

Town of Stockbridge

Personnel Policy

Department:	All				
Last Reviewed:	11/22/2021	Last Revised:	11/22/2021	Effective Date:	11/22/2021

Section 1: TITLE AND AUTHORITY

This policy shall be known as the Town of Stockbridge personnel policy. It has been adopted by the Town of Stockbridge Select Board pursuant to 24 V.S.A. §§ 1121 and 1122.

This personnel policy does not constitute a contract of employment. Employment with the Town of Stockbridge is at-will and not for any definite period or succession of periods of time. The Town or the employee may terminate employment at any time, with or without notice. The Select Board reserves the right to amend any of the provisions of this personnel policy for any reason and at any time, with or without notice.

This personnel policy will be administered by the Select Board or its authorized representative.

Section 2: PERSONS COVERED

This personnel policy applies to full-time and part-time employees of the Town of Stockbridge. Except by separate written agreement, elected officers and their statutory assistants, members of Town boards and commissions, volunteers, employees, and persons who provide the Town with services on a contract basis are not covered by this policy.

For purposes of this policy, a full-time employee is an employee who works at least 40 hours per week on a regular and continuing basis or is the elected Town Clerk & Treasurer. A part-time employee is an employee who works fewer than 32 hours per week on a regular and continuing basis.

Where a conflict exists between this policy and any collective bargaining agreement or individual employment contract, the latter will control.

Section 3: EQUAL EMPLOYMENT OPPORTUNITY

The policy of the Town of Stockbridge is to provide equal opportunity to all employees and applicants without regard to race, color, religion, ancestry, sex, sexual orientation, gender identity, age, national origin, place of birth, marital status, disability, veteran's status, HIV status, pregnancy, genetic information, crime victim status, or any other category of person protected under state or federal law.

Section 4: PROBATIONARY PERIOD

All new employees will be required to complete a six-month probationary period. The purpose of this probationary period is to determine whether the employee is suited for the job. During the probationary period, an employee may be terminated at any time at the sole discretion of the Select Board. Notwithstanding any other provision of this policy, an employee terminated during the probationary period will have no right to appeal such termination.

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Section 5: CONDUCT OF EMPLOYEES

All employees are considered representatives of the Town and as such are expected to conduct themselves in a courteous, helpful, and respectful manner in all their interactions with the public, other employees, and elected and appointed officials.

All employees are expected to faithfully execute the duties and responsibilities of their position to the best of their ability and in compliance with the provisions of this personnel policy.

Section 6: CONFLICTS OF INTEREST

Every employee of the Town shall carry out his or her job in a way that ensures that neither the individual employee nor any other employee of the Town will gain a personal or financial advantage from his or her work for the Town and so that the public trust will be preserved. All decisions made by Town employees shall be made based on the best interest of the community at large rather than the interests of any particular individual or employee.

An employee shall not participate in any official action if the employee has a conflict of interest in the matter under consideration. A "conflict of interest" shall mean a direct or indirect personal or financial interest of the employee, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother- or sister-in-law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the employee or before the Town. An employee shall not personally, or through any member of his or her household, business associate, employer or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in a cause, proceeding, application or other matter pending before the Town.

An employee shall not use resources not available to the general public, including but not limited to Town staff time, equipment, supplies, or facilities for private gain or personal purposes. An employee may accept a nominal gift or gratuity in connection with an action associated with their official duties on behalf of the Town with an estimated monetary value not exceeding \$20 once per calendar year, with the understanding that employees may not directly or indirectly ask, demand, exact, solicit, accept or receive any gift, gratuity, act or promise beneficial to that individual, or another, which could influence any action or inaction associated with their official duties on behalf of the Town, or create the appearance of impropriety in connection with any actions or inactions associated with their official duties on behalf of the Town. Nor shall any employee authorized to procure or to recommend procurement of materials, supplies or services corruptly, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive or agree to receive for the employee or another person, any benefit or benefits from the person providing or soliciting the provision of such materials, supplies or services with the exception of items of a de minimus nature valued \$20 or less (such as vendor booth "freebies").

Section 7: HOURS OF SERVICE

Regular work hours for the Road Crew shall be 6:00 am to 2:30 p.m. Monday through Friday unless otherwise worked out with the Select Board, with 30 minutes unpaid time allowed for lunch.

