

TOWN OF PARACHUTE
RESOLUTION NO. 2014-14

A RESOLUTION OF THE TOWN OF PARACHUTE, COLORADO ADOPTING A REVISED PERSONNEL HANDBOOK SETTING FORTH POLICES, RULES, AND REGULATIONS CONCERNING THE TOWN PERSONNEL FOR THE TOWN OF PARACHUTE, COLORADO

WHEREAS, a manual has been written covering policies, rules, and regulations in regard to personnel management and,

WHEREAS, it has been deemed necessary to update the current manual which provides guidance in personnel matters,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1: That the updated manual setting forth policies, rules and regulations for Town Employees be adopted by the Town Council effective June 1, 2014. Amendments thereto shall be approved by resolution by the Town Council.

Section 2: All previous policies and handbooks shall be considered repealed.

INTRODUCED, READ, PASSED, AND ADOPTED as provided by law, by a vote of 5 to 0 of the Board of Trustees of the Town of Parachute, Colorado, at a regular meeting held at the Town of Parachute, Colorado, on the 8th day of May 2014, and approved by the Mayor on the 8th day of May 2014.



BOARD OF TRUSTEES OF THE
TOWN OF PARACHUTE, COLORADO

By: _____
Mayor

Ray B. McCreary

ATTEST:

S. Denise Cheetta
Town Clerk

Effective Date:

06/01/2014

Town of Parachute, Colorado



Personnel Handbook

NOTE: This Handbook is not a contract of employment. If you are an employee, your employment with the Town of Parachute, Colorado, is "at will." You or the Town may terminate your employment at any time, with or without cause, and without advance notice. Nothing in this Handbook shall be construed to alter the "at will" status of any employee.

These Personnel Guidelines supersede any personnel code, policy, manual, rule, regulation, guideline or any representation thereof, previously enacted. Specifically, this policy supersedes the "Personnel Handbook" dated June 2010.

Core Values

We are the Town of Parachute, Colorado. We are committed to the following core values:

Integrity **E**ven When No One is Watching

Respect **F**or Self and All Others

Teamwork **H**elping Others Attain Uncommon Results

Pride **C**ommitted to **E**xcellence

Innovation **E**xpanding the Limits of the Possible

Diversity **U**nique, but **S**ame Goals

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Chapter 1 - Purpose and Intent

1.01 Introduction/ At-Will Employer

IMPORTANT INFORMATION ABOUT THE EMPLOYEE HANDBOOK

THIS HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE TOWN OF PARACHUTE AND PROVIDE SOME INFORMATION ABOUT WORKING HERE. THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE TOWN'S GUIDELINES. THIS EDITION REPLACES ALL PREVIOUSLY ISSUED EDITIONS.

EMPLOYMENT WITH THE TOWN OF PARACHUTE IS AT-WILL. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE TOWN, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE TOWN HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED; NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF THE TOWN OF PARACHUTE, OTHER THAN THE TOWN MANAGER AND THE CHIEF OF POLICE, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE BOARD OF TRUSTEES AND THE TOWN MANAGER OR THE CHIEF OF POLICE.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, EMPLOYEES THAT HAVE QUESTIONS SHOULD TALK WITH THEIR IMMEDIATE SUPERVISOR OR THE TOWN AUTHORITY (TOWN MANAGER). IN ADDITION, THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, THE TOWN, THEREFORE, RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.

THE TOWN MANAGER WILL RESOLVE SITUATIONS NOT ADDRESSED BY THESE GUIDELINES. IN ADDITION, THESE GUIDELINES MAY BE SUPPLEMENTED BY OTHER WRITTEN POLICIES APPROVED BY THE TOWN MANAGER.

Chapter 2 - Recruitment and Selection of Employees

2.01 Statements of Policy

The Town strives to employ persons who have the knowledge, skills, and abilities consistent with the essential functions of the position to be filled and to assure that all employees are capable of contributing to safe, healthy, and efficient performance of assigned duties.

Tests, including written, technical, and skill tests may be administered for certain job classifications in order to further establish competency of applicants. Any such tests are administered to all qualified applicants and/or finalists as determined by the Town Manager or Department Head.

Upon a conditional offer of employment, physical examinations and drug screening tests may be required in order to determine physical fitness for certain job classifications and to maintain a work environment that is free from controlled substances or illegal drugs. Drug and alcohol testing policies for all employees are detailed in this manual later.

2.02 Equal Employment Opportunity (EEO)

It is the policy of the Town of Parachute to ensure equal employment opportunity:

- Regardless of a person's race, religion, color, creed, national origin, sex, marital status, sexual orientation, or age; and
- To persons with disabilities who are otherwise qualified to perform the essential functions of an employment position of the Town with or without reasonable accommodation.

The goals and objectives of the Town's equal employment opportunity policy are to:

- Ensure fair treatment and non-discrimination in hiring, employment, and promotion; and
- Comply with applicable laws and regulations on equal employment opportunity.

With regard to otherwise qualified persons with disabilities, provide reasonable accommodations as provided in the Americans with Disabilities Act, including:

- Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position that the applicant desires;
- Modifications or adjustments to the work environment, or to the manner or circumstances under which the position in question is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; and
- Modifications or adjustments that enable an officer or employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated officers and employees without disabilities.

2.03 Equal Opportunity Officer/ Administrative Authority

The Town Manager shall serve as the Administrative Authority for the Town. The Administrative Authority shall serve as the Town's equal employment opportunity officer to carry out the Town of Parachute's equal employment opportunity policy. The officer shall have primary responsibility for the Town's equal opportunity efforts, and shall advise and assist Town personnel in matters regarding implementation of and compliance with this policy. The officer shall examine existing internal policies or procedures which may serve as barriers to implementing this policy, and recommend changes in the same.

The equal employment opportunity officer shall be responsible for the following actions to assure equal employment opportunities with the Town of Parachute.

- Periodically review job descriptions to ensure that requirements are relevant to the tasks to be performed, and recommend changes needed to conform such requirements to the tasks to be performed;
- Review pay and benefits to assure that they are relevant to the responsibilities of each job, and are administered on a non-discriminatory basis;
- Assist Town personnel who are involved in employment decisions so that such decisions are made without discrimination, and that applicants are given equal opportunity regardless of race, creed, color, national origin, sex, marital status, sexual orientation, or age, and that otherwise qualified applicants with disabilities are provided reasonable accommodations as provided in the Americans with Disabilities Act; and
- Enlarge the pool of qualified candidates for employment to encourage diversity and ensure equal employment opportunity in hiring; including:
 - Keeping vacancies in each position open for an appropriate time period;
 - Advertising vacancies in available media, including but not limited to publication in at least one newspaper of general circulation in the Town of Parachute; and
 - Providing orientation for officers and employees on the Town of Parachute's equal employment opportunity policy.

2.04 Unlawful Harassment

EEO Harassment

The Town strives to maintain a work environment free of unlawful harassment. In doing so, the Town prohibits unlawful harassment because of age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, sexual orientation, or any other status protected by applicable state or local law.

Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, sexual orientation, or any other applicable status protected by state or local law will not be tolerated. Prohibited behavior may include but is not limited to the following:

- Written form such as cartoons, e-mails, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault, or blocking an individual's movements.

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

Sexual Harassment

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

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

nature, when:

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

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

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

Workplace Threats, Bullying, and Violence

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

Workplace violence is defined as any conduct in the workplace that is meant to harm, cause fear in, or intimidate another, including but not limited to: (1) physical acts or physical threats against persons or their property, or Town property; (2) direct or veiled threats, profanity, or vicious or abusive statements; (3) written threats, profanity, vicious cartoons, notes or other written or symbolic conduct; (4) stalking; or (5) possession of any weapon while on Town premises by person other than law enforcement personnel, except that a lawful non-lethal personal defense weapon such as mace or pepper spray is permitted.

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

The conduct described above by Town employees is prohibited and may result in disciplinary action including termination of employment and, where appropriate, referral for prosecution by legal authorities.

An employee who observes or has knowledge of any conduct listed above should immediately report the same to any supervisor, Department head, or the Administrative Authority as the employee chooses. The notification may be in the form chosen by the employee; however such person is encouraged to put the notification in writing. Complaints will be investigated promptly and follow-up action taken as determined appropriate. To the extent feasible, complaints and investigations will be handled in a confidential manner and anonymity preserved.

No complaining officer or employee shall be subjected to reprisal or retaliation for providing such a notification; the employee should report immediately any incidents of reprisal, retaliation, or harassment which occur as a result of providing such a notification.

Any employee with a restraining order that applies on Town premises shall promptly provide the Department head or the Administrative Authority with a copy of the same.

Any conduct that requires immediate attention by law enforcement should be reported to the Chief of Police or by calling 911.

Upon notification, an investigation will be undertaken promptly. Disciplinary and/or corrective action will be taken when determined to be warranted pursuant to the investigation. The complaining employee will be notified of the results of the investigation.

To the extent possible, complaints and investigations will be handled in a confidential manner.

If it is determined that any employee's conduct violates the Town's workplace violence policy, the employee shall be subject to corrective and/or disciplinary action. That action may include verbal or written reprimand, suspension, or discharge as justified based on the findings of the investigation.

Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure. The Town expects employees to make a timely complaint to enable the Town to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the Department Head who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you cannot get a satisfactory solution from your Department Head or prefer not to go to your Department Head with your complaint, you should report the incident to the Town Manager.

