



TOWN OF NEW FAIRFIELD

EMPLOYEE MANUAL

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NOTICE AND ACKNOWLEDGEMENT

PLEASE BE ADVISED:

NOTHING CONTAINED IN THIS EMPLOYEE MANUAL OR ATTACHED POLICIES IS INTENDED TO IMPLY OR ESTABLISH IN ANY WAY A CONTRACT OF EMPLOYMENT BETWEEN YOU AND THE TOWN OF NEW FAIRFIELD. YOUR EMPLOYMENT WITH THE TOWN OF NEW FAIRFIELD IS AT WILL AND YOU MAY BE TERMINATED AT ANY TIME FOR ANY REASON, UNLESS OTHERWISE STATED IN A SPECIFIC WRITTEN EMPLOYMENT AGREEMENT OR COLLECTIVE BARGAINING AGREEMENT. ANY ORAL STATEMENTS OR REPRESENTATIONS MADE TO YOU BY ANY EMPLOYEE OF THE TOWN THAT MAY CONFLICT WITH THIS ARE UNAUTHORIZED AND SHOULD NOT BE RELIED UPON BY YOU.

THE TOWN OF NEW FAIRFIELD FURTHER RESERVES THE RIGHT TO CHANGE OR MODIFY THE POLICIES CONTAINED IN THIS MANUAL. WHILE IT IS THE INTENTION OF THE TOWN TO MAINTAIN THESE POLICIES IN THE FUTURE, SUCH POLICIES MAY BE REVISED, CHANGED OR AMENDED AND IT IS YOUR RESPONSIBILITY TO FOLLOW SUCH CHANGES SHOULD THEY OCCUR.

IT IS YOUR RESPONSIBILITY TO REVIEW THE CONTENTS OF THIS MANUAL AND THE ATTACHED TOWN POLICIES. BY SIGNING THIS NOTICE AND ACKNOWLEDGEMENT, YOU ARE HEREBY STATING THAT YOU SHALL READ THESE DOCUMENTS AND ADHERE TO THE TOWN'S MANUAL AND POLICIES.

EMPLOYEE SIGNATURE

Date

EMPLOYEE RELATIONS OBJECTIVES

Our Objectives

The Town strives to maintain favorable employee relations. Our employee relation's objectives are to:

1. Operate an economically successful Town government that maintains a level of quality work.
2. Manage our workforce in accordance with legal and contractual requirements while optimizing employee performance.
3. Provide fair and competitive employee compensation, wages, and benefits consistent with the Town's ability to pay.
4. Provide employees an opportunity for their job-related concerns to be heard and responded to by the Town.
5. Respect individual and collective legal rights, and maintain mutual respect in our working relationship.
6. Provide pleasant and safe working conditions.
7. Provide career opportunity when practical and in the interest of both the employee and the Town.

Your Objectives

The jobs at the Town of New Fairfield exist to improve the environment of the Town and provide quality services to its residents. As a member of our team, during your work hours you are expected to contribute all your talents and energies toward performing your job. You are responsible for knowing your own duties and how to perform them properly, promptly, correctly and efficiently. You are expected to cooperate with management, your fellow employees, and maintain a good team attitude. How you interact with fellow employees, those whom New Fairfield serves, and how you accept direction affects the success of your department. In turn, the performance of one department impacts the service offered by the Town to its residents. Consequently, whatever your position, you should perform every task to the very best of your ability. The result will improve the performance of the Town and bring personal satisfaction to you.

At-Will Employment

As an employee of the Town, you are considered to be an at-will employee, unless you are covered by a specific written employment contract or collective bargaining agreement that designates that your employment with the Town may only be terminated for cause. "At-will" employees may resign from the Town at any time, for any reason, and may be terminated by the Town at any time, with or without notice, for any reason, with or without cause. No employee,

manager or representative of the Town, other than a properly designated official has authority to enter into any contractual agreement for employment for any specified period of time or to make any agreement or contract of continued employment or any contract relating to any other terms of employment.

Equal Employment Opportunity

The Town of New Fairfield provides equal employment opportunities for all its employees and applicants for employment. This policy means that all employment decisions are made without regard to the race, color, religion, creed, national origin, ancestry, sex, sexual orientation, marital status, age, physical or mental disability, genetic predisposition or carrier status, pregnancy, gender identity or expression, military membership, veteran status or any other protected class of any applicant or employee. Employment decisions include, but are not limited to recruitment, hiring, promotion, transfer, compensation, benefits, training, layoff, and termination. The Town complies with applicable laws or contracts prohibiting discriminatory employment practices based on political belief and expression.

We hire people based on their qualifications for the position being filled by virtue of job related standards of suitability such as education, training and/or experience. Our promotional decisions are based upon an employee's performance and qualifications as they relate to the new job responsibilities and any applicable contractual obligations.

Employment Classifications

The Town classifies employees as "exempt" or "non-exempt" and employs them on a "full-time," "part-time," "temporary" or "seasonal" basis. In addition, employees are subject to probationary status upon initial hire or promotion. As an employee of the Town, you will be on a probationary status for the first 180 days of your employment or promotion, unless otherwise stated in a specific written employment contract or collective bargaining agreement. All employees are subject to the Town's policies and procedures

The level of benefits varies with your employment status as detailed in the Compensation and Benefits section of the Manual and/or applicable collective bargaining agreement. If you do not know your employment classification, you should ask your supervisor or a representative of the Human Resources Department.

Exempt/Non-Exempt Classification

Non-exempt employees are those employees who are covered by all provisions of the Fair Labor Standards Act and applicable state law, concerning the payment of wages to non-exempt or hourly-paid employees. Employees in this category may qualify for overtime pay.

Exempt employees are exempt from the minimum wage and overtime pay provisions of the Fair Labor Standards Act and applicable state law. Exempt employees do not receive overtime pay because their salaries reflect compensation for all work performed in a pay period. You cannot change your exempt/nonexempt status simply by working more or less hours. Rather, your status depends upon the classification of your job.

Full-time/Part-time Status

"Full-time employees" are those who are regularly scheduled to work thirty (30) or more hours per week. "Part-time employees" are those who are regularly scheduled to work less than thirty (30) hours per week.

Temporary and Seasonal Employees

"Temporary employees" are those whose services are intended to be of limited duration for a specific reason such as filling in for employee absence or completing a particular project. Temporary employees may be assigned to work full or part-time during their temporary or seasonal employment. Regardless of whether these employees work full time or part time, they are still considered "temporary" and not "full-time employees for the purposes of benefits described in this manual.

Temporary employees who, work during a specific season of the year or duration, such as those who staff summer programs or plow snow are "seasonal employees."

Probation

During the initial 180 day period of employment or upon entering a new job, an employee shall be placed on probationary status. Probationary status may impact the provisions of benefits, the standards for discipline and/or other terms or conditions of employment as determined by Town policy or contract terms. Completion of your probationary period does not negate or otherwise impact an employee's at-will employment relationship with the Town.

Personnel Information

All new employees must furnish evidence of eligibility for employment in the United States before they start work. This documentation includes the following:

- Your Social Security number; and/or
- A completed I-9 Form requiring the production of your Social Security card, birth record (date) or United States passport, a picture identification card such as a driver's license, or other appropriate evidence.

Driving Information

To meet the requirements of their jobs, employees whose work requires operation of a motor vehicle must present and/or submit copies of a valid driver's license and acceptable driving record. Such workers cannot begin work with the Town until this information is verified by and/or is on file with the Town. After commencing employment, these workers are expected to keep this information current and to submit notice and/or copies of any changes or renewals. Such employees may not be permitted to perform their jobs if they fail to provide such information initially on being hired or if they fail to keep such information current.

Personnel Files

For emergency, compensation, and benefit purposes, the Town keeps records with employees' addresses, telephone numbers, tax withholding information, emergency contact information, discipline and similar information. The Town also keeps a record of each employee's employment activities, including but not limited to the employee's job application and/or resume, employment history, time-worked and paid record. After you begin work, it is your

responsibility to notify the Town of any recent changes to the personal information that the Town keeps on record. We will treat personal information confidential to the extent allowed by law. As an employee of the Town, certain information in your personnel file may be subject to disclosure in accordance with Connecticut's Freedom of Information Act. You should have no expectation of privacy for information that is contained in records subject to the Freedom of Information Act. All personnel files are maintained in the Human Resources Department. You have a right to know what is in your personnel file and upon written request may inspect it during regular business hours in the presence of a designated Town employee.

Bonding Requirement

Under certain circumstances, the Town may require that you be bonded. When this is the case, it is your responsibility to assure that you are bondable. Failure to meet this requirement when necessary is grounds for immediate dismissal.

Health Examinations

Depending upon your position, your initial employment may be contingent upon taking and passing a physical examination and/or screening for illegal drugs. Moreover, depending upon the job or what occurs during your employment, you may be asked to take additional or periodic medical exams or drug screenings. Arrangements for medical examinations are made through the Human Resources Department. Examinations for employment purposes are generally conducted at Corporate Health Care at the Town's expense.

Hours of Work

Town Hall's normal operating hours are 8:30 a.m.-5:00 p.m., Monday through Thursday and 8:30 a.m.-12:00 p.m. on Fridays. The work times of other Town Departments may be different. In addition, your job position may require a different work schedule. Your work times and the scheduling of your lunch period will be determined and assigned by your supervisor according to business needs or contractual requirements.

Resignation

While we hope both you and the Town will mutually benefit from your continued employment, we realize that it may become necessary for you to leave your job with the Town. If you anticipate having to resign your position with the Town, we request that you notify your supervisor, in writing, at least two (2) weeks in advance of the date that you intend to leave.

EMPLOYEE CONDUCT

Rules of Conduct

The Town's "Work Rules" are important for you to know. They are listed in the back of this Manual. There may be additional work rules that apply specifically to your department. You are expected to know and follow all work rules that pertain to your job. Violation of any of these work rules is grounds for discipline, including dismissal.

