

Employees shall submit their vacation requests as early as possible in the calendar year, and in any case, at least one week before a requested starting date. Supervisors shall approve vacation requests, to ensure that the remaining work force at all times will be adequate to cope with the expected work load. In cases where too many requests are made for a particular time for all to be approved, employees with the earliest request with sufficient accrued vacation leave shall be given preference.

An eligible employee who resigns, is discharged or retires will promptly thereafter receive the unused vacation allowance to which they may then be entitled. In the case of eligible employees who die, a vacation pay allowance will be made accordingly. All paid vacation leave may accumulate up to a maximum of eighty (80) hours of such leave and carried into the next year.

SICK LEAVE

Sick Leave is provided to cover an employee during illness. As such, it is a privilege and not a right.

A full-time employee shall be entitled to paid sick leave as follows: All full-time employees shall accrue sick leave at the rate of 12 hours per month of service to the Town, to an annual total of eighteen (18) days each calendar year. Unused sick days may accumulate from year to year, but shall not exceed 180 days. All full time non-union employees with 15 or more years of full time service as of December 31, 2011 will be credited with 180 days of sick leave.

(a) Employees may take sick leave for the following purposes:

- 1) Personal illness or injury,
- 2) Serious illness or injury of the immediate family where the employee's attendance is required.
- 3) Appointments for self or members of immediate family with health care provider.

- (b) Department Heads or their designees have authority to grant sick leave for the purposes herein stated. A certifying statement from an examining physician may be required if there is a question concerning the legitimacy of the use of sick leave. Failure to provide such verification, if requested, may result in loss of pay for the leave taken. Further disciplinary action may also be taken. Unauthorized use of sick leave constitutes grounds for dismissal.
- (c) The Town reserves the right to require any employee who is ill or disabled and who desires to work to:
 - 1) Furnish an examining physician's certification that the employee is able to perform the duties of his job, or
 - 2) To submit to a medical examination by a physician chosen by the Town and at the Town's expense, or both.
- (d) For regular part-time employees who work between 20 and 34 hours per week, sick leave shall be earned on a prorated basis.

In order to receive pay for sick days, an employee must notify their Department Head, or designee, within one half hour after the normal start of the employee's work day, unless unable to do so.

Employees who do not report to work due to illness must contact their Supervisor on a daily basis relative to the need for and status of their absences, unless otherwise directed. Reporting of the absence to any employee other than the Supervisor will not be accepted as compliance with the daily reporting requirement.

Before returning to work, an employee who is absent three (3) or more consecutive workdays due to illness may be requested to submit to their supervisor a doctor's release to work slip.

In the event of retirement or death of an employee, or upon leaving the Town's employ after 20 years of service with the Town, (s) he or his/her estate shall be paid for all unused sick leave time to his/her credit at one-half the employee's regular rate of pay at the time of such retirement or death, up to the maximum allowed.

Regular part-time employees working an average of 20+ hours per week on a year-round basis, excepting brief periods of time off but in no case in excess of 3 consecutive weeks in any 52-week period will be entitled to sick leave with pay on the basis of the process noted below and computed at the end of each month of service, available for use at the end of six-months of initial service. In the event more than 3-consecutive weeks of time off are taken, no sick leave benefits will be provided.

- a) Number of hours the employee is schedule to work on the day they are ill;
- b) Accumulation of nine (9) work days per year, pro-rated to # of hours per month. (Ave. hours per week divided by 5 days x 9 days, divide by 12 months – hours accumulated per month;

- c) "Day" is based on the number of hours an employee is scheduled (i.e. 4 hour work days = 4 hours taken for sick; 6 hours works days = 6 hours taken for sick);

SICK LEAVE BANK

A "Sick Leave Bank" shall be established and maintained for the purpose of protecting regular full time (and regular part time benefited) employees against loss of income due to long term illness or disability.

1. The Sick Leave Bank will be administered by a committee consisting of one (1) member to be elected from each of the constituent bargaining units who elects to participate (SEIU Local 1984, Exeter Fire Association, Exeter Police Association) and appointees of the Town Manager one more than the aggregate number of members representing the bargaining units. All members of the Sick Leave Bank Committee shall be participants in the Sick Leave Bank.
2. Employees eligible to withdraw sick leave days from the "Bank" must make application to the Sick Leave Bank Committee. The Committee may review the employee's records of attendance kept by the Town. The Sick Leave Bank Committee's decision shall be by majority vote and shall be final and not subject to the grievance and arbitration procedure.
3. Sick leave days may be deposited in the Sick Leave Bank in the following manner: Any employee eligible to participate in the Sick Leave Bank shall contribute four (4) days of his/her accumulated sick leave to the "Bank" on December 31st of the year that the employee initially joins the "Bank." Employees will continue to contribute two (2) days annually on December 31st, unless they give written notification to the Sick Leave Bank Committee by December 31st.
4. The Sick Leave Bank Committee may, with the approval of the Town Manager, vote to change the number of days contributed per year.
5. Unlimited sick leave days may be credited to the Sick Leave Bank by all employees, provided that no employee shall contribute more than two (2) days per year unless approved pursuant to Paragraph 4 above.
6. In order to be eligible to apply to the Sick Leave Bank for withdrawal of sick leave days, the employee must have used up all of his/her accumulated sick leave, and be a participant in the "Bank".
7. In order to be eligible to make application to the "Bank", an employee must have suffered an illness or disability resulting in thirty (30) consecutive days of work missed; or resulting in five (5) days without pay, whichever comes first. That is, an employee with fewer than thirty (30) days of accumulated sick leave will not become eligible to withdraw sick leave from the "Bank" until he/she has gone five (5) consecutive work days without pay due to the same illness or injury; any employee with accumulated sick leave in excess of thirty (30) days shall be eligible to receive days from the "Bank" on the day following the exhaustion of his/her own accumulated sick leave. Paid vacation and/or personal leave may be allowed to be substituted for the five (5) days without pay.

Notwithstanding the language in this paragraph, if an employee has missed thirty (30) days of work non-consecutively due to the same illness in the same year, then this paragraph may be waived by the Sick Leave Bank Committee.

8. The Sick Leave Bank Committee may require the employee to substitute paid accrued vacation and/or personal leave for leave available from the Sick Leave Bank.
9. Any employee who is eligible for Worker's Compensation during the period of disability shall not be eligible for the use of the Sick Leave Bank.
10. To the extent the Town offers long term or short term disability benefits; said benefits may not be supplemented by the "Bank" so as not to exceed 100% of an employee's income for the period of the long term illness or disability.
11. Should the Bank be eliminated, all days accumulated in the Bank shall be divided among the participants in the proportion that each contributed to the Bank, minus total days used.
12. Applications to join or withdraw time from the Sick Leave Bank may be obtained from any member of the Sick Leave Bank Committee or the Human Resources department.

PERSONAL DAYS

Regular full time employees shall be entitled to three (3) days off with pay, available January first of each year, to be used for personal leave during the calendar year.

Personal days shall be used in good faith for personal business that cannot be accomplished during normal working hours. Personal leave is not intended to be used as an extension of a holiday or vacation period.

Personal days may not be carried over from year to year, and employees will not be paid for personal days not taken during the year upon separation from employment. Employees must complete thirty (30) days of employment before being eligible for any personal days. If hired in the first third of the year, three (3) days are allowed; mid-year, two (2) days is allowed; last third of year, one (1) day is allowed.