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Regular work hours may be changed, and employees may be expected to work additional hours that may exceed forty hours in a given week, as circumstances require. All road crew employees are required to be available for work on an on-call basis, especially during the winter months. All Town employees are required to be available for work, unless on a previously scheduled and approved vacation, in the case of an emergency, weather related or otherwise.

All employees are expected to be in attendance during regular work hours. Employees who will be absent from work are expected to notify their supervisor in advance whenever possible. Employees who are calling in sick are expected to notify their supervisor as soon as possible.

Section 8: OUTSIDE EMPLOYMENT

The primary occupation of all full-time employees shall be with the Town. Employees may not engage in any outside business activities during their normal working hours. Employees are prohibited from undertaking outside employment that interferes with their job performance or constitutes a conflict of interest, as defined in Section 6 of this Policy.

A conflict of interest means a direct or indirect personal or financial interest of an employee, his or her close relative, household member, business associate, employer or employee. A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law, and sibling-in-law.

Section 9: NEPOTISM

The Town - in recognition of the potential for a conflict of interest to occur in the workplace where a close relative is responsible for supervising or evaluating the work performance of another close relative – prohibits the hiring or transferring of relatives, when doing so will result in a close relative supervising or evaluating another closer relative, or a close relative supervising or evaluating the immediate supervision of another close relative.

A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

Section 10: ALCOHOL AND DRUG USE

The Town intends to maintain a drug-free workplace and workforce. The use of alcohol or illegal drugs and the abuse of prescription drugs are not tolerated in the workplace or at work-related events.

As a Town employee, you are prohibited from working, or presenting yourself for work, while under the influence, or severe after-effects, of illegal drugs, controlled substances, and/or alcohol. This policy is designed to promote our goal of providing a safe, healthy, and productive work environment

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Prohibited Conduct:

The following actions are prohibited in the workplace, on municipal property, while using municipal equipment, or during any time period in which you are on municipality business:

- Possessing, consuming, or using illegal or controlled substances, as defined by federal, state, and local statutes. (Controlled substances may be taken pursuant to a properly issued prescription, provided the controlled substance is taken as and, in the amount, prescribed and so long as the medication does not adversely affect the employee's ability to perform the essential functions of his or her job).
- Distributing, transferring, displaying, transporting, selling, or possessing with the intent to distribute illegal or controlled substances.
- Possessing or using drug paraphernalia except when used for legal substances and in a legally prescribed manner.
- Being under the influence of illegal or controlled substances as demonstrated by actions and/or other evidence.
- Growing and/or manufacturing any illegal drug or controlled substance.
- Possessing or using alcohol.
- Being under the influence of alcohol.

The illegal use of prescription drugs is also prohibited. If an employee is legally taking prescription drugs that affect the employee's ability to safely perform any of the essential functions of his or her job, his or her supervisor or the Select Board will determine whether or not the employee should continue to perform his or her functions until concerns regarding safety can be addressed. Medical certification may be required.

The Town reserves the right to search and inspect all areas of the workplace and its premises for the purposed of maintaining a safe and healthy workplace.

Employees may be disciplined, up to and including termination, for violations of this policy. In addition to this policy, employees who operate commercial motor vehicles (CMVs) for the Town are also subject to the provisions of the Town's CMV Drug and Alcohol Policy.

Employees may be disciplined, up to and including termination for violations of this policy.

Commercial motor vehicle operators are required to read, sign off and abide by Town of Stockbridge Drug & Alcohol policy. See addendum D

Section 11: TOBACCO USE

In recognition of the hazards that tobacco poses to the health of employees, and in accordance with 18 V.S.A 1421 et seq. and 1741 et seq., the Town hereby prohibits employees' use of tobacco in any form, including electronic cigarettes, in all publicly owned buildings, offices and enclosed areas, designated smoke-free areas of Town property, and in all Town vehicles.

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Section 12: PERFORMANCE EVALUATIONS

Employees may be subject to job performance evaluations at such times and in such manner as the Select Board or Select Board's authorized representative deems reasonable. The results of such evaluations will be submitted to the employee, the employee's supervisor, the Select Board and will become a part of the employee's personnel file. Reviews are to be performed at beginning of each Calendar year and completed by the 31st of January. Applicable merit increases to begin the 1st of February.

Section 13: PERSONNEL RECORDS

Personnel records will be maintained for each employee of the Town. In accordance with Vermont's Public Records Law, any employee or the employee's designated representative may inspect or copy his or her personnel file at a mutually agreeable time during regular office hours. The Town reserves the right to have its representative present at the time its files are examined or copied.

