



RECEIPT AND ACKNOWLEDGMENT OF TOWN OF
MONUMENT'S PERSONNEL GUIDELINES

These guidelines are designed to acquaint employees with the Town and some information about working here. These guidelines are not all inclusive, but are intended to provide employees with a summary of some of the Town's guidelines. This edition, revised January 1, 2010, replaces all previously issued editions.

Employment with the Town of Monument 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 these guidelines and any verbal statements made by management are not intended to constitute a contract of employment, either expressed or implied, nor are they a guarantee of employment for a specific duration.

No Personnel Guidelines can anticipate every circumstance or question. After reading the guidelines, employees who have questions should talk with their immediate supervisor or the Town Manager. In addition, the need may arise to change the guidelines described, 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.

I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the Town's Personnel Guidelines.

Pamela K. Bridges-Smith

Finance

Employee Name

Department/Division

Employee Signature

Date

cc: Employee
Personnel File



TOWN OF MONUMENT

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PERSONNEL GUIDELINES

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REVISED JANUARY 1, 2010

Personnel Guidelines

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PURPOSE OF GUIDELINES

These guidelines outline current policies, procedures and benefits for the Town of Monument employees and officials.

THESE GUIDELINES ARE NOT INTENDED TO CREATE NOR SHOULD THEY BE CONSTRUED TO CREATE A CONTRACT BETWEEN THE TOWN AND ITS EMPLOYEES/OFFICIALS AS TO DURATION OF EMPLOYMENT OR ANY OTHER CONDITION OF EMPLOYMENT. EMPLOYMENT WITH THE TOWN IS AT WILL. EMPLOYEES MAY LEAVE EMPLOYMENT WITH THE TOWN OF MONUMENT AT ANY TIME AND FOR ANY REASON, AND THE TOWN HAS AN IDENTICAL RIGHT.

These guidelines promote efficiency and effectiveness for all Town operations. Policies with economic components are subject to funding availability. When situations occur which are not addressed by these guidelines, they will be resolved by the Town Manager. It is the responsibility of the Town Manager to administer these guidelines.

These guidelines apply to all Town employees. Each employee has the responsibility to become familiar with these guidelines.

Each employee shall acknowledge receipt and responsibility to become familiar with these guidelines on the form provided. Policy development is on-going. New guidelines may be added from time to time.

These guidelines are intended only as a summary of policies and benefits. Questions regarding any guideline, procedure or benefit explained herein, should be directed to the Town Manager.

AMENDMENTS

Guidelines

The Town Manager may make recommendations to the Board for changes in the Guidelines. The Guidelines may be amended or modified by action of the Board at any time, without advance notice. The Town has the right to change its policies and benefits in accordance with the needs of the Town, in the exclusive judgment and discretion of the Board. The information contained in these Guidelines is the most current at this time, and supersedes any previous Guidelines, Policies or Procedures. Revised information may supersede, modify or eliminate existing policies. Modifications may be distributed to employees and acknowledged by each employee by the signing of an Acknowledgment of Receipt.

Personnel Records

It is the responsibility of each employee to promptly notify the Human Resources Department of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

AUTHORITY

The Town Board of Trustees is the authority for the administration of the Town. The Board specifically delegates to the Town Manager authority and responsibility for the administration of the Town including the power to employ and terminate or to delegate that specific authority to Department Directors. The Board retains for itself the power to establish objectives and priorities, to act finally on appeals, and to issue broad policy statements.

EQUAL EMPLOYMENT OPPORTUNITY

The Town is dedicated to the principles of equal employment opportunity in any term, condition or privilege of employment. We do not discriminate against applicants or employees on the basis of age, race, sex, color, religion, national origin, disability, or any other status protected by federal, state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal, written or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including directors, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

The Town will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the Town. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

The Town prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO Policy or retaliation standard, please follow the complaint procedure contained in the sexual harassment section.

SEXUAL HARASSMENT

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, written 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. Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Such conduct 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.

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 contact your Department Director who will promptly investigate the matter and take appropriate corrective action. Your complaint will be kept as confidential as practicable. If you feel you cannot go to your Department Director, you should report the incident to the Human Resources Director. The Town expects employees to make a timely complaint to enable the Town to promptly investigate and correct any behavior that may be in violation of this policy.

COMPLAINT PROCEDURE - continued

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

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 promptly investigated.

DEFINITIONS

Appointment: The act of filling a position.

Board of Trustees or Board: Elected seven member governing board of the Town of Monument.

County: El Paso

Demotion: A change in an employee's position or class which results in a lower skill level.