Sexual and Other Harassment

The Town of New Fairfield will not tolerate the harassment of any employee, applicant for employment, visitor, or customer based on sex. Sexual harassment includes unwelcome sexual advances, request for sexual favors, and other verbal, physical, or non-physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment;
- Submission to, or rejection of such conduct by an individual is used as a basis for an employment decision affecting that individual, or for the awarding or withholding of favorable employment opportunity, evaluation, or assistance; or
- Such conduct has the purpose or effect of substantially or unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, or offensive environment in which to work.

Sexual harassment is occurring when a supervisor or another employee threatens or insinuates either explicitly or implicitly that another employee or applicant's refusal to submit to sexual advances will adversely affect that person's employment, work status, evaluation, wages, advancement, assigned duties shifts or any other condition of employment. Similarly, an employee's promise, implication, or grant of preferential treatment in connection with another employee or applicant engaging in sexual conduct constitutes sexual harassment.

Sexual harassment includes a wide range of behaviors - from pressure or request for sexual activities; to unwelcome comments, jokes, innuendo, and other sexually oriented statements; to verbal abuse of a sexual nature. Unwelcome sexual flirtations and advances, offensive touching of an individual, graphic or verbal commentaries about an individual's body, sexually degrading words used to describe an individual, and displays in the work place of sexually suggestive objects or pictures are some of the additional behaviors that constitute sexual harassment. Sexual harassment may be subtle and even unintentional. It may be directed towards members of the opposite or same sex.

This policy prohibits sexual harassment by Town officials, employees, and supervisors at all levels in our organization. It also prohibits such conduct whether engaged in by a citizen or other non-employee who is on Town premises or who comes in contact with employees engaged in Town business.

Supervisors, employees and others in position of authority should be sensitive to the questions about mutuality of consent that may be raised, and to the conflicts of interest that may exist in personal relationships in the workplace.

In addition, we will not tolerate harassment in the workplace based on a person's race, color, religion, creed, national origin, ancestry, sexual orientation, marital status, age, physical or mental disability, genetic predisposition or carrier status, veteran status, or for any other unlawful reason. Sexual or other harassment on any job site or in our offices is a violation of Town policy and is prohibited by law.

All employees are responsible for helping to assure that we avoid harassment in the workplace. If you feel you have experienced or witnessed harassment in connection with your employment, you should bring the matter to the immediate attention of the Human Resources Director or the First Selectman. Every effort will be made to promptly investigate the complaint in as confidential a manner as practical and to take appropriate corrective action when warranted. Any employee who is determined after an investigation to have engaged in harassment in violation of this policy will be subject to disciplinary action, up to and including discharge.

Retaliation against an employee because he/she has reported harassment is a violation of Town policy, and state and federal law. Such retaliation is a form of harassment and will be handled in the same manner as other forms of harassment.

Integrity and Confidentiality

As a municipal employer, the Town must have the full confidence of its residents, government regulators and officials, others with whom the Town does business, and its own employees. To gain and preserve this confidence, you should be guided by what is good for the Town's operation and reputation within the community.

Conflict of Interest

You should not permit personal interest to conflict, or even to appear to conflict, with your Town duties. In particular, you may not benefit personally from the Town's dealings with others. You may not serve interests that directly conflict with the Town's interests. And, no outside activities may interfere with your job performance for the Town. You are encouraged to discuss with your supervisor all possible conflicts or appearances of conflict. Your engagement in conflicts of interests may result in the immediate termination of your employment.

Confidentiality of Town Matters

You are not permitted to discuss confidential Town matters with other employees or with those who do not work for the Town, except as required to fulfill your job responsibilities or legal obligations. This means that when such discussion is necessary, you should take precautions to ensure that the only individuals involved are those who have a business reason to know and that such discussion takes place in private so it is not overheard by others. Even casual remarks can be misinterpreted and repeated. You should apply these principals to all confidential oral, written, and electronic communications.

Records and Other Information

You are not permitted to remove, make copies of or otherwise disclose any Town files, records, or information without prior supervisory approval. This includes, but is not limited to, personnel information, information about residents, and or any other of the Town's business information.

Consequence of Violations

Violations of this policy are grounds for immediate dismissal from the Town and may also provide basis for legal action against you.

Computer and Internet Use

Computers, computer files, the e-mail system, software furnished to employees and other pieces of the Town's computer network are Town property intended for Town business. It is imperative that only authorized employees use or access the Town's computer resources and all users abide by the Town's Computer and Internet Use Policy. Moreover, you should not use the Town's computers to conduct personal business. To ensure compliance with this policy, you are hereby notified that your computer, internet and e-mail usage may be monitored. Employees who violate the policy may lose the privilege to use the Town's computer resources and/or may be subject to disciplinary action, up to and including termination of employment. A copy of the Town's detailed Computer & Internet Use Policy may be found in the back of this manual.

Telephone Use

Telephone Calls

We recognize your need to be able to communicate efficiently with fellow employees, customers and vendors. Therefore, it is important to keep our telephone lines free for business calls. Although the occasional use of the Town's telephone for personal emergency may be necessary, routine personal calls should be kept at a minimum.

In addition, we recognize that it may be necessary for you to use your personal cell phone at times in order to address personal business and emergencies. However, the use of personal cell phones at work, whether by conversation or text messages or other social media usage, should be kept to a minimum. The excessive use of your cell phone for personal business is prohibited.

Long distance personal telephone calls should not be billed to the Town. If you must make a long distance personal call while at work, please use your personal cell phone, one of the or use a phone card or have the charges put on your home telephone bill. Please keep long distance business calls as brief as possible. They should be no longer than necessary to complete the business at hand.

The Town reviews all long distance telephone bills. You may be asked to explain any questionable charges. All employees will be responsible to reimburse the Town for any personal long distance charges.

Voice Mail

The Town's voice mail system is intended for business use only. The use of the Town's voice mail system for personal communications should be kept to a minimum. All non-job-related solicitations including, but not limited to, religious or political causes, are strictly prohibited unless the solicitation is for a Town or Board sponsored activity or purpose. Employees are also prohibited from conveying, receiving or transmitting sexually explicit messages, ethnic slurs, racial epithets or other expression that could be construed as harassment or disparaging of others.

Passwords are not intended for private communications and are issued to employees for security purposes. All voice mail passwords must be made available to Department Heads and Administrators at all times. Please notify your supervisor if you need to change your password for any reason.

Monitoring

For business purposes, management reserves the right to enter, search and or monitor all employee use of the Town's telephone and voice mail systems without advance notice as long as the monitoring is consistent with applicable state and federal laws. You should not expect privacy when using our telephone equipment, whether the use is for business or personal reasons.

Violation of Policy

Violation of this manual or the Town's policy or any abuse of the Town's telephone equipment or system may result in disciplinary action, up to and including discharge.

Any questions you have about this policy or the use of telephones may be directed to your Department Head or the Director of Human Resources.

Drug and Alcohol Use

The Town is committed to maintaining a drug-free, healthy and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Town premises or while conducting Town-related activities off Town premises, no employee may possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and safely in a manner that does not present an unreasonable risk of danger to you or others in the workplace. Any prescribed and over the counter medications must be contained in a properly labeled container.

Employees are expected to comply with the Town's Alcohol & Controlled Substance Testing Policy and related Rules of Conduct. A copy of this Policy, which incorporates the rules of conduct is included in the back of this manual and may also be obtained from the Town's Human Resources Director. Violations of this policy may lead to disciplinary action, including termination of employment. Employees with problems or concerns about substance dependency or abuse are encouraged to use the Town's Employee Assistance Program. Information about the Employee Assistance Program is available from your supervisor or the Director of Human Resources.

Employees, except for those who are probationary employees, with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Unless contractually provided otherwise, the provisions in the Town's Alcohol & Controlled Substance Testing Policy (section entitled Leave of Absence Prior to Testing) apply to such leave.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should contact their supervisor or the Director of Human Resources without fear of reprisal.

Workplace Violence

Violence of any kind will not be tolerated in the workplace and is grounds for immediate dismissal. Fighting, physical or verbal assault or any conduct that endangers or threatens you

and/or any other individual, or harms property, equipment or vehicles is strictly prohibited. Possessing or bringing to the workplace any weapon, firearm, dangerous instrument, or other instrument that could be used to threaten and/or assault another is considered grounds for immediate dismissal.

If you should witness or otherwise be suspicious or become aware of an act of violence or potential violence, immediately notify the Human Resources Director or the First Selectman. An employee will not be penalized for making a false report provided he/she acted in good faith.

Personal Appearance

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the image the Town presents to its residents, visitors and others. During work time, you are expected to present a clean, neat appearance and to be dressed in attire suitable to your job duties.

Your supervisor is responsible for enforcing a reasonable dress code appropriate to your job. Appropriate dress includes collared shirts, sweaters, khaki or dress slacks, dresses, skirts, suits or jackets. Jeans are acceptable as long as appearance is neat and clean. Fieldwork may necessitate jeans and work boots, and other work, such as that performed by Public Works employees, may require uniforms. When necessary, reasonable accommodation may be made to a person with a disability. The following attire is unacceptable at the workplace at all times: clothes conveying vulgarity, obscenity, hate or violence; cropped, tube, halter or spaghetti strap tops; and tight, sheer or low-cut clothing.

If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you may not be paid for the time away from work. Repeated inappropriate appearance or an initial egregious act may be grounds for further discipline, up to and including termination of employment.

Employee Discipline

As previously stated, all non-contractual Town employees are employees at-will which means they may be terminated at any time for any reason with or without notice. However, the Town has established disciplinary guidelines for non-contractual at-will employees to promote fairness and consistency and will endeavor to follow these guidelines except in circumstances when management deems it appropriate to act otherwise or the employee is a probationary employee. These guidelines set forth below do not in any way create a contract or imply any rights to an employee inconsistent with their at-will employment status.

As a guide, the following behaviors or performance problems may warrant immediate severe disciplinary action, depending upon the situation, including but not limited to written warning, suspension, demotion, or termination with or without prior notice. These instances should be considered a guide only and not an exhaustive list of all behaviors that may lead to discipline, up to and including termination. The examples of misconduct and nonperformance that fits this category are listed below.

