

# Heart of the Yadkin Valley

***Town of  
Jonesville  
Employee  
Handbook***



# WELCOME

---

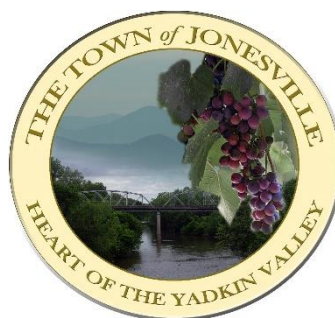
Welcome to the Town of Jonesville! This booklet has been prepared for current and future employees of the Town of Jonesville, under the authority of Chapter 160A, Article 7, of the General Statutes of North Carolina for the purpose of providing Town of Jonesville employee policies, benefits, and expectations.

As a Town employee, you have a responsibility to the residents of the Town of Jonesville. Your work and conduct may be the subject of public scrutiny and your contact with residents represents the Town. Your job is important, and the Town's residents and visitors will rely on you for professional, courteous, and efficient customer service.

This booklet supersedes all prior policies, ordinances, or resolutions. Read this booklet carefully and familiar yourself with the contents. You will also want to keep it in a convenient location for future reference.

Thank you again for choosing to be a part of the Town of Jonesville team and for your commitment to the Town's mission. Best wishes in your work. I hope is it challenging, engaging, and fulfilling.

Michael W. Pardue  
Town Manager  
Adopted September 12, 2022



# TABLE OF CONTENTS

---

<b>1. Introduction.....</b>	<b>7</b>
<b>2. Employment Guidelines.....</b>	<b>8</b>
2-1 Equal Employment Opportunity.....	8
2-2 Background Investigations.....	8
2-3 After Your Job Offer.....	8
2-4 Employee Classifications.....	8
2-5 Probationary Period.....	9
2-6 Job Duties.....	9
2-7 Hours of Work.....	9
2-8 Job Postings.....	10
2-9 Multiple Position.....	10
2-10 Secondary Employment.....	10
2-11 Political Activity.....	10
2-12 Volunteering.....	10
2-13 Employment of Relatives.....	10
2-14 Employee References/Verifications/Copies of Personnel Files.....	10
2-5 Department Policies.....	10
<b>3. Harassment Free Environment.....</b>	<b>11</b>
3-1 Harassment Prohibited.....	11
3-2 SexualHarassment.....	11
3-3 Reporting Harassment.....	11
3-4 Workplace Violence.....	12
3-5 Firearms.....	12
<b>4. Employee Relations.....</b>	<b>13</b>
4-1 Personal Appearance.....	13
4-2 Personnel Files.....	13

4-3 Customer Service.....	13
4-4 Absenteeism/Tardiness.....	13
4-5 Severe Weather.....	13
4-6 Alcohol and Drug-Free Environment.....	14
4-7 Tobacco Use.....	15
4-8 Civil or Criminal Legal Matters.....	15
4-9 Social Media.....	15
4-10 Gifts, Gratuities, and Rebates.....	15
4-11 Town Equipment.....	15
<b>5. Employee Benefits.....</b>	<b>16</b>
5-1 Health Insurance.....	16
5-2 Benefits Continuation (COBRA).....	16
5-3 Life Insurance.....	16
5-4 Vision/Dental Insurance.....	17
5-5 Local Governmental Employees' Retirement Plan.....	17
5-6 Retirement Plans.....	17
5-7 Unemployment Compensation.....	17
5-8 Social Security Benefit.....	17
<b>6. Employee Compensation.....</b>	<b>18</b>
6-1 Payroll.....	18
6-2 Overtime.....	18
6-3 Rest and Meal Periods.....	18
6-4 Merit Pay Increases.....	19
6-5 Pay Advances.....	19
6-6 Garnishment.....	19
6-7 Travel Expense Reimbursement.....	19
6-8 On-Call and Call-Back Pay.....	20
<b>7. CORRECTIVE ACTION PLAN AND EMPLOYEE SEPARATION.....</b>	<b>22</b>
7-1 Town of Jonesville Corrective Action Policy.....	22

7-2 Appeals Process.....	23
7-4 Resignations.....	23
7-5 Return of Property.....	23
7-6 Final Paycheck.....	23
7-7 Exit Interviews.....	23
<b>8. Employee Leave/Time Away from Work.....</b>	<b>24</b>
8-1 Paid Holidays.....	24
8-2 Annual Leave.....	25
8-3 Sick Leave.....	25
8-4 Voting.....	26
8-5 Funeral Leave.....	26
8-6 Jury Duty.....	26
8-7 Family Medical Leave Act.....	26
8-8 Education Leave of Absence.....	27
8-9 Military Leave.....	27
<b>9. Risk Management &amp; Safety, Workers' Compensation.....</b>	<b>28</b>
9-1 Risk Management/Safety.....	28
9-2 Employee Worker Injury Reports.....	28
9-3 Workers' Compensation Insurance.....	28
<b>10. Supplemental Information and Policies.....</b>	<b>29</b>
10-1 Insurance Benefits.....	29
10-2 Retirement Benefits.....	29
10-3 Remote Work Policy.....	30
10-4 Video Call Policy.....	34
10-5 Use of Communications and Computer System.....	35
10-6 Town Provided Portable Communication Devices.....	37
10-7 Use of Portable Communication Devices While Driving.....	37
10-8 Seat Belt Policy.....	37
10-9 Travel Policy.....	39

10-10 Publicity/Media Policy.....	41
<b>11. Substance Abuse Policy.....</b>	<b>42</b>
11-1 Purpose.....	42
11-2 Scope and Application.....	42
11-3 Definition of Substance Abuse.....	42
11-4 Applicants.....	43
11-5 Employees.....	45
11-6 Severability and Effect.....	53
11-7 Reservations.....	53
11-8 Confidentiality.....	53
11-9 Notification of Employees to Policy.....	53
11-10 Consent for Drug and/or Alcohol Screening.....	54
11-11 Testing Request Form.....	55
11-12 Last Chance Assistance Program.....	58
<b>12. Vehicle Use Policy.....</b>	<b>60</b>
12-1 Subject.....	60
12-2 Purpose.....	60
12-3 Definitions.....	60
12-4 Vehicle Use.....	60
12-5 Procedure.....	61
12-6 Driver Responsibilities/Requirements.....	64
12-7 Maintenance of Vehicle.....	65
12-8 Accident Procedures.....	65

# 1. INTRODUCTION

---

Jonesville is the oldest town in Yadkin County. Recognized as the heart of the Yadkin Valley, we are a great place to live, work, and play.

Employment with the Town of Jonesville is on an at-will basis, and as such there is no employment contract with the Town, and the Town may terminate employment at any time without prior notice.

The Town has a Mayor and Council who are responsible for establishing and approving the position classification, pay plan, and benefits provided by the Town. They also make and confirm appointments when specified by North Carolina General Statutes.

- **Role of Mayor and Town Council:** The Town has a Mayor and Council who are responsible for establishing and approving the position classification, pay plan, and benefits provided by the Town. They also make and confirm appointments when specified by the North Carolina General Statutes and are responsible for hiring the Town Manager.
- **Role of the Town Manager:** The Town Manager is responsible to the Town Council for the administration of the Town and the Human Resources function. The Town Manager appoints, suspends, and removes all Town employees except those elected by the people, or whose appointment is provided for by law. The Town Manager is responsible for recommending rules and revisions to the personnel system to Town Council, maintaining a position classification plan, recommending pay plan revisions to Town Council, determining which employees are subject to overtime provisions, maintaining a roster of all employees and their job identification information, and manages the personnel recruitment plan.

The Town Manager is responsible for an active recruitment program to meet current and projected staffing needs, using procedures that will ensure equal employment opportunities based on job-related requirements.

## 2. EMPLOYMENT GUIDELINES

---

- **2-1 Equal Employment Opportunity:** The Town does not discriminate in any way or deprive any person of employment opportunities or otherwise adversely effect the status of any employee because of race, color, religion, sex, national origin, age, disability, citizenship, veteran status, genetic information, sexual orientation, gender identity, or any other characteristic protected by applicable federal, state, or local laws. This applies to all conditions of employment at the Town, including, but not limited to hiring, placement, promotion, termination, layoff, recall, leave of absence, compensation, and training. All appointments and promotions shall be based on merit. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range.

Employees with concerns about equal employment opportunities at the Town are encouraged to bring these issues to the attention of the Town Manager. The Town will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels they have been subjected to any such retaliation, the employee should bring it to the attention of the Town Manager. To ensure our workplace is free of artificial barriers, violation of this policy, including any improper retaliatory conduct may lead to corrective action, up to and including termination. All employees must cooperate with internal investigations.

- **2-2 Background Investigations:** The Town performs reference and criminal background checks. Applicants and employees whose background checks reveal adverse information or are found to have falsified information on their application may be subject to discharge or non-selection for employment. The Town may periodically conduct investigations at its discretion.
- **2-3 After Your Job Offer:** As a condition of continued employment, employees in safety sensitive positions (Fire or Police) or who drive Town vehicles are subject to random drug screens in accordance with the Drug Free Workplace Act.

All required documentation pertaining to proof of identity and eligibility to work in the United States must be submitted at the time of hire and updated as required by law.

- **2-4 Employee Classifications:**
  - **Full Time Regular Employee:** An employee who is regularly scheduled to work an average of 40 or more hours per week, on either a fixed or flexible schedule.



- **Part Time Regular Employee:** An employee who is regularly scheduled to work an average of at least 20 hours per week, but less than 40 hours per week, on either a fixed or flexible schedule.
- **On Call, Seasonal, or Reserve Employees:** An employee who does not have a regular schedule of hours per week but works when needed and is available as “supplemental staff.”

