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SECTION 100: Introduction

Welcome current and new employee!

We are pleased to provide you with a copy of the Town of Sunapee Employee Handbook, which has been designed to inform employees about the standard practices, policies, and procedures of the Town of Sunapee. You should read, understand, and comply with all provisions of the Handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the Town of Sunapee to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth. Every effort has been made to make this Handbook as clear and concise as possible. If you have any questions about any of the provisions in the Handbook, please contact your Department Head or the Town Manager.

The policies, procedures, and benefits described in this Handbook will provide you with useful guidelines. However, they are not terms or conditions of employment, and the Handbook is not an employment contract. Your continued employment for the Town of Sunapee is based on mutual consent. No employee is hired pursuant to any contract of employment. Rather, your employment is at will and the Town of Sunapee may terminate your employment at any time and for any reason that the Town of Sunapee sees fit, just as you may terminate your employment with the Town of Sunapee for any reason you see fit.

It is in the best interest of the Town of Sunapee and its employees that there be flexibility in the administration of policies and procedures. Therefore, the Town of Sunapee reserves the right at any time and without notice, to change or eliminate any and/or all of the policies, procedures, or benefits described in this Handbook, as it deems appropriate. The Town of Sunapee, or its designated administrator, also has the exclusive authority to construe and interpret the terms and provisions of this Handbook and to determine all questions of eligibility for any benefits described herein.

This Handbook may be updated periodically to reflect changes made to any policy, procedure, or practice.

Sincerely,
Town Manager and the Board of Selectmen

SECTION 200: General Employment Information

Employment

201 General Employee Policy

It is the policy of the Town of Sunapee:

1. To provide equal employment opportunities to employees and applicants, without regard to race, color, creed, religion, national origin, sex, age, marital status, sexual orientation or disability, except when such factor is a bona fide occupational requirement.
2. To assist employees to become increasingly effective in their performance, and, whenever possible, encourage and assist the employee to further his/her education in order to become more proficient in his/her field of employment with the Town of Sunapee.
3. To treat all employees in a manner that will encourage pride and effort which will, in turn, contribute to a capable and diligent workforce.
4. To provide the opportunity for any employee to discuss his/her problems or grievances openly with his/her supervisor.
5. To furnish each employee with a complete copy of the Employee Handbook.

The overall responsibility for the administration of this plan rests with the Town Manager under policy direction from the Board of Selectmen. Department Heads are responsible for administration of this plan within their departments.

202 Ethical Principles

PREAMBLE:

It is the policy of the Town of Sunapee to uphold, promote and demand the highest standards of ethics and conduct from all of its employees and officials, whether elected, appointed or hired. The Board of Selectmen, all Town employees and all members of Town boards, commissions and committees should maintain the highest standards of personal integrity, truthfulness, honesty and fairness in discharging their public duties and never abuse their positions of trust for improper or personal gain. All Town officials, board members and employees should look to these principles for guidance.

THE PRINCIPLES OF ETHICS: (It is recommended that these be publicly displayed at the Town Hall)

I. THERE SHOULD BE NO CONFLICT OF INTEREST

II. THERE SHOULD BE A DUTY TO RECUSE

III. THERE SHOULD BE A DUTY TO DISCLOSE

Adopted effective March 8, 2010

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IV. THERE SHOULD BE NO UNFAIR PERSONAL USE OF TOWN PROPERTY

V. THERE SHOULD BE NO MISUSE OF CONFIDENTIAL INFORMATION

VI. THERE SHOULD BE NO IMPROPER GIFTS

VII. ALL SHOULD EXPECT TO RECEIVE FAIR AND EQUAL TREATMENT

PURPOSE: The purpose of these principles is to establish guidelines for the ethical standards of conduct for Town officials, board members and employees.

We expect our Town officials, board members and employees:

- 1) to act in the best interests of the Town;
- 2) to disclose any personal, financial or other interests in matters affecting the Town that come before them for action;
- 3) to remove themselves from decision making if they have a conflict of interest or even the appearance of one; and,
- 4) to be independent, impartial and responsible to their fellow townspeople in their actions.

We expect the Town's decisions and policies to be made through the proper channels of government.

We expect any public position in our Town not to be used for personal gain. It is important that the public has confidence in the integrity of its government and that Town officials, board members, volunteers and employees know and understand the contents of this document and can thus have an opportunity to protect their personal reputation.

EXPLANATION OF THE ETHICAL PRINCIPLES:

I. There Should be No Conflicts of Interest

Town officials, board members and employees of the Town of Sunapee should avoid conflicts of interest or even the appearance of a conflict of interest.

Town officials, board members or employees should not participate in any matter in which they, or members of their family, have a personal interest that may directly or indirectly affect or influence the performance of their duties. In such instances, they should recuse themselves from discussion and decision-making. Recusal means to remove oneself completely from all further participation in the matter in question.

Town officials, board members or employees who have been recused should immediately leave the room or should seat themselves with the other members of the public who are present. When recused they should not participate in further discussions unless they clearly state for the

record that they are doing so only as a general member of the public. As a recused person, they should not deliberate or vote on the matter in question.

II. There Should be a Duty to Recuse in Quasi-Judicial Action

A “quasi-judicial action” is any action where the board or committee is acting like a judge or a jury. For example, when a board or committee has a duty to notify the potential parties, hear the parties and can only decide on the matter after weighing and considering such evidence and arguments as the parties chose to lay before such a board or committee, they are involved in a quasi-judicial action. The work of the Planning and Zoning boards is largely a quasi-judicial action. Not only do Town officials, board members and employees have such a duty to recuse themselves as outlined in the section above, they should recuse themselves in a quasi-judicial action if they would not be qualified to sit as a juror in that case. For example, jurors are not qualified to sit in a case if they have advised or assisted either party in a matter being decided or are prejudiced to any degree regarding the pending matter or believe they cannot for any reason be totally fair and impartial.

III. There Should be a Duty to Disclose

Town officials, board members or employees should not participate in the conduct of business on behalf of the Town or enter into discussion or deliberation of any matter without first publicly and on the record stating all dealings, interests and relationships and any other possible conflicts that may exist with the parties or the issue under consideration.

IV. There Should be no Unfair Use of Town Property

No Town official, board member or employee should use town property, services or labor personally or make the same available to others, unless such use is available to other residents upon request on equal terms.

V. There Should be no Misuse of Confidential Information

No Town official, board member or employee should use any confidential information acquired by virtue of that individual’s official position for personal benefit or for the benefit of any other person or business.

In addition, no Town official, board member or employee should violate the privacy of others by publicizing, gossiping or discussing confidential information acquired in the course of official duties.

VI. There Should be no Improper Gifts

No Town official, board member or employee should accept a gift (or allow acceptance of such gift by a family member) from any individual, group or corporation that has or is likely to have matters pending before the Town, board, committee or commission on which the official or employee serves.

VII. All Should Expect to Receive Fair and Equal Treatment

Acting in their official capacity, all Town officials, board members and employees should give each and every person fair and equal treatment. No Town official, board member or employee should, in the course of their official duties, give or deny any person special consideration, advantage or treatment as result of the person's public status, position, sex, race, religion, creed, sexual orientation or national origin.

EDUCATION:

1. At the time that each newly elected or appointed official, board member or employee takes the oath of office, they shall receive a copy of these ethical principles.

2. The Town Manager shall hold a meeting each spring for newly elected or appointed officials, board members and employees so they may familiarize themselves with the provisions of these ethical principles.