FAMILY AND MEDICAL LEAVES OF ABSENCE (FMLA)

1. An employee is eligible to request an FMLA leave if he/she has been an employee of the Employer for at least twelve (12) months and has worked at least 1250 hours during the twelve (12) month period immediately preceding the leave.
2. Subject to the requirements described in this policy, an eligible employee may request and will be granted up to twelve (12) workweeks of *unpaid* FMLA leave during any twelve (12) month period for one or more of the following events:
 - a. the birth and first year care of a child;
 - b. the placement of a child for adoption or foster care in the employee's home within 12 months of the placement;
 - c. the care of the employee's spouse, child or parent with a serious health condition;or

- d. the employee's serious health condition which renders him/her unable to perform the functions of the employee's position.
 - e. the care of the employee's spouse, son, daughter, parent, or next of kin who is a covered service member and recovering from a serious illness or injury sustained in the line of duty while on active duty.
 - f. any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.
3. The Town of Exeter has the right to designate FMLA leave any time an eligible employee request time off for a qualifying reason. For example, if an eligible employee suffers a work related injury that qualifies as a serious health condition, the Town has the right to designate any time away from work as FMLA leave.
4. For purposes of calculating the amount of FMLA leave an eligible employee may request, the term "during any twelve (12) month period" means a rolling twelve (12) month period measured backward from the date requested leave will be used.
5. The taking of a FMLA leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced; provided, however, that nothing in this policy shall entitle any employee who returns from leave to the accrual of any seniority or additional employment benefits during the period of the leave.
6. Unless one of the exceptions in the law applies, an employee who takes an FMLA leave for the intended purpose of the leave shall be entitled, on timely return from the leave and completion of all required documentation, to be restored to the position of employment held when the leave commenced or to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.
7. At the election of the eligible employee, any group health plan as defined by the FMLA will be maintained for the duration of an FMLA leave and at the level and under the conditions coverage would have been provided if the employee had continued in employment for the duration of the leave. The employee will be responsible for paying his/her share of the premium. While on an *unpaid* FMLA leave, the employee will be responsible for paying this part of the premium by submitting payment to the Human Resources Office on or before each regular payday. The Employer may recover its share of the premiums for maintaining coverage for the employee under such group health plan during the period of an FMLA leave if the employee fails to return to work (or returns but fails to stay 30 calendar days) for reasons other than the continuation or onset of a serious health condition entitling the employee to leave under paragraphs 2.c or 2.d above, or other circumstances beyond the employee's control. Certification of inability to return to work as specified and allowed by the FMLA will be required.
8. An employee must substitute any accrued paid leave for any unpaid FMLA leave, as permitted by the FMLA regulations. Upon exhaustion of any accrued paid leave, the remainder of any FMLA leave will be unpaid. In no case will the combination of paid and unpaid leave used for an FMLA purpose exceed twelve (12) workweeks in any twelve (12) month period as defined herein. Accrued paid leave will start with the following and continue until all accrued leave has been exhausted: Sick Time will be

used for maternity leave, serious health condition or injury of the employee. Vacation/Personal Time used for care of a child and spouse after birth or adoption/foster care of a child, care of a spouse, child, parent or next of kin due to a serious health condition or injury.

9. FMLA leave for the birth/care of a child or for the placement of a child for adoption or foster care must be taken within the twelve (12) month period which starts on the date of such birth or placement. Regardless of when such leave begins, it will end no later than the end of the twelve (12) month period. Unless specifically permitted, FMLA leave for these purposes cannot be taken on an intermittent or reduced leave schedule.
10. If both spouses are employed by the Employer, they are limited to a combined total of twelve (12) workweeks of FMLA leave during any twelve (12) month period for purposes described in paragraphs 2.a or 2.b above. However, each employee may use up to twelve (12) workweeks of FMLA leave during any twelve (12) month period if the leave is for purposes described in paragraphs 2.c and 2.d above.
11. An eligible employee who foresees that she/he will require a leave for the birth/care of a child, or for adoption or foster care placement, must notify the Human Resources Office in writing not less than thirty (30) calendar days in advance of the start date of the leave. If not foreseeable, the employee must provide as much written notice as is practicable under the circumstances, generally within two (2) working days of learning of the need for leave.
12. An employee who foresees the need for a leave of absence due to planned medical treatment for her/him or for her/his spouse, child or parent, should notify the Human Resources Office in writing as early as possible so that the absence can be scheduled at a time least disruptive to the Employer's operations. Such notice should be at least thirty (30) calendar days in advance of the start of leave, unless impracticable, in which case the employee must provide the written notice as early as circumstances permit, generally within two (2) working days of learning of the need for leave.
13. If the requested leave is to care for a spouse, child or parent who has a serious health condition, the employee will be required to file with the Human Resources Office in a timely manner a health care provider's statement that the employee is needed to care for the son, daughter, spouse, or parent and an estimate of the amount of time that the employee is needed for such care.
14. If the requested leave is because of a serious health condition of the employee which renders her/him unable to perform the functions of her/his position, the employee will be required to file with the Human Resources Office a health care provider's statement as allowed by the FMLA.
15. Subject to the limitations and certifications allowed by the FMLA, leaves taken under paragraphs 2.c or 2.d above may be taken intermittently or on a reduced leave schedule when medically necessary, provided a health care provider certifies the expected duration and schedule of such leave and provided further that where such leave is foreseeable based upon planned medical treatment. The employee may be required or may elect to transfer temporarily to an available alternative position for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular position.

16. An employee on an approved leave under this policy must inform the Human Resources Office every seven (7) days regarding her/his status and intent to return to work upon conclusion of the leave. In addition, an employee must give written notice as soon as practicable (within two business days if feasible) if the dates of leave change or are extended or initially were unknown. If an employee takes leave because of their own serious health condition, the employee will be required to submit a fitness-for-duty certification before returning to work.
17. The taking of another job (including self-employment) while on FMLA leave or any other authorized leave may lead to disciplinary action, up to and including termination of employment.
18. In any case where there is reason to doubt the validity of the health care provider's statement or certification for leaves taken under sections 2.c or 2.d above, the Employer may, at its expense, require second and third opinions, as specified by the FMLA, to resolve the issue.
19. The provisions of this policy are intended to comply with the Family and Medical Leave Act of 1993, and any terms used from the FMLA will be as defined in the Act or the U.S. Department of Labor ("DOL") regulations. To the extent that this policy is ambiguous or contradicts the Act or DOL regulations, the language of the Act or regulations will prevail.

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 she is medically able to return to work. Employees will be required to take FMLA leave, if they are eligible for such leave, concurrently with maternity leave, as described in our FMLA policy.

Employees must use their accrued vacation and sick/personal time before taking unpaid leave under this policy. Employees on maternity leave may also be eligible for short-term disability benefits.

Employees on maternity leave who are not eligible for FMLA leave or who have exhausted their FMLA available leave weeks will be allowed to continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue medical insurance coverage by making arrangements with Human Resources to pay the entire amount of the appropriate monthly premium in advance each month.

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. An employee who cannot be returned to her original or a comparable position will remain eligible to apply for any available position within the Town.

PERSONAL LEAVE OF ABSENCE

The Town recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under our policies. A personal leave of absence may be granted at the sole discretion of the Town to employees who have exhausted their leave available under our other leave policies, including vacation, sick, personal, maternity leave and FMLA, and is normally only granted for compelling reasons.

Personal leaves of absence will be unpaid, and an employee on an unpaid personal leave of absence is not entitled to accrue any benefits, including, but not limited to holidays, vacation time, sick leave, and personal days.

Employees who are granted a personal leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue health insurance coverage by making arrangements with Human Resources to pay the entire amount of the appropriate monthly premium in advance each month.