In addition, all Town employees are designated as either of the following:

- **Exempt:** An employee who is exempt from minimum wage requirement and overtime pay provisions of applicable federal and/or state wage and hour laws.
  - **Non-exempt:** An employee who is eligible for minimum wage and overtime pay pursuant to the provisions of applicable state and federal wage and hours laws.
- **2-5 Probationary Period:** The first six months of employment (12 months for certified police) at the Town are a probationary period. This is an opportunity for the Town to evaluate the employee’s performance and for the employee to decide whether it is the right fit. The Town may terminate probationary employees at any time for any reason without notice. Completion of the probationary period does not alter an employee’s at-will status and does not guarantee continued employment. At the conclusion of the probationary period, the Town will determine whether continued employment is mutually desired, whether the employee is performing satisfactory work, or whether the probation period should be extended up to 12 months. Employees serving a probationary period following initial appointment shall not be permitted to take annual leave during the probationary period unless the denial of such leave will create an unusual hardship. Any annual leave granted during this period must have the prior approval of the Town Manager.
  - **2-6 Job Duties:** Upon employment, the Town will provide employees with their job description which will be reviewed by the supervisor and employee during the probationary period. Be aware that your job duties may be subject to change, and from time to time you may be asked to perform work that is not within your job description.
  - **2-7 Hours of Work:** The standard workweek for all employees is from 8:00 a.m. until 5:00 p.m., Monday through Friday (Police officers work 12 hour shifts, 6 am-6 pm and 6 pm–6 am Saturday through Friday for an average of 42 hours per week). Department Directors shall work the hours necessary to ensure satisfactory performance of their departments. When the activities of a particular Department require some other schedule to meet work needs, the Town Manager may authorize a deviation from the normal schedule.

- **2-8 Job Postings:** Open positions, with the exception of key management positions, are ordinarily posted for seven days. Employees who apply for open positions should not have any active corrective actions pending, have a good overall work record, and have been in their current position for six months. Position vacancy announcements shall contain (1) the title and the department of the position; (2) the closing date of the announcement; (3) a summary of the duties of the position; (4) a summary of the basic qualifications; (5) the procedures for making application; and (6) a statement of Equal Employment Opportunity.
- **2-9 Multiple Positions:** If you work in more than one Town department, all hours worked must be aggregated for overtime consideration if you are a non-exempt employee.
- **2-10 Secondary Employment:** Employees (including sworn police officers who may make an arrest during secondary employment) may work for other employers during non-working hours only and if it does not interfere with job performance or the Town's business needs. Employees are required to complete a "Secondary Employment Request" form and receive approval from the Town Manager prior to starting secondary employment.
- **2-11 Political Activity:** Political activities may not interfere with job responsibilities at the Town. Political or partisan activities, whether in-person or online, are strictly prohibited during working hours. Political activity on Town property is strictly prohibited. No employee shall compel another employee to make political donations and the funds, equipment, and supplies of the Town may never be used for political purposes, such as campaigning.
- **2-12 Volunteering:** The Town supports and encourages volunteering in the community or at local schools with supervisor approval.
- **2-13 Employment of Relatives:** Employment of relatives, romantic partners, or spouses is permissible so long as no conflict of interest or no direct reporting relationship exists. A current or prospective employee is required to inform the Town Manager if this situation arises and if there is a romantic relationship with another Town employee. Failure to inform the Town Manager may result in termination of either party. This provision is not retroactive.
- **2-14 Employee References/Verifications/Copies of Personnel Files:** All reference or personnel file requests must be directed to the Town Manager. In general, the Town only discloses information that is a public record unless authorized in writing by the employee to release additional information.
- **2-15 Department Policies:** Town Departments may have policies that have additional employee requirements that apply to employees in addition to this policy.

### 3. HARASSMENT FREE ENVIRONMENT

---

Every Town employee has the right to work environment that is professional, and the Town of Jonesville will not tolerate harassment.

- **3-1 Harassment Prohibited:** Every Town employee has the right to a work environment that is free from harassment, and the Town will not tolerate harassment on the job from co-workers and managers. Harassment of any employee by a supervisor is prohibited. Harassment of any employee by a contractor or vendor will not be tolerated.

Harassment includes, but it not limited to, slurs, derogatory comments, cartoons, pranks, and other verbal, graphic, or physical conduct related to an individual's traits based on race, color, disability, religion, sex, national origin, age, veteran's status, or any other protected characteristic. When the workplace is permeated with discriminatory intimidation, ridicule, and insults that are severe and pervasive, this harassment creates an unprofessional and hostile work environment which is prohibited by law.

- **3-2 Sexual Harassment:** While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances, requests for sexual favors, obscene gestures, displaying sexually graphic images, sending sexually explicit e-mails or text messages, or photos, and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually related comments. Depending upon the circumstances, improper conduct can also include conversation or joking with sexual content or overtones, vulgar or offensive conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life, teasing, or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment which is prohibited by law.
- **3-3 Reporting Harassment:** Any employee who experiences or witnesses harassment, in any form, should report it to their supervisor. If the employee is unable to report it to their supervisor, for any reason, the employee may contact their Department Director or the Town Manager who will investigate the matter. Any supervisor or Department Director who receives a report of harassment should consult with the Town Manager as soon as practical or within (5) business days.

The Town Manager or his designee shall conduct an investigation into any allegation of harassment and advise the employee and appropriate management officials of the outcome of the investigation. If an employee wishes to register a sexual harassment complaint against the Town Manager or a member of the Town Council, he or she will file the claim

directly with the Town Attorney. The Town Attorney will investigate and advise the employee and appropriate management officials of the outcome of the investigation.

An employee should not assume that the Town is aware of a harassment problem. Reporting claims of harassment enables the Town to take the steps necessary to remedy the problem. The Town is committed to a work environment in which all individuals are treated with respect and dignity.

- **3-4 Workplace Violence:** Any acts or threats of violence by an employee against another employee, visitor, co-worker, or any other persons are prohibited. Acts or threats of violence by a visitor on Town property should be reported to the Police Department or Town Manager. Threats, threatening language, or any other acts of aggression or violence made toward, or by, any Town employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking, or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of domination or intimidation.
- **3-5 Firearms:** Employees should be thoughtful and prudent when carrying concealed weapons and should be permitted as a concealed carry permit holder as provided by law, while at work or while on Town property, as allowed by local, state, and federal laws, and avoid creating circumstances that may lead to prohibited conduct.



## **4. EMPLOYEE RELATIONS**

---

- **4-1 Personal Appearance:** All employees should arrive at work neat, clean, and appropriately dressed. If uniforms are required, they must be of the established color and style specified for the department. Specific safety dress requirements may be required in some departments to avoid safety hazards. For example, long hair may be required to be pulled back for safety reasons or specific safety shoes may be necessary. Public safety positions may have additional personal appearance requirements.
- **4-2 Personnel Files:** The Town Manager, through Town Administration, shall maintain personnel files for the purpose of personnel administration. Under state law, Town employee personnel files are confidential unless release is legally authorized, or the information is identified as a public record. An employee may ask the Town Manager to review their personnel file. If an employee disagrees with the material contained in the file, it will not be removed. However, an employee may include an amendment in their personnel file. Please notify the Town Manager of changes to the personnel file such as those to marital status, address, name, and dependent status as soon as possible to ensure correct payroll and benefit information. All requests for information from employee personnel files should be directed to the Town Manager or his designee.
- **4-3 Customer Service:** All persons who visit the Town of Jonesville facilities are our customers and should be treated as welcome guests. Please show courtesy and a willingness to assist all guests and visitors by greeting everyone with a friendly tone. Never make negative comments about the Town or co-workers in a public setting where guests may hear. Promptly return phone calls and emails. Employees should limit personal calls while at work.
- **4-4 Absenteeism/Tardiness:** The Town has an established sick leave policy to compensate employees for legitimate medical and personal reasons. Employees must inform supervisors when they will be tardy or absent prior to a scheduled shift. Excessive tardiness or absenteeism may result in corrective action.
- **4-5 Severe Weather:** The Town shall remain open unless closed by the Town Manager. If the Town Manager closes Town facilities, employees will receive leave with pay. If an employee was already scheduled to take approved leave, the employee will not receive leave with pay for a severe weather day. Employees are expected to use their best efforts to come to work for scheduled shifts. In the event of a severe weather event, employees should contact their supervisor. Employees advised by their supervisor to come to work but are physically unable to may use vacation time or unpaid leave with their supervisor's approval. Employees who have been advised by their Department Directors not to report to

work due to a closing, will be paid administrative leave equal to a standard workday. Any employee who is unable to get to work but does not contact their supervisor may be subject to corrective action. Police Department employees must report for work unless notified not to come by their supervisor.

**4-6 Alcohol and Drug-Free Environment:** Reporting to work under the influence of alcohol or drugs, using them while on duty or while on Town property, and driving after consuming in a Town vehicle is prohibited, except for prescribed medication that may be taken safely within the limits set by a physician as medically necessary. The Town may suspend or terminate employees who are arrested or convicted of state or federal drug or alcohol charges.

**Alcohol and Controlled Substance Testing and Workplace Accidents:** Employees will be tested for the presence of drugs and alcohol following an on-the-job accident or illness requiring treatment by a licensed physician and/or involves one or more of the following: a fatality, a serious injury, an at-fault accident involving a Town-owned vehicle, or for any injury or illness receiving authorized medical treatment from a physician. Single vehicle accidents involving limited property damage only may not require testing. This exclusion is under the direction of the Town Manager.

On-the-job is defined as being engaged in Town duties, "on the clock," including parking lots, at job sites, driving or riding as a passenger in a Town vehicle or private vehicle for which the Town has authorized reimbursement, or on company time even if off Town premises (including lunch and rest breaks). Following an accident, the employee(s) will be tested as soon as possible, but not to exceed twelve (12) hours for alcohol testing and thirty-two (32) hours for drug testing. Any employee involved in an accident must refrain from alcohol use until he/she undergoes a post-accident alcohol test, if required. It is the employee's responsibility to refrain from the legal use of alcoholic beverages until testing is completed. There will be no exceptions.

#### Positive Drug Test and Alcohol Test

Any employee testing positive for drugs and/or alcohol may be subject to corrective action, up to and including termination. Any employee refusing to submit to alcohol and drug testing after an on-the-job injury may be subject to corrective action, up to and including termination.

