**OMAG**

**Sample Employee Personnel Policy Instructions**

This Sample Employee Personnel Policy has been prepared as a generic model or guideline in accordance with the *Statutory Town form of government*, 11 O.S. §§ 12-101 through 12-114. This handbook incorporates the “employment at-will” status.

The **General Policies and Provisions Section** of these policies refers to a *Town Charter*. If your Town has not adopted a *Charter*, all references to a *Charter* should be deleted.

The section “Town Benefits” contains provisions relating to “X” days earned for sick leave, personal leave, vacation and holidays. Your Town should determine what are the appropriate days earned in order to fill in the blanks as indicated by the “X”.

**It is imperative that your governing body approve the contents of the Employee Personnel Policy before distributing it to your employees and that each employee sign and date the “Receipt and Acknowledgement” page.**

This Sample Employee Personnel Policy was prepared by OMAG Staff. If you have questions, please call OMAG and ask for:

Monica L. Coleman Ambre Gooch

Associate General Counsel/ Associate General Counsel

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Insert Town Logo

Employee Personnel Policy

Approved by (Town) on

Insert Date Here

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INTRODUCTION

This handbook is intended to be an informative guide to employees of the [Name of Town] (“Town”) regarding its policies, procedures, and benefits. The Town is proud of the procedures and policies that we have developed. We think you will find that they reflect our commitment to treating our employees fairly.

It is the Town’s hope that you will find this handbook useful and informative. However, if you have any questions about any of these procedures and policies, do not hesitate to ask your supervisor. Whether you are just joining the Town or are a current employee, the Town looks forward to working with you.

We welcome employees’ comments and suggestion for improving all aspects of our operation. One of the contributing factors to our success is the maintenance of an open, responsive and on-going two-way system of communications. We encourage all employees to exchange ideas and information to help themselves and, in turn, the Town.

This Employee Personnel Policy replaces all previous versions.

**Disclaimer: This handbook is provided as a guide and is not to be considered a contract. The Town reserves the right to make changes to its policies, procedures, and other statements made in the handbook. Economic conditions, federal and state law and organizational needs may require the handbook to be re-written. This is necessary to successfully provide the appropriate employment relationship and to obtain the goals of the organization.**  **No such change in the Employee Personnel Policy shall modify the at-will nature of employment at the Town.**

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GENERAL POLICIES AND PROCEDURES

Authority (11 O.S. § 12-106)

The Board of Trustees may appoint and remove, and confirm appointments of designated town officers and employees as provided by *Charter*, law or ordinance. The Board of Trustees may inquire into the conduct of any office, department or agency of the Town, and investigate municipal affairs, or authorize and provide such inquiries.

The Board of Trustees may create, change and abolish offices, departments or agencies, other than those established by *Charter* or law; assign additional functions and duties to offices, departments and agencies; and define the duties, powers and privileges of all officers.

**Scope**

These policies apply to all Town employees. It is the expressed intent of the Board of Trustees that the Board of Trustees shall administer and enforce all provisions of these policies with respect to all Town employees.

These policies are not a contract of employment, nor are they intended to be and shall not be interpreted by an employee as a contract of employment.

Interpretation of Personnel Policies

The Board of Trustees shall provide administrative interpretation of these Policies to the various Department Directors.

Conflict

Should the interpretation, application, administration, or enforcement of any rule or regulation contained in these Policies conflict with any *Charter* provision, ordinance or other law, such *Charter* provision, ordinance or law shall prevail.

A Department Director may make department/division rules and regulations, consistent with these Policies, governing the conduct and performance of employees. The Board of Trustees may review department rules for consistency with these Policies. Department/Division rules and regulations may be published, and a copy furnished to each employee to whom they apply. Disciplinary action may be based upon breach of any such rules and regulations.

WORKPLACE POLICIES

## **Equal Employment Opportunity (EEO)**

The Town is an equal employment opportunity employer where required by law. Employment decisions are based on merit and business needs, and not on race, ancestry, religion, gender, age, marital or civil union status, national origin, sexual orientation, place of birth, citizenship, veteran status, or disability, as defined and required by state and federal laws.