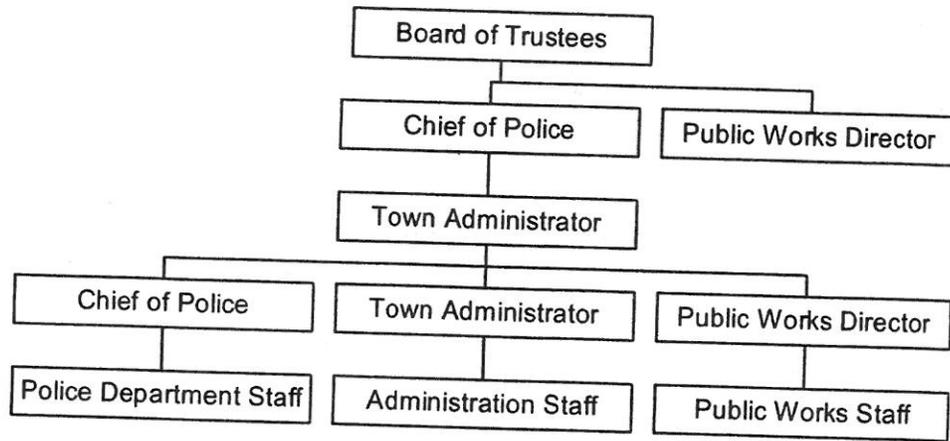
If an employee has a justifiable issue(s) that he/she cannot handle, the issue(s) is to be taken to his/her immediate supervisor. If one's immediate supervisor cannot satisfactorily settle the issue, the employee may go to the Town Manager.

If any employee has a justifiable complaint against the Town Manager, whether the complaint relates to the harassment issues above or not, the employee is to first speak with his/her immediate supervisor. The supervisor, in turn, will speak with the Town Manager about the issue. If a reasonable solution cannot be determined, the employee and/or supervisor may go to the Chief of Police with the complaint. The Chief of Police will work with the Public Works Director to determine a plan of action, including a conference with the Town Manager.

If no satisfactory solution can be agreed upon, the Chief of Police and the Public Works Director have the authority to go the Board of Trustees and seek an executive session of the Board to discuss the issue. The Chief of Police and the Public Works Director are to communicate with the entire Board of Trustees and not with individual members of the Board.

All statutory rules shall be followed regarding notification.

The following chart represents the procedure of how an employee is to deal with work related issues.



The complaint should be handled within a reasonable timeframe not to exceed thirty (30) days.

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

If the Town determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

2.05 Nepotism Policy

The Town may employ relatives of current employees except in the following situations:

- Relatives would be in a position to supervise another relative.
- Relatives have access to confidential information including payroll and personnel records.
- Relatives audit, verify, receive, or are entrusted with money handled by the other relative.

In cases of marriage between two employees, if the above guidelines apply, one must transfer to another department.

These guidelines apply to all categories of employment, including full time, part time, and temporary classifications. They also apply to all relatives and to individuals who are not legally related, but who reside with another employee.

2.06 Diversity in the Workplace

The Town values and promotes diversity as a strategic advantage. Diversity refers to human differences, including those based on culture, ethnicity, gender, and age. Some of the benefits the Town derives from the diversity of its workforce are:

- Different viewpoints and perspectives in decision making;
- Greater innovation and creativity; and
- A broad pool of qualified employees.

At the Town, we value the richness that diversity brings to our workforce – it makes our Town better and the community we serve stronger. We are proud of our efforts to maintain a workforce that represents many backgrounds, and are deeply committed to cultivating an environment where the contributions of every employee and citizen are respected.

At the Town of Parachute, we believe that diversity enriches our performance and services, the community in which we live and work, and the lives of our employees. As our workforce evolves to reflect the growing diversity of our communities and global marketplace, our efforts to understand, value, and incorporate differences become increasingly important.

2.07 Vacancies

Current employees are encouraged to apply for posted openings within the Town for which they are qualified. Most job openings may be posted internally. Applications for all vacancies may be made to the Department Head. Concurrently with the internal posting the Town may post the position publicly through a variety of means at the discretion of Town Manager dependent upon the type of position.

The Town Manager or Department Head may appoint an employee to an acting position for an interim period during a temporary job vacancy. Any compensation increase shall be at the discretion of the Town Manager at the recommendation of the Department Head/designee.

No paid employee may serve as a member of a Town board or commission unless specifically authorized by Town Board of Trustees resolution, ordinance, or state statute.

2.08 Retaliation

The Town prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation of any kind. If you perceive retaliation for making a complaint or your participation in an investigation, please follow the complaint procedure outlined above. The situation will be investigated.

2.09 Definitions

The following definitions shall be governed by applicable law, which may change from time to time.

"Age harassment" means harassment because an individual is 40 years of age or older.

"Disability harassment" means harassment because of an individual's physical or mental impairment that substantially limits one or more of the individual's major life activities, because the individual has a record of such an impairment, or because the individual is regarded as having such an impairment. "Disability" does not include current illegal use of drugs, or impairment on the job by alcohol.

"Gender harassment" means harassment because of an individual's male or female gender.

"Marital or family status harassment" means harassment because an individual is a parent or non-parent, married, single, divorced, separated, or widowed.

"National origin harassment" means harassment because of an individual's ancestor's place of origin; or because an individual has the physical, cultural, or linguistic characteristics (such as language, accent, or manner of speaking) of a national origin group. Examples of "national origin groups" include but are not limited to Hispanic (i.e., persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin), Pacific Islander, Asian, Eastern, Middle Eastern, and Southern European origin.

"Prohibited harassment" means unwelcome conduct, including physical, verbal, or written conduct, that constitutes race/color harassment, national origin harassment, gender harassment, sexual harassment, sexual orientation harassment, religious harassment, disability harassment, age harassment, or marital/family status harassment, or that constitutes harassment based on other status under the equal employment opportunity laws, including but not limited to protection against retaliation for activities such as opposing a practice made unlawful by an equal employment opportunity law or participation in an investigation or other proceeding under the equal employment opportunity laws, or association with a protected individual.

Examples of "prohibited harassment" include but are not limited to: slurs, jokes, degrading comments, degrading pictures, degrading symbols, or other written, verbal, or physical conduct, based on race/color, national origin, gender, sex, religion, disability, age, sexual orientation, or marital/family status, which has the purpose or effect of unreasonably interfering with an individual's work performance, creates an intimidating, hostile or offensive work environment, results in a tangible employment action, or is sufficiently severe or pervasive to alter the conditions of employment.

In addition, examples of prohibited conduct which constitutes "sexual harassment" include but are not limited to sexual advances, requests for sexual favors, or other physical, verbal, or written conduct of a sexual nature, when submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, submission to or rejection of the conduct by an individual is used as the basis for employment decisions affecting that individual, or submission to or rejection of the conduct by an individual otherwise results in a tangible employment action. For more information, please see Section 10.

"Race/color harassment" means harassment because of an individual's race or skin color. An example of "race" includes, but is not limited to, African American/Black, Caucasian/White, Asian/Pacific Islander, Hispanic, Latino, and Native American.

"Religious harassment" means harassment because of an individual's traditional religious views or moral or ethical beliefs as to what is right and wrong, which beliefs are sincerely held with the strength of traditional religious views.

"Sexual orientation harassment" means harassment because of an individual's sexual orientation.

Chapter 3 - Types of Employees

3.01 Regular Full-Time

An employee who is normally scheduled to work at least 40 hours per week for a total of 2080 hours per year. Regular full-time employees are eligible to fully participate in employee benefit and leave programs.

1. Nonexempt Employees: All employees, except exempt and non-covered employees. Nonexempt employees are eligible for overtime pay and compensatory time.
2. Exempt Employees: Exempt employees are not eligible for overtime pay or compensatory time.

As defined by the United States Department of Labor, an executive exempt employee is defined as follows:

Executive Exempt Employee:

1. An employee that is compensated on a salary basis at a rate not less than \$455 per week;
2. Has a primary duty of managing ... a customarily recognized department or subdivision of the enterprise;
3. Customarily and regularly directs the work of at least two or more other full-time employees or their equivalent; and
4. Has the authority to hire or fire employees, or recommendations are given particular weight.

3.02 Regular Part-Time

An employee who is normally scheduled to work less than 40 hours per week. Regular part-time employees who work at least 1560 hours (30 hours per week) for the Town per calendar year shall be eligible for pro-rated benefits. These pro-rated benefits are calculated on a percentage of the hours worked per week, based on a 40-hour week.

Examples of the pro-ration are 30/40 (75%), 32/40 (80%), and 36/40 (90%). Pro-rated benefits include: Town's insurance premium contribution, and vacation, and sick accruals. A listing of pro-rated vacation and sick accruals is available from the Town Clerk or Payroll Clerk.

Employees who work less than 1560 hour per calendar year are eligible to purchase health benefits at 100%.

3.03 Temporary

A person employed either on a part or full time basis in a job that has been established for a specific period of time or duration or a specific project or groups of assignments. Temporary employees are not normally entitled to Town provided benefits except worker's compensation and unemployment compensation benefits. Extended benefits can be granted by the Town Manager.

3.04 Seasonal

A person employed either on a part- or full-time basis in a job that has been established for a specific period of time for work or projects only conducted during a specific time of year. The duration of a seasonal position is less than 26 weeks. Seasonal employees are not entitled to Town provided benefits except those required by law.

3.05 Discipline- Unacceptable Job Performance

An employee's conduct is a major factor affecting the health and growth of the Town. It is also an important aspect of the Town's image within the community.

When management finds an employee's performance is unsatisfactory or an employee's conduct is unacceptable, disciplinary action may be taken. The discipline may range from informal discussion with the employee to immediate discharge, depending on the Town's opinion of the seriousness of the situation. Any action taken by management in an individual case should not be assumed to establish a precedent in other circumstances.

Chapter 4 - Colorado Open Records Act

The Colorado Open Records Act, (CORA) C.R.S. § 24-72-201 to 206, provides that all public records shall be open for inspection by any person at reasonable times, except as provided in part 2 or as otherwise specifically provided by law. It is the intention of the Town to apply this Act in a uniform and reliable manner to comply with its provisions.

Colorado law does not require employers to disclose their employees' personnel files if requested. Although many other states provide their residents with a legal right to review their personnel files during reasonable work hours, Colorado does not.