To request a personal leave of absence, please contact Human Resources. You will be asked to provide a written request for the leave and/or a health care provider's certificate stating the reason for the leave and the expected date of return to work. If granted, personal leaves typically will not exceed thirty (30) days. An employee who has taken leave for medical reasons must submit a fitness for duty certificate from his or her health care provider before reinstated to work. Requests for leave will be considered on a case-by-case basis, taking into account the Town's staffing needs and other factors. If a personal leave is granted, you may not accept other employment of any kind, including a business of your own, while you are on leave. If you are granted a personal leave of absence, you must inform us when you are able to return to work.

We will make reasonable efforts to reinstate employees returning from personal leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other requirements. Please understand that we cannot guarantee reinstatement from a personal leave. If the Town is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from his or her employment with the Town.

UNAUTHORIZED ABSENCE

An absence of any employee from duty for a single day or part of a day that is not authorized by a specified grant of a leave of absence under the provisions of these regulations, will be deemed to be an absence without leave. Any such absence shall be without pay and may be subject to disciplinary action. Any employee who absents themselves for three (3) consecutive days without leave shall be deemed to have resigned.

MILITARY LEAVE

It is the Town's policy to grant leaves of absence without pay to regular full-time employee who enlist, are drafted, or are recalled to active service in the armed forces of the United States.

If you are in the military reserve, you will receive the required time off to complete your training and your drill obligations. You must present a copy of your official orders or instructions to Human Resources. This information shall be made a part of your permanent personnel record.

If you enlist or are recalled to active Armed Forces duty, for a time period beyond normal annual training and drill obligations, you have certain re-employment rights prescribed by statutes with which the Town will comply.

The rate of pay and other benefits of the employee on return from the military leave of absence will be same as if the employee had worked continuously with the Town of Exeter in the job held when such special leave was granted.

You must notify Human Resources of your availability to return to work.

The Town reserves the right to place another employee in your position for the duration of the military leave of absence. Every effort will be made to place you in your previous position. If this is not possible, you will be placed in a position with comparable status, pay and responsibility.

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as “uniformed services”) will be provided with leaves of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act (“USERRA”).

Military leaves of absence will be unpaid, unless otherwise required by law. You may elect to take part of, or all of, your accrued vacation time with pay during your military leave of absence, but you are not required to do so.

Notice of Leave Request: An employee needing time away from work for service or training in the uniformed services should make Human Resources and their Supervisor aware of the need for leave as soon as the employee receives the written or verbal orders. It is requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

An employee’s request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Reasonable time off will be decided by Supervisor based on a case by case basis.

Health Coverage: If a military leave lasts less than 31 days, the employee’s health insurance will be continued and the employee will pay his/her regular contribution for the cost of health insurance. Payment for insurance with less than 31 days leave may be paid in advance or upon return through payroll deductions.

If a military leave lasts 31 days or more, then the employee’s health insurance coverage will cease and the employee will be eligible to elect to continue his or her health insurance coverage at his or her own expense for up to 24 months, in accordance with USERRA. The cost for continuation coverage will be the full cost of the premium, and a 2% administrative fee may also be charged.

When the employee returns to work, he or she will be reinstated to the health insurance benefit with no waiting period, even if coverage terminated during the leave.

Pension: Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes. If applicable, the employee may elect to make up any missed contributions or elective deferrals, but is not required to do so.

Reinstatement: Employees wishing to be reinstated following military leave should promptly notify Human Resources of their desire to be reinstated. If the leave is for service of less than 31 days, then the employee should return to work on the first full regularly scheduled work day following completion of service, allowing for 24 hours of rest and time for safe transportation back from the service. If the service lasts 31 to 180 days, then the employee should notify Human Resources of the desire for reinstatement within 14 days of completing service. If the military leave lasts more than 180 days, then the employee should notify Human Resources of the desire for reinstatement within 90 days of completing service.

The Town will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in service, and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

Disabled Service Members: If a returning employee was disabled or a disability was aggravated during uniformed service, the Town will make reasonable accommodations and efforts to help the employee become qualified to perform the duties of his or her reemployment position.

Statement against Discrimination and Retaliation: The Town will not discriminate in hiring, employment, reemployment, or any benefits of employment against any individual because of that individual's service in the United States uniformed services. The Town also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to Human Resources.

BEREAVEMENT LEAVE

Full-time and part-time employees will be granted time off from work without loss of pay in connection with the death of a relative in accordance with the following policy. Pay for part-time employees will be pro-rated based on the number of hours, if any, the employee regularly works on those days.

A leave slip must be submitted indicating the bereaved person and relation to the employee.

In the event of the death of a member of a regular full-time or part-time employee's immediate family, the Town provides up to three (3) days paid time off. The three workdays must include the day before the funeral and the day after.

A regular full-time or part-time employee is entitled to bereavement leave at full pay for one (1) working day for the purpose of attending the funeral of a brother-in-law, sister-in-law, aunt, uncle, niece or nephew.

Additional unpaid time off due to bereavement may be granted for a specified and limited period of time with the approval of the Town Manager and Human Resources. Employees seeking such additional unpaid time off must demonstrate the need for the time off.

In the event that you are on paid vacation at the time of the death of the relative, the bereavement leave will not be charged against your vacation credit. Additional vacation days may be granted to compensate for those days used as bereavement leave.

JURY DUTY LEAVE AND WITNESS LEAVE

Jury Duty: The Town considers it a civic duty to serve on a jury if summoned and will grant you leave in order to serve on a jury. Employees summoned for jury duty will be paid their regular rate of pay. The Employee must turn into the Town the pay provided by the government for jury service excluding mileage. The Employee must show the jury summons to their Department Head as soon as the notice is received and provide a copy to Human Resources.

While serving on a jury, you are expected to call your Supervisor daily to advise them of your status. In addition, you are expected to return to your job if you are excused from jury duty during your regular working hours. The employee must also provide a written statement from the appropriate government official showing the date(s) and time(s) served and the amount of compensation paid.

Witness Leave: All employees summoned to testify in court are allowed time off for the period they serve as a witness. The Employee must show the summons to their Department Head as soon as the notice is received and provide a copy to Human Resources.

An employee shall be given time off without loss of pay or annual leave when performing jury duty, or when subpoenaed by a government entity to appear before a court, public body or commission. The Town agrees to pay to the employee their straight time wages and they, in turn, reimburse the Town with the State check once received. This enables the employee to maintain wages and deductions. To be eligible for payment, the employee must notify the employee's supervisor within 24 hours of receipt of the subpoena. The employee must also provide a written statement from the appropriate government official showing the date(s) and time(s) served and the amount of compensation paid. Mileage reimbursements are not considered in determining the difference in earnings.

LEAVE OF ABSENCE FOR VICTIMS OF CRIME

The Town will grant an employee unpaid time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was a victim. For purposes of this policy, a “victim” is any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

Employees may also qualify for leave under this policy if they are part of the immediate family of a homicide victim or part of the immediate family of a child under the age of 18 or an incompetent adult who is the victim of a crime.

An employee needing time off under this policy should notify their Supervisor and Human Resources as far in advance as possible. The employee will be asked to submit copies of the notices of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency involved in the prosecution of the crime to Human Resources. Employees must comply with any requests to submit these notices, and failure to do so may result in denial of the leave of absence. The Town will maintain any such notices or records in confidence, and will disclose them only on a need to know basis.