3. It shall be the responsibility of each department head of any new employee to insure that the employee or volunteers are aware of these ethical principles.

Approved and adopted by the Board of Selectmen October 20, 2003.

William Roach
Emma M. Smith
Frederick C. Gallup
Stephen W. White
David E. Gibbens

203 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Town of Sunapee will be based on merit, qualifications, professionalism, performance, and abilities. It is the policy of the Town of Sunapee to provide equal opportunity in employment opportunities or practices without regard to race, color, creed, religion, sex, national origin, age, marital status, sexual orientation, disability, or any other characteristic protected by law, except when such factor is a bona fide occupational requirement.

Sunapee will make reasonable accommodations for qualified individuals with disabilities, which

do not prevent them from performing the essential functions of the job, with or without reasonable accommodation unless, doing so, would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of possible discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Town Manager or the Board of Selectmen. Employees can raise concerns and make reports without fear of reprisal. Following an investigation, anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

205 Outside Employment

An employee may hold a position with another organization as long as he/she satisfactorily performs his/her job responsibilities with the Town of Sunapee and the outside employment creates no conflict of interest with Town of Sunapee employment. All employees will be judged by the same performance standards and will be subject to Sunapee's scheduling demands, regardless of any existing outside work requirements.

If Sunapee determines that an employee's outside work interferes with performance or the ability to meet the requirements of Sunapee as they are modified from time to time, the employee may be asked to terminate the outside employment if he/she wishes to remain employed with Sunapee.

Outside employment will present a conflict of interest if it has an adverse impact on Sunapee, has the appearance of inappropriateness given your position as a Town of Sunapee employee and representative of the Town of Sunapee, or in some way conflicts with the performance of your regular duties.

207 Sexual and Other Unlawful Harassment

The Town of Sunapee's goal is to create a workplace and a working environment that maximizes success for its employees. It is a goal of the Town of Sunapee to provide all of its employees with a work environment free of any unlawful harassment. Harassment of employees by co-workers, supervisors, managers, elected officials, customers, taxpayers, or vendors, will not be permitted, regardless of their working relationships. Reprisals for reporting harassment are also prohibited. Incidents of harassment, which are confirmed following investigation, and reprisals for reporting harassment, are serious offenses, and will be subject to discipline up to and including termination.

DEFINITION OF SEXUAL HARASSMENT AND HARASSMENT

Sexual Harassment: Includes unwelcome sexual advances, requests for sexual favor, and any other verbal, visual, or physical conduct based upon sex when: (1) Submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the

conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating a hostile, offensive, or intimidating environment.

Harassment: harassment refers to, but may not be limited to:

- * Age
- * Race
- * Color
- * National Origin
- * Religion
- * Veteran's Status
- * Disability
- * Sexual Orientation
- * Marital Status
- * Gender

Examples of such harassment include, but are not limited to:

Conduct or comments that threaten physical violence, offensive or unsolicited remarks, unwelcome gestures or physical contact, display or circulation of written materials or pictures degrading to any gender, racial, ethnic, religious, or other group listed above, and verbal abuse or insults about, or directed at, any employee or group of employees because of their membership in any of the groups listed above.

Harassment may subject the Town of Sunapee and the individuals who engage in it to significant liability. Any employee who believes that he/she or others have been subjected to harassment from a co-worker, supervisor, manager, elected official, customer, taxpayer, or vendor is asked to report this conduct to: his/her supervisor, Department Head, Town Manager, and/or the Board of Selectmen. It is the policy of the Town of Sunapee to investigate thoroughly and promptly any complaint of harassment. While employees are encouraged to report instances of harassment to their supervisors or manager first, they are not required to do so.

The Town Manager, Department Head, and other designated resources either observing or receiving reports of harassment are expected to treat the issue seriously and to take appropriate steps in accordance with the Town of Sunapee's policy. The Town Manager and Department Heads are expected to use their personnel resources to assist them in this process. Investigation must be handled in the most timely and confidential manner as possible.

Employees accused of this harassment will be given sufficient information about the allegations to provide them with a reasonable opportunity to respond before any corrective action or discipline is imposed. Accused employees should not be assumed to have violated the Town of Sunapee's Harassment Policy unless and until the investigation establishes that they have done so.

If the investigation determines that an employee has violated this policy, the Town Manager and Department Heads will take prompt appropriate disciplinary action up to, and including, immediate termination of employment. A record of any communication/warning relating to any charge of harassment is retained in the personnel file of the accused employee.

Employee's Role

Any employee who believes that he/she is being harassed by anyone on the premises of the Town of Sunapee is asked to promptly take the following steps:

1. If possible and appropriate, politely but firmly address whoever is doing the harassing, state how you feel about his/her actions and request that the person cease those or similar actions immediately.
2. If the actions continue, if you believe some employment consequences may result from your confrontation, or if you feel incapable of confronting the individual directly, you may go directly to your immediate supervisor. If circumstances prohibit this response, report the behavior to the Town Manager orally or in writing, stating specific details of the behavior you consider harassing.
3. In the case of a problem with a co-worker, the employee is asked to bring the issue to the Town of Sunapee's attention, even if the matter has been resolved between the parties, if the employee desires to put management on notice in the event of further problems.
4. If after a reasonable length of time you believe your complaint has not been resolved, go directly to the Town Manager or the Board of Selectmen for resolution of your problem. The policy of the Town of Sunapee is to listen to all complaints of harassment or sexual harassment, investigate all complaints and take disciplinary action when appropriate.
5. Discipline against harassment and/or sexual harassment will be determined at the Town's discretion depending upon the circumstances surrounding the incident, and the nature of the incident, but may include discipline up to and including immediate dismissal from employment.

Management's Role

Every member of the Town of Sunapee's management is responsible for appropriately addressing any harassment or sexual harassment concern, which may occur within his/her area of authority.

1. Any complaint or observation of harassment is to receive the immediate attention of the supervisor and be reported immediately to the Town Manager or Board of Selectmen so that an investigation may be initiated.
2. Investigation of a complaint of harassment will include conferring with the parties and witnesses named by the complaining employee.
3. Because of its sensitive nature complaints of sexual harassment should be investigated with particular care and should remain, to the extent possible, strictly confidential. Ordinarily, the Town Manager will conduct this investigation.
4. Ordinarily, information concerning a complaint of sexual harassment will not be released by the Town of Sunapee to third parties who are not involved in the incident or the investigation, or to anyone within the Town of Sunapee who is not involved with the investigation, unless otherwise required by law or in connection with a law suit. The purpose of this provision is to protect the confidentiality of the employee, who files a complaint, to encourage the reporting of any incidents of possible harassment, and to protect the reputation of the accused employee in case the investigation does not confirm the charge of harassment.
5. If the investigation reveals that the complaint is valid, prompt disciplinary action is

intended to stop the harassment immediately and to prevent its recurrence. Discipline will vary, at the Town of Sunapee's discretion, based upon the nature and circumstances of the incident, but may include discipline up to and including immediate termination of employment if appropriate.

6. In the event that a harassment complaint is made against the Town Manager, a member of the Board of Selectmen will be the investigating party. In the event that a complaint is made against a member of the Board of Selectmen, the remaining members of the Board of Selectmen shall be the investigating party.

209 Employee Definitions

It is the intent of the Town of Sunapee to clarify the definitions of employment classifications so that employees understand their employment classification and benefit eligibility. All employees are considered 'at-will' employees at all times

1. Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal wage hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by Town of Sunapee management.