Department Directors: Town Manager, Town Treasurer, Director of Human Resources, Chief of Police, Director of Development Services and Public Works Director.

Disciplinary Action: An action taken to penalize an employee for an offensive act or poor job performance.

Dismissal: Involuntary termination of an employee.

Duty-Free: Unpaid time away from work assignments.

Employment-at-Will: Employment relationship where either party is free to terminate the relationship at any time for any reason.

Exempt Employee: A Town employee excluded from overtime compensation pursuant to the applicable provisions of the Fair Labor Standards Act.

Full-time Employee: A Town employee regularly scheduled to work 40 hours in the seven-day designated work week. A law enforcement officer scheduled to work 80 hours in the fourteen-day work cycle.

Hire: Appointment of a person to a position of employment by Town of Monument.

Lay-Off: Involuntary separation from service with the Town of Monument due to reorganization, lack of work, lack of funding, or when it is determined that a reduction in force is in the best interests of the Town of Monument.

Non-Exempt Employee: An employee eligible for overtime compensation.

Normal Work Week or Work Week: Forty hours of work in a designated seven-day work week for full-time employees (excluding law enforcement officers), such work week to commence at 12:01 a.m. each Monday and to end at midnight each Sunday.

DEFINITIONS - continued

Overtime: Time a Town employee, other than law enforcement officers, is directed or authorized to work in excess of their 40 hour designated work week. For law enforcement officers, overtime is in excess of 80 hours in the designated fourteen-day work cycle.

Part-time Employee: An employee regularly scheduled to work less than 40 hours in a seven-day designated work week.

Position: An individual job within the compensation plan.

Promotion: Any movement of an employee to a position of greater responsibility at a higher skill level.

Supervisor: An employee designated by the Town Manager as a supervisor and delegated by the Town Manager with the authority to direct and control the work of one or more employees.

Suspension: Temporary separation from employment with or without pay.

Temporary Employee: An employee hired to work for a specified period of time or project (less than 2080 hours per year)

Termination/Separation: The separation of an employee from employment with Town of Monument by resignation, retirement, dismissal, lay-off, or death.

Town: Town of Monument

Town Manager: Individual appointed by the Board of Trustees with administrative responsibilities for all Town activities.

Town of Monument: A subdivision of the State of Colorado established by the Colorado constitution and statutes.

Transfer: Any movement of an employee to a position with comparable wages and responsibility.

Vacant Position: An unoccupied position.

Voluntary Demotion: Any movement initiated by an employee to a position of lesser responsibility at a lower skill level. An employee who accepts a voluntary demotion is subject to the wages, benefits, and policies of the new position.

SECTION 1 - NEPOTISM

1.1 NEPOTISM

The Town wishes to give any qualified applicant the opportunity for employment with us whether related to present employees or not. However, certain situations may be avoided, at the discretion of the Town Manager such as where:

- 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 another relative.

SECTION II - EMPLOYEE CONDUCT

2.1 PERSONAL CONDUCT/APPEARANCE

It is the responsibility of all Town employees to serve the public in a courteous and efficient manner. The Town expects all employees to observe the highest standards of conduct and integrity in the performance of duties. Employees are also expected to act and dress safely, appropriately and in a manner that reflects favorably upon the Town. Creating and maintaining good relations with the public is of primary importance.

Employees shall not appropriate or utilize any Town property for their own use. They are responsible for the proper care, maintenance and condition of any Town property assigned to them. Loss of or damage to assigned Town property shall be reported to the appropriate supervisor within 24 hours of the loss or damage.

2.2 OUTSIDE EMPLOYMENT

Employment with the Town of Monument shall be the principal vocation of full-time employees.

An employee may engage in outside employment provided the following conditions are met:

- The outside employment does not interfere with job performance.
- The outside employment does not conflict with the interests of the Town of Monument.
- The outside employment does not give rise to an appearance of impropriety.
- The employee has notified their Department Director of the outside employment.

If the Department Director determines that outside employment is interfering with effective job performance, the employee may be required to terminate either the outside employment or employment with the Town of Monument.

2.3 INDEPENDENT CONTRACTING

Full-time employees cannot be independent contractors for the Town.

2.4 CONFLICT OF INTEREST

In making decisions, all employees of the Town must exercise independent judgment for the best interest of the Town. Personal or outside interests or relationships must not influence employees to the detriment of the Town.

Employees of the Town must not engage in any activities or relationships, including personal investment, which might directly or indirectly result in a conflict of interest, or impair their independence of judgment. They must not accept gifts, favors, or benefits that might tend in any way to influence them in the performance of their duties.

If employees have any question whether a situation is a conflict of interest, employees should discuss the matter with their supervisor. If it remains unresolved the employee shall refer the matter to their Department Director for a final determination.