The employee will be notified as soon as practicable whether the leave request is granted or denied. Requests falling within the definitions of this policy will typically be granted unless the leave of absence would cause an undue hardship on the Town. An “undue hardship” for purposes of this policy means significant difficulty and expense. In determining whether an undue hardship may exist, we will consider the size of our operations, the employee’s position, and our need for the employee to be at work.

Leave taken under this policy is unpaid, although an employee may elect to use his or her accrued, unused vacation time, sick leave, or personal days.

The Town will not discharge, threaten, or discriminate against an employee for taking leave under this policy, and employees taking leave under this policy will not lose any seniority during the leave of absence.

ADMINISTRATIVE LEAVE

The Town Manager may excuse employees from duty for short periods of time with pay and without charge to leave. Examples would be extreme weather conditions, disaster and days of national mourning or celebration. This additionally may be granted to exempt employees as a result of extensive work requirements.

VIII. ON THE JOB

ATTENDANCE

Every employee is a valuable and contributing member of the Town of Exeter. Your regular attendance is important to our success and efficiency. We must be able to depend on our employees to report to work regularly and on time.

Every employee is expected (1) to work all scheduled hours; (2) to report for work on time; and (3) to work until the end of the work period.

Excessive absence, being late, and quitting early, are grounds for disciplinary action, including separation from employment. If you are absent or late for work, you must contact your supervisor either verbally or in writing, up to one-half hour after starting time, to explain why you will be absent or late and how long you expect to remain absent. An employee who fails to call in on the day of an absence, or does not have an excuse for calling in late, may be subject to discipline, up to and including discharge. If you are absent from work for more than one day, you are required to call in on each day of your absence, unless you have submitted a doctor's note indicating that you will be absent from work on that day.

Unless there are extenuating circumstances, an employee will be considered to have resigned from the Town of Exeter if no notification is received within two (2) consecutive working days from the beginning of the absence. Furthermore, three (3) absences in a 90-day period, or a consistent pattern of absence, will be considered excessive, and the reasons for the absences may come under question.

Tardiness or leaving early is often as detrimental to the Town as an absence. Three (3) such incidents in a 90-day period will be considered a "tardiness pattern" and will be considered excessive, and the reasons for tardiness or leaving early may come under question. Other factors, like the degree of lateness, may be considered.

All employees should be aware that excessive absenteeism, lateness, or leaving early may lead to disciplinary action, up to and including dismissal from employment.

Attendance records will be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as disciplinary, termination, and layoff decisions.

CONFIDENTIALITY

The Town's information and records relating to Town business, operations, plans, projects, strategies, employees, or citizens may be confidential. Therefore, employees must treat all matters accordingly.

No Town information, including, without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the Town may be removed from the Town's premises without permission from their Department Head and/or the Town Manager.

Additionally, the contents of the Town's records may not be disclosed to anyone, except as required by law.

Employees unsure about the confidential nature of specific information are expected to seek clarification from their Department Head and/or the Town Manager. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

TOWN EQUIPMENT, TELEPHONES, FACSIMILE, E-MAIL AND INTERNET USE

All electronic and telephonic communication systems and all communications and information transmitted by, received from, or stored in Town equipment and systems are the property of the Town and as such are to be used solely for job-related purposes. Moreover, the use of any electronic communications systems and software and business equipment, including, but not limited to facsimiles, telecopiers, computers, e-mail, and copy machines, for private purposes is generally not accepted.

Employees are not permitted to use a code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from the Town Manager. All pass codes are the property of the Town. No employee may use a pass code that has not been issued to that employee or that is unknown to the Town of Exeter. Moreover, improper use of the e-mail system (e.g., spreading offensive jokes or remarks) will not be tolerated. Employees who violate this policy are subject to disciplinary action, up to and including separation from employment.

To ensure that the use of electronic and telephonic communications systems and business equipment is consistent with the Town's legitimate business interests, and to ensure quality service to our customers, authorized representatives of the Town may monitor the use of such equipment from time to time.

COMMUNICATIONS

Good communications are vital for efficient and effective operations. Bulletin boards are maintained within each Town facility to bring to the attention of employees any matters relating to federal and state regulations, safety and health, Town policies and announcements. No notices, posters or other material may be displayed on these boards without the approval of the Human Resources Director and Department Head. All employees are urged to check these boards daily. Failure to read bulletins will not serve as an excuse for violations of posted policies.

DRESS CODE

We expect all employees to come to work with a neat, well-groomed appearance and workplace appropriate clothing. Dress requirements may vary by department; however, certain rules apply across the board to all employees. All clothes should be clean and neat in appearance. Footwear such as flip flops or other beach type sandals is not acceptable. Jeans, tight-fitting clothing, low riding pants, tank tops, bare midriff (half) shirts, shirts with bare backs, shorts, and short skirts or dresses are not considered workplace appropriate clothing. Clothing worn by employees must not be torn and must not contain inappropriate language or graphics. Exceptions to the personal dress policy may be made for inclement weather.

If an employee is not dressed or groomed appropriately for work, the employee may be sent home to change. This time will be unpaid unless otherwise required by law.

Any questions regarding appropriate dress for your department should be addressed to Human Resources.

INCLEMENT WEATHER

Employees generally are expected to report to work during inclement weather. However, there may be occasions on which the Town will have a delayed opening or be closed due to severe inclement weather. You should contact the Town main telephone at 778-0591; town website www.town.exeter.nh.us or tune into TV channel WMUR (9) www.wmur.com for information as to whether the Town will be open for business. Essential personnel must adhere to departmental procedures. Employees may be granted paid snow days under Administration Leave, Section VII – Time Away From Work.

SOLICITATIONS

No solicitation of any kind is permitted during working time, unless first approved by Human Resources and the Town Manager. “Solicitation” is defined as requests for contributions, donations, raffles, lotteries, membership in organizations, attendance at events, or other similar conduct. “Working time” is defined as time during which the employee is scheduled to be working, exclusive of established break periods, meal times, or time before or after work hours. This rule applies to solicitation for both charitable and non-charitable causes.

No distribution of any non-work-related written materials is permitted in any work area at any time, unless first approved by the Town Manager. “Work areas” are defined as any Town office or facility, other than designated break areas. Absent prior approval by the Town Manager, employees may solicit or distribute materials only during break time or outside of scheduled work hours. Persons not employed by the Town are likewise prohibited from distributing materials or soliciting employees on Town premises at any time, unless authorized by the Town Manager.

MOTOR VEHICLE VIOLATIONS

All employees who operate Town vehicles are required within 72 hours to notify their Department Head if they have been convicted of or plead nolo contendere to any and all motor vehicle violations. If the license of any employee who operates Town vehicle[s] is suspended, revoked, or otherwise restricted, the employee must notify their Department Head within one working day of learning of the suspension, revocation, or restriction. Employees who are required but unable to drive and/or who fail to comply with this policy may be subject to discipline, up to and including termination of employment.

OPERATION OF VEHICLES

Only authorized employees may operate Town owned vehicles. Unless prior written approval has been granted by the Town, they are not to be used for personal business and are not to be operated at times outside the scheduled workday. Using a Town vehicle outside the scheduled workday without Town permission will result in disciplinary action, up to and including termination.

Any employee who, as a part of his/her duties, has a need to operate a Town owned vehicle must hold a valid driver's license and an acceptable driving record. In addition, the Town reserves the right to conduct annual motor vehicle record checks as well. Employees must cooperate in completing any required authorizations or other paperwork for the motor vehicle records checks. Copies of the reports received by the Town will be furnished to the employee upon request.