- Theft or other dishonesty;

- Gambling;
- Possessing or bringing on Town premises any weapon of any kind, such as a firearm or dangerous instrument including but not limited to electronic devices and martial-arts weapons, knives, firearms and chemical or pepper sprays;
- Unacceptable conduct, such as failure to follow workplace rules of conduct, policies or procedures;
- Willful or negligent destruction of Town property;
- Improper use of Town equipment and vehicles;
- Fighting or threatening conduct or other conduct endangering other employees, customers, property, equipment, or vehicles;
- Insubordination or failure to accept or follow management's directions;
- Falsification of records or reports whether written or oral, including but not limited to false or misleading information in any application, time record, customer record, incident report, interview for employment, or in response to any employment related inquiry during the course of your employment;
- Failure to meet the requirements of your job;
- Excessive absenteeism or tardiness, failure to call in regarding absenteeism or tardiness, or false reports of absenteeism or tardiness;
- Possession, consumption or being under the influence of any alcoholic or intoxicating beverage or any narcotic or other similarly inhibiting or incapacitating substance, except prescribed medications that do not impact the ability to safely perform job functions;
- Leaving a job site during the work day without the permission of management;
- Sexual or other harassment;
- Abuse or unprofessional treatment of other employees, customers or visitors;
- Inappropriate or unauthorized use of the Town's internet or email;
- Violation of any Town policy and Other conduct not specifically referenced herein that warrants discipline

If you have been disciplined and have a complaint concerning that discipline, you should discuss it informally with your supervisor and/or department head. Formal complaints may be filed in accordance with the Town's complaint procedure discussed below. Complaints that are reasonably made in a timely fashion will be listened to, investigated and promptly responded to.

Violations of Policies

You are expected to abide by the policies, rules, and practices described in this Manual and any additional rules, practices and procedures prescribed by your department or added at the back of the Manual. Failure to do so will subject you to discipline up to and including dismissal.

HEALTH AND SAFETY

Safety Rules

The Town is committed to providing you a safe workplace. Safety is everyone's business and responsibility. Safety is to be given primary importance in every aspect of planning and performing Town activities.

Some general safety rules are listed below:

- Avoid overloading electrical outlets with too many appliances or machines.
- Use caution when using flammable items, such as cleaning fluids.
- Report to your supervisor if you or a co-worker becomes ill or injured.
- Ask for assistance when lifting heavy objects or moving heavy furniture.
- Keep cabinet file, and desk drawers closed when not in use. Lock when appropriate.
- Wear or use appropriate safety clothing and equipment as required in your work. Keep your work area clean and orderly, and the aisles clear.
- Operate motorized equipment only if authorized by your immediate supervisor.

Your department may inform you of additional safety procedures in your work area. Remember that failure to adhere to any safety rule is a serious infraction and will subject you to disciplinary action.

Reporting Responsibilities

Federal and State laws require that the Town keep records of all illnesses and accidents that occur during the workday. The Connecticut State Workers' Compensation Act also requires that you report any illness or injury on the job, no matter how slight. If you incur a work-related injury, please contact your supervisor as soon as practical. If you fail to report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits. You are also responsible for reporting any equipment, tool or other item that is defective worn, is otherwise in need of repair, or presents a safety hazard.

Arrangements have been made with Corporate Health Care to provide medical assistance to Town employees when needed. In emergency situations or when Corporate Health Care is closed, you may report to Danbury Hospital Emergency Room or other health care center or provider.

The Town complies with all applicable requirements of the Occupational Safety and Health Administration Act, including your right to know about any health hazards that might be present on the job. Should you have any questions or concerns about health and safety matters, please contact your supervisor or a representative of the Human Resources Department

Exposure Control Plan

The Town implements an Exposure Control Plan as required by federal law to help protect employees and the people they serve from blood borne pathogens. This plan also provides guidelines to reduce risk from the transmission of other communicable diseases. A copy of this Plan may be obtained from the Human Resources Department upon request.

Security

Maintaining the security of Town buildings, records; and vehicles is every employee's responsibility. We expect you to apply common sense to ensure security during your daily work routine. For instance:

- Always keep cash properly secured.
- Know the location of all alarms, fire extinguishers, and familiarize yourself with the proper procedure for using them.
- Lock up all appropriate paperwork/documentation.

COMPENSATION AND BENEFITS

Compensation

Employees are generally paid on a weekly basis with paychecks distributed on Friday mornings. Such employees receive his/her initial payment one pay period (not more than eight days) after the completion of his/her first week of work and weekly thereafter.

The government requires that the Town deduct from an employee's pay, applicable federal, state and local income and social security taxes. Deductions are made according to standard government tables and vary according to your earnings, marital status, address, and number of dependents. If you change this personal information during your employment with the Town, please notify the Human Resources Department. Voluntary deductions beyond those required by law, may be made at the Town's discretion with written authorization of the employee for programs and benefits offered by the Town.

Eligibility for Benefits

Employees covered by a collective bargaining agreement or employment contract are entitled only to the Employee Benefits prescribed in their agreements or required by law. Non-contractual at will employees are entitled to the benefits described below subject to eligibility requirements and depending upon their employment status as follows:

- Full-time employees, receive the full range of benefits described below when eligible and those otherwise required by law.
- Part-time employees receive only those benefits that are required by federal, state or local law and the following additional Town-provided benefits: Credit Union Membership and use of the Employee Assistance Program.
- Temporary seasonal employees receive only those benefits that are required by federal or state law, such as Worker's Compensation, Unemployment Compensation, Jury and Military Leave, and Family and Medical Leave when eligible. They receive no other benefits as outlined below.

Time Away from Work

Unpaid Leave of Absence

Occasionally, for medical, disability or personal reasons, you may desire a temporary release from the duties of your job with the Town. Depending upon your circumstances and the Town's needs, you may be granted an unpaid leave of absence for up to one (1) year. This leave is inclusive of FMLA leave, unless otherwise provided by contract.

You must apply in writing to the Human Resources Department for an unpaid leave of absence, indicating the reason for the leave, the date on which you wish the leave to begin, and the date on which you anticipate returning to active employment with the Town. Submit your request in writing to your supervisor, who will bring your request before the appropriate members of management or Boards. The Human Resources Director will advise you of any other conditions that you must satisfy with respect to such leave and unused paid leave will run concurrently with this unpaid leave of absence and benefits will not accrue during the unpaid leave, unless otherwise specified by contract.

The decision as to whether to grant such request lies solely within the discretion of the Town and nothing stated herein should be construed to guarantee any such leave upon application.

Family and Medical Leave

The Town provides unpaid family and medical leaves of absence to employees who meet the eligibility requirements for the following family and medical reasons:

- To care for his/her child after birth, placement for adoption or foster care.
- To care for his/her child, spouse, or parent who has a serious health condition;
- When a serious health condition makes the employee unable to do his/her job; or
- Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty status).

In most cases, this leave, if provided, runs concurrently with earned paid leave.

In granting and administering such leaves, we apply the definitions and regulations of the Federal Family Medical Leave Act of 1993 (FMLA) as well as the provisions within the Connecticut Fair Employment Practices Act (CFEPA) with respect to pregnancy related disability leave. A copy of our detailed policy is contained in the back of this manual. You may consult with a representative from the Human Resources Department to determine how the guidelines and restrictions apply to your specific circumstances.

Election Day Leave

We encourage you to exercise your voting privileges in local, state, and national elections. However, since the polls are generally open for long periods, you are encouraged to vote before or after regular working hours. In special circumstances as determined by your supervisor, you may take up to two (2) hours of unpaid leave from work to vote in a governmental election or referendum. You are expected to notify your supervisor at least one week in advance if you have a need for such time away from work. Paid personal leave time or vacation time may be used for this purpose, if such paid leave is available.

Military Leave

Employees are entitled to a leave of absence for the period necessary to perform military service in accordance with state and federal law. This leave is generally unpaid leave. However, while on leave for up to thirty (30) days per year to attend reserve corps field training, an employee will receive the difference between his/her salary and his/her military compensation unless the military compensation is higher, in which case he/she will receive the military compensation.

You are expected to notify your supervisor as soon as you are aware of the dates you are required to serve military duty.

Jury Duty

It is your civic duty as a citizen to report for jury duty whenever called. Section 51-247 of the Connecticut General Statutes requires employers to pay full-time employed jurors (includes temporary full-time) their regular wages for the first five (5) days. If you are called for jury duty, you must notify your supervisor within forty-eight (48) hours of receipt of a jury summons. In order to receive jury duty pay, you must present a statement of jury service from the court.

Holidays

Unless otherwise provided by contract, full-time at-will employees receive the following paid holidays:

- | | |
|------------------------|------------------------|
| New Year's Day | Labor Day |
| Martin Luther King Day | Columbus Day |
| President's Day | Veteran's Day |
| Good Friday | Thanksgiving Day |
| Memorial Day | Day after Thanksgiving |
| Independence Day | Christmas Day |
| One Floating Holiday | |

In order to qualify for holiday pay, you must work the scheduled workday immediately before and after the holiday. Your supervisor, depending upon the circumstances may make exceptions for excused absences.

Vacation

The Town provides full-time employees, paid vacation time for rest, relaxation and the opportunity to pursue personal interests. The amount of vacation time provided generally depends on the length of your employment service and your particular job position. Departmental files may apply as to how and when you may take vacation time and the amount of vacation days provided. Vacation Days may not be carried over from year to year.

Personal Leave

Full-time employees are eligible for paid personal leave during each calendar year to be used to accomplish personal business that cannot be accomplished during time other than during working hours. The amount of paid personal leave provided is limited by contract and departmental policy. Except in cases of emergency, you are required to request personal leave time from your supervisor in advance and obtain his or her approval. Personal Days may not be carried over from year to year

Sick Leave

Unless otherwise required by law, full time employees are eligible to receive regular straight time pay, up to ten (10) days per year. Unless otherwise required by law, sick days may not be carried over from year to year. In cases where the employee is suspected of abusing his or her sick time, the employee's supervisor may require the employee to provide a note from his or her doctor that demonstrates the need for the sick leave the employee has taken.