4.01 Personnel Records

The Town keeps a personnel file as a record of employee's employment. It is important for this record to be up-to-date and complete. This enables the Town to reach employees in an emergency, forward employee mail, and properly maintain employee insurance and other benefits. It also helps keep track of employee payroll deductions and many other things that concern individual employees.

Employees are required to notify the Town Clerk or Payroll Clerk immediately if they have changes in any of the following areas:

- Name
- Residence
- Telephone
- Marital status
- Insurance changes
- Tax exemptions
- Person to notify in case of an emergency
- And other relevant information

Additionally, employees should notify the Town Clerk or Payroll Clerk if they complete educational or training courses. This information may be considered with their other employment records as job opportunities arise in the Town.

Maintenance of Records by Town Clerk or Payroll Clerk

The Town Clerk or Payroll Clerk will keep and maintain each employee's official personnel records and medical records.

Availability of Records.

Personnel files and medical records shall be available to all Town officials who supervise the work of the officer or employee whose records they desire to review, and to the Town Clerk, Town Attorney, Administrative Authority and any employees who are required to maintain and file such records under the direction of the Town Clerk or Payroll Clerk.

If an employee wants to look at their file or discuss it with someone, they may contact the Town Clerk or Payroll Clerk. All requests to view personnel records must be made in writing to the Town Clerk or Payroll Clerk. With

reasonable advance notice, an employee may review his or her own personnel file in the presence of an individual responsible for file maintenance.

Confidentiality of Records.

Neither the Town Clerk or Payroll Clerk, Administrative Authority, nor any Department head, nor any supervisor shall provide any information concerning an employee's employment status in response to a reference request, except the employee's beginning and ending dates of Town employment and positions held with the Town of Parachute, without written consent of the employee.

No documents shall be released from a personnel record, except as required or permitted by the Colorado Open Records Act, Sections 24-72-102, et. seq., C.R.S., without a consent from the employee designating the documents to be released and the person or entity to which the release is to be made, and indemnifying and holding harmless the Town from any liability, claims, and demands resulting from such release.

Chapter 5 - Compensation

5.01 General Policy

The purpose of the compensation plan is to provide a systematic basis for compensating employees and managing the Town's human resources and budgetary requirements. The primary objective of the program is to attract, retain, and motivate Town employees by offering competitive and equitable compensation for services performed.

Four main tools are utilized to determine compensation.

- *Job Description*
The majority of our jobs have been defined in a written job description. These typically identify the purpose, responsibilities, qualifications, and accountabilities of the job.
- *Job Evaluation*
Job evaluation is a procedure to rate a position and organize a job hierarchy. The purpose is to establish the relationship of each job in comparison to other jobs within the Town.
- *Salary Ranges*
Currently we have implemented a formal salary structure in an attempt to keep our salaries aligned with comparable markets. These ranges are developed by blending our compensation philosophy, salary survey data, and current economic business conditions.
- *Performance Appraisal*
The performance appraisal process measures an employee's demonstrated job performance, results achieved, and display of Town values. How well a job is performed is one of the major factors that determine eligibility for a merit increase.

5.02 Employee Status

For purposes of determining compensatory time and overtime, the following definitions apply:

3. **Nonexempt Employees:** All employees, except exempt and non-covered employees. Nonexempt employees are eligible for overtime pay and compensatory time.
4. **Exempt Employees:** Exempt employees are not eligible for overtime pay or compensatory time.
5. **Overtime Pay:** Pay at the rate of 1.5 X the nonexempt employee's regular rate of pay for hours worked over 40 hours in one workweek.
6. **Compensatory Time:** Time off from work that is earned at the rate of 1.5 hours for each hour worked over 40 hours in one workweek.

5.03 Overtime and Compensatory Time

Each work period must be considered separately when computing overtime worked. All overtime must be authorized in advance by the employee's supervisor and with concurrence of the Department Head.

Non-exempt employees may accrue up to 24 hours of compensatory time. Any overtime hours worked after the maximum accrual is met will be paid to the employee at 1.5 X the regular rate. Compensatory time earned and not used in one twelve month period cannot be carried over to the next year. Unused compensatory time will be paid out on the regular payroll at the end of twelve month period. Compensatory accruals begin each January 1.

Accrued compensatory time may be used by arranging the time off in advance with the employee's supervisor. The scheduled use of the compensatory time off is at the discretion of the Department Head.

Only actual hours worked will apply to the calculation of overtime. No forms of paid time off will be included in the overtime calculation unless authorized by the Town Manager.

Pay for Exempt Employees

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a weekly basis. The Town is committed to complying with salary basis requirements which allows properly authorized deductions.

If you believe an improper deduction has been made to your salary, you should immediately report this information to the Town Clerk or Payroll Clerk. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will promptly be reimbursed.

5.04 Salary Increases/Changes

MERIT: A pay increase given to an employee to recognize increased effectiveness above average performance or productivity. The increased value of the employee is evidenced by greater productivity, improved judgment, and more initiative that should be recognized by an increase in pay.

Employee performance evaluations are an important component of performance management and let employees know how their supervisors evaluate their performance, furnish guidelines to improve that performance, and assist the employee in preparing for advancement. Generally, performance evaluations will be used to determine the merit increase for the employee. The Town Manager will determine the allocation of merit increase for employees. Employee evaluations will take place once annually on or about July 31st. To be eligible for a merit increase an employee must have worked for the Town for at least six (6) months prior to the evaluation period unless otherwise determined by the Town Manager. Employees who fall within the step progression program are not eligible for the merit pool increase, but will still be evaluated during the same period.

PROMOTION/DEMOTION/RECLASSIFICATION: An employee promoted, demoted, or reclassified to a position with a different grade will be paid a salary within the new grade that is the most appropriate based on the employee's knowledge, skills, abilities, education, and experience, as determined by the Town Manager in consultation with supervisors, and Department Heads according to the current salary schedule. Position reclassifications occur when a determination is made that a specific position needs to be reclassified to a different grade.

STEP PROGRESSION: A salary increase that is scheduled to occur at pre-determined intervals of time and the accomplishment of set achievements that demonstrate the employee's ability to perform and understand specific job duties. These achievements are set by the Department Head and/or the Town Manager and may be reviewed periodically and changed to reflect different skills needed for Town functions.

5.05 Pay Periods/Time Sheets

Town employees will be paid on a semi-monthly basis, on the 15th of the month and the last day of the month. Time sheets must be submitted to payroll in accordance with established deadlines as set by the the Town Clerk or Payroll Clerk. Tampering, altering or falsifying time records is prohibited. Employees who are found to have tampered, altered or falsified time records will be subject to disciplinary action, up to and including dismissal.

5.06 Employee Recognition Program

When employees have demonstrated achievements above and beyond the scope of their job functions the Town may award a bonus from time to time to recognize these achievements.

Guidelines for program:

1. Employees may obtain the Employee Recognition Nomination form from the Town Manager.
2. Employees may nominate themselves or anyone else on Town staff.
3. Nominations must be based on an employee's actions that demonstrated their contribution to professionalism, goal achievement, or teamwork.
4. Nominations will be reviewed by the committee made of the Town Executive Staff. The Executive Staff will make the recommendation of the award with final approval by the Town Manager.
5. Bonuses will be distributed in payroll checks as soon as practicable following award.

Chapter - 6 Employee Work Time

6.01 Hours of Work

Department Heads will establish work schedules that meet the needs of the community, the department, and other Town departments. The Town Manager will approve the work schedules.

At the Department Head's discretion, flexible work schedules may be available to employees. The Department Head must approve any regular flexible work schedule and provide a copy of the approved flex schedule to the Town Manager. Flex schedules are a benefit and may be changed or discontinued at any time.

The standard work schedule for most employees is forty (40) hours worked within a seven-day period. Generally, the workweek used to calculate overtime or compensatory time for nonexempt employees begins on the Sunday at 12:01 a.m. and end on Saturday at midnight.

Under Colorado law, employees must be entitled to an uninterrupted "duty free" meal period of at least 30 minutes duration when they are scheduled to work in excess of five (5) consecutive hours. The employees must be completely relieved of all duties and permitted to pursue any personal activities to qualify as a "non-work, uncompensated period of time".

When the nature of the business activity or other circumstances exist that makes an uninterrupted meal period impractical, the employee shall be permitted to consume "on duty" meal while performing duties. Employees shall be permitted to fully consume a meal of choice "on the job" and be fully compensated for the an "on duty" meal period without any loss of time or compensation.

For Public Works staff, two ten (10) minute breaks may be taken at the office, in the field, or in between work assignments during approximately the midway point of each half of their daily working schedule, depending on the workload for that particular day. Breaks shall not be considered to accumulate if they are not taken and shall not be used to shorten the normal workday.

6.02 On-Call Duty

Department Heads may require on-call and/or stand-by duty as part of employee job responsibilities. On-call and stand-by duty requirements, if applicable, will be at Department Head's discretion based on the business needs of the department. On-call and stand-by duty practices and requirements will be submitted in advance to the Town Manager for approval.

"On-call" employees are those employees who are required to remain at or within the confines of a designated post of duty for the purpose of rendering on-call service, but who are not required to spend all of their tour of duty in the actual performance of work.

Any employee required to be in an on-call status will be compensated for the period of time while on-call.

"Stand-by" employees are those employees who are requested to be available for the purpose of rendering service in case of an emergency ("waiting to be engaged").

Any employee called out and required to work while on a stand-by basis will be compensated for a minimum of two (2) hours.

While on-call, employees must comply with the drug and alcohol policies of the Town as set forth in Chapter 10 of this handbook. Discretion is therefore required of employees who can foresee a call-out situation, such as when snow is in the forecast. Employees who are not in compliance with the drug and alcohol policies of this manual when called out must inform their supervisor of their condition and remain at home. Inability to respond when called out can be cause for disciplinary action if the ability to respond after hours is included in the employee's job description. Employees who have three (3) occurrences within a twelve (12) month period may be terminated.

6.03 Attendance and Punctuality

All Town employees are responsible for being reliable and punctual in reporting to work. In the event an employee should report late or is unable to report to work when scheduled, the employee must notify his/her supervisor as soon as practicable in advance of the anticipated absence.

6.04 Outside Employment

Employment with the Town shall be the principal vocation of all full-time employees. Full-time employees may engage in outside employment provided the following conditions are met:

- The outside employment does not interfere with an employee's ability to meet job requirements, perform competently, or accept overtime hours;
- The outside employment does not conflict with the interests of the Town;
- The outside employment does not give rise to the appearance of impropriety; and
- The employee must notify the appropriate Department Head or Town Manager in advance.

Regardless of any outside employment, an employee is expected to exhibit effective job performance while working for the Town.

6.05 Volunteer and Other Work

Employees are expected to perform their normal work duties during normal work hours. Volunteer work for the Town or other organizations shall not be performed during regular work hours unless the employee requests vacation leave, management leave, or compensatory time off to meet their personal commitments. Such requests must be made with sufficient advance notice in order to allow the supervisor to evaluate the request and determine if the time off can be approved.

Chapter - 7 Leaves

7.01 Paid Holidays

The following holidays are observed by the Town with pay to all regular full-time and regular part-time who work more than 1560 hours annually. Each eligible employee will receive eight (8) hours of holiday pay for the following holidays.

- The first day of January (New Year's Day)
- The third Monday of January (Martin Luther King Day)
- The third Monday of February (Presidents' Day)
- The last Monday of May (Memorial Day)
- The fourth day of July (Independence Day)
- The first Monday of September (Labor Day)
- The second Monday of October (Columbus Day)
- The eleventh day of November (Veterans' Day)
- The fourth Thursday of November (Thanksgiving Day)
- The Friday immediately following Thanksgiving Day
- The twenty-fifth day of December (Christmas Day)
- One (1) floating holiday of the employee's choice

Holidays that fall on a Saturday will be observed on the preceding Friday; a holiday that falls on a Sunday will be observed on the following Monday. Holidays are subject to annual re-evaluation by the Town Manager and may be revised at any time. Employees will be advised of observed holidays or any changes in December of the year preceding the scheduled holidays.

An eligible employee who is required to work on an observed holiday will be paid eight (8) hours of holiday pay at straight time in addition to their regular pay for hours worked on the holiday, or use eight (8) holiday hours at a later date. Holiday hours that will be used at a later date must have prior approval from the Department Head.

The floating holiday is determined by the employee whom may designate and observe with pay an additional holiday of his or her choosing each calendar year. The employee must designate and obtain his or her supervisor's approval in advance of taking such holiday. Approval of floating holidays is at the discretion of the supervisor. The additional holiday may not be carried over into a subsequent year, and the employees are encouraged to discuss with their supervisors the proposed use of the floating holiday well in advance of the date thereof.

Holiday hours may not be carried over from year to year and are not paid out at separation.

7.02 Requests for Leave

Unless it is not possible due to a medical emergency or other extraordinary circumstances, it is important that request for any type of leave be submitted with adequate advance notice in order to allow supervisors and Department Heads to evaluate the request and determine if the time off can be approved. The leave must be approved by the supervisor and/or Department Heads and annotated on the employee's time sheet.

7.03 Vacation Leave

The Town provides vacation leave benefits to regular full-time, and regular part-time employees who work 1560 hours or more annually for the purpose of rest and relaxation in accordance with the employee's classification and length of service with the Town. Management will approve requests for vacation leave with consideration for the needs of the Town and personal desires of the employee. Regular full-time employees shall accrue vacation leave in accordance with the following schedule. Vacation leave must be earned before it is taken.

<u>Months (Years) of Service</u>	<u>Earned Vacation Leave</u>
Month 1 through 24 (2 years)	3.33 hours per pay period 80 hours per year
Month 25 through 48 (4 years)	4.17 hours per pay period 100 hours per year
Month 49 through 72 (6 years)	5.00 hours per pay period 120 hours per year
Month 73 through 108 (9 years)	6.00 hours per pay period 144 hours per year
Month 109 through 180 (15 years)	7.00 hours per pay period 168 hours per year
Month 181 and above	8.00 hours per pay period 200 hours per year

Vacation leave accruals begin on the date of hire into an accrual eligible position. When employees transfer from one department to another, vacation leave balances will transfer with the employee.

Unused accumulated vacation may be carried over to the following calendar year with a maximum accumulation equal 360 hours. At year end (December 31), any vacation accrual that exceeds the annual accrual will be paid unless an exception is approved by the Town Manager prior to the end of the first pay period in the new calendar year.

If an employee becomes sick during their vacation leave, sick leave can be used instead of vacation leave for those hours that apply. The correct type of leave must be annotated on the employee's time sheet.

Employees who separate from Town employment shall be paid for the unused balance of their accrued vacation leave.

7.04 Sick Leave

All regular full-time and regular part-time employees who work 1560 hours or more annually are eligible for sick leave. Eligible employees accrue sick leave at the rate of four (4.0) hours per pay period. Sick time taken in excess of sick leave accruals may, upon approval of the Department Head, be charged to the employee's accrued vacation time or be taken as leave without pay. Employees shall not be allowed to have a negative sick leave balance unless approved in advance by the Town Manager.

An employee using sick leave must notify their immediate supervisor as soon as possible and generally no later than an hour after the start of the work shift. Failure to notify the supervisor in a timely manner may result in an unauthorized absence and may subject the employee to loss of pay for the affected time or disciplinary action up to and including dismissal. Failure to call in when absent for three consecutive days will result in termination.

At the supervisor's request, for any period of sick leave exceeding four (4) consecutive working days' duration, including Family Sick Leave, the employee may be required to furnish to the Town appropriate medical certification from a health care provider setting forth the reason for the sick leave and/or to verify the employee's ability to return to work.

Unused accumulated sick leave may be carried over to the following calendar year with a maximum accumulation of 480 hours.

Employees may donate sick leave to fellow employees in writing to the Town Clerk or Payroll Clerk.

All sick leave accruals are forfeited upon resignation or termination of employment.

7.05 Family and Medical Leave Act (FMLA) Unpaid Leave

Public employers, like the Town of Parachute, are subject to the provisions of the Family Medical Leave Act (FMLA). However, a key provision of the act is an employer needs to have 50 employees for those employees to be eligible for FMLA leave. Because the Town does not meet this key provision, employees are not eligible to take FMLA leave. The Town does provide medical leave and those provisions are outlined below.

7.06 Medical Leave of Absence

A medical leave of absence of not more than three (3) months currently may be granted to full-time employees. This unpaid leave is for absences arising from illness, injury, or pregnancy.

For a medical leave to be granted, the following conditions must be met:

- The employee has completed ninety (90) days of employment with the Town.
- Town Clerk or Payroll Clerk is notified by the employee as soon as possible of the need for medical leave.
- The employee submits to the supervisor a written statement from a medical provider outlining the reason for leave and the estimated time needed. (The Town may require the employee to obtain an opinion from a medical provider selected by the Town.)
- Approvals are obtained from the prior to the leave.
- All available sick leave and earned vacation are used at the beginning of the leave of absence.

When the estimated period of leave is less than three (3) months and an employee needs to extend the leave, another medical provider's statement is required indicating the new estimated length of leave.

An employee ready to return to work from leave must present a doctor's statement indicating ability to return to work.

The Town may reinstate an employee ready to return from a medical leave of absence when, in the opinion of the Town, it is practical to do so. The Town does not guarantee reinstatement of an employee to the former job. When the employee is available to return to work, the employee is free to apply for any vacancy available and may be considered along with other applicants.

The Town currently continues medical and life insurance benefits for an employee on leave for a maximum of three months as long as the employee continues to pay the employee's portion of the premium.

Vacation and sick leave will not accrue during a medical leave of absence. Holidays, funeral pay, or employer's jury duty pay will not be granted during the leave.

Employees who fail to return at the expiration of their authorized leave may be terminated. If the employee's failure to return is due to a disability under the Americans with Disabilities Act or other law, additional accommodations may be provided. Employees must supply sufficient information from their medical provider indicating that they have a covered disability and when they can return to work with or without reasonable accommodation. Accommodations must not cause undue hardship to the employer. Potential accommodations will be determined in an interactive process between the employee and the Town.

Part-time employees are not eligible for medical leave except as required for a disability.

7.07 Parental Leave

Parental leave without pay may be available to full-time employees who wish to take time off from work to fulfill family obligations relating directly to the birth or adoption of a child.

After the completion of twelve (12) months of service, employees may request up to three (3) months of unpaid parental leave. The leave must be concluded within the six-month period following the birth or adoption of a child. Employees must take any available vacation at the beginning of the parental leave of absence.

Employees must request leave from their immediate supervisor at least one (1) month prior to the expected date of the beginning of the leave. Requests for parental leave are evaluated based on a number of factors, including anticipated operational requirements, and staffing considerations during the proposed period of absence. Leaves must be approved by the supervisor and the Town Manager.

The Town currently continues medical and life insurance benefits for an employee on leave for a maximum of three months as long as the employee continues to pay the employee's portion of the premium.

Benefit accruals (e.g., vacation, sick leave, and holiday benefits) are suspended during the leave and may resume upon return to active employment.

When parental leave ends, the employee may return to the same position, if available, or to a similar one for which qualified, where practical. If the previous position or a comparable one is not available, the employee may apply for another position that is available and suitable. The employer cannot guarantee reinstatement.

If an employee fails to report to work promptly at the end of the approved leave period, the employee is terminated.

7.08 Discretionary Leave of Absence Without Pay

The Town Manager may authorize a discretionary leave of absence without pay to employees under the following circumstances:

1. For school or training that is not Town sponsored.
2. For any other specific purpose as authorized by the Town Manager.
3. Employees must first have exhausted all accrued compensatory time, vacation and/or primary bank sick leave, as applicable, prior to being granted a discretionary leave of absence without pay.
4. A discretionary leave of absence without pay shall not be granted for employees to go to other employment, except for extended active duty with the Armed Forces.

5. A discretionary leave of absence without pay will be for no longer than 30 days but may be extended longer under certain conditions at the discretion of the Town Manager.

Subject to applicable law and the requirements of any applicable insurance plan, employees on discretionary leave of absence without pay are not entitled to accrual of seniority or benefits. Prior to the start of the discretionary leave of absence without pay, the employee shall meet with the Town Treasurer to make arrangements for payment of healthcare insurance and other insurance benefits. Except as otherwise determined by the Town Manager, employees will be held responsible for payment of their individual monthly insurance costs while on discretionary leave of absence without pay. Employees who begin their discretionary leave of absence without pay in the middle of a month shall pay a pro-rated share of their insurance costs for that month. Although the Town may, in its sole discretion, attempt to reinstate an employee who wants to return to work after an unpaid discretionary leave of absence, the Town cannot guarantee reinstatement.

7.09 Funeral Leave

Full-time employees are currently eligible for paid leave of up to three (3) days to attend the funeral of an immediate family member. "Immediate family" is defined as the employee's spouse, parents, children, sisters, brothers, grandparents, grandchildren, mother-in-law, and father-in-law.

In the event of a death of a near relative, full-time employees currently are granted up to one (1) paid day to attend a funeral. "Near relatives" include the employee's aunts, uncles, nieces, nephews, and their spouse's grandparents, brothers, sisters, and other close relatives.

If more time off is needed than provided above, additional leave may be granted upon the approval of the supervisor/Department Head.

7.10 Jury and Witness Duty

Employees summoned to jury duty receive regular pay for up to a maximum of 15 working days per calendar year. Under special circumstances, the Town Manager has the discretion to extend the number of days provided to employees. Employees are also permitted to retain the allowance they receive from the court for such service.

Employees are granted unpaid time off if summoned to appear in court as a witness.

When excused from jury duty during regular work hours, employees should report to work promptly.

Employees who are required to appear in court on matters that do not relate directly to their Town duties, except for jury duty, are not paid by the Town for this time. They may be allowed to use accrued compensatory time or vacation leave, management leave, or discretionary leave without pay.

7.11 Military Leave

Any employee who is serving in the military will be entitled to a maximum of fifteen (15) paid days of military leave per year. The employee is eligible to retain full military and Town pay for the 15 days. Seniority, job status, vacation/sick leave accruals and other Town benefits will continue for the 15 days conditional upon the satisfactory performance of military service. The Town will not pay any employee taking military leave beyond 15 days. Military leave beyond 15 days will be considered as leave without pay, or may be charged to the

employee's accruals at the employee's voluntary, written request. Any employee called for active duty shall promptly notify their Department Director and provide a copy of the order where practicable.

If you are called to serve in a branch of the U.S. Armed Forces for an extended period, upon returning to the Town after separation from military service, will be reinstated in accordance with the provisions of the law if the provisions of the law are met.

7.12 Workers' Compensation

The Town of Parachute provides Workers' Compensation insurance for all employees who are injured on the job.

Except for cases of life-threatening emergencies, injured employees of the Town must use the designated medical providers for all Workers' Compensation injuries. Medical care costs incurred by a non-designated provider in the case of non-life threatening injury or illness will not be covered by Workers' Compensation.

If an employee is injured on the job and cannot perform his or her duties per the designated physician's report, the employee may be allowed to use accrued sick time for the first three (3) days of absence. Thereafter, a leave of absence will be considered on an individual, case-by-case basis taking into account the Town's operational requirements. Leaves will be at the discretion of the Department Head with approval from the Town Manager.

Employees returning to work from a Worker's Compensation injury or illness must provide a release to the Town Clerk or Payroll Clerk from the designated medical provider. Medical certification is required to verify the employee's ability to return to work. Failure to return to work on the day after the expiration of leave may result in separation.

7.13 Modified Assignment Program (MAP)

MAP is a temporary work program designated to assist full time and regular part-time employees in their return to normal job duties. The purpose of the program is to allow injured employees to remain productive, while recuperating, and to return to full work status as quickly as medically feasible. The following conditions apply:

1. MAP work is for employees who are unable to return to their normal duties. Generally the work is less physically and/or mentally demanding.
2. MAP work must be approved by the designated physician, Department Head/Town Manager, Worker's Compensation Agent for final approval of the assignment.
3. MAP may be administered for a period not to exceed 90 days. The determination will be made in coordination with the designated physician, Department Head, and Town Manager.

The determination of whether MAP is appropriate will be made on an individual, case-by-case basis taking into account the Town's operational requirements and the employee's work restrictions. The Town has no obligation to place an employee on MAP and will not create positions for this purpose.

7.14 Voting

Voting is an important responsibility we all assume as citizens. The Town encourages employees to exercise their voting rights in all municipal, state, and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their supervisor no later than the day prior to Election Day.

7.14 Administrative Leave

The Town Manager may, at his or her discretion, place an employee on administrative leave with or without pay for a defined period of time.

Chapter - 8 Benefits

8.01 Medical, Life, and Disability Insurance

The Town is currently able to provide types of insurance coverage for its full time and regular part-time employees. Each type of insurance is subject to qualifications and to insurance companies' policies that are subject to change or may be discontinued at any time. The current insurance benefits, complete plan descriptions, and summary plan descriptions may be obtained from the Town Clerk or Payroll Clerk. Regular part-time employees scheduled to work at least 30 hours per week are eligible for medical and life insurance. The Town contributes a set dollar amount for insurance costs that currently covers the insurance costs of Medical and Life insurance as well for the additional employee-chosen coverage for Dental, Vision, and other benefits as outlined in the program.

Policies and costs currently in effect are available from the Town Clerk or Payroll Clerk. The Town's insurance policies currently renew annually on their anniversary date. The Town may elect to continue the same coverage at that time or may elect to establish new coverage. The benefits provided by this insurance may change from year-to-year, including different levels of coverage, employee out-of-pocket costs, prescription benefits, etc. The cost for this insurance, including the amount the Town will pay and the employee share may also change from year to year.

The Town pays the cost for short term and long term disability insurance for each full time employee and part-time employees scheduled to work at least 30 hours per week.

8.02 Retirement

The Town currently participates in a 401(a) retirement plan for all full-time and regular part-time employees working 1560 hours or more annually. This program has mandatory participation requirements and is in effect on the first payroll. The Town requires a five (5) percent employee contribution and matches with a Town contribution of five (5) percent. The contribution is pre-taxed.

Vesting in the retirement plan will be based upon the following schedule:

After two (2) years of contribution	25.0% vested
After three (3) years of contribution	50.0% vested
After four (4) years of contribution.....	75.0% vested
After five (5) years of contribution	100.0% vested

More information on this benefit is available from the Town Clerk/Payroll Clerk or the plan Manager.

Members of the Police Department do not participate in the general 401(a) retirement plan nor do they contribute to Federal Insurance Contributions Act (FICA). The Town contributes eight (8) percent to the Fire Police Pension Association (FPPA); the police officers contribute an equal amount. The Town also pays 1.3% into an accidental death and disability program for the police officers.

Employees may also elect to voluntarily contribute additionally to a 457 plan. Additional contribution amounts are left to the employee's discretion and can be started and stopped at any time. To enroll in the program the employee may contact the Town Clerk or Payroll Clerk.

8.03 Travel and Expense Reimbursement

Travel and meeting expenses incurred by employees while attending meetings, conferences, conventions and training sessions on official Town business may be reimbursed, if authorized according to Town guidelines.

These activities may be authorized for the employee's attendance and should be considered a privilege not an entitlement.

Authorization must be obtained by your department head prior to attending meetings, conferences, conventions, and training sessions. The Town may, upon sufficient request, advance money to an employee to cover anticipated travel expenses. In order to receive advance travel pay or to be reimbursed for travel pay, a Travel Expense Request form must be filed with the Finance Clerk.

Meetings, conferences, conventions, trainings, and training sessions will be used as interchangeable terms within this policy.

Air Travel

Air Travel shall be limited to the round trip "economy coach" fare between Denver or Grand Junction and the destination city. As a general rule, airfare should be booked in advance in an effort to get the most economic price available.

Use of Private Vehicles:

The Town encourages employees to use Town vehicles for in-state travel on Town-related business, if a suitable Town vehicle is available. If a suitable Town vehicle is not readily available or with the approval of the employee's immediate supervisor, an employee may use his/her own personal vehicle. Employees who drive their own vehicles to perform Town-related duties will be reimbursed for their mileage at the rate established from time-to-time by the Town as indicated on the Travel Expense Request form based on the IRS mileage allowance. The mileage reimbursement rate is intended to pay for gas, vehicle use and insurance. All employees who use their personal vehicles on Town business must have at least the minimum motor vehicle liability and collision insurance required by law and must be sure their insurance covers any collision or vehicle liability that arises while they are using their vehicle on the job. The Town reserves the right at its sole discretion to verify employees' vehicle insurance coverage and to request that the Town be named as an additional insured.

Employees must wear seat and shoulder belts, obey all laws and be safe and courteous drivers during any Town-related driving. The Town will not pay any tickets or fines and, except as required by law, the Town will not reimburse employees for any vehicle damage, insurance deductible or liability employees incur or for which employees are liable as the result of any vehicle use, including Town-related driving.

Parking

Short-term parking, long-term parking or shuttle fare associated with airport departure and arrival may be allowable expenses. Self-parking should be used instead of valet parking whenever available.

Lodging

Hotel/motel selection and advance reservations are to be done in such a manner as to assure moderate rates. Lodging shall be for the minimum number of nights required to conduct the assigned Town business. In general lodging will be allowed starting the night prior to the training and ending the night prior to the last day of the training. Room sharing should be considered when possible and appropriate. Lodging in Grand Junction or any area within 60 miles of the Town will not be allowed unless approved by the Department Head. If you are unable

to attend a training session due to illness please make sure your reservation is cancelled. Failure to cancel the reservation will lead to the employee covering the expense.

Meals

The Town uses the IRS Per Diem Allowance to provide for employees meals and incidental expenses while they are away from home on business. This eliminates the necessity of providing receipts for meals and incidental expenses only.

To receive reimbursement for breakfast, the employee must be in travel status before 7:00 A.M., and for lunch before 12:00 Noon and/or return after 1:00 P.M., except where a luncheon meeting is held. For dinner, the employee must be in travel status until after 6:00 P.M.

Reimbursement for alcoholic beverage expenses is prohibited.

If employee is required to remain on duty for over-time between the hours of 7:00pm to 7:00am the employee will receive \$10.00 to cover meal expenses.

Same-Day Meal Policy

Lunch per diem is not given for one-day meetings within the Western Slope area.

The exception to this is:

- Meals included in the registration paid as part of a convention/conference/training.
- Trade or business organization meals, which are related to the job responsibilities of the person attending.
- Attendance at meetings where meals are served with outside organizations or entities related to obtaining business for enterprises.
- Meals conducted by Town Management, Department Heads, or Board members to provide or receive support or assistance related to Town business.

Chapter 9 - Employee Conduct – General

9.01 General Rules of Conduct

The Town expects all of its employees to act in the best interest of the Town and members of the public served by the Town. It is the responsibility of all employees to observe all rules, guidelines, operating procedures, and directives of the Town.

The Town further expects that each of its employees will behave with courtesy and respect toward other employees and members of the public. Specific rules of conduct adopted by the Town or described in this manual are not meant to be all-inclusive, but rather address some common and serious potential problems.

9.02 Safety

The Town acknowledges that a valid safety program is an important function of the operational and administrative systems. It also acknowledges that the function of a safety program pertains to all employees of its various departments. Employees should refer to the Safety Manual.

The health and safety of all employees throughout the Town is of primary importance and each department shall endeavor to maintain a safety-conscious attitude throughout its operation.

All employees are required to accept the concept that the safe way to accomplish a task is the most efficient and the only way to perform such task.

Safety adherence and performance is an important measure of supervisory and operations performance and is a standard criteria used in the evaluation of all employees.

Employees are encouraged to think about how to make their workplace safer for both themselves and their coworkers. Suggestions on improving safety at the Town are welcomed and should be directed to the employee's supervisor, the Department Head, Town Clerk or the Town Administrator.

9.03 Workplace Violence

Employees must not engage in intimidation, threats, or hostile behaviors, physical/verbal abuse, vandalism, arson, sabotage, bullying, or any other act which in the Town's opinion is inappropriate to the workplace. In addition, bizarre or offensive comments regarding violent events and/or behavior are not tolerated.

The Town prohibits the possession or use of unconcealed weapons and the use of concealed weapons on Town property, regardless of whether or not the person is licensed to carry the weapon. This guideline applies to all Town employees, contract and temporary employees on Town property, regardless of whether or not they are licensed to carry a concealed weapon.

Concealed weapons for which the individual has a permit must be unloaded or properly disarmed so as to render them undischageable or unusable while on Town property. Further, the individual with the concealed weapon who has a permit must report to the Town Manager that they are carrying a concealed weapon while on Town property and must show the Town Manager the permit. You must provide the Town Manager the weapon for inspection. Additional precautions may be taken depending upon the circumstances.

Police officers are exempt from this provision of the policy. In addition, there may be times when an employee will be required to carry a fire arm to protect Town property from destructive animals. In this case, the carrier will need to gain approval from both the Town Manager and the Police Chief.

“Town property” covered by this guideline includes all Town-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways, and parking lots under the Town’s ownership or control. This guideline also applies to all Town-owned or leased vehicles and all vehicles that come onto Town property.

“Dangerous weapons” include, but are not limited to, handguns, firearms, explosives, and knives. If employees have a question regarding whether an item is covered by this guideline, they should ask the Town Manager. Employees have the responsibility to make sure that any item not specifically listed above that is possessed by the employee is not prohibited by this guideline.

The Town reserves the right at any time and at its discretion to search all Town-owned or leased vehicles and all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures, and persons entering its property, for the purpose of determining whether any weapon has been brought onto its property or premises in violation of this guideline. Any employee failing or refusing to promptly permit a search under this guideline will be subject to discipline up to and including a discharge.

Any behavior listed above should be immediately reported to a supervisor or Town Authority (Town Manager). Complaints will receive attention and the situation will be investigated. Based on the results of the inquiry, action will be taken which management believes is appropriate. Employees should directly contact law enforcement personnel if they believe there is an imminent threat to the safety and health of employees or property.

9.04 Attendance & Punctuality

All employees are responsible for being reliable and punctual in reporting for work. In the event an employee must report later or is unable to report to work when scheduled, the employee must notify his/her supervisor as soon as practicable in advance of the anticipated absence.

9.05 Personal Conduct and Appearance

Employees are expected to act in a courteous and efficient manner that reflects favorably upon the Town. Interpersonal relations should demonstrate tact and good judgment when interacting with other employees and residents. At the Town of Parachute personal appearance, hygiene, and attire are very important. A professional image must be maintained to instill confidence in the minds of our residents and customers. Decisions about personal appearance may be left to the good judgment of the individual; however, departments may prescribe guidelines appropriate to work assignments.

Employees should maintain an appropriate appearance that is businesslike, neat and clean, and appropriate to the area in which the employee works.

Supervisors or the Administrative Authority may establish rules relating to appropriate dress and appearance.

9.06 Uniform Requirements

At the discretion of the Department Head some employees may be required to wear department specific clothing. Department Heads will determine uniform standards and methods to purchase and replace employee

clothing and allowance amount, if any.

The employer is required to pay the cost of purchasing the uniforms, maintenance of the uniforms, and the cleaning of the uniforms. If the uniform is washable and does not require ironing, or dry cleaning, the employee is responsible for maintaining clothing in a clean and presentable manner.

Clothing accepted as ordinary street wear, but considered a "uniform", need not be furnished by the employer. However, if a special color, make, pattern, logo or material is required, then the employer must furnish the uniform.

9.07 Smoking & Tobacco – Smoke-free Campus

In keeping with the Town's intent to provide a safe and healthy workplace, smoking and the use of tobacco products is prohibited in all Town buildings, facilities, and grounds. This restriction applies to all employees and visitors, at all times, including non-business hours. Smoking will not be permitted while on duty and should only occur during lunch. Employees found in violation of this policy will be subject to disciplinary action including up to dismissal.

9.08 Conflict of Interest

The Town prohibits its employees from engaging in any activity, practice, or act those conflicts or is perceived to conflict with the interests of the Town. For example: if an employee or family member has a financial interest in a firm that does business with the Town and the interest might affect the employee's decision or action, the employee must report the interest to their supervisor. Employees may not use privileged information gained as a result of employment with the Town for personal gain or benefits, or to benefit relatives, friends or acquaintances.

Pursuant to Article XXIX of the Colorado Constitution, employees are prohibited from either directly or indirectly accepting or receiving any money, forbearance or forgiveness of indebtedness without receiving lawful consideration of equal or greater value in return. Employees shall not directly or indirectly solicit, accept or receive any gift or thing of value having a fair market value or aggregate actual cost of greater than \$50.00 in any calendar year from any single donor, without receiving lawful consideration of equal or greater value in return. Employees are not prohibited from accepting unsolicited items of trivial value (i.e. less than \$50.00), novelty gifts, such as pens, pencils, plants, books and calendars, or other gifts of nominal value.

No workplace conduct statement can possibly cover every circumstance that may arise. Use good common sense. Ask yourself if you would like to read about your behavior in the newspaper or see a story about it on the nightly news. If there is any question about a course of action, it is your responsibility to get clarification from your supervisor, the Town Treasurer or Manager.

All final decision concerning conflicts are made at the sole discretion of the Town Manager.

9.09 Political Activity

The Campaign Reform Act applies to the Town and its employees. Employees are free to participate in any political affiliations, activities, and campaigns on their own time and away from the offices of the Town. Employees shall refrain from any activities that give the impression of being endorsed by the Town. While on work time an employee shall not publicly support or oppose any candidate for Town office or Town ballot issue,

shall not circulate any nominee petitions for offices and shall not distribute campaign literature, buttons, placards or similar material on behalf of the candidate.

Any employee who is subjected to pressure or coercion to participate in a Town campaign shall report the incident to his or her Department Head or the Town Manager immediately. Each reported incident will be investigated. Any employee found to be in violation of any provision of this policy shall be subject to disciplinary action, which may include termination.

9.10 Criminal Investigation

Town employees are expected to avoid any conduct, situation or circumstance that may bring dispute to the Town, its officials or employees. Any Town employee charged with a criminal offense shall notify his or her supervisor, Department Head or the Town Manager as soon as practicable and within no more than five calendar days. A criminal offense includes any misdemeanor or felony, excluding minor traffic offenses that do not involve alcohol or drugs.

9.11 Use of Town Vehicles

Town vehicles may be used only for the purposes and in the manner authorized by the Town Manager. All vehicles shall be operated in accordance with all applicable traffic laws, including use of seat belts, and vehicle operators shall be responsible for the condition and proper use of their vehicles. Unauthorized or improper use of Town vehicles may result in discipline, up to and including discharge. The Town reserves the right to review all employee driving records at least annually.

An employee whose driver's license is suspended or revoked must immediately notify their supervisor and cease operating Town vehicles and personal vehicles on Town business/property.