2. In addition to the above categories, each employee will belong to one other employment category:

.01 Regular Full-Time Employees: Employees who are not in a temporary or introductory status and who are assigned to a regular work-week of 35 or more hours per week on a continuous basis. Generally, these employees are eligible for Sunapee's benefit package, subject to the terms, conditions, and limitations of each benefit program. This includes the Town Clerk/Tax Collector, which is an elected position.

.02 Regular Part-time Employees: Employees who are not assigned to a temporary or introductory status and who regularly work an average of 20 to 34 hours a week on a continuous basis. While these employees do receive legally mandated benefits (such as Social Security and workers' compensation insurance) and prorated vacation leave, they are ineligible for the Town of Sunapee's other benefit programs.

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

.04 Appointed Official: Any individual appointed to any Board, Committee, or

Department which has official standing as part of the government of the Town of Sunapee and who has by statute, ordinance, or order of the Selectmen, the authority to take action for, or on behalf of, the Town of Sunapee. (e.g. Zoning Board of Adjustment, Recreation Committee, Conservation Commission, etc.)

.05 Volunteer: Any individual who is accepted as a volunteer for any Board, Committee, or Department of the Town of Sunapee who will be providing services, representing the Town of Sunapee, or taking action for or on behalf of the Town of Sunapee including but not limited to volunteer members of the Fire Department and it's FAST squad to the extent that a board, committee or department of the town of Sunapee for which the individual volunteers has in place its own rules, regulations or by-laws which govern a volunteer's hiring, discipline and/or termination, those rules, regulations or by-laws shall control.

3. Each person who assumes any of the herein defined positions shall submit a completed personal data information sheet to the Town Manager.

211 Introductory Period

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Town of Sunapee uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Town of Sunapee may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first 6 months after their date of hire. Employees who are promoted or transferred within the Town of Sunapee must complete a secondary introductory period of the same length with each reassignment to a new position. Any significant absence will automatically extend an introductory period by the length of the absence. If the Town of Sunapee determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

In cases of promotions or transfers within the Town of Sunapee, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary introductory period. If this occurs, the employee may be allowed to return to his/her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and the Town of Sunapee's needs.

Upon satisfactory completion of the initial introductory period, employees enter the "regular" employment classification.

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other Town of Sunapee-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements for each benefit.

Employment classification is not changed during any secondary introductory period that results

from a promotion or transfer within the Town of Sunapee.

213 Performance Evaluation

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's introductory period in any new position. Discussions at this time allow the supervisor and the employee to discuss the responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. The performance of all employees is generally evaluated yearly on or about the anniversary of the employee's date of hire.

Compensation

221 Paydays

The weekly payroll period begins at 12:01 am on Thursday and ends at midnight on Wednesday of the following week. Each paycheck will include earnings for all work performed through the end of the previous payroll period and will be distributed each Tuesday.

In the event that a regularly scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee may receive his earned wages before departing for vacation if a written request is submitted at least one week prior to departing for vacation.

Employees may have pay directly deposited into accounts of any financial institution on the Federal Reserve System if they provide advance written authorization to the Town of Sunapee. Employees will receive an itemized statement of wages when the Town of Sunapee makes direct deposits.

223 Pay Deductions

Social security, Federal Income Tax, and Retirement deductions shall be made in accordance with Federal and State requirements based on the tax brackets and deductions as filed with the Bookkeeper.

Other deductions such as savings accounts, etc., must be requested in writing prior to such withholding. More information is available from the Bookkeeper.

225 Overtime

All employees, except those designated as exempt from the provisions of the Fair Labor Standards Act, shall be paid overtime for all hours beyond forty (40) hours during a regular work-week and if required to work on a paid holiday. The workweek will commence at 12:01 am Thursday and end at 12:00 Midnight Wednesday. Overtime will be paid at one and one-half

(1-1/2) times the employee's regular hourly rate. Overtime shall be based on the number of hours compensated including sick time, vacation time, personal time, and holidays.

Example:

Thursday was a paid holiday.

Friday, Monday, and Tuesday, employee worked 8 hours each day. Wednesday the employee worked 12 hours.

Employee is paid for 40 hours at regular rate of pay, plus 4 hours at one and one-half (1-1/2) times the employee's regular hourly rate.

Overtime shall be worked only when authorized in advance by a department head. The department head must initial the employee's time card when overtime is worked.

All non-salaried employees called in after hours shall be paid a minimum of two hours pay.

227 Compensatory Time in Lieu of Overtime Pay (Non-exempt employees only)

Upon written request of the employee and approval of the department head, employees may be granted compensatory time off in lieu of overtime payment for compensable hours in excess of 40 hours in a work-week. Such time shall be earned at the rate of one and one-half (1 1/2) hours off for each compensable hour in excess of 40 hours in the work-week for which no overtime payment is received.

A maximum of 80 hours of compensatory time may be accumulated in one calendar year. However, an employee may have no more than 40 hours available at any time. The employee must give written notice to the department head when overtime worked is to be compensated for with compensatory time. The employee must give written notice when requesting to take compensatory time off at least three (3) days in advance of leave. Time off will be granted only if it does not cause a disruption of service.

When employees terminate their employment with the Town of Sunapee, they will be paid for unused compensatory time.

The Board of Selectmen discourages accumulation and use of compensatory time off.

229 Merit Pay

The Board of Selectmen has instituted a merit pay system in the form of a ten step plan.

Adoption.

The Compensation Plan shall be submitted by the Town Manager to the Selectmen for adoption. After adoption by the Selectmen, 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 with Selectmen approval.

Initial Effect.

Employees in the classified service who are receiving less than the minimum rate for the class position which they hold, on the effective date of the Compensation Plan, shall be increased to the minimum rate of the Compensation Plan. Employees whose salaries are in excess of the maximum rate assigned to the class at which their positions are allocated shall thereafter receive the same rate, but will not be eligible to receive any further increase until they come into a position which has a higher rate. If such a rate is other than an established step of the range it shall be increased to the next established step.

Amendments.

Amendments to the Compensation Plan will be recommended to the Selectmen by the Town Manager when changes in responsibility or work of classes, rates of pay, the Town's financial position and policies or other information warrant such action. Cost-of-living adjustments will be subject to action on an annual basis based on Selectmen recommendation after Town Meeting approval of current year budget.

Administration.

A. Appointment rates:

- (1) The minimum rate of pay for a class shall normally be paid upon appointment to a position within the class. Appointment rates above the minimum rate may be paid with the approval of the Town Manager. Justification for approval will be limited to recognition of exceptional qualifications of the appointee or the lack of qualified persons at the minimum rate.

B. Wage/salary increases:

- (1) Salary adjustments within established ranges in the approved budget shall not be automatic but shall be based upon the merit system as recommended by the department head and approved by the Town Manager.
- (2) All town full-time employees and regularly scheduled part-time employees may be awarded merit pay raises in the form of steps (normally one) within the appropriate labor grade, which shall primarily be based upon successful goal achievement as evidenced by the performance appraisal for the preceding anniversary year. Rarely, the Manager may award one additional step to employees demonstrating truly exceptional merit above their peers.
- (3) Merit increases shall be effective on the first Thursday following the hire date anniversary of employees. For employees who are promoted to a position on a higher labor grade, the promotion anniversary date shall be used for pay purposes rather than the hire date anniversary.
- (4) Promotions from one job classification to another may be made by the Manager at any time, provided that an approved, funded vacancy exists. Promoted employees shall be subject to a six-month performance probation period, during which time unsatisfactory performance may be grounds for demotion or termination of employees.