Bereavement Leave

Full time employees are entitled to take up to four (4) consecutive workdays with pay to attend the funeral and take care of personal matters related to the death of their spouse, parent, child, stepchild, grandchild, brother, or sister. Two (2) consecutive workdays are provided with pay for the death of a grandparent, father-in-law, mother-in-law, brother-in-law, or sister-in-law. At the discretion of the First Selectman, where unusual circumstances and equity dictate, one (1) workday with pay may be granted by the First Selectman at the time of death of any other person in order to attend the funeral of that person.

Snow Days

If the Town offices are closed due to inclement weather or if there is a travel ban that prevents you from reporting to work, you shall be paid for that day. If the Town offices are open, however, you are expected to report to work.

Insurance Benefits

Health/Dental Insurance

The Town of New Fairfield is interested in the health and well-being of you and your family. A comprehensive health and dental insurance program is available to eligible full-time employees and their families.

This program includes the following benefits:

- Medical and Surgical Coverage
- Dental Coverage
- Vision Care Coverage
- Pharmacy and Preventive Services

You may enroll for health/dental benefits only during open enrollment, at time of eligibility or when a catastrophic event occurs as explained in the Federal COBRA regulations. When you are eligible, the Human Resources Department will provide you with an application, benefits summary, and notification on cost sharing between you and the Town. In the event of your separation of employment with the Town or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage under COBRA rules. Those who elect insurance benefits shall be required to pay a designated share of the Town's cost contribution for these benefits.

Life and Disability Insurance

Regular full-time employees of the Town may be eligible for Group Life, and/or Long and Short-term Disability Insurance depending upon contractual obligations and Town Policy. Details of these benefits are available in the Human Resources Department. You may change the beneficiaries named on your policies whenever you wish by submitting the appropriate documents to the Human Resources Department.

Workers' Compensation

Workers' Compensation insurance is paid for by the Town. It provides you compensation for wage loss and medical expense as a result of an injury suffered in connection with your

employment. If you incur a work-related injury, you may apply for this benefit. To prevent a possible disqualification from these benefits you must report an accident or injury, no matter how small, to your supervisor who will provide you the proper reporting form.

Unemployment Compensation

The Town pays a percentage of its payroll costs to the Unemployment Compensation Fund managed by the State. If you become unemployed, you may contact the State of Connecticut Unemployment Compensation Commission to determine eligibility for unemployment compensation benefits.

Retirement Benefits

The Town's Employees' Retirement Plan provides eligible employees who have completed sufficient service with a monthly pension benefit upon retirement. The Plan includes provisions for normal retirement at age sixty-five (65), early retirement at age sixty-two(62) and later retirement at age seventy & one-half (70 ½).

Details regarding the Town's contributions, vesting, administration investments, and other provisions of the Retirement Plan are contained in separate literature. As a participant in the Town's Employees' Retirement Plan, you are entitled to examine the plan documents and the annual report. This inspection of the Town's documents may be made during normal business hours provided your supervisor arranges for you to meet with the Human Resources or Finance Departments.

Credit Union Membership

As an employee of the Town, you are eligible for membership in the Credit Union. You may open a checking or savings account, get a loan or open a credit card account through the Credit Union. For more details, please contact the Human Resources Department.

Education Assistance

Full-time employees may continue their education in a related field and the Town may reimburse all or part of the tuition, up to a specified amount that varies with each fiscal year if certain criteria are met. All courses must be pre-approved by your supervisor. After completing the course, you must submit a certified transcript of grades, with receipts for expenses to your supervisor for approval in order to receive reimbursement. Unionized employees may be subject to different or additional requirements.

Employee Assistance Program

The Town provides an Employee Assistance Program (EAP), which is a confidential service for full time employees, whose personal problems are affecting their abilities to perform their jobs. This service is available to all full time employees and their immediate families.

Service Awards

Each year the Town honors its long-term, full time employees who do not receive longevity payments through the terms of a collective bargaining agreement, by presenting service awards. The service awards schedule is set forth below:

<u>Service Award</u>	<u>Years of Completed Service</u>
\$100.00	Five Years
\$200.00	Ten Years
\$300.00	Fifteen Years
\$400.00	Twenty Years
\$500.00	Twenty-five Years
\$600.00	Thirty Years

RULES OF CONDUCT

To ensure orderly operations and provide the best possible work environment, the Town expects employees to follow rules of conduct that will protect our business and the interests and safety of our employees and the Town residents we service.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment. Your Department may have additional Rules of Conduct that you also must follow. Your supervisor or Department Head may inform you of these additional rules and answer any questions you may have.

1. Willful violation of any Town rule.
2. Falsification of an employment application or any other Town document, time record; or knowingly giving false information.
3. Malicious gossip and/or spreading of rumors.
4. Engaging in behavior that interferes with other employees or otherwise restricts work output, including failure to restrict personal business such as personal phone calls and personal computer use during work time.
5. Immoral conduct or indecency on Town premises, at a work site, or while in Town vehicles, or any place while representing the Town.
6. Creating or contributing to unsanitary conditions.
7. Posting, removing or altering notices on Town bulletin boards without authorization.
8. Soliciting, selling merchandise, or collecting funds at the workplace unless such activity is authorized by the Town or protected by law.
9. Acceptance of fees, gifts or other valuable items in the performance of your official duties for the Town and failure to report such conduct.
10. Use of your official Town position for personal gain, benefit or favor.
11. Failure to report any accident or damage to Town property or any known condition that may pose a health or safety risk.
12. Failure to maintain a neat and clean appearance, exhibiting unacceptable modes of dress or personal grooming or wearing clothing that presents a safety hazard while at work.
13. Theft or inappropriate removal or possession of property.

14. Illegal conduct at the workplace or conviction of a felony.
15. Working under the influence of alcohol or illegal drugs.
16. Possession, distribution sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating Town-owned vehicles or equipment.
17. Fighting or threatening violence in the workplace.
18. Negligence or improper conduct leading to damage of Town-owned or customer-owned property.
19. Insubordination or other disrespectful conduct toward a supervisor or others.
20. Violation of safety or health rules.
21. Smoking in prohibited areas.
22. Sexual or other harassment of others.
23. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
24. Excessive absenteeism or any absence without notice, or failure to follow departmental procedure for reporting absences.
25. Unauthorized absence from your workstation during the workday.
26. Unauthorized use of telephones, mail system, or other Town-owned equipment.
27. Unauthorized disclosure of confidential information
28. Failure to maintain valid licenses and certifications required for your job position.
29. Off-duty misconduct that bears a relationship to your ability to perform your job.
30. Political campaigning on Town property.
31. Failure to follow proper wage and hour record keeping procedure, including the proper submission of weekly time sheets.
32. Violation of personnel policies.
33. Unsatisfactory performance or conduct.

Unless provided otherwise by contract, employment with the Town is at the mutual consent of the Town and the employee, and either party may terminate that relationship at any time, with or without cause.

COMPUTER & INTERNET USE POLICY

Certain employees, independent contractors, consultants and temporary workers (Users) may be provided with access to the Town's computer resources to assist them in the performance of their jobs. It is imperative that, while using the Town's computer resources Town personnel conduct themselves in a responsible manner consistent with this policy and related policies and practices of the Town.

When used in this policy, the term "computer resources" refers to the Town's entire computer network. This includes the Town's computer system, file servers, cloud services, application servers, communication servers, mail servers, fax servers, web servers, work stations, standalone computers, laptops, software, data files and all internal and external computer and communications networks that may be accessed directly or indirectly from the Town's computer network.

Ownership of the Computer Resources

The computer resources are the property of the Town and may be used only for approved purposes. Users are permitted access to assist them in the performance of their jobs. Occasional use of the computer resources by a User for his/her own personal communications is permitted when the use does not interfere with the User's or another User's job responsibilities, performance of the computer resources, or Town operations. A short social message and a quick note to a family member are examples of permitted personal use. Use for personal or third party gain or profit, or for entertainment, is strictly prohibited. Solicitation for any purpose, other than Town sponsored activities will not be tolerated. Users are reminded that this limited, occasional personal use must comply with this policy and all other policies and practices of the Town. Use of computer resources is a privilege that may be revoked at any time, in whole or in part, at the sole discretion of the Town.

No Exception of Privacy

Users should never consider electronic communication, whether job related or personal, to be either private or secure. E-mail can be stored indefinitely on any number of computers. Copies of a User's messages may be forwarded to others, either electronically or on paper. In addition, e-mail sent to non-existent or incorrect user names may be delivered to unintended recipients.

The Town has the right, but not the duty, to monitor any and all aspects of its computer system. While it is the practice of the Town to monitor only in response to a particular problem or complaint, the Town reserves an unlimited right to access and review all materials Users create, store, or receive on the Town's computer system. The Town also reserves the right to monitor a User's activity on the Internet or any other computer network if the monitoring is necessary to serve a legitimate Town purpose. Users understand that the Town may use manual or automated means to monitor use of its computer resources. Such monitoring may include, but is not limited to, monitoring sites visited by Users on the Internet, monitoring chat groups and news groups and social media, reviewing material downloaded or uploaded by Users to the Internet, and reviewing e-mail sent and received by Users.

Some Town personnel have been provided passwords for the use of the Town's Computer resources. Use of passwords to gain access to the computer system or to encode particular files or messages does not imply that Users have an expectation of privacy in such access or materials. Means are available to the Town permitting it to access all material stored on the computer system, regardless of whether that material has been encoded with a particular User's password computer. Passwords must not be shared with anyone, including a department head or supervisor. Passwords should be changed every six months, should not be repeated and should meet complexity requirements. For assistance in changing your password, please contact the technology department.

Quality of Communications

Users must make each electronic communication truthful and accurate. They must use the same care in drafting e-mail and other electronic documents as they would for any other written communication. Users must keep in mind that anything created or stored in the computer system may, and likely will, be treated as public records and reviewed by others.

Information published or otherwise distributed electronically is subject to the same laws, policies, regulations and procedures regarding the distribution and retention of Town records, including but not limited to regulation of records retention, public requests for information and distribution of information to the public.

Because the Town's name generally appears with communications sent on the Internet from its computer resources, Users must take special care that personal views are not misrepresented or easily misinterpreted as those of the Town.

Internet Material

The Internet is a worldwide network of computers that contains millions of pages of information that vary in accuracy and reliability. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. The Town is not responsible for material viewed or downloaded by Users from the Internet.

Prohibited Activities

Users must use the Town's computer resources lawfully. Users must comply with the laws and regulations of the United States and other nations, and the laws and regulations of all states, cities, municipalities and other local jurisdictions. The Town will cooperate with any legitimate law enforcement activity resulting from the use of its computer resources.

Users may not send materials that are fraudulent, harassing, embarrassing sexually explicit profane, obscene, intimidating defamatory or otherwise unlawful or inappropriate. It does not matter how such material is sent whether it is by e-mail or other form of electronic communication, such as social media blogs, bulletin board systems, news groups, or chat groups. Further, such material may not be displayed on or stored in the Town's computers. Users

encountering or receiving such material should immediately report the incident to the Human Resources Director.

Users must not alter the "from" line or other attribution-of-origin information in e-mail, messages, or postings. Anonymous or pseudonymous electronic communications are forbidden. Users must identify themselves honestly and accurately when participating in chat groups, making postings to news groups, sending e-mail, or otherwise communicating on-line.

Without prior written authorization from your Department Head, Users may not do any of the following with respect to software or other copyrighted materials:

- Copy software, or other copyrighted materials, for use on their home computers;
- Provide copies of software, or other copyrighted materials, to any independent contractors, vendors or Town residents or to any third person;
- Install software on any of the Town's work stations or servers;
- Download any software, or other copyrighted materials, from the Internet or other on-line service to any of the Town's work stations or servers;
- Modify, revise, transform, recast, or adapt any software or other copyrighted materials; or
- Reverse engineer, disassemble or de-compile any software.

Users must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. Because audio, video and picture files require significant storage space, file of this sort may not be downloaded without the express permission of your Department Head.

Copyright

In their use of computer resources, Users must comply with all software licenses, copyrights, and all other state, federal, and international laws governing intellectual property and on-line activities. The ability to read, alter, or copy a file belonging to another User does not imply permission to read, alter, or copy that file.

Users may not alter or copy a file belonging to another User without first obtaining written permission from the owner of the file.

Security

Users are responsible for safeguarding their passwords for access to the computer system. Individual passwords should not be printed or stored on-line. Users are responsible for all transactions made using their passwords. No User may access the computer system with another User's password or account.

Users may not use the computer system to "snoop" or pry into the affairs of other Users by unnecessarily reviewing their files and e-mail. A User's ability to connect to another computer system does not imply a right to connect to those systems unless authorized to do so.

Computer & Internet Use Policy

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Each User is responsible for ensuring that use of outside computers and networks, such as the Internet, does not compromise the security of the Town's computer resources. This duty includes taking reasonable precautions to prevent intruders from accessing the Town's network without authorization.

Viruses can cause substantial damage to computer systems. Each User is responsible for taking reasonable precautions to ensure he/she does not introduce viruses into the Town's network. All material not belonging to the Town must be scanned for viruses and malware prior to being placed onto the Town's computer system. Users should understand that their home computers and laptops might contain viruses. All disks transferred from these computers to the Town's network must be scanned for viruses.

Policy Violations

Users have a responsibility to the Town to understand and adhere to this Policy and related policies and practices of the Town. Users are encouraged to bring any questions that arise concerning this policy or the use of computer resources to the attention of the Human Resources Director.

Violations of this policy may result in the loss of the privilege to use the Town's computer resources and/or disciplinary action, including possible termination from employment, and/or civil and criminal liability. In addition, Users will be responsible for any losses, costs or damages incurred by the Town as a result of unauthorized use. Users who become aware of or suspect a violation have a responsibility to report the incident to their supervisor or the Human Resources Director.

VEHICLE USE POLICY

It is the policy of the Town of New Fairfield that vehicles provided to employees for their use shall be used only for business purposes and not for personal use. The Town shall follow the commuting valuation rule in determining the value of the benefit provided to an employee by use of a Town vehicle.

Once each vehicle year the Director of Finance or his/her agent shall meet with all Town employees who are provided with a vehicle for business use to explain the Town Policy and applicable IRS regulations, and to answer any questions the employees may have. The Director of Finance shall provide a notice for each employee's personnel file stating that they were so trained on the Town Vehicle Policy and their responsibilities under law. Each employee shall sign an affidavit acknowledging that he/she understands and agrees to abide by the Town Policy and applicable law and agrees to report any violations of said Policy or law to the Finance Director immediately.



Patricia Del Monaco, First Selectman

11/6/18
Date

FAMILY AND MEDICAL LEAVE POLICY

Introduction

Family and Medical leaves are required by the Federal Medical Leave Act of 1993, as amended (FMLA). This policy is intended to comply with that law, as well as the Connecticut Fair Employment Practices Act (CFEPA) with respect to pregnancy-related disability leave and transfer. Employees should contact the Human Resources Department if they have any questions regarding how these guidelines apply to their situation, when and how they may take leave, or any other question regarding family and medical leave or pregnancy-related disability.

Basic Entitlement

An eligible employee is entitled to unpaid leave:

- To care for his or her child after birth or placement for adoption or foster care;
- To care for his or her child, spouse or parent who has a serious health condition; or
- When a serious health condition makes the employee unable to do his or her job;
- Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty status).

Eligible employees are also eligible to take 26 weeks in a single 12 month period to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the covered service member. When FMLA leave applies, an employee will be entitled to up to twelve workweeks of unpaid leave during a (12) twelve-month period. The period during which an employee may take FMLA leave will be determined on a rolling basis, measured backwards from the date upon which an employee uses any leave. For instance, an employee requiring FMLA leave in April will be entitled to up to twelve (12) workweeks of leave less any leave taken since April of the prior year.

If the Town employs both spouses, their combined leave cannot exceed twelve (12) workweeks when the leave is taken for a reason other than for the illness of the employee, child or spouse.

Eligible employees are also eligible to take 26 weeks in a single 12 month period to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the covered service member.

Eligibility Requirements

In order for an employee to be eligible for FMLA leave, he or she must have been employed by the Town for no less than twelve (12) months and worked at least 1,250 hours in the twelve months just before the beginning of the leave.

Serious Health Condition

A serious health condition is an illness, injury, impairment physical or mental condition involving continuing treatment by a health care provider, or any period of incapacity or treatment related to in-patient care (i.e., overnight stay) in a hospital, hospice or residential medical care facility. Continuing treatment entails:

- Any period of incapacity due to pregnancy or prenatal care, or treatment for a chronic serious health condition, such as asthma or diabetes, which requires periodic visits to a health care provider and may involve occasional episodes of incapacity;
- Incapacity that is permanent or long-term due to a condition for which treatment may not be effective, such as terminal cancer or Alzheimer's disease; or
- Pregnancy or prenatal care.

An employee who needs to know whether he or she has a health condition that would qualify him or her other for FMLA leave should contact the Human Resources representative who can provide forms to take to the employee's health care provider for this purpose.

Intermittent Leave/Reduced Hours

Leave taken intermittently or on a reduced work schedule is permitted under this policy for medical reasons or for qualifying exigencies relating to a covered family member's military service, subject to certification. In these cases, the employee's leave will be charged against the employee's FMLA entitlement in units of one hour. That is, an employee who takes two and one-half hours of leave as intermittent FMLA leave will be charged three hours of FMLA leave. This provision does not affect any collective bargaining agreement provisions that may provide differently for the crediting of other leave.

Unless a collective bargaining agreement provides otherwise if the Town determines that the intermittent leave would be disruptive to Town operations, the Town may require the employee to transfer to a temporary alternative job for which the employee is qualified and which better accommodates the intermittent or reduced hours leave. The temporary position will have rank, pay and benefits equivalent to the employee's regular job.

Paid Leave Substituted for (Runs Concurrently with) FMLA Leave

The federal FMLA regulations refer to "substituting" leave. This means the same thing as having two or more types of leave running concurrently. Unless an employee is on leave for his or her own serious health condition and is receiving workers' compensation, earned-paid leave will be substituted for FMLA leave and charged against the employee's FMLA leave entitlement as set forth below:

- *Vacation and personal leave* will be substituted when an employee cares for his or her child after the birth or placement for adoption or foster care; and/or when an

employee cares for his or her son, daughter or parent who has a serious health condition.

- *Vacation, personal and sick leave* will be substituted when a serious health condition makes an employee unable to do his or her job.

In the event that no paid leave is available to an employee to substitute for FMLA leave, FMLA leave will be unpaid. The Town's policies, practices and collective bargaining agreements control whether an employee has accrued paid leave.

The employee will be notified that paid leave is being substituted for, and counted against, FMLA leave. Under most circumstances, this notice will be provided within two business days of the Town learning that the leave is being taken for an FMLA required reason.

Advance Notice

A request for FMLA leave must be made at least thirty (30) days before the date on which the leave will begin unless the need is not foreseeable. When planning medical treatment, the employee must consult with the Town and make a reasonable effort to schedule the leave so as to meet the approval of his or her health care provider without unduly disrupting the Town's business operations. If the need for FMLA leave is not foreseeable, the request must be made as early as possible, normally no more than one to two working days after learning when leave must be taken. Exceptions will be made only in extraordinary circumstances. The Town may decide to waive such notice requirement and designate the leave as FMLA leave if it would otherwise qualify.

Medical Certification

When an employee requests a leave based on a family member's or an employee's own serious health condition, he or she must support the request with a written certification from a health care provider. The medical certification must explain the reason for the leave and the date(s), length, and the nature of leave anticipated.

When the leave is planned, the employee should provide the medical certification with the request, and if not with the request, before the leave begins. When the leave is not foreseeable, the employee must provide medical certification within fifteen (15) calendar days after the certification is requested, or as soon thereafter as reasonably possible. Delay in providing the certification could impact the start or continuation of leave, and failure to provide certification could result in the leave being treated as an unexcused absence. The Town may require an employee to obtain a second or third opinion at the Town's expense, depending on the particular circumstances of the individual case.

Other Medical Certification

While an employee is out on leave, the Town may require additional reports regarding the employee's status and intent to return to work, which may include re-certification(s) from a health care provider.

