RESOLUTION NO. 1998-__2__

A RESOLUTION AMENDING THE PERSONNEL POLICY AND PROCEDURES MANUAL ADOPTED BY THE BOARD OF TRUSTEES JULY 13, 1988

WHEREAS, on July 13, 1988, the Board of Trustees adopted Personnel Policy and Procedures that govern, among other things, the relationship of employees with the Board of Trustees of the Town of La Jara and the rights, duties, and obligations of each, including, but not limited to, hiring practices, probationary employment periods, vacation and compensation time, termination procedures, and matters of a similar nature, and

WHEREAS, the Board of Trustees finds and determines that, with respect to all personnel presently employed and with respect to all new personnel hereafter employed by the Town of La Jara, certain guidelines should be in place and enforced with respect to paid vacation time, particularly as such is determined by the length of time for which any particular employee has been employed by the Town, and

WHEREAS, the Board finds and determines that, in the interest of promoting a good working environment for all employees free of sexual harassment, it is necessary and proper to adopt a Sexual Harassment Policy to be immediately implemented after the adoption of this Resolution, such to be made a part of and incorporated into the Town's Personnel Policies and Procedures Manual.

NOW, THEREFOR, BE IT RESOLVED by the Board of Trustees of the Town of La Jara, Colorado, as follows:

Section One: The first paragraph under the heading **VACATION** under the category **LEAVE AND HOLIDAYS** of the Personnel Policy and Procedures Manual and as more particularly set forth on page 10 thereof and reading as follows:

"VACATION

Full-time employees are entitled to two weeks (10 working days) paid vacation time after one year of employment with the Town. After 10 years of employment with the Town an employee is entitled to three weeks (15) working days paid vacation. After 20 years, four weeks (20) working days of vacation will be awarded with pay. However, not more than two weeks of vacation can be taken at any one time. Vacation is not accumulated and must be used within the twelve-month period."

is deleted in its entirety.

Section Two: A new first paragraph under the heading **VACATION** under the category **LEAVE AND HOLIDAYS** of the Personnel Policy and Procedures Manual, and to appear on page 10 thereof is hereby re-enacted as follows:

VACATION

Full-time employees shall be entitled to two weeks (10 working days) of paid vacation time after one full year of employment with the Town. After 10 consecutive years of full-time employment with the Town, the employee shall be entitled to three weeks (15 working days) of paid vacation time. After 20 consecutive years of full-time employment, the employee shall be entitled to four weeks (20 working days) of paid vacation time. However, not more than two weeks of paid vacation may be taken at any one time. In the interest of, indeed, affording an employee actual time-off from employment so as to promote the employee's morale by not being subjected to the stress and responsibilities associated with the employee's job, every employee entitled to at least two weeks of paid vacation shall take such two-weeks vacation and shall not be entitled to remain on the job during the period of time that would otherwise be that employee's vacation time. Employees

entitled to more than two weeks of paid vacation shall likewise take a least a two-weeks vacation away from the job, but shall be entitled to "buy back" the remainder of the employee's allowable vacation time in excess of two weeks at the rate of 40 hours per week at $5.00 per hour. ($200.00 per week). With respect to any employee entitled to more than two weeks of paid vacation, not more than two weeks may be taken at any one time, the objective being that an employee's absence away from the job for a period in excess of two weeks may be detrimental to a smooth and efficient operation of that employee's duties and responsibilities within his or her department in attempting to re-orient himself or herself to the job after an absence of more than two weeks. The accumulation of paid vacation time shall not be permitted and allowable paid vacation time must be used with a twelve-month period.

Section Three - Sexual Harassment Policy: A new category to be entitled **SEXUAL HARASSMENT POLICY** shall be enacted to the Personnel Policy and Procedures Manual, such to appear following page 17 as follows:

SEXUAL HARASSMENT POLICY

All Town employees are entitled to work in an environment free of sexual harassment; sexual harassment will not be tolerated.

Unwelcome sexually-related conduct, including sexual advances, requests for sexual favors, or other physical, verbal or written conduct of a sexual nature constitutes sexual harassment when: (1) submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of the conduct by an individual is used as the basis for employment decisions affecting that individual; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment. Examples of conduct that may constitute sexual harassment include, but are not limited to; pinching; grabbing; fondling; propositioning; making either explicit or implied job threats or promises in return for submission to sexual favors; making sexually-oriented comments on appearance or physical features; telling sexually-oriented stores or jokes; and display of sexually-oriented pictures or photographs.

Any employee who believes that he or she is being subjected to sexual harassment should inform the person responsible for the conduct that such conduct is unwelcome and plainly request that it stop immediately. The employee shall inform the Town of the sexual harassment by notifying an immediate supervisor, department head, personnel director, or the Mayor, or in his absence, the Mayor-pro-Tem, as the employee chooses. To the extent possible, complaints and investigations will be handled in a confidential manner and anonymity preserved.

It is the Town's policy to undertake a timely investigation of all claims and complaints of sexual harassment and to take effective and appropriate corrective action. If it is determined that any employee's conduct constitutes sexual harassment, the employee shall be subject to disciplinary action that may include verbal or written reprimand, suspension, or termination as justified based on the finding of the investigation.

Section Four - Retention: The Employees' Personnel Policy and Procedures Manual adopted July 13, 1988, not otherwise amended by any ordinance or resolution by the Board of Trustees of the Town of La Jara with respect thereto subsequent to the initial adoption of said Personnel Policy and Procedures Manual, or by this Resolution shall remain in full force and effect without deletion or amendment thereto.

INTRODUCED, PASSED, AND ADOPTED AND APPROVED this 12th day of February, 1988.

TOWN OF LA JARA

(S E A L)

Larry Buhr

Larry Buhr, Mayor-pro-tem

ATTEST:

Helen J. Hutchins

Helen J. Hutchins, Town Clerk