It is the policy of the Town to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA). We will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. We will also make a reasonable accommodation whenever possible for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on the Town, in conformance with state and federal law.

Equal employment opportunity notices are posted as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any employee believes he or she has been discriminated against.

Management is primarily responsible for seeing that our equal employment opportunity policies are implemented, but all members of the staff share in the responsibility for assuring that by their personal actions the policies are followed. Any employees, including managers, responsible for or involved in discriminatory practices or actions will be subject to termination.

The Town intends to provide a work environment that is pleasant and free from intimidation, hostility or other offenses that might interfere with work performance. Harassment of any sort - verbal, physical, and visual - will not be tolerated. Members of certain classes are protected by law. Those protected classes include, but are not necessarily limited to race, ancestry, religion, gender, age, marital or civil union status, national origin, sexual orientation, place of birth, citizenship, veteran status, or disability, or any other protected status defined by law.

## **Harassment**

## What Is Harassment?

Workplace harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, pranks, intimidation, physical assaults or contact, or violence that substantially interferes with an individual’s work performance or creates an intimidating, hostile, or offensive working environment. Harassment is not necessarily sexual in nature. It may also take the form of other activity, including derogatory statements, not directed to the targeted employee but observed by the affected employee. Other prohibited conduct includes, but is not limited to, written material such as notes, photographs, cartoons, articles of a harassing or offensive nature, and taking retaliatory action against an employee for discussing or making a harassment complaint.

## Responsibility

All Town employees, and particularly managers, have a responsibility for keeping our work environment free of harassment. Any employee, who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to the (Insert Name or Title Here). When a supervisor of the Town becomes aware of the existence of harassment, he or she must report it to the highest administrative levelwhether or not the victim wants the organization to do so.

## Reporting

While the Town encourages you to communicate directly with the alleged harasser, and make it clear that the harasser's behavior is unacceptable, offensive or inappropriate, it is not required that you do so. It is essential, however, to notify your supervisor or his supervisor immediately even if you are not sure the offending behavior is considered harassment. Any incidents of harassment must be immediately reported. Appropriate investigation and disciplinary action will be taken. All reports will be promptly investigated with due regard for the privacy of everyone involved. However, confidentiality cannot be guaranteed. Any employee found to have harassed a fellow employee or subordinate would be subject to severe disciplinary action up to and including termination. The Town will also take any additional action necessary to appropriately remedy the situation. Retaliation of any sort will not be permitted. No adverse employment action will be taken against any employee who makes a good faith report of alleged harassment or who participates in the investigation of such a complaint.

## **Policy Statement on Sexual Harassment**

## What Is Sexual Harassment?

Sexual harassment may include unwelcome sexual advances, requests for sexual favors or other verbal or physical contact of a sexual nature when such conduct substantially interferes with an individual’s work performance or creates an intimidating, hostile, or offensive working environment. It also encompasses such conduct when it is made a term or condition of employment or compensation, either implicitly or explicitly and when an employment decision is based on an individual's acceptance or rejection of such conduct.

It is important to note that sexual harassment crosses age and gender boundaries and cannot be stereotyped. Among other perceived unconventional situations, sexual harassment may even involve two women, two men, or a bystander.

Examples of a hostile, intimidating, and offensive working environment include, but are not limited to, pictures, cartoons, symbols, or apparatus found to be offensive and which exist in the workspace of an employee. This behavior does not necessarily link improved working conditions in exchange for sexual favors but it must be unwelcome and substantially interfere with an individual’s work performance or create an intimidating, hostile, or offensive working environment.

The Town will investigate any complaint of sexual harassment and will take immediate and appropriate disciplinary action if sexual harassment has been found within the workplace. Complaints related to sexual harassment should be made as soon as possible to your supervisor.

Notice of this policy is posted on the main organization bulletin board. If this policy is determined not to have been violated, the complainant and the accused person shall be notified, with appropriate instruction provided to each**, i**ncluding the right of the complainant to contact any of the state or federal agencies identified in this posted policy notice.

