



# Human Resource Guidelines

October 1, 2020

[TOMPbenefits.com](http://TOMPbenefits.com)



Disclaimer: All employees of the Town of Mount Pleasant are employed at-will and may resign or be terminated at any time and for any reason. Nothing in any of the Town's rules, policies, guidelines, procedures or other documents relating to employment creates any expressed or implied contract of employment. This document replaces any previously issued policies, practices and understandings, written or oral, governing employment.

## NOT A CONTRACT

### DISCLAIMER

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ALL EMPLOYEES OF THE TOWN OF MOUNT PLEASANT ARE EMPLOYED AT-WILL AND MAY RESIGN OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF THE TOWN'S RULES, POLICIES, GUIDELINES, PROCEDURES OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESSED OR IMPLIED CONTRACT OF EMPLOYMENT. THIS DOCUMENT REPLACES ANY PREVIOUSLY ISSUED POLICIES, PRACTICES AND UNDERSTANDINGS, WRITTEN OR ORAL, GOVERNING EMPLOYMENT. NOTHING CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING, 2) THE DOCUMENT IS LABELED "CONTRACT," 3) THE DOCUMENT STATES THE TERM OF EMPLOYMENT, AND 4) THE DOCUMENT IS SIGNED BY THE TOWN ADMINISTRATOR OR APPROVED BY VOTE OF COUNCIL.

I ACKNOWLEDGE RECEIPT OF THE TOWN'S HUMAN RESOURCE GUIDELINES AND I UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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## **MISSION STATEMENT**

**To deliver superior performance in a manner that is  
distinctive and impactful to each person served  
and that establishes a standard for quality  
that endures for generations.**

## SECTION 1.0 TOWN PHILOSOPHY

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### 1.1 EQUAL EMPLOYMENT OPPORTUNITY

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The Town provides equal opportunity to all applicants for employment and employees. It administers hiring, conditions of employment, compensation, training, classification, promotions, transfers, discipline, and other aspects of employment without discrimination based on race, color, national origin, gender, sexual orientation, gender identity, age, religion, disability, veteran status, genetic information, or any other status protected by federal, state, or local law. The Town also prohibits retaliation against employees who have reported discrimination. If employees believe they have been discriminated against in violation of this policy, they should immediately contact their Department Manager or the Human Resource Director, or go directly to the Town Administrator.

### 1.2 WORKPLACE CONDUCT

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Actions of Town employees should always reflect the highest possible standards of conduct and ethics. Employees are expected to use good judgment, integrity, and common sense in making decisions and to be accountable for their actions. This includes avoiding conduct that is likely to damage the Town's business or reputation. How employees handle interactions with their fellow coworkers is important to the success of the Town's work environment. Employees are expected to treat their coworkers and the public the Town serves with courtesy, respect, and professionalism. Unprofessional and inappropriate behavior includes, but is not limited to: outbursts, yelling, rudeness, and conduct that interferes with other employees' abilities to perform their jobs. It may also include conduct that is welcome between team members but is inappropriate in the workplace or at work-related events. Employees are expected to conduct themselves in a professional manner and to use good judgment in all aspects of their conduct as employees of the Town.

To uphold the Town's standards of workplace conduct, sometimes an investigation or a fact-finding process may be necessary. In these cases, it is critical that the Town learns all the relevant information from those who are aware of the situation. When employees are asked to be part of this process, they are expected to cooperate fully and honestly, as well as respect the confidentiality of the process.

Failure to observe all aspects of the policy outlined herein, including failure to participate fully and honestly in any investigative or fact-finding process initiated by the Town or failure to respect the confidentiality of this process, is grounds for disciplinary action up to and including termination.

### 1.3 HARASSMENT

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The Town prohibits all forms of harassment of employees, vendors, or applicants for employment based on race, color, national origin, gender, sexual orientation, gender identity, age, religion, disability, veteran status, genetic information, or any other status protected by federal, state, or local law. In addition to sexual harassment, other forms of harassment may occur when unwelcomed conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Prohibited harassment may take the form of written, oral, physical, or visual harassment and may include, but is not limited to: epithets, slurs, derogatory comments, jokes, intimidation, negative stereotyping, threats, comments on social media sites, assault, or written or graphic material that denigrates or shows hostility or aversion toward an employee or group because of the characteristics identified herein.

Prohibited conduct includes but is not limited to: conduct on Town property, in Town vehicles, on Town communication systems, during Town-related events, and in connection with Town business. Any such harassment is against Town policy, may violate the law, and will not be tolerated. The Town expects cooperation from all employees including coordinators, supervisors, managers, and Department Managers to prevent harassment in the workplace.

### Sexual Harassment/Discrimination

It is unlawful to harass a person because of that person's sex. Harassment can include sexual harassment or unwanted sexual advances, requests for sexual favors, or visual, oral, or physical conduct of a sexual nature when:

- Submission to this conduct is made, either explicitly or implicitly, a term or condition of employment
- Submission to or rejection of this conduct is used as the basis for employment decisions that affect employees
- The conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment

Sexual harassment also may be in the form of nonsexual, offensive conduct that is directed at employees because of their gender, sexual orientation, or gender identity. Sexual harassment is not limited to conduct motivated by sexual attraction. It may occur between members of the opposite sex or members of the same sex. Examples of prohibited sexual harassment include, but are not limited to:

- Written harassment: sexually-suggestive or obscene letters, faxes, e-messages, notes, social network postings, or invitations
- Oral harassment: sexual comments, advances, propositions, derogatory comments, slurs, and jokes about an employee's body or appearance, including comments made on voicemail or another recording device
- Physical harassment: assault, stalking behaviors, sexually-suggestive touching or body contact, or impeding or blocking movement
- Visual harassment: sexual gestures, leering, inappropriate display of sexually-explicit objects, pictures, cartoons, or posters (in hard copy or electronically)

### Reporting Harassment

When employees believe that they have been harassed or are aware of the harassment of others, they must report it as soon as possible to one of the following: supervisor, manager, Department Manager, or Human Resource Director. Supervisors who learn of or observe harassing behavior or receive a complaint about this kind of behavior must immediately report it up their chain of command or to the Human Resource Director.

The Town encourages employees who believe that they are being harassed to firmly and promptly tell the person, if they are comfortable doing so, that the behavior is offensive and that it must stop immediately. Once employees report harassment by contacting one of the resources above, a representative of the Town, in conjunction with the Human Resource Director, will obtain all relevant information in a timely manner and will undertake or direct a reasonable and objective investigation of the harassment allegations. Employees are required to cooperate fully in any fact-finding process initiated by the Town. Employees are also required to respect the confidentiality of the process. The Town will take the disciplinary action that it determines is

appropriate based on its findings. However, information regarding the investigation, including any corrective action taken, will be shared only with those who have a legitimate business need to know.

All employees are protected from retaliation for reporting or providing information in good faith about an incident of alleged harassment or exercising other rights protected by law. Employees are discouraged from making allegations which are false and made with malicious intent. When false allegations are discovered, employees making the false allegations will be subject to disciplinary action.

Violating this policy is grounds for disciplinary action up to and including termination.

#### 1.4 NON-RETALIATION

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Employees will not be retaliated against when they, in good faith:

- Provide information about possible violations of any Town policies
- In some manner, oppose an employment practice that they reasonably believe violates federal or state laws, rules, or regulations
- File a charge, truthfully testify, provide assistance, or participate in an investigation, proceeding, or hearing related to or arising from an allegedly unlawful employment practice

For purposes of this policy, “retaliation” means subjecting employees to any harmful conduct, whether or not it occurs at the workplace including, but not limited to: any conduct that has a material adverse effect on compensation, working conditions, or work environment in response to one of the actions noted above. When employees believe that they or someone else have been retaliated against, they must report it as soon as possible to a supervisor, manager, Department Manager, or Human Resource Director.

The Town will take measures to protect employees from retaliation. Engaging in retaliatory behavior in violation of this policy is grounds for disciplinary action up to and including termination.

#### 1.5 WORKPLACE PRIVACY

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The workplace is intended to be a place of work. An important part of work is communication and recordkeeping. No employee is at work 24 hours a day, seven days a week, and there are times when the Town needs access to communications or records maintained by employees in their individual workplaces. Employees must understand that personal items and personal communications received or stored on Town premises or Town equipment are not entitled to a guarantee of privacy. The Town reserves the right to search Town property and documents in Town-owned vehicles, employee desks, lockers, file cabinets, mobile devices, etc.

Electronic media raises similar issues. The Town provides electronic and telephonic communication and, when necessary, computers, mobile devices, and cell phones to employees. Although assigned to employees, these items still belong to the Town. Similarly, any computer files created on a Town computer or equipment belong to the Town.



## 1.6 COMPUTER, MOBILE DEVICES, E-MAIL, AND INTERNET USAGE

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The Town recognizes that use of its computers, mobile devices, e-mail, and internet has many benefits for the Town and its employees. These tools can make communication more efficient and effective. Therefore, employees are encouraged to use them appropriately. Inappropriate or unacceptable usage of these devices can place the Town and others at risk.

The following provides guidelines for using the computer, mobile devices, e-mail, and internet in an appropriate, ethical, and professional manner.

The following is absolutely prohibited:

- To access any material the Town considers to be pornographic; to transmit or knowingly accept receipt of any communication that is pornographic, obscene or, in the Town's opinion, might contribute to a hostile work environment in that it demeans individuals based on race, color, national origin, gender, sexual orientation, gender identity, age, religion, disability, veteran status, genetic information, or any other status protected by federal, state, or local law
- To conduct business for outside employment or a side-business
- To solicit others for non-work-related reasons

Internal and Town-related external e-mails are considered business records, must be archived in compliance with South Carolina Public Record law, and may be subject to discovery in the event of litigation or Freedom of Information Act (FOIA) requests. Employees should be aware of this possibility when sending e-mails within and outside of the Town. Employees and Town officials may not destroy or delete files of any kind from Town computers or mobile devices, unless instructed in writing by the Information Technology (IT) Division.

Employees are responsible for the content of all text, audio, and images that they place and send over the Town's internet and e-mail system. No e-mail or other electronic communication may be sent which hides the identity of the sender or represents the sender as someone else. Also, employees should be aware that the Town's name is attached to all messages; therefore, discretion should be used in formulating messages. Any use of Town devices through the connection of an unsecured Wi-Fi (e.g. Starbucks) is prohibited.

Generally, e-mail and text messages are not private or confidential. All electronic communications are Town property. Therefore, the Town reserves the right to examine, monitor, and regulate e-mail messages, text messages, directories, files, and internet usage. Because the internet is not secure, employees should not assume that others cannot read, or possibly alter, their messages.

Employees who synchronize their personal mobile devices to the Town's network should be aware that the Town reserves the right to inspect and wipe the devices if necessary. Employees should notify the Town's IT Division if their mobile devices are lost or stolen if they are synchronized to the Town's network.

The complete information technology policy is available by request from the Information Technology Division.

## 1.7 SOCIAL MEDIA

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Social networking, personal websites, and blogs have become common methods of self-expression. The Town respects the right of employees to use these media during their personal time. Employees must understand that material posted on these media may be read by people other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts they make. Employees who have identified themselves as an employee of the Town must make it clear that they are expressing their own views and not those of the Town. Postings that contain obscene or harassing material, that are unlawful, that contain personal

attacks on other Town employees, that reasonably call into question the employee's judgment, or that reasonably cause concern among the public, may result in disciplinary action up to and including termination.

Electronic communication such as e-mail, instant messaging, texting, mobile communications, branded websites, and social media is an important means of conducting business at the Town. The information employees create or circulate should reflect the same standard of professionalism that is used in traditional forms of written communication such as letters and memos.

For purposes of this policy, "social media" is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the internet, including internet forums, blogs, online profiles, wikis, podcasts, pictures, video, email, instant messaging, music sharing, and voice over IP. For purposes of this policy, "comments" include information, articles, pictures, videos, or any other form of communicative content posted on any of these sites, as well as any Town-operated site.

The Town has an overriding interest and expectation in deciding what is "spoken" on behalf of the Town on social media sites. Employees must ensure that their actions always reflect the highest standards of business conduct and ethics, keeping in mind that any information they post online is widely accessible, may remain on the internet indefinitely, may be shared by others, or may be disseminated automatically by social networking tools. Employees should be mindful that any information they communicate via electronic means may be subpoenaed or subject to FOIA.

While the Town encourages employees to utilize these tools, the following is the Town's policy for appropriate online conduct and guidelines to follow to avoid misuse of this communication tool. When utilizing social media sites, employees must:

- Not post confidential or sensitive Town information regarding any employee, vendor, or business partner on any social media site.
- Speak respectfully about customers, partners, and employees. Employees should not engage in name calling or behavior that reflects negatively on their own or the Town's reputation.
- Use caution when making comments that could reflect poorly on themselves and the Town because social media sites are not the forum for venting personal complaints about supervisors, coworkers, or the Town.
- Be responsible for the content of their post as Town employees by utilizing appropriate privacy settings, understanding that the internet is immediate and that nothing they post is ever truly private, and it rarely expires.
- Not post discriminatory statements or sexual innuendos regarding coworkers, management, customers, or vendors.
- Not post defamatory statements regarding the Town, its employees, customers, and vendors.
- When identified as employees of the Town, make it clear when posting a comment that they are speaking for themselves by using language such as, "These views expressed are mine alone and do not necessarily represent the views of the Town of Mount Pleasant." This requirement applies to postings and blogging occurring at any time, on any computer or mobile device.
- Not utilize the Town's logos and other branding items to identify the Town or apply them to electronic communications. Only officially-designated individuals may speak, orally or in writing, on the Town's behalf.
- Comply with all other Town policies with respect to electronic communication, such as rules against conduct that result in unlawful sexual harassment or other forms of harassment. Employees must not post obscenities, slurs, or personal attacks that can damage both themselves and the Town.
- Not discuss potential claims against the Town or other legal matters without first consulting the Legal Department. Also, employees should consult the Legal Department if they intend to protect electronic messages from disclosure by a legal privilege (e.g., attorney-client privileged) before sending them.
- Be aware that the Town systems may be monitored at any time; therefore, all content accessed by a Town computer or system, regardless of whether it is personal or work-related, open or password-protected, is not considered private. The Town can monitor this content out on the web and reserves the right to remove posts that violate this policy.

Employees who violate this policy may be subject to disciplinary action up to and including termination.

## 1.8 ANTI-FRAUD

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The Town fosters and supports a culture of zero-tolerance of fraud in all of its forms. The Town is aware that the effects of fraud extend beyond the loss of cash and other assets, which has severe negative repercussions on the ability of the Town to achieve the objective of the providing services to its citizens. Although difficult to quantify, fraudulent activity can seriously impact the quality and effectiveness of service delivery to the public; the strength of business relationships with customers, suppliers, employees, and the citizens it serves; and the reputation and image of the Town.

Actions constituting fraud include, but are not limited to:

- Any dishonest, fraudulent, or corrupt act
- Theft of funds, supplies, or other assets
- Financial misconduct in handling or reporting of money, financial transactions, or other assets
- Making a profit from insider knowledge
- Disclosing confidential or proprietary information to outside parties for financial or other advantage
- Requesting or accepting anything of financial value (free of charge) from contractors, suppliers, or other persons providing goods or services to the Town
- Irregular destruction, removal, or abuse of records and equipment
- Deliberately omitting information, refusing to report, or failing to act upon reports of any such irregular or dishonest conduct
- Bribery, blackmail, secret commissions, or extortion involving employees in the performance of their duties
- Abuse of Town facilities and equipment
- Any similar or related irregularity

Employees are responsible for immediately reporting all allegations or incidents of fraud to their immediate supervisor or, if they have reason to believe that their immediate supervisor is involved, to the next level of management or directly to the Town Administrator. The Town Administrator will initiate an investigation into the matter.

Any fraud committed by employees will be pursued by a reasonable investigation and to the full extent of the law, including consideration of the following:

- Taking disciplinary action in accordance with the Town's Human Resource Guidelines
- Instituting recovery of financial losses, including formal civil action
- Instituting criminal prosecution by reporting the matter to the appropriate law enforcement agencies
- Any other appropriate remedy

All information relating to fraud that is received and investigated will be treated confidentially. The progression of investigations will be handled in a confidential manner and will not be disclosed or discussed with anyone other than those who have a legitimate right to such information. Confidentiality is important to avoid harming the reputation of the suspected persons who are subsequently found innocent of wrongful conduct. Employees are not authorized to supply information with regard to allegations or incidents of fraud to the media without expressed permission of the Town Administrator.

Employees will not suffer any penalty or retribution for reporting, in good faith, any suspected or actual incident of fraud. Employees or other parties are discouraged from making allegations which are false and made with malicious intent. When false allegations are discovered, employees making the false allegations will be subject to disciplinary action up to and including termination.

## 1.9 SECURITY AT TOWN HALL

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It is the Town's intent to provide a safe workplace for employees and public building for citizens. All employees will adhere to this policy to ensure the safety and security of Town employees and the general public while visiting Town Hall.

Employees will be issued an identification badge upon hire. The badge should be worn and visible at all times while working in Town Hall or another Town worksite. The only exceptions would be while exercising at Town facilities or volunteering at Town events.

Employees should not open egress doors to permit others to enter there, bypassing security clearance at the main entrance. Badges serve as access credentials to open staff areas. Employees should not prop open doors or hold doors open for others.

Lost or damaged badges should be reported to Human Resources immediately. Police Department personnel should report badge issues to the Police Department Facility Manager. Employees will pay for the replacement of lost or damaged badges.

Panic alarms are located throughout Town Hall. When they are activated, a notification is sent to 911 Consolidated Dispatch and the Town Hall Records Office. No audible alarm or visual notification will display when the alarm is activated. Panic alarms should be used when there is an in-person encounter where individuals are actively being placed in fear for their safety, or there is an imminent threat of bodily harm. If a situation arises where there is not an immediate threat, or no person is being placed in fear for their safety, law enforcement can be contacted by calling the non-emergency Police Department phone number (843-884-4176).

Employees who fail to follow this policy are subject to disciplinary action up to and including termination.

#### 1.10 DEPARTMENT RULES AND STANDARD OPERATING GUIDELINES

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Department Managers, with the approval of the Human Resource Director, are authorized to frame and promulgate rules in addition and supplemental to, but not inconsistent with, the provisions of this document. If department rules or policies conflict with the Human Resource Guidelines, the Human Resource Guidelines will prevail.

#### 1.11 PERSONNEL FILES & EMPLOYMENT REFERENCES

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Employees may review their own personnel files by appointment and request copies of documents therein. If the appointment falls within regular duty hours, employees need permission from their Department Manager to be away from their work station. Files must be viewed in the presence of a Human Resource staff member. No files may be taken out of Human Resources without the consent of the Human Resource Director.

Copies of personnel files will be released only with proper authorization or as required by law. All personnel files are the property of the Town. Former employees are not entitled to access to their personnel file; however, OSHA regulations allow former employees to have a copy of their medical file.

The following information relative to employees and former employees is available to the public without a signed release from employees: name, job title, and dates of employment. All requests for employment verification and employment references can only be given by Human Resources. However, Department Managers may issue letters of reference as long as they are approved in advance by the Human Resource Director and copies are maintained in the personnel files.

## SECTION 2.0 EMPLOYMENT PROCESS

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### 2.1 RECRUITMENT

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It is the policy of the Town to fill each position with the most suitable person. Vacancies may be filled by promotion or transfer within the organization if it is in the best interest of the Town. Generally, position vacancies will be posted internally for at least five business days and qualified employees are encouraged to apply. Newspapers, recruitment websites, and any other relevant advertising media will be used. Advertisements are coordinated through Human Resources.

### 2.2 SELECTION

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The final selection for positions will be made by the respective Department Manager with the approval of the Town Administrator. The Town Administrator will hire new Department Managers after reviewing the intended selection with the Mayor and Council.

### 2.3 QUALIFICATION STANDARDS

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Applicants, internal and external, must meet the minimum qualifications of the position as specified in the job description in order to be considered for employment. All new hires must successfully pass a drug screen and background check. Based on business necessity and job duties, they must also pass screenings such as driving record review, education verification, credit history report, physical examination, psychological evaluation, and/or polygraph test. Promoted employees must successfully pass screenings listed in Section 3.4 Promotion.

Interns, whether paid or unpaid, and part-time temporary employees are subject to a criminal background check and drug screen.

Volunteers are subject to a criminal background check and drug screen upon initial hire, but not reactivation. This requirement is waived for volunteers participating in a non-safety-sensitive capacity in a one-time event and preparation leading up to the event. All volunteers who will be facilitating activities with children are subject to a criminal background and sex offender registry check.

When employees are rehired within six months from the date of termination, they do not need to complete all of the pre-hire screenings. At minimum, they will be subject to a drug screen. Police Officers and Fire Department employees will receive a background check and drug screen.

### 2.4 EMPLOYEE STATUS

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“Budgeted Full-time” employees are those who fill a full-time position with the Town. Employees in this status are normally scheduled to work at least 37.5 hours per week. Budgeted full-time employees are eligible for all benefits.

“Budgeted Part-time” employees are those who fill a budgeted part-time position with the Town. Employees in this status are normally scheduled to work less than 30 hours per week but may be called upon to work more hours when workloads require. Budgeted part-time employees are eligible for a specific, reduced group of benefits.

“Part-time Temporary” employees are those hired for a limited period of time, until completion of a particular project is achieved, or who remain on call indefinitely to work as needed. At any given time, these employees may work part-time or full-time hours depending on the needs of the Town. Part-time temporary employees are not eligible for any benefits.

“Introductory” employees are budgeted full-time and budgeted part-time employees who have not yet completed their introductory period.

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## 2.5 WORK WEEK

The Town’s standard business hours are Monday through Friday from 8:00 – 4:30. Employees are given an unpaid one-hour lunch break. While many employees will work the standard hours, the needs of each department will dictate its schedules.

Exempt employees will work whatever hours are necessary to assure the satisfactory performance of their position but not less than 37.5 hours per week.

Department Managers may allow certain positions to have flexible scheduling when it is in the best interest of the Town. A past offer of a flexible schedule is not a promise for a future flexible schedule. Department Managers reserve the right to approve and amend schedules.

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## 2.6 EXIT INTERVIEW

Employees who are leaving employment will meet with Human Resources a few days before separation to complete paperwork and receive an explanation of benefits. Before receiving their last paycheck, employees must surrender any Town uniforms or equipment assigned to them and must complete other separation actions required by the Department Manager and Town Administrator. Town property and materials assigned to employees are considered an advance of wages which may be deducted from the final paycheck.

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# SECTION 3.0 PERFORMANCE

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## 3.1 INTRODUCTORY PERIOD

New employees, except for some Police Officers and Firefighters, must serve a six-month introductory period that begins on their date of hire. Police Officers and Firefighters will serve a six-month introductory period following the completion of entry-level certification training at their respective academies.

During the introductory period, performance will be observed to determine the ability to carry out the duties and responsibilities of the position. A performance evaluation will be completed by the supervisor at the end of the introductory period. Employees who are fully-successful will be taken off introductory status. Employees, whose performance is unsatisfactory, for any reason at any time during the introductory period, may be terminated. The introductory period may be extended on a case-by-case basis by the Department Manager.

Employees still in their introductory period who are absent for more than seven consecutive calendar days or two consecutive shifts (Fire) for any reason will generally be terminated but may be eligible for rehire depending on the circumstance (see Section 5.16 Physical Disability and Personal Leave). Prior to termination, the circumstances of each employee's situation will be reviewed by the Town Administrator.

### 3.2 ANNUAL PERFORMANCE EVALUATIONS

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Employees will be given an evaluation offering feedback on the previous calendar year's performance during a designated timeframe. Employees who receive an evaluation between November and the end of February will not receive an annual performance evaluation; that evaluation's score will be used when considering merit increases. When budget allows, merit increases will be given at the start of the subsequent fiscal year (July 1<sup>st</sup>) to recognize performance during the prior calendar year.

### 3.3 UNSATISFACTORY PERFORMANCE EVALUATIONS

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Employees during their introductory period who fail to receive a fully-successful score on their performance evaluation may be terminated from employment with the Town.

Employees who score less than fully-successful on an annual evaluation may be given up to six months of probation to improve their performance. A Performance Improvement Plan (PIP) will be given to employees at the time they receive an evaluation with an unsatisfactory score. It will contain specific expectations in order to continue employment. It may be incorporated in the evaluation or may be a separate document.

When the PIP period ends, employees will be given another evaluation releasing them off probation if they addressed the unacceptable issues to the department's satisfaction and received a fully-successful score. At that time, employees will not receive a pay increase. If their performance was not up to standard, the Department Manager will initiate appropriate action on a case-by-case basis. The Department Manager may, with concurrence of the Town Administrator, demote employees within the department or may terminate them for failure to perform.

Employees may be administered a performance evaluation at any time during the year.

### 3.4 PROMOTION

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To be eligible for a promotion, employees must first successfully complete the introductory period of their currently-held position, unless the promotion is within the same department, and meet the minimum qualifications of the new position. Depending on business necessity and job duties, promoted employees must successfully pass a background and/or credit history check to be eligible for promotion.

### 3.5 TRANSFER

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When it is in the best interest of the Town, employees (other than Department Managers) may be transferred, either voluntarily or involuntarily, within the department or to a different department by the Town Administrator. To be eligible for a transfer, employees must first complete the introductory period, unless the transfer is within the same department, and meet the minimum qualifications of the new position. Depending on business necessity and job duties, employees must successfully pass a background and/or credit history check to be eligible for a transfer. Transferred employees will serve a six-month probationary period and will receive a performance evaluation, but no pay increase, at the end of six months.

When it is in the best interest of the Recreation Department, part-time temporary employees may voluntarily transfer within the department from a higher pay rate position to a lower pay rate position. These employees may subsequently transfer back to the higher pay rate position. A background check will not be required when transferring back to the higher pay rate position.

### 3.6 DEMOTION

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Department Managers may demote employees to a lower pay grade for disciplinary reasons, if it is determined that they cannot meet the requirements of their position, or when employees request a demotion. Before an official action can be taken, Department Managers will receive approval from the Town Administrator and a technical review by the Human Resource Director. Demoted employees must be able to meet the minimum qualifications of the lesser job and a vacant position authorized for recruitment must exist. Depending on business necessity and job duties, employees must successfully pass a background and/or credit history check to be eligible for a demotion. Employees demoted to a new position will serve a six-month probationary period; employees demoted to a previously-held position will not serve one. Employees will receive a performance evaluation, but no salary increase, at the end of six months.

### 3.7 LOSS OF JOB QUALIFICATION

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Employees who are unable to do their jobs adequately because of loss of a necessary license or other requirement relative to the position will be terminated from that position. These employees may apply for other positions within the Town.

### 3.8 SUSPENSION

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After review with the Human Resource Director and approval of the Town Administrator, Department Managers may, for disciplinary purposes, suspend employees without pay for a length of time that they consider appropriate. In addition, the Town may procedurally suspend employees without pay pending investigation to determine if disciplinary action is appropriate. When the Town determines an unpaid suspension is appropriate discipline, exempt employees will be suspended in full-day increments; non-exempt employees will be suspended in partial or full-day increments. The Town Administrator has the authority to suspend Department Managers after reviewing the intended suspension with the Mayor and Council.



### 3.9 RESIGNATION

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To resign in good standing, employees must give Department Managers at least two work weeks' notice in writing and they must work out the notice period, including all shifts scheduled during that time. Department Managers must give the Town Administrator four work weeks' notice. For shift personnel, employees who give two calendar weeks' notice and work all scheduled shifts during that period are considered to have fulfilled their notice. For employees with flexible schedules, employees who give two calendar weeks' notice and work all required days and/or total bi-weekly hours per the schedule approved by the Department Manager are considered to have fulfilled their notice. The day employees tender their resignation is considered the first day of notice. Employees who resign in lieu of being terminated are not considered to have resigned in good standing.

Employees cannot consider an observed holiday to be their last day worked. No paid leave for scheduled work times will be paid after notice of resignation is given, unless approved by the Town Administrator. Employees who give a lengthy formal notice to retire may use vacation leave until two weeks before their last day. For the record, their termination date will be the last day they worked.

Failure to comply with this policy will result in denial of re-employment rights and the forfeiture of vacation and holiday leave (Police and Fire) pay out. Department Managers, with approval of the Town Administrator, may waive these penalties for employees who give less than the required notice due to extenuating circumstances.

### 3.10 LAYOFF

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Any involuntary separation not involving delinquency, loss of certification or required ability, misconduct, or inefficiency is considered a layoff. When it becomes necessary to reduce the workforce, the Town will determine, in its sole discretion, which employees will be laid off based upon the best interest of the Town. Department Managers, after a technical review with the Human Resource Director, will notify employees in writing of their layoff at least 14 calendar days prior to the effective date of the layoff.

### 3.11 TERMINATION

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Terminations are discharges or separations made for delinquency, misconduct, inefficiency, or inability to perform the work of the position satisfactorily. The Human Resource Director will review, and the Town Administrator will approve, all terminations prior to the occurrence.

The Town Administrator has the authority to terminate Department Managers. The Town Administrator will review any intended termination of Department Managers with the Mayor and Council prior to taking any action.

### 3.12 UNAUTHORIZED ABSENCE/NO CALL, NO SHOW

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Employees who, without valid reason, fail to report to work for two consecutive shifts without authorization will be separated from the payroll and considered to have resigned without notice.

### 3.13 GUIDELINES FOR DISCIPLINARY ACTION

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As is the case with all organizations, instances arise when employees must be disciplined. The discipline that may be imposed includes, but is not limited to: counseling memo, oral reprimand, written warning, probation, suspension without pay, demotion, and termination. The Town may impose a combination of disciplinary measures. The discipline imposed in any particular situation is at the sole discretion of the Town. Nothing in any of the Town's policies or by virtue of any past practice requires the Town to follow any particular course of discipline. The Human Resource Director will review, and the Town Administrator will approve, all terminations prior to the occurrence.

Employees must sign disciplinary notices, counseling memos, policy statements, performance evaluations, and other similar documents. Their signature does not necessarily indicate agreement with the contents of the document, only that they have been notified of the contents of the document. When employees refuse to sign the document, it will be considered an act of insubordination. The manager will explain that there is a consequence to insubordination and employees will be relieved of duty without pay that day. If they do not sign the document by 10:00am of their next scheduled workday, the act of insubordination stands, and employees will be terminated.

It is not possible to list all acts and omissions that may result in disciplinary action. The disciplinary action that is appropriate for any particular misconduct is at the sole discretion of the Town. The Town reserves the right to treat each employee individually without regard for the way it has treated other employees and without regard to the way it has handled similar situations.

The following list is by no means complete, but merely a guideline of some of the more obvious types of misconduct.

1. Failure or refusal to follow oral or written instructions in a matter pertaining to work
2. Insubordination
3. Inefficiency or lack of application in the performance of duties
4. Failure to maintain satisfactory and/or harmonious working relations with the public or coworkers, or discourteous treatment to others
5. Any action or practice which reflects unfavorably or causes embarrassment to the Town or Town Officials
6. Any conduct which violates the public trust, results in loss, damage, or detriment to the Town or which causes concern on the part of citizens, the general public, or coworkers
7. Failure to be at assigned place at assigned time
8. Unexcused tardiness or absenteeism, or improper use or abuse of sick leave
9. Unauthorized absence of two or more consecutive shifts
10. Interference with the work of others
11. Careless, negligent, or improper use of Town property or equipment or the property or equipment of coworkers
12. Violation of safety rules, negligence, or engaging in unsafe practices
13. Failure to report personal injury or property damage in a timely manner
14. Refusal to sign a disciplinary notice or other employment-related document
15. Unauthorized sleeping while on duty or giving the appearance of sleeping while on duty
16. Falsification, omission, or misrepresentation of information in Town records
17. Improper or unauthorized use or disclosure of Town records, documents, or information
18. Failure to obtain or maintain a current license or certification required for the current position

19. Misuse of Town funds
20. Unprovoked use of force or language in dealing with the public or coworkers
21. Participation that disrupts or disturbs the normal operation of any division, department, or Town operation
22. Unauthorized possession of Town property, its equipment, or property of others, or unauthorized removal of such property or equipment
23. Unauthorized possession of firearms or an illegal weapon on Town property or at a Town worksite
24. Conviction, plea of guilty, or plea of nolo contendere of or to a charge of theft, violation of drug laws, or to an offense which affects the Town's reputation, or which reasonably could cause concern on the part of citizens or coworkers
25. Failure to inform a supervisor of taking prescribed, controlled medication that would affect ability to perform the job in a safe and efficient manner
26. Refusal to take a drug or alcohol test when directed
27. Possession and/or use of any alcoholic beverage, non-prescribed controlled drug, or illegal substance on Town premises, Town time, or Town worksites
28. Reporting to work or being at work under the influence of alcohol, controlled and non-prescribed drugs, or illegal substances. Possession or use of illegal or unauthorized prescription drugs or intoxicating beverages on Town property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; or off-the-job illegal use or possession of drugs. For purposes of this policy, employees are "under the influence" if they have any detectable amount of any such substance in their system. Employees may be required to submit to a breathalyzer, blood test, or urinalysis to determine if this rule has been violated.
29. Acceptance of improper gratuities or giving or accepting gifts for a favor or for influence
30. Threats, including "joking" threats
31. Violation of any Town policy
32. Any other reason which, in the Town's sole discretion, warrants disciplinary action

Suspensions and terminations must be reviewed by the Human Resource Director and approved by the Town Administrator prior to being administered.

The Town Administrator has the authority to discipline Department Managers. The Town Administrator will review any intended discipline of a Department Manager with the Mayor and Council prior to taking any disciplinary action.

### **3.14 SUBSTANCE ABUSE POLICY**

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The Town is concerned about the effects of illegal drug use and alcohol abuse upon the health and safety of all employees and the public it serves. The Town recognizes that the abuse of drugs and alcohol results in increased accidents and medical claims and may lead to the destruction of employees' health and family lives. Employees who abuse drugs and alcohol may represent a danger to themselves and to their coworkers. Productivity is adversely affected by increased absenteeism and turnover. In light of these concerns, changes in federal regulations, and the Drug Free Workplace Act, the Town intends to maintain a workplace free of the problems associated with the abuse of alcohol and drugs by implementing this policy which forbids the use of illegal drugs, whether at work or not, and from working under the influence of drugs or alcohol. This policy also satisfies the notice requirements under the federal and state Drug Free Workplace Acts. For purposes of this policy, being "under the influence" means employees having any detectable amount of any such substance in their systems.

This policy applies to all Town employees, including Police and Fire Department employees and Federal Highway Administration (FHWA) regulated employees. Any additional requirements solely applicable to Police and Fire Department employees and FHWA regulated employees will be listed at the back of this section in italics. For purposes of this policy, the term “employees” also applies to interns and volunteers other than those volunteers participating in a one-time event in a non-safety-sensitive capacity.

The Town will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline or termination under this or other Town policies. Employees will be allowed to use available paid leave, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. However, employees are responsible for the cost of any necessary treatment or rehabilitation except where coverage for these expenses may be provided for eligible employees under the provisions of the Town’s health insurance plan.

Employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or if they have violated this policy previously. Once a drug test has been scheduled, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, employees will forfeit the opportunity to be granted a leave of absence for treatment; additionally, possible discipline, up to and including termination, will be enforced.

Employees receiving assistance for alcohol or drug problems are expected to abide by all other Town policies including maintaining satisfactory levels of performance.

The Town’s Substance Abuse policy is intended to exceed the requirements of the DOT regulations while fully complying with those regulations. This policy is NOT A CONTRACT.

#### Scope and Application

All employees are prohibited from possessing, ingesting, inhaling, injecting, selling, distributing, or using, in any fashion, illegal drugs or prescription drugs not specifically prescribed for them. This prohibition applies to use or involvement at any time, both on-the-job and off-the-job. Employees are permitted to possess any substance when required by their jobs or for the lawful delivery to another person. Employees are also prohibited from possessing, consuming, distributing, or manufacturing alcoholic beverages on or in any Town property, while performing Town duties. Employees may possess alcohol on or in Town property when required by their job. Exceptions to the alcohol consumption prohibition may be granted by the Town Administrator.

#### Definitions

“Safety-sensitive job” means that it involves in law enforcement, fire suppression, or having a Commercial Driver’s License.

“Town property” includes the following:

- Property controlled by the Town including vehicles used in performing Town work
- Buildings where Town work is being developed, conducted, evaluated, or inspected
- Leased space, Town-owned vehicles, or personal vehicles used for Town business
- Any premises and vehicles where or in which Town employees are working or performing services
- Parking lots or the grounds adjacent to any of the above
- Anywhere the Town’s business is being conducted

### Types of Testing

This substance abuse testing policy covers all personnel employed by the Town, whether full-time, part-time, or part-time temporary, interns, and certain volunteers for the purpose of testing under the following conditions:

- Pre-employment
- Reasonable suspicion
- Return-to-duty
- Follow-up

### Town-Prohibited Conduct

The possession, use, transfer, or sale of alcohol, illegal drugs, or prescription drugs without a valid prescription on or near Town property or on Town business by employees is specifically prohibited and may result in disciplinary action up to and including termination. The Town does not desire to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, The Town reserves the right to take appropriate disciplinary action or request a reasonable suspicion drug test for drug use, sale or distribution while off Town premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea, or sentence to Human Resources within five days. Failure to comply will result in automatic termination. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with the Town.

### Prohibited Conduct

The Town prohibits alcohol and drug misuse by all employees. This includes but is not limited to:

- No use of alcohol for four hours prior to duty
- No use of alcohol while on duty
- No use of alcohol after an accident for at least eight hours or until employees have been tested
- No use of controlled substances, except as prescribed by a licensed physician with knowledge of employees' safety-sensitive job functions
- A testing result on an alcohol test showing any concentration of alcohol
- On a drug test, confirmed positive test results
- Refusal to participate in an alcohol or drug test which includes the following:
  - Failure to show up for a test or remain at the test facility
  - Failure to sign required forms or authorizations for a test
  - Failure to cooperate with the testing process
  - Failure to provide proper quantity or type specimen within required time limits

### Special Drug and Alcohol Searches

When there is reason to believe or reasonable suspicion that employees are in possession of alcohol or drugs which are prohibited under the Town's policy, employees, and contract employees may be required, as a condition of continued employment, apart from the DOT regulations, to submit to a reasonable search of their personal lockers, purses, lunchboxes or other containers, desks, or personal vehicles, while on Town property, including being asked to empty their pockets. Employees are not to bring any personal property on Town premises or in Town vehicles if they do not want it to be subject to searches.

### Legal/Prescription Drugs

This policy does not prohibit employees from the lawful use and possession of prescribed medications. However, the Town prohibits employees from misusing legally prescribed or over-the-counter drugs. The Town will not allow employees to work while taking drugs that adversely affect their ability to safely and effectively perform their job duties. Therefore, employees must consult with their doctors about the medications' effects

on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor immediately upon entering the work area. Failure to do so may be considered a violation of this policy and may result in disciplinary action up to and including termination. Employees should not, however, disclose to the Town underlying medical conditions unless directed to do so.

#### Cannabidiol (CBD) Oil

While CBD oil products are legal to purchase in South Carolina, they have not been regulated by the Food and Drug Administration. Accredited independent testing has found that large quantities of the products sold legally still may contain an illegal dose of Tetrahydrocannabinol (THC). Until the Food and Drug Administration regulates these over-the-counter products, consumers will not be able to determine what is actually contained in them. When a drug test is administered, it is testing for the metabolites that THC creates in the body. The test cannot differentiate whether the THC came from the use of CBD oil or an illegal substance such as marijuana. When the metabolite is present in the body, even from CBD oil, consumers are subjected to the illegal psychoactive ingredient of THC. The Town recommends that employees not use these products because there is a risk that their use could lead to THC exposure which would violate this policy. If employees test positive for THC on a drug test, it will be considered positive for an illegal substance, and employees will face disciplinary action up to and including termination.

#### Testing Provisions

##### Pre-employment/Pre-assignment Drug Testing

All applicants selected for employment and volunteers will be required to undergo a federally-regulated drug screening test paid for by the Town before assignment to any covered duties.

The Town's pre-employment drug testing requirement and the alcohol/drug testing policy for all employees will be explained at the time of job offer. No person, in any Town position, may begin work in a Town job until satisfactory results from the drug testing have been received by Human Resources.

Employment will be denied to any selected applicants whose drug test reveals the presence of illegal drugs. Employment will also be denied if it is determined that applicants have tampered with a specimen. All applicants who are hired into safety-sensitive positions will be subject to alcohol/drug testing, at the Town's expense, during their employment.

##### Post-Accident/Near-Accident/Injury Testing

Employees are subject to testing when:

- There is a reasonable basis for concluding that alcohol or drug use could have contributed to the incident, regardless of fault.

A circumstance that constitutes reasonable belief may be presumed to arise in any instance involving a work-related accident, near accident, or injury in which an employee who was operating a motorized vehicle (including, but not limited to, a Town forklift, pickup truck, overhead cranes, aerial/man-lifts, etc.) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place as soon as possible, but within **two hours** following the accident, if not sooner. Under no circumstances will employees be allowed to drive themselves to the testing facility.

Employees must be available for testing as soon as possible following the accident or any emergency treatment received. Employees who leave the scene of an accident and who do not make their supervisor aware of the accident and how to reach them for testing purposes will be subject to disciplinary action and considered to

have refused testing. Testing for alcohol and drugs should be initiated as soon as possible, but within **two hours** of the event and be accomplished within **32 hours** for drugs and **eight hours** for alcohol testing. When employees report the incident late, they will receive a drug test if reporting occurs within three days of the incident. Late reporting is subject to disciplinary action up to and including termination.

#### Reasonable Suspicion/Cause Testing

If the Town Administrator or designee has reason to believe (reasonable suspicion) that employees are under the influence of drugs or alcohol as defined in this policy, they may be subject to alcohol/drug testing. Employees are reasonably suspected of using a prohibited drug or being under the influence of alcohol when at least one supervisor or manager can reasonably substantiate specific behavioral and/or performance indicators of probable alcohol/drug use.

The Risk Manager and/or Town Administrator should be consulted before sending employees for testing except where doing so would inappropriately delay testing due to their unavailability. All levels of supervision making this decision must use the Observation Checklist to document specific observations and behaviors that create a reasonable suspicion that employees are under the influence of illegal drugs or alcohol. If the results of the Observation Checklist indicate further action is justified, supervisors should confront employees with another member of management. Under no circumstances will employees be allowed to drive themselves to the testing facility; supervisors or a member of management must escort them. Supervisors will make arrangements for employees to be transported home.

#### Random Testing

Employees holding safety-sensitive positions with the Town will be randomly selected for unannounced alcohol/drug testing through a system using a scientifically, statistically and legally valid number generation process performed by a third-party administrator which will, at random, select the employees for testing regularly. Employees could be selected for testing more than once a year. Employees selected for testing will be notified on the day they are to be tested, just prior to being sent for testing. There is no advance notice of random testing.

#### Unannounced Follow-Up

Employees who return to work following completion of an approved rehabilitation program will be subject to unannounced follow-up alcohol/drug testing, at any time, for a period of at least 12 months, but not to exceed 60 months, as well as a waiver of the right to contest any termination resulting from a subsequent positive test.

#### Refusal to Test

Refusal by employees to submit to a drug/alcohol test, when requested to do so under the terms of this policy, will be considered the same as a confirmed positive test result and will be grounds for disciplinary action up to and including termination.

#### Tampering

Tampering with, altering, or contaminating a specimen in any manner constitutes grounds for disciplinary action up to and including termination.

#### Consequences of Violating this Policy

Violating this policy may result in the following:

- Volunteers and interns (paid and unpaid) will be removed from service immediately
- Introductory and Police Department employees will be terminated
- For all other employees, the Town may impose disciplinary action up to and including termination

- The Town, in its sole discretion, may condition the continued or future employment of employees who test positive for or admit to the use of illegal drugs, upon the successful completion of a drug counseling/rehabilitation program, to do any of the following:
  - Retest for controlled substances before allowing employees to return to duty
  - Place employees on probation for at least six months following their return to duty
  - Submit to unannounced follow-up drug testing for a period not to exceed five years
  - Employees, whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program, refusing or failing to participate in a single counseling or treatment session, will be terminated immediately
  - Employees whose return to duty test sample does not indicate that they have discontinued use of illegal drugs will be terminated immediately.

#### Coming Forward with Substance Abuse Problems

Employees (other than Police Officers) who have substance abuse problems and report them to the Town before being selected for testing, and before the occurrence of an event which normally would result in testing, may, in the sole discretion of the Town Administrator, not be disciplined upon the first violation but will be subject to reasonable suspicion testing, random testing, and required counseling.

Employees who return to work following a pre-approved rehabilitation program must provide a negative return to duty drug test result, paid by them, by an authorized Town provider. Failure to do so may result in termination of employment. Employees who either do not complete the rehabilitation program or test positive after completing the rehabilitation program will be subject to immediate termination.

#### Appeal of Positive Test Results

Employees may appeal a positive drug test result by requesting a retest of the original specimen. Employees must pay the drug screen vendor for all appeal testing in advance and sign all forms within five days of the notification of the positive test. There is no appeal testing for an alcohol breath test conducted by an approved Breath Alcohol Technician using an Evidentiary Breath Testing (EBT) device.

#### Substance Abuse Professional (SAP) Evaluation

Employees who test positive on a required alcohol or drug test, beyond pre-employment testing, and are not terminated in the Town's sole discretion, must complete the program required by the Town-approved Substance Abuse Professional. Employees pay for all treatment or professional services.

#### Confidentiality and Recordkeeping

The information involving alcohol/drug testing will be treated as confidential to the extent possible and consistent with the scope of this policy. Information concerning employees will be disclosed only to those management personnel involved with the discipline of the employees or who have a legitimate need to know the information.

#### Notice to Employees

Individual copies of this policy are available upon request. By continuing to work, employees agree that they will abide by the policy as a condition of employment. Any violation of this policy by a volunteer or intern will result in the immediate removal from service.

#### Confidentiality and Notice of Test Results

Alcohol and drug testing information will be kept as confidential as possible, consistent with the purpose of this policy and applicable state and federal laws or regulations. All alcohol/drug tests are considered negative unless



employees are notified otherwise by management or the drug testing company's Medical Review Officer. All employees will be notified, in private, of positive test results. Employees with a positive test result may request and receive a copy of their positive test result indicating the particular drug(s) for which the sample tested positive. Requests to retest the sample must be made in writing within five working days of the notification of a verified positive test result. Test results will be handled within the department with the same confidentiality afforded other Town employees.

#### Police and Fire Departments

*The use of illegal and unauthorized drugs is a serious threat to our nation's collective health, safety, and welfare. Drug abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. The negative effects of drug abuse in the workplace are amplified when drug abuse exists within the Police and Fire Departments. The Town has a compelling interest in ensuring that employees of its Police and Fire Departments are physically capable of performing their duties while possessing high standards of integrity and judgment. Therefore, in addition to the policy described above, the following provisions specifically apply to Police and Fire Department employees:*

- *Employees may not illegally possess any controlled substance.*
- *Employees may not ingest any controlled or other dangerous substance, unless prescribed by a licensed physician, who has knowledge of the safety-sensitive duties.*
- *Employees may not ingest any prescribed or over-the-counter medication in amounts beyond the recommended dosage.*
- *Employees who unintentionally ingest, or are made to ingest, a controlled substance should immediately report the incident to their supervisor so that appropriate medical steps can be taken to ensure their health and safety.*
- *All employees are responsible for the integrity of the department and; therefore, if they have reasonable basis to believe that another Police Officer is illegally using or in possession of any controlled substance, they are to immediately report the facts and circumstances to their supervisor.*
- *Police Officers may not consume any alcoholic beverage while on duty (except in undercover operations approved by the Chief) nor may they report to duty under the influence of alcohol or with the odor of alcohol on their breath.*
- *Employees may not at any time consume alcohol while in uniform or any recognizable part of a uniform.*
- *Police Officers may not be intoxicated, including time off duty, at any time and carry a firearm.*

#### Coming Forward with Substance Abuse Problems

*Due to the safety-sensitive nature of the position, all Police Officers who have a substance abuse problem and report it to the Town prior to being selected for testing, and before the occurrence of an event which normally would result in testing, will be required to attend substance abuse counseling at their own expense and may be subject to disciplinary action up to and including termination.*

*All employees (other than Police Officers) who have substance abuse problems and report them to the Town before being selected for testing, and before the occurrence of an event which normally would result in testing, may, in the sole discretion of the Town Administrator, not be disciplined upon the first violation but will be subject to reasonable suspicion testing, random testing, and required counseling.*

#### FHWA/DOT Regulated Employees

*The following provisions apply specifically to DOT regulated employees:*

- *Employees who violate the prohibited conducts outlined in this policy will be referred to a Substance Abuse Professional, in addition to any Town authorized discipline.*
- *Regardless of Town approval, alcohol is NOT to be consumed in violation of the DOT rules by employees.*

- *Alcohol may not be transported in any DOT commercially licensed vehicle.*
- *If employees receive an alcohol result between 0.02- 0.04, under FHWA they must not perform covered duties for 24 hours.*
- *Employees must appeal within 72 hours of notification of a verified positive drug test.*
- *Alcohol testing requires only one trained supervisor’s judgment, as opposed to the Town’s requirement of two supervisors.*
- *An alcohol test cannot be delayed for any reason.*
- *Employees in DOT regulated positions will be pooled separately for random selection purposes. Random testing of DOT regulated employees will be at a rate of 50% per year as required for drug testing and 25% per year for alcohol with the understanding that the rate may change year to year depending upon “industry experience.”*
- *Employees are ineligible to perform covered functions until assessed by a Substance Abuse Professional.*
- *Employees who have an alcohol reading between 0.02-0.04 will temporarily be removed from performing any safety-sensitive duties and will be subject to automatic 24-hour suspension and must provide a test reading below 0.02 before returning to CDL duties.*
- *Regardless of whether the Town terminates employment, DOT covered employees will be referred to a SAP and must complete an assessment and the treatment required before being eligible to engage in covered duties performed at the time of the positive alcohol/drug test with future employers. Employees pay for all treatment or professional services.*
- *DOT regulated employees must receive a minimum of six follow-up tests in the 12 months following a violation and are subject to follow-up testing for up to 60 months. The Substance Abuse Professional or the Medical Review Officer will establish the frequency and type of testing to be conducted on a follow-up basis.*
- *DOT regulated employees who refuse to participate in random, post-accident, reasonable suspicion, or follow-up tests will be considered to have violated the prohibited conducts and will be referred to a Substance Abuse Professional as well as suffer any disciplinary action carried out under Town authority.*

### 3.15 SAFETY

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It is the Town’s intent to ensure the safety and health of every Town employee. This can be accomplished by providing a safe work place and adopting safe work habits. This way, each employee’s ability to earn a gainful living is protected, as is the Town’s ability to deliver services to citizens in an efficient manner. Accidents can damage equipment and destroy resources; thereby causing personal suffering, inconveniences, and expenses. No job is so important that time cannot be taken to do it safely. Violation of a safety rule could result in disciplinary action up to and including termination, in the Town’s sole discretion.

Responsibility for safety in each department remains with the Department Managers. They understand that safety is a continuing concern, equal in importance to all other operational considerations, at all levels of the Town work force. They implement safety policies, as well as develop and administer an effective department-specific safety program directed toward one mutual goal — an attitude of “Safety First.” Their program produces a work environment free of potential hazards, and it provides procedures that may reduce injuries to employees and others, and eliminate damage to equipment and property. All employees are charged with the responsibility of, cooperation with, and support of safety program objectives. All employees are expected to adopt the concept that the safe way to perform a task is the most efficient, and therefore the only acceptable way to perform it.

Employees are required as a condition of employment to exercise care in the course of their work, to prevent injuries to themselves, their colleagues, and damage to Town equipment.

Employees must:

- Report all unsafe conditions to their supervisor.
- Keep work areas clean and orderly at all times.
- Report all accidents to their supervisor immediately.
- Avoid horseplay and distracting others.
- Obey all department-specific safety rules and state and federal regulations. If a doubt exists concerning the safety of a job, employees should stop and obtain instruction from their supervisor before continuing work.
- Operate only equipment that they have been trained to operate and authorized to operate by their supervisor.
- Wear required protective equipment and clothing.
- Participate in all required safety training.
- Not work without proper safety equipment. The Workers' Compensation Act states, "Benefits under this Act may be lost for willful failure or refusal to use safety appliances or obey safety regulations."
- Be responsible for all safety equipment issued to them. They may be required to replace lost or stolen equipment at their own expense.

No employee will be terminated or discriminated against in any manner for reporting unsafe or unhealthy conditions through the appropriate supervisor, Department Manager, or management staff.

When employees are required to pay the Town for their accidents, payroll deductions will be applied as follows:

\$0-\$100	One deduction will be taken in the next paycheck
\$101-\$499	Up to four deductions will be offered (with a minimum deduction of \$100)
\$500+	The number and amount of deductions will be determined by the Chief Financial Officer

### 3.16 EMERGENCY AND DISASTER OCCURRENCES

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Employees are responsible to the citizens of Mount Pleasant in the preparation, protection, and maintenance of facilities and services of the Town before, during, and after an emergency or disaster, and before recovery of normal operations following a disaster. Efficient and loyal performance on the part of all employees is deemed critical and is, therefore, required under such circumstances.

Departments play integral roles during activation of the Town's Emergency Operations Plan and, therefore, have emergency procedures for department-specific roles and responsibilities. Each department maintains its own continuity of operations plan to ensure minimal disruption to normal operations during incidents. Depending on the scope of the incident, normal operations may be suspended to focus efforts on emergency operations. Department Managers designate employees as Essential or Non-Essential upon hire or change in position responsibility. Essential employees should be prepared to stay at work during an emergency while their family evacuates. Because of the unique nature of emergencies and disasters, the expectations and duties for each employee will be communicated before, during, and after the incident.

Whenever the onset of an emergency occurrence is made known to the Town Administrator or designee, s/he will initiate the Town's Emergency Operations Plan. All employees will continue to perform assigned duties until they are released to take protective measures, as determined by the Town Administrator or designee. Non-exempt employees called to serve during an emergency may be eligible for payment at the overtime rate regardless of working the FLSA threshold if approved by the Town Administrator.

As soon as the immediate threat to the Town passes, employees must contact their respective departments to receive instructions. Employees will return to duty on or before the time given by their department representative in accordance with the Town's Emergency Operations Plan, Department Continuity of Operations Plan, and specific directions of their Department Manager. Failure on the part of employees to act in accordance with the guidance of the Town's Emergency Operations Plan or the specific directions of the Emergency Operations Center, to contact their department, or return to duty as instructed may result in immediate termination without further warning.

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## SECTION 4.0 WAGE & COMPENSATION PLAN

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### 4.1 ADMINISTRATION OF THE PLAN

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Council approves the wage and compensation plan annually during the budget approval process. The Town Administrator is responsible for the overall administration of the plan which includes but is not limited to: approving salaries of new hires, correcting individual discrepancies, realigning salaries with increased responsibilities, and reclassifying jobs. The Town Administrator has the authority to modify positions in the wage and compensation plan which includes adding, eliminating, and reallocating positions; adding, deleting, or subdividing pay grades; and reassessing allocation of positions and pay grades on a case-by-case basis as needed. The scope of the Town Administrator's administration of this plan will comply with the Town's budget policy.

### 4.2 ELECTRONIC TIME SHEETS

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#### Non-exempt Employees

Non-exempt employees must accurately record their hours worked in the time and attendance software system by swiping their finger on the terminal or logging onto their computer. Department Managers may approve the use of mobile devices for recording time. Employees must verify that the reported hours worked are complete and accurate, including certifying the electronic time sheet (ETS) each week.

Employees should not work any hours that are not authorized which includes starting work early, finishing work late, working during the lunch hour, or performing any other extra or overtime work unless authorized to do so in advance with the time being recorded on the ETS. This includes use of mobile technology to perform work functions such as responding to email outside of normal work hours. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work they perform but fail to report on their ETS. Employees who fail to report or inaccurately report any hours worked will be subject to disciplinary action up to and including termination.

It is a violation of the Town's policy for employees to falsify their ETS. Employees may not alter another employee's ETS unless authorized to do so. It is also a serious violation for employees or managers to instruct another employee to incorrectly or falsely report hours worked or alter another employee's ETS to under or over-report hours worked. If this occurs, it should be reported immediately to a Department Manager or the Human Resource Director.

If the Town closes early and employees are sent home with pay, they should submit a leave request for Administrative Leave with Pay in the time and attendance system.

#### Exempt Employees

Exempt employees will receive a salary which is intended to compensate them for all hours worked. Their salary is established at the time of hire or when employees are promoted into an exempt position. While it may be subject to review and modification from time to time, such as during the annual salary review process, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

### 4.3 PAY PERIODS

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The Mayor, Council Members, Judges, Medical Directors, and all other employees are paid on a bi-weekly basis every other Friday, a week after the two-week pay period concludes. Recreation Department Instructors/Employees whose pay is based on revenue are paid on a monthly basis. When a holiday falls on a pay day, pay is deposited on the nearest preceding workday if banks are closed on the observed holiday.

### 4.4 EFFECTIVE DATE OF EMPLOYMENT TRANSACTIONS

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The effective date of all employment transactions should be the first day of the pay period, except for terminations.

The effective date of new hires is the first day worked, which is normally every Monday.

The effective date of termination is the last day on which employees receive compensation. If employees are on a leave of absence without pay when their employment concludes, the effective date of termination will be the date their designated leave ended.

The deadline for departments to enter payroll transactions to be approved by Human Resources is every other Wednesday at noon, at the end of a pay period. Transactions submitted after the deadline will be processed on the subsequent payroll. The deadline to submit approved electronic time sheets to Payroll is every other Tuesday at 10:00am, after the pay period ends. Exceptions to these deadlines will only be granted by the Town Administrator.

### 4.5 STARTING SALARY

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New employees will receive the minimum rate of the position's pay grade during their introductory period. In order to offer starting pay above the minimum rate, the Department Manager must make a written request to

the Town Administrator demonstrating exceptional qualifications which normally include but are not limited to: the new hire far-exceeding minimum requirements of the position with civilian or professional educational qualifications, technical or other job-related experience, or special skills which would justify above-normal compensation. Also, the Town Administrator may approve higher starting pay when recruitment of a position is difficult. The Town Administrator may place new employees at any level within the pay grade range after considering any potential impact on internal pay equity.

#### 4.6 EDUCATIONAL COMPENSATION PAY

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Educational compensation pay is offered to certified Police and Fire Department employees whose college degree exceeds their position's requirement. Employees who have a Bachelor's Degree will receive a one-time salary adjustment of \$750. Employees who have an Associate's Degree will receive a one-time salary adjustment of \$375. This pay is available upon hire. Employees who are already employed with the Town when they receive their degree will be given educational compensation pay upon submitting proof of obtaining it. When employees are promoted into positions that require an Associate's Degree or Bachelor's Degree as a minimum qualification, the educational compensation pay is no longer available. Educational compensation pay will be considered part of the previous job's base rate when calculating the promotional rate.

#### 4.7 INCENTIVE PAY

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Human Resources maintains a list of positions, approved by the Town Administrator, which are eligible for incentive pay. Employees are eligible to receive incentive pay as soon as they submit proof of certification and it is processed by the Department Manager or designee. Incentive pay is cumulative as employees gain each certification.

Incentive pay will be given as long as the certification remains current. Employees are responsible for notifying the department when their certification lapses. Incentive Pay will be removed effective the date of lapse and will be reinstated as soon as proof of certification reinstatement is submitted. Duties may be adjusted during the lapse of certification.

Employees who leave the Town, for any reason, within two years of receiving incentive pay will repay the Town the full cost of the certification process but will not return any incentive pay received. The cost will be deducted from their last paycheck. Employees are responsible for paying the Town any balance remaining after their last paycheck.

#### 4.8 CANINE SERVICES PAY

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Police Officers below the rank of Lieutenant are eligible to be handlers of the Canine Unit. Canine handlers are responsible for providing daily care (e.g., food, water, exercise) for the canine both on and off-duty. Their hourly rate will remain the same, but the handlers will be compensated for the canine's care by adding 30 minutes of work time on seven days per week to their electronic time sheet. Anyone assigned to canine duties in the handler's absence will receive 30 minutes of work time for each day of care. It is the handler's responsibility to ensure that their electronic time sheet is correct and accurately reflects the additional compensable time.

#### 4.9 ANNUAL SALARY INCREASES

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Council may approve pay increases for non-introductory employees effective the start of each fiscal year, when budget allows.

Cost of living adjustments (COLA) will be given to eligible employees working at the Town as of June 30<sup>th</sup>. Employees in their introductory period are not eligible for a COLA.

Merit increases will be given to all employees who have successfully completed their introductory period as of June 30<sup>th</sup>. The increase will be based on their performance evaluation score for the prior calendar year or their introductory period. Merit increases will not be given to employees who receive an unsatisfactory score and Performance Improvement Plan on their annual performance evaluation.

Annual increases for appointed positions will be given at the discretion of Council.

#### 4.10 SALARY OF RECLASSIFIED EMPLOYEES

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Employees whose positions are reclassified will be placed at the minimum rate of the new pay grade. If their current pay is higher than the minimum rate of the new pay grade, employees will receive a 3% increase. The status of employees is irrelevant (e.g., introductory, budgeted part-time, part-time temporary, etc.). When a reclassification occurs, employees will not receive a background screening. Their next salary increase would be the following fiscal year if Council approves funding for merit increases.

#### 4.11 SALARY OF PROMOTED EMPLOYEES

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Employees who are promoted will be placed at the minimum rate of the new pay grade and will then receive an additional 3%. If their current pay is higher than the minimum rate plus 3% of the new pay grade, employees will receive a 6% increase. The Town Administrator has the authority to approve a request from a Department Manager to consider a higher salary based on its justification, after considering the potential impact on internal pay equity within the department and like positions at the Town.

When employees receive incentive pay or educational compensation pay, and they are promoted into a position that requires the certification or degree for which they are being paid, the incentive pay will be encompassed into their base rate prior to the promotional pay calculation.

When employees are promoted from a non-exempt to exempt position and they have compensatory time on the books, they will receive a payout prior to promotion.

#### 4.12 ACTING DUTY PAY

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When it is anticipated that a position will be vacant a minimum of four weeks due to absence, a salary adjustment to recognize employees who assume acting duties will be given at the discretion of the Town Administrator. The absence employee could be in the same or higher pay grade. The amount of the salary increase will be 3% or the minimum rate of the reassigned position, whichever is greater. The four-week minimum duration is waived for employees in the Public Services Department who receive Crew Leader Duty Pay. Once the re-assignment is complete, pay will return to its normal rate.

#### 4.13 SALARY OF TRANSFERRED EMPLOYEES

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When employees are laterally transferred from one department to another within the same pay grade and comparable position, their pay will remain at the same rate, unless other personnel actions warranting a change in pay occur simultaneously.

When employees are moved or volunteer to be moved to a position classified in a lower pay grade, unrelated to disciplinary action or performance, that reduction will be considered non-punitive with regard to pay grade and salary. Examples of events leading to such a reduction could be but are not limited to: assuming a new position after a lay-off, voluntary reduction in pay grade and step, for budgetary reasons of the Town, or reorganization within a department of the Town.

#### 4.14 SALARY OF DEMOTED EMPLOYEES

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When employees are demoted voluntarily, their pay will be reduced based on a compensation calculation. The method used to determine the new salary is to identify the percentage that the current salary is to its pay grade midpoint and apply that same percentage to the lower pay grade's midpoint. Employees who are demoted involuntarily will receive the minimum pay of the subsequent job. Newly-promoted employees who return to their previously-held position within six months from the date of promotion will be placed at their salary rate previous to the demotion. Employees demoted to a previously-held position will not serve a probationary period. Employees demoted to a new position will serve a six-month probationary period and will receive an evaluation at the end of it. There is no salary increase at the end of probation for any demotion.

#### 4.15 OVERTIME PAY & COMPENSATORY TIME

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Non-exempt employees are paid overtime after working a specific number of hours in a pre-determined period.

POSITION	OT PAID OVER	IN A PERIOD
Standard Employees	40 hours	7 days (Sunday – Saturday)
Certified Fire	106 hours	14 days
Certified Police	171 hours	28 days

All overtime must be authorized by the Department Manager in advance of the time worked. Only hours actually worked are counted toward the threshold for overtime calculation; therefore, any absence, whether paid or unpaid, does not apply. Certain time spent attending training is considered work time (see Section 6.2 Business Trips for further details).

In extenuating circumstances, the Town Administrator may approve paying the time-and-a-half rate when employees do not reach the FLSA overtime threshold keeping in mind equity throughout the Town. When certified Fire and Police employees are mandated to work to meet minimum staffing, those hours will be paid at the overtime rate even when they do not reach the threshold listed above. The Town Administrator may approve pay at the overtime rate for other employees when the threshold listed above is not reached on a case-by-case basis.



Employees may accrue compensatory time on a case-by-case basis if approved by the Chief Financial Officer and Town Administrator. Employees must use it within two months of earning it; any balance after two months will be paid out. All compensatory time is paid upon separation of employment.

#### 4.16 LEAVE WITHOUT PAY

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If employees have any type of paid leave or compensatory time available, they must exhaust it before going without pay, except for employees on military leave, absence due to a work-related injury, and reduction of wages due to disciplinary action. Employees are responsible for paying benefit premiums to Human Resources each pay day they do not receive a check unless other arrangements are made. Leave accruals are not given when a check is not generated, or it is generated for the sole purpose of covering benefit premium deductions.

#### 4.17 PAYROLL ISSUES

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It is the policy and practice of the Town to accurately compensate employees in compliance with all applicable state and federal laws. To assist in this process, employees must correctly record all time worked.

The Town makes every effort to pay employees correctly. However, when inadvertent mistakes occur and are called to the Town's attention, the Town will promptly make any corrections necessary. Employees should review their online earning statement for accuracy biweekly. If it appears that a mistake has occurred or if there are any questions, employees should contact their immediate supervisor. The department will generate a Payroll Exception Form with a repayment schedule when necessary.

If employees owe money to the Town for a salary discrepancy, payback should occur prior to the end of the calendar year to avoid tax implications. In extenuating circumstances, the Town Administrator may waive part or all of the amount.

If the Town owes money to employees:

\$0-\$100	It will be issued in the next regular paycheck
\$101+	Funds will be direct deposited as soon as feasible

If employees owe money to the Town:

\$0-\$100	One deduction will be taken in the next paycheck
\$101-\$499	Up to four deductions will be offered (with a minimum deduction of \$100)
\$500+	The number and amount of deductions will be determined by the Chief Financial Officer

#### 4.18 DIRECT DEPOSIT

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Direct deposit is mandatory for all employees. New hires who do not have a bank account will be given a two-week grace period to get one. Mitigating circumstances, such as account fraud or divorce, will be considered when employees request a live paycheck. Employees must reinstate direct deposit once their issue with the bank is resolved. Employees should allow four weeks for direct deposit to begin.

#### 4.19 WORKING RETIREES

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The Town does not allow employees to retire and, after a short break, return to their previously-held position. However, the Town recognizes that employees may wish to retire and return to a different position at the Town. New hires, who previously retired from SCRS or PORS, are welcome. Employees should be aware that the South Carolina Retirement Systems requires future employee contributions in certain cases and an earnings limitation may apply. The starting pay for working retirees is the minimum rate of the pay grade.

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## SECTION 5.0 BENEFITS

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### 5.1 BENEFIT PROGRAMS

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Various benefit programs are offered, provided that funds are available. Eligibility for enrollment is defined by Council and/or the product's requirements and varies by benefit. All benefits are subject to change at any time, at Council's discretion.

Employees on leave using paid leave (sick, vacation, holiday, compensatory time, or a combination thereof) will continue to pay their benefit premiums at the active employee rate through payroll deduction. Benefits will continue as usual.

Employees who are not receiving pay from the Town because they are on leave and exhausted their paid leave banks, are on an unpaid workers' comp leave of absence, or are on military leave without pay, must continue to pay benefit premiums at the active employee rate. Employees must pay the premium by check or credit card each regular pay day in order for benefits to continue unless a pay agreement is made with Human Resources. If payment is not received within 31 days of the normal pay date, employees will be terminated from the Town's active employee benefit programs. For health and vision insurance, employees will be offered COBRA continuation insurance at the prevailing COBRA rate. If COBRA is not elected, or is not paid for in the manner set forth in the COBRA guidelines, employees will no longer have health insurance benefits through the Town.

When employees are able to return to work, they will be eligible to rejoin active coverage on their first day back at work, not retroactively, at the active employee rate.

### 5.2 HEALTH INSURANCE

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The Town's health insurance plan is available to employees who meet eligibility requirements of the Patient Protection and Affordable Care Act, the Mayor, Council Members, and eligible retirees. Eligible dependents, as defined in the insurance plan of benefits, may elect coverage.

When employees separate employment, they will be offered health insurance under COBRA if they are not eligible for retiree health insurance. If they meet eligibility requirements of retiree health insurance subsequent to their separation (e.g., disability retirement is approved by SCRS, PORS, or Social Security after termination),

insurance under COBRA stands. Employee status at the time of separation determines whether COBRA or retiree insurance will be offered.

#### Active Employees

Medical and dental insurance will become effective on the first of the month following 30 days of employment. The first premium deduction occurs on the pay check following the insurance start date.

Coverage ends at midnight on the last day of employment. Deductions for insurance premiums will not be taken out of the last pay check.

#### Payment of Premium for Employees on Leave of Absence

Employees on leave using paid leave (sick, vacation, holiday, compensatory time, or a combination thereof) will continue to pay health insurance premiums at the active employee rate through payroll deduction. Health insurance will continue as usual.

Employees who are not receiving pay from the Town because they are on leave and exhausted their paid leave banks, are on an unpaid workers' comp leave of absence, or are on military leave without pay, must continue to pay benefit premiums at the active employee rate. Employees must pay the premium by check or credit card each pay day for benefits to continue unless a payment agreement is made with Human Resources.

Employees on Workers' Compensation who are being paid directly by the Workers' Compensation insurance carrier will continue to pay health insurance premiums at the active employee rate. Employees must pay the premium by check or credit card each pay day for benefits to continue unless a payment agreement is made with Human Resources.

Payment arrangements must be made with Human Resources to ensure timely payment. If payment is not received in a timely manner, health insurance will be terminated and COBRA will be offered. The Family and Medical Leave Act offers protection of health insurance while it is in effect.

#### Retirees

Medical and dental insurance will become effective on the first day of retirement. The first month's retiree premium will be prorated to take the last payroll deduction into account. With regard to meeting eligibility requirements, employees who have been in both SCRS and PORS will meet the insurance eligibility requirement of the system they are in at the time of retirement from the Town.

#### **GROUP A - EMPLOYEES RETIRING BEFORE JANUARY 1, 2013**

Note: Group A may elect the benefits of Group A or Group B.

#### Eligibility Requirement:

- Must work at the Town for five continuous years; and
- Must receive benefits from SCRS, PORS, or Social Security.

#### Benefit:

- Retirees and their spouses may stay on the Town's plan.
- Children may stay on the plan as long as they meet the definition of an eligible dependent.

#### Premium:

- Retirees will pay the Single or Family premium that correlates to their years of service at the Town.
- Annual healthcare cost increases in excess of 5% will be paid by retirees.

- Widow/ers of retirees may remain on the plan at the highest Single premium until they are Medicare-eligible, remarry, or become eligible for benefits under another health plan.

**GROUP B - EMPLOYEES HIRED BEFORE NOVEMBER 1, 2008**

Eligibility Requirement:

- Must work at the Town for a total of 20 years (service does not need to be continuous; time worked as a Budgeted Part-time employee counts); and
- Must receive benefits from SCRS, PORS, or Social Security; and
- Must be 55 years old.
- *Note: The service and age requirements are waived for disability retirement.*

Benefit:

- Retirees and their spouses may stay on the Town’s plan until they are Medicare-eligible.
- The Town will purchase a Medicare supplemental plan for retirees and spouses at no cost to retirees when they become Medicare-eligible.
- Children may stay on the plan as long as they meet the definition of an eligible dependent.

Premium:

- Retirees will pay the Single or Family premium that correlates to their years of service at the Town.
- Annual healthcare cost increases in excess of 5% will be paid by retirees.
- When retirees become eligible for Medicare prior to their spouses, spouses can remain on the Town’s plan until they are Medicare-eligible at the previously-paid Family premium.
- When spouses become eligible for Medicare prior to retirees, retirees can remain on the Town’s plan until they are Medicare-eligible at the Single premium that correlates to their years of service.
- Widow/ers of retirees may remain on the plan at the highest Single premium until they are Medicare-eligible, remarry, or become eligible for benefits under another health plan.
- Widow/ers of retirees who chose the Medigap option may continue to receive Medigap at no cost.

**GROUP C - EMPLOYEES HIRED AFTER NOVEMBER 1, 2008**

Eligibility Requirement:

- Must work at the Town for a total of 20 years (service does not need to be continuous); and
- Must receive benefits from SCRS, PORS, or Social Security; and
- Must be 55 years old.
- *Note: The service and age requirements are waived for disability retirement.*

Benefit:

- Retirees and their spouses may stay on the Town’s plan until they are Medicare-eligible.
- Children may stay on the plan as long as they meet the definition of an eligible dependent.

Premium:

- Retirees will pay the Single or Family premium that correlates to their years of service at the Town.
- Annual healthcare cost increases in excess of 5% will be paid by retirees.
- When retirees become eligible for Medicare prior to their spouses, spouses can remain on the Town’s plan until they are Medicare-eligible at the previously-paid Family premium.
- When spouses become eligible for Medicare prior to retirees, retirees can remain on the Town’s plan until they are Medicare-eligible at the Single premium that correlates to their years of service.
- Widow/ers of retirees may remain on the plan at the highest Single premium until they are Medicare-eligible, remarry, or become eligible for benefits under another health plan.

For retirees who are on the Town's health insurance plan, payment is due the first of each month for the upcoming month. Failure to make payment of the premium in a timely manner will result in permanent termination of insurance benefits. Retirees who cancel their Town-paid Medicare supplemental plan will receive no further health insurance benefits from the Town.

Employees who retire from the Town with retiree insurance may be reemployed in the future (see Section 4.20 Working Retirees). In these cases, their designation in Group A, B, or C stands. They may elect to keep retiree insurance or take active employee insurance (if they qualify) while actively working. When they subsequently retire, the Town will add all years of service together to determine their future retiree premium.

### 5.3 SOUTH CAROLINA RETIREMENT SYSTEMS: SCRS AND PORS

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Budgeted full and part-time employees, the Mayor, and Council Members are required to join the South Carolina Retirement System or the Police Officers Retirement System. Optional enrollment is available to certain positions as specified by SCRS.

### 5.4 RETIREMENT

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Human Resources provides assistance and direction to employees eligible for retirement. Retirement applications must be made in compliance with the rules of the South Carolina Retirement Systems. Employees will be offered all benefits available to them at the time of retirement.

### 5.5 IN-SERVICE DEATH

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When active employees die, their estate or designated beneficiary is eligible to receive earned vacation leave (up to the max allowed at separation), accrued compensatory time, and Town-issued life insurance benefits. The South Carolina Retirement Systems' defined benefit pension and deferred compensation programs, if it was elected, offer benefits as well.

### 5.6 LIFE INSURANCE

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All budgeted full-time employees receive Town-sponsored \$50,000 life insurance policy, \$3,000 dependent benefit, and Accidental Death and Dismemberment benefit at no cost.

Employees in SCRS and PORS receive a life insurance benefit, also paid by the Town, at no cost to them. In addition, employees in PORS receive an additional benefit relating to death in the line of duty. The South Carolina Retirement Systems administers these benefits and their conditions.

## 5.7 WORKERS' COMPENSATION

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The Town of Mount Pleasant provides workers' compensation insurance coverage for all Town employees. Volunteers who are not employees are exceptions to this policy.

The South Carolina Workers' Compensation Act is designed to provide medical and monetary benefits for employees who sustain an accidental injury arising out of and in the course of their employment. The Act provides medical care to bring about the earliest possible recovery from the injury, a percentage of wages and salary lost during the injured employee's disability, and, in case of death, compensation for the deceased employee's dependents.

Under the Workers' Compensation Act, it is the responsibility of the Town to provide medical treatment for employees injured on the job. Injured employees must use the workers' compensation clinic designated by the Town or they may be responsible for medical charges incurred. Employees who are injured while the designated workers' compensation clinic is closed may seek care at an emergency room if the injury has the potential to be life altering or ending (e.g., concussion), creates intolerable pain (bone fracture), or results in a blood borne pathogen exposure. All other injuries should be treated using first aid or self-care until the designated workers' compensation clinic re-opens.

The refusal by employees to accept any medical, hospital, surgical, or other treatment when provided by the Town will bar them from further compensation until such refusal ceases unless, in the opinion of the South Carolina Workers' Compensation Commission, the circumstances justified the refusal.

It is the responsibility of employees to report all on-the-job injuries immediately to their supervisor who will complete the First Notice of Loss for transmittal to the Risk Manager. Employees who are injured at work may be subject to a drug and alcohol test as outlined in Section 3.14.

Failure to report an injury, or report it in a timely manner, may result in denial of benefits by the Workers' Compensation insurance carrier as well as disciplinary action.

Employees who are ordered out of work by an authorized treating physician due to a compensable work-related injury or illness may be entitled to workers' compensation benefits equal to 66-2/3% of their average weekly wage up to the maximum as determined by the Workers' Compensation Commission and required by state law. These benefits are not subject to taxes and will not be reflected on the W-2 form.

Under the South Carolina Workers' Compensation Law (Section 42-9-200), disabled workers are not entitled to Workers' Compensation Temporary Total Disability (TTD) benefits should their disability last less than seven days.

In cases where employees have received paid leave by the Town while they waited for payment from the insurance carrier, employees will make arrangements with Human Resources to return the insurance funds and 100% of the paid leave hours will be replenished in their leave bank. It is not permissible for employees to receive pay from the Town and insurance carrier concurrently.

When employees are absent from work as a result of a work-related injury arising out of and in the course of their employment, they can select one of the following options as a means of compensation.

Option A: No Workers' Compensation Temporary Total Disability (TTD) benefits will be paid should employees be absent from work seven consecutive days or less. Should the absence last eight consecutive days or longer, they will receive TTD payments at the rate prescribed by the South Carolina Workers' Compensation Commission. Should the absence last longer than 14 days, they will receive TTD payments for the first seven days of absence (unless available leave time was used) at the rate prescribed by the South Carolina Workers' Compensation Commission.

Option B: Employees may elect to use available sick leave from day one through day seven of their absence. Upon exhaustion of sick leave, other paid leave may be used during this period. After day seven, they will receive only the allowable workers' compensation TTD benefits. The Town will account for the time employees are on leave or receiving Temporary Total Disability payments for a work-related injury as running concurrently with their twelve-week FMLA entitlement, assuming that the work-related injury also constitutes a serious health condition within the meaning of the FMLA, and they qualify for FMLA leave.

Employees, or their timekeepers in their absence, should put leave requests in the time and attendance system with the appropriate pay leave code: WC FMLA Sick, WC FMLA Holiday (Fire and Police), WC Sick, and WC w/o Pay. The last two codes are for employees who do not qualify for FMLA.

While employees are on medical leave due to a work-related injury or illness, their priority should be to recover and return to work to the Town as soon as possible. When considering requests to work elsewhere while on medical leave, Department Managers will review the doctor's restrictions to ensure that the secondary job does not require activities beyond the medical restrictions or any activity or time demand that would prolong recovery and, consequently, their return to work date. For example, approval may be granted in cases where Town employment requires physical work but the secondary employment is a sedentary job, which the doctor permits.

#### Light/Modified Duty

The Town provides a light duty program for all employees who sustain a work-related injury or illness. The Town will provide modified or light duty assignments, as available, to employees with an approved workers' compensation claim, once they have been released to temporary modified/restricted work by an authorized treating physician. Placement into a light duty position is on a temporary basis and should never be considered permanent. Light duty is not guaranteed and may be modified, or ended, at any time, even if the authorized treating physician has not released them to regular duty. If a light duty assignment is offered by the Town, employees who refuse to accept the offer of light duty may affect their right to workers' compensation benefits.

#### Procedures

Injured employees should immediately notify their supervisor and the Risk Manager once an authorized treating physician has released them to any type of modified or restricted duty or changes have been made to existing restrictions or modifications. Employees must also provide the above parties with a signed, written copy of the modifications/restrictions given to them by the authorized treating physician. The Risk Manager will coordinate with their supervisor, Department Manager, and Human Resources to:

- Assess if the regular duty position can be temporarily accommodated within the prescribed restrictions. If employees cannot perform the essential functions of the regular position with a temporary accommodation, or to do so would provide undue hardship or danger to the Town, the department wherein employees are assigned should,

- Identify a temporary light duty assignment. This assignment need not be an existing job, but rather can be a collection of tasks that fall within the injured workers' restrictions and capabilities, for a temporary period. If the department, Risk Manager, and Human Resources agree that no such tasks exist, then
- Other departments may be consulted for work for them perform that is within the prescribed restrictions.

All refusals by departments to offer light duty to injured employees must be approved by the Risk Manager.

Once an assignment has been identified, employees will be contacted and expected to return to work on the next scheduled business day.

If a light duty assignment is not available, employees will continue to collect Temporary Total Disability benefits. Should a light duty assignment become available prior to a change in their work capacity, they will be notified by either their supervisor or the Risk Manager and would be expected to return to work on the next business day.

If injured employees are released to part-time employment, the above procedures apply in identifying a light duty assignment. For the time they are at work, they are paid their normal wages. For the time they are ordered out of work, they will collect a pro rata Temporary Partial Disability benefit that is calculated using a formula as identified by the SC Workers' Compensation Commission.

Employees who are working a light duty assignment will be held to the same standards of accountability for performance and conduct standards as employees on regular duty. Employees working a light duty assignment are to abide by the restrictions imposed by their authorized treating physician and should not exceed those restrictions until released to do so by the authorized treating physician. Supervisors should monitor the tasks being completed by employees working temporary modified/restricted duty to ensure that they are working within their prescribed restrictions. Failing to abide by assigned modifications/restrictions may lead to disciplinary action up to and including termination.

#### Attending Work Injury-Related Appointments

Employees are to make every effort to schedule their appointments either before or after their shifts or at times that their supervisor agrees will not adversely affect Town operations. However, there are instances when this is not possible and foregoing or delaying medical treatment may negatively impact their full recovery.

In these circumstances, employees may be away from the work site for *up to* two hours to attend a work injury-related appointment, including travel time, without deducting available paid leave. All time away from the work site must be approved by the present supervisor. There is not a guarantee of a full two hours of absence; actual time away up to a maximum of two hours per day will be paid by the Town. Supervisors retain the right to request documentation of arrival and departure times from the appointment or to deny the absence. Likewise, this time is not cumulative – for example, allowing four hours of absence because they have two appointments in one day. Employees should enter a leave request for Workers' Comp Admin Leave.

Any time away from the work site that exceeds the allowable two hours must be accounted for with available paid leave or will be considered Leave Without Pay. Any misuse of this policy may result in the revocation of its availability and/or disciplinary action up to and including termination.



## 5.8 HOLIDAY PAY

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Budgeted full and part-time employees, with the exception of Firefighters and Police Officers, will observe the following official paid holidays:

- New Year's Day
- Martin Luther King's Birthday
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day & Day After
- Christmas – Two Days
- Personal Holiday

A holiday falling on Saturday will be observed on Friday; a holiday falling on Sunday will be observed on Monday.

Holiday pay is available immediately upon hire. To receive holiday pay, employees must work their last scheduled shift before and first scheduled shift after the observed holiday. If they are on pre-approved leave surrounding the holiday, they must work before and after their leave. To clarify, if employees call out for the aforementioned shifts, they will not receive holiday pay because this policy applies to unexpected absences. The Department Manager, with concurrence of the Human Resource Director, may make exceptions for extenuating circumstances.

When a holiday occurs during a period of authorized vacation or sick leave, the day will not be charged as a day of leave. Employees will receive holiday pay if a pay check is generated unless it is done for the sole purpose of taking benefit premium deductions.

Employees will not be paid for the observed holiday if it occurs on the last day of their notice of resignation. When resignations are tendered, a holiday cannot be considered the last day worked.

Budgeted part-time employees receive holiday pay when a holiday falls on a normally-scheduled workday. The amount of holiday pay is equivalent to the number of hours they normally work on that day. Regarding personal holiday pay, budgeted part-time employees will receive the number of hours they are scheduled to work on the day they use their personal holiday.

A personal holiday is earned after employees complete their introductory period. It must be used by June 30<sup>th</sup> of each year or it will be forfeited. It cannot be carried over to the next fiscal year.

The hours of a personal holiday will change to match shift length in order to give employees one day off.

A personal holiday may not be used after giving notice of resignation. Employees who give a lengthy formal notice to retire may receive holiday pay and use their personal holiday until two weeks before their last day. A personal holiday will not be paid if unused at termination.

### Holiday Pay for Public Services Employees

When schedules are adjusted during weeks with a one-day holiday, employees will receive holiday pay in addition to their regular work hours, resulting in a larger-than-normal paycheck. Holiday pay is not considered hours worked for the purposes of calculating overtime pay.

During two-day holidays (Thanksgiving and Christmas), when the employees work on one of the observed holidays, they will receive holiday incentive pay in the amount of \$85. To receive the \$85, employees must work their last scheduled shift before and first scheduled shift after the observed holiday. If they are on approved leave surrounding the holiday, they must work before and after their leave. During the two-day holidays, employees will forfeit one day of holiday pay if they call off before or after the holiday but work one of the scheduled holiday shifts.

#### Holiday Bank for Firefighters and Police Officers

When each observed holiday occurs, leave will be added to a holiday bank. To receive holiday pay, employees must work their last scheduled shift before and first scheduled shift after the observed holiday. If they are on approved leave surrounding the holiday, they must work before and after their leave. Timekeepers will remove any holiday time employees did not earn because they failed to abide by these conditions.

When employees change shift lengths, the Personal Holiday accrual will change to reflect their new daily hours; the regular holiday bank accrual will remain the same. The balance will not change, but it will never exceed the new shift's maximum.

Requests to use holiday leave should be made at least two weeks prior to the beginning of the proposed leave. Employees may be granted the use of holiday leave without two weeks' notice at the discretion of the Department Manager.

Holiday leave may not be used after giving notice of resignation. Employees who give a lengthy formal notice to retire may receive holiday pay and use their personal holiday until two weeks before their last day. Employees will be paid accrued holiday leave, except for personal holiday, at termination if they voluntarily resign and work a notice period: two work weeks for employees and four work weeks for Department Managers. Employees who are terminated for cause, resign in lieu of being terminated, or fail to give and work a proper notice will not be paid accrued holiday leave at termination. Department Managers, with approval of the Town Administrator, may pay out holiday leave when employees offer a proper notice but the Town asks them to leave immediately.

When budget permits, continuous shift employees who have successfully completed their introductory period may sell back holiday leave up to the maximum allowed, excluding personal holiday. The rate for sell back will be the normal hourly rate (the annual salary of exempt employees will be converted to an hourly rate for purposes of the sell back). Employees should give requests for leave sell back to their department's timekeeper by the designated deadline.

Note: Battalion Chiefs, who can sell back up to 24 hours, will be paid at an hourly rate calculated by dividing their annual salary by 2,928 hours. This calculation method will also be used for paying leave at termination.

	LENGTH OF SHIFT	ACCRUAL	BANK MAX	SELL BACK	PAY OUT AT TERM
POLICE	8	8	80	16	80
	10	10	100	20	100
FIRE - HOLIDAY	24	12	120	24	120
FIRE - PERSONAL HOLIDAY	24	24	24	0	0

## 5.9 VACATION LEAVE

It is the Town's intent to give employees an equivalent amount of time off on an annual basis, regardless of the length of their shift.

Full-time and grandfathered budgeted part-time employees (hired prior to 7/1/12) are eligible for vacation leave. When part-time employees move to a full-time position, the accrual will be based on the day they started working full-time.

Vacation leave accrues upon hire and is available for use upon accrual. Employees will receive leave accruals every time a paycheck is generated except when it is made for the sole purpose of paying benefit premiums.

The charts below contain the benefit displayed in hours. To clarify the charts with an example, the second accrual rate is available after employees work four full years. The accrual will increase on the pay period containing the first day in the fifth year.

FULL-TIME ACCRUAL	STANDARD BI-WEEKLY	STANDARD ANNUALLY	FIREFIGHTER BI-WEEKLY	FIREFIGHTER ANNUALLY	DEPT. MANAGERS BI-WEEKLY	DEPT. MANAGERS ANNUALLY
Upon Hire	4.4	114.4	6.6	171.6	4.4	114.4
Upon completing 5 years	5.2	135.2	7.8	202.8	5.2	135.2
Upon completing 10 years	6.4	166.4	9.6	249.6	6.4	166.4
Upon completing 15 years	7.3	189.8	11.0	284.7	7.3	189.8
Upon completing 20 years	8.1	210.6	12.2	315.9	8.1	210.6
Carry Over		270.0		432.0		
Sellback		60.0		96.0		
Paid at Termination		135.0		216.0		225.0

Note: Battalion Chiefs, who can sell back up to 30 hours, will be paid at an hourly rate calculated by dividing their annual salary by 2,928 hours. This calculation method will also be used for paying leave at termination.

With regard to the number of hours employees can carry over into their next anniversary, no accruals will be given until the balance is below the maximum. Exceptions to the carryover amount may be made by the Town Administrator on a case-by-case basis.

Vacations should be requested at least two weeks prior to the beginning of the proposed leave. Employees may request and be granted the use of vacation leave without two weeks' notice at the discretion of the Department Manager. Requests for leave with less than one day's notice will be denied unless there is an emergency or extenuating circumstance.

Should a conflict of requests for vacation leave arise between two or more employees, the employee with the longest record of continuous service with the Town normally will have priority. Department Managers have the authority to limit the number of employees from each department or work force who may be on vacation at any one time.

If leave requests for vacation are denied and subsequently employees call out sick before, during, or after the requested vacation period, disciplinary action may be issued or the time off may be unpaid unless a doctor's excuse is supplied, at the Department Manager's discretion.

The Town Administrator may rescind a request or call employees back from vacation leave under special circumstances when employees are needed. Employees may reschedule the balance of their vacation for a more convenient time for the Town. Failure to return to work without an explanation accepted by the Town Administrator may result in disciplinary action up to and including termination at the Town's sole discretion.

When budget permits, employees may sell back vacation leave up to the maximum allowed. The rate for sell back compensation will be the normal hourly rate (the annual salary of exempt employees will be converted to an hourly rate for purposes of the sell back). Employees should give requests for leave sell back to their department's timekeeper who will verify eligibility by the designated deadline.

Vacation leave may not be used after giving notice of resignation. Employees who give a lengthy formal notice to retire may use vacation leave until two weeks before their last day. Employees will be paid accrued vacation leave at termination if they voluntarily resign and work a notice period: two work weeks for employees; four work weeks for Department Managers.

For employees with a VMAX benefit, hours in this bank will not be paid out at termination unless the regular vacation bank hours are below the payout maximum.

Employees who are terminated for cause, resign in lieu of being terminated, or fail to give and work a proper notice will not be paid vacation leave at termination. Department Managers, with approval of the Town Administrator, may pay out leave when employees offer a proper notice, but the Town asks them to leave immediately.

## 5.10 SICK LEAVE

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It is the Town's intent to give employees an equivalent amount of sick leave on an annual basis, regardless of the length of their shift.

Full-time and grandfathered budgeted part-time employees (hired prior to 7/1/12) are eligible for sick leave. When part-time employees move to a full-time position, the accrual will be based on the day they started working full-time.

Sick leave accrues upon hire and is available for use upon accrual. When part-time employees move to a full-time position, the accrual will be based on the day they started working full-time. Employees will receive leave accruals every time a paycheck is generated except when it is made for the sole purpose of paying benefit premiums.

Sick leave is available to cover health-related absences and appointments for routine maintenance or sick visits to providers for medical, dental, vision, and hearing needs. Employees can use sick leave to care for immediate family members defined as spouse/cohabitant, children, and parents.

The charts below contain the benefit displayed in hours.

<b>FULL-TIME ACCRUAL</b>	<b>STANDARD BI-WEEKLY</b>	<b>STANDARD ANNUALLY</b>	<b>FIREFIGHTER BI-WEEKLY</b>	<b>FIREFIGHTER ANNUALLY</b>
Accrual	3.7	96.2	5.6	145.6
Carry Over	0.0	450.0	0.0	720.0
Donation	0.0	225.0	0.0	360.0
Sell Back	0.0	15.0	0.0	24.0

Employees requesting sick leave must inform their immediate supervisor of the absence no later than 60 minutes before their shift begins. Failure to do so will be cause for denial of sick leave with pay for the period of absence unless otherwise agreed upon by the supervisor.

Department Managers may require a doctor’s excuse for any absence at their discretion. Department Managers may relieve employees of the obligation to provide a doctor’s excuse or require one on a case-by-case basis. Excessive use of sick leave may result in disciplinary action up to and including termination.

In cases of serious medical conditions, on-the-job injuries, or any absence of more than three shifts, employees may be required to provide a release to return to work from their physician before they can resume working.

When budget permits, employees who used 7.5 hours or less between November 1 – October 31 may sell back sick leave up to the maximum allowed. The rate for sell back compensation will be the normal hourly rate (the annual salary of exempt employees will be converted to an hourly rate for purposes of the sell back). Employees should give requests for leave sell back to their department’s timekeeper who will verify eligibility in the time and attendance system by the designated deadline.

When employees wish to give some of their sick leave to a colleague who is injured or ill, the Town Administrator may approve a donation in consideration of the following:

- The medical issue is of a catastrophic nature
- The maximum donation is 225/360 (Standard/Fire) hours per medical issue

- Approval is granted on a case-by-case basis

A catastrophic illness is severe and causes prolonged hospitalization or recovery. Examples would include cancer, leukemia, heart attack, or stroke. These issues usually involve high costs for hospitals, doctors, and medicines and incapacitate employees from working, creating a financial hardship.

A catastrophic injury is so severe that it will cause long-term disability or debilitation. This type of injury often involves the loss of mental or physical capacity or deformity. A catastrophic injury has a significant impact on a victim's life.

Employees will not be allowed to use earned sick leave after giving resignation of notice unless approved by the Town Administrator. Employees who give a lengthy formal notice to retire may use sick leave until two weeks before their last day. Employees will not be paid for accrued but unused sick leave upon termination of employment for any reason.

### 5.11 MILITARY LEAVE

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Military leave is available upon hire. Employees and appointed or elected officers are entitled to a leave of absence and reinstatement upon return from a leave of absence for military service (including Reserve and National Guard duty) as provided by applicable state and federal law.

The Town requests that employees going on military leave provide orders to their Department Manager as soon as they learn of the need for leave, especially in the Police and Fire Departments. Before departure, employees must report to Human Resources to complete pay and benefit paperwork. Employees will receive paid military leave according to state law and may use other types of paid leave (excluding sick leave). They may opt to go without pay when they have earned paid leave available. Prior to leaving on assignment, employees are responsible for entering leave requests in the time and attendance system for the duration of their anticipated absence, regardless of whether it is paid or unpaid. Supervisors or timekeepers will assist with this process if necessary.

Town vehicles assigned to employees on military leave who are away for more than two weeks must be returned to Town premises. When merit increases and cost of living adjustments occur during a military leave of absence, employees will receive an increase when it is given to all other employees at the start of the Town's fiscal year. For the purpose of determining what the merit increase will be, the last performance evaluation score when employees were actively working will be used. Employees on military leave will accrue vacation, sick, and holiday leave when a paycheck is generated.

Employees who are affected by immediate family members being engaged in military duty may be eligible for benefits under the Family Medical Leave Act.

### 5.12 CIVIL LEAVE

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Budgeted full-time employees selected for jury duty will be entitled to civil leave with pay for any shifts that would occur within four calendar weeks from the start of leave. Employees are entitled to keep all proceeds

received for serving on jury duty from the respective court system as well as wages paid by the Town for the duration of the civil leave. Proof of attendance must be provided to the Department Manager.

All employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the Town, county, state or federal government will be entitled to administrative leave with pay for the period that the court requires. They may retain the court stipend if one is offered.

This policy does not apply to sworn employees in the Police Department who attend court as part of their essential job duties when they are paid their normal hourly wage. However, sworn employees who receive compensation from attorneys for participating in the legal process on their day off may keep the compensation issued by the attorney's office.

### 5.13 BEREAVEMENT LEAVE

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Budgeted full-time employees who need to take time off to attend a funeral, travel, or make arrangements will be given paid bereavement leave as follows:

Spouse	up to seven work days
Domestic Partner	
Child	
Mother/Father*	up to five work days
Sister/Brother	
Mother-in-law/Father-in-law	
Stepdaughter/Stepson	
Grandmother/Grandfather	one work day
Sister-in-law/Brother-in-law	
Stepmother/Stepfather	
Stepsister/Stepbrother	

\*This includes an adult who stood in loco parentis to the employee during childhood.

Firefighters will receive three shifts for the death of a spouse, domestic partner, or child; they will receive two shifts for everyone else.

Employees may be required to submit evidence of death and family relationship to receive paid bereavement leave. Pay for any additional time off will be in the form of any earned and available paid leave (except sick), or leave without pay if no paid leave is available.

With prior approval from the Department Manager and Town Administrator, employees will be given administrative leave with pay to attend the funeral of a coworker, an immediate family member of a coworker, or Town retiree.

## 5.14 FAMILY AND MEDICAL LEAVE AND EXTENSION OF LEAVE

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The Family Medical Leave Act (FMLA) applies to individuals employed 12 months or longer who have worked 1,250 hours or more in the preceding 12 months, both prior to commencement of leave. Paid leave does not qualify as hours worked toward the 1,250 hours.

Employees who meet the length of service and hours worked requirements described above have rights under FMLA. As a general rule, employees must request leaves of absence under this law and policy, but employees may be placed on leave status after three days without application.

The Town uses a rolling 12-month period to determine eligibility for leave on any given date. The 12-month period is measured backward from the date employees wish to use Family Medical Leave (FML). Each time employees want to use FML, the Town will look backward in time to determine how much FML they used during the preceding 12 months.

### Reasons for Leave of Absence

**Medical and Family Leave:** Eligible employees may be entitled to a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents them from being able to perform their job; if their spouse, child, or parent has a serious health condition and they must be absent from work in order to care for that relative; or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly-born or newly-received in their household will end 12 months after a natural child is born or 12 months after an adopted or foster child is received in their household.

**Military Caregiver Leave:** Eligible employees whose spouse, parent, child, or next-of-kin is a covered service member of the Armed Forces may be entitled to a leave of absence to care for the service member if s/he is injured while on covered active duty.

**Qualifying Military Exigency Leave:** This leave is not available to all military families. Qualifying exigency leave was enacted to assist families of members of the National Guard and Reserves (and certain retired members of the Armed Forces) who face unexpected disruptions to family life. Families of regular Armed Forces and those serving in the National Guard under orders from the state governor are not eligible for qualifying exigency leave. This leave is only provided because of a federal call to duty or a state call under order of the President.

Proof of need for leave of absence will be required regardless of the type of leave taken.

### Length of Leave

**Medical and Family Leave:** Eligible employees may take the equivalent of a total of 12 work weeks of leave during any 12 consecutive months for their own serious health condition, that of a parent, spouse, or child, or to care for a newly-born or newly-received child. Leave to bond and care for a newly-born or newly-received child may be taken consecutively or intermittently. Leave required because of an employee's own serious health condition or that of a spouse, child, or parent may be taken intermittently or by means of a modified work schedule when necessary.

**Military Caregiver Leave:** Leave to care for an injured service member may be taken for up to 26 work weeks in a single 12-month period. Any leave taken by employees for any other FMLA-qualifying reason will count against the 26 weeks of leave permitted to care for an injured service member.



Qualifying Military Exigency Leave: Leave taken because of a qualifying exigency is available for up to 12 work weeks in any 12 consecutive months.

#### Coordination of Leave and Paid Time Off

Employees on FML, whether for themselves or a family member, will be paid for time absent from work with earned sick leave until it is exhausted; then all SMAX hours (if applicable); then any and all other paid leave available (in any order); then unpaid leave. Leave taken under this policy counts toward the 12 weeks of leave (or 26 weeks, where appropriate), regardless of whether all or part of the absence is paid.

#### Effect of Leave on Fringe Benefits and Accruals

Benefits: Employees on leave using paid leave (sick, vacation, holiday, compensatory time, or a combination thereof) will continue to pay their benefit premiums at the active employee rate through payroll deduction. Benefits will continue as usual.

Employees who are not receiving pay from the Town because they are on leave and exhausted their paid leave banks, are on an unpaid workers' comp leave of absence, or are on military leave without pay, must continue to pay benefit premiums at the active employee rate unless a payment agreement is made with Human Resources. Employees must pay the premium by check or credit card each regular pay day in order for benefits to continue. If payment is not received within 31 days of the normal pay date, employees will be terminated from the Town's active employee benefit programs. For health insurance, employees will be offered COBRA continuation insurance, at the prevailing COBRA rate. If COBRA is not elected, or is not paid for in the manner set forth in the COBRA guidelines, employees will no longer have health insurance benefits through the Town.

When employees are able to return to work, they will be eligible to rejoin active coverage on their first day back at work, not retroactively, at the active employee rate.

Accrual of paid leave: Employees will be given leave accruals every time a paycheck is generated except when it is made for the sole purpose of paying benefit premiums.

#### Employee Responsibility

Employees who request leave under this policy must give 30 days' advance notice, or less in particular circumstances. When the need for leave is unforeseeable, employees must follow the normal procedure for reporting an absence. Employees may not engage in secondary employment or work for another employer or themselves without the prior written permission of their Department Manager (see Section 7.2 Secondary Employment). Employees are responsible for entering leave requests in the time and attendance system for the duration of their anticipated leave, regardless of whether it is paid or unpaid. Leave requests must use the codes associated with FML such as FML-Sick, FML-Vacation, FML-Without Pay, etc. so that the 12 weeks can be tracked accurately.

#### Termination of Leave of Absence

A leave of absence under this policy will end when the need for the leave of absence ends or when the maximum leave described above has been taken, whichever occurs sooner.

#### Reinstatement

At or before the conclusion of the FML leave of absence, employees are entitled to reinstatement to their former position or to a position equivalent to their former position. Employees must demonstrate that they are fit for duty and must give reasonable notice of intent to return to work.

### Extension of Leave without Benefits

Employees who are unable to perform the duties of their position due to their own disability and who have exhausted their entitlement to leave under FMLA by taking 12 weeks of leave during any rolling 12- month period may, at the discretion of the Town Administrator, upon written application to their Department Manager, be granted up to an additional 12 weeks of leave. This additional leave of absence does not entitle employees to reinstatement. If employees are able to return to work prior to the exhaustion of their extended leave, they may be returned to their previous position if it is vacant and is authorized to be filled, or to some other position of equal or lesser compensation for which they are qualified and where there is a vacancy authorized to be filled. If employees are not returned to active employment, they may continue on extended leave of absence status until they are returned to active duty status or their extended leave of absence expires, whichever occurs first.

Employees who have exhausted their FML under other circumstances, but who continue to require leave which would qualify for FML if the leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Extended leaves are granted only at the discretion of the Town Administrator.

### Termination of Employment

Employment will generally be terminated if an employee does not return to full active employment status at the end of their leave of absence or extended leave of absence. Prior to termination, the circumstances of each employee's situation will be reviewed by the Town Administrator.

### Special Situations

Spouses: When both members of a married couple are employed by the Town, their combined right to a leave of absence because of the birth or placement of a child, to care for a newly-born or placed child, or to care for a parent with a serious health condition is 12 weeks in a 12-month period. It is 26 weeks in a single 12-month period to care for an injured service member.

Because the intent is to bond with the new child, FML because of the birth or placement of a child may not be taken intermittently.

### Key Employees

Exempt employees in the highest paid 10% of all employees are considered key employees per the FMLA regulation. Key employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

## **5.15 ADMINISTRATIVE LEAVE WITH OR WITHOUT PAY**

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Full-time employees may be granted, on an individual basis, administrative leave with or without pay by their Department Manager for reasons that are not related to any medical condition. If the Town closes early and employees are sent home with pay, they should submit a leave request in the time and attendance system for Administrative Leave with Pay.

On a case-by-case basis, the Department Manager may grant as many as two seven-day periods of administrative leave without pay with the approval of the Town Administrator for special circumstances when all paid leave is exhausted.

The Town Administrator may grant up to six weeks of administrative leave with or without pay on a case-by-case basis with coordination with the Department Manager.

While the leave may be granted, the Town may or may not be able to guarantee a job will be held for employees depending on the circumstances.

Employees desiring to return to work from an unpaid administrative leave of absence should notify their Department Manager at least five days prior to their date of return.

Employees who have not been reinstated (except military leave) within six months following the commencement of any leave of absence will be terminated. This action normally will not affect their eligibility to be considered for rehire at some future time.

Employees are requested to apply for an administrative leave of absence as far in advance of need as is possible, but they may be placed on leave status without application when circumstances warrant such action.

## 5.16 PHYSICAL DISABILITY AND PERSONAL LEAVE

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This policy applies to employees who are not eligible for Family Medical Leave (FML) or whose reason for absence is not covered by the FMLA.

Employees who have successfully completed their introductory period (and any extension thereof) are entitled to a leave of absence for up to 12 weeks when they are unable to work because of sickness, pregnancy, injury on or off the job, or personal reason. Personal leaves are granted only in the discretion of the Town Administrator upon recommendation by the Department Manager. Employees still in their introductory periods who are absent for more than seven consecutive calendar days or two consecutive 24-hour shifts (Fire) for any reason may be terminated, but may be eligible for re-hire, depending on the circumstances. Prior to termination, the circumstances of each employee's situation will be reviewed by the Town Administrator.

## 5.17 SCHOLARSHIP FUNDS AND TUITION REIMBURSEMENT

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### SCHOLARSHIP FUNDS

It is the Town's desire to offer training for non-management employees to enhance skills and give education/training to improve their current profession. Provided that funds are available, the Town will pay for employees to attend outside training opportunities. Once approved by their Department Manager, employees should request this benefit from Human Resources.

Any course hours that overlap with regular schedules, provided they are less than 22.5 hours per week, will be recorded in the time and attendance system as Training/Conference and will be paid hours. Employees must attend all classes and provide a certificate or transcript indicating course completion. This documentation will be included in the personnel file.

Employees are not obligated to repay funds when they discontinue working for the Town.

### TUITION REIMBURSEMENT

Provided that funds are available, and approval was granted prior to enrollment, the Town will pay up to \$500 per undergraduate course and up to \$700 per graduate course. Employees may be reimbursed for up to four courses per fiscal year based on the course start date.

Reimbursement is for tuition only. Charges for registration, books, and other supplies are not reimbursable.

To qualify for reimbursement, employees must meet the following requirements:

- Must be budgeted full-time employees who have successfully completed their introductory period
- Must receive training at an accredited college, university, business or technical school, or through a recognized professional affiliate, including accredited online colleges
- Courses normally must be taken on their own time
- Courses must be directly related to their job, must be a prerequisite of a degree, or must have a direct value to the Town. If relevancy is difficult to determine, the Human Resource Director will make the final decision.
- Approval must be secured in writing from the Department Manager and the Human Resource Director prior to registering for the course. A late request for tuition reimbursement normally will be denied
- Employees must receive a grade of "C" or better for an undergraduate course, a grade of "B" or better for a graduate course, or must pass or satisfactorily complete a non-credit course

Employees will be reimbursed for the actual cost of tuition minus any scholarships, lottery assistance, grants, or other discounts.

After completion of the course, employees should submit the statement detailing tuition paid (including any discounts) and their final grade report to Human Resources for approval.

When employees leave the Town, for any reason, within two years from the date of receiving tuition benefits, they must reimburse the Town for the entire amount received within those two years. The date of reimbursement for each course stands individually for purposes of looking back two years.

When the Town pays for certifications and employees leave the Town, for any reason, within two years of receiving incentive pay, they will repay the Town the full cost of certification.

For the tuition and certification benefits, employees will sign a form authorizing deduction from their last paycheck and acknowledge that they are responsible for paying the Town any unpaid balance remaining after their last paycheck.

## 5.18 LONGEVITY AWARDS

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Employees will be recognized when they reach significant lengths of services with the Town. Budgeted full-time and part-time employees are eligible to receive longevity awards. Time worked in a Part-time Temporary capacity, whether employed directly by the Town or through a staffing agency, does not qualify. Employees who leave employment and are subsequently rehired will have both lengths of service added for calculation of their Longevity Award.

Employees with less than 25 years of service may be recognized at their department's Committee of Council meeting; employees with 25 or more years of service may be recognized at a Town Council meeting.

Employees receive the amount listed below and pin correlating to their years of service.

5 Years	\$ 200
10 Years	\$ 300
15 Years	\$ 400
20 Years	\$ 500
25 Years	\$ 800
30 Years	\$1,000
35 Years	\$1,500

### 5.19 UNIFORMS AND EQUIPMENT

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Depending on the position, employees may be issued uniforms or equipment. These items are considered Town property, however, they become the responsibility of employees for maintenance and care unless arrangements are made by their department.

If uniform parts or equipment require replacement, employees are required to return the old parts in exchange for the new ones. The Town may issue new uniforms or equipment periodically or require them to be returned for special purposes (e.g., logo change or newer model). Affected employees will be given advance notice of the exchange, and the Town will provide suitable replacements.

When employees leave the Town, they are required to return all issued uniforms and equipment as part of the exit process unless an exception is granted by their Department Manager. The Town will deduct the cost of any unreturned items from the final paycheck.

If employees have questions regarding this policy or its implementation, they should contact their Department Manager or Human Resources.

### 5.20 SPECIALIZED TRAINING

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Employees who benefit by receiving certain specialized training, conducted by contractors paid by the Town, agree to repay specified costs if they leave employment within two years of the date of course completion. This includes Police and Fire Academy training. Department Managers will identify these training courses and repayment requirement. If applicable, employees will sign agreements detailing conditions. The cost will be deducted from their last paycheck. Employees are responsible for paying the Town any balance remaining after their last paycheck.

### 5.21 PREGNANCY ACCOMMODATIONS

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The Town adheres to the federal Pregnancy Discrimination Act, the South Carolina Pregnancy Accommodations Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act as interpreted by the Equal Employment Opportunity Commission, the Affordable Care Act, and the Family Medical Leave Act. Employees will be free from discrimination for medical needs arising from pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation.

The Town provides readily-accessible facilities and reasonable accommodations to address those medical needs. On a case-by-case basis, requests for accommodations will be honored whenever possible. Accommodations could include, but are not limited to, longer break periods, more frequent bathroom breaks, modification of the office's food or drink policy, modified work schedule, providing seating or allowing employees to sit more frequently if the job requires standing, job restructuring, reassignment to a vacant position, or modification of equipment or devices.

Employees will be given reasonable break time to express breast milk. In addition, they will be given access to a private place, other than a bathroom, which is shielded from view and free from intrusions of coworkers and the public.

During pregnancy-related break times, employees may not be required to perform any duties. For non-exempt employees, breaks more than 20 minutes will be unpaid and should be indicated on the electronic time sheet unless their manager allows their schedule to be flexed to accommodate breaks.

## 5.22 ADMINISTRATIVE LEAVE PRIZES

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When employees receive administrative leave prizes, which consist of time off with pay, they will enter leave requests as such in the time and attendance system. Unused administrative leave prizes will not be paid out at termination.

## 5.23 EMPLOYEE FITNESS CENTER

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Use of the Employee Fitness Center (EFC) is available 24/7 to full-time and budgeted part-time employees.

Proper workout attire (shorts, t-shirts, sweatpants, sweatshirts, etc.) should be worn. Employees must wear non-marking or basketball shoes. No work boots, heels, flip-flops, open-toed or open-heeled shoes are permitted.

Equipment Policy:

- Machines must be wiped down after use with the provided disinfectant wipes.
- No dropping weights.
- All weights, bands, balls, and mats must be returned to their original location after use.
- If there is a wait for cardio equipment, use of the equipment should be limited to 30 minutes to ensure that all employees are able to utilize the equipment.
- No reserving or holding of equipment.
- Use of safety clips is strongly recommended while using treadmills.

General Expectations:

- No tobacco (smokeless or otherwise) or vaping allowed.
- No alcohol or illegal drugs allowed.
- No abusive, loud, or profane language allowed.
- No glassware or similar material (anything that can shatter on impact) is permitted in the EFC.
- Water, Gatorade, or other drinks are permitted in the EFC if they are in a sealed non-breakable container. Only water is permitted while using the gymnasium on the first floor.

- No food is permitted.
- Employees suspected of having a communicable disease cannot use the EFC.
- Any locks applied to lockers must be removed by the end of the day.
- No personal belongings are allowed on the EFC floor.
- The lockers located in the restroom area or cubbies should be used to store belongings.
- The Town is not responsible for lost or stolen items.
- No open music or video streaming. Employees must use headphones.

Activities in the EFC are not supervised. Employees using the equipment do so entirely at their own risk. For safety purposes, it is not recommended to work out alone. The Town is not responsible for any injury that may occur to employees exercising in the EFC. Participation in EFC programming is voluntary.

At any time while in the EFC, employees who begin to feel symptoms such as chest pain, shortness of breath or experience any type of severe discomfort, should stop exercising immediately and seek medical attention. In case of emergency, 9-1-1 should be contacted immediately. An AED (Automated External Defibrillator) is located in the hall outside of the EFC.

Employees who do not follow the policy may immediately lose this benefit.

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## SECTION 6.0 TRAVEL

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### 6.1 VEHICLE USE

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Vehicles owned by the Town are issued to employees in positions designated to receive vehicle use for the benefit and convenience of the Town in order to provide timely and appropriate service to its citizens. Vehicles are assigned to positions, not employees.

Employees who change positions from one that is assigned a vehicle to one that has no vehicle will relinquish the use of the vehicle. Vehicles may be reissued to any other position as deemed necessary by the Town.

In the event employees issued a Town-owned vehicle are absent from work for any reason exceeding two weeks, the vehicle must be left on Town premises. At any time, employees issued a vehicle may be required to immediately surrender the use of the Town vehicle upon request of Department Managers or the Town Administrator without recourse or compensation.

Vehicle assignments will be reviewed periodically by Department Managers and the Town Administrator. The Town Administrator has the discretion to add or remove vehicle benefits for a position at any time.

Any use of Town vehicles for work is unrestricted. The assignment of vehicles to positions and their personal use are limited to the following categories:

Category A - Unlimited Use: at the Town Administrator's discretion, Department Managers will be provided a vehicle and have unlimited personal use of a Town vehicle within the state. The Town Administrator should be informed prior to the Department Manager leaving the area.

Category B - Take Home, Unlimited, 25 Miles: Employees have unlimited personal use of a Town vehicle but must stay within a 25-mile radius of Town.

Category C - Take Home, One Stop, 25 Miles: Employees in this category may drive a Town vehicle between work and home, within a 25-mile radius of Town, with no more than one intermediate stop (within reasonable limits) based on duty assignment.

Category D - Take Home, No Stops, 25 Miles: Employees assigned a Town vehicle may drive to and from work and their home, within a 25-mile radius of Town, as assigned on a daily basis relative to the duties they perform. There will be no personal stops unless authorized by the Department Manager. This includes positions as determined by the Department Manager on an as-needed basis, relative to the assigned duties.

Category E - No Personal Use, Duty Use Only: Employees using a Town vehicle in this category may be allowed a stop for a meal or break with the approval of the Department Manager. Otherwise, the vehicle will be parked when not in duty use at a location determined by the Department Manager. Employees may not drive the vehicle home, unless otherwise determined by the Department Manager, on an as-needed basis, reviewed daily. This category includes all other positions that are assigned vehicle use not specifically addressed in any previous category.

Employees who are assigned vehicles are further guided by the following conditions:

- Only Town employees are allowed to drive Town vehicles. Town volunteers and Board or Commission members may be considered employees on a case-by-case basis regarding this policy.
- Employees must be at least 18 years old to drive Town vehicles.
- Drivers of Town vehicles must have a current, valid South Carolina Driver's License in their possession, appropriate for the size and type of vehicle being operated. Their supervisor or Department Manager may request to see the license at any time. Employees operating Town vehicles should take the shortest route to and from all jobs, utilize the most practically-sized vehicle to accomplish the work, and plan assignments in order to eliminate unnecessary trips.
- It is the responsibility of the driver of any Town vehicle to operate it at all times in a manner consistent with principles of safety and courtesy and in compliance with municipal and state traffic and parking regulations. This includes wearing seatbelts and use of mobile devices.
- Employees who are assigned Town vehicles are responsible for compliance with routine vehicle maintenance schedules. All employees driving a Town vehicle should ensure that it is in proper operating condition at all times. Any malfunctions should be reported immediately to the immediate supervisor who normally will have the responsibility and authority to remove any vehicle from service that is deemed unsafe or inoperable.
- Employees must report accidents to their supervisor immediately and, when occurring on public rights of way, to applicable police jurisdiction.
- All repairs to Town vehicles are made by or with the approval of the Department Manager or authorized designee.
- Tobacco use of any kind is prohibited in Town vehicles.
- For everyone's safety, using a cell phone or other electronic device for an activity other than talking (such as texting, emailing, using the internet, posting on social media sites, or playing electronic games) while driving is strictly prohibited. Calls while driving should be kept to a minimum.

Employees must ensure that they use the Town vehicle per the Category assigned to them. Failure to observe their Category's requirements is considered a violation of this policy. Employees are responsible for paying any



traffic fines caused while driving a Town vehicle. Employees will be subject to disciplinary action up to and including termination if they fail to comply with any aspect of this policy. The Town will take legal action if necessary.

## 6.2 BUSINESS TRIPS

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Employees are expected to show proper regard for economy in incurring travel and related expenses. Family members may accompany employees on an official trip provided that their presence does not detract from performance of duty. No expenses attributed to them will be borne by the Town. Attendance at seminars, conferences, conventions, Town-sponsored or supported trips, and other training is offered as a means of improving job performance and professional development.

It is understood that exempt employees traveling for business will be without additional monetary compensation.

Non-exempt employees will receive pay according to the Fair Labor Standards Act (FLSA) as it relates to travel. Compensable time applies to the time employees spend in transit and at an event out of town on a single-day trip. For example, employees who drive to Columbia for a conference from 9:00 a.m. -5:00 p.m., leaving home at 7:00 a.m. and returning at 7:00 p.m. would be paid for 12 hours, minus any time that the event was not in session. If the attendees are let out for lunch on their own, the break is not compensable time; however, if lunch is provided as part of the event and all attendees are expected to be there, it is compensable time.

Per FLSA, compensable time for overnight trips is defined as any time which employees spend traveling on an airplane, automobile, train, bus, or boat if the travel occurs during the hours which they would normally work. As an example, for employees who work Monday-Friday 8:00 a.m. -4:30 p.m.: if they travel on Sunday from 1:00 p.m. -6:00 p.m., they would be compensated for 3.5 hours, the time during their normally-scheduled hours of 1:00 p.m. -4:30 p.m.

To clarify FLSA's conditions, non-exempt employees will be paid as follows for the time they spend in transit on overnight trips:

- When they are a passenger, they will be paid for hours that occur during their regular work hours.
- When they are a passenger performing work on a mobile device, they will be paid for any time spent working, even when it occurs outside of their regular work hours.
- When they drive, they will be paid for any time spent driving, even when it occurs outside of their regular work hours.

Non-exempt employees will be paid for all hours spent attending events excluding social functions and meals occurring outside of the event. Compensation will not be given for time spent when the event is not in session.

Employees who work 24-hour shifts should refer to the Fire Department's Standard Operating Guidelines regarding wages while traveling for mandatory and voluntary training.

The Town does not expect employees to travel prior to 6:00 a.m. or after 10:00 p.m.

Employees who wish to receive an advance of funds must submit an Authorization for Travel and Training form five (5) business days in advance for required approval and processing. A Travel Recap form must be completed and submitted within five (5) business days following the return date.

In order to reduce liability to personal vehicles, employees must use Town vehicles when driving to training. Upon proper pre-authorization, employees and Town officials utilizing personal vehicles in the course of Town business will be reimbursed at the IRS automobile mileage rate in effect at the time of travel. This reimbursement covers fuel expense, wear and tear, and any damage or mechanical problems which occur during the trip.

An employee is eligible for advancement of funds, reimbursement, not to exceed the per diem for the costs of meals, tips and incidentals for each full day of travel at the GSA (General Service Administration) Meals and Incidental Expenses (M&IE) rate for the travel area. For per diem allowances, travel begins on the day an employee leaves their home, office, or other point of departure and ends on the day the employee returns to their home, office, or other arrival point.

Per diems will be reimbursed at the GSA rate on the first and last day of travel, excluding any provided meals, at 75%. For example, if the daily reimbursement rate is \$51 and lunch is provided at the program, the total allowable reimbursement for the first/last day of travel would be \$30 [calculation is \$51 - \$11 lunch = \$40 x 75% = \$30].

Incidentals are included in the GSA M&IE rate breakdown and include such items as fees and tips given to hotel staff and baggage carriers. The M&IE is defined by the GSA at <https://www.gsa.gov/travel/plan-book/per-diem-rates/frequently-asked-questions-per-diem#13>.

GSA per diem rates can be found at <https://www.gsa.gov/travel/plan-book/per-diem-rates> and can be searched by state or zip code.

The Town Procurement Card should not be used for meals. Employees may request an advance or reimbursement. Department managers are allowed to use the Town Procurement Card at their discretion.

Alcoholic beverages are not reimbursed by the Town. Employees are required to be fiscally responsible by attending meals which are included in conference registration fees.

Personal expenses such as valet services, in-room entertainment expenses, etc., are not reimbursable and should not be included as part of reimbursement requests.

All expenses while on official business travel such as taxi, bus, parking, tolls, baggage fees, and business-related phone calls are to be itemized on the Travel Recap form for reimbursement. The Town will reimburse up to 15 minutes of personal telephone calls per day when a hotel phone is used. Reimbursement will not include dry cleaning or laundry services, toiletries, cable movies, or any other miscellaneous personal expenses.

Travel arrangements for flights, automobile rentals, and hotel or motel accommodations should be made in a manner most economically-advantageous to the Town which includes planning ahead for reservations.

All other qualifying requests for reimbursement require a detailed receipt for each expense; however, the Department Manager may authorize a reimbursable expenditure without a receipt with a signed affidavit from employees stating the itemized expenses are true and correct.

## SECTION 7.0 CONFLICT OF INTEREST

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### 7.1 CONFLICT OF INTEREST

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Employees are covered by state ethics laws that prohibit public employees from using their public position for their own personal gain or to benefit a family member or business associate. State law also prohibits employees from making governmental decisions on matters in which they, their family, or business associates have an economic interest. Employees must notify their supervisors in writing of any matter in which they, their family, or business associates have an economic interest and in which they must act on behalf of the Town. The supervisor must send the notification to the Department Manager, who will send it to the Town Administrator for review. If the Town determines a potential conflict of interest or appearance of one exists, the matter will be reassigned to another employee.

### 7.2 SECONDARY EMPLOYMENT

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Employees must receive prior, written approval from their Department Manager to engage in secondary employment, including self-employment.

It is expected that full-time work for the Town will take priority over secondary employment.

Employees may not engage in any secondary employment which, in the Town's sole opinion, will provide a real or perceived conflict of interest with the Town or interfere with their position's duties or responsibilities.

Employees must request specific approval to engage in secondary employment while on any kind of leave of absence. Each leave of absence should have its own secondary employment request.

While employees are on medical leave due to their own medical conditions, particularly those due to an on-the-job injury or illness, their priority should be to recover and return to work at the Town as soon as possible. When considering requests to work while on medical leave, Department Managers will review the doctor's restrictions to ensure that the secondary job does not require activities beyond the medical restrictions or any activity or time demand that would prolong recovery and, consequently, their return to work date. For example, approval may be granted in cases where Town employment requires physical work but the secondary employment is a sedentary job, which the doctor permits.

For absences due to Family Medical Leave to care for a family member, prior written approval by the Department Manager must be granted to engage in secondary employment. Unlike absences for one's own health condition which focuses on physical capability, absences to care for a family member require needing time away from work to meet care commitments. In determining whether to grant approval to work outside of the Town, a Department Manager may look to the doctor's restrictions for the family member which should specify the amount, frequency, or duration of time needed away from primary employment at the Town to care for the family member.

When employees engage in secondary employment without approval, the Department Manager will notify them in writing to cease the prohibited secondary employment immediately. Should the Town, in its sole discretion, determine that secondary employment interferes with or is otherwise incompatible with employment at the Town, employees may be asked to choose between jobs.

Employees engaging in secondary employment under no circumstances will use Town resources of any kind, such as property, equipment, uniforms, vehicles, etc. Employees will not engage in any private business while on Town work time or at any Town work place. Off-duty assignments coordinated through the Police Department are not considered secondary employment for purposes of this policy.

Employees engaging in secondary employment will not hold the Town liable for any injury or damage sustained while working elsewhere.

### 7.3 NEPOTISM

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People in the same immediate family may not be employed or continue to be employed if one directly or indirectly supervises another or interacts with another in the handling of money or compensation. For purposes of this policy, immediate family is defined as spouse, parent, child, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, and sister-in-law. The immediate family is also considered to include stepparents, stepchildren, stepbrothers, and stepsisters when employees and the step-relative have lived together regularly in the same household. Unrelated employees residing together or otherwise engaged in a close personal relationship (such as domestic partner, co-habitant, or significant other) are treated as being within the immediate family of each other for the purposes of this nepotism policy. Immediate family members of elected officials of the Town are not eligible for full-time employment.

If employees become related by marriage and create a situation prohibited by this policy, one of the employees may be asked to give up their position. If the employees cannot choose which of them it will be, the employee with the lower annual compensation will be removed. The removed employee may be considered for other positions within the Town for which s/he is qualified.

Situations not specifically addressed in this policy that, in the Town's opinion, create a conflict of interest or give the appearance of one, will be handled at the Town's sole discretion.

### 7.4 GIFTS AND GRATUITIES

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Employees may not directly or indirectly solicit, accept, or receive a gift under circumstances in which it could be inferred that the gift was intended to influence them in the performance of their official duties or was intended as a reward for an official act on their part. A gift is defined as any benefit, favor, service, privilege, or thing of value that could be interpreted as influencing an employee's impartiality. A gift includes, but is not limited to: meals, trips, money, loans, rewards, merchandise, food, tickets to sporting or cultural events, entertainment, and personal services or work provided by Town suppliers or contractors. This policy is not intended to prohibit the acceptance of items of nominal value that are distributed generally to all employees. A determination as to whether this policy has been violated is in the Town's sole discretion.

### 7.5 POLITICAL ACTIVITIES

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The following political activities are prohibited for employees only with regard to local elections for Mount Pleasant Municipal Government offices:

- Serving on any political election committee

- Soliciting political contributions
- Working as a poll watcher for a candidate
- Distributing campaign literature

Upon becoming a candidate for nomination or election to any Mount Pleasant Municipal Government office, employees will take a leave of absence for the duration of the campaign. They may use paid leave (except sick leave) during this time. An individual may not be employed by the Town while serving in an elective office of the Town of Mount Pleasant.

Employees will be aware of and abide by the South Carolina “Ethics, Government Accountability, and Campaign Reform Act of 1991.” A copy of this act is available in Human Resources for reference. Failure to abide by this Code of Ethics may result in disciplinary action up to and including termination.

## 7.6 SOLICITATION AND DISTRIBUTION

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“Solicitation” means any activity conducted for the purpose of advertising, promoting, or selling any product or service, or encouraging membership in any group, association, or organization. “Distribution” refers to the dissemination or posting of flyers, brochures, email, and other written materials promoting products, services, organizations, or causes.

Solicitation and distribution by non-employees on Town property are prohibited.

Solicitation by employees is prohibited when the person soliciting or the person being solicited is on work time. Work time is the time employees are expected to be working and does not include meal or other authorized breaks.

Distribution by employees on the Town’s property in working areas is prohibited. Distribution by employees on the Town’s property in non-working areas during working time, as defined above, is prohibited.

### POLICIES REPEALED

All prior policies, ordinances, and/or resolutions related to this document are hereby repealed.