The Town maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies and those who have a medical history that reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid corrective action for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions

of their jobs or jeopardizes the health and safety of any Town employee, including themselves, or the general public.

- **4-7 Tobacco Use:** Smoking, smokeless tobacco products including the use of e-cigarettes and the use of all tobacco products is not permitted in Town buildings and Town vehicles.
- **4-8 Civil or Criminal Legal Matters:** If an employee is sued, charged with, or convicted of a civil or criminal matter that may affect their employment activities such as the loss of their driver's license, professional license, or their authorization from state regulatory authorities to conduct their job functions, they must immediately notify their supervisor and the Town Manager.
- **4-9 Social Media:** The Town respects the right of employees to participate in social media or online social platforms outside of working hours. Employees may not post on or participate in social media platforms during working hours. Confidential town information cannot be disclosed through online social media. If an employee posts on social media regarding the Town, posts should include the following disclaimer: *Postings on this site are my own and do not reflect or represent the opinions of the Town of Jonesville, for which I work.* The poster should specifically state that the opinion expressed is his or her opinion and not the Town's position. Social media posts that include threats of violence or speech that is not protected by the First Amendment may result in corrective action.
- **4-10 Gifts, Gratuities, and Rebates:** To prevent a potential or perceived conflict of interest, neither an employee or an employee's family member may accept a gift, favor or thing of value that could influence an employee in the discharge of their duties or that may influence an employee to grant an improper favor, service, or thing of value. This does not apply to gifts of nominal value, such as holiday food, that may be consumed by all employees.
- **4-11 Town Equipment:** The Town prohibits the personal use of any Town owned equipment or supplies by any employee, official, or individual unless written authorization by the Town Manager is given.

## 5. EMPLOYEE BENEFITS

---

It is the Town of Jonesville's policy to provide a wide range of benefits to all eligible employees. These benefits include time-off benefits, such as vacation, sick time, paid time off (PTO), and holidays, insurance, and other plan benefits. We continue to annually evaluate our benefits programs which are subject to change.

- **5-1 Health Insurance:** Employees who are scheduled to work on a full-time basis, are eligible to participate in health insurance coverage (medical, dental, and vision) following any required waiting period, subject to the terms of the group health policy. Employees shall be enrolled in the programs in accordance with the provisions of the insurance contracts and on the first day of the month following month of hire date. Deductions shall be allowed, at the option of the employee, to provide hospitalization for dependents in accordance with the provisions of the insurance contracts.
- **5-2 Benefits Continuation (COBRA):** The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries, including spouses, former spouses, and dependent children, the opportunity to continue health insurance coverage under the Town's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or qualified beneficiary pays the full cost of coverage at the Town's group rates as well as a small administration fee. Before continuation coverage will be provided, the Town's group health plan must be notified of the qualifying event. Although the Town will notify the plan of certain qualifying events, such as the termination of an employee, employees and/or their qualified beneficiaries are responsible for notifying the plan if the qualifying event is divorce, legal separation, or a child's loss of dependent status under the plan. Employees and/or qualified beneficiaries will then receive information about their rights to continuation coverage and how to make an informed decision on whether to elect continuation coverage.

Please note that to qualify for continuation coverage in most circumstances, employees have thirty (30) days to notify the plan of the qualifying event.

- **5-3 Life Insurance:** The Town offers life insurance at the town's expense. Additional life insurance may be purchased at the employee's expense. Town provided insurance may change on an annual basis; employees will be notified during open enrollment.



- **5-4 Vision/Dental Insurance:** The Town offers vision/dental insurance for full-time employees at the town's expense.
- **5-5 Local Governmental Employees' Retirement Plan:** All employees working more than 1,000 hours per year will also be required to participate in the Local Government Employee Retirement System (LGERS) and make pre-tax contributions in the amount of 6% of their annual salary to their retirement account. The Town will also make contributions to the retirement account each pay period. Employees are considered "vested" following five years of local government employment. For more information about the LGERS Retirement Plan, please visit <https://orbit.myncretirement.com/>
- **5-6 Retirement Plans:** The Town contributes 5% annually in a 401(k) plan to all full-time employees.
- **5-7 Unemployment Compensation:** Employees who separate from Town employment may be eligible for unemployment benefits. Applications should be made through the local Employment Security Commission, where a determination of your eligibility will be made.
- **5-8 Social Security Benefits:** To the extent provided by law, you will be covered by Social Security, a federally sponsored program that pays certain benefits to employees who have made regular contributions to the program during working hours. The cost of Social Security contributions by the employee are made through payroll deduction.

## **6. EMPLOYEE COMPENSATION**

---

- **6-1 Payroll:** All employees shall be paid on a weekly basis. The work week starts on Saturday at 12:00 am and ends on Friday at 11:59 pm. If payday falls on a holiday, employees will be paid on the next business day. It is mandatory for all full-time and part-time employees to use direct deposit.
- **6-2 Overtime:** Based on the operations of the Town, overtime may be necessary. All overtime must be approved in advance by the Town Manager. Each Department Director will record all applicable overtime accrued for each covered employee. This report will be turned into the payroll on Monday of the pay week no later than 10 am for the previous pay period. This overtime policy is applicable only to employees of the Town who are nonexempt under the Fair Labor Standards Act.
- Employees in positions determined to be "exempt" from the FLSA (as Executive, Administrative, or Professional staff) will not receive pay for hours worked in excess of their normal work periods. These employees may be granted compensatory leave by their supervisor on a time for time basis (1:1 hour worked) where the convenience of the department allows and in accordance with procedures established by the Town Manager. All exempt employees will keep an up-to-date record of compensatory time earned and used subject to review by the Town Manager at any time. Such compensatory time is not guaranteed to be taken and ends without compensation upon separation from the organization.

Hourly employees will be paid one and one-half times their regular rate of pay or provided one and one-half hours of compensatory time for all hours worked over 40 hours in any workweek. Depending on operational needs, an employee's work hours may be adjusted within the same workweek to eliminate the need for overtime or compensatory time. Fire and/or Police Officers calculate overtime and/or compensatory time on a 28-day work schedule. Only actual hours worked in a given work period (40 hour work week/28 day work schedule) will be counted toward the calculation of overtime. Days off for holidays, vacation, sick leave, jury duty, and other leave periods are not included when calculating overtime.

- **6-3 Rest and Meal Periods:** The ability to allow employees breaks and rest periods is determined by each department based on their workload and work environment. Breaks may not be accumulated, nor may they be taken within an hour of arrival at or departure from work or added to a meal period. Employees scheduled to work at least six hours or more may take a meal break of 30 minutes to one hour. However, all meal breaks must be at least 30 minutes of uninterrupted and unpaid time. Meal periods shall be established by

your supervisor and may change to conform to work schedules or business needs.

Lactation breaks may be taken on an as-needed basis. As we work in a collaborative team environment, employees cannot extend their work schedule to justify taking longer breaks or meal periods. Employees are expected to take a meal break during each workday unless there is a Town emergency. Employees who forgo break/meal periods cannot accumulate any overtime compensation in accordance with FLSA, unused time or use break periods as the basis for starting late, quitting early, or extending scheduled meal periods.

- Employees who take unauthorized breaks or meal periods or extend authorized break or meal periods beyond approved limits, without supervisor permission, may be subject to disciplinary action, up to and including termination.

- **Non-Exempt and Exempt Employees**

- Except for public safety employees, employees are not paid for their lunch period and should schedule their lunch period in agreement with their supervisor.
- **6-4 Merit Pay Increases:** An annual review of an employee's performance, designed to facilitate fair and equitable decisions, recognizing exemplary performance as the basis for pay increases within the established pay range.
- **6-5 Pay Advances:** The Town does not permit advances against future pay for hours not yet worked or against accrued vacation.
- **6-6 Garnishment:** The Town will comply with all valid claims against the wages of employees., including child support or other legally valid orders.

**6-7 Travel Expense Reimbursement:** Employees traveling on a reimbursable basis for the Town will record their expenses. No reimbursement will be paid without a written travel expense report signed by the employee and approved by the Department Director which is accompanied with all necessary receipts that include the travel dates.

Breakfast will be reimbursed only if employee must leave his/her place of residence or normal reporting area (i.e. Town offices, etc.) prior to 7 am in order to reach meeting place or destination at which employee is an authorized representative on behalf of the Town. Dinner will be reimbursed only if employee does not return to his/her place of residence or normal reporting area prior to 6 pm. No reimbursement will be made for any meal which is provided by the host of the meeting, conference, etc. (i.e., breakfast at hotel, lunch, or dinner at meeting place/site, etc.) and is paid for or accommodated on behalf of the Town.

Lodging expenses will be reimbursed at actual cost and a copy of the bill must be attached to the travel form. Reimbursement rates include all food, taxes, and tips for meals.

Reimbursement will not be allowed for laundry, entertainment, alcoholic beverages, set-

ups, between meal snacks or refreshments and other personal expenses. Town Manager must approve travel by plane, rail, or boat. Employee will be reimbursed for actual cost of fare provided employee provides necessary receipt(s).

#### 6-8 On-Call and Call-Back Pay

- The nature of several jobs performed by Town employees require those employees to be on-call, that is, available and ready to work after hours or in the instance of emergencies.
- This policy describes the compensation for all non-exempt employees who are officially required to be on-call and for all non-exempt employees who are officially on-call who are called back to work.
- A call-back is when an employee is called back to work for unforeseen or emergency work after leaving the building or work location at the end of his or her regular shift and before the beginning of the next regularly scheduled shift. This includes time spent on the telephone for significant events only. The designation of a significant event will be determined by the department director or his/her designee.
- If an employee is called back to work whether and not on-call, the following provisions apply:
  - (a) A non-exempt employee who is called back to work outside his or her normal work schedule will be paid for the time worked or a minimum of two (2) hours, whichever is greater.
  - (b) Hours actually worked are calculated beginning when the employee reports to the work site and are added to the regular total hours worked for the week.
  - (c) Employees will receive overtime compensation in accordance with the FLSA.
  - (d) Call-back pay is not considered as part of the annual base salary for classification and pay purposes, nor is it to be recorded in personnel records as part of the annual base salary.
- If an on-call employee is called back to work, the following provisions apply in addition to what is stated above:
  - (a) A non-exempt employee who is called back to work outside his or her normal work schedule will be paid for the time worked or a minimum of one (1) hour, whichever is greater.
  - (b) Hours actually worked are calculated beginning when the employee reports to the work site and are added to the regular total hours worked for the week.