Employees subject to Stand-by may be required to drive a Town vehicle home for quicker response time. While traveling between home and their assigned work location, employees may, on occasion, perform small items of personal business in order to avoid wasting energy by retracing their route in their private vehicle. Extremely good judgment should be used at all times to avoid presenting an unfavorable image to the public.

Other Town employees may also be authorized the use of a Town vehicle for travel between their home and assigned work location(s). Unless specifically designated as a full-use benefit, these vehicles must comply with the paragraphs above. The Town Manager shall determine which employees are authorized full-use benefit vehicles.

Additional limitations regarding the operation of Town vehicles:

1. Non-Town personnel may operate a Town vehicle only:
 - In an extreme emergency.
 - In connection with repairs or service.
 - As authorized by the Town Manager.

2. Authorized passengers:
 - Other Town employees.
 - Persons engaged in official Town business.

- Immediate family members or other unrelated individuals who reside at the employee's household may be dropped off or picked up as an employee drives to or from work. Immediate family members are defined here to include spouse, parent, parent-in-law, guardian, child, son/daughter-in-law, grandparent, or grandchild.
- Any other person authorized by the Town Manager.

In the event a Town vehicle is involved in an accident or the driver of a Town vehicle receives a citation from a law enforcement officer, the Finance Clerk and Town Manager should be notified within 24 hours of such event.

Vehicle Identification

Most Town vehicles will be marked with the Town Logo on both sides of the vehicle. Vehicle numbers for in-house use will also be placed on the front fender. Exceptions to this vehicle identification policy must be approved by the Town Manager.

9.12 Use of Town Property and Systems

Communication Systems

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

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

Personal Use of the Internet

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

Software and Copyright

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

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

Unauthorized Use

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

E-mail

Because the Town provides the e-mail system to employees to help them with the performance of their job, it should be used for official Town business. Incidental and occasional personal use of e-mail is permitted. However, employees should be aware that these messages will be treated the same as business messages, and subject to

review at any time without notice. Also, employees cannot control where their messages will ultimately end up. For example, a message meant for one person can be mistakenly sent to the wrong individual(s), or the message can be forwarded to unintended recipients. In addition, e-mails that were deleted are stored elsewhere on the system.

Employees should use discretion when sending e-mails. Do not write anything in an e-mail message that is inappropriate to say to others face-to-face. Employees are advised that any and all e-mail messages sent through the Town's system are subject to disclosure under the Colorado Open Records Acts (CORA).

Voice Mail

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

Telephones/Cell Phones/PDAs

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

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

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

Use of Social Media Guidelines (working time use permitted)

The Town permits employees' use of social media on working time using Town equipment and systems and is aware that employees may use social media during non-work time. All postings on a blog, wiki, or social networking site on behalf of the Town must be preapproved and sent by authorized employees. All other postings made by an employee on a blog, wiki, or social networking site are considered personal communications and are not Town communications. Use of personal mobile devices during work time should be kept to a minimum. Employees are personally responsible for the content they publish. Postings by an employee concerning the Town are not prohibited provided they comply with guidelines set forth below or in this handbook.

You must comply with all applicable laws including copyright and fair use laws. You may not disclose any sensitive, proprietary, confidential, or financial information about the Town. You may not post anything related to Town inventions, strategy, financials, or products that have not been made public. Confidential information includes trade secrets or anything related to the Town's strategy, financials, or products that have not been made public, internal reports, procedures or other internal business-related confidential communications. Further detail is provided in the "Confidentiality" section of your employee handbook.

A blog, wiki, or social networking site is not the ideal place to make a complaint to the Town regarding alleged discrimination, unlawful harassment, or safety issues. Complaints regarding these issues to the Town must be made consistent with the complaint procedures in this handbook so that the Town may address them.

When you use social media, use good judgment. We request that you be respectful of the Town, our employees, our residents, our customers, our partners and affiliates, and others. Avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages our employees, customers, partners and affiliates, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment.

Nothing in this guideline is meant to interfere with employees' right under federal law to engage in protected and concerted activity, including employees' ability to discuss terms and conditions of their employment.

9.13 Problem Solving

If problems and complaints arise in the workplace, we encourage you to use the following procedure:

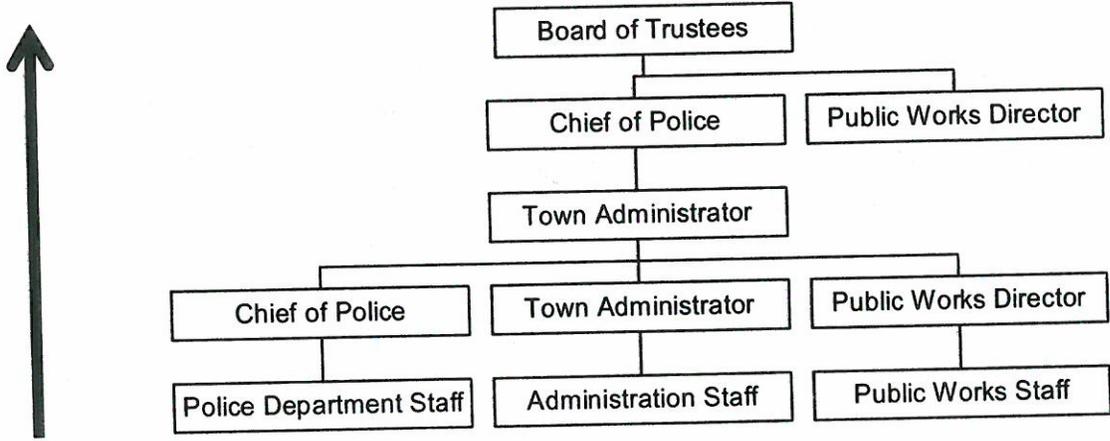
1. Discuss the situation with your supervisor within three to five days, or at least in a timely basis.
2. If a resolution is not reached with your supervisor or if it is inappropriate to go to your supervisor, discuss the situation with your Department Head.
3. If the situation is not resolved, communicate the problem directly to the Town Manager, unless the Town Manager is your Department Head.
4. If the situation is not resolved, communicate the problem directly in writing to the Police Chief.
5. Should further resolution be required, the Town Manager makes the final determination.

If any employee has a justifiable complaint against the Town Manager, the employee is to first speak with his/her immediate supervisor. The supervisor, in turn, will speak with the Town Manager about the issue. If a reasonable solution cannot be determined, the employee and/or supervisor may go to the Chief of Police with the complaint. The Chief of Police will work with the Public Works Director to determine a plan of action, including a conference with the Town Manager.

If no satisfactory solution can be agreed upon, the Chief of Police and the Public Works Director have the authority to go the Board of Trustees and seek an executive session of the Board to discuss the issue. The Chief of Police and the Public Works Director are to communicate with the entire Board of Trustees and not with individual members of the Board.

All statutory rules shall be followed regarding notification.

The following chart represents the procedure of how an employee is to deal with work related issues.



9.14 Supplemental Rules of Conduct

Each department may have unique circumstances that may require supplemental rules of conduct. Such rules shall be adopted by the Department Head, approved by the Town Manager, acknowledged by and made available to departmental employees, and filed in each affected employee's personnel file.

Chapter 10 - Employee Conduct – Drugs and Alcohol

10.01 Drug-Free Workplace

The Town is committed to a safe, healthy, and productive work environment for all employees that is free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision making. This includes working after the apparent use of marijuana, whether or not you are a lawfully registered user.

In accordance with the Drug-Free Workplace Act of 1988, the Town prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during Town time, on Town premises, or other work sites.

10.02 Testing - General

The Town will have tests of breath or urine conducted to determine the presence of illegal drugs or alcohol under the following circumstances:

- When reasonable suspicion exists to believe that an employee has consumed alcohol during the work day or is impaired by alcohol or drugs while on the job or is using illegal drugs;
- After certain motor vehicle accidents;
- For applicants for CDL employee positions, pre-employment testing (for drugs only);
- In conjunction with medical examinations required for CDL drivers; and
- For CDL employees, under a program of random testing.

If reasonable suspicion exists to believe that an employee has consumed alcohol during the work day, or is impaired by alcohol or illegal drugs while on the job, a supervisor in the employee's chain of command, the Department head, or the Administrative Authority may require the employee to submit immediately to testing.

Reasonable suspicion may be based on the following, as well as other facts and circumstances:

- Witnessing by at least one supervisor or fellow employee (two, if feasible) of the officer's or employee's unusual demeanor, appearance or conduct, or irrational behavior (e.g.; slurred speech, lack of balance, excessive aggressiveness, docility, or drowsiness); difficulty in performing or inability to perform normal job functions; smell of alcohol or illegal drugs; or
- Suspected possession of or use of alcohol or illegal drugs on the job; or

A determination by a supervisor in the officer's or employee's chain of command, based on a review of surrounding facts and circumstances, that an officer or employee might be at fault in an on-the-job accident or injury, or an operating accident, involving Town equipment, property, or personnel. In making such a determination, the supervisor should consider such factors as recommendations from the officer's or employee's immediate supervisor; injury to the officer or employee or others; damage to property; concern for the safety of the officer or employee or others; and pertinent behavioral factors.

Alcohol tests under this subsection should be performed as soon as possible after the determination of reasonable suspicion.

If an alcohol test is not performed within two (2) hours of the determination of reasonable suspicion, the person who made the determination must document the reasons for the failure.

If an alcohol test is not performed within eight (8) hours of the determination of reasonable suspicion:

- No further efforts to test will be made based on that determination, and the person who made the determination must document the reasons for the failure; and
- If the employee is a CDL employee, the employee may not drive a commercial vehicle or otherwise perform any safety-sensitive functions until he or she has been off work for at least twenty-four (24) hours, or has undergone an alcohol test with a result below a concentration of .02 grams of alcohol per 210 liters of breath.