- (5) Employee performance appraisals shall be completed annually immediately prior to the hire date (or promotion date) anniversary for every employee. Newly appointed employees shall be reviewed prior to the six months anniversary and on their hire date (or promotion date) annually thereafter.

230 On Call Pay – Police Department

On Call pay will be paid at the rate of \$3.00 per hour not to exceed 6 hours of uncovered time per evening. If a police officer is called in, he will go “on the clock” and not be entitled to the \$3.00 per hour pay while he is working

Attendance

231 Attendance and Punctuality

To maintain a safe and productive work environment, the Town of Sunapee expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Town of Sunapee. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Failure to so notify a supervisor within a reasonable length of time may be cause for disciplinary action. Failure to report to work without notifying a supervisor for a period of 3 days will be considered a voluntary termination of employment by the employee.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

233 Timekeeping

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require the Town of Sunapee to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

235 Work Schedules

Work schedules for employees vary within the Town of Sunapee. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Separation

251 Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION - voluntary employment termination initiated by an employee. Although advance notice is not required, the Town of Sunapee requests at least two weeks' written resignation notice from all employees.

DISCHARGE - involuntary employment termination initiated by the Town of Sunapee.

LAYOFF – involuntary employment termination initiated by the Town of Sunapee for non-disciplinary reasons.

RETIREMENT - voluntary employment termination initiated by the employee meeting age, length of service, and/or any other criteria for retirement from the Town of Sunapee employment.

Employee benefits will be affected by employment termination. All accrued and/or vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses.

253 Return of Property

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. All of the Town of Sunapee's property must be returned by employees on or before their last day of work.

SECTION 300: Benefits

301 Employee Benefits

Eligible employees of the Town of Sunapee are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the Employee Handbook.

The Town of Sunapee currently provides various benefits to its employees depending on their category of employment. These benefits typically include the benefits summarized in this Handbook, however, the Town of Sunapee reserves the right to change, revise, or eliminate any and all of these employment benefits at any time. The Town of Sunapee, or its designated administrator, shall have the exclusive authority to determine all questions of eligibility for any benefits.

The following benefit programs are currently available to eligible employees as outlined in this

Handbook:

Auto Mileage	Benefits Continuation (COBRA)
Bereavement Leave	Military Reserve Duty Leave
Family and Medical Leave (FMLA)	Extended Unpaid Leaves of Absence
Holidays and Personal Days	Educational Assistance
Jury Duty Leave	Workers' Compensation Insurance
Life Insurance	Wellness Program
Long-Term Disability Insurance	Vacation
Medical Insurance	Sick Leave (Short-term Disability)
Pension Plan	Personal Leave

Some benefit programs require contributions from the employee, but most are currently fully paid by the Town of Sunapee.

Insurance

311 Health Insurance

Following a period of at least 30 calendar days, every regular (including introductory status), employee who regularly works 30 hours per week or more and eligible members of his/her family, as determined by the insurance policy, are currently eligible for coverage by the health insurance in effect for Town of Sunapee employees at that time. This insurance will be effective on the first of the month following completion of a full calendar month of employment. (e.g.: employee is hired on May 15th, insurance will be effective on July 1st.)

The Town of Sunapee currently contributes an amount equal to 87.5% of the Matthew Thornton Health Plan for all employees as defined as full-time employees in section 209 of the employee handbook. Please see the individual insurance packets provided by NHMA for plan details. Employees who work less than 35 hours per week are responsible for 100% of the premium.

Cash incentive for health insurance declination – The Town offers a cash incentive of 25% of the premium saved for the defined full-time employee who declines health insurance coverage for which they are otherwise eligible. Annual proof of other health insurance coverage will be required in order to continue the incentive plan annually. The incentive amount will be paid weekly.

Adopted November 12, 2013

312 Dental Insurance

Following a period of at least 30 calendar days, every regular (including introductory status), full-time employee and eligible members of his/her family, as determined by the insurance policy, are currently eligible for coverage by the dental insurance in effect for Town of Sunapee employees at that time. This insurance will be effective on the first of the month following completion of a full calendar month of employment. (e.g.: employee is hired on May 15th, insurance will be effective on July 1st.)

The Town of Sunapee currently contributes an amount equal to 87.5% of the Delta Dental Plan toward the premium for any plan selected by an employee. Please see the individual insurance packets provided by NHMA for plan details.

Adopted effective March 8, 2010

313 Accidents and Disability Insurance

All regular full-time employees currently receive this benefit. The current disability plan is based on 66 2/3% of regular wages. In the event of a non-occupational accident or sickness, benefits are payable starting with the 4th day of disability, and continue for the duration of total disability, up to a maximum of 30 months. Any compensation received from a statutory plan (i.e. Social Security, etc.) is included in the calculation of the 66 2/3% of wage benefit payment guarantee. Benefits under this plan cease upon termination of employment for any reason.

An employee receiving accident and disability insurance benefits will be considered to be on unpaid leave of absence. Such leave shall be considered FMLA leave (for all employees eligible for FMLA leave) and will run concurrently with the 12-work week allotment of FMLA leave. (See section FAMILY AND MEDICAL LEAVE ACT LEAVE)

The amount of coverage is currently reviewed yearly. An insurance certificate is currently issued to each covered employee.

315 Life Insurance

All regular full-time employees currently receive this benefit. The life insurance plan is currently based on 178% of an employee's annual salary, rounded upward to the next highest thousand, and includes Accidental Death & Dismemberment coverage. Benefits under this plan are payable in the event of death from both occupational and non-occupational causes, whether natural or accidental.

The amount of coverage is currently reviewed yearly. An insurance certificate is currently issued to each covered employee.

317 Workers' Compensation Insurance

The Town of Sunapee provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness arising out of, and in the course of, employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses shall inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

An employee receiving Workers' Compensation insurance benefits will be considered to be on unpaid leave of absence. Such leave shall be considered FMLA leave (for all employees eligible for FMLA leave) and will run concurrently with the 12-workweek allotment of FMLA leave. (See section FAMILY AND MEDICAL LEAVE ACT LEAVE)

Leave

321 Vacation

Regular full-time and regular part-time employees are entitled to vacation with pay. Rate of pay will be based upon the employee's pay for a regularly scheduled workweek.

Example:

Adopted effective March 8, 2010

A regular full-time employee who regularly works 40 hours per week will be paid for 40 hours for each week of vacation he/she is entitled to receive.

A regular part-time employee who regularly works 20 hours per week will be paid for 20 hours for each week of vacation he is entitled to receive.

Each employee must give his/her department head adequate notice prior to the time he/she wishes to take vacation time. Final authorization to grant leave is vested in the department head. No leave will be granted if doing so affects the services of the department. Length of employment from last date of employment will determine the sequence in which an employee may select his/her vacation within his/her department.

Vacation time is earned as of January 1 of each year in accordance with the table below. For new employees, ten days of vacation will be prorated based on the portion of the year completed as of January 1; e.g.: if hired July 1, 2004, an employee would have 5 days of vacation earned and available to take during the 2005 calendar year. Similarly, if an employee was hired October 1, 2004, two and one-half days would be available for use in 2005 (one quarter of ten).

When an employee's anniversary completes a year of employment entitling him/her to an additional day of vacation (years 6 thru 15), that extra day shall be credited as of January 1 of that year.