Health Insurance

The Town will normally continue health benefits during an employee's FMLA leave. Employees making co-pay contributions to their health benefits must continue to do so, or coverage may be lost. If paid leave is substituted for FMLA leave, any co-pay contributions will be paid by the method used prior to the leave (e.g.; payroll deduction). If the FMLA leave is unpaid, insurance payments must be paid in the manner the Town designates. The Town will notify the employee in writing of the terms and conditions by which these payments must be made. If an employee is able to return to work after the expiration of the leave but chooses not to, the employee will be required to reimburse the Town for premiums the Town paid to maintain his or her health coverage.

Other Benefits

During FMLA leave, the employee shall not accrue any additional benefits unless otherwise provided for by contract or policy. Employment benefits accrued by the employee up to the day on which the FMLA leave of absence begins will be available upon return from leave.

With respect to pension and retirement plans, FMLA leave will be treated as continued service for purposes of vesting and eligibility to participate.

Return to Work

An employee who took leave because of his or her own serious health condition may be required to provide a fitness-for-duty certification (medical clearance) before returning to work. This will occur at the Town's discretion, and factors considered will include, but not limited to, the nature of the employee's health condition, the functions of the employee's position, the nature of the employee's initial medical certifications(s) and evidence of abuse of leave entitlements.

An employee returning from FMLA leave will be returned to his or her same job position or to an equivalent position. If the employee would not have been employed at the time he or she returned to work, then the Town may not reinstate him or her. For example, the Town has no obligation to reinstate an employee who would have been otherwise laid off during his or her FMLA leave.

Some higher-paid employees are considered "key employees." Such an employee will be advised at the beginning of his or her FMLA leave that he or she is a key employee and, on that basis, may be denied restoration to the employee's position if the restoration will cause substantial and grievous economic injury to the Town.

An employee who is unable to return to work after exhausting his or her FMLA leave entitlement or who would not otherwise have been employed, will be separated from employment, unless the Town has granted an extension to the leave.

Pregnancy-Related Leave and Transfer

Employees are entitled to leaves of absence for disability resulting from pregnancy, which may occur both before and after the birth of the child. An employee taking such leave must provide a

medical certification from a health care provider in the same manner she would for FMLA leave.
Family and Medical Leave Policy

When an employee's disability also qualifies as a serious health condition under this policy, the two types of leave will run at the same time. When this happens, the leave will be counted against the employee's FMLA leave entitlement. While on pregnancy-related disability leave, an employee will be eligible to receive the same disability benefits as an employee on a medical leave of absence. In the event no paid days are available, the leave will be unpaid. Return to work FMLA entitlements apply.

If a pregnant employee reasonably believes that continued work in her current position could cause injury to herself or the fetus, she should give written notice to the Human Resources Director. Upon receipt of such notice, the Town will make a reasonable effort to transfer the pregnant employee to a suitable temporary position. The Town's decision regarding the request for transfer may be appealed to the Connecticut Commission on Human Rights and Opportunities.

MODIFIED DUTY AND PROCEDURE POLICY

POLICY

The Town of New Fairfield shall provide for temporary modified duty whenever possible to employees who have a reduced work capacity as a result of a disabling injury or illness.

Purpose

The objectives of the policy are:

- a. To minimize the impact of the injury or illness on the employee.
- b. To allow the employee to return to work as soon as possible.
- c. To maintain employee productivity in the workplace.
- d. To reduce Workers' Compensation and/or other income protection benefit costs,
- e. To effectively utilize professional rehabilitation services.

Procedures

General Provisions

The Town's designated Workers' Compensation Coordinator shall initiate and maintain contact with the employee, the employee's attending physician and the employee's department supervisor following the employee's injury or illness.

The Coordinator will ask the employee's attending physician to assess the employee's ability to return to duty in either a full or modified capacity, based on a description of the employee's regular work. The attending physician must specify in writing the type and duration of any restriction on a form provided to the attending physician by the Coordinator.

The Coordinator will inform the department supervisor of the employee's readiness to return to work, identifying full or modified work capacity.

Based on the attending physician's determination of the employee's work capacity, the department supervisor will decide whether the employee's job may be modified by temporarily:

- a. Eliminating or modifying specific tasks.
- b. Reducing the work hours and/or days.
- c. Reassigning the employee to a more appropriate available position.

To accommodate a modified duty assignment the employee's work schedule (days and hours) may be adjusted. Every effort shall be made to assign employees to positions consistent with their regular job classification. However, employees may be assigned to positions designated for personnel of a lower pay classification. When so assigned, employees shall be paid at their

Modified Duty Procedure and Policy

Page 2

regular rate of pay and retain the benefits of the Position they held prior to their assignment to modified duty.

Notice shall be provided to the employee of the proposed temporary modified duty assignment. Employees may not refuse modified duty assignments that are supported by and consistent with the recommendation of the attending physician or certified health care provider.

As a condition of continued assignment to modified duty, the employee shall submit to periodic assessments of his or her condition by the physician who made the modified duty referral.

Temporary Modified Duty Assignments

Modified duty assignments are limited in number and variety. The department supervisor makes the determination of whether a modified duty assignment is available. Personnel injured or otherwise disabled in the line of duty are given preference in the initial assignment to modified duty. Subject to the employee's work capacity, assignments may be changed at any time if deemed in the best interest of the department. No specific position within any department shall be established for use as a modified duty assignment nor shall any existing position be designated or utilized exclusively for personnel on modified duty,

Temporary modified duty assignments may be drawn from a range of job responsibilities that include but are not limited to the following:

- a. Administrative functions
- b. Clerical functions.
- c. Light housekeeping and maintenance functions.
- d. Truck driving.
- e. Dispatching.

Decisions on temporary modified duty assignments are made based upon the availability of an appropriate assignment given the employee's knowledge skills, abilities, and the employee's limitations.

Modified duty assignments are temporary and are evaluated on a periodic basis consistent with the recommendations of the employee's attending physician and the needs of the department.

Discontinuance of Temporary Modified Duty

Modified duty assignments are temporary and will be discontinued if any of the following occur:

- a. The attending physician returns the employee to full duty with no restrictions,
- b. The attending physician temporarily prohibits the employee from continuing with a modified duty assignment.
- c. There is no longer any available task that would accommodate the employee's capabilities.
- d. Accommodation of the employee's limitations poses an undue hardship on the Town.

Modified Duty Procedure and Policy

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- e. The attending physician indicates the employee has reached maximum medical improvement and will not be able to return to his prior position. The Town will then consider the employee's release from employment or transfer to another available position for which the employee is qualified or referral of the employee for retraining.

DRUG FREE WORKPLACE POLICY

It is the policy of the Town of New Fairfield that all employees of the Town are entitled to a drug free workplace, and that taxpayers are entitled to services provided by the Town in a manner that is not impaired by illegal substance abuse.

All employees are required to notify the First Selectman in writing of their own conviction in a court of law which results from a violation of a criminal drug statute occurring in the workplace or during the course of their official duties for the town.

The Town may take the following actions with regard to any employee, who commits a substance abuse violation occurring in the workplace or during the course of his/her official duties, whether or not such violation results in conviction.

- disciplinary actions
- suspension with pay
- suspension without pay
- referral to counseling or treatment
- termination

The Town provides free of charge to any full time employee the services of an employee assistance program for information about substance abuse, information on the dangers of drug abuse in the workplace, guidance on personnel matters concerning substance abuse, counseling, and referral to treatment programs. It is the policy of the Town of New Fairfield to encourage employees to make full use of the services of the employee assistance program and to protect the privacy of all employees who avail themselves of this service.



Patricia Del Monaco, First Selectman
Town of New Fairfield

TOWN OF NEW FAIRFIELD

SUBSTANCE ABUSE POLICY

The Town of New Fairfield (the "Town") is committed to maintaining a work environment free from the adverse impact of employee drug and alcohol abuse. Employee drug and alcohol abuse may create serious risks, physical harm, and economic injury to employees, the Town, and the public. Such abuse may lead to increased accident rates and absenteeism and may cause job performance and productivity to suffer. Employee drug and alcohol abuse may seriously compromise safety in the workplace and the quality of the services that the Town provides to the public. It is especially important that individuals who drive Town vehicles or operate other Town equipment or perform safety-sensitive/high risk duties remain free from drug and alcohol abuse.

SCOPE OF POLICY

This Policy applies to all employees of the Town except those employees who are subject to the Substance Abuse Policy for Public Works Employees or who are police bargaining unit employees.

EFFECTIVE DATE OF POLICY

This Policy is effective immediately upon issuance and notice to the affected employees.

AMENDMENT/SAVINGS CLAUSE

This Policy will be amended by the Town whenever amendments are required to conform the Policy to applicable law. If any provision of this Policy is declared invalid by a court of competent jurisdiction, invalidity shall not affect the balance of this Policy.

I. DEFINITIONS

- 1.01 **Alcohol** means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- 1.02 **Alcohol concentration (or content)** means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
- 1.03 **Alcohol use** means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
- 1.04 **Chain of custody** means procedures to account for the integrity of each urine or blood specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. With respect to drug testing, these procedures shall require that an appropriate drug testing custody form be used from time of collection to receipt by the laboratory and that, upon receipt by the laboratory, appropriate laboratory chain of custody forms be used to account for the sample or sample aliquots within the laboratory.
- 1.05 **Collection container** means a container into which the employee urinated to provide the urine sample used for a drug test.
- 1.06 **Collection site** means a place designated by the Town where employees present themselves for the purpose of providing, a specimen of their urine to be analyzed for the presence of drugs or of their breath to be analyzed for the presence of alcohol.
- 1.07 **Collection site person** means a person who instructs and assists employees at a collection site and who receives the specimen provided by the employees.
- 1.08 **Confirmation test** for alcohol testing means a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. For controlled substances testing means a second analytical procedure to identify the

presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.)

- 1.09 **Controlled substances (also known as drugs)** refer to marijuana (THC), cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamines).
- 1.10 **Employee** means any person who is employed by the Town in a position not subject to the Substance Abuse Policy or Public Works Employees. For the purposes of pre-employment/pre-duty testing only, the term employee includes any person applying to the Town for employment.
- 1.11 **Employer** means the Town of New Fairfield (the "Town") including its agents, officials and representatives.
- 1.12 **Medical Review Officer** means a licensed physician responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an employee's confirmed positive test result together with his or her medical history and any other relevant biomedical information.
- 1.13 **Positive test result** means a test result showing the presence of alcohol or a controlled substance in the employee's system at or above the established threshold level. The threshold level shall be the level specified in the Connecticut General Statutes for operation of a motor vehicle while impaired. Reference: §14-227a(b), C.G.S.

- 1.14 **Refuse to submit** (to an alcohol or controlled substances test) means that an employee (1) fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the testing process.
- 1.15 **Screening test (also known as initial test)**. In alcohol testing, it means an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in his or her system. In controlled substances testing, it means an immunoassay screen to eliminate "negative" urine specimens from further consideration.
- 1.16 **Substance abuse professional** means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

II. RULES OF CONDUCT

2.01 Alcohol.

- a) No employee shall possess, distribute, or use alcoholic beverages at the Town's work sites and/or while the employee is on duty.
- b) No employee shall report to work or remain at work under the influence of alcohol or while testing positive for the presence of alcohol.

- c) No employee required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until he undergoes a post-accident alcohol test, whichever occurs first.

2.02 Controlled Substances.

- a) No employee, with the exception of employees who are registered medical marijuana patients as set forth pursuant to Chapter 420f of the Connecticut General Statutes, shall possess, distribute or use controlled substances
- b) Employees who have been issued an appropriate registration by the Department of Consumer Protection to engage in the palliative use of marijuana as set forth in Chapter 420f of the General Statutes, shall not use or possess marijuana on Town property or in the course of their employment with the Town.
- c) No employee shall report to work or remain at work under the influence of a controlled substance.
- d) Employees, other than those employees who have been issued an appropriate registration to engage in the palliative use of marijuana, shall not report to work while testing positive for the presence of a controlled substance. Employees who have been issued an appropriate registration to engage in the palliative use of marijuana shall not report to work while testing positive for the presence of a controlled substance other than marijuana.
- e) No employee shall report for duty or remain on duty when the employee uses or possesses any controlled substance, except when the use or possession is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his duties.

- f) Any employee who operates Town vehicles or other Town equipment or performs safety-sensitive/high risk duties and who is taking prescribed drugs at the direction of his physician immediately must notify his supervisor or, in his absence, the First Selectman.

2.03 Refusal To Submit To Required Testing/Rehabilitation/Follow-Up.

- a) No employee shall refuse to submit to required post-accident, random, reasonable suspicion, return-to-duty or follow-up alcohol or controlled substances tests.
- b) No employee shall tamper with or substitute specimens provided for alcohol/controlled substances testing.
- c) No employee shall refuse to undergo rehabilitation and follow-up programs as recommended by a substance abuse professional.
- d) An employee must successfully complete rehabilitation and follow-up programs prescribed by a substance abuse professional.

2.04 Obligation to Report/Cooperate.

- a) Employees are encouraged to make good faith reports of a violation or suspected violation of this Policy. No employee may knowingly make a false report of a violation.
- b) Employees shall cooperate with any Town investigation into possible violations of this Policy.
- c) Employees shall authorize the release of their medical records related to any alcohol/controlled substances testing, rehabilitation or follow-up treatment as required by the Town to appropriate Town officials and representatives.

III. DISCIPLINARY ACTION

3.01 Removal From Duty.

- a) Any employee undergoing reasonable suspicion testing will be suspended from work pending the test results. If the test results are negative, the employee will be returned to work with full back pay unless the suspension was imposed for additional reasons unrelated to this Policy.
- b) Any employee testing positive for alcohol or controlled substances, except for those employees who have been issued an appropriate registration to engage in the palliative use of marijuana and test positive for marijuana usage, will be suspended from work without pay pending a complete investigation and disciplinary determination. This suspension will not be delayed by an employee's request for testing of a split urine specimen by a second laboratory.

3.02 Leave of Absence Prior to Testing.

- a) An employee who voluntarily comes forward and asks for assistance to deal with an alcohol or controlled substance dependency problem shall not be disciplined unless the employee otherwise violates the alcohol/controlled substance rules of conduct or the employee engages in additional misconduct unrelated to this Policy or, the employee has previously been reinstated on a one time lifetime basis under this Policy. A disclosure of a controlled substance or alcohol dependency problem by an employee upon notice from the Town that he is to be scheduled for controlled substances or alcohol testing is not a voluntary disclosure.
- b) A leave of absence without pay may be granted on a one-time lifetime basis for a maximum of sixty (60) days to allow the employee to undergo treatment pursuant to a rehabilitation program recommended by the Substance Abuse Professional.

At the option of the employee, accrued paid leave may be used during the leave of absence. An employee requesting reinstatement from such leave of absence must demonstrate successful completion of the rehabilitation program and continuation of any follow-up program and must submit to return to duty and follow-up testing. Reinstatement shall be on a one-time lifetime basis, i.e. any future violation of the alcohol/controlled substance rules of conduct will subject the employee to discharge.

- c) Probationary employees are not eligible for a leave of absence under the provisions of Section 3.02.

3.03 Violation of Rules of Conduct.

- a) Any employee in violation of any of the alcohol/controlled substance rules of conduct may be immediately removed from duty without pay by the Town.
- b) Disciplinary action up to and including discharge may be taken by the Town when it has been determined, after a complete investigation, that the employee has violated any of the rules of conduct in Section II above.
- c) A refusal to provide specimens required for alcohol or controlled substances testing or tampering with or substituting specimens will subject the employee to discharge.
- d) The final decision of whether to return an employee to duty is at the discretion of the Town. In the event an employee who has violated the alcohol/controlled substance rules is to be reinstated, a Substance Abuse Professional must evaluate the employee and any employee identified as needing assistance must successfully complete the rehabilitation program prescribed by the initial

evaluation. Reinstatement shall be on a one-time lifetime basis and conditioned on the employee continuing any recommended follow-up treatment program and submitting to return to duty and follow-up random testing. An employee who has served at least three consecutive years of active employment with the Town shall be given a one-time lifetime last chance reinstatement as long as he cooperates with the evaluation process and the rehabilitation and follow-up treatment programs.

- e) Any violation of the alcohol/controlled substance rules of conduct after a one-time lifetime reinstatement will subject the employee to discharge.

IV. TESTING

4.01 Methodology. Testing methodology shall conform to applicable federal and state law.

- a) **Alcohol Testing.** In general, alcohol testing shall be conducted by using an evidential breath testing device (EBTD) administered by a trained tester. If authorized by law, blood alcohol tests may be used when the employee attempts and fails to provide an adequate amount of breath and when an EBTD is not readily available for post-accident or reasonable suspicion testing. Two breath tests are required to determine, if an employee has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a confirmation test must be conducted. The employee and the individual conducting the breath test (called a breath alcohol technician (BAT)) complete the alcohol testing form to ensure that the results are properly recorded. The confirmation test, if required, must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial

number of the EBT to ensure the reliability of the results. The confirmation test results determine any actions taken.

- b) **Controlled Substances Testing.** The U. S. Department of Transportation (DOT) drugs and alcohol testing procedures rule (49 CFR Part 40) sets forth the procedures for drug testing. Drug testing is conducted by analyzing the employee's urine specimen. The analysis is performed at laboratories certified and monitored by Department of Health and Human Services (DHHS). The employee provides a urine specimen in a location that affords privacy and the collection site person seals and labels the specimen, completes a chain of custody document, and prepares the specimen and accompanying paperwork for shipment to a drug testing laboratory. The specimen collection procedures and chain of custody ensure that the specimen's security, proper identification and integrity are not compromised. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to the laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory.

All urine specimens are analyzed for the following drugs:

- 1) Marijuana (THC metabolite)
- 2) Cocaine
- 3) Amphetamines
- 4) Opiates (including heroin)
- 5) Phencyclidine (PCP)

The testing is a two-stage process. First, a screening test is performed. If it is Positive for one or more of the drugs, then a confirmation test is performed for each identified drug using state-of-the-art gas chromatography/mass spectrometry

(GC/MS) analysis. If the confirmation test is negative for illegal controlled substances, the Town shall disregard the initial screening test.

All drug test results are reviewed and interpreted by the Medical Review Officer (MRO) before they are reported to the Town. If the laboratory reports a positive result to the MRO, the MRO contacts the employee (in person or by telephone) and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the employee's urine specimen. For all the drugs except PCP, there are some limited, legitimate medical uses that may explain the positive test result. If the employee provides appropriate documentation and the MRO determines that it is legitimate medical use of the prohibited drug, the drug result is reported as negative to the Town.

If the analysis of the primary specimen confirms the presence of illegal controlled substances, the employee may, within seventy-two (72) hours of being notified of a verified positive test result, request that the MRO direct that the split specimen be forwarded by the first laboratory to another DHHS certified laboratory. The second laboratory shall analyze the split specimen for the presence of the drugs) for which a positive result was obtained in the test of the primary specimen. If the result of the test of the split specimen fails to reconfirm the presence of the illegal drug(s) found in the primary specimen, the MRO shall cancel the test and the first positive result shall be disregarded by the Town.

4.02 Pre-Employment. Testing for use of alcohol and controlled substances may be administered to successful applicants for employment with the Town prior to commencement of employment. Offers of employment may be conditioned on the

applicant's passing alcohol and controlled substances testing. An applicant whose confirmation test is positive for alcohol or controlled substances will not be hired. Applicants will be informed in writing of the Town's testing Policy at the time of application. No applicant will be required to submit to alcohol and controlled substances testing until such notice has been given.

4.03 Reasonable Suspicion. Each employee shall be tested whenever the Town has a reasonable suspicion that said employee has violated the rules of conduct through the use of alcohol or controlled substances.