10.03 Post-Accident Testing.

For purposes of this subsection, the term "motor vehicle accident" includes an occurrence during the course of performing the Town's job duties which involves either a Town vehicle or the officer's or employee's personal vehicle and results in:

- A fatality or bodily injury to anyone; or
- Damage to a vehicle or any other property; or
- A citation for a moving traffic violation arising from the accident.

If an employee's actions either contributed to a motor vehicle accident, or cannot be discounted as a contributing factor to a motor vehicle accident, as determined by a supervisor in the employee's chain of command, the Department head, or the Administrative Authority, such employee shall provide, as soon as possible after the motor vehicle accident, breath and urine samples to be tested for drugs and alcohol at a testing site designated by the Town.

Unless unable to do so because of a serious injury, the employee must immediately contact a supervisor in the employee's chain of command to report the accident. The supervisor will then contact the Department head or the Administrative Authority. If either the supervisor, the Department head, or the Administrative Authority determines that the employee shall be tested under this subsection, transportation will be arranged to take the employee to the designated testing site.

If the employee is seriously injured and cannot provide a sufficient breath or urine sample, the employee shall provide the necessary authorization to permit the Town to obtain hospital reports and other documents that would indicate the concentrations, if any, of alcohol or drugs in the employee's system.

Alcohol tests under this subsection should be performed as soon as possible after the accident.

If an alcohol test is not performed within two (2) hours of the accident, the supervisor who ordered the test must document the reasons for the failure.

If an alcohol test is not performed within eight (8) hours of the determination of reasonable suspicion, no further efforts to test will be made based on that determination, and the person who made the determination must document the reasons for the failure.

An employee subject to testing under this subsection shall not use alcohol for either eight (8) hours following the motor vehicle accident, or until the employee undergoes a post-accident alcohol test, whichever comes first.

10.04 Testing of CDL Employees.

Applicants for CDL employee positions shall be subject to pre-employment drug testing.

CDL employees shall be subject to biennial drug and alcohol testing in conjunction with the medical examinations required for a commercial driver's license.

CDL employees will also be subject to random drug and alcohol testing.

CDL employees will be subject to follow-up tests for drugs and/or alcohol.

10.05 Results of Drug or Alcohol Use.

Any employee found to be impaired by alcohol on-the-job, using illegal drugs, or testing positive for illegal drugs shall be terminated if:

- Driving is a required function of the officer's or employee's position as determined by his/her job description;
- The employee was operating a Town vehicle or equipment, or the officer's or employee's personal vehicle on Town business, when the officer or employee was impaired by alcohol, or was impaired or using illegal drugs; or
- Other substantial safety concerns of the Town are at stake.

A CDL employee having a breath alcohol test which shows an alcohol concentration of .02-.039 grams per 210 liters of breath must take available paid sick leave, vacation leave or, if paid sick leave and vacation leave are exhausted, leave without pay, for one (1) working day after taking the test. The employee may return to work after being off the job for one (1) working day, but must first take a breath alcohol test which shows a concentration of less than .02 grams per 210 liters of breath.

A CDL employee may not work within four (4) hours of consuming alcohol obtained from any source. If a CDL employee has consumed alcohol within four (4) hours of reporting to work, the employee must take available paid sick leave, vacation leave or, if sick leave and vacation leave are exhausted, leave without pay, until no alcohol has been used within four (4) hours of the beginning of the employee's next work shift.

Any employee found to have consumed alcohol during a work day, or to be impaired by alcohol on-the-job, using illegal drugs, or testing positive for illegal drugs, shall be subject to discipline up to and including discharge.

10.06 Refusal to Submit to Testing.

An employee who refuses to submit to drug and alcohol testing in compliance with this policy shall be deemed to have tested positive for illegal drugs and to be impaired by alcohol on-the-job. Refusal to submit to testing includes any of the following:

- Refusal to take the test;

- Inability to provide within four (4) hours sufficient breath or urine to be tested, without a valid medical explanation;
- Tampering with or attempting to tamper with or adulterate the specimen or collection procedure;
- Failure to comply with the requirement of subsection 11.2.7.6 that the officer or employee shall not use alcohol for either eight (8) hours following a motor vehicle accident or until the officer or employee undergoes a post-accident alcohol test, whichever comes first;
- Not reporting to the designated testing site at the scheduled time; or
- Refusal to provide the necessary authorization for obtaining hospital reports and other documents as required

10.07 Testing Procedure.

The supervisor making the determination of reasonable suspicion or ordering the post-accident test, shall prepare a testing referral form, setting forth the basis for the finding of reasonable suspicion, or post-accident testing, as appropriate. The form shall be accompanied by other pertinent information, including names of witnesses of the circumstances or behavior that led to the referral. The supervisor shall make immediate arrangements to have the employee tested , and the drug and alcohol tests shall be performed as soon as possible.

Test results shall be held in confidence by the laboratories with which the Town contracts, and shall only be disclosed to the officers and employees tested, any personnel involved in supervisory or disciplinary capacities with regard to the officer and employee, or Town personnel participating in the administrative or legal proceedings which concern in any manner the test results.

Applicants for CDL employee positions shall be subject to pre-employment drug testing.

Any employee who is convicted, or pleads guilty or no contest under a criminal drug statute for a violation occurring in the workplace must notify the Town within five (5) days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination.

Please contact the Town Manager if you have any questions.

Chapter 11 Discipline

11.01 General Policy

An employee's conduct is a major factor affecting the health and growth of the Town. It is also an important aspect of the Town's image within the community.

When management finds an employee's performance is unsatisfactory or an employee's conduct is unacceptable, disciplinary action may be taken. The discipline may range from informal discussion with the employee to immediate discharge, depending on the Town's opinion of the seriousness of the situation. Any action taken by management in an individual case should not be assumed to establish a precedent in other circumstances.

In addition to any other conduct described in this manual, the following conduct may result in disciplinary action, up to and including discharge:

1. Inadequate job performance, incompetence, or inefficiency;
2. Insubordination;
3. Inappropriate or unbecoming conduct as an employee of the Town;
4. Violation of any lawful rule, regulation, policy, or order, or failure to obey any proper directive made and given by his/her supervisor;
5. Taking a fee, gift, or other valuable things in the course of or in connection with work for personal use from any person, when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons;
6. Conviction of, a plea of guilty to, or failure to contest a crime which involves moral turpitude or which affects the employee's ability to perform a job function;
7. Falsification of or material omission from an employment application, payroll records, time reports, or other Town documents;
8. Negligent or willful damage, destruction, waste, or carelessness, negligence, or misuse of Town or public property;
9. Theft of Town property;
10. Use of or attempting to use political influence in securing promotion, leave of absence, transfer, change of grade, pay, or character of work;
11. Improper use of Town vehicles or equipment, including communications equipment;
12. Violation of safety rules or practices;
13. Failure to wear seat belts when required;
14. Unauthorized absence or unauthorized failure to report for work;
15. Failure to respond in a timely manner when on Stand-by.
16. Frequent or habitual tardiness;
17. Leaving assigned work area without prior authorization, with the exception of restroom and other previously allowed breaks;
18. Possession of firearms or dangerous weapons on Town property, other than as required or permitted in the performance of official duties;
19. Abuse of leave;
20. Abuse of break periods;
21. Release of confidential information of the Town except as required or authorized by law;
22. Violation of the Town's sexual harassment policy;
23. Violation of the Town's drug and alcohol policy;

24. Violation of the Town's workplace violence policy;
25. Violation of the Town/s anti-discrimination policy;
26. Inducing or encouraging any employee of the Town to violate any Town ordinance, rule, regulation, policy, or directive;
27. Participation in any unauthorized interruption of work;
28. Failure of a nonexempt employee to obtain advance authorization for overtime work;
29. Loss of any license, certificate, or other credential required for the performance of a job responsibility;
30. Violation of any other applicable Town policy concerning employee conduct; or
31. Any other activity that is not compatible with good public service.

Chapter 12 - Separation of Employment

12.01 Resignation

If you desire to end your employment relationship with the Town, we ask that you notify your supervisor as soon as possible of the intended termination. Notice generally allows sufficient time to collect Town property, process monies to which you may be entitled, convert insurance, and correctly calculate a final paycheck.

Employees who plan to retire are asked to provide sufficient advance notice to the Town to process pension forms to ensure that retirement benefits to which an employee may be entitled commence in a timely manner.

An employee, who, without authorization, fails to call or report for work for three (3) consecutive working days, shall be considered to have resigned voluntarily as of the end of the third consecutive day.

12.02 Reduction in Force

When warranted by changes in Town operations or by fiscal circumstances, the Town pay plan may be amended to impose a reduction in force in one or more Departments. The Administrative Authority shall then notify the affected employee or employees at least two (2) weeks in advance of such reductions.

A reduction of the number of employees in any Department shall be made in the following order:

- Temporary or seasonal employees; then
- Regular full-time and part-time employees.

Chapter 13 - Additional Policies

13.01 Additional Policies

Additional policies approved by the Town Manager may be attached to this policy.



Acknowledgment of Receipt

I have received a copy of the employee personnel handbook dated February 14, 2014. I understand that I am to become familiar with its contents. Further I understand:

- Employment with the Town of Parachute is at-will. I have the right to end my work relationship with the Town, with or without advance notice for any reason. The Town has the same right.
- The language used in this personnel handbook and any verbal statement of management are not intended to constitute a contract of employment, either express or implied, nor are they a guarantee of employment for a specific duration.
- The personnel handbook is not all inclusive, but is intended to provide me with a summary of some of the Town's guidelines.
- This edition replaces all previously issued personnel handbooks/policies. The need may arise to change the guidelines described in the personnel handbook.
- No representative of the Town of Parachute, other than the Town Manager, has the Authority to enter into an agreement of employment for any specified period and such agreement of employment for any specified period must be in writing, signed by the Board and the Town Manager. We have not entered into such an agreement.

Employee Name (print) _____

Employee Signature _____ Date _____