Section 14: USE OF TOWN EQUIPMENT

Except as provided in Section 16, the use of Town equipment or property for personal use is strictly prohibited. Employees should have no expectation of privacy regarding anything stored in or on Town-owned property or Town-owned equipment, including but not limited to desk, filing cabinets, lockers, and vehicles. Employees should expect that such areas may be searched at any time to retrieve work-related materials or to investigate violations of workplace rules.

Section 15: USE OF TOWN COMPUTER SYSTEM

All electronic communications regarding Town business should be, to the furthest extent possible, conducted via official Town computer systems. The Town computer system is to be used by employees for the purpose of conducting Town business. Employees should have no expectation of privacy or confidentiality regarding anything created, sent or received on the Town computer system.

Employees may not introduce software from any outside source on the Town's computer system without explicit prior authorization from their supervisor. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce into the Town computer system. Employees who have a confidential password to access the Town's computer system should be aware that this does not mean the computer system is for personal confidential communication, nor does it suggest that the computer system is the property of that person. Transmission of electronic messages on the Town computer system shall be treated with the same degree of propriety, professionalism, and confidentiality as written correspondence.

Section 16: PUBLIC RECORDS

Any written or recorded information that is produced or acquired by a Town employee in the course of Town business is a public record, subject to Vermont's Public Records Law and may

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be covered by the State of Vermont's retention rules and disposition schedules for municipal records.

The use of a personal computer, device, or account does not prevent an otherwise public record from being subject to public inspection and copying. In the event that an employee uses their personal computer, device, or account to conduct Town business, the record created, sent, or received should be forwarded by the employee to the employee's Town computer system, or otherwise captured and retained as a Town record. All employees are required to respond in the manner prescribed by Vermont's Public Records Law regardless of where a Town public record may be stored. All employees must provide any Town public records stored in their personal computers, devices, or accounts that are responsive to a public records request.

Section 17: ELIGIBILITY FOR BENEFITS

The Town offers group insurance and other benefit programs to its eligible full-time employees; the Town provides legally required benefits, such as accrued paid leave, to those part-time employees who are eligible under state or federal law. SEE ADDENDUM C

The Town reserves the right to change insurance carriers, or to add, delete or amend insurance or other benefit programs in its sole discretion. The Town also reserves the right to change the amount or percentage of its contribution to the cost of any group health insurance program. Employees will be provided with advance notice of any change in the contribution rate.

Section 19: HOLIDAY LEAVE

Full- and part-time employees will receive the following paid holiday leave:

- New Year's Day (January 1)
- Town Meeting Day (1st Tuesday in March)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Veterans' Day (November 11)
- Thanksgiving Day (4th Thursday in November)
- Christmas Day (December 25)

Employees will receive 8 hours straight time for holiday pay, pro-rated for part-time employees who work less than an 8-hour day. Holiday leave that is worked by an employee will be included in calculating overtime for that employee. If an employee is required to work on a normal paid holiday, those hours can be utilized on a different date within the calendar year. Holiday pay cannot be carried over to the next year.

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Section 20: VACATION LEAVE

Vacation Accrual Schedule	
Years of service	# of weeks
0 - 4	2
5 - 9	3
10 and up	4

An employee may not take vacation during the employee's probationary period. Leave must be taken in a minimum of 8-hour increments. Employees are strongly encouraged to take an annual vacation. Requests for vacation must be pre-approved and should be submitted to the employee's supervisor as soon as possible but not less than 2 *weeks* in advance of the requested time off. If an employee does not use all of the employee's accrued vacation leave in a year, the employee may carry unused, accrued vacation leave forward to the next year up to a maximum of 5 vacation days. Any unused, accrued vacation leave that exceeds the amount carried forward will be forfeited. An employee who resigns from employment with the Town will be compensated for unused, accrued vacation leave, with the exception that any employee who terminates during their probationary period will not be entitled to compensation for any accrued vacation time.

Section 21: PERSONAL/SICK DAYS

There will be one personal day given per month, for a total of 12 per year. Personal/Sick days may not be accumulated from year to year. This leave is provided on a pro-rated basis to part-time or temporary employees who are age 18 or over, work at least 20 weeks per year, and average at least 18 hours per week, as calculated over the year.

Section 22: SHORT TERM FAMILY LEAVE

In accordance with 21 V.S.A. § 472a, eligible employees may be entitled to take unpaid leave not to exceed four hours in any thirty-day period and not to exceed twenty-four hours in any twelve-month period for the following purposes:

- To participate in preschool or school activities directly related to the academic educational advancement of the employee's child, stepchild, foster child, or ward who lives with the employee, such as a parent-teacher conference.
- To attend or accompany the employee's child, stepchild, foster child, or ward who lives with the employee or the employee's parent, spouse, or parent-in-law to routine medical or dental appointments.
- To accompany the employee's parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being; or
- To respond to a medical emergency of the employee's child, stepchild, foster child, or ward who lives with the employee or the employee's parent, spouse, or parent-in-law.

The Town may require that leave (including vacation and personal leave) be taken in a minimum of two-hour segments. At the option of the employee, accrued paid leave may be used. Before

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taking leave under this section an employee shall make a reasonable attempt to schedule appointments outside of regular work hours. An employee shall provide the Town with the earliest possible notice of the intent to take short term family leave, but in no case later than seven days before leave is to be taken, except in the case of an emergency where the required seven-day notice could have a significant adverse impact on the family member of the employee.

Section 23: CRIME VICTIM LEAVE

In accordance with 21 V.S.A. § 472c, eligible employees who are crime victims may be entitled to take unpaid leave for the following purpose of attending a deposition or court proceeding related to:

- a criminal proceeding when the employee has a legal right or obligation to appear at the proceeding.
- a relief from abuse, neglect, or exploitation hearing when the employee is the plaintiff
- hearings concerning an order against stalking or sexual assault when the employee seeks the order as plaintiff. A “crime victim” is a person who has:
 - obtained a relief from abuse order against a family or household member.
 - obtained a court order against stalking or sexual assault.
 - obtained a court order against abuse of a vulnerable adult; or
 - sustained physical, emotional, or financial injury as the direct result of the commission or attempted commission of a crime or act of delinquency and is identified as a crime victim in an affidavit filed by law enforcement official with a prosecuting attorney.

This also includes the victim’s child, foster child, parent, spouse, stepchild or ward of the victim who lives with the victim, or a parent of the victim’s spouse, provided that the individual is not identified in the affidavit as the defendant. At the option of the employee, accrued sick leave, vacation leave, or any other accrued paid leave may be used.

Section 24: MILITARY LEAVE

The Town will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4303 et seq., and 21 V.S.A. §§ 491 et seq. Employees who take military leave subject to the provisions of these laws will be granted leave without pay. At the option of the employee, any paid leave accrued prior to the commencement of the leave may be used.

Section 25: JURY LEAVE

The Town will not compensate employees for their service as jurors or witnesses when unrelated to their status as a Town employee. Jury leave to be worked out between the employee and his immediate Supervisor or the Select Board.

However, in accordance with 21 V.S.A. § 499, employees will otherwise be considered in the service of the Town for purposes of determining seniority, benefits, credit towards vacations, sick leave, and other rights, privileges, and benefits of employment. When Town employees are

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called to serve as a witness in a court proceeding due to their status as an employee of the Town, the Town will compensate the employee for the difference between their regular rate of pay and their compensation as a witness. The Town will pay the difference only when the employees' regular rate of pay exceeds their compensation as a witness.

Section 26: OVERTIME AND COMPENSATORY TIME OFF

In accordance with the federal Fair Labor Standards Act, the Town compensates nonexempt employees at the rate of one and one-half hours for each hour worked, in excess of forty hours in any workweek. Holidays do count as hours worked for purposes of calculating overtime when weather events require that the employee is called in to work. Sick time and vacation will not be counted as hours worked for the purpose of calculating overtime.

Section 30: EMPLOYMENT HARASSMENT AND DISCRIMINATION

The Town is committed in all areas to providing a work environment that is free from unlawful harassment and discrimination. Vermont and federal law prohibit employment discrimination or retaliation based on race, color, religion, sex, gender identity, marital status, national origin, age, pregnancy, genetic information, crime victim or veteran status, any other category of person protected under federal or state law, or against a qualified individual with a disability with respect to all employment practices.

Vermont law also prohibits discrimination based on sexual orientation, ancestry, HIV status, and place of birth. It is also unlawful to retaliate against employees or applicants who have alleged employment discrimination.

Petty slights, annoyances, and isolated incidents (unless serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Any employee who wishes to report harassment should file a complaint with any member of the Select Board.

A prompt, thorough and impartial investigation will be conducted, and confidentiality will be protected to the extent possible. If it is determined that unlawful harassment has occurred, the Town will take immediate and appropriate corrective action. No person will be adversely affected in employment with the Town as a result of bringing a complaint of unlawful harassment.

Complaints of harassment or retaliation may also be filed with the following agencies:

Civil Rights Unit Vermont Attorney General's Office 109 State Street Montpelier, VT 05609-1001

Tel: (802) 828-3657 (voice) (888) 745-9195 (Toll Free VT) (802) 828-3665 (TTY) Fax: (802) 828-2154 Email: ago.civilrights@vermont.gov Online: <http://ago.vermont.gov/about-the-attorney-generals-office/divisions/civil-rights/>

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Equal Employment Opportunity Commission JFK Federal Building 475 Government Center
Boston, MA 02203 Tel: 1 (800) 669-4000 (voice) 1 (800) 669-6820 (TTY) 1 (844) 234-5122
(ASL Video) Fax: 617-565-3196 Email: info@eeoc.gov Online: www.eeoc.gov

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe unlawful harassment occurred, they may take a case to court.

Section 31: SEXUAL HARASSMENT

Sexual harassment in the workplace is illegal under federal and Vermont law and is strictly prohibited. The Town is committed to providing a workplace free from this unlawful conduct. All employees have the right to work without being subjected to insulting, degrading or exploitative treatment on the basis of their gender. It is against the policies of the Town for any individual, male or female, to sexually harass another individual in the workplace. In accordance with 21 V.S.A. § 495h, the Town has adopted the following sexual harassment policy. All employees are required to read this policy before signing the employee acknowledgement form.

It is also unlawful to retaliate against employees for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Any individual who believes that she or he has been the target of sexual harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances. Examples of sexual harassment include, but are not limited to, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- submission to that conduct is made either explicitly or implicitly a term or condition of employment.
- submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Examples of sexual harassment include, but are not limited to, the following when such instances or behavior come within one of the above definitions:
 - either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors.
 - touching or grabbing a sexual part of an individual's body.
 - touching or grabbing any part of an individual's body after that party has indicated, or it is known, that such physical contact was unwelcome.
 - continuing to ask an individual to socialize on or off-duty when that person has indicated he/she is not interested.

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- displaying or transmitting sexually suggestive pictures, objects, cartoons or posters if it is known or should be known that the behavior is unwelcome.
- continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior.
- referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior.
- regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior.
- retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.).
- derogatory or provoking remarks about or relating to an employee's sex.
- harassing acts or behavior directed against a person on the basis of his or her sex.
- off-duty conduct which falls within the above definition and affects the work environment.

Employees who are found to have engaged in sexual harassment may face disciplinary action up to and including termination.

Any employee who wishes to report sexual harassment should file a complaint with any member of the Select Board.

A prompt, thorough and impartial investigation will be conducted, and confidentiality will be protected to the extent possible. If it is determined that unlawful harassment has occurred, the Town will take immediate and appropriate corrective action.

No person will be adversely affected in employment with the Town as a result of bringing a complaint of unlawful harassment. Complaints of sexual harassment or retaliation may also be filed with the following agencies:

Civil Rights Unit Vermont Attorney General's Office 109 State Street Montpelier, VT 05609-1001 Tel: (802) 828-3657 (voice) (888) 745-9195 (Toll Free VT) (802) 828-3665 (TTY) Fax: (802) 828-2154 Email: ago.civilrights@vermont.gov Online: <http://ago.vermont.gov/about-the-attorney-generals-office/divisions/civil-rights/>

Equal Employment Opportunity Commission JFK Federal Building 475 Government Center Boston, MA 02203 Tel: 1 (800) 669-4000 (voice) 1 (800) 669-6820 (TTY) 1 (844) 234-5122 (ASL Video) Fax: 617-565-3196 Email: info@eeoc.gov Online: www.eeoc.gov

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe sexual harassment occurred, they may take a case to court

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Section 32: EMPLOYEE DISCIPLINE

The Town of Stockbridge has adopted a progressive discipline process to identify and address employee and employment-related problems.