Having a driving record that, in the opinion of the Town, is unsatisfactory, or one that is unacceptable to the Town's insurance carrier, may be grounds for disciplinary conduct, including but limited to loss of driving privileges and/or dismissal.

Safe Operation: As employees of a public agency, it is expected that the driving habits of all employees will serve as an outstanding example to the community.

Any employee who drives a Town owned vehicle and receives a citation or any other fine or penalty for unlawfully operating any motor vehicle, Town owned or non-Town owned, shall notify Human Resources consistent with the above MOTOR VEHICLE VIOLATIONS policy of the citation and/or fine and also shall be personally responsible for the payment of said fine(s) or any costs associated with the actual fine or legal representation in any such related matter.

Collision: In the event of a collision involving property or vehicle damage, or personal injury, the following steps must be taken:

- The accident must be reported to your supervisor immediately
- An accident report must be completed with the Supervisor and/or Office Manager.
- At the accident scene, contact the local police department for all accidents regardless of the extent of physical damage.
- If applicable, obtain the other driver's name, address, phone number, description of vehicle, insurance company information as well as the name(s) of any witnesses.
- No repairs should be completed on any damaged Town vehicle unless express permission is obtained from the Town.

Failure to comply with any of the steps may result in discipline up to and including termination.

Use of Cell Phones and PDAs: Except in emergency situations, the use of hand-held cell phones or personal digital assistants to make calls during the operation of a Town owned vehicle or while driving a personal vehicle on Town business is prohibited. Failure to adhere to this policy could result in disciplinary action. Hands-free headsets are acceptable. It is strongly recommended, however, that the operator pull over to the side of the road prior to using the cell phone. **TEXTING WHILE DRIVING IS AGAINST LAW AND EXPRESSLY PROHIBITED BY THE TOWN.**

Smoking: Employees are prohibited from smoking in Town owned vehicles at all times.

TOWN PROPERTY

Town property of any type or value shall not be used or removed from Town premises without authorization of the Department Head. Any type of Town property, memoranda, records, communications, computer data, disks, or other documents made or compiled by you or made available to you in connection with the business of the Town shall be delivered to the Town promptly upon your end of employment or at any other time upon request.

TOWN SECURITY

It is each employee's responsibility to help ensure that proper security measures are exercised at all times. You should be familiar with emergency exits and with alarm systems and the proper steps to take upon hearing them. Any suspicious person or events should be called to the immediate attention of your Supervisor or Police.

CONFLICT OF INTEREST

The Town expects its employees to conform to the highest ethical and legal standards. Employees are required to refrain from engaging in any activities that create a conflict or 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:

- Investing 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 having any financial interest in a vendor or supplier that could cause divided loyalty or even the appearance of divided loyalty.
- Receiving any gifts or favors from, any members of the public, vendors, or suppliers of a value of more than \$25.00 dollars.
- Using directly or indirectly, Town funds, assets, or other resources for any unlawful goal or purpose or for personal gain or benefit.

Employees with any questions regarding these guidelines are required to discuss them with their Department Head or the Town Manager, prior to engaging in any activity or conduct that may violate this policy, as violations may lead to disciplinary action, up to and including termination.

SEAT BELT POLICY

All employees of the Town, and passengers, are required to wear seat belts while operating or riding in any motor driven moving town-owned vehicle. Seat belts are also required to be worn when traveling on Town business in private vehicles.

This requirement shall not apply in the case of vehicles for which the manufacturer or the Town has not installed seat belts. This requirement shall also not apply to firefighters or others functioning in a similar capacity and actually involved in patient, victim emergency care.

All employees are forbidden from disengaging or otherwise disarming automatic seat belt systems.

COMPUTER USE AND COMMUNICATIONS EQUIPMENT POLICY

The Town provides communication tools including computers, fax machines, telephones, voice mail, e-mail, and access to the Internet to help you do your job. This policy is designed to help you understand our expectations for the use of these resources and to help you use these resources wisely.

All employees should be aware that the Town has the right, but not the duty, to monitor the computer, network, fax, voice mail, e-mail, and Internet use of all employees. For this reason, employees should not have any expectation of privacy in their use of our computers or other communications equipment, including e-mail and voice mail systems. The Town reserves the right to suspend individual user accounts for violation of this policy and to take disciplinary action up to and including termination of employment for the misuse of these resources or other violations of this policy.

The following guidelines apply to all employees:

- Employees should be aware that in addition to having the ability to monitor e-mail messages sent and received on our system (including e-mail messages sent and received from personal e-mail accounts accessed from our system), the Town has the ability and the right to monitor such things as Internet web site visits, newsgroup discussions, chat room discussions, computer network use, and voice mail accounts. Our computers and other communications equipment and the communications, information, and documents created on them are the property of the Town and may be monitored by the Town at any time.
- Our computers and other communications equipment may not be used to violate any federal, state, or local laws or regulations. Use of any Town resources for illegal activity is grounds for immediate termination of employment, and we reserve the right to report the matter to law enforcement authorities. We will cooperate with any resulting law enforcement investigation.
- The Town reserves the right to inspect any and all files stored on our computer network, including any files in private areas of our network, in order to assure compliance with this policy.
- The display or transmission of any sexually explicit image or document by e-mail or through any other means using the Town's system is a violation of our policy on sexual harassment. Our computers and other communications equipment also may not be used to transmit or display ethnic or racial slurs, or any other comment, message, or image that offensively addresses age, race, sex, sexual orientation, religion, national origin, disability, veteran status, marital status or other protected status in a manner that may be viewed as harassing, discriminating, or disparaging of others. Transmission of harassing, discriminatory or otherwise objectionable e-mail or files is strictly prohibited.
- Transmission of any religious or political messages is strictly prohibited.
- Access to non-work related obscene or offensive web sites is strictly prohibited.
- Any personal use of our computers or other communications equipment for any commercial activity (other than Town business) is strictly prohibited, as is the use of our computers and communications equipment for anything that may not be in the best interest of the Town including, but not limited to, activities that disclose any confidential or proprietary information of the Town.
- Town computers and other communications equipment are to be for Town use only by authorized users. Non-employees may not use the Town's computers, network, or other communications equipment for any reason.

- Use of another employee's account, user name, or password, or access to their personal files without their consent (by anyone other than authorized representatives of the IT department) is strictly prohibited. Obtaining, or trying to obtain, other users' passwords, or using programs that compromise security in any way is prohibited.
- All pass codes and passwords are the property of the Town. No employee may use a pass code, password, or voice mail access code that has not been issued to that employee by the Town or that is unknown to the Town. Users of the Town's computers, network, and other communications equipment must take reasonable precautions to prevent unauthorized access to our systems. Passwords should not be divulged to unauthorized persons.
- Destruction, theft, alteration, or any other form of sabotage of the Town's computers, programs, software, hardware, networks, websites, files, data, and other communications equipment and resources is prohibited and will be investigated and prosecuted to the fullest extent of the law.
- The breaking into and/or corrupting of any of the Town's computers, network, or other communications equipment is strictly prohibited. Hacking into third party computer or other information systems using the Town's technology is also prohibited, and will be reported to the authorities.
- Any vulnerability in the Town's computers, network, or other communications equipment or resources should be reported immediately to IT Director.
- The use of viruses, worms, or other destructive programs is prohibited. If a virus, worm, or other destructive program is identified, it should be immediately reported to IT Director.
- Accessing the Town's files or any other files on the network or the system that you did not create is prohibited unless you have prior authorization from IT Director.
- Disruptive behavior such as intentionally destroying or modifying files on the network is strictly prohibited. Any form of tampering, including, but not limited to, snooping, drilling down, or hacking, or introducing malware or spyware is strictly prohibited.
- Confidential information is not to be transmitted over the Internet or otherwise disclosed without prior authorization and proper encryption. All Town data and information is considered confidential unless the Town has granted permission for an employee to disclose that information or unless required by law. Accessing or attempting to access confidential data is strictly prohibited. Confidential information should be used only for its intended purpose. Employees' responsibility for confidentiality continues outside of work. Employees may not work on Town documents, data, or other business on home computers or other portable technology without the express prior approval of Town Manager.
- All employees are responsible for taking precautions to safeguard the physical security of the Town's network, Internet, computers, and other communications equipment. Disks, CDs, USB portable drives, Zip drives, and other removable drive devices containing sensitive, confidential, or proprietary information should be stored in a locked drawer,

whenever possible. Computers should be turned off when not in use for an extended period of time or when an employee is out of his or her office.