- (c) The employee is required to arrive at the work site within approximately thirty (30) minutes after being called.
- (d) Employees who are on-call and cannot be located to perform their duties in the event of being called back to work, fail to respond in any way, or are unable to respond to the work location, will forfeit all on-call pay for that day and may be subject to disciplinary action, up to and including termination.
- If an on-call employee is not called back, he or she will be paid according to the following:
  - (a) Four (4) hours for each week scheduled to work and scheduled to be on-call.
  - (b) On-call compensation will be calculated on a straight-time basis and on-call hours will not be considered as hours worked in regard to computing overtime compensation.
- Employees who are on-call must adhere to all Town of Jonesville policies, including the Alcohol and Controlled Substances policy. Any variance from such policies may result in disciplinary action, up to and including termination.

## 7. CORRECTIVE ACTION PLAN AND EMPLOYEE SEPARATION

---

The conduct of Town employees reflects on the Town of Jonesville, and any employee conduct that casts the Town in a negative light or is inconsistent with the Town's interests may result in immediate termination without corrective action. Employment with the Town of Jonesville is on an at-will basis, and as such there is no employment contract with the Town, and the Town may terminate employment at any time without prior notice

**7-1 Town of Jonesville Corrective Action Policy** The purpose of the corrective action plan is to improve employee performance issues. Unacceptable conduct may result in disciplinary or corrective action, up to and including termination, at the Town's sole discretion. The Town reserves the right to combine or skip corrective actions depending on the facts of the situation or the nature of the offense. Factors to be considered are (1) whether the offense is repeated despite coaching, counseling, or training; (2) the employee's performance records; and (3) the impact the performance issue has on the Town, its reputation, other employees, or members of the public. Employees who have been subject to corrective action in the prior twelve months will not be eligible for merit pay raises.

Employment at the Town of Jonesville is based on mutual consent, and both the employee and the Town have the right to terminate the employment at will, with or without cause or advanced notice. However, the Town recognizes the value in retaining employees and helping employee succeed professionally. To that end, the Town endeavors to utilize corrective action to help an employee improve their performance when appropriate.

The main purpose of any corrective action is to correct concerns where possible, prevent recurrence, and prepare the employee for satisfactory performance in the future. Although the Town does not adhere to a progressive disciplinary policy, the following measures may be used by the Town, as appropriate, to help employees improve their performance:

Coaching Sessions	Verbal Warnings
Written Warnings	Training
Performance Improvement Plans	Suspension, with or without pay

These types of corrective action may be used when it is determined that termination is not appropriate, but nothing in this policy shall be read to require that a particular corrective action will be utilized.

- **7-2 Appeals Process:** Employees will have the opportunity to present information to the Town Manager to dispute information management has used to issue any corrective action within 15 days of the action. The purpose of an appeal is to provide insight into extenuating circumstances that may have contributed to the employee's performance or conduct issues. An appeal meeting will be scheduled at the Town Manager's discretion who will document the meeting.
- **7-4 Resignations:** Employees are requested to provide written notice of resignation and that includes the reason for a resignation and the last day of work. Appropriate notice for Department Directors is 4 weeks. All other employees should provide 2 weeks' notice.
- **7-5 Return of Property:** At the time of termination, whether voluntary or involuntary, the employee's immediate supervisor will request and document the return of all Town property, including but not limited to, ID Cards, keys, cell phone, P-Card, uniforms, tools, supplies, equipment and any other items assigned to you for use in the performance of your job assignment. If Town property is not returned at the time of termination, the Town will deduct the cost from the employee's final paycheck. Consent for a payroll deduction is included in the Employee Handbook acknowledgment.
- **7-6 Final Paycheck:** Employees who terminate their employment will receive a final paycheck for all hours worked in the last pay period. Payout for unused vacation is in the Town Manager's discretion. Employees will not receive pay for unused sick hours.
- **7-7 Exit Interviews:** To better understand why employees leave the Town of Jonesville, an exit interview may be conducted at the end of employment with the Town Manager or the Department Head as determined by the Town Manager.

## 8. EMPLOYEE LEAVE/TIME AWAY FROM WORK

---

- **8-1 Paid Holidays:**

New Year's Day

Independence Day

Martin Luther King, Jr. Day

Labor Day

President's Day

Veteran's Day

Good Friday

Thanksgiving Day (2 days)

Memorial Day

Christmas (2 or 3 days)

When Christmas falls on:

Saturday/Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

The Town observes:

Friday and Monday

Monday and Tuesday

Monday, Tuesday, and Wednesday

Tuesday, Wednesday, and Thursday

Wednesday, Thursday, and Friday

Thursday and Friday

Each year, Payroll will produce a calendar of the paid holidays. Regular full-time or regular part-time LGERS eligible, non-exempt, general employees will receive holiday pay for any paid holiday at a rate equal to their regular work schedule. Eligible employees who are called in to work on a holiday will receive their holiday pay and will also be paid for hours worked on the holiday. Regular part-time employees are paid their regular hours worked on holidays when the holiday falls on their typical workday. For example, if someone normally worked on Monday for 4 hours, they would be eligible for 4 hours of pay when a Town holiday fell on a Monday. If a holiday falls within an eligible employee's approved vacation period, the eligible employee will be paid for the holiday at the regular straight-time rate in lieu of vacation off for that day.



- **8-2 ANNUAL LEAVE:** Full-time employees will earn accrued leave at the following rate:

<u>Years of Service</u>	<u>Hours Earned Each Month</u>	<u>Hours Earned Each Year</u>	<u>Days Earned Each Year</u>
Up to 1	5	60 hrs.	7.5
2-4	8	96 hrs.	12
5-10	9	108 hrs.	13.5
11-14	10	120 hrs.	15
15-20	12	144 hrs.	18
Over 20	13.33	160 hrs.	20

Annual leave may be accumulated without any applicable maximum until December 31 of the calendar year. On December 31, any employee with more than thirty (30) days or 240 hours of accumulated leave shall have the excess accumulation credited to sick leave so that only thirty (30) days or 240 hours are carried forward to January 1 of the next calendar year. Annual leave shall be taken with the prior approval of the employee's Department Director. Annual leave taken may not exceed number of days earned by employee.

An employee who is separated shall be paid for annual leave accumulated to the date of separation, which is not to exceed a maximum of thirty (30) days or 240 hours and shall be calculated in full and half days only (quarter days shall revert to the nearest half or whole).

An employee who resigns should provide advance notification of 2 weeks for non-exempt and 30 days for exempt employees.

Failure of any employee to provide adequate written notice as set out in the previous paragraph will forfeit vacation leave payout. The Town Manager, at his or her sole discretion, may elect to accept the resignation, terminate employment immediately and pay the employee for any or all of the notice period.

The estate of an employee who dies while employed by the Town shall be entitled to payment for all the accumulated annual leave credited to the employee's account, not to exceed a maximum of thirty (30) days or 240 hours.

- **8-3 Sick Leave:** (Section 8-3, Page 25, Revised December 14, 2022 and March 13, 2023; Retroactive to July 1, 2022) Full-time general employees earn 8 hours and LEO employees earn 8.4 sick leave hours per month. Employees may be granted sick leave for a medical absence pertaining to their own health or the health of an immediate family member. [Please refer to the chart below for the definition of immediate family.] Employees must notify their immediate supervisor of all requests for sick leave before the leave is taken, or not later than two (2) hours after the beginning of a scheduled working day. Sick leave may be taken only with the approval of the immediate supervisor.

The employee's Department Director or the Town Manager may require a statement from a physician or other acceptable proof that the employee or immediate family member was either

unable to report for work or at home in need of care or assistance from the employee, as a condition of approving sick leave. At the expiration of an authorized sick leave period, the employee's Department Head or the Town Manager may require a physical and/or mental examination at the Town's expense and by a physician of its choice to determine if the employee is able to resume his or her normal duties. Sick leave earned monthly is allowed as creditable service at the time of retirement to employees who are members of the North Carolina Local Government Employees' Retirement System.

Unused sick leave earned from another North Carolina government agency and/or entity will be accepted and transferred to the Town as follows:

1. The maximum number of days added or accepted will be fifty (50). Verification received in hours will be calculated and accepted in days reverting to the nearest whole.
2. The total number of days accepted as transferred will be added to the record after completion of the probationary period.
3. Verification of accumulated sick leave must be received in writing from the previous employer.
4. The transfer must be completed within three (3) years of the employee's last working day with the previous employer.

Employees who retire or resign and are not reinstated with the Town within a period of three (3) years shall lose all sick leave credits. No employee shall be paid for any accrued sick leave upon ending employment with the Town.

Voluntary Shared Leave – There are occurrences brought about by serious and prolonged medical conditions that cause employees to exhaust all available sick and vacation leave and therefore be placed on leave without pay. It is recognized that employees who go on leave without pay could be without income at the most critical point in their work life. It is also recognized that fellow employees may wish to voluntarily donate some of their vacation or sick leave so as to provide assistance to a fellow employee. This policy provides an opportunity for employees to assist a fellow employee affected by a medical condition that requires absence from duty for a period of time resulting in possible loss of income due to lack of accumulated leave. This program will provide the opportunity for an employee to help another on a one-to-one (1-to-1) personal basis. It does not permit "banking" of leave.

An employee may donate leave, as outlined below, to an employee who has been approved to receive voluntary shared leave because of a medical condition of the employee or of a member of the employee's immediate family that will require the employee's absence for a prolonged period of time. [Please refer to the chart below for the definition of immediate family.]

Full-time permanent and probationary employees are eligible for shared leave. Temporary and part-time employees are not eligible for shared leave.