2.5 POLITICAL ACTIVITY

No employee shall work on a campaign during his/her working hours or use any public facility or equipment in a campaign during working hours. No transportation or advertising involving public property or funds shall be provided for the purpose of influencing, directly or indirectly, the passage or defeat of an issue.

Employees are free to participate in any political affiliations, activities and campaigns, permissible by law, on their own time and away from the offices of the Town of Monument. Employees shall refrain, however, from any such activities that give the impression of being endorsed by the Town.

While on work time, an employee shall not publicly support any candidate for Town office, shall not circulate any nominee petitions for such an office, and shall not distribute campaign literature, buttons, placards or similar materials on behalf of any candidate.

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

2.6 DRUG AND ALCOHOL POLICY

The Town of Monument is committed to a safe, healthy, and productive work environment for all employees, free from the effects of illegal or non-prescribed drugs and alcoholic beverages.

It is the policy of the Town to prohibit the unlawful manufacture, distribution, dispensation, possession, or use of alcoholic beverages, drugs or controlled substances, as defined by C.R.S. 12-22-303(7) and other applicable law, while on Town time, premises, work sites, driving a Town vehicle or driving a personal vehicle on Town business. For purposes of this policy, "Town time" includes all periods of time when an employee is working, including on-call status. The Town also prohibits any employee from reporting for or being at work with any detectable amount of alcohol, drugs or controlled substances in the employee's system.

Excluded from this policy are prescribed drugs when used in the manner, combination and quantity intended unless job performance could be affected. Employees who must use an over-the-counter or prescription drug, including medical marijuana, which may have an effect on job performance, must inform their supervisor before starting work. The supervisor, after proper inquiry, which may include requiring the employee to provide a doctor's statement outlining the possible effect of the prescribed drug on job performance, will decide if the employee can remain at work and what work restrictions, if any, are necessary.

If the Department Director has a reasonable suspicion that an employee has violated this policy, that employee may be compelled to submit to a drug and/or alcohol test. Any employee who is convicted or pleads guilty or *nolo contendere* to a criminal drug statute violation occurring in the workplace must notify the Town within five days of such conviction or plea.

Random drug testing of employees is determined by the Department Directors.

2.7 WORKPLACE VIOLENCE

The Town of Monument strives to maintain a work environment free from intimidation, threats, or violent acts. This includes, but is not limited to: intimidating, threatening, or hostile behaviors, physical/verbal abuse, vandalism, arson, sabotage, or any other act which in management's opinion is inappropriate to the workplace. In addition, bizarre or offensive comments regarding violent events and/or behavior are not tolerated.

2.7 WORKPLACE VIOLENCE – continued

An employee, who experiences any of the foregoing, whether from a member of the public, a co-worker, a supervisor, or other person, should report the same promptly to a supervisor, Department Director or the Town Manager. The employee is urged to put the notification in writing.

No employee shall be subjected to reprisal or retaliation for making such a notification. The employee should report immediately any incidents of reprisal, retaliation or harassment which occur as a result of making such a notification.

Upon notification, an investigation shall be promptly undertaken. Disciplinary and/or corrective action will be taken when determined to be warranted. The complaining employee shall be notified of the results of the investigation. To the extent possible and reasonable under the circumstances, 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.

In the interest of maintaining a workplace that is safe and free of violence, the Town prohibits the possession or use of unconcealed weapons and the possession or use of concealed weapons on Town property by Town employees, regardless of whether or not the employee is licensed to carry the weapon. Law enforcement officers are exempt.

Weapons include, but are not limited to, handguns, firearms, explosives, and knives with an overall blade length exceeding 3 1/2 inches. If employees have a question regarding whether an item is covered by this policy they should call Human Resources. 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 policy.

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 policy. Any employee failing or refusing to promptly permit a search under this policy will be subject to discipline up to and including discharge.

Any behavior listed above should be immediately reported to a supervisor or Department Director. 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 the Police Department or call 911 if they believe there is an imminent threat to the safety and health of employees or property.

2.8 SEAT BELT USE

All Town of Monument employees and any persons under direct contract with the Town of Monument and passengers who occupy Town-owned vehicles, Town-owned construction equipment or privately-owned vehicles while on Town business shall use the seat belt restraint system installed in the vehicle which system normally will be that provided by the vehicle manufacturer. The lap belt and/or shoulder harness shall be used in accordance with the intended use and design of the manufacturer of the seat belt restraint system. The vehicle lap restraint system, shoulder harness and other similar restraint device where such equipment is available shall be securely fastened prior to and throughout the operation of the vehicle or construction equipment.

Each Department Director shall be responsible for assuring that all vehicles assigned to the Department have operable, fully functioning, seat belt restraint systems in place. Each Department Director will be further responsible for enforcing this regulation among employees in the Department and others under the Director's control and direction who are under direct contract with the Town.

2.8 SEAT BELT USE – continued

Exceptions to this policy for medical, physical or operational reasons may be granted upon written approval of the Department Director and shall be granted upon presentation of a physician's written statement that the individual subject to this policy is unable to wear a seat belt for medical or physical reasons. The physician's statement must be on file with the Town.

Sworn law enforcement officers may receive permission to not use the system when exigent circumstances exist which result in the restraining devices becoming a hindrance to normal law enforcement functions. Such permission may be granted pursuant to Police Department Policy but shall not be the norm.

Disciplinary action may be taken for failure to abide by this policy. It may also result in the loss of entitlement to a portion of Worker's Compensation benefits in the event of injury sustained while operating or riding in a Town vehicle or privately owned vehicle used for Town business.

SECTION III - HOURS OF WORK

3.1 WORK WEEK

With the exception of law enforcement officers of the Police Department, the standard work week consists of 40 hours worked during a period commencing at 12:01 a.m. on Monday and ending at midnight on Sunday.

3.2 WORK BREAKS/LUNCH BREAKS

Work breaks are currently provided to Town employees, with the exception of law enforcement officers. Generally, breaks are 15 minutes long and are included in your paid work time. The scheduling of work breaks will depend upon the working conditions and constraints within each department and will be determined by the supervisor. Break time may not be accrued by an employee to shorten the work day. Lunch breaks are department specific.

3.3 UNAUTHORIZED ABSENCE

All employees are expected to be on time for work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business.

Employees who are going to be absent or late must contact their supervisor as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable.

Failure to call-in when absent may result in disciplinary action up to and including termination.

3.4 OVERTIME

Non-exempt employees, with the exception of law enforcement officers, shall not be required to report early or stay late unless the time spent in excess of 40 hours in one week is recorded and compensation is made for the additional time worked. ALL SUCH TIME MUST BE AUTHORIZED IN ADVANCE BY THE EMPLOYEE'S SUPERVISOR. Supervisory staff are responsible for assuring that no overtime is worked unless specifically authorized for the purpose of calculating overtime payment, only hours actually worked are counted. Consequently, hours paid but not worked, e.g., vacation, holiday, and sick are not counted.

3.4 OVERTIME – continued

Any non-exempt employee, with the exception of law enforcement officers, who works overtime (in excess of 40 hours in a seven-day work week) which is approved by the supervisor shall be paid overtime pay at the rate of one and one-half (1 and 1/2) times his/her hourly rate of pay. Each work week must be considered separately when computing overtime worked.

Per the 207(k) exception under FLSA, law enforcement officers who work overtime (in excess of 80 hours in a fourteen-day work cycle) which is approved by a supervisor shall be paid overtime pay at the rate of one and one-half (1 and 1/2) times his/her hourly rate of pay. Each fourteen-day pay period must be considered separately when computing overtime worked.

Any non-exempt employee, with the exception of law enforcement officers, who works on a holiday, as "holiday" is defined in Section 9.3 of these guidelines, which work is approved by the supervisor, shall be paid overtime pay at the rate of one and one-half (1 and 1/2) times his/her hourly rate of pay.

3.5 SAFE HARBOR POLICY/ SALARY BASIS REQUIREMENT FOR EXEMPT EMPLOYEES

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; for absences of a partial day due to sickness or vacation if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness or vacation; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In absences under the FMLA, either partial day or full day deductions may be made.

It is the Town's policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all Department Directors from making any improper deductions from the salaries of exempt employees. If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor or to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

3.6 CLOSURE OF TOWN FACILITIES

In the event the Town Manager closes operations due to inclement weather or for any other reason, employees scheduled to work will be compensated for the hours missed at work. Employees on approved leave during the unexpected closing of Town business shall be charged their scheduled leave time for those hours the Town is closed.

Employees who work in positions which are essential for snow or other emergencies (law enforcement officers, public works crews and their office staff, dispatch crews and maintenance supervisors, for example, as determined by their Department Director) will be required to report to work if reasonable efforts will enable them to travel safely to the work site. These essential services employees who cannot report to work, after exhausting reasonable efforts to do so, will be paid for the hours missed if they have notified their supervisors of their inability to report for work. Employees who are able to report to work will be paid for the day at their regular rates of pay. If the hours actually worked by an employee, with the exception of law enforcement officers, are overtime hours for the week (i.e., in excess of 40 hours), then compensation will be at overtime rates.

3.6 CLOSURE OF TOWN FACILITIES - continued

Law enforcement officers who work overtime (in excess of 80 hours in a fourteen-day work cycle) shall be compensated at the overtime rate.

Non-essential employees who cannot make the trip to work will be compensated for the hours of work missed due to the closure.

3.7 TEMPORARY MODIFIED WORK DUTY PROGRAM

Town of Monument employees may be assigned modified duty or temporary work reassignment in circumstances determined appropriate for full-time employees who are unable to perform regular duties due to an injury sustained either on or off the job or illness. The types of modified duty/temporary job reassignment available may include the following:

- Job restructuring by reallocating or redistributing job functions or by altering when and/or how such functions are performed.
- Reassignment to another, vacant position, if appropriate.
- Other methods as warranted.

Each of the following conditions must be met by an employee seeking modified duty/temporary assignment:

- The employee must provide a physician's statement indicating that the employee is unable to perform regularly assigned duties. The statement must contain the physician's estimate of the time the condition is expected to exist and a statement releasing the employee to return to work for the modified duty/temporary reassignment. Limitations or restrictions shall be specifically noted along with a statement that the modified duty or temporary reassignment can be performed by the employee and is within the employee's limitations or restrictions.
- The Department Director must determine that the modified duty/temporary reassignment is available within the department, that it is consistent with the restrictions indicated by the physician and that it will not impose an undue hardship upon operations. If the reassignment is to be a position created as a temporary job, the duration of the assignment shall be limited to the temporary period established for the job.
- The Town shall have the option of obtaining a second medical opinion at its expense.
- If no position is available within a Department, the Department Director shall consult with the Town Manager who shall attempt to find modified duty jobs in other departments. If modified duty is available within medical limitations, the Town may compel the employee to perform such work.

The Department Director under whom the modified duty/temporary assignment work is performed shall be responsible for overseeing the employee and tracking the number of hours worked by the employee each week.

Regular updates from the physician may be required during the modified duty/temporary assignment period.

All information from the physician shall be collected and maintained on separate forms in separate medical files and shall be treated as a confidential medical record except as otherwise permitted or required by law.

The modified duty/temporary assignment shall be evaluated every two weeks by the responsible Department Director regarding continuation or termination of the modified duty/temporary reassignment.

3.7 TEMPORARY MODIFIED WORK DUTY PROGRAM – continued

A physician's release authorizing the employee to return to full regular duty shall be required before the employee may be returned to the employee's regular position.

In no way shall modified duty/temporary assignment confer any continuing right on the employee to occupy the position as modified, or the position to which the employee is temporarily reassigned, or any other position.

If any modified duty/temporary assignment is available, it may be full-time with no use of sick leave at the employee's normal pay or part-time. At the employee's election, partial use of sick leave hours may be utilized to bring hours up to a full paycheck, depending upon doctor's orders regarding hours of work.

Absent unusual circumstances requiring specific approval by the Department Director to extend the modified duty/temporary assignment; the maximum time an employee shall be on modified duty/temporary assignment shall be three months. If no modified duty/temporary assignment is available, the employee will use available sick leave and other forms of leave available.

An employee who refuses a medically authorized modified duty/temporary assignment may be subject to reduction or termination of certain workers' compensation benefits as provided by law.

3.8 STANDBY/ON-CALL PAY

Certain employees may be required to be available to respond for emergency call out from their off-duty status. For this requirement, they may need to respond within a certain time period and in a condition to work immediately upon responding to the worksite. For this partial limitation of personal freedoms, the Town is willing to offer some compensation as is stated below. Stand-by/on-call pay will be determined by the Department Director.

CONDITIONS

- A. The employee will have general use of his/her off-duty time.
- B. The employee must respond within 30 minutes of being called to respond.
- C. The employee must not have any alcohol in his/her blood system.
- D. The employee must be ready to work in proper work attire.
- E. The employee must carry the assigned radio, cell phone, or pager to be able to receive a work call.
- F. The employee may trade all or split a portion of the stand-by time and pay with another/other approved employee(s) with advance notice to his/her supervisor.
- G. Failure to respond pursuant to paragraphs B, C, D and E, will result in:
 1. Standby pay being withheld for that shift and
 2. Possible disciplinary action.

3.9 PROBLEM SOLVING

Employees who disagree or are dissatisfied with a Town practice should promptly discuss the matter with their supervisor, where appropriate. Normally, this discussion should be held within 3-5 days of the incident, or in a timely manner. Discussions held in a timely manner will enhance the ability to resolve concerns while it is fresh in everyone's mind. The majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to the supervisor, then employees are encouraged to take the problem to their Department Director. If the problem still cannot be resolved, employees may submit a written complaint, within 5 days of the incident, to the Town Manager for review and final decision about the situation. Also see EEO/Harassment Complaint Procedure.

SECTION IV - PERFORMANCE EVALUATIONS

4.1 PERFORMANCE EVALUATIONS

Evaluating employee job performance and providing feedback is an important factor in making employment-related decisions. The Town endeavors to conduct employee reviews. Please contact and advise your supervisor if more than a year has passed since receiving formal feedback.

SECTION V - DISCIPLINARY SITUATIONS

5.1 DISCIPLINARY SITUATIONS

It is the responsibility of all Town employees to maintain the standard of conduct and level of performance that are essential for the efficient, effective, and safe operation of the Town of Monument. When the conduct or performance of an employee falls short of standards or expectations, the Town shall have the right to take prompt disciplinary action. Disciplinary penalties may take the form of a verbal warning, written warning, suspension, involuntary demotion, or termination, depending on the circumstances. There is no express or implied right to receive a corrective action or counseling prior to or in conjunction with a disciplinary action. Action taken by the Town in one case does not establish a precedent with respect to any other case.

SECTION VI – SEPARATION

6.1 RESIGNATION

If you desire to end your employment relationship with the Town, we ask that you notify us as soon as possible of the intended resignation.

6.2 TERMINATION

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.

Employees may be terminated at the discretion of the Department Director in conjunction with the Human Resource Director. See policy 3.9

6.3 LAY-OFF/REDUCTION IN FORCE

An employee may be subject to a non-disciplinary, involuntary separation through a layoff. Such separation may be due to factors such as shortage of funds, elimination of position, or lack of work. In such cases, affected employees are given as much notice as practical.

SECTION VII - EMPLOYEE SAFETY AND HEALTH

7.1 SAFETY

All employees are required to develop and maintain safe working practices. Inquiries concerning safety problems or violations should be directed immediately to the employee's supervisor. The Town may discipline any employee for conduct that may adversely affect the safety of any employee.

The Town is committed to a safe work environment for employees. Employees should report any unsafe practices or conditions to their supervisor.

If an employee is injured on the job, they must immediately report this fact in writing to their Department Director.

If medical treatment for an on-the-job injury is needed, it must be obtained from the Town's designated provider. If not, the employee may be responsible for the cost of medical treatment.

SECTION VIII - BENEFIT AND LEAVE

For detailed information on any of the benefits provided by Town of Monument, employees should contact the Human Resource Department. The scope and kind of benefits provided may be changed by the Board of Trustees.

8.1 WORKERS COMPENSATION

Town of Monument provides Workers Compensation for all employees who are injured on the job and who otherwise qualify under state law.

8.2 BENEFITS

Detailed information on all elements of the Town of Monument Benefits will be provided during new employee orientation or may be obtained through the Human Resources Department. Benefits may be changed or eliminated at any time. This reserved right may be exercised in absence of financial necessity. In the event of any conflict between these provisions and the information that appears in the master contracts of insurance between the Town and its insurance carriers or the Town's master plan documents, the master contracts/documents shall govern in all cases.

8.3 HOLIDAYS

Dates for holidays will be established annually by the Board of Trustees. Full-time employees will receive eight hours of pay, at their regular rate of pay, for those holidays designated by the Board of Trustees. An annual list of specific dates will be posted prior to January 1 by the Human Resource Director.

Generally, the following holidays are observed:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day

8.3 HOLIDAYS – continued

- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving Day
- Friday following Thanksgiving
- 1/2-Day Christmas Eve
- Christmas Day
- 1/2-Day New Years Eve
- One personal day off per calendar year, subject to prior approval of the supervisor.

Holidays and your personal day may not be accrued.

When a holiday falls during an employee's scheduled vacation, the employee shall be paid for the holiday at the regular rate of pay, and the holiday shall not be counted as vacation time utilized.

8.4 SICK LEAVE

Full-time employees accrue sick leave at the rate of eight hours per month. Sick leave begins to accrue from the original hire date. Employees are entitled to use sick leave as it accrues, but an employee may not borrow against future sick leave. When employees transfer from one department to another within the Town, their accrued sick leave time will also be transferred.

Sick leave may be used for an employee's illness, pregnancy or birth of a child, medical or dental appointments, off-the-job injury or to care for an ill member of the employee's immediate family. An employee claiming sick leave must notify the immediate supervisor prior to the start of the work shift.

Immediate family is defined as spouse, parents and grand parents, children and grand children, brothers and sisters, mother in law and father in law, brothers in law and sisters in law, daughters in law and sons in law.

The Department Director may ask the employee to provide a medical doctor's report to verify inability to work for any illness for which sick leave was used, as a condition for sick leave. Abuse of sick leave will not be tolerated. The Town of Monument shall have the right to verify illness, medical disability or the fitness for duty of all employees, at any time.

Sick leave accrual is limited to 360 hours. Upon termination, employees shall be paid 50% of accrued sick leave.

8.5 SICK LEAVE BANK

Any Town employee may donate accrued sick leave to another Town employee on a one hour-for-one hour basis, with no limit. The receiving employee must have exhausted all accrued leave benefits. A "Pledge Account" system will be used where the donating employee completes the sick leave bank donation form, submitted to the staff member responsible for payroll, and pledges a number of hours which will be transferred to the receiving employee. If the receiving employee returns to work earlier than expected, the donating employee can recover the unused portion of the pledged sick leave hours. If there are multiple donating employees, the transfers will be on a pro-rata basis. Any unused pledges will be returned to the donor(s) on a pro-rata basis.

8.6 LONG-TERM DISABILITY

Long-term disability (LTD) is provided to employees working at least thirty (30) hours a week. As of February 1, 2005, LTD coverage starts on the 31st calendar day of an illness or injury and covers 60% of an employee's salary until age 65 using the specific conditions of the policy

8.7 VACATION LEAVE

Full-time Employees shall earn vacation as follows:

<u>Years of Service</u>	<u>Hours/Month - Annual</u>	<u>Maximum Accrual</u>
1 – 5	8.00 x 12 = 96 hours per year	192 Hours for 1- 5 year period
6 - 10	12.00 x 12 = 144 hours per year	288 Hours for 6-10year period
10 +	16.00 x 12 = 192 hours per year	384 Hours for 10+ years

When employees transfer from one department to another within the Town of Monument, their accrued vacation time will also be transferred.

Employees shall earn vacation leave during periods of leave with pay, excluding periods when an employee is on Short-term and Long-term disability.

There will be no cash payment to employees for accumulated vacation except upon separation from Town employment. Upon separation from the Town, employees will be paid for the unused portion of accumulated vacation leave up to the maximum accumulation limit.

Employees shall be permitted to carry over from one year to the next a maximum of twice the annual accrual rate. Accrual is capped at twice the annual accrual rate.

Vacation time must be earned before it is taken and will require the prior approval of the employee's supervisor. Vacations will be scheduled in advance with the employee's supervisor and will not conflict with the work requirements of the Town.

8.8 TIME OFF WITH PAY

Due to the nature of exempt positions, overtime or work time outside the normal work week may be required. However, if such an employee works an excessive amount of time beyond the normal work week, the Town Manager may grant administrative time off with pay. The use of time off with pay is limited by the work requirements of the department.

8.9 BEREAVEMENT LEAVE

Full-time employees will be entitled to 32 working hours off with pay in the event of a death in the immediate family. Requests for bereavement leave shall be made to the Town Manager as much in advance as is possible. With approval of the Town Manager, an employee may use accrued sick or vacation time for additional bereavement leave.

Immediate family is defined as spouse, parents and grand parents, children and grand children, brothers and sisters, mother in law and father in law, brothers in law and sisters in law, daughters in law and sons in law. For funerals of other relatives or friends, employees may take vacation or an unpaid leave upon the approval of their supervisor.

8.10 MILITARY LEAVE

Any regular, full-time employee serving in the military will be entitled to a maximum of fifteen (15) paid 8 hour days of military leave per year. The employee will retain military and Town salaries in full for the 15 days. Seniority, job status, vacation/sick leave accruals and other Town benefits will continue. Employees taking military leave beyond 15 days per year will not be paid by Town of Monument for such additional days. The Town complies with the Uniform Services Employment and Re-employment Act of 1994, as amended from time to time.

8.11 JURY DUTY LEAVE

A full-time employee required to serve as a witness or juror in any court of law shall be paid for the term of such service an amount equal to the greater of (a) his/her regular compensation minus any funds received from the court system for such service (not including mileage allowances), or (b) \$50.00 per day of jury service, for the first three (3) days of service. For every day of jury service following the third day of such service, the employee shall be paid his/her regular compensation minus any funds received from the court system for such service up to a maximum of 10 days (80 hours). Jury duty beyond this time is without pay from the Town. For purposes of this Section 9.9, regular employees shall include part-time, temporary, and casual employees if the employment hours may be determined by a schedule, custom or practice established during the three-month period preceding the juror's term of service. In order to be granted such leave, the employee must submit a copy of the summons and other forms furnished by the Clerk of the Court which relate to the time of service. The employee is expected to return to his/her Town duties if the Court duties end prior to the expiration of the employee's normal shift.