- Employees are not allowed to introduce to our network, Intranet, computers, or other communications equipment media from any external sources, including, but not limited to, CDs, disks, Zip drives, personal digital assistants (including, but not limited to, Blackberries and palm pilots), USB portable drives, and other removable drive devices.
- Employees also may not copy, transmit, or otherwise remove any information from our network, Intranet, computers, or other communications equipment to CDs, disks, Zip drives, personal digital assistants, USB portable drives, or other removable drive devices without prior authorization from IT Director.
- Employees may not intentionally download anything from the Internet without prior authorization. This includes, but is not limited to, screensavers, music, E-mail stationary, and other images.
- All downloaded files or applications are to be scanned for viruses by IT Director before being saved on the Town's network. IT Director must review all downloaded applications before being installed on the network.
- The Town retains the copyright to any Town related material posted to any forum, newsgroup, chat or World Wide Web page by any employee in the course of his/her duties.
- All information on the network, Intranet, computers, and other communications equipment is the property of the Town. Deleting, altering, or sharing confidential, proprietary, or any other information during employment or after separation from employment is prohibited, unless you have received prior authorization. Upon separation from employment, any computer or other equipment, including CDs, disks, Zip drives, USB portable drives, personal digital assistants, and other removable drive devices, must be returned with the appropriate passwords, identification codes, and other information necessary for the Town to continue using its equipment.
- All employees are required to report any violations, or suspected violations, of this policy.

PERSONNEL RECORDS

The Town maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of your progress as an employee. Your personnel file is our continuous record of information relative to your employment. You may inspect your own personnel file during regular office hours, upon reasonable request. However, you may not be permitted to review your personnel file if you are subject to an investigation at the time of your request and disclosure of such information would prejudice law enforcement. File inspection must be done on your own time, and must be arranged through Human Resources. You may read your personnel file, but you may not remove any portion of the file. Upon request, you will be provided with a copy of all or part of your personnel file.

If upon inspection of your personnel file, you disagree with any of the information contained in such file, you may submit a written statement explaining your version of the information

together with evidence supporting such version. The Town will maintain such statement as part of your personnel file and will include the statement in any transmittal of the file to a third party.

It is important that your personnel file includes accurate information regarding who should be contacted in case of emergency. Please notify Human Resources as soon as possible of any changes in your name, address, telephone number, marital status, dependents and/or beneficiaries.

STANDARDS OF CONDUCT

Any group of people who have come together for a common purpose must have rules that promote consistency, harmony, and support the objectives and missions of the Town.

There are certain standards of common honesty and decent behavior that all employees are expected to follow. We believe that the following rules, which are not set out in any particular order, are necessary and reasonable to the proper conduct of our business.

We all know that no list of rules can be all inclusive. The following areas, however, are expressly described to guide you in the recognition of certain behaviors which are clearly prohibited and which can result in disciplinary action, up to and including discharge. Particular disciplinary action to be taken in any specific instance will depend on the review of all factors involved and the employee's past records.

1. **Absence and Lateness**

Chronic absence and lateness, failure to report when absent, overstaying allotted break time.

2. **Employment Town Records**

Making a false statement on the application form; falsifying Town and employment records.

3. **Attitude**

Abusive language, creating any type of disturbance, complaining in front of visitors, uncooperativeness, abuse or neglect of visitors or residents, and abuse, neglect, or intentional destruction of Town property.

Confidentiality

Any breach of the confidential Town business information.

4. **Safety**

Violation of safety regulations or endangering the health or safety of other persons. Failure to keep workstations clean and safe.

5. **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.

6. **Crime**

Conviction of a crime will be immediate termination.

7. **Dishonesty**

Dishonesty to a co-worker, resident, visitor or to the Town.

8. **Incompetence**

Repetition of avoidable mistakes to a point that the mistakes demonstrate a willful disregard for the Town's interest.

9. **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 will result in immediate discharge.

10. **Neglect of Duty**

Negligence in the performance of duties, which seriously conflict with the Town's interest.

11. **Unsatisfactory Job Performance**

Failing to demonstrate the requisite skill or abilities to satisfactorily discharge the employee's duties.

12. **Theft or Destruction of Property**

The theft or negligent or intentional destruction of any Town property or the personal property of a co-worker, customer or visitor.

13. **Insubordination**

Any failure or refusal to comply with Town policies or with instructions or request from a supervisor.

DISCIPLINE

The Town is justifiably proud of our employees and the manner in which they conduct themselves. We rely on individual good judgment and sense of responsibility. Each employee is expected to conduct themselves in an appropriate manner. However, for the protection of its

property and other employees, the Town has established certain rules of conduct, which must be followed.

It is the policy of the Town to discipline an employee whenever he or she violates a rule, regulation, policy, 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, written warning, suspension, and dismissal.

The Department Head will bring all such violations to the attention of the employee. A written memorandum will be placed in the file noting the following: the nature of each occurrence, the remedial action suggested, and what action was taken. Disciplinary action taken may be a reprimand, suspension or discharge.

If an employee is suspended, they must be notified in writing of the effective date, reason and duration. The Town Manager shall suspend or discharge employees.

If an employee is discharged, they must be notified of the reason for discharge, and of the effective date of discharge.

This process shall govern the disciplining of all employees to whom this Plan applies under Section 1.3, except probationary employees, who may be terminated without cause at any time while on probationary status. Should such steps fail to produce a productive and qualified employee, the Town shall exercise its right to terminate an employee for disciplinary reasons or for failure to meet the requirements of the position.

LEVELS OF DISCIPLINE

- (d) Warning: A warning will be given verbally to any employee by a supervisor. This action is generally taken to correct an error or the potential for error or infraction.
- (b) Counseling and Training: This disciplinary action is generally taken when an employee has difficulty adjusting to the work environment or job requirements. Indication of need of counseling or training is made in the record.
- (c) Written Warning: This is a written notice of error and a directive to correct the deficiency.
- (d) Suspension: Suspension shall be invoked without pay for an act or omission that jeopardizes the mission of the Town, or for a violation of the Rules and Regulations of a department, the Town, or a violation of the Town Personnel Plan. An employee may also be suspended for inefficiency, incapacity, insubordination, misconduct or immoral conduct, intoxication, offenses against the law, or an unsatisfactory evaluation or any other just cause. A detailed report and an impartial investigation, as

well as a due process hearing, if requested shall accomplish suspension action.

- (e) Administrative Suspension: The Town Manager may place an employee on administrative suspension for an extended period of time, with pay, when such an employee has been charged with, but not convicted of, a felony or a federal violation, or in civil or criminal cases has been charged with actions that would cause a serious strain on the effective performance of the Town functions.
- (f) Termination: The Town Manager may terminate any employee for inefficiency or incapacity, insubordination, offenses against the law or other similar just cause. Such action shall be in accordance with the provisions of this Chapter and Due Process.