Employees who exhaust their accumulated paid leave due to their own medical condition or that of an immediate family member are eligible. Employees can apply for or be nominated by a fellow employee to become a recipient.

Employees interested in shared leave under this policy should contact Human Resources or the Town Clerk directly to obtain the appropriate forms. Human Resources or the Town Clerk will then email all Town employees indicating the name of the employee requesting the leave but not the medical condition requiring the leave.

Voluntary shared leave will begin upon an employee exhausting all available sick and vacation leave.

An employee may not donate more than one-half of the donor's annual accrual rate of vacation leave. An employee may not donate more than 500 hours of sick leave at one time and may not reduce the sick leave account below 80 hours.

### Definition of Immediate Family

Spouse	Parent Mother/Father	Child Daughter/Son	Brother/Sister	Grand
Husband Wife	Biological Adoptive Step In Loco Parentis In-law	Biological Adoptive Step Foster In Loco Parentis In-law	Biological Adoptive Step In Loco Parentis In-law	Parent Child Step In-law

- **8-4 Voting:** The Town encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees should find time to vote during non-working hours. In the event an employee does not have sufficient time outside of working hours to vote in a statewide election, the employee may take off enough working time to vote. This time should be taken at the beginning or end of the regular work schedule or at the most convenient time during the workday. This is unpaid time off.
- **8-5 Funeral Leave:** Death in the employee's immediate family, not to exceed three (3) days for any one occurrence. Additional leave time, under exceptional circumstances, may be authorized by the Department Head.
- **8-6 Jury Duty:** A Town employee called for jury duty or as a court witness for the federal or state government is entitled to a leave with pay for the period of absence required. The employee is entitled to regular compensation plus fees received for jury duty.
- **8-7 Family Medical Leave Act:** The Town is a covered agency under the Family Medical Leave Act, but until such time as the Town employs at least 50 individuals, no Town employee is an "eligible employee" under the Act.

FMLA Leave is available to "eligible employees." To be an eligible employee, an employee must (1) have been employed by the Town for at least 12 months (which need not be consecutive); (2) have been employed by the Town for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and (3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite. FMLA provides eligible employees with a right to leave, health insurance benefits, and with some limited exceptions, job restoration. FMLA provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date and employee uses their FMLA leave. Leave may be taken for any one or combination of the following reasons: (1) to care for the employee's child or after birth or placement for adoption or foster care; (2) to care for the employee's spouse, son, daughter, or parent (but not in-law) who has a serious health condition; (3) the employee's own serious health condition; or (4) any qualifying exigency arising out of the fact that an employee's spouse, son, daughter, or parent is a military member on covered active duty status or deployment.

- **8-8 Education Leave of Absence:** A leave of absence at full or partial pay for a period not to exceed sixty (60) working days may be granted upon the recommendation of the

Department Director with the approval of the Town Manager, for an employee to take courses of study that will better equip the employee to perform his or her duties for the Town. A leave of absence at full or partial pay for a period not to exceed nine (9) months may be granted for the same purpose, but only upon the recommendation of the Department Head and the Town Manager with the approval of the Town Council. An employee on educational leave with full pay shall continue to earn leave credits and any other benefits to which Town employees are entitled. An employee on educational leave with partial pay shall earn proportional leave credits.

- **8-9 Military Leave:** All employees who are or may become members of any reserve component of the Armed Forces of the United States or of the North Carolina National Guard shall be entitled to leave of absence with pay from their respective duties without loss of time, regular leave, or vacation, any effect on employee evaluation, or any other rights or benefits to which he is otherwise entitled, for all periods of military service during which they are engaged in the performance of duty or training in the service of the State of North Carolina or the United States, under competent orders for a period, or periods, not exceeding fourteen (14) calendar days in any one calendar year. Unless the military organization requires a specified time for the training period, the employee shall arrange with his/her department head for a mutually suitable time period. Additional military leave without pay beyond fourteen (14) calendar days may be granted at the discretion of the department head with the approval of the Town Manager when such leave does not interfere unduly with departmental operations. Circumstances surrounding a declared Presidential emergency shall be governed by the Federal or State law applicable at that time.

## 9. RISK MANAGEMENT & SAFETY, WORKERS' COMPENSATION

---

Safety is the responsibility of the Town and its employees. The Town establishes policies, procedures, and training programs to ensure employees have a safe work environment.

- **9-1 Risk Management/Safety:** Risk management means identifying and preventing events which cause or could cause injury, loss, or damage. It involves preventing problems and taking action to solve any that do occur. Each employee has a responsibility to keep the workplace safe by knowing the safety rules of their job, knowing the fire safety evacuation routes and being alert to hazards that could harm employees or the public.



- **9-2 Employee Worker Injury Reports:** If an employee injury occurs, no matter how minor, the employee should report it to their supervisor who should document the incident and immediately report it to the Town Manager.
- **9-3 Workers' Compensation Insurance:** To provide for payment of your medical expenses and for partial income replacement in the event of a work-related accident, all employees are covered by workers' compensation insurance. The amount of benefits payable and the duration of payment depend on the nature of the injury or illness. In general, all appropriate medical expenses incurred in connection with an injury or illness are paid in full, and partial income replacement is provided after the applicable elimination period by the workers' compensation insurance carrier.

## 10. SUPPLEMENTAL INFORMATION AND POLICIES

---

- **10-1 Insurance Benefits:** The Town of Jonesville may provide individual hospitalization and life insurance to all full-time employees. Employees shall be enrolled in the programs in accordance with the provisions of the insurance contracts and on the first day of the month following hire date. Deductions shall be allowed at the option of the employee to provide hospitalization for dependents in accordance with the provisions of the insurance contracts. Town paid health insurance coverage for full-time employees shall end on the 30th day of the month of termination of employment.
- **10-2 Retirement Benefits:** The Town of Jonesville is a member of the North Carolina Local Government Retirement System. Each employee in a budgeted permanent position, working a minimum of 1,000 hours per year, will be enrolled in the Local Government Employees' Retirement System. Employees contribute, through payroll deduction, six percent (6%) of their gross salary each month to the system. The Town contributes an actuarially determined percentage of the gross payroll each month to the system.

Town paid health insurance coverage will be provided to employees who have been a full-time Town employee for a minimum of then fifteen (15) years qualifying for full retirement as a member of the North Carolina Local Governmental Employees' Retirement System or the North Carolina Law Enforcement Retirement System. The contribution by the Town towards the retired employee's benefit will be as follows:

Years of Service	Percentage of Premium Paid
15 Years	50%
20 Years	75%
25 Years	100%

This benefit will be paid at the same level as for active employees and will be provided to retired employees for no more than twelve (12) years or until they become eligible for Medicare.

Retirees are not eligible for dental or other supplemental insurances once retired, as these benefits are available through the North Carolina Local Government Retirement System.

- **10-3 Remote Work Policy:** This policy establishes an option for remote work agreements for eligible positions where management determines that work at an alternative location best achieves Jonesville's business goals and objectives. Hybrid work allows employees to work remotely at home or at an alternative location for some of their workweek, while also reporting to the office for other parts of the workweek.

For the purposes of this policy, the term "remote work agreements" refers to permanent, trial, and periodic remote work agreements that involve working from both Town of Jonesville offices and remotely at another location. The Town of Jonesville (also "Company") considers hybrid work to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. A hybrid schedule may not be appropriate for all employees. No employee is entitled to a hybrid schedule. Hybrid work is not a company-wide benefit, and in no way changes the terms and conditions of employment with The Town of Jonesville. A remote work agreement does not create an employee contract, and all employees remain at-will. This policy does not apply to leave approved under the Family Medical Leave Act or the Americans with Disabilities Act.

**Remote Work Agreement Procedures:** An employee or a manager may make a Remote Work Arrangement Request. (Attachment A) An employee should submit the request to their manager in writing and include all the information requested.

Before entering into any hybrid work agreement, the employee and manager will evaluate the suitability of such an arrangement, reviewing the following areas as outlined in the Remote Work Handbook (Attachment B):

- Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful remote workers.
- Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the role is appropriate for a hybrid work arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for remote work.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state, and local government laws, and/or restrictions of

working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee. Employees are encouraged to consult a tax expert if they have questions about tax implications.

If approved, the manager must complete a Remote Work Agreement (Attachment C), which will be agreed upon by the manager and employee. The Remote Work Agreement should address the employee's schedule, work assignments and expected results, equipment use and provision, supervisory contact required, and liability for personal or property injury. A Remote Work Agreement will be granted on a trial basis for three months. At the conclusion of the three-month trial period, the manager will evaluate whether to make the Remote Work Agreement permanent. Agreements will be reviewed by the supervisor and employee during the employee's mid-term and annual reviews to ensure they support the achievement of the Company's business goals. As outlined below, a Remote Work Agreement may be discontinued at any time at the request of either the employee or the Company.

**Termination of Remote Work Agreement:** A temporary or permanent agreement may be discontinued at will or at any time at the request of either the employee or the Company. Every effort will be made to provide 30 days' notice of the change to accommodate commuting, childcare, and other issues that may arise from the termination of a remote work arrangement. There may be instances, however, when the agreement must be terminated without notice or less than 30 days' notice.

An agreement may be terminated due to unsatisfactory job performance, if it is determined that termination of the Remote Work Agreement may help the employee to improve their performance.

**Eligibility:** Employees who request remote work arrangements must be employed with The Town of Jonesville for a minimum of six (6) months of continuous, regular employment and must maintain a satisfactory performance record. An employee may work remotely for a maximum of two (2) days per week. Schedules will be determined by the department manager, subject to restrictions and changes as may be necessary or decided by the Company. For example, employees cannot work remotely on sequential Mondays and Fridays, whether during the same work week or surrounding a weekend, and an employee's scheduled remote days may differ from week-to-week. All employees must be present in the office three days (3) per week unless the employee is on approved leave.

Employees working at home are subject to all other Company policies to the same extent as in-person employees, including but not limited to, employee conduct, attendance, personal appearance, acceptable use, information security, mobile device

management, etc. regardless of the location of their work. The duties, obligations, and work responsibilities are the same for those who do not have a remote work agreement.

**Time Worked:** Employees working remotely are expected to be working and available during regularly scheduled business hours (8 a.m.-5:00 p.m.) unless other arrangements are approved in writing by their manager. Employees are encouraged to discuss their work schedules and expectations with other household members to ensure a positive experience for all. Employees must manage dependent care or household obligations in a manner that allows the employee to successfully meet all job requirements.

All employees who have a remote work agreement must be able to return to the office within two hours, at the request of a manager, even if the employee is approved to work remotely on that day. In addition, company-wide meetings shall be attended in-person, even if the meeting falls on a remote working day. Managers may call in-person meetings at any time. Business travel, conferences, meetings, staffing shortages, and other business needs take precedence over a regularly scheduled remote working day. Unless otherwise previously approved by the manager, remote working days that require in-person attendance cannot be “swapped” or rescheduled for regularly scheduled in-person days.

In the event remote work is not possible on a scheduled remote day due to situations such as a power or internet outage, the employee must return to the office to complete their workday unless other arrangements are approved by their manager, including but not limited to, taking approved leave for the balance of the day.

The time spent traveling to the office will not be considered “job site” to “job site” and will not count toward hours worked. Employees working remotely who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using The Town of Jonesville’s time-keeping system. Working more hours than those scheduled per day and per workweek require the advance approval of the employee’s supervisor. Standard company overtime policy applies to remote workers. Failure to comply with this requirement may result in the immediate termination of the hybrid work agreement. Employees shall not engage in secondary employment activities while working remotely.

**Equipment:** The Town of Jonesville will determine, with information supplied by the employee and the manager, the appropriate equipment needs (including hardware, software, cords, peripherals, and other office equipment) for each hybrid work arrangement. Any remote work conducted by the employee must be on equipment provided by the Company or approved by the Company under the Mobile Device Management Policy. Equipment supplied by the Company will be maintained by the



Company. Equipment supplied by the employee, if deemed appropriate by The Town of Jonesville, will be maintained by the employee. The Town of Jonesville accepts no responsibility for damage or repairs to employee-owned equipment and reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the Company is to be used for business purposes only, and employee must agree to take appropriate action to protect the items from damage or theft. Upon termination of employment or the remote work agreement, all The Town of Jonesville property will be returned to the Company, unless other arrangements have been made.

The employee will establish an appropriate work environment within their home for work purposes. The Town of Jonesville will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the home office space.

**Security:** Consistent with Company expectations of confidentiality and information security for employees working at the office, remote work employees will be expected to ensure the same protection of proprietary Company and customer information accessible from their remote office. Steps include the use of locked file cabinets and desks, shredding of documents containing sensitive information, and any other measures appropriate for the job and environment. The Company's Information Security policies apply to remote employees the same as in-person employees.

Although designed to secure Company equipment, employee understands that the security platforms on Company equipment may detect general activity on employee's remote network. All company work should be performed on the Company's computers and electronic devices.

**Safety:** Employees are expected to maintain their remote workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with their regular work duties are generally covered by the Company's workers' compensation policy. Employees working remotely are responsible for notifying their manager of any such injuries as soon as practicable. Employees must allow a home inspection if a job-related incident occurs. Workers' compensation will not apply to an employee's non-job-related injuries that occur at any remote site. The Company is not liable for injuries to family members, pets, and visitors at the home worksite.

**Periodic Remote Work:** Temporary remote work arrangements may be approved on an occasional, sporadic basis for circumstances such as inclement weather, special projects, child or elder care needs, or business travel. These arrangements are

approved on an as-needed basis only, with no expectation of permanence or continuation.

Other informal, short-term arrangements may be made for employees with medical issues that prevent commuting to work or on family or medical leave, to the extent practical for the employee and the Company and with the consent of the employee's health care provider, if appropriate.

All such informal work arrangements are made on a case-by-case basis, focusing first on the business needs of The Town of Jonesville, and will be subject to this policy the same as regular remote employment arrangements.

- **10-4 Video Call Policy:** Employees are to ensure that appropriate office attire is worn when making video calls. Employees are expected to be connected in time for any online meetings scheduled. Video calls should be held in quiet places. Headphones should be used to ensure confidentiality and the 'raise hand' function should be used, when necessary, to minimize disruption. Cameras should be turned on and microphones should be kept muted unless the participant is speaking.

To maintain a professional image of the Public Service, it is important that when making video calls, backgrounds are blurred. Alternatively, if employees are not working from an office setup, they can use corporate backgrounds. Inappropriate and unprofessional backgrounds are not allowed and are censored.

Whenever an employee needs to record a call, they shall ensure that the other person/s taking part in the same call are informed beforehand and shall only proceed with the recording if all parties give their consent to the recording. No calls shall be recorded without the consent of all persons taking part in the same call. Recorded meetings shall be saved in terms of the policy concerning information retention. Disciplinary action will be taken against employees who do not adhere to these provisions.

During video calls employees shall ensure that they are following what the other participant/s is/are saying and should avoid carrying out other tasks such as reading e-mails, browsing, or eating.

Employees are to ensure that confidentiality and data protection are always maintained. Confidential phone/video calls and meetings shall take place in locations that may not, in any way, compromise confidentiality or lead to leakage of information. Likewise, great care is to be taken to make it impossible in any way for third parties to view, read, or come into possession of official and confidential documents

- **10-5 Use of Communications and Computer System:** The Town maintains for the benefit of its employees and their authorized agents, an extensive system of computer and telecommunication resources. Town employees, officials, their agents, and all other authorized users are expected to use such equipment and resources in an efficient, effective, ethical, and lawful manner for legitimate and authorized Town business. Users should not have an expectation of privacy in anything they create, store, send, or receive on the Town's computer or telecommunications system.

The Town's computer and telecommunication resources include, but are not limited to, host computers, file servers, application servers, mail servers, fax servers, communications servers, workstations, standalone-computers, laptops, tablets, software, and internal or external computer and communication networks (including Electronic Data Interchange networks, Internet, commercial online services, bulletin board systems, and electronic mail (email) systems) that are accessed directly or indirectly from the Town's computer facilities.

The Town has the right, but not the duty, to monitor all aspects of its computer system, including, but not limited to, monitoring sites visited by users on the Internet, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded by employees, and reviewing electronic mail sent and received by users. Department Heads shall have the authority to request in writing that the Information Technologies Manager implement such monitoring activity for specific users and/or workstations and to provide related monitoring reports to the requesting Department Head.

The term "user" refers to all employees, officials, independent contractors, and other persons or entities authorized to access or use the Town's computer and telecommunications system.

Department Heads shall immediately notify Human Resources and the respective Information Technologies staff when an employee, who has had computer access, is leaving employment with the Town.

Users are governed by the Town of Jonesville Computer Usage Policy document. Specific information regarding the general use and procedures for computer and telecommunications resources and services may be found in this document. All users are required to sign an acknowledgement indicating they have read the Computer Usage Policy document and acknowledgment receipt of such document which shall be maintained in their personnel file in the office of Human Resources. The Town reserves the right to amend the aforementioned policy and rules from time to time.

- **10-6 Town Provided Portable Communication Devices:** Portable Communication Devices may be provided to employees of the Town for the purpose of completing their duties in a professional and efficient manner. As such, portable communication devices may be used for official use only and may not be used for personal use. Unauthorized or private use of Town-owned portable communication devices is prohibited. Employees are responsible for the care and maintenance of portable communication devices assigned to them. Any damaged, malfunctioning, or lost portable communication devices must be reported to the employee's Supervisor immediately in order that the necessary repairs or replacement may be made in accordance with established administrative procedures. Employees are responsible for damage or loss of Town-owned portable communication devices and if found to be negligent, may be required to replace the device and/or face disciplinary action.
- **10-7 Use of Personal Communication Devices While Driving:** Employees are required to comply with state and local regulations relative to the use of portable communication devices while driving a town vehicle. Drivers will not compose, send, or read electronic messages (emails) or utilize a cellular telephone or any portable communication device without a hands-free device or in voice operated mode while operating a vehicle. Employees should thoroughly familiarize themselves with their communications equipment and are encouraged to utilize available functions designed to simplify use.
- **10-8 Seat Belt Policy:** Seat belt use is mandatory.
  - (a) Except as otherwise provided in G.S. 20-137.1, each occupant of a motor vehicle manufactured with seat belts shall have a seatbelt properly fastened about their body at all times when the vehicle is in forward motion on a street or highway in this State.
  - (b) Repealed by Session Laws 2006-140, s. 1, effective December 1, 2006.
  - (c) This section shall not apply to any of the following:
    - (1) A driver or occupant of a noncommercial motor vehicle with a medical or physical condition that prevents appropriate restraint by a safety belt or with a professionally certified mental phobia against the wearing of vehicle restraints.
    - (2) A motor vehicle operated by a rural letter carrier of the United States Postal Service while performing duties as a rural letter carrier and a motor vehicle operated by a newspaper delivery person while actively engaged in delivery of newspapers along the person's specified route.

(3) A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle if the speed of the vehicle between stops does not exceed 20 miles per hour.

(4) Any vehicle registered and licensed as a property-carrying vehicle in accordance with G.S. 20-88, while being used for agricultural purposes in intrastate commerce.

(5) A motor vehicle not required to be equipped with seat safety belts under federal law.

(6) Any occupant of a motor home, as defined in G.S. 20-4.01 (27)k, other than the driver and front seat passengers.

(7) Any occupant, while in the custody of a law enforcement officer, being transported in the backseat of a law enforcement vehicle.

(8) A passenger of a residential garbage or recycling truck while the truck is operating during collection rounds.

(d) Evidence of failure to wear a seat belt shall not be admissible in any criminal or civil trial, action, or proceeding except in an action based on a violation of this section or as justification for the stop of a vehicle or detention of a vehicle operator and passengers.

(d1) Failure of a rear seat occupant of a vehicle to wear a seat belt shall not be justification for the stop of a vehicle.

(e) Any driver or front seat passenger who fails to wear a seat belt as required by this section shall have committed an infraction and shall pay a penalty of twenty five dollars and fifty cents (\$25.50) plus the following court costs: the General Court of Justice fee provided for in G.S. 7A-304(a)(4), the telephone facilities fee provided for in G.S. 7A-304(a)(2a), and the law enforcement training and certification fee provided for in G.S. 7A-304(a)(3b). Any rear seat occupant of a vehicle who fails to wear a seat belt as required by this section shall have committed an infraction and shall pay a penalty of ten dollars (\$10.00) and no court costs. Court costs assessed under this section are for the support of the General Court of Justice and shall be remitted to the State Treasurer. Conviction of an infraction under this section has no other consequence.

(f) No driver's license points, or insurance surcharge shall be assessed on account of violation of this section.

The Commissioner of Motor Vehicles and the Department of Public Instruction shall incorporate in driver education programs and driver licensing programs instructions



designed to encourage compliance with this section as an important means of reducing the severity of injury to the users of restraint devices and on the requirements and penalties specified in this law.

- **10-9 Travel Policy:** All travel requests and reimbursements require a completed Travel Form, Agenda for Event, and lodging quote including all taxes and incidentals. All required paperwork should be turned into and approved by the appropriate Department Head and Finance Director. Travel costs will be expense to the employees prior to leaving for the event.

a. Travel Expenses and Reimbursement.

Town vehicles are to be used only for official Town business. Travel outside the corporate limits and extra territorial jurisdiction of the Town must be authorized by the Department Head, with approval by the Town Manager. A request for such travel must describe the purpose and destination of the proposed trip, and the period for which the employee will be away from the Town. Town employees traveling outside the Town on authorized Town business will be reimbursed for lodging, meals and other expenses at rates established by the Town Council. Reimbursements may only be paid if accompanied by a written travel reimbursement form signed by the employee and approved by the Department Head and Town manager. Receipts for the costs of hotels and related travel expenses must be attached to the form. When a Town employee uses a personal vehicle, because no Town vehicle is available, to travel outside the Town on authorized Town business, he or she will be reimbursed for mileage pursuant to the current standard mileage rate as set by the Internal Revenue Service. In the event the employee chooses to drive their personal vehicle when a Town vehicle is available said employee will not be reimbursed for mileage.

b. Meals.

The following schedule shall be used for meal allowances while traveling on official Town business:

Breakfast \$7.00

Lunch \$12.00

Dinner \$18.00

Travel per diem \$37.00

Meals included with the cost of the event and/or training are not eligible for reimbursement. Employees who choose not to partake in provided meals or goes over the daily per diem will be responsible for the difference. The Town will not reimburse you if you exceed these amounts. Request for per diem must be 15 days prior to the day of travel; otherwise, your per diem will be paid upon return with the approval of the authorizing person.

#### c. Reimbursement.

Each employee or council member is responsible for their own request for reimbursement. Time of departure and arrival must be listed on the reimbursement request.

1. Daily Travel (Overnight) – Employees and council members may receive allowances for meals for partial days of travel when the partial day is the day of departure or the day of return:

Breakfast – Depart Jonesville prior to 7:00 a.m.

Lunch – Depart Jonesville prior to 10:00 a.m. (day of departure).  
Return to Jonesville after 2:00 p.m. (day of return).

Dinner – Return to Jonesville after 7:00 p.m. If stopping for dinner would cause the employee to return after 7:00 p.m., when they would otherwise have returned before 7:00 p.m., dinner will not be reimbursed.

2. Daily Travel (Not Overnight) – Allowance shall not be paid to employees for lunches if travel does not involve an overnight stay. To be eligible for allowance for the breakfast and evening meals, employees must:

Breakfast – depart Jonesville prior to 7:00 a.m.

Dinner – return to Jonesville after 7:00 p.m.

To be eligible for both meal allowances, the employee must have worked four (4) hours longer than the normal workday. The travel must involve a travel destination located at least 45 miles from the employee's regularly assigned duty station.

3. Reimbursement for Meals. – Required Employee Attendance – A Town employee or council member may request reimbursement for meals, including lunches, when attendance at a meeting is official capacity for the Town and the meal is pre planned as part of the meeting for the entire

attendance. However, when your meal is not included in the function then it's not non-reimbursable.

#### d. Lodging.

1. Authorization – Employees must obtain written approval from the Department Head and Finance Director in order to qualify for reimbursement for overnight stays. Supervisory personnel certifying the reimbursement request as necessary and proper must require documentation from the traveler to substantiate that the overnight lodging was necessary. Overnight lodging will only be approved when the destination is more than 90 miles from the Town or requires you to be onsite prior to 6:30 a.m.
2. Reimbursement – Each employee is responsible for their own request for reimbursement. Requests for reimbursements must be filed with 15 days prior to the travel period for which the reimbursement is being requested. Specific dates of lodgings must be listed on the reimbursement request and substantiated by a quote from a commercial lodging establishment. Allowance for lodging should be kept to a minimum. However, when lodging is held in the same place, the Town will approve and reimburse based on this cost. Other entertainment expense such as the costs of movies included in the bill for lodging will not be reimbursed and will be the cost of the employee. Tips are not reimbursable.

#### e. Other Costs.

##### Telephone Calls

1. Long distance- Employees or council members are not allowed to charge long distance phone calls to the Town for calls made of personal nature.
2. Reimbursement – Official phone calls (back to your office) are reimbursable if made between 8:00 a.m. and 5:00 p.m.
3. Emergency Calls – Employees and council members may be reimbursed for a personal long-distance call if such a call is of an emergency nature as determined by the department or finance officer. An example may be a call made when an employee calls home to inform someone that the travel period has been extended beyond original plans due to unforeseen reasons

- **10-10 Publicity/Media Policy:** The Town Manager or their designee shall be the primary spokesperson for the Town on all official actions of the Town. If the Town Manager or their designee is not readily available, The Mayor, or authorized designee shall be the primary spokesperson on all official matters of the Town. All non-public safety media calls should be referred to the Town Manager or their designee. In some instances, it will be appropriate for a specific department head to serve as the point person for a media response, in which case the Town Manager or their designee will ensure that the Town Official is prepared with background information and coached appropriately. However, in order to provide for the practical need for reasonable accessibility to staff and dissemination of information, Department Heads, or their respective designees, may also furnish basic or routine information to the media, consistent with their knowledge of the subject at hand when appropriate. Designated spokespersons in the Police and Fire Department will serve as media contacts regarding public safety matters. Town Officials and employees who have spoken to the media should alert the Town Manager following such contact. Prudence should be followed in making statements to the media and respecting protocol within the organization. Any comments on proposed changes to the established policy or procedures must be stated as a recommendation. Comments to the media or general public on decisions made by the Town Council should be factual in nature when speaking as an employee of the Town. In order to prevent misinformation, or inappropriate information from being distributed to the media, unauthorized employees should not speak for the Town regarding Town business with members of the media without first receiving permission from the respective Department Head or Town Manager. All news releases shall be routed through the Town Manager or their designee prior to being released. If a critical incident occurs during off-hours, Department Heads are authorized to disseminate news releases if they are not able to reach the Town Manager or their designee within one hour of the attempted contact. All such non-approved disseminated news releases should be copied to the Town Manager or their designee as soon thereafter as possible.

## 11. SUBSTANCE ABUSE POLICY

---

- **11-1 Purpose:** The Town of Jonesville is concerned about the detrimental effects which illegal drugs and alcohol abuse have upon the health and safety of its employees. We recognize that alcoholism and the illegal use of drugs lead to increased accidents and medical claims, and often destroy an employee's health and family life. Simply stated, employees who abuse drugs and alcohol are a danger to themselves, their fellow employees, and their families. In addition, employees with drug or alcohol problems have much higher medical costs than other employees, and their decreased productivity because of absenteeism and turnover adversely affects our ability to compete effectively. Considering these concerns, and in compliance with applicable state and federal laws and regulations, the Town intends to maintain a workplace free of the problems associated with the illegal use of drugs and the abuse of alcohol. Our policy is to help employees with problems associated with the abuse of drugs and alcohol and to encourage their rehabilitation. However, no part of this Substance Abuse Policy (the "Policy"), nor any of its procedures, is intended to affect the Town's right to manage its workplace or to discipline its employees. Nor is it a guarantee of employment, continued employment or, except as specifically provided in the Policy, of terms or conditions of employment. The Policy is intended to help provide a better and safer work environment for all employees.
- **11-2 Scope and Application:** This Policy covers all employees of the Town and applies to all Town property which, for purposes of this Policy, includes grounds and parking lots, leased space, company vehicles, and personal vehicles used for the Town's purposes. The Policy applies to any employee on Town's time at any location. This Policy supersedes all previous policies with respect to substance abuse to the extent they are inconsistent. For purposes of this Policy and until further notice, the Designated Town Official referred to herein shall be the Town Manager.
- **11-3 Definition of Substance Abuse:** Substance abuse is defined as: (1) reporting to work or working with illegal drugs present in the body or while affected by alcohol, (2) chemical dependency on alcohol or other drugs where job performance or employee safety is adversely affected, or (3) the use of illegal drugs. The term "illegal drugs" as used in this Policy includes, but is not limited to, marijuana, cocaine, phencyclidine (PCP), opiates, amphetamines, and similar drugs whose possession and use are prohibited under state or federal law in this country, as well as prescription drugs unless validly prescribed by the employee's physician and used in the prescribed manner. So-called "Designer drugs", "lookalikes", synthetic drugs and similar substances are also

considered illegal drugs for purposes of this Policy, even if they are not specifically prohibited by state or federal law. This Policy is also designed to cover other substances which may be abused, whether available legally over the counter (such as cough syrup), drugs obtained with a valid prescription, or substances which are not intended for human consumption (such as glue).

- **11-4 Applicants:**

A. SCOPE AND APPLICATION OF SECTION IV Section IV of this Policy applies only to all applicants for employment with the Town, unless otherwise stated. For purposes of this Policy, an “applicant” is defined as any person seeking employment with the Town to whom an offer of employment has been made. All offers of employment are subject to the terms and conditions of this Policy.

B. APPLICANT DRUG TESTING All applicants must undergo a pre-employment drug screening test (if appropriate, as part of their routine pre-employment physical examination). Failure to cooperate in such a test (or examination) will be considered a withdrawal of the Town’s offer of employment.

C. CONTINGENT EMPLOYMENT Any offer of acceptance of employment is contingent upon the applicant successfully completing his or her drug screening test. No applicant shall be required to submit to a drug test until after the applicant has been offered a job. Employment will be denied when the test results are positive for illegal drugs or for the presence of prescription drugs (such as barbiturates, amphetamines, opiates, etc.) unless the applicant has a current prescription, a valid medical reason for using such drugs, and is using such drugs in the prescribed manner. No one shall be permitted to begin work until the results of the test have been obtained.

D. POSTING The following poster, or one substantially similar, will be displayed where it may be easily seen by employees and persons seeking employment.  
**APPLICANTS OFFERED EMPLOYMENT WILL BE REQUIRED TO UNDERGO A DRUG SCREENING TEST.** E. APPLICATION FORM The employment application form should include the following language: Employment with the Town is contingent upon the successful completion of a drug screening test to be administered after an offer of employment is made. Successful completion of the test means that the person tested negative for illegal drugs or substance abuse.

F. RELEASE Before taking the drug screening test, applicants must sign a **CONSENT FOR DRUG AND/OR ALCOHOL SCREENING (APPENDIX A)**. Failure to sign the form or cooperate in the test procedure as requested will be deemed a withdrawal of the individual’s application for employment.



**G. METHOD OF DRUG SCREENING TEST: URINE SAMPLE COLLECTION PROCEDURE** The drug screening test shall consist of laboratory analysis of an applicant's urine. Procedures established by the Town's designated testing laboratory, the Designated Town Official, and those procedures set forth in Section V below (as applicable) shall be followed for collecting the urine specimen. The collection of the urine specimen will be accomplished without observation unless the person supervising the collection process suspects that the sample may be tampered with or may not be genuine.

#### **H. COMMUNICATION OF TEST RESULTS**

1. **Negative Test Results** – If the drug screening test result is negative, the laboratory will so advise the Designated Town Official. The applicant then is permitted to begin work. The laboratory will not refer negative results to the Town's Medical Review Officer ("MRO"), unless otherwise requested to do so.
2. **Adulterated or Unreadable Samples** – If a drug screening test cannot be accurately performed because a urine sample is not authentic, or has been adulterated, contaminated, or otherwise made impossible to analyze properly, the following procedures shall be used, unless otherwise dictated by applicable law:
  - (a) If a urine sample is obviously not authentic (such as when an applicant substitutes cold tap water for urine), the laboratory will so inform the Town. The Town then shall inform the applicant that the sample is not acceptable, and the offer of employment will be withdrawn.
  - (b) If the urine sample cannot be properly analyzed because of contamination or adulteration, the laboratory will so inform the Town. The Town then shall inform the applicant that the sample is not acceptable, and the offer of employment will be withdrawn.
  - (c) If the urine sample cannot be properly analyzed because of contamination or adulteration, the laboratory will so inform the Town. The Town then shall inform the applicant that he or she cannot be determined to be qualified for work and is requested to discuss the test with the MRO. The MRO will ask the applicant to provide an explanation for the contaminated or adulterated sample.

(i) If the MRO advises the Town that the applicant failed to provide a satisfactory explanation, the Town shall advise the applicant that the offer of employment has been withdrawn.

(ii) If the MRO advises the Town that the applicant provided a satisfactory explanation, the applicant will be permitted to repeat the drug screening test, in which a new urine sample will be collected and analyzed.

3. Positive Test Results – In the event a drug screening test is positive (positive drug test results must be confirmed by the laboratory using gas chromatography/mass spectrometry (GCMS)), the following procedures should be followed:

(a) The laboratory will inform the Town's MRO that the drug screening test is positive, and will convey such details of the test as the MRO deems necessary. The MRO will consult with the applicant to determine whether there is a satisfactory explanation for the positive test result.

(b) If a satisfactory explanation is provided, the MRO will advise the Town that the applicant's test was negative, and the applicant will be permitted to begin employment.

(c) If a satisfactory explanation is not provided, the MRO will so advise the Town. The Town will advise the applicant that the offer of employment has been withdrawn.

4. Confidentiality – Because of the sensitive nature of drug screening tests, extreme caution should be exercised to maintain the confidentiality of the results. No statement or any other information concerning an applicant's drug screening results should be made available to other members of management, except those having a need to know, not to friends and members of the applicant's family.

- **11-5 Employees:**

A. SCOPE AND APPLICATION OF SECTION V This Section V of this Policy applies only to actual employees of the Town. Its policies and procedures are effective immediately for all current employees, and for all former applicants once they have successfully completed the drug screening test of Section IV and started employment with the Town.

B. VOLUNTARY REFERRAL FOR COUNSELING AND/OR REHABILITATION

1. Policy – The Town recognizes and accepts that early treatment is the key to rehabilitation for substance abusers. Therefore, employees are encouraged to voluntarily request help. No employee will have job security jeopardized by such a good-faith request.
2. Posting – The Town shall post the name and telephone number of the Town's recommended rehabilitation and counseling service at a location where it may be seen by all employees.
3. Procedure for Volunteering for Assistance – An employee may volunteer for assistance either by requesting help from the Designated Town Official or a supervisor, or by contacting the company's recommended rehabilitation and counseling service. If an employee contacts a supervisor concerning a substance abuse problem, the supervisor shall assist the employee in setting up an appointment with the Designated Town Official or recommended counseling or rehabilitation service but should not attempt to diagnose the problem or counsel the employee.

#### C. PROHIBITIONS FOR ALL EMPLOYEES

1. Except as provided in paragraph 3 below, the possession use, distribution transfer, manufacture or sale of alcohol, illegal drugs, or legal drugs without a valid prescription on Town property, in a Town vehicle, or on Town time is specifically prohibited. An employee who violates this prohibition is subject to disciplinary action up to and including termination of employment. Any circumstances that indicate the violation of state, federal, or local laws may be reported to appropriate law enforcement officials, and the Town will cooperate in any criminal prosecutions.
2. Reporting for duty or working with drugs present in the body<sup>1</sup> or while affected by drugs or alcohol is prohibited and will be handled under disciplinary procedures or referral for counseling and/or rehabilitation, as management determines. This prohibition includes prescription drugs, unless the employee has a current legal prescription, a valid medical reason for using such prescription drug and is using such drug in the prescribed manner.
3. Employees are encouraged not to consume alcohol in business settings, such as business meals and functions attended by executives and sales personnel, especially when guests or customers of the Town are present. Employees are strongly discouraged from operating motor vehicles after consuming even a moderate amount of alcohol. Employees

who violate the provisions of this paragraph are subject to disciplinary action depending upon considerations such as the nature of the offense, their present job assignments, their records with the Town, and the possible adverse consequences upon the Town from their violations.

4. To ensure that employees can safely perform their jobs, the Town is also concerned with prescription or over-the-counter drugs which might have an impact on job performance. Employees using such drugs should notify their supervisors or department heads immediately upon reporting to work. Failure to do so may be considered a violation of this Policy and is cause for disciplinary action.” Drugs present in the body” means that the level of a drug found in an employee’s blood, urine or other body fluid exceeds those levels determined by the Company and its testing laboratory as a cut-off level for a positive test. “Affected” is not limited to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance, but may be established by a professional opinion, a scientifically valid test or by a lay person’s observation. The Town will not use this information in a matter that would violate the federal Americans with Disabilities Act. D. DRUG SCREENING CRITERIA The Town will consider an employee for a drug screening test under the following circumstances:

1. Accident or Incident If an employee is involved in an accident or incident which resulted in either personal injury or property damage and the employee received a traffic citation or other citation from law enforcement officers, that employee will be considered for testing. In addition, the factors which would be grounds for testing for evidence of substance abuse under Paragraph 3 below may be considered. Safety Sensitive Areas the Town may, in its sole discretion, classify certain jobs or work areas as “safety sensitive” and at any time administer drug testing to employees who work in such jobs or areas. “Safety sensitive” means those jobs and positions which involve a high degree of risk for injury to the employee or others, or property damage, if an accident occurs. Although management may determine in its discretion which jobs and work areas, if any, are classified as safety sensitive, employees are encouraged to suggest to their supervisors those jobs and areas which should be included in this category. The Town shall notify employees in safety sensitive jobs or areas of that determination in the following manner:

(i) The Designated Town Official or designee shall send a confidential written notice to all employees currently holding safety sensitive jobs or otherwise working in safety sensitive areas.

(ii) The notice should specify that their jobs or work areas have been determined to be safety sensitive and that their continued employment in those positions is contingent upon their completing unscheduled drug screening tests when requested to do so. An employee will not be required to sign a release of liability until requested to take a test. Drug tests of employees in safety sensitive jobs or areas may be conducted at any time by management, at its discretion. However, the method for selecting individual employees for testing shall be based upon neutral scientifically valid criteria, such as random selection.

2. Evidence of Substance Abuse the Town may also test employees on the basis of reasonable cause or suspicion that they are substance abusers or violating this Policy. While it is impossible to list every factor which might lead to a decision to test an employee, typical factors which may be considered include: - excessive absenteeism or tardiness; - unexplained significant deterioration in job performance; - significant change in personality (repeated abusive behavior, insolence, insubordination, etc.); - reliable reports from other employees; - unexplained absences from normal worksites; - unusual behavior which cannot be readily explained; - changes in appearance and demeanor; - excessive cravings for water or sweets; - reddened eyes or dilated pupils; - odor of alcohol or drugs; - slurred speech; and - difficulty in motor coordination.

3. Testing After Referral for Assistance An employee with a positive drug screening test who has been referred by the Town for counseling and/or rehabilitation under this Policy may be tested without cause and at any time for a period of two years after referral. Employees who volunteer that they have a drug abuse problem and seek counseling and/or rehabilