

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
NOVEMBER 21, 2017 COUNCIL MEETING**

DATE: November 17, 2017

AGENDA ITEM NUMBER: 6

ACTION TO BE CONSIDERED: Consideration of Ordinance No. 10-17, Series of 2017
First Reading

TIME FRAME

- N/A

SUMMARY: This ordinance allows the Town to amend the Town's Personnel Handbook to clarify benefits allowed during a leave of absence. The current handbook allows for continuing benefits including health insurance, vacation and sick leave for 30 days for leave without pay, 90 days for workers compensation leave but does not address for paid leave. Staff would recommend providing consistency in providing benefits during a leave regardless of whether the leave was paid or unpaid. The Family Medical Leave Act (FMLA) would require that Town provide benefits for 12 weeks but the Town is not subject to FMLA due to our size. Staff would still recommend allowing the 12 weeks of benefits.

BUDGET IMPACT: There is no budget impact. Benefits are already budgeted for all full time positions so there would be no increase for an employee on leave.

MOTION FOR APPROVAL: move to approve Ordinance No. 10-17, Series of 2017 authorizing the Town to amend the Town of Dillon Employee Handbook dated November 1, 2017

**ACTION REQUESTED:
MOTION, SECOND, ROLL-CALL VOTE ON FIRST READING**

*Resolutions require affirmative votes from majority of council members present
Ordinances require four (4) affirmative votes
Emergency ordinances require five (5) affirmative votes*

DEPARTMENT HEAD RESPONSIBLE: Carri McDonnell, Finance Director

ORDINANCE NO. 10-17
Series of 2017

**AN ORDINANCE AMENDING THE DILLON MUNICIPAL CODE TO
ADOPT AN UPDATED PERSONNEL HANDBOOK.**

WHEREAS, by Ordinance No. 02-94 adopted on February 17, 1994, the Town Council for the Town of Dillon enacted Section 2-3-140 of the Dillon Municipal Code adopting the Personnel Policies and Procedures as the full and complete statement of those personnel policies and procedures and personnel rules to govern the Town of Dillon's relationships with its employees; and

WHEREAS, the Town Council finds that certain revisions to such policies are necessary and desirable for the proper and efficient functioning of the Town and its employees, as set forth in the Personnel Handbook dated November 1, 2017, a copy of which accompanies this ordinance; and

WHEREAS, the Town Council has determined it is in the best interest of the Town and its residents to amend the Dillon Municipal Code as set forth herein below to adopt such Personnel Handbook.

NOW, THEREFORE, BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. Section 2-3-140 of the Dillon Municipal Code is hereby amended to read as follows (words to be deleted ~~stricken~~; words to be added underlined):

Sec. 2-3-140. Personnel policies and procedures.

The town Council hereby adopts ~~the personnel policies and procedures~~ Town of Dillon Personnel Handbook dated November 1, 2017, a copy of which is on file in the office of the Town Clerk and incorporated herein by this reference, as the full and complete statement of those personnel policies and procedures and personnel rules which govern the Town's relationships with its employees.

Section 2. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 3. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 4. Effective Date. This Ordinance shall take effect five days after publication following final passage, with the changes set forth in the Handbook being available to employees effective November 1, 2017.

INTRODUCED, READ AND ORDERED PUBLISHED BY TITLE ONLY THIS ____ DAY OF _____, 2017.

PASSED, ADOPTED AND APPROVED AND ORDERED PUBLISHED BY TITLE ONLY THIS ____ DAY OF _____, 2017.

TOWN OF DILLON,
a Colorado municipal corporation

By: _____
Kevin Burns, Mayor

ATTEST:

By: _____
Jo-Anne Tyson, CMC, Town Clerk

Town of Dillon
Personnel Handbook

Dated ~~November 17, 2015~~ November 1, 2017

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IMPORTANT NOTICE

THE TOWN OF DILLON ENCOURAGES INDIVIDUAL ACHIEVEMENT AND NEITHER THE EMPLOYEE NOR THE EMPLOYER IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A FIXED PERIOD OF TIME. EMPLOYMENT WITH THE TOWN OF DILLON IS AT-WILL. EITHER THE EMPLOYEE OR MANAGEMENT HAS THE RIGHT TO TERMINATE THE EMPLOYMENT AT ANY TIME, FOR ANY REASON. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESSED OR IMPLIED, NOR IS THERE A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION. NO REPRESENTATIVE OF THE TOWN OF DILLON, OTHER THAN THE TOWN COUNCIL OF THE TOWN OF DILLON, HAS AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE MAYOR AND THE EMPLOYEE.

THE CONTENTS OF THIS HANDBOOK ARE SUMMARY GUIDELINES FOR EMPLOYEES AND; THEREFORE, ARE NOT ALL INCLUSIVE. THIS HANDBOOK SUPERSEDES ALL PREVIOUSLY ISSUED PERSONNEL POLICIES AND PROCEDURES AND HANDBOOKS. EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, THE TOWN OF DILLON RESERVES THE RIGHT TO SUSPEND, TERMINATE, INTERPRET OR CHANGE ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS OR OTHER PROGRAMS OF THE TOWN OF DILLON. THESE CHANGES MAY OCCUR AT ANY TIME WITH OR WITHOUT NOTICE.

DEFINITIONS

The following definitions apply whenever these words and phrases are used in this Handbook unless the context clearly indicates otherwise:

- A) “Compensatory Time” means compensation for overtime hours worked after forty hours during a pay week for all non-exempt employees that are not sworn police officers. For exempt employees and sworn police officers overtime is after 80 hours in a two week pay period. This time is held in a comp bank for use as time off when approved by the employee’s department head.
- B) “Contraband” means any item which is illegal to be possessed or sold.
- C) “Department Head” refers to the employee’s department head or the Town Manager.
- D) “Exempt” shall mean department heads and other administrative positions that are not eligible for normal overtime pay and whose position is exempt from the overtime and compensatory time requirements.
- E) “Full-time” employee means an employee hired to work 30 hour work weeks on a regular basis.
- F) “Home Rule Charter” means Dillon’s Home Rule Charter.
- G) “Immediate Family Member” shall mean those individuals related to an employee as follows: spouse, children, parents, grandparents, grandchildren, brother, sister, son-in-law, daughter-in-law, step-parent, step-children, step-brother/sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, aunt, uncle, as well as minor children for whom the employee or the employee’s spouse, provides day-to-day care and financial support.
- H) “Jury Duty Notice” shall mean a writ issued under authority of a court to compel the appearance of a person in court for the purpose of examination by the court of attorneys for prospective jury service and/or actual jury service.
- I) “Leave Without Pay” means approved time away from work where there are no other paid hours available.
- J) “Non-Exempt” shall mean jobs that are eligible for normal overtime pay and whose position is not exempt from the overtime and compensatory time requirements.
- K) “Part-time” employees shall be scheduled to work fewer than 1,560 hours annually.
- L) “Relative” means any person related to the employee by blood, marriage or adoption.

- M) “Subpoena” shall mean a writ issued under authority of a court to compel the appearance of a witness at a judicial proceeding, the disobedience of which may be punishable by a contempt of court.
- N) “Temporary or Seasonal” employee means an employee engaged in work full-time or part-time with the understanding that the employment will be terminated at the completion of a specific project or at a specified time.
- O) “Town” means Town of Dillon.
- P) “Town Manager” means the chief administrative officer of the Town or his/her designee.

EMPLOYMENT

Equal Employment Opportunity

The Town is dedicated to the principles of Equal Employment Opportunity and prohibit unlawful discrimination against any employee or applicant for employment on the basis of age, race, sex, color, national origin, ancestry, citizenship, religion, physical or mental disability, medical condition, sexual orientation, marital status, veteran status, on the basis of genetic information of the individual or family member of the individual, or any other protected basis that is unlawful under the federal and state law in applying or providing terms and conditions of employment.

The Town does and will continue to take action to assure that applicants are employed, and that employees are treated during employment without regard to their age, race, sex, color, national origin, ancestry, citizenship, religion, physical or mental disability, medical condition, sexual orientation, marital status, veteran status, or on the basis of genetic information of the individual or family member of the individual.

The Town is dedicated to ensuring that all employment decisions are in accordance with this policy and the principles of Equal Employment Opportunity including:

- A) Recruiting, hiring, training and promoting for all jobs without discrimination on any of the bases outlined above.
- B) Making placement decisions solely on an individual's qualifications for the positions being filled.
- C) Administering other personnel actions, such as pay, training, layoffs and other actions without discrimination on any of the bases outlined above.

Any employee acting in any manner or capacity found to be in violation of the letter of spirit of these Equal Employment Opportunity guidelines, may be subject to disciplinary action, up to and including termination.

Americans with Disabilities Act and Religious Accommodation

The Town will make reasonable accommodation for qualified individuals with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the Town or a direct threat. Employees needing such accommodation are instructed to contact their department head or Human Resources immediately.

Equal Employment Opportunity Harassment

The Town strives to maintain a work environment free of unlawful harassment. In doing so, the Town prohibits unlawful harassment based on age, race, sex, color, national origin, ancestry, citizenship, religion, physical or mental disability, medical condition, sexual orientation, marital status, veteran status, or on the basis of genetic information of the individual or family member of the individual, or any other applicable status protected by state or local law.

The Town does not tolerate harassment of employees in the workplace or in a work-related situation. A prompt investigation of all claims and complaints or prohibited harassment will be undertaken, and appropriate corrective action will be taken when determined to be warranted based on the investigation.

Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Prohibited behavior may include, but is not limited to, the following:

- A) Written form such as cartoons, e-mail, calendars, posters, drawings, or photographs.
- B) Verbal form, conduct such as epithets, derogatory comments, slurs, jokes, foul or obscene language of a sexual nature, or gossiping.
- C) Physical conduct such as assault, blocking an individual's movement, restraining, touching or otherwise physically interfering with work of another individual.

This policy applies to all employees including managers, department heads, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

An employee who files a complaint which the employee knows to be false shall be subject to discipline, up to and including involuntary separation from employment with the Town.

Sexual Harassment

Because sexual harassment raises issues that are to some extent unique in comparison to other harassment, the Town believes it warrants separate emphasis.

The Town strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A) Submission to such conduct is made explicitly or implicitly as a term or condition of employment.
- B) Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- C) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment will not be tolerated in any form. Examples of behavior that the Town may possibly consider sexual harassment include, but are not limited to:

- A) Spoken or written abuse related to an employee's sex.
- B) Any sexual advance that is unwelcome.
- C) Sexually oriented comments about an employee's body.
- D) Showing or displaying pornographic or sexually explicit objects or photos in the workplace.
- E) Engaging in gender based hostility.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- A) Written form, such as cartoons, posters, calendars, notes, letters, or e-mail.
- B) Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping, or questions about another's sex life, or repeated unwanted requests for dates.
- C) Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

All employees, including all supervisors, are forbidden from engaging in any form of sexual harassment.

Workplace Threats, Bullying and Violence Policy

The Town's policy is to promote a work environment free from workplace violence and workplace bullying. A safe work environment is the responsibility of all employees, and employees are responsible for making their personal safety and the safety of others in the workplace a priority.

Workplace violence is defined as any conduct in the workplace that is meant to harm, cause fear in, or intimidate another, including but not limited to: (1) physical acts or physical threats against persons or their property, or City/Town property; (2) direct or veiled threats, profanity, or vicious or abusive statements; (3) written threats, profanity, vicious cartoons, notes, or other written or symbolic conduct; or (4) stalking.

It shall be prohibited for any Town employee to bring a firearm or weapon onto Town property, including Town vehicles and equipment, or into Town buildings unless the firearm or weapon is carried by the employee as a function of his or her official capacity as a police officer. Notwithstanding the forgoing prohibition, those persons with legally issued concealed carry permits may have a firearm locked and stored in their private vehicle.

Bullying is defined as the repeated, health-endangering mistreatment of a person at work by a co-worker, supervisor/manager, or customer. The mistreatment may involve repeated acts of: (1) shouting, yelling, screaming, or swearing; (2) insults, put-downs, name-calling, or belittling; (3) public humiliation, criticism, or "dressing down"; (4) cruel or offensive pranks, jokes; or (5) physical behavior, such as pushing, blocking, tripping.

Such conduct by Town employees is not tolerated and, where appropriate, referral for prosecution by legal authorities.

An employee who observes or has knowledge of any conduct listed above should immediately report the same to any supervisor, department head, or the Town Manager. Complaints will be investigated promptly and follow-up action taken as determined appropriate. To the extent feasible, complaints and investigations will be handled in a confidential manner and anonymity preserved.

Any employee with a restraining order that applies on Town premises shall promptly provide the Town Manager with a copy of the same.

Any conduct that requires immediate attention by security or law enforcement should be reported to the police at 911.

Complaint Procedure

If any employee believes there has been a violation of the Equal Employment Opportunity/Harassment Policy based on the protected classes outlined above, including sexual harassment, the employee shall use the following complaint procedure. The Town expects employees to make a timely complaint within 30 days to enable the Town to investigate and correct any behavior that may be in violation of this policy.

Report the incident to a supervisor or department head that will investigate the matter and take corrective action. Employee complaints will be kept as confidential as practicable. If employee prefers not to go to either of these individuals with the complaint, employee should report the incident to the Town Manager. The notification may be in the form chosen by the employee; the employee is encouraged to put the notification in writing. To the extent possible, complaints and investigations will be handled in a confidential manner.

The Town prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If employee perceives retaliation for making a complaint or participation in the investigation, the employee should follow the complaint procedure outlined above. The situation will be promptly investigated.

Any employee who brings a legitimate complaint or who assists in the investigation of such complaint will not be adversely affected in terms and conditions of employment, nor discriminated against or involuntarily separated because of such actions.

RECRUITMENT AND SELECTION

Personnel Officer

The Town Manager serves as the Personnel Officer of the Town and has full authority to delegate personnel functions as may be in the best interest of the Town.

Personnel Record

The Town Manager keeps and maintains each employee's official personnel record.

No documents shall be released from a personnel record, except as required by the Open Records Act, and no information shall be divulged in response to a written or oral request for a job reference, unless a written request is made by the employee or former employee to which the documents or information pertain. The request shall contain at least the following: a listing of the documents to be released or a description of the information to be divulged; the name, address, and telephone number of the person or entity to whom such information is to be released or information divulged; and an agreement by the employee or former employee to indemnify and hold harmless the Town, its officers, and its employees from any liability, claims, and demands resulting from the release of such documents or divulging of such information.

Employment of Relatives

In recruiting individuals for employment, it is intended that the best qualified applicant available will receive the offer for employment. To avoid possible conflicts of interest, persons related by blood or marriage, or who are not legally related, but who reside with another employee, are not eligible to be employed under the following circumstances:

- A) One relative directly or indirectly would exercise supervisory, appointment or dismissal authority or disciplinary action over the other relative.
- B) Relatives may not work in a position where they have access to confidential information including payroll and personnel records, or who have the opportunity through their position to audit, verify, receive or are entrusted with money handled by the other relative. This specifically includes, but is not limited to members of Human Resources and the Finance Department.

If Town employees become relatives after employment by the Town and any of the circumstances exist or would exist as described in Paragraphs A or B of this section, one of the related employees shall be separated from employment. The affected employees may choose the one to be separated, but if no agreement can be reached, the Town Manager shall decide.

Types of Employment

Employees may be hired for any one of the following four types of positions.

- A) Appointed and Administrative Officers
 - 1. The Town Council shall appoint and may remove appointive officers as set forth in the Colorado Revised Statutes (C.R.S.) and the Town of Dillon Home Rule Charter as applicable. Those officers shall include the following:
 - a) Town Manager
 - b) Police Chief.
 - c) Town Attorney
 - d) Municipal Judge
 - 2. Department heads shall be hired and may be removed by the Town Manager.
 - a) Finance Director
 - b) Marina Manager
 - c) Public Works Director
 - d) Director of Economic Development, Marketing & Communications
 - 3. The Town Manager may recommend removal of the Police Chief to the Town Council. At all times during his/her employment, the Police Chief shall be a direct report to, and directly responsible to, the Town Manager in the same manner as a Department Head. For all purposes herein, the Police Chief shall be treated as, and be equivalent to, a Department Head. This shall include, but not be limited to: supervision, direction, performance evaluations and discipline.
- B) Full-time employees shall be scheduled to work no fewer than 1,560 hours annually and no more than forty hours weekly in accordance with applicable state and federal laws. Compensation for approved overtime worked shall be in accordance with Town policies and scheduled with the department head and Town Manager.

Full-time employees shall be eligible for benefits in accordance with current policies.
- C) Part-time employees shall be scheduled to work fewer than 1,560 hours annually. They shall be covered for FICA and/or Medicare as applicable, and workers' compensation, but shall not accrue sick time or leave time or be eligible for other benefits.
- D) Temporary/Seasonal employees are hired to work either full-time or part-time for a period of less than one year. They shall be covered for FICA and/or Medicare as applicable, and workers' compensation, but shall not accrue sick time or leave time or be eligible for other benefits. Any temporary employee may be dismissed at any point during the term of employment.

Period of Close Review

New employees have their work closely reviewed and the supervisor will complete a performance review after six (6) months employment. After this period the supervisor may continue to closely observe the employee's job performance. Upon completion of each year of employment, employees become eligible for a review and a salary increase, if the department head and Town Manager approve.

SEPARATION FROM EMPLOYMENT

Resignation

Resignation is a voluntary act of separation from employment initiated by the employee. The employee shall give the employee's supervisor at least ten (10) working days prior notice of resignation. Employees who are resigning should complete a letter of resignation and submit it to their supervisor. A copy of that letter should be forwarded to Human Resources for placement in the employee's file. The Town reserves the right to pay an employee who has given notice of resignation in lieu of the employee working the ten (10) days.

The departing employee shall leave a forwarding address with the Town indicating where future correspondence and tax report forms can be mailed.

Involuntary Separation

Typically, a supervisor or department head makes a recommendation to involuntarily separate an employee, when it is deemed necessary by management. The Town Manager approves the recommendation, resulting in the involuntary separation or dismissal of any employee at any time consistent with the employee's at-will status.

There is no requirement for a hearing or appeal process in connection with an employee's involuntary separation from Town employment. The Town Manager may, at his/her discretion, allow for a pre-termination or appeal. The employee is typically notified by the supervisor and is required to turn in all Town property. Individuals involuntarily separated are typically considered ineligible for rehire by the Town.

Reduction in Force

When warranted by changes in Town operations or by fiscal circumstances, the Town pay plan may be amended to impose a reduction in force in one or more departments. The Town Manager will attempt to notify the affected employee or employees at least two weeks in advance of such reductions.

Job Abandonment

An employee who fails to report for work or call in to the supervisor for two consecutive days may be dismissed from employment unless leave has been previously approved. The Town Manager shall provide written notice to the employee that employment has been terminated and that the position has been declared vacant. Extenuating circumstances may be considered on a case-by-case basis at the discretion of the Town Manager.

EMPLOYEE BENEFITS

Benefits

In addition to their salaries, employees shall also be entitled to certain benefits as may be authorized by the Town Council.

These benefits may include:

- A) Medical and dental, long-term disability and life insurance
- B) Workers' compensation
- C) Retirement plans
- D) Social Security (FICA) or an approved replacement program
- E) Uniform allowance (for certain employees)
- F) Employee Assistance Program

Detailed information on these benefits is available upon request from the Town Clerk.

Education Reimbursement

Employees can request reimbursement for higher education classes and books that are specifically related to their position. Any reimbursement must have approval of the department head and Town Manager prior to the employee registering for the class. The amount of reimbursement will be at the discretion of the department head and Town Manager based on the budget constraints and applicability of the class to the employee's position.

Retirement

All full-time employees will be required to participate in a 401(a) retirement plan. All employees, except sworn police officers, will be required to participate in social security. All sworn police officers will be required to participate in a social security replacement program.

LEAVE TIME

Administrative Leave

Employees may be placed on administrative leave with or without pay at the discretion of the Town Manager when possible disciplinary action is under consideration or under such other circumstances as may be deemed necessary by the Town Manager.

Employees placed on administrative leave will be advised of the reason for the leave and, if possible, the probable duration of the leave. [All benefits for which an employee was enrolled shall remain in effect during any period of paid administrative leave, including but not limited to Town contributions toward health insurance coverage and accrual of sick leave and vacation leave, for a period not exceeding ninety \(90\) days.](#)

Bereavement Leave

A full-time employee who suffers a death of an immediate family member shall be granted up to and not exceeding 40 total hours of paid bereavement leave.

- A) Up to twenty-four (24) hours of paid bereavement leave may be granted when the funeral is held within the State of Colorado.
- B) Up to forty (40) hours of paid bereavement leave may be granted when the funeral is held outside of the State of Colorado.
- C) Documentation or record of funeral/death must be provided upon request.

Bereavement leave shall not be granted for settlement of estates or for any other matter except required time to travel to, attend and return from the funeral. Leave taken in excess of approved bereavement leave shall be charged as vacation, compensatory, or leave without pay, as appropriate. Requests for use of any bereavement related leave shall be approved by the Town Manager.

Family and Medical Leave

In 1993, Congress enacted the Family and Medical Leave Act (FMLA). While the FMLA applies to public employers, the public employer must employ at least 50 employees in order for the employee to be eligible for FMLA leave. Since the Town does not currently employ at least 50 employees, no Town employee is eligible for FMLA leave.

Jury Duty

An employee who is summoned for jury duty or subpoenaed in connection with his/her employment during a regularly scheduled work time will be compensated for the scheduled hours without any loss in pay or benefits.

A copy of the subpoena or jury duty notice requiring such duty must be submitted with a leave request in order for such compensation to be paid. As a condition of the receipt of such pay, any stipend paid to the employee for jury service or as a witness fee must be paid to the Town or an equivalent amount deducted from the employee's pay.

Military Leave

Any employee who is a member of the National Guard or any other component of the military forces of the state organized or constituted under state or federal law, or who is a member of the reserve forces of the United States, organized or constituted under federal law, is entitled to leave of absence without loss of pay or applicable benefits during the time the employee is engaged with such organization or component in training or active service ordered or authorized by proper authority pursuant to law. Such leave without loss of pay or applicable benefits shall not exceed 15 days in any calendar year, shall be allowed if the required military service is satisfactorily performed.

The employee shall be entitled to payment from the Town in such amount as to make up the difference between payment received from such organization or component for the period and the regular rate of pay ordinarily received from the Town.

Military leave shall be in addition to and shall not be concurrent with authorized vacation leave.

Any employee who is required to continue in military service beyond the 15-day period shall be granted military leave without pay. During the period of military leave without pay, the employee shall continue to accrue applicable benefits except sick leave and vacation leave. While on military leave without pay, the employee will be required to pay the full cost of any insurance benefits provided by the Town if he/she wishes to continue the insurance benefits.

Educational Leave

Educational leave will be considered on a case-by-case basis by the Town Manager. Length of service, quality of the employee's performance, and job responsibilities shall be taken into account when considering this request.

Leave Without Pay

Leave Without Pay (LWOP) is any time off without pay during which an employee remains employed by the Town. Leave Without Pay for up to three months (90 days) will be considered on a case-by-case basis by the Town Manager. Length of service, quality of the employee's performance, and job responsibilities shall be taken into account when considering this request.

All health benefits the employee was enrolled in at the time of LWOP will continue for a period of ~~thirty (30)~~ninety (90) calendar days. ~~Direct payment~~ The employee will be required to pay to the Town of the employee's portion of benefit costs ~~will be required~~ when the employee falls into unpaid status, as payroll deduction will be unavailable.

Employees on LWOP may continue group insurance beyond the ~~thirty (30)~~ninety (90) calendar days by paying 100% of the premium for the coverage through COBRA. Vacation and sick leave will not accrue or be granted during any period of LWOP in excess of ~~thirty (30)~~ninety (90) calendar days. Holiday pay is not applicable during any period of LWOP.

While on LWOP, the employee is responsible for full payment of all other elected benefits and deductions.

Employees on LWOP are ineligible to participate in the retirement programs and all matching contributions will be suspended during the leave period.

Failure to return to work at the end of the LWOP period will result in termination of employment.

Sick Leave

Each full-time employee shall accrue ten (10) hours of sick leave each month. Leave may not be taken until it has been accrued. No more than 480 hours of sick leave will be carried forward into a new calendar year. No paid sick leave is accrued while an employee is engaged in overtime work. Sick leave in excess of 480 hours at the end of the calendar year will be converted to vacation leave at a rate of one (1) hour of vacation for every eight (8) hours of sick leave.

The employee shall notify the supervisor or department head of the disability or incapacity before the time that the employee is due to report for work on the first day of sick leave. If the employee is physically incapable of doing so, notice shall be given as soon as possible. A false claim for sick leave is cause for disciplinary action, which may include termination of employment. Misuse of sick leave will not be tolerated.

For any period of sick leave exceeding three (3) consecutive working days duration, the employee shall, at the discretion of the department head, at his/her expense, furnish the department head with a certificate or letter from a licensed health care provider setting forth that the employee is fit for duty and the reason for the sick leave.

An employee's sick leave may be used by the employee for any legitimate medical appointment or for the illness or hospitalization of the employee or the employee's immediate family member. In the event that the employee or a member of the employee's immediate family member has an illness, condition or disability that exhausts the employee's accumulated sick and vacation leave, the employee may be permitted to take leave without pay. Each request shall be considered on a case-by-case basis by the Town Manager, in consultation with the department head. Length of service, quality of the employee's performance, job responsibilities and urgency of need shall be taken into account when considering these requests. All such cases shall be reviewed weekly by the department head and Town Manager.

Maternity leave shall be considered in the same way as an illness, disability or other physical condition.

Vacation Leave

Each full-time employee shall accrue vacation days in accordance with the following schedule:

Start date until completion of first year:	7.33 hours/month
Completion of 1-5 years of service:	10.67 hours/month
Completion of 6 years of service:	11.33 hours/month
Completion of 7 years of service:	12.00 hours/month
Completion of 8 years of service:	12.67 hours/month
Completion of 9 years of service:	13.33 hours/month
Completion of 10 years of service:	14.00 hours/month
Completion of 11 years of service:	14.67 hours/month
Completion of 12 years of service:	15.33 hours/month
Completion of 13 years of service:	16.00 hours/month
Completion of 14 years of service:	16.67 hours/month
Completion of 15 or more years of service:	17.33 hours/month

No additional paid vacation is accrued while an employee is engaged in overtime work.

No more than one year of the employee's accrued vacation can be carried forward to the new calendar year unless prior approval is received from the department head and Town Manager. Any vacation leave accrued in excess of the amount permitted, and not approved to be carried forward by the department head and Town Manager, and not used by the last day of the calendar year, shall be forfeited. No vacation time shall be taken until it has been accrued.

Requests for use of vacation leave shall be scheduled and approved by the employee's department head at least two weeks prior to the date that the time will be used, unless otherwise approved. Approval of requests for leave will be contingent upon work schedules, other employees' requests for time off and other factors. Department heads shall exercise care in avoiding accumulations by employees of vacation leave which, when taken, could create an undue hardship for the employees or the Town.

Holidays

The following days are declared paid Town holidays:

- A) The first day of January (New Year's Day)
- B) The last day of December (New Year's Eve)
- C) The third Monday of January (Martin Luther King, Jr. Day)
- D) The third Monday of February (Presidents' Day)
- E) The last Monday of May (Memorial Day)
- F) The fourth day of July (Independence Day)
- G) The first Monday of September (Labor Day)
- H) The eleventh day of November (Veterans Day)
- I) The fourth Thursday of November (Thanksgiving Day)
- J) The Friday after Thanksgiving
- K) The twenty-fourth day of December (Christmas Eve)
- L) The twenty-fifth day of December (Christmas Day)

If a holiday falls on a Saturday or Sunday, it shall be observed on either the preceding Friday or the following Monday, as determined by the Town Manager.

A holiday falling within an employee's pre-approved scheduled vacation will not be charged against the employee's accrued vacation time.

If an employee is required to work on a designated holiday, the employee will receive compensatory time or overtime, at the discretion of the Town Manager, in lieu of the holiday. If the designated holiday falls on the employee's regularly scheduled day off, the employee will receive compensatory time or straight time, at the discretion of the Town Manager, in lieu of the holiday.

Voting

Any employee whose work schedule effectively prevents voting before or after work hours shall be permitted paid leave not exceeding two hours for the purpose of voting. No such paid leave shall apply to any employee whose work schedule is such that there are three (3) or more hours between the time of opening and the time of closing of the polling site during which the employee is not required to be on the job. If an employee wishes to have this time, they must request the leave at least one day in advance.

PAY

Pay Schedule

Employees shall be paid every other Friday. In the event that said pay period falls on a holiday, payment shall be made on the last working day preceding such holiday.

The workweek is declared to be a seven (7) consecutive day period beginning at 12:01 A.M on each Monday and ending at midnight on each Sunday. The work period for sworn police officers is a fourteen (14) day consecutive period beginning at the morning shift of the Monday following each pay date and ending at the end of the night shift on Sunday, 14 days later.

Hours of Work

Department heads may establish working schedules to meet the special needs of their departments. Non-exempt sworn police officers will be scheduled for eighty (80) hours in a fourteen (14) day work period in accordance with the Fair Labor Standards Act (FLSA). All non-exempt, full-time employees shall be scheduled for forty (40) hours of work weekly.

Exempt employees will work the hours necessary to perform their individual jobs.

Compensatory time for approved overtime worked shall be in accordance with these guidelines and approved beforehand by the department head.

Employees are expected to work for pay they receive. Personal activities conducted on Town time will be made up by using compensatory time, vacation or meal time.

Overtime

Employees may be required to work overtime and only with the specific authorization of the supervisor or department head. Employees working overtime without authorization may be subject to disciplinary action.

Non-Exempt Employees

Sworn police officers, that work in excess of eighty (80) hours per work period, shall be compensated at the overtime rate of time and a half. All other employees, under this classification that work in excess of forty (40) hours per week, shall be compensated at the overtime rate of time and a half. Departments may elect to give employees compensatory time in lieu of overtime pay on the basis of time and a half. All non-exempt employees are limited to forty (40) hours of accrued compensatory time. Non-exempt employees will be paid at time and a half for any excess time beyond that allowed under these practices. The Finance Director keeps the records for compensatory time.

Exempt Employees

Department heads and other professional positions shall be classified as exempt employees and shall not be paid overtime. Exempt employees that work in excess of eighty (80) hours per work period, may take compensatory time off by prior arrangement with the Town Manager. All exempt employees are limited to forty (40) hours of accrued compensatory time. The Town Manager may, at his/her discretion, approve exceptions to the forty (40) hour limit for exempt employees, but said exceptions shall not allow accrual of more than eighty (80) hours of compensatory time for any exempt employee during a calendar year. Exempt employees will forfeit any excess time beyond that allowed under these practices. Time accrued for exempt employees is not a vested benefit nor an earned liability and will not be paid out at an employee's separation. The Finance Director keeps the records for compensatory time.

On-Call and Compensation

In order to provide for response in the event of emergencies and to provide certain needed services on weekends and holidays, the Public Works Department, with the approval of the Town Manager, will be allowed to implement the following incentive pay programs.

- A) On-call pay – Public Works Department may implement an on-call incentive for each employee scheduled to cover on-call services. Compensation for this incentive time will be at a rate of one hour at the employee's overtime per six hour period. Actual hours worked will be compensated at the customary FLSA rate of pay for non-exempt employees.
- B) Premium pay – Public Works Department may implement a weekend/holiday premium pay rate not to exceed the rate authorized by the Town Manager. The pay rate is a flat-rate per day incentive paid to employees for working on non-scheduled weekends and holidays.

Performance Evaluations

General

Performance evaluations are a management tool that measures the employee's work performance, assists the employee to become more productive and contribute to the overall goals of the department and Town.

The evaluation process provides an opportunity for the employee and the supervisor to discuss the employee's progress in the job. Suggestions and constructive criticism can be made which may help the employee to improve performance. The evaluation is intended to measure performance of all employees whether or not they are eligible for a pay increase.

Timing

All full-time employees have their performance evaluated on an annual basis on the employee's anniversary date of employment. Employees will be eligible for increases as determined by the Town pay plan as adopted by the Town Council. If you have not received your evaluation, talk to your supervisor.

Process

Supervisors and department heads shall use the evaluation form approved and provided by the Town Manager.

The Town Manager completes evaluations for all department heads.

The Town Council will evaluate the Town Manager.

In the course of the evaluation, the employee and supervisor shall review the employee's job description and note any suggested changes to job duties. The supervisor shall forward any such suggested changes for review and approval by the Town Manager.

The evaluation form shall provide objective indicators of job performance and shall include goals and objectives for the employee.

The evaluation process shall permit oral and written responses by the employee being evaluated. The evaluation form, following completion, shall be signed by the supervisor and the employee, and then forwarded to the Town Manager for signature.

Garnishments

By court action, a creditor can require the Town to withhold a certain percentage of an employee's pay. If garnishments or similar proceedings are instituted against an employee, the Town will deduct the required amount from the employee's paycheck. Garnishment actions are conducted in compliance with appropriate Federal and State laws. Human Resources will provide a writ of garnishment and the objection form to any employee of the Town whose wages are garnished.

ALCOHOL AND DRUG POLICY

Employee Policy

The Town is committed to a safe, healthy and productive work environment for all employees, free from the effects of illegal or non-prescribed drugs and alcoholic beverages. Use of drugs and alcohol alters employee judgment resulting in increased safety risks, employee injuries and faulty decision-making. Therefore, the dispensation, manufacture, possession, use and/or sale of controlled substances or alcohol on Town property, including Town vehicles, while working or when traveling on Town business or on Town time is strictly prohibited. Furthermore, working after the use of alcohol, a controlled substance or abuse of any other substance is prohibited.

Prescription Drugs

Employee shall, when drugs are prescribed by a medical professional, inquire of the prescribing professional whether the drug prescribed has any side effects which may impair the employee's ability to safely perform the employee's job duties. If so, the employee shall obtain a statement from the medical professional indicating any work restrictions and their duration. The employee shall present that statement to his/her supervisor prior to going on duty.

Over-the-Counter Drugs

Any employee utilizing any over the counter drug, who while on duty discovers any unanticipated side effect or adverse reaction that could affect judgment or coordination, and which may adversely affect ability to perform work in a safe and productive manner must notify his/her supervisor of the over-the-counter drug use as soon as practicable, and may be excused from work, if appropriate.

Use of Tobacco Products

The Town of Dillon provides a non-smoking work environment in all Town vehicles, buildings and facilities. Smoking may be allowed on breaks and outside of facilities and vehicles only. Failure to properly and safely dispose of cigarettes or the littering of Town property with cigarettes will not be tolerated.

Testing – All Employees

To promote a safe and productive workplace, the Town will conduct the following types of alcohol/drug tests for all employees. Please refer to the stand alone "Alcohol and Drug Policy Testing – All Employees".

WORK ENVIRONMENT

Conflict of Interest

Town employees shall not place their personal or business interests above the best interests of the Town's constituents. Accordingly, in addition to any other prohibitions established by charter, ordinance or other applicable law, employees of the Town shall not:

- A) Engage in a substantial financial transaction for private business purposes with another employee whom they supervise;
- B) Take any official action, directly or substantially, affecting their economic benefit, a business or other undertaking in which there is a substantial financial interest or business arrangement;
- C) Disclose or use confidential information acquired in the course of their official duties to further personal financial interests;

Gifts and Gratuities

Employees of the Town shall not solicit, receive or accept, directly or indirectly, any gift, gratuity, reward, favor, entertainment, remuneration, loan or any other thing of monetary value, from any person who has, or is seeking to obtain a contractual, business, financial, or other relationship with the Town or which might tend improperly to influence an employee in the discharge of their responsibilities. Any employee wishing to accept anything of monetary value shall notify their supervisor and determine if that's acceptable and then provide documentation of the foregoing to the Town Manager within five (5) working days.

Employees of the Town may be permitted to accept food and refreshments of a nominal value of \$50 or less per employee on infrequent occasions in the ordinary course of a lunch or dinner meeting or other meeting, or during an inspection tour where an employee is properly in attendance or to accept promotional materials such as pens, pencils, note pads, calendars and other items of nominal value of \$50 or less per employee that have not been solicited by the employee.

Discipline

Good working relationships make demands on everyone, and employees have responsibilities to the Town, themselves and the people they work with.

Employees must at all times comply with Town's expectations for work, performance and conduct. Failure to do so may result in any or all of the following actions, as the Town deems appropriate: termination, suspension, demotion, written warning, reprimand and counseling, without limitation, with or without pay.

The department head or Town Manager will decide in their judgment which of these actions would most effectively remedy the problem.

The fact that the Town has or has not utilized any of these actions does not set any precedent and should not be relied upon in future disciplinary situations by any employee.

COMMUNICATION SYSTEMS (COMPUTER, INTERNET, E-MAIL, VOICE MAIL, TELEPHONES, GPS TRACKING AND MOBILE DEVICES)

Communication Systems

The communication systems are property of the Town of Dillon and intended for business use. Therefore, Dillon maintains the ability to access any computer files, use of software, Internet usage, e-mail, and voice mail. Although employees may select individual passwords, employees should not assume that such files are confidential. However, other than management employees acting on behalf of Dillon, employees should not attempt to gain access to another employee's computer, Internet files, e-mail, or voice mail without the latter's permission.

All information regarding access to Dillon's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential information and may not be disclosed to non-Dillon personnel.

Personal Use of the Internet

Use of the Internet must not disrupt the operation of the Dillon network or the networks of other users. It must not interfere with employees' productivity.

Software and Copyright

The Town of Dillon licenses, and does not own the software it utilizes. Therefore, use of the software must be in accordance with the applicable Software Agreements or as directed by the Dillon's designated Software Manager.

Employees must not use Dillon's technology resources to copy, retrieve, forward, or send copyrighted materials unless the employee has the author's permission.

Unauthorized Use

Employees are not permitted to visit websites or send e-mail that is deemed by management as inappropriate or in violation of other Dillon guidelines. We reserve the right to determine when an employee is using the Dillon communication systems inappropriately.

E-mail

Because Dillon provides the e-mail system to employees to help them with the performance of their job, it should be used for official Dillon business. Incidental and occasional personal use of e-mail is permitted. However, employees should be aware that these messages will be treated the same as business messages, and subject to review at any time without notice. Also, employees cannot control where their messages will ultimately end up. For example, a message meant for one person can be mistakenly sent to the wrong individual(s), or the message can be forwarded to unintended recipients. In addition, e-mails that were deleted are stored elsewhere on the system.

Employees should use discretion when sending e-mails. Do not write anything in an e-mail message that is inappropriate to say to others face-to-face. The content of an email may be reviewed by a citizen of the State, if a proper request is made under the Open Records Act.

Voice Mail

Employees are responsible to make certain their voice mail messages are reviewed in a timely fashion. When employees know that they are going to be out of the office for a day or more, they must leave messages on their voice mail stating when they will be returning messages, and who will be an alternative contact in the meantime.

Telephones/Cell Phones/PDAs

In the interest of good business practice, telephone calls, including those made with cell phones and mobile devices must be minimal and not interfere with employees' performance of their jobs. Personal use of the Dillon telephones for long distance is not permitted.

Dillon provides cell phones and mobile devices to those employees who need them to perform their jobs. Such devices are intended for business use. Therefore, personal calls should be limited to those absolutely necessary and should be brief.

For safety reasons, employees should avoid the use of cell phones while driving. Employees are not permitted to text while operating a motor vehicle and can only text when the vehicle is at rest in the shoulder lane or lawfully parked.

PERSONAL USE OF SOCIAL MEDIA GUIDELINES

Whenever you use social media, use good judgment. We request that you be respectful of Dillon, our employees, our customers, our partners and affiliates, and others.

Personal use of social media is never permitted on working time by means of Dillon's computers, Dillon-issued mobile devices, networks, and other IT resources and communications systems. Use of personal mobile devices during work time should be kept to a minimum. Dillon has developed Use of Social Media Guidelines for employees who use social media like blogs, wikis, and social networking sites that may contain postings related to Dillon, employees of the Town of Dillon, and any other affiliates of Dillon.

Specific Guidelines

1. Public communications concerning the Town of Dillon, employees of the Town of Dillon and any other affiliates of the Town of Dillon must not violate any guidelines set forth in this handbook, especially as it relates to discrimination, unlawful harassment, and illegal activities.
2. Your personal or anyone else's blog, wiki, or social networking site is not the ideal place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Complaints to Dillon regarding these issues shall be made consistent with the complaint procedures in this handbook so they may address them.
3. Blogs, wikis, chat rooms, and other forms of social media communications are individual interactions, not corporate communications. All postings on a blog, wiki, chat room, or social networking site on behalf of Dillon must be preapproved and sent by authorized employees.
4. If you post any comment that promotes or endorses Dillon products or services in any way, the law requires that you disclose that you are employed by the Town of Dillon.
5. You must comply with all applicable laws including copyright and fair use laws. You may not disclose any sensitive, proprietary, confidential, or financial information about Dillon. Confidential information includes trade secrets or anything related to Dillon's inventions, strategy, financials, or products that have not been made public, internal reports, procedures or other internal business-related confidential communications. Further detail is provided in the "Confidentiality" section of your employee handbook.
6. When you use social media, use good judgment. We request that you be respectful of Dillon, our employees, our customers, our partners and affiliates, and others. Avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages our employees, customers, partners and affiliates, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment.

Please consult with your manager if you have any questions about the appropriateness of publishing information relating to the Town of Dillon, its employee's or any of its affiliates.

TRAVEL POLICY

Travel expenses incurred by employees while attending meetings, conferences, conventions or training sessions on official Town business must be authorized by the Town Manager prior to attendance.

It is impossible to anticipate every possible expense in order to receive prior authorization. Therefore, employees are expected to exercise good judgment and proper economy when incurring travel expenses.

Meetings, conferences, conventions or training sessions should not be scheduled when it will cause overtime or on official Town holidays. When meetings, conferences, conventions or training sessions are offered at different locations within Colorado, the employee should attend at the nearest location.

Accommodations shall be obtained at reasonably economical rates. Overnight accommodations for meetings, conferences, conventions or training sessions within a 70 mile radius of the town or the employee's home must be approved in advance by the Town Manager.

Employees shall be compensated for travel time to attend meetings, conferences, conventions or training sessions if it is travel in a single day, or if it is during regular hours. Travel time excludes normal commuting time.

Personal Vehicle/Mileage Reimbursement

Employees are encouraged to use a Town vehicle for business, if one is available, in lieu of using a personal vehicle and charging the Town for mileage. An employee who is required to use a personal vehicle on Town business shall be reimbursed for such use at the current Internal Revenue Service mileage rate. No reimbursement shall be allowed without a mileage report.

Mileage reimbursement is calculated from Dillon Town Hall or the employee's home, whichever is closer to the destination.

No employee shall take a Town vehicle home prior to traveling unless it is approved by the Town Manager. This will be determined on a case-by-case basis.

Lodging

Hotel/motel selection and advance reservations are to be done in such a manner as to assure moderate rates. Lodging shall be for the minimum number of nights required to conduct the assigned Town business.

If an employee's spouse or children share the lodging, the lodging rate shall be limited to the single occupancy rate. Differential should be noted and reimbursed to the Town.

Lodging in Denver or any area within 70 miles of the Town will not be allowed unless approved by the Town Manager.

If an employee is unable to attend a meeting, conference, convention or training session due to illness, the employee is responsible for cancelling the reservation and obtaining any allowed credit back to the Town.

Meals

Per diem is the allowance for lodging and meals, including tips. The Town uses the IRS Per Diem Allowance to provide for employee meals while they are away from home on Town business. An employee who attends meetings, conferences, conventions or training sessions may submit a request for per diem reimbursement.

- Per diem will be paid for breakfast, lunch and dinners that are not provided for during the meetings, conferences, conventions or training sessions. The breakdown of each meal can be determined by locating the IRS Per Diem Meals Breakdown on the www.gsa.gov website.
- On the departure date, if the employee departs in the morning, they receive lunch and dinner. If the employee departs after lunch, they receive only the dinner allowance.
- On the return date, if the employee will be back by noon, the per diem will be paid for breakfast. If the employee is back by 7:00 p.m. they will receive per diem for all three meals.
- Per diem does not include “incidentals”.

OUTSIDE EMPLOYMENT AND BUSINESS ACTIVITIES

Employees involved in or contemplating outside work must notify their immediate supervisor. Despite any outside employment or business venture, employees are still required to perform their duties with the Town.

Any conflicts with a second job will not be acceptable excuses for not meeting expectations or attendance requirements, or disrupts the operations of the Town of Dillon, including any overtime work.

Any outside work must not create or appear to create a conflict with the Town's business interests. For example, any outside work must not compete with any current or planned projects or activities at the Town. Employees are not permitted to use any of the Town's equipment for purposes related to an outside job.

SAFETY POLICY

It is the policy of the Town of Dillon that the safety of its employees and the public is of chief importance. The prevention of accidents and injuries takes precedence over expedience. In the conduct of our business, every attempt will be made to prevent accidents from occurring. The Town of Dillon requires that its employees, as a condition of employment, comply with all applicable safety regulations as listed in this Personnel Handbook.

The designated safety coordinator for the Town of Dillon is the primary contact for safety-related matters. All employees will receive an orientation to the Safety Policy and rules upon initial employment, and are encouraged to bring to the attention of their immediate supervisor any unsafe conditions or practices. Supervisors will communicate these concerns to the safety coordinator, who will respond to this concern within 24 hours.

Senior management will be actively involved with employees in establishing and maintaining an effective safety program. The Safety Coordinator and other members of our management team will participate with you in ongoing safety and health program activities.

Employer Responsibilities:

- Provide a safe workplace
- Provide safety and health education and training
- Annually review and update workplace safety rules

Employee Responsibilities:

- Report all unsafe conditions
- Immediately report all work-related injuries
- Wear the required personal protective equipment
- Abide by the organization's safety rules at all times

SAFETY COMMITTEE

The Town Manager shall create a standing Safety Committee which shall meet as needed. Members shall include employees as determined necessary or appropriate by the Town Manager. The Committee shall be chaired by a member chosen by vote of the Committee. The chair shall be elected each year during the first meeting of the calendar year. The chair's term shall expire on the last day of the same year.

The Safety Committee shall be responsible for recommending safety rules for employees, training Town employees with regard to safety issues, reviewing and making recommendations concerning safety incidents and accidents and coordinating safety issues with the applicable Town insurer.

The Safety Committee may establish safety rules subject to approval by the Town Manager. Employees must comply with these rules. It is the responsibility of each employee to read and understand all Town safety rules. Disobeying a safety rule is not tolerated, as provided in C.R.S. §8-42-112(1), may also result in the reduction of any workers' compensation benefits that would otherwise be available to an employee who suffers a work-related injury as a result of the disobedience.