GRIEVANCE PROCEDURE

If you feel you have a problem, you should present the situation to your supervisor so that the problem can be settled by examination and discussion of the facts. We hope that the supervisor will be able to satisfactorily resolve most matters. If an employee is not satisfied the situation has been resolved the following steps can be taken:

- (a) An employee who is not satisfied with the supervisor's response may choose to submit in writing to the Department Head within five (5) business days of the supervisor's decision. The Department Head shall meet with the employee within five (5) business days and give a written reply within ten (10) business days.
- (b) An employee who is not satisfied with the supervisor or Department Head's response may then submit in writing to the Town Manager within five (5) business days of receipt of the Department Head's reply. The Town Manager shall meet with the employee within ten (10) business days and give a written reply within ten (10) business days.
- (c) The Town Manager's decisions shall be final on employee's grievances except for all employees who are under his/her administrative supervision.
- (d) A Department Head who believes that they have received inequitable treatment because of some condition of their employment is expected to discuss any grievance with the Town Manager. If the matter is not settled, the Department Head may choose to submit it in writing to the Board of Selectmen within five (5) days of the Town Manager's decision.

IX. EMPLOYEE SAFETY AND HEALTH

The Town is committed to providing a safe and healthy working environment for all of our employees. With your assistance, we can use our resources to identify and control work-related hazards. All employees are required to bring known and potential hazards and safety issues to the attention of the Joint Loss Safety Committee. Failure to do so may result in an injury to you or others that could otherwise have been avoided.

The cooperative effort of each employee, and supervisor and manager in the awareness, acceptance, participation, and preservation of a functional Health and Safety Program is essential and welcomed. Please bring any suggestions you may have to improve safety to the Joint Loss Safety Committee, Human Resources or the Town Manager.

SAFETY AND HEALTH STATEMENT

Safety is of great concern to the Town. It is important that we all keep safety foremost in our minds to ensure that our work environment is as safe as possible. Safety can only be achieved through teamwork. Each employee, supervisor, and official must practice safety awareness by being alert, anticipating unsafe situations, and reporting unsafe conditions immediately. Please observe the following precautions:

- a. Notify your supervisor of any emergency situations. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
- b. The use of alcoholic beverages, illegal drugs, or the abuse of legal drugs during work hours will not be tolerated. Possession of alcohol or any illegal drugs on Town property is prohibited.
- c. The use, adjustment, and/or repair of machines or equipment are to be performed by you only if you are trained and qualified.
- d. Get help when lifting or pushing heavy objects.
- e. Understand your job fully and follow instructions. If you are not sure of a safe procedure for performing work, ask your supervisor.
- f. Know locations, contents, and intended use of all first aid and firefighting equipment.
- g. Wear personal protective equipment as directed in accordance with the job you are performing.
- h. Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.
- i. All job descriptions include keeping our facilities and lots clean and safe. Every employee must participate in this effort.

Violations of safety precautions may lead to disciplinary action, up to and including termination.

JOINT LOSS SAFETY RESPONSIBILITIES – (Safety Committee)

Every employee of the Town has the right to a workplace free from occupational safety and health hazards. The Safety Committee, Supervisory Personnel, and all employees share in the responsibility of implementing the provisions of this program within their respective capabilities and jurisdiction. The responsibilities listed are a minimum and should not be construed to limit individual initiative to implement more comprehensive procedures to control losses and enhance workplace safety.

Pursuant to RSA 281-A: 64, every employer with 5 or more employees shall establish and administer a joint loss management committee that must meet regularly. All employers with 10

or more employees shall prepare a current written safety program to be filed biennially. Further information about these requirements may be found on the N.H. Department of Labor website (www.labor.state.nh.us).

* * *

The Town maintains an active Safety Committee comprised equally of management and regular employees, which meets quarterly. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please see the Human Resources Director for details.

Safety Committee

- The Committee shall officially adopt this program and update at least every five years in accordance with the NH Department of Labor regulations.
- Provide overall support, direction and commitment.
- Ensure that personnel responsible for carrying out the provisions of this program understand the content of the program, are held accountable for their actions/inactions in accordance with established policies and procedures, and serve as advocates for the promotion of safety values and programs at all levels.

Supervisory Personnel

- Personnel with supervisory duties shall have the authority and responsibility to maintain a safe and healthy work place and work practices. The supervisory personnel will:
 - Comply with the contents of this program
 - Comply with applicable work rules and regulations
 - Ensure that all employees within their jurisdiction comply with the program and follow all work rules and regulations as well as setting a positive example.
 - Follow disciplinary procedures as they relate to this program.
 - Promptly investigate and report all accidents and incidents, and immediately discuss measures for prevention.
 - Provide education for employees within their departments including correct methods for performing tasks, precautions to be taken, and the use of appropriate protective and emergency equipment.
 - Conduct workplace inspections and investigations to identify and correct unsafe conditions.
 - Include and evaluate employee's safety behavior in each formal performance evaluation.

Employees

- Employees are required to exercise due care in the course of their work to prevent injuries to themselves and to their fellow workers, the general public and equipment entrusted in their care. Employees shall:

- Understand and follow all work rules and regulations. If an employee does not understand a work rule or regulation, they must notify their immediate supervisor.
- Utilize required personal protective equipment.
- Report all unsafe acts and conditions to their supervisor.
- Operate only machines and equipment that they have been properly trained and/or licensed on.
- Must follow all accident reporting procedures.
- Employees required to have a license as a condition of employment must report to immediate supervisor or Department Head:

Any motor vehicle law enforcement action;

Any motor vehicle conviction or any administrative action by the Department of Motor Vehicles.

These provisions shall not supersede any law or Commercial Driver's license requirements.

- Follow Disciplinary Policy as it relates to this program.

Administrative Regulations and the Town Wide Safety Manual provide further information on safety policies and procedures.

WORKPLACE VIOLENCE

Unfortunately, violence in the workplace has become a reality for many employers. We hope that we never have to face this growing problem. The Town therefore prohibits employees from bringing weapons on our premises, including our parking lots. Moreover, violence and verbal or 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 discipline, up to and including separation from employment. Responsive action may also include notifying the police or other law enforcement and prosecuting violators of this policy. If you become aware of any violence or threat of violence, you must immediately report the matter to your Department Head, Human Resources or Town Manager or if the risk of danger is imminent, the police should be contacted directly, and then Department Head, Human Resources or Town Manager should be contacted as quickly as practicable.

ALCOHOL AND DRUG POLICY

It is the Town's intent and obligation to provide a safe and efficient work environment for all employees. The Town recognizes alcohol and drug abuse as potential health, safety and security problems. All employees are expected to assist in maintaining a work environment that is free from the effects of alcohol, drugs and other intoxicating substances.

Alcohol and Drug Free Workplace Policy

1. **General Policy.** The purpose of this policy is to implement the Federal Drug Free Workplace Act of 1988 by providing 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.

2. **Employee Responsibilities.**

- A. No employee shall unlawfully manufacture, dispense, possess, use, or distribute any controlled substance, medication, or alcohol.
- B. Any employee convicted under a federal or state statute regulating controlled substances shall notify Their Department Head within five (5) days after the conviction.
- C. Employees are prohibited from consuming alcoholic beverages immediately before work, during work hours, or while at work during breaks or lunches.
- D. No employee shall be impaired by alcohol, illegal drugs, or medication during work hours.
- E. No employee shall represent the Town in an official capacity while impaired by alcohol, illegal drugs, or medication.
- F. 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.
- G. If an employee is using prescription or non-prescription medication that may impair the ability to safely perform duties, the employee shall report that fact to their Department Manager.
- H. 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 their Department Manager, Human Resources, or the Town Manager.