## **Workplace Violence**

The Townis committed to maintaining a safe work environment for its employees. The Town will not tolerate any form of violence, to include threats, intimidation, harassment, physical attacks, or other acts of violence that are considered inappropriate and unacceptable behavior in the workplace. Any employee who is found to perpetrate or participate in such actions will be subject to corrective action, up to and including termination of employment. Some examples, but not inclusive acts, would be:

* physical grabbing, inappropriate touching, pushing or shoving, or hitting of another individual
* threatening violence verbally
* threatening violence by banishing a weapon or any object that could be used as a weapon
* writing and conveying messages that indicate violent tendencies.

Any employee who has knowledge of actions they believe could lead to an episode of workplace violence, should immediately report the situation to their supervisor.

## **Smoke-Free Workplace**

The Town is committed to providing a safe and healthy workplace that promotes the well-being of its employees. Consistent with this commitment, it is our policy to prohibit smoking during working hours in all locations. This applies to tobacco products including chewing tobacco.

It is the responsibility of all employees to observe and enforce the non-smoking policy. Courtesy and consideration toward others should always be exercised in this regard.

## **Drug-Free & Alcohol-Free Workplace**

[**NOTE:** Employers are not required to drug test, with the exception of employees required to maintain a Commercial Drivers’ License (CDL). Oklahoma law allows employers to require applicants and employees to take drug tests, as long as the employer follows the State law at 40 O.S. §§ 551 et seq. OMAG can provide a sample Drug and Alcohol Testing Policy that can be attached to these policies if the governing body is interested in adopting such a policy.]

The Town will not tolerate substances in the workplace that interfere with or impair an employee’s mental or physical capacity to perform his/her duties or cause a risk to employees, property, or the public. This includes using, possessing, selling, distributing or being under the influence of intoxicants.

An employee or knowing party shall report to a supervisor, Division Manager or Department Director any employee suspected of violating this policy and such supervisor or manager will take appropriate action.

## **Confidential Information**

General

Employees may be provided access to confidential information, including protected, sensitive and privileged information, during the course of their employment. Such confidential information shall only be used for the express purpose of addressing work assignments and will not be discussed or disclosed with others unrelated to those work assignments. Employees shall hold confidential all confidential information accessible as an employee of the Town and shall not use their position to access information unrelated to their work assignments. Confidential information includes, among other categories:

* personal information, including medical information, about any individual
* any confidential information of a prospective location of a business or industry we obtain through the Town’s economic development relationships prior to public disclosure of such information
* Certain law enforcement records as required by state and federal laws

Any inadvertent disclosure of confidential information through technological means shall be reported immediately to a supervisor and shall be managed as set forth by State law. 24 O.S. §§ 161, *et seq.*

Employees will be subject to corrective action up to and including termination of employment, for knowingly or unknowingly revealing information of a confidential nature.

## **Conflict of Interest**

# Employees should avoid any situation that involves, or may involve, a conflict between their personal interest and the interest of the Town. As in all areas of their duties, employees dealing with suppliers and vendors or any person doing or seeking to do business with the Town are to act in the best interest of the Town.

# The Town recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts to their supervisor so that the Town may assess and prevent potential conflicts of interest from occurring.

If an employee has any question whether an action would create a conflict of interest, he or she should immediately contact their supervisor. Failure to appropriately disclose a conflict of interest situation may result in corrective and/or disciplinary action, up to and including termination

**Nepotism** (11 O.S. § 8-101)

No elected or appointed official or authority of the municipal government shall appoint or elect any immediate family member.  For purposes of this section, immediate family member includes: spouse, child, parents, grandparents, grandchildren, brother/sister, step and/or in-law relations (father/mother/brother/sister/son/daughter) uncle/aunt, nephew/niece, of the employee or the employee’s spouse.

At application, an employee shall notify the Town of any immediate family member employed with the Town.  Any employee in a position prior to the date of adoption of these policies shall be grandfathered from application of this section, but must disclose any immediate family member working for the Town to the Department Director to assist in accommodating work assignments.