The Town's progressive discipline process applies to any and all employee conduct that the Town in its sole discretion, determines must be addressed by discipline. Under the Town's progressive discipline process, an employee may be subject to disciplinary action, up to and including termination, for violation of the provisions of this personnel policy and/or failure to maintain an acceptable level of performance.

The Town may take prior disciplinary action into consideration when disciplining or terminating an employee. Violations of different rules may be treated as repeated violations of the same rule for purposes of progressive discipline. Most often, employee conduct that warrants discipline results from unacceptable behavior, poor performance, or violation of the Town's policies, practices, or procedures. However, discipline may be issued for conduct that falls outside of those identified areas.

The Town also reserves the right to impose discipline for off-duty conduct that adversely impacts the legitimate interests of the Town.

The Town reserves the right in its sole discretion to bypass progressive discipline and to take whatever action it deems necessary to address the issue at hand. This means that more or less severe discipline, up to and including termination, may be imposed in a given situation at the Town's sole discretion.

The Town also retains the right to unilaterally eliminate positions or reduce the work hours of a position or positions due to economic conditions, shortage of work, organizational efficiency, changes in departmental functions, and/or reorganization or reclassification of positions resulting in the elimination of a position or for other related reasons.

The Town will normally adhere to the following progressive disciplinary process but reserves the right to bypass any or all steps of progressive discipline when it determines, in its sole discretion, that deviation from the process is warranted: (1) verbal warning; (2) written warning; (3) suspension (with or without pay); and (4) termination.

Employees are prohibited from engaging in conduct listed below and may receive discipline, up to and including termination, for doing so. This list has been established to provide examples of behavior that could warrant a range of disciplinary sanctions. Appropriate levels of discipline may be based on the severity of employee conduct. This list is not exhaustive.

- Engaging in any illegal activity.
- Refusing to do assigned work or failing to carry out the reasonable assignments of a supervisor.
- Being inattentive to duty, including sleeping on the job.
- Falsifying a timecard or other record or giving false information to anyone whose duty is to make such record.

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- Being repeatedly or continuously absent or late, being absent without notice or satisfactory reason or leaving one's work assignment without appropriate authorization.
- Conducting oneself in any manner that is offensive, abusive or contrary to reasonable community standards and expectations of public employees.
- Engaging in any form of harassment including sexual harassment.
- Misusing, misappropriating, or willfully neglecting Town property, funds, materials, equipment or supplies.
- Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty.
- Fighting, engaging in horseplay, or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence.
- Stealing or possessing without authority any equipment, tools, materials, or other property of the Town or attempting to remove them from the premises without approval or permission from the appropriate authority.
- Marking or defacing walls, fixtures, equipment, tools, materials or other Town property, or willfully damaging or destroying property in any way.
- Failure to search for or disclose public records upon request.
- Willful violation of Town rules or policies.

Section 33: EMPLOYEE TERMINATION PROCESS

The Town of Stockbridge has adopted an employment termination process. Most often, employee conduct that warrants termination results from unacceptable behavior, poor performance, or violation of the Town's policies, practices, or procedures. However, termination may result from conduct that falls outside of those identified areas.

The Town need not utilize this termination process but may take whatever action it deems necessary to address the issue at hand. The Town also retains the right to unilaterally eliminate a position and thus terminate employment or reduce the work hours for some or all employees due to economic conditions, shortage of work, organizational efficiency, changes in departmental functions, and/or reorganization or reclassification of positions resulting in the elimination of a position or for other related reasons. In such case, this termination process does not apply.

Probationary employees are not subject to the Town's termination process. Notwithstanding any other provision of this policy, an employee terminated during the probationary period will have no right to appeal such termination.

An employee being considered for termination will be provided with written notice. The notice will contain a brief statement of the reasons termination is being considered and the date, time, and place of a pre-termination meeting with the employee's supervisor.

At the pre-termination meeting, the employee will be afforded an opportunity to present the employee's response to the reasons for termination. If the employee declines to attend the pre-termination meeting, the employee may submit a written response to the pre-termination notice not later than the scheduled date of the meeting.

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Within seven calendar days of the date of the meeting, the supervisor will provide the employee with a written notice informing the employee whether he/she has been terminated.

If the employee has been terminated, the notice will provide the general reasons therefore and will also inform the employee of the opportunity to request a post-termination hearing before the Select Board by giving written notice of such request to the supervisor within seven days.