This provision does not apply to instances in which the employee is a party to the court action unless the involvement arises as a result of the employee's duties with the Town.

8.12 MEDICAL LEAVE OF ABSENCE

A medical leave of absence of not more than three months may currently 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.
- The Department Director is notified by the employee as soon as possible of the need for medical leave.
- Approvals are obtained from the Department Director and the Human Resource Director prior to the leave.
- All available sick leave and earned vacation are used at the beginning of the leave of absence.

The employee submits to the Department Director a written statement from the attending physician outlining the reason for leave and the estimated time needed. The Town reserves the right to obtain an independent doctor's opinion – at cost to the Town.

When the estimated period of leave is less than three months, and an employee needs to extend the leave, another doctor'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.

8.12 MEDICAL LEAVE OF ABSENCE - continued

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, bereavement 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.

8.13 LEAVE OF ABSENCE WITHOUT PAY

Employees may be granted a leave of absence without pay for a period of up to sixty (60) days for personal reasons. Detailed information on application for a leave of absence without pay can be obtained from Human Resources. Employees wishing to apply for Leave of Absence Without Pay for personal reasons must notify the Town Manager in writing. The decision to grant Leave of Absence Without Pay will be at the discretion of the Town Manager.

Any Leave of Absence Without Pay may be credited against any accrued sick leave and vacation leave.

8.14 PART-TIME EMPLOYEE BENEFITS

Employees who are regularly scheduled to work less than forty (40) hours per week shall be considered part-time employees. Part-time employees working at least thirty (30) hours per week on a regular basis shall be eligible for all fringe benefits as full-time employees except that holiday pay, sick leave pay, and vacation leave pay shall be prorated according to the ratio of regular hours worked to forty (40) hours.

Part-time employees working a regular schedule of less than thirty (30) hours per week shall not be eligible for the Town-paid portion of any of the benefits granted to or provided to full-time employees and the 30 – 39.99 – hour regular part-time employees, including but not limited to paid holidays, sick days, paid vacation, retirement, or health, dental, disability, and supplemental insurance benefits. Part-time employees working a regular schedule of less than thirty (30) hours per week, but at least twenty-four (24) hours per week shall be allowed to purchase, at 100% of the Town's cost with no Town contribution, the following five fringe benefits: 1.) Health Insurance; 2.) Dental Insurance; 3.) Life Insurance; 4.) Deferred Compensation Pension Plan (no Town match); and 5.) Cafeteria Plan. Any purchased benefits shall be through payroll deduction. Fringe benefits specifically not included in this offer are long-term disability, vacation leave, sick leave, and holidays. The chart below summarizes the paragraph above

		30 – 39.99 Hours/Week	24 – 29.99 Hours/Week	Less Than 24 Hours/Week
1.	Health Insurance	Yes	No, but may purchase	No
2.	Dental Insurance	Yes	No, but may purchase	No
3.	Life Insurance	Yes	No, but may purchase	No
4.	Disability Insurance	Yes	No	No
5.	Deferred Comp/Retirement	Yes	Yes, but no Town match	Yes, but no Town Match
6.	Vacation Leave	Pro-rated	No	No
7.	Sick Leave	Pro-rated	No	No
8.	Holidays	Pro-rated	No	No
9.	Cafeteria Plan	Yes	Yes	Yes

8.15 TUITION REIMBURSEMENT POLICY

The Town of Monument firmly supports the efforts of Town employees to improve their job-related skills and knowledge, and to acquire the education necessary to enhance their management skills or prepare for career-related promotional opportunities. To this end the Town offers Tuition Reimbursement to full time employees within the following guidelines:

- The course must not be necessary to meet minimum education requirements for the employee's current position.
- The course cannot be taken to qualify the employee for a different type of work.
- The education must be related to employee's current job and must help maintain or improve the knowledge and skills required for the job.
- In order to qualify for the tuition reimbursement the employee must have obtained the Department Director's approval prior to registration.
- The employee must pass the class with at least a C or C equivalent.
- The Tuition Reimbursement program is based upon the ability of the Town to budget for the program.

Program details are available from the Human Resources Department.

The Town appreciates all employees' efforts to make the Town the best place to live and work. If you have any questions regarding the personnel guidelines, please contact Human Resources, Monica Harder at 884-8042 and she will see your questions get answered. If you prefer you may contact me directly at the numbers/email below.

Thank you for becoming a part of our Team!

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