## **At-Will Employer**

**The Town is an at-will employer. This means we recognize that you retain the option, as does the Town, of ending your employment with us at any given time, with or without notice and with or without cause. As such, your employment with us is at-will and neither this handbook nor any other oral or written representations by any Town official or employee may be considered a contract for any specific period of time.**

## **Outside Employment**

The Town recognizes and respects your right to work for another employer of your choice while still employed by us. However, the Town cannot allow any of its employees to work for a vendor that we do business with, as an employee or an independent contractor, while still employed by us, unless you have received specific approval from the Town.

An employee is prohibited from engaging in any secondary employment that interferes with scheduled Town work, or occurs when the employee is off work from Town employment on administrative leave, sick leave, injury leave, FMLA leave, or is receiving temporary total disability benefits from the Town under workers’ compensation laws.

You must inform your immediate supervisor if you plan to engage in any type of employment outside of us. It is important that outside employment does not present a potential conflict of interest, effects your job performance to deteriorate, or reflect negatively on the Town.

## **Employment Classifications**

A *Full-Time* employee is anyone who is regularly scheduled to work 30 or more hours per week. A full-time employee may be re-classified as part-time or temporary if these requirements are not met.

A *Part-Time* employee is anyone who is regularly scheduled to work less than 30 hours per week. A part-time employee may be reclassified as full-time or temporary if these requirements are not met.

A *Temporary* employee is anyone who works for a specified period of time, usually less than 90 days, regardless of the number of hours worked. Temporary employees are not eligible to receive any paid benefits.

An *Exempt* employee is not eligible for overtime according to the Fair Labor Standards Act (FLSA).

A *Non-exempt* employee is eligible for overtime according to the Fair Labor Standards Act (FLSA).

Use of the term “temporary” in this handbook is not intended nor should it be construed as intending, that non-temporary employees are considered permanent**. No one’s employment with the Town is guaranteed to be permanent. All employees are at-will and can quit or be discharged at any time for any reason or no reason.**

## **Personnel Records**

The Town maintains a personnel file for each employee. Maintaining these files with up-to-date information is very important as it provides the Town with contact information in case of emergency, addresses for mailings, data for payroll purposes, and information required for insurance programs and other benefits. All employees should promptly notify the payroll clerkof any change in:

1. Address
2. Telephone number
3. Marital status for benefit plan purposes
4. Beneficiary or dependents indicated in your

life insurance policy

1. Number of dependents for tax withholding purposes
2. Party to be notified in case of an emergency

Any changes in family status must be reported to the payroll clerkwithin 30 days of the event. A delay in filing the proper forms could result in lack of coverage. If you become divorced or widowed, it is a good idea to check whom you have as designated beneficiaries. In the event of your death, your listed beneficiary will receive any life insurance benefits due. Be sure the listed beneficiary is the person you intend to receive the benefits.

Employees may inspect and receive copies of their own personnel records upon written request.

The Town intends to protect the privacy of each employee and is committed to the confidential handling of every employee’s personnel information. All individual records, computer generated employee reports, personnel files, and information therein, except those specified by ordinance or statute as public records, shall be restricted as confidential, and shall be available only with the approval of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [i.e. Town Clerk, Town Administrator, Human Resources Director]. However, information contained in personnel records and files may be revealed to municipal employees:

(a) for the use of any report or record, when pertinent and necessary to an official function of the municipal service;

(b) for the purpose of an official audit or investigation, when made under proper authority;

(c) for any other purpose authorized by the designated representative.

## **Disciplinary Actions**

Any action which reflects discredit upon the Town is a direct hindrance to the effective performance of the municipal government function and shall be cause for discipline or termination. Note that the following list of unacceptable activities does not include all types of conduct that can result in disciplinary action, up to an including termination of employment:

1. Violation of any Town policy or rule;
2. Violation of safety rules, practices or failure to wear safety equipment;
3. Unexcused absence, absence from work without permission, or failure to report any absence to the designated authority;
4. Careless actions which endanger the life or safety of others;
5. Being intoxicated or under the influence of a controlled substance while at work except for medications prescribed by a physician;
6. Possession of firearms, weapons or explosives while on Town property unless permitted by law;
7. Engaging in criminal conduct or acts or threats of violence toward any other employee or official;
8. Insubordination or refusing to follow instructions of your supervisor;
9. Destruction of Town property whether intentional or otherwise;
10. Theft of Town property;
11. Dishonesty, falsification or misrepresentation of facts regarding your employment application;
12. Immoral or indecent conduct while on duty;
13. Unsatisfactory work performance;
14. Any act of harassment, sexual, racial; or other act of illegal discrimination while on the job; or
15. Violation of the Town’s email, computer or internet policy.
16. Any breach of confidentiality.