- a) The determination that reasonable suspicion exists to require the employee to undergo a test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The observations may include indications of the chronic or withdrawal effects of controlled substances. The person who makes the determination that a reasonable suspicion exists to conduct a test shall not conduct such test but shall refer the employee for testing. The determination must be made by a supervisor trained in detecting the symptoms of alcohol or controlled substance misuse. Whenever possible, an additional Town representative shall participate in the determination that reasonable suspicion exists. The supervisor shall make a written record of the observations which are the basis of the reasonable suspicion within twenty-four hours of the observed behavior or before the test results are released, whichever is earlier.
- b) Testing is authorized only if the observations are made during, just preceding or just after the period of the employee's work day. The alcohol test shall be administered within eight (8) hours following the determination of reasonable

suspicion. The controlled substances test shall be administered within thirty-two (32) hours following the determination of reasonable suspicion.

- c) An employee who is subject to reasonable suspicion testing shall remain readily available for such testing or may be deemed to have refused to submit to testing.

4.04 Return To Duty Testing. No employee who has violated the alcohol/controlled substance rules of conduct may return to work until an alcohol test result indicates alcohol concentrations of less than .02 and/or a controlled substances test result is verified as negative.

4.05 Follow-Up Testing. An employee who has been referred to a Substance Abuse Professional (SAP) because of violation of alcohol/controlled substance rules of conduct, who is identified by the SAP as needing assistance in resolving said misuse/problem, and has, at the option of the Town, been reinstated to his position, is subject to unannounced follow-up testing for up to sixty (60) months. The number and frequency of such follow-up testing shall be as recommended by the SAP but in no case shall follow-up testing continue for less than twenty-four (24) months following the employee's return to duty.

V. RECORDS

5.01 Retention of Records. The Town maintains records related to alcohol and controlled substances testing as follows:

- a) Records of verified positive results, employee refusals to take tests, and employee evaluations and referrals. Minimum retention: 5 years.
- b) Records relating to training and controlled substance collection. Minimum retention: 2 years.
- c) Records of negative test results. Minimum retention: 1 year.
- d) Equipment (EBTD) calibration records. Minimum retention: 5 years.

5.02 Confidentiality of Records. Records related to alcohol and controlled substances testing are treated as confidential with the following exceptions:

- a) Access to records may be given to the Departments of Transportation of both the state and federal governments and to the State Department of Motor Vehicles as required by law.
- b) Upon receipt of a written request from an employee, records will be available to the employee's union representative, other designated employee representatives or to subsequent employers.
- c) Information may also be disclosed to the employee who is the subject of the testing, Town officials or agents with a need to know, the decision-maker in a lawsuit, grievance or other proceedings initiated by on or behalf of the individual and arising from the results of a test or from the Town's determination that the employee engaged in conduct prohibited by this Policy.
- d) Test results shall be maintained with other employee medical records and shall be subject to privacy protection provided by law.

VI. EMPLOYEE EDUCATION AND TRAINING

6.01 The Town shall provide each employee with a copy of this Policy and with information concerning the effects of alcohol and controlled substances and resources available for evaluation and treatment of substance abuse problems. Employees shall sign a statement certifying receipt of this Policy and information. The Town shall provide the employee's union representative written notice concerning the availability of this information.

6.02 The Town shall provide each employee in a supervisory or other position which would place the employee in a position of determining whether reasonable suspicion exists with at least two (2) hours of training in alcohol misuse and in controlled substance use and

abuse. This training shall cover the physical, behavioral, speech and performance indicators of probable alcohol and controlled substance abuse.

VII. COMPENSATION

7.01 Testing Costs. The Town shall pay for all costs associated with the initial screening and confirmation tests. The employee, by payroll deduction, shall pay for all costs associated with any second laboratory analysis requested by the employee.

7.02 Paid-For-Time. Employees directed by the Town to submit to random, reasonable suspicion, post-accident or follow-up testing shall be considered on duty and shall be paid at the applicable straight time or overtime rate for all time at the collection site and for travel time from the Town Hall to the collection site and back. Employees subject to return-to-duty testing are not considered on duty and are not paid for such time.

7.03 Mileage Reimbursement. If the employee uses a personal vehicle to travel to the collection site, mileage from the Town Hall to the collection, site and back will be paid at the rate per mile then in effect for mileage reimbursement. Employees whose test results are positive or who are required to submit to return to duty testing are not eligible for mileage reimbursement.

7.04 Rehabilitation/Follow-Up Program Costs. Any cost of evaluation and/or rehabilitation over and above that paid for by the employee's medical insurance shall be borne by the employee.

TOWN SUBSTANCE ABUSE POLICY

PLEASE READ THE ATTACHED POLICY.
UPON RECEIPT OF THIS POLICY DOCUMENT,
KINDLY SIGN BELOW AS INDICATION OF YOUR
RECEIPT AND UNDERSTANDING OF THE TOWN
SUBSTANCE ABUSE POLICY.

THANK YOU.

SIGNATURE/DATE

TOWN OF NEW FAIRFIELD
SEXUAL HARASSMENT POLICY

POLICY:

It is the policy of the Town of New Fairfield to prohibit harassment of one employee or volunteer by another employee, a volunteer, a supervisor, an elected or appointed official, or the public on the basis of sex. The purpose of this policy is not to regulate our employees' or volunteers' personal morality. It is to assure that no employee, volunteer, elected or appointed official or member of the public harasses an employee or volunteer on the basis of sex. In this regard, supervisors shall not use their authority to solicit subordinates for sexual favors, making submission either implicitly or explicitly a term or condition of employment. Likewise, between fellow employees, solicitation, insults, comments, verbal or physical advances or other sexually offensive activity will not be tolerated.

DEFINITIONS:

A. Sexual Harassment.

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 as well as Connecticut General Statutes, 46a-60(a)(8). Sexual harassment is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:

Submission to such conduct is made either explicitly or implicitly a term or condition of any individual's employment; or

Submission to or rejection of such conduct by any individual is used as the basis for employment decisions affecting such individual; or

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

B. Types of Sexual Harassment.

Sexual harassment may take many different forms. The most obvious is the demand for sexual favors, however, sexual harassment may also include:

1. Verbal: Includes sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats;
2. Non-verbal: Includes sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures;

3. **Physical:** Unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.

Sexual harassment may be overt or subtle. Some behavior which is appropriate in a social setting may not be appropriate in the workplace. But whatever form it takes, verbal, non-verbal or physical, sexual harassment can be insulting and demeaning to the recipient and, will not be tolerated in the workplace.

COMPLAINT PROCEDURE:

Any employee who believes he or she has been the subject of sexual harassment should report the alleged act immediately to the First Selectman, who is primarily responsible for investigating such allegations. In the event that the employee is uncomfortable, for any reason, with discussing the matter with the First Selectman, the employee should contact his or her supervisor or any other Town of New Fairfield supervisor with whom he/she is comfortable discussing the matter. Said supervisor will then, at the employee's request, either act as liaison between the employee and the First Selectman, or personally undertake the investigation, and report the results to the First Selectman.

All complaints will be handled in a timely and confidential manner. Investigation of such matters will usually entail conferring with the involved parties and any named or apparent witnesses.

DISCIPLINARY ACTION:

If an investigation reveals that the complaint is valid, prompt action will be taken to stop the harassment immediately and prevent its recurrence. Violation of this policy will not be permitted, and may result in disciplinary action up to and including discharge, and may also result in civil and/or criminal penalties.

Attached you will find a copy of the Code of Ethics for the Town of New Fairfield which became effective on December 13, 1990. As an employee of the town you will be expected to abide by this code. The ordinance is intended to build public confidence in town employees, elected officials, and the entire process of town government. It is also intended as an educational resource for employees and elected officials to refer to when making decisions and acting in a public capacity.

SMOKE FREE WORKPLACE

Under Connecticut General Statutes § 19a-342 no person shall smoke in any building or portion of a building owned and operated or leased and operated by the Town. There is also no smoking in a public school building or on school/town property.



Patricia Del Monaco, First Selectman
Town of New Fairfield

NEW FAIRFIELD BOARD OF EDUCATION/
TOWN OF NEW FAIRFIELD
Human Resources Department
3 Brush Hill Road, New Fairfield, CT 06812
PH: 203-312-5662 FAX: 203-312-5763

WORK RELATED INJURY PROCEDURES

NOTIFICATION

As an employee of The New Fairfield Board of Education/Town of New Fairfield, you must report a work-related injury or illness to your supervisor or school nurse immediately.

FOR MEDICAL CARE

Employees must receive initial medical care at OccPrompt/Connecticut Family Orthopedics, located at 33 Hospital Avenue, Danbury, **OR**, if during off-hours, please report to either Danbury Hospital Emergency Room or New Milford Hospital Emergency Room. ***CHC/Danbury ER/New Milford ER must be informed that this is a work related injury.***

SUPERVISORY REPORT OF ACCIDENT

Once an injury has occurred, the *Supervisor's Incident Investigation* form must be filled out completely. Please forward Supervisor's Incident Investigation form to the Human Resource Department within 24 hours of notification from the employee.

IF PRESCRIPTIONS ARE NEEDED

If the injured employee needs a prescription as a result of this injury/illness, please contact Human Resources to obtain a prescription card to avoid an out-of-pocket prescription expense. The employee **must** inform the Pharmacy that this is a workers' compensation illness/injury and will be covered by Connecticut Interlocal Risk Management Agency (CIRMA), our Workers' Compensation insurance carrier. If the prescription card is not used, the employee must pay for the prescription out-of-pocket and submit the Rx receipt to the Human resource Department for reimbursement.

FAILURE TO COMPLY WITH PROCEDURES

If the employee fails to comply with the above procedures, benefits may be denied. Out-of-pocket expenses will be the employee's responsibility.

FRAGRANCE SENSITIVITIES

As an employee of the Town, you should be cognizant of the fact that others around you may have a sensitivity or allergy to scented products or fragrances. In consideration of employees who may have sensitivities or allergies to various fragrances or scented products, the Town of New Fairfield reserves the ability to implement and establish a fragrance-free workplace in any Town building or location. This means the Town may prohibit employees from wearing fragrant products in the workplace that others can smell, such as perfumes, colognes, powders, scented body lotions and similar products. It may also include the prohibitions against the use of such things as scented candles, oils and other similar products.

Any employee who may have a scent sensitivity or allergy should feel free to contact their supervisor or the Director of Human Resources to report their concern.

Employee Signature

Date