Investigations and Searches:

When Town determines that there is reasonable cause to suspect that an employee has violated this policy, Town reserves the right to inspect, without prior notice, lockers, work areas, desks, cabinets, purses, bags, briefcases, other belongings, and vehicles brought on Town premises or at locations where work-related activities are being conducted. Cause to suspect shall be solely in the judgment and discretion of Town.

Violations of this Policy:

Employees must, as a condition of employment, abide by the terms of this policy. Violations of this policy will result in disciplinary action, up to and including termination, and may also have legal consequences.

Fitness for Duty Exams:

Town reserves the right to require any employee to submit to a fitness for duty exam when there is a reasonable basis for Town to believe that the employee may be under the influence of alcohol or drugs or may be otherwise unfit for duty. Fitness for duty exams may include, but not be limited to, tests for the presence of drugs or alcohol. Employees must consent to fitness for duty exams as a condition of employment. The cost of any such fitness for duty exams will be covered by the Town. Within Town's discretion, an employee may be placed on

paid or unpaid administrative leave or suspension pending the results of a fitness for duty exam.

3. **Disciplinary Action.** 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.

SMOKE FREE POLICY

The Town is committed to providing a safe, healthy, and smoke-free work environment for our employees, visitors, and vendors. Consistent with our commitment and state law RSA 155 the Indoor Smoking Act, we have declared a no smoking policy within our buildings and in Town vehicles. Anyone wishing to smoke must do so only during authorized breaks in a designated area.

If an employee fails to comply with these rules, the employee will be subject to disciplinary action, up to and including termination.

WORKPLACE SEARCHES

To safeguard the safety and property of our employees, residents, and the Town, the Town reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises based on probable cause. Employees should understand that 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. Searches may be conducted at any time at the discretion of the Town. Employees will be informed that the search occurred if they were not present during the inspection. Employees who refuse to cooperate in a search will be subject to disciplinary action up to and including discharge if after investigation, they are found to be in violation of the Town's security procedures or any other Town rules and regulations.

ELECTRONIC DEVICES

(This amendment replaces the Cell Phone/PDA Policy.
Approved by the Board of Selectmen, August 10, 2015)

Drivers may not use their phones or other electronic devices in any manner, including but not limited to making or receiving calls; sending, viewing or receiving text or voice messages of any kind; checking time; looking up information contained on phone or personal digital devices while operating a Town vehicle, while operating any vehicle on Town related business, or while operating any Town machinery or equipment with the exception of police and fire personnel who may receive work-related calls in their official capacity.

Please be aware that the use of handheld electronic devices while driving is against the law in New Hampshire and in many other states. Any employee found in violation of the law will be responsible for all penalties.

Per NH State law (This is not verbatim): No use of hand held electronic devices capable of providing voice or data communication while driving or temporarily halted in traffic for a stop

sign or traffic signal or other momentary delays. This includes cell phones, GPS, tablets, ipods, ipads or other devices that require data entry. Emergency calls to 911 or other public safety agencies will be allowed. One hand non-cellular 2-way radio use will be allowed. Teen drivers under the age of 18 will not be allowed to use any electronic devices (hand held or not) except to report an emergency.

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

X. OTHER

SOCIAL NETWORKING AND BLOG POSTINGS

This policy addresses personal sites only; sites maintained by the Town are not included. Postings on social networking sites such as Twitter, Face book and MySpace as well as on blogs has become a common activity of many individuals. The Town prohibits employees from any such postings, viewing or in any way participating in such sites while on work time or using any of the resources or equipment of the Town. The Town internet resources are only to be used in accordance with the office rules and policies on confidentiality, harassment, use of the internet and use of office equipment.

The Town neither encourages nor discourages any of its employees from posting on social networking sites or blogging on their own time, using their own equipment. However, employees should be aware that these postings are public; even if access to them is restricted they may be forwarded out of the restricted group by those who have rightful access, and live on virtually forever. And, even if a posting is taken down it never truly disappears but rather continues to exist somewhere in cyberspace. As a result, employees need to be mindful that social networking postings (whether images or comments), even though done on personal time and using personal equipment, can cause damage to not only their own reputation and interests but also the reputation and interests of the Town, co-workers, and the public we serve.

Should you choose to blog or participate in any social networking site on your own time, using your own resources and equipment, you are requested to follow the following guidelines:

1. You must never disclose any confidential information of the Town or any information whatsoever about the Town's residents.
2. Your postings must not violate any laws or policies of the Town, including but not limited to harassment, violence, or confidentiality of other employees or residents.
3. Should you reference the Town in any way you must state that the views, opinions, ideas or information belong to you personally and are not in any way attributable to the Town.

Employees should report violations of this policy to Supervisor and/or Department Head. It is the responsibility of all employees to help the Town ensure compliance with the policy.

Violation of any aspect of this policy is subject to disciplinary action, up to and including termination of employment, regardless of whether such conduct occurred away from work or on non-work time.

XI. SEPARATION FROM EMPLOYMENT

RESIGNATION/TERMINATION

Should you decide to resign from your employment with the Town, we ask that you notify your Department Head in writing of your decision at least two weeks in advance of your planned departure date in writing. Your thoughtfulness will be appreciated, and will allow the Town to maintain work schedules and provide important services to the public.

Pay in lieu of vacation earned but not taken will be made in the case of employment terminated by resignation, dismissal, retirement or death of an employee. Employees forfeit all accrued sick leave and personal leave upon termination for cause. **Please see Vacation, Sick and Personal leave Section VII.**

If a permanent employee dies while in the Town's services, wages earned to the time of death, any unused vacation leave credits shall be paid to:

- (a) A beneficiary named by the deceased and recorded with the Town;
- (b) Surviving spouse of deceased if no other beneficiary has been named and recorded with the Town;
- (c) The estate of the deceased if neither of the foregoing is applicable.

EXIT INTERVIEWS

All employees who terminate their employment will be asked to participate in an exit interview with Human Resources. The purpose of the exit interview is to discuss any relevant separation benefits and benefit continuation, and to receive feedback from you on ways in which our Town can improve our operations and retention of employees.

RETURN OF TOWN PROPERTY

All property of the Town not limited to the following; tools, equipment, keys, ID badge, documents, or records made or compiled by you or made available to you in connection with the business of the Town must be delivered to the Town promptly upon the termination of your employment or at any other time upon request.

LAYOFF

The Town reserves the right to lay off any employee, without discredit to the employee, if circumstances dictate that such layoff is necessary for the public's best interest.

Employees shall be laid off within pay-position groups affected based on the most recent annual merit review. If merit, ability and capacity are equal, length of service shall be the determining

factor. No employee shall be laid off without at least two weeks' notice.

An employee, if qualified therefore, shall be offered a lower paid position if a vacancy in such a position exists. Acceptance of such a position shall in no way prejudice the employee's return to his/her former position, should rehiring take place.

Personnel Policies and Procedures Manual for Town of Exeter, NH

Adopted this date: November 21, 2011

Board of Selectmen

Russell Dean, Town Manager

Robert Aldrich, Chairman

Matthew Quandt, Vice-Chairman

Frank Ferraro, Clerk

Donald Clement, Selectman

Julie Gilman, Selectwoman