**Discipline Procedure**

Unacceptable behavior that violates Town policy that does not lead to immediate dismissal may be dealt with by any of the following interventions, **taken in any order**, as your supervisor and organization management determine is appropriate.

1. Verbal Reminder

Your supervisor may meet with you to discuss the problem or violation, to make sure that you understand the nature of the problem or violation and the expected remedy. The purpose of this conversation is to remind you of exactly what the rule or performance expectation is and to remind you that it is your responsibility to meet the Town’s expectations.

Your supervisor may document the Verbal Reminder, which may remain in effect for an established period of time.

1. Written Warning

If you are in violation of the Town’s practices, rules or standards of conduct, your supervisor may discuss the problem with you, emphasizing the seriousness of the issue and the need for you to immediately remedy the problem. After the meeting, your supervisor might write a memo to you summarizing the discussion and your agreement to change. A copy of the memo may be placed in your personnel file. The Written Warning may remain in effect for an established period of time to be determined by your supervisor.

1. Suspension

A non-exempt employee may be suspended without pay for disciplinary purposes. Such suspension shall be in writing with a copy given to the employee. As a general rule, a suspension for disciplinary purposes shall be less than two biweekly pay periods.

If an exempt employee is suspended for disciplinary purposes, the suspension shall be in increments of workweeks in accordance with the Fair Labor Standards Act (FLSA).

1. Termination

Failure to adhere to the performance standards set forth in the either the verbal or written warning, or some other form of behavior problem which was not proceeded by warning may lead to termination.

**The provision of this Disciplinary Policy is not a guarantee of its use. The Town reserves the right to terminate employment at any time, with or without reason.**

## **Appeals**

[**NOTE:** Employees hired at-will can be terminated for any reason and are not entitled to a pre or post termination hearing. If the governing body chooses to utilize an appeal process, it should be in written form, adopted by the governing body and provided to Town employees. OMAG has sample appeals language if the governing body is interested in adopting such a policy.]

## **Hours of Work**

Your hours of work will greatly depend upon your particular position, physical location, organizational expectations, and changing needs of the Town. See your supervisor about the work schedule.

## **Attendance, Punctuality and Dependability**

It is important that all employees be at work at their scheduled time. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times.

Employees must notify their supervisors as far in advance as possible, but not later than one hour before his/her scheduled starting time if he/she expects to be late or absent. Please be sure to speak to an actual person; do not leave a message in voice mail or e-mail.

If your absence continues for more than one working day, daily reports should be made to your supervisor regarding your status (unless other arrangements have been made). For example, if you are out with the flu, daily calls are expected. If you are out on a medical leave because you have a broken leg, daily calls are not expected.

Any employee absent for \_\_\_ (\_) or more consecutive days who fails to notify his supervisor (unless on an approved leave of absence) will be considered to have voluntarily resigned. Please be aware you may have certain rights under the Family Medical Leave Act (FMLA) as well as any State Laws that may have an effect on time off for illnesses.

The Town reserves the right to request a medical examination or doctor’s certification during or following an illness or injury.

A careful record of absenteeism and lateness is kept by the employee’s supervisor and becomes part of the personnel record. Punctuality and attendance at work are important to job performance.

## **Professional Attire**

The Town recognizes that standards of appropriate dress may vary based on public contact and the nature of the employee’s job responsibilities. Appropriate personal appearance and hygiene is expected by the Town. Each employee is responsible to use good judgment and dress appropriately for his/her job.

Appropriate office attire means clean, neat and conservative clothing. It would include attire such as dresses, shirts, slacks, sweaters, skirts and shoes. Examples of inappropriate attire would include revealing articles of clothing, slogans imprinted on clothing, sweat or jogging suits, very short skirts, shorts, and facial piercings.