Every employee is expected to take all of the vacation time he/she is entitled to each year. However, up to one week of vacation may be carried over to the following year under special circumstances when approved in writing by the Town Manager. It is the employee's responsibility to request such carry-over sufficiently in advance to allow for taking of the vacation during the current year in case the request is not approved. Unused vacation cannot be exchanged for pay with one exception: If an employee has not taken his/her vacation the year the employee's service with the Town of Sunapee terminates, the employee will be paid for the unused vacation at the time of termination.

Department heads may require employees to take all vacation at one time, or during a particular time of year. Such department policies shall be posted in writing.

YEARS OF SERVICE COMPLETED AS OF 12/31	VACATION DAYS AVAILABLE THE FOLLOWING YEAR
0 - 1	Accrue .83 days for each month completed to be available the following year.
1 - 5	10
6	11
7	12
8	13
9	14
10	15
11	16
12	17
13	18
14	19
15	20

The Road Agent, Police Chief, Town Manager, Library Director, Town Clerk/Tax Collector, and Superintendent of Water and Sewer Department are currently entitled to receive one additional week of vacation or compensation because of extra time required to do their jobs.

323 Holidays & Personal Days

Regular full-time employees are currently entitled to the following holidays plus four (4) personal days, with pay, during the calendar year. For new employees, the number of personal days granted shall be the same number of complete quarters left on the year at the time of hire.

Example: An employee hired August 1 will have 1 personal day to use prior to December 31 of that year.

Personal days cannot be carried over from the previous year. Upon termination of employment, the employee will be paid for any unused personal days earned during the current year.

Example: an employee who leaves July 15th. will be paid for up to two unused personal days. Should an employee have used all 4 personal days for the year and leave on April 1st., three (3) days will be deducted from any unused vacation days or subtracted from their final pay.

Currently, the Town of Sunapee observes the following holidays:

New Year's Day	(January 1)
Memorial Day	(last Monday in May)
Independence Day	(July 4)
Labor Day	(first Monday in September)
Veterans Day	(November 11)
Thanksgiving	(fourth Thursday in November)
Day after Thanksgiving	(the Friday after Thanksgiving)
Christmas	(December 25)

The Town of Sunapee will grant paid holiday time off to all regular full-time employees immediately upon assignment to a "regular" employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day.

Holiday pay will be granted to all regular part-time employees who regularly work an average of 20-34 hours per week on a continuous basis. Their pay shall be prorated to include the holiday day at whatever hours that day would have been worked on their normal schedule. Example: Work schedule of 4 hours per day, 5 days per week – the holiday pay would be for 4 hours.

A recognized holiday that falls on a Saturday will ordinarily be observed on the preceding Friday. A recognized holiday that falls on a Sunday will ordinarily be observed on the following Monday. For any employee that is on a 7 day work schedule, the day on which the actual holiday falls on will be the day that the employee is credited with holiday pay.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Because of the scheduled work week for the Police Department, holidays will be paid for the

entire year during the first week of December, at the same time the sick buyout occurs. (If an employee leaves service for the Town, those holidays will be paid that have passed during the calendar year.)

If an employee is on unpaid leave, (for example, receiving disability or worker's compensation benefits) at the time of a holiday, holiday pay shall not be paid.

Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed.

325 Sick Leave

Sick leave is provided to cover an employee during illness. As such it is a privilege and not a right. Abuse of sick leave may lead to its being withheld pending further review and medical documentation by the employee.

All regular full-time employees are allowed up to a maximum of ten (10) days of paid sick leave each year. Sick time will be calculated from December 1st thru November 30th. In the case of new employees or employees whose service with the Town terminates, sick time will be pro-rated. Unused sick time may not be carried over to the next year.

An employee will be reimbursed for sixty (60) percent of his/her unused sick time remaining at the end of the sick leave year. This will be paid the second week of December, following commencement of the new sick leave year.

Eligible employees may use sick leave benefits for an absence due to their own illness or injury, to take physical or dental examinations, or to cover absences resulting from a necessity to attend to an ailing member of an employee's immediate household.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. Failure to so notify a supervisor within a reasonable length of time may be cause for disciplinary action. Failure to report to work without notifying a supervisor for a period of three days will be considered a voluntary termination by the employee.

A doctor's certificate certifying the employee's illness and ability to return to work will be required after an absence of three (3) days.

The Town of Sunapee reserves the right to have a physical examination performed at its expense of any employee whose health or physical condition impairs the employee's ability to meet job requirements.

327 Bereavement Leave

If a regular full-time employee wishes to take time off due to the death of an immediate family member, the employee should notify his supervisor immediately.

Up to three days of paid bereavement leave will be provided to regular full-time employees for the death of an immediate family member.

The Town of Sunapee defines "immediate family" as the employee's spouse, parent, child, or sibling; and the employee's spouse's parent, child or sibling. Other requests for Bereavement Leave and number of days shall be granted at the discretion of the Town Manager.

329 Jury Duty

The Town of Sunapee encourages employees to fulfill their civic responsibilities by serving jury duty when required.

A regular full-time employee will be paid the difference between compensation received while serving on a jury and their regular compensation. Employees must report to work when excused by the Court from jury duty. Satisfactory evidence of jury service must be presented to the Town Manager.

331 Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Town of Sunapee's health plan when a "qualifying event" would normally result in the loss of coverage. Some common qualifying events are: resignation or termination of employment; death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependant child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Town of Sunapee's group rates plus an administration fee.

The Town of Sunapee provides each eligible employee with a written notice describing rights granted under COBRA when the employer is notified or becomes aware of a "qualifying event". The notice contains important information about the employee's rights and obligations.

333 Military Reserve Duty

A regular full-time employee who is required to meet his/her annual obligation, which may include two weeks and one weekend per month in the military reserve, shall be paid the difference between Military Reserve compensation and his/her regularly scheduled Town of Sunapee compensation, if the latter is greater than the military pay. The Town of Sunapee will otherwise grant military leave as required by law.

335 Short Term Unpaid Personal Leave of Absence

Unpaid personal leaves of absence of up to thirty days may be approved at the discretion of the Town Manager.

An employee on an approved unpaid leave of absence of greater than two weeks per year shall have earned benefits (vacation, sick leave and personal days) protected and frozen, but during the leave of absence shall not utilize those benefits except during leave designated as FMLA leave.

Example: If a holiday falls during the unpaid leave of absence, no holiday pay shall be

paid. An employee on an unpaid leave of absence may be required to pay the entire insurance premium to ensure continuity of insurance coverage during the leave.

337 Extended Unpaid Leaves of Absence

The Town of Sunapee may grant employees extended leaves of absence under certain circumstances. Except as stated below, employees will not receive compensation during such an extended leave.

Employees generally are eligible to request extended leaves of absence if they have completed at least one (1) year of service, or as specified by law. The granting and duration of each leave of absence and the compensation received by the employee, if any, during the extended leave will be determined by the Town of Sunapee in conjunction with applicable Town of Sunapee policy, state or federal law. The following extended leaves will be considered:

Personal Leaves of Absence: Employees may be granted a leave of absence to attend to personal matters in cases in which the Town of Sunapee determines that an extended period of time away from the job will be in the best interests of both the employee and the Town of Sunapee.

FAMILY AND MEDICAL LEAVE ACT LEAVE

A. Policy Statement

The Town of Sunapee provides unpaid leaves of absence to eligible employees in accordance with the requirements of the Family and Medical Leave Act of 1993 ("FMLA").

B. Purpose of the Policy

The purpose of this policy is to provide up to 12 workweeks of unpaid leave of absence during any 12-month period to eligible employees for the care of a newborn, newly adopted or newly placed foster child; the care of an employee's child, spouse or parent who has a serious health condition; or to deal with the employee's own serious health condition if the employee is unable to perform the functions of his or her position.

C. Definitions

1. **Eligible employee** - To be eligible an employee must have worked for the Town of Sunapee for at least 12 months and worked at least 1,250 hours during the 12-month period prior to the requested leave.
2. **Serious health condition** - A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care including any period of incapacity or continuing treatment by a health care provider.
3. **Child** - A son or daughter means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18 or 18 or older and "incapable of self-care because of a mental or physical disability."
4. **Parent** - Parent means a biological parent or an individual who stood in loco parentis to an employee when the employee met the definition of a "child" above.

5. FMLA leaves allotment - The maximum amount of leave available is the equivalent of 12 workweeks. The maximum leave remains the same even when the employee is granted a leave on an intermittent or reduced schedule basis.

D. Policy Requirements and Responsibilities

1. Eligible employees are entitled to FMLA leave in accordance with this policy.
2. Eligible employees should make requests for medical leave to the Town Manager at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.
3. Requests for leave due to serious health conditions must be supported by a certification from the appropriate health care provider. Once leave has commenced, the Town of Sunapee may require subsequent re-certification on a reasonable basis. Employees are asked to promptly report any changes in this information to the Town of Sunapee. Employees returning from FMLA leave resulting from their own serious health condition must submit a health care provider's verification of their fitness to return to work.
4. An employee who takes leave in order to accommodate a schedule of planned medical treatment is required (subject to the approval of the appropriate health care provider) to make a reasonable effort to schedule the treatment so as not to unduly disrupt Town of Sunapee operations, production or work scheduling. The employee may be required to transfer temporarily to an alternative equivalent position that better accommodates recurring periods of leave.
5. Leave for the birth or placement of a child must be concluded within the 12 months following the birth or placement of that child.
6. Health care benefits will be continued for eligible employees during FMLA leave as if employees were continuously employed during the leave. Employees must pay their share of the premium to continue coverage in any health care plan as if the employee were not on a leave. If employees fail to return to work at the conclusion of the leave, the Town of Sunapee may recover the premiums it paid during the leave directly from the employee. The Town of Sunapee will not recover premiums, if the employee's failure to return to work is due to the continuation, recurrence or onset of a serious health condition or due to circumstances beyond the employee's control. When the employee fails to return to work because of a serious health condition, the employee will be required to provide adequate certification regarding the serious health condition resulting in the failure to return from leave in order to avoid the reimbursement obligation.
7. Employees are not entitled to accrue any seniority or employment benefits during the period of FMLA leave, nor will employees be entitled to any benefits greater than those they would have been entitled to had they not taken leave.
8. At the conclusion of the leave, the employee will be restored to his or her own job or its equivalent, including equivalent employment benefits and pay. If the initial period of approved absence proves insufficient, consideration will be given to a request for an

extension of unpaid personal leave.

9. So that an employee's return to work can be properly scheduled, an employee is requested to provide the Town of Sunapee with at least two (2) weeks advance notice of the date the employee intends to return to work.

10. The Town of Sunapee will require that paid vacation and sick leave be substituted for the unpaid leave provided by the FMLA. If such paid leave would last for less than 12 workweeks, the additional workweeks necessary to meet the FMLA's 12-week obligation will be provided without compensation. The Town of Sunapee will not provide paid sick leave in any situation in which it would not normally do so.

11. Employees who sustain injuries arising out of and in the course of their employment are eligible for a leave of absence in accordance with all applicable workers' compensation laws. Any workers' compensation leave will be considered FMLA leave and will run concurrently with the 12-workweek allotment of FMLA leave. Any disability leave where an employee receives accident and disability insurance benefits will also be considered FMLA leave and will run concurrently with the 12-workweek allotment of FMLA leave.

Retirement

341 Retirement Plan

Immediately upon employment, each regular (including introductory status) full-time employee, working a regular schedule of at least 35 hours per week, must join the State of New Hampshire Retirement System for employees and contribute the required percentage of his/her gross wages as determined by the Legislature. The Town of Sunapee also contributes its required payment toward the NH Retirement System for employees.

New employees are furnished with a booklet outlining the Retirement System.

Regular full time employees are also eligible to participate in the ICMA Retirement Corporation's retirement system. However, the Town of Sunapee will not contribute to this retirement system on behalf of employees, except for the Town Manager, when he/she is participating in the ICMA Retirement system instead of the State Retirement System.

Educational Assistance

351 Educational Assistance

The Town of Sunapee encourages its employees to further their knowledge as it relates to their position with the Town of Sunapee. As such, the Town of Sunapee encourages employees to attend conferences and participate in continuing education programs. The Town of Sunapee may participate in the cost of sending employees to conferences, may provide time off from duties to attend conferences and training, and may also participate in the cost of continuing education in situations where an activity will contribute to an employee's professional development as a Town of Sunapee employee. In each case the decision of whether or not the Town of Sunapee will participate and to what extent, shall be the Town Manager's. The Town of Sunapee will not

participate in the cost of conferences or continuing education until an employee has accrued six months of service with the Town of Sunapee, unless approved by the Selectmen.

SECTION 400: Discipline/Grievance

401 Discipline

In order to operate smoothly, properly and efficiently, and for the protection of all employees, the Town of Sunapee has implemented certain rules, regulations, policies, and procedures. Many of these items are contained in this Handbook. Additionally, from time to time, the Town of Sunapee may inform you of a new or additional rule, regulation, policy, or procedure. If you violate any of these rules, regulations, policies, or procedures you will be subject to disciplinary action.

The list of grounds for discipline in this Handbook cannot include all situations that may arise. The Town of Sunapee reserves the right to discipline or discharge employees for other reasons not set forth in this Handbook or in any other publication including such actions as the Town of Sunapee determines are contrary to its interests, whether or not the incident is listed in this Handbook or any other publication as one which may result in disciplinary action. More over, nothing herein affects the right of the Town of Sunapee to discharge an employee without cause because, as noted earlier, all employees are at-will employees.

Discipline may include verbal reprimand, written reprimand, suspension, or dismissal. The type of discipline administered and the notice given will be determined at the Town of Sunapee's discretion by the nature and circumstances of the violation. The schedules of discipline outlined herein are merely offered as guidelines.

A. Verbal Reprimand: An individual employed by or serving the Town of Sunapee, may be verbally reprimanded by a Department Head, the Town Manager, or the Board of Selectmen for any violation of Town of Sunapee or Department rules, regulations, policies, or procedures. A written record of the employee's reprimand will normally become a part of the employee's record.

B. Written Reprimand: Written reprimands may be used in cases of repeated minor violations and for all other violations. A written reprimand may be appealed to the Town Manager upon written request to the Department Head. A copy of all written reprimands will be provided to the employee and will be entered into the employee's personnel record.

Written reprimands may be issued for violations including but not limited to:

Failure to report within 48 hours to supervisor known injuries occurring while employed by or serving the Town of Sunapee.

C. Suspension: An individual may be suspended from employment or service with the Town of Sunapee for serious violation of Town of Sunapee or Department rules, regulations, policies, or procedures. The individual is entitled to a hearing concerning such action before the Town Manager and/or the Board of Selectmen, with the right of appeal to the courts as provided by law. Individuals may be suspended without pay for

violations of rules, regulations, policies or procedures, including but not limited to:

1st Offense:

- * Purposefully damaging Town of Sunapee or private property.
- * Insubordination.
- * Failure to report for duty or other forms of absenteeism.
- * Sleeping on duty.
- * Unacceptable performance.
- * Failure to comply with safety regulations.