USE OF TOWN PROPERTY

Town property is to be used only for official Town business, in an appropriate manner and in accordance with all applicable rules, operating procedures and directives. No employee shall remove Town property or the property of any other employee from Town premises or Town work sites without proper authorization.

USE OF TOWN VEHICLES

Town vehicles may be used only for purposes directly related to the employees' position with the Town. Only authorized, qualified and Colorado licensed Town employees may operate Town vehicles. All vehicles shall be operated in accordance with all applicable traffic laws, and vehicle operators shall be responsible for the condition and proper use of their vehicles. Unauthorized or improper use of Town vehicles will not be tolerated. The Town reserves the right to review an employee's driving record at any time.

Any vehicle-related accident involving any vehicle, injury or property damage whatsoever must be reported to the immediate supervisor by each employee involved in or witnessing the accident. Such report shall be made as soon as practicable. Failure to report any accident involving any vehicle, injury or property damage will not be tolerated.

All employees that drive Town vehicles shall be required to wear a seatbelt at all times while the vehicle is moving, in accordance with the law.

No smoking is permitted in Town vehicles. No animals, excluding service animals, are allowed in Town vehicles.

INSPECTIONS

The Town may conduct unannounced inspections for controlled substances and/or contraband in the workplace or on Town premises. All property of the Town, such as desks, lockers, and file cabinets are subject to inspection. Employees are expected to cooperate in any inspection.

MOTOR VEHICLE RECORDS (MVR) REVIEW POLICY

Purpose

The purpose of this policy is to establish procedures and standards for the review of employees who drive motor vehicles on entity business.

Responsibilities

The Police Department shall administer this policy.

The Police Department will check prospective employees MVR prior to hiring. No person shall be hired into a position that requires driving without a valid Colorado driver's license.

Each employee must have a valid Colorado driver's license of the appropriate type, if one is required for the position. The Police Department will check, at least annually, that each employee has a valid Colorado driver's license.

It is the employee's responsibility to notify the supervisor immediately if the employee's driver's license is suspended, revoked or restricted for any reason.

WORKERS' COMPENSATION

Any employment-related accident involving any injury or property damage whatsoever must be reported to the immediate supervisor by each employee involved in or witnessing the accident. Such report shall be made within four (4) working days.

Employees are covered for employment-related injury or illness by the Colorado Workers' Compensation Act. Under the Act, an employee may receive certain benefits pertaining to an employment-related injury or illness.

To the extent practicable, the employee will be reinstated to the employee's position upon return from leave for an employment-related injury or illness. Where the operations of the Town permit, modified duty may be also available to facilitate a return to work by an employee.

The Town will designate two medical facilities as its provider of medical care for employment-related injuries and illnesses.

The Town will comply with the Americans with Disabilities Act (ADA) with regard to reasonable accommodations for an employee whose employment-related injury or illness results in a disability to which the ADA applies.

The Town will continue to pay the employee's applicable salary and benefits during the first ninety days of an employee's temporary disability resulting from an injury arising out of and in the course of the employee's employment with the Town.

Accordingly, any workers' compensation benefits payable to the employee from the Town's workers' compensation carrier, during the first 90 days of any injury leave period during which an employee is eligible for temporary disability benefits under the worker's compensation laws, shall be paid directly to the Town in the manner as set forth in C.R.S. 8-42-124.

Return to Work

The Town of Dillon has elected to adopt a return-to-work policy with the intent to utilize eligible injured employees in a productive capacity while they are recovering from a work related injury. The goal of temporary modified duty is to provide a progression of job duties that will return the injured employee to their regular job.

The Town Manager will be the designated coordinator, responsible for coordinating the return-to-work program. The attached return-to-work program should be followed when an employee sustains a work-related injury or illness.

1. The injured employee will seek medical attention from one of the designated medical providers.

In case of an emergency, the injured employee is to seek medical attention from the nearest medical facility. Follow-up care must be coordinated through the designated medical provider. Pinnacol Assurance may not pay for medical expenses incurred by the injured employee if he or she seeks unauthorized treatment from a non-designated medical provider. When possible, follow-up medical appointments are to be made before or after work hours. Time off for medical appointments will be treated consistently with other personnel policies/handbook.

2. The injured employee should deliver a copy of the medical provider's work status report to the designated coordinator within 24 hours of the medical visit, if feasible.
3. The designated coordinator is responsible for maintaining regular contact with the injured employee and the medical provider, and obtaining recovery status information and work restriction updates.
4. The designated coordinator will maintain a list of modified duty tasks. Once the employer is ready to make a job offer to the injured employee, the coordinator sends the proposed tasks to the treating physician for approval, in accordance with the formal job offer process.
5. During the modified duty period, the designated coordinator will provide to Pinnacol Assurance records of wages paid to the injured employee. If the injured employee is receiving full wages during the modified duty period, the designated coordinator will provide Pinnacol Assurance a statement to that effect; no ongoing provision of pay records is then required.
6. Modified duty will be allowed as long as it is realistic for the job to continue, or until the injured employee receives a release to full duty or reaches maximum medical improvement (MMI).
7. The designated coordinator will monitor and document the injured employee's performance while on modified duty.

While on modified duty, the injured employee will be held to all existing personnel policies/ handbook will be responsible for maintaining acceptable performance standards as a condition of continued employment.

Modified duty assignments are designed to be temporary and transitional in nature. The supervisor, injured employee and relevant staff will periodically address increasing work duties and overall performance.

**ACKNOWLEDGMENT OF RECEIPT
OF TOWN OF DILLON
PERSONNEL HANDBOOK**

I HAVE RECEIVED A COPY OF OUR PERSONNEL HANDBOOK DATED JANUARY 20, 2015.

I UNDERSTAND THAT NEITHER MYSELF NOR THE EMPLOYER IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A FIXED PERIOD OF TIME. EMPLOYMENT WITH TOWN OF DILLON IS AT-WILL. BOTH MYSELF AND MANAGEMENT HAVE THE RIGHT TO TERMINATE THIS EMPLOYMENT AT ANY TIME FOR ANY REASON. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION.

I UNDERSTAND THAT NO REPRESENTATIVE OF THE TOWN, OTHER THAN TOWN COUNCIL, HAS AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE MAYOR AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

FURTHER, I UNDERSTAND THAT THE CONTENTS OF THIS HANDBOOK ARE SUMMARY GUIDELINES FOR EMPLOYEES AND; THEREFORE, NOT ALL INCLUSIVE. THIS HANDBOOK SUPERSEDES ALL PREVIOUSLY ISSUED EDITIONS. EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT, THE ORGANIZATION RESERVES THE RIGHT TO SUSPEND, TERMINATE, INTERPRET OR CHANGE ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS OR OTHER PROGRAMS OF THE TOWN. THESE CHANGES MAY OCCUR AT ANY TIME, WITH OR WITHOUT NOTICE.

Print Name: _____

Signature: _____

Date: _____