The employee will be informed that the employee's failure to make a timely request for a post-termination hearing will result in such hearing being waived. If a request for a post-termination hearing is made, the Select Board will provide the employee with a notice informing the employee of the date, time, and place of the post-termination hearing before the Select Board.

The notice will inform the employee of his or her right to be represented by counsel, to present and cross-examine witnesses and to offer supporting documents and evidence. At the post-termination hearing, the employee will be afforded the opportunity to address the basis for termination by hearing and examining the evidence presented against the employee, cross-examining witnesses, and presenting evidence on the employee's behalf.

The Select Board will make such determinations as may be necessary in the event of evidentiary objections or disputes. When the hearing is adjourned, the Select Board, under the authority granted by 1 V.S.A. § 312(e), will consider the evidence presented in the hearing in deliberative session. The Select Board will render a written decision within fourteen days after close of the hearing, unless otherwise agreed upon by the parties.

Section 34: SEVERABILITY

If any provision of this personnel policy or the application hereof to any person or a circumstance(s) is held invalid, this invalidity does not affect other provisions or applications of the personnel rules which can be given effect without the invalid provision or application. For this purpose, this personnel policy is severable.

ADOPTED this ____ day of _____, 20____.

SIGNATURES of SELECTBOARD: _____

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Addendum A:

Town of Stockbridge, VT

Personnel Acknowledgement

I, _____, acknowledge that:

A. I received a copy of the Town's personnel policy on _____ and it is my responsibility to familiarize myself with its contents.

B. I understand that it is my responsibility to ask questions if there is anything in the policy that I do not understand.

C. I understand that the language used in this personnel policy is not intended to create, nor should it be construed to create, a contract of employment between myself and the Town.

D. I understand that this policy replaces any and all prior versions and that the Town reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice.

_____	_____
Employee's Signature	Date

Town of Stockbridge Personnel Policy

Addendum B:

Town of Stockbridge, VT

Sexual Harassment Policy Acknowledgement

Sexual harassment in the workplace is illegal under federal and Vermont law and is strictly prohibited. The Town is committed to providing a workplace free from this unlawful conduct. All employees have the right to work without being subjected to insulting, degrading or exploitative treatment on the basis of their gender. It is against the policies of the Town for any individual, male or female, to sexually harass another individual in the workplace. In accordance with 21 V.S.A. § 495h, the Town has adopted the following sexual harassment policy.

All employees are required to read this policy before signing the employee acknowledgement form.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances. Examples of sexual harassment include, but are not limited to, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- submission to that conduct is made either explicitly or implicitly a term or condition of employment.
- submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Examples of sexual harassment include, but are not limited to, the following when such instances or behavior come within one of the above definitions:
- either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors.
- touching or grabbing a sexual part of an individual's body.
- touching or grabbing any part of an individual's body after that party has indicated, or it is known, that such physical contact was unwelcome.
- continuing to ask an individual to socialize on or off-duty when that person has indicated he/she is not interested.
- displaying or transmitting sexually suggestive pictures, objects, cartoons or posters if it is known or should be known that the behavior is unwelcome.
- continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior.
- referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior.
- regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior.

Town of Stockbridge Personnel Policy

- retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.).
- derogatory or provoking remarks about or relating to an employee's sex.
- harassing acts or behavior directed against a person on the basis of his or her sex.
- off-duty conduct which falls within the above definition and affects the work environment.

I, _____ understand that this policy replaces any and all prior versions and that the Town reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice;

Employee's Signature

Date

Town of Stockbridge Personnel Policy

Addendum C:

Town of Stockbridge, VT

Benefits

These are benefits given to full time employees:

Benefit	Description	Employer Contribution
Medical Insurance (including prescription coverage)	Blue Cross Blue Shield of Vermont Standard Gold Plan	75% all levels 25% Employee
Life Insurance	10,000 up to age 65 then a reduction of 35%	100%
Disability Insurance	Core short- and long-term benefit provides 60% of monthly salary	100%
Retirement Plan	Vermont Municipal Employee Retirement System (VMERS) Plan B (State Mandated Employee Participation)	<ul style="list-style-type: none">• 6% of Salary by Employer• 5.375% of Salary by Employee

Details on VMERS Plan B

<https://www.vermonttreasurer.gov/content/retirement/vmers-group-plan#Introduction>