Chronic or repeated minor violations including, but not limited to:

- * Repeated tardiness or absence from work.
- * Violation of departmental uniform or dress rules.
- * Misuse of Town of Sunapee equipment.

D. Authority to Suspend: All Department Heads, and any authorized subordinate supervisor may temporarily suspend, with pay, any individual employed by, or serving that department, for violations of the Town of Sunapee or Department policies, procedures, rules, regulations, or when necessary to protect the safety of the employee, the Town of Sunapee or the public. Department heads and supervisors may require that the individual surrender any Town of Sunapee property in his/her possession during the suspension.

An individual may be suspended without pay by the Town Manager. Such action shall be by written notice signed by the Town Manager and the Department Head and, where appropriate, shall contain a written statement of the basis for such action.

E. Dismissal: All employees remain, at all times, at-will employees. An individual may be dismissed immediately from employment or service with the Town of Sunapee for serious or chronic violations of Town of Sunapee or Department rules, regulations, policies, or procedures, or for violation of specific provisions so designated, including, but not limited to:

- *Theft of Town of Sunapee property while working for the Town of Sunapee.
- *Conviction of any felony.
- *Reporting for duty under the influence of alcohol or controlled or illegal drugs.
- *Falsification of official documents.
- *Violation of safety rules and regulations.

F. Authority to Dismiss: An individual may be dismissed from employment or service with the Town of Sunapee by written order of the Town Manager. Such order shall include notice of said individual's right to a Hearing of the dismissal before the Board of Selectmen and the right of appeal to the courts as provided by law.

Any employee who believes that he/she has received inequitable treatment because of some condition of his/her employment, may personally appeal for relief from that condition through the following steps:

- A The employee shall identify the grievance orally to the immediate supervisor in an informal meeting within 30 calendar days after the event or action occurred.
- B The Department Head will give an oral response to the employee within five (5) business days following the informal meeting.
- C If the employee is unsatisfied with the proposed resolution he/she may submit a formal grievance, in writing, within five (5) business days of the oral response. The written grievance shall include, but not be limited to, the exact nature of the grievance and the specific relief sought by the employee.
- D The Department Head shall return a written response to the employee within five (5) business days of the receipt of the employee's formal grievance.
- E If unsatisfied, the employee may appeal the decision of the Department Head to the Town Manager within five (5) business days. The Town Manager will meet with the employee, Department Head, and appropriate witnesses.
- F The Town Manager will respond to the employee's grievance within five (5) business days.
- G The final arbitrator of any disputed grievance will be the Town of Sunapee Board of Selectmen.

SECTION 500: Safety and Health

501 Safety

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the Town of Sunapee has established a workplace safety program. This program is a top priority for the Town of Sunapee. Its success depends on the alertness and personal commitment of all.

The Town of Sunapee provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications. Employees are expected to regularly check all postings.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

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

In the case of accidents that result in injury, regardless of how insignificant the injury may

appear, employees shall immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

503 Smoking

In keeping with the Town of Sunapee's intent to provide a safe and healthful work environment, smoking in the workplace is prohibited except in those locations that have been specifically designated as smoking areas. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers shall prevail.

This policy applies equally to all employees, customers, and visitors.

505 Security Inspections

The Town of Sunapee wishes to maintain a safe work environment that is free of firearms, other weapons, explosives, or other improper materials. To this end, the Town of Sunapee prohibits the possession, transfer, sale, or use of such materials on its premises and in Town of Sunapee vehicles, except an employee may have hunting weapons locked in his/her private vehicle on Town of Sunapee premises when he/she expects to be using them soon or has just been using them for hunting. Pocket knives, e.g. jackknife, may be carried by an employee. An employee, if approved by his/her supervisor may carry other knives. The Town of Sunapee requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees, but remain the sole property of the Town of Sunapee. Accordingly, they, as well as any articles found within them, may be inspected by any agent or representative of the Town of Sunapee, on reasonable grounds, at any time, either with or without prior notice.

507 Use of Equipment and Vehicles

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using Town of Sunapee equipment and vehicles, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety requirements, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

509 Drug and Alcohol Use

It is the Town of Sunapee's desire to provide a drug- and alcohol-free, healthful, and safe workplace. To promote this goal, employees are required to report to work and maintain an appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on the Town of Sunapee premises and while conducting business-related activities off the Town of Sunapee premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The use of prescribed drugs by the individual for whom the drug is prescribed and in the measure, combination and quantity prescribed, is permitted on the job. However, if the use of any drug, including a prescription drug used under the direction of a physician, impairs an employee's ability to perform the essential functions of the job effectively and in a safe manner, it is in the best interest of the employee, his/her co-workers and the Town of Sunapee that the employee be relieved of his/her responsibilities while his/her performance is impaired.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

To inform employees about important provisions of this policy, the health insurance carrier has established a drug- and alcohol-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, and resources available to employees.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. They may also wish to discuss these matters with their supervisor to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all the Town of Sunapee policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause the Town of Sunapee any undue hardship. A written agreement will be prepared outlining the conditions of the employee's return to work. Rehabilitation is the responsibility of the employee.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the Town of Sunapee of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction. Failure to notify the Town of Sunapee will result in appropriate disciplinary action up to and including discharge.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace may raise their concerns with their supervisor or the Town Manager.

511 Drug Testing

The Town of Sunapee is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, job applicants and employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment.

The Employee Assistance Program (EAP) provides confidential counseling and referral services to employees for assistance with such problems as drug and/or alcohol abuse or addiction. It is the employee's responsibility to seek assistance from the EAP prior to reaching a point where his/her judgment, performance, or behavior has led to imminent disciplinary action. Participation in the EAP after the disciplinary process has begun may not preclude disciplinary action, up to and including termination of employment.

513 Sunapee Highway Department Mandatory Drug and Alcohol Testing

In order to comply with the mandate of the United States Department of Transportation, and to provide a safe, drug and alcohol free work environment, all Public Works Department employees who are required to hold a commercial driver's license will be required to submit to drug and alcohol screens in accordance with the Federal Rules and Regulations on Alcohol and Controlled Substance Testing. The use, possession, sale or transfer of illegal drugs, on or off the job, will be cause for termination.

As outlined in the Federal Motor Carrier Safety Regulations Title 49 CFR Part 382 of the U. S. Department of Transportation, Sunapee Highway Department truck drivers will be tested. Refusal to participate in an alcohol or drug screening, whether selected randomly or for cause, will result in immediate termination.

The use of illegal drugs or alcohol on or off duty by employees can impair their ability to perform tasks that are critical to proper performance and can result in the potential for accidents while on duty and a threat to public safety.

The drinking of alcoholic beverages during working hours is strictly prohibited. The consumption of illegal substances by employees in any amount before or during working hours is strictly prohibited. If an employee reports to work under the influence of drugs or alcohol, consumes drugs or alcohol while on duty, or refuses to submit to a drug or alcohol test, disciplinary action will be taken; which, because of our type of work, will be termination.

Drugs that will be tested for are alcohol, cocaine, marijuana, cannabinoids, amphetamines, opiates and any other drugs deemed appropriate by the New Hampshire Department of Transportation. Testing will be done through the LRGHealthcare Drug and Alcohol Testing Consortium at their collection site (presently at Claremont Hospital). They will pick from a pool of names monthly to satisfy testing requirements (50% annual for drugs, 25% for alcohol). Names will be sent to the employer designate and the employer will notify the employee. The employee will then proceed to the site and be tested.

A Medical Review Officer (MRO) will review and interpret screen results and notify the driver of positive results prior to notifying the employer designate.

When a sample is taken, it is split with both bottles sent to the lab. One is used for the test; the

other will remain sealed and stored. In the event of a positive test, the MRO will attempt to contact the driver to give him an opportunity to discuss the findings and examine legitimate medical explanations that could result in a positive result. The driver will also have 72 hours to have the split specimen sent to another DHHS certified lab for re-testing. After certifying that the tests are either positive or negative, the MRO will notify the employer designee. Results of the tests will be kept in strict confidence and retained in the driver's record for 5 years. Information contained in the file will not be released without written permission of the driver, unless otherwise required by law.

Drug testing will be done for pre-employment, random, post-accident, reasonable suspicion and return to work and/or follow-up as outlined in Federal Motor Carrier Safety Regulations Title 49 CFR Part 382.

Consequences for positive drug and alcohol testing will consist of immediate dismissal. Refusal to submit to a test will be treated as a positive test. We reserve the right to test for drugs and alcohol either in blood, breath or urine.

SECTION 600: Miscellaneous

Personnel Information

601 Access to Personnel Files

The Town of Sunapee maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the Town of Sunapee, and access to the information they contain is restricted. Generally, only supervisors and management personnel of the Town of Sunapee who have a legitimate reason to review information in a file are allowed to do so, unless otherwise required by law.

Employees who wish to review their own file should contact the Town Manager. With reasonable advance notice, employees may review their own personnel files in the Town of Sunapee's offices and in the presence of an individual appointed by the Town of Sunapee to maintain the files.

603 Medical Information

Medical information on individual employees is treated confidentially. The Town of Sunapee will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

605 Employment Reference Checks

To ensure that individuals who join the Town of Sunapee are well qualified and have a strong potential to be productive and successful, it is the policy of the Town of Sunapee to check the employment references of all applicants. Any requests for references regarding current or former employees are to be referred directly to the Town Manager.

607 Telephone Use

Employees may be required to reimburse the Town of Sunapee for any charges resulting from their personal use of the telephone.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

609 Personal Data Changes

It is the responsibility of each employee to promptly notify the Town of Sunapee of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such information should be accurate and current at all times. If any personal data have changed, notify the Town Manager's Office.

611 Rest and Meal Periods

Employees are entitled to one break of not more than 15 minutes to be taken either in the morning or afternoon at the supervisor's discretion. An unpaid lunch period of one-half hour will be taken as scheduled for their lunch break, or as established by the department head and approved by the Town Manager. Lunch periods are a period of rest, and no employee shall be allowed to work through their lunch period unless his or her Department Head or the Town Manager gives prior approval.

613 Employment Applications

The Town of Sunapee relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Town of Sunapee's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

615 Residency

All regular full-time employees of the Highway, Police, and Fire Departments must establish a residence within twenty (20) minutes response time to their respective department building no later than one year after the date of employment. Due to the nature of the position, the Chief of Police is required to be a Town of Sunapee resident following his/her introductory period.

617 Solicitation

Solicitations of employees on the premises of the Town of Sunapee are strictly prohibited at all

Adopted effective March 8, 2010

times. This prohibition applies to both employees and outsiders during working hours.

The Town of Sunapee recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, or other periods in which employees are not on duty.)

In addition, the posting of written solicitations on Town of Sunapee bulletin boards is restricted. These bulletin boards are intended for the display of important work related information, and employees should consult them frequently for:

Employee announcements
Internal memoranda

Job openings
Workers' Compensation insurance information

619 Courtesy & Treatment of Citizens by Town Employees and Agents

Purpose: To establish the Town of Sunapee's Policy regarding the treatment of citizens or visitors by individuals employed by or serving the Town of Sunapee, concerning verbal communication, written communication, and demeanor; and to promote courteous and meaningful communication between citizens and their public servants.

Policy - It is the policy of the Town of Sunapee to:

- A. Protect the rights of all persons having dealings with the Town of Sunapee regardless of the relationship between the individual and the employees/agents of the Town of Sunapee.
- B. Accord equal treatment to any person regardless of race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, disability or political philosophy.
- C. Require employees and agents of the Town of Sunapee to be friendly and respectful communicating with any person.

Guidelines - Employees shall:

- 1. Maintain a courteous and professional demeanor when dealing with the public.
 - 2. Avoid the use of obscene, derisive, or threatening language or behavior except as necessary in furtherance of law enforcement, protection of one's self or a third party.
- D. Authorize employees or agents of the Town of Sunapee to terminate communication and/or service to any citizen or visitor who uses obscene, derisive or threatening language or behavior towards such employee provided however such incidents shall be immediately reported to the employee's supervisor. The foregoing shall not apply to law enforcement officers, fire fighters, emergency medical service workers or any employee actively engaged in protection of persons or property. This policy is not intended to restrict in any manner any employee, agent, or citizen from pursuing appropriate criminal or civil legal action in any event when obscene, derisive or threatening language or behavior constitutes a violation of law or a tort.

Enforcement: Violation of this policy by an individual employed by or serving the Town of Sunapee may result in a verbal reprimand, written reprimand, suspension without pay or dismissal depending on the nature of the incident. Repeat offenses may also result in dismissal.

621 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the professional image the Town of Sunapee presents to customers and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Consult your supervisor or department head if you have questions as to what constitutes appropriate attire.

Recycling

631 Recycling

The Town of Sunapee supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at the Town of Sunapee:

- | | |
|------------------|------------------------|
| * Computer paper | * Glass |
| * Plastics | * Corrugated cardboard |
| * Aluminum | |

The simple act of placing a piece of paper, can, or bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be a part of this solution.

The Town of Sunapee encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:

- | | |
|---|--------------------------------|
| * Posting memos for all employees | * Eliminating fax cover sheets |
| * Reusing paper clips, folders, and binders | * Minimum packaging |
| * Reusing packaging material | * Computerized business forms |
| * Turning off lights when not in use | * Two-sided photocopying |

Whenever possible, employees of the Town of Sunapee are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products

supports recycling and increases the markets for recyclable materials.

By recycling, the Town of Sunapee is helping to solve trash disposal and control problems facing all of us today. If you have any questions or new ideas and suggestions for the recycling program, contact your supervisor.

901 Appendix

EMPLOYEE ACKNOWLEDGMENT FORM

The Employee Handbook (Issue date: _____) describes important information about the Town of Sunapee, and I understand that I should consult my Department Head or the Town Manager regarding any questions not answered in the Handbook. I have entered into my employment relationship with the Town of Sunapee voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Town of Sunapee or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the Handbook may occur at any time and without notice, except to the Town of Sunapee's policy of employment-at-will. Such changes may be communicated through official notices or in other manners, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Board of Selectmen of the Town of Sunapee has the ability to adopt any revisions to the policies in this Handbook.

Furthermore, I acknowledge that this Handbook is neither a contract of employment nor a legal document. I have received the Handbook, and I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

I also acknowledge that the Handbook I received contains the Sunapee Highway Department Drug and Alcohol Testing policy.

EMPLOYEE'S SIGNATURE

DATE

EMPLOYEE'S NAME (TYPED OR PRINTED)