While this guideline cannot address all types of inappropriate attire, it is intended to assist employees in exercising positive judgment. If employees are unsure of the suitability of their attire, they should ask their supervisor for guidance.

## **Recording Your Time**

The Town is required by law to keep an accurate record of the hours you work. The time sheet provides the method to do this. Time sheets for all non-exempt employees must be submitted to their supervisor for approval at the end of each workweek.

All time sheets need to be completed thoroughly and accurately. Supervisors will provide a blank time sheet to each employee.

## **Compensation**

Upon hire, all employees must fill out all appropriate payroll, personal data and tax forms. Paychecks cannot be processed unless all the necessary forms have been completed and received by the payroll clerk.

Payroll will be based on (insert pay period) periods. Employees are paid for a given pay period on (insert pay date). The Payroll Department must process payroll \_\_\_ days prior to the pay date. Therefore, the hours worked by non-exempt employees must be reported on time and accurately.

Paycheck Distribution: Paychecks may be obtained by electronic bank deposit (direct deposit). Employees should arrange to have their pay electronically deposited to their checking or savings account through the Payroll Department. This is done by completing an authorization form and submitting it, along with a voided/blank check to the Payroll Department.

Payroll Deductions: Check stubs indicate gross earnings, net earnings, and all deductions. Required payroll deductions include federal income tax, state income tax, Social Security (OASDI) and Medicare taxes. Federal and state income taxes are deducted from your gross pay and sent to the federal and state treasuries to be credited to your annual tax bill. By the 31st of January of the following year, you will receive a W-2 statement from the Town which will indicate total dollars earned and taxes withheld for the previous year. This W-2 statement is for your use in filing your return with the Internal Revenue service and the state Department of Revenue.

By law, a certain percentage of your earnings may be paid as a Social Security Tax. This too, is automatically deducted from your bi-weekly paycheck. The Town matches this contribution equally, which serves as a fund for your total contributions deducted from your paychecks for the previous year.

## **Overtime Pay**

Employees, other than in the police and fire department, that are non-exempt are paid one and one-half times the regular rate of payfor all hours worked in excess of 40 hours of each week. Overtime means over 40 hours WORKED, not 40 hours paid.

All overtime must have advance authorization by your supervisor. If prior approval cannot be obtained due to an emergency, the supervisor shall be informed as soon as possible after the emergency.

[**NOTE:** The Town may offer compensatory time off in lieu of paid overtime but is not required to do so, so long as, the employee has read, signed and agreed to a compensatory time agreement and policy. If the governing body is interested in offering compensatory time off OMAG can provide a sample Compensatory Time Policy and Agreement.]

**Workplace Injuries**

Any employee injured on the job shall report the injury immediately to his supervisor. Failure to report such injury might result in a denial of benefits available to you under the Oklahoma workers’ compensation laws.

**Political Activities** (11 O.S. § 22-101.1)

Employees are encouraged to exercise their right to vote and belong to political parties. An employee may be a candidate for elective or public office, but shall not hold any elective or public office under the United States Government, the State of Oklahoma, or any other state or municipality (notaries public excepted).

No employee shall participate in political activities during working hours or while in a Town uniform or vehicle or while on Town premises. Once off duty and not in a Town uniform or vehicle, an employee is free to participate in political activities to the same extent as any citizen.

USE OF TOWN TOOLS AND RESOURCES

**Use of Town Equipment and Computer Systems**

The Town provides supplies, equipment, desks, printers, files, computers, and other office equipment necessary for you to perform your job. These items are to be used solely for the Town’s purposes. Employees are expected to exercise care in the use of Town equipment and property and use such property only for authorized purposes. Loss, damage or theft of Town property should be reported at once.

Town equipment, such as computers, telephones, copiers, etc. is intended to be used for business purposes. An employee may only use this equipment for non-business purposes in an emergency and only with the permission of his/her supervisor. An employee may not remove any Town equipment from the premises without approval from their supervisor.

Upon termination of employment, the employee must return all Town property, equipment, work products and documents in his or her possession.

## **Telephone Usage Policy**

Personal telephone calls should be limited to non-work time to the extent possible. Outgoing long distance personal phone calls are not permitted.

## **Computer Usage Policy**

The use of the computer system and software is limited solely to appropriate business use. Employees are not allowed to use the computer systems for their personal benefit. Employees are strictly forbidden from installing software on the system. Further, this policy reaffirms that the Town’s employees have no reasonable expectation of privacy with respect to any computer hardware, software, electronic mail or other computer or electronic means of communication or storage, whether or not employees have private access or an entry code into the computer system.

The Town reserves the right to monitor the use of its computer system and limit e-mail messaging and/or Internet browsing at any time.

## **E-Mail Policy**

Every employee is responsible for using the electronic mail (e-mail) system properly and in accordance with this policy. The e-mail system is the property of the Town. It has been provided for use in conducting Town business. All communications and information transmitted by, received from, or stored in this system are Town records and property of the Town. The e-mail system is to be used for Town purposes only.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over the Town’s e-mail system.

The Town, in its discretion as owner of the e-mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the e-mail system, for any reason and without the permission of any employee.

Employees should be aware that deletion of any e-mail messages or files may not truly eliminate the messages from the system. All e-mail messages are stored on a central back-up system in the normal course of data management.

The Town’s policies against sexual or other harassment apply fully to the e-mail system, and any violation of those policies is grounds for corrective action up to and including termination of employment. Therefore, no e-mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law.

The e-mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

## **Internet Use Policy**

Certain employees may be provided with access to the Internet to assist them in performing their jobs. The Internet can be a valuable source of information and research. Use of the Internet, however, must be tempered with common sense and good judgment.

If you misuse your right to use the Internet, your access will be taken away from you. In addition, you may be subject to corrective action, up to and including termination of employment, and civil and criminal liability.

Your use of the Internet is governed by this policy and the e-mail policy.

*No expectation of privacy.*  The computers and computer accounts given to employees are to assist them in performance of their jobs. Employees should not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to the Town and may only be used for business purposes.

*Monitoring computer usage.* The Town has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users.

*Prohibited activities.* Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristics protected by law), or violating the Town’s equal employment opportunity policy and its policies against sexual or other harassment may not be downloaded from the Internet or displayed or stored in the Town’s computers. Employees encountering or receiving this kind of material should immediately report the incident to their supervisor. The Town’s equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the Internet and any violation of those policies is grounds for corrective action up to and including termination of employment.

*Games and entertainment software*. Employees may not use the Town’s Internet connection to download games or other entertainment software, including wallpaper and screen savers, or to play games over the Internet.

Use of the Internet via the Town’s computer system constitutes consent by the user to all of the terms and conditions of this policy.

**Vehicles**

Each employee who is responsible for driving a Town vehicle must possess a valid Oklahoma Driver’s License and Class designation as required by state law. If at any time the employee becomes ineligible to operate a vehicle because of a suspended or revoked Driver’s License, the employee shall notify his supervisor immediately.

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TOWN BENEFITS

**Salary**

Employees will be paid (biweekly or monthly). Your check will be ready after (\_\_ p.m.) on days checks are issued.

**Health and Life Insurance**

The Town provides health and life insurance for our employees. See the payroll clerk if you choose to pay for family coverage. See the payroll clerk for the amount of life insurance that the Town pays for your benefit.

Any changes in family status must be reported to the payroll clerkwithin 30 days of the event. A delay in filing the proper forms could result in lack of coverage. If you become divorced or widowed, it is a good idea to check whom you have as designated beneficiaries. In the event of your death, your listed beneficiary will receive any life insurance benefits due. Be sure the listed beneficiary is the person you intend to receive the benefits.

**Pension or Retirement Benefits**

The Town pays monthly premiums into the (\_\_\_\_\_\_\_\_\_\_) for your retirement. Please see the payroll clerk for details.

**Leave: Annual, Sick or Personal, Holidays, Vacation and Voting**

Holidays

The approved holidays are as follows: New Year’s Day, Independence Day, Thanksgiving Day, Christmas Day, Memorial Day, and Labor Day. See the payroll clerk for additional approved holidays.

Whenever a holiday falls on a Saturday, the Friday preceding shall be considered a holiday; whenever a holiday falls on a Sunday, the Monday following shall be considered a holiday.

Sick Leave

No employee will be eligible for Sick Leave until such time that the employee has \_\_\_ (\_) months of service with the Town. At that time, an employee will be eligible for \_\_\_ hours (\_ week) of Sick Leave for the following six months. After \_\_\_\_\_ (\_\_) continuous months of service, the employee is eligible for \_\_ hours (\_\_ weeks) of sick leave.

An employee may accumulate no more than \_\_\_ hours of sick leave. Accumulated sick leave is not compensable upon termination of employment.

Personal Leave

An employee who has not worked for at least \_\_\_ (\_) months may take no Personal Leave. An employee with \_\_ (\_) months of service is eligible for \_\_ hours (\_\_ days) of personal leave during the next \_\_ months of service. An employee with twelve or more continuous months of service will earn a maximum of \_\_ hours of Personal Leave.

No Personal Leave may be accumulated beyond the calendar year in which it was earned.

Vacation

Employees accrue vacation leave based upon length of service and is credited to the employee on their anniversary date as follows:

* First –Fourth Anniversary \_\_ days
* Fifth-Ninth Anniversary \_\_ days
* Tenth Anniversary \_\_ days

All vacation time must be taken in full-day increments. Your supervisor must approve the specific vacation dates prior to your time off.

Voting (26 O.S. § 7-101)

An employee who is a registered voter shall be granted up to two (2) hours to vote during the period when the polls are open. If the voting place is at such a distance that more than two (2) hours are required to vote, then sufficient time will be allowed. No employee shall be entitled to voting leave unless the voting time is scheduled with the supervisor before election day. Supervisors shall select the hours which an employee is granted to vote. The department/division may change the work hours to allow voting leave before the beginning of work or after work hours.

Voting leave shall not apply to an employee whose shift begins three (3) hours or more subsequent to poll opening or ends three (3) hours or more prior to poll closing.

Jury Service/Court Leave(38 O.S. § 34 and 28 O.S. § 84.1)

An employee required to render jury service in any court of law or called to be present on behalf of the Town in court service or called pursuant to a subpoena to be present as a non-party in interest in court service during normal working hours shall receive their regular pay for such period, and the time spent in such service shall be reported as Jury Service or Court Leave. Time off for such service shall be granted only for the actual period of required service and the supervisor may require proof of the actual hours of service.

An employee compensated for jury duty or other court service cannot receive both compensation and their regular pay from the Town. The employee must remit the court service payment or jury fee to the Town Treasurer, or at their option, not be entitled to their regular pay for those hours absent from regular duty. The employee is not required to remit to the Town Treasurer that portion of the compensation from the court that was properly documented for expenses.

**Employee Personnel Policy Receipt and Acknowledgement**

I have received a copy of the Town’s Employee Personnel Policy and the related benefits document for my state of employment, and understand that it contains important information on the personnel policies of the organization.

I am also acknowledging that:

* The handbook is not a binding contract, but a set of guidelines. I understand that all benefits, policies and procedures set forth herein are statements of general Town policy and shall, in no manner, be construed to imply a contract or a guarantee of continuing employment with the Town or employment for any specified length of time.
* The Town reserves the right to eliminate, modify and improve any and all of its wages, conditions, including benefits, policies and rules at any time with or without notice. I understand that failure to follow Town policies, procedures, and rules can result in corrective action up to and including termination of employment and civil and criminal liability. I further understand I have the right to ask questions about any part of this Handbook that I do not understand.
* **I am employed on an “at-will” basis, and I may resign at any time for any reason or no reason, and the Town may terminate my employment at any time for any reason, or no reason.**
* I understand that all representations or oral statements by any public official or other employee of the Town cannot contravene or supersede the written terms of this handbook or alter my at-will employment.
* This handbook, and its terms, supersede and nullify all previous personnel policies, manuals, handbooks or practices, whether written or not, of the Town.

Print Employee Name

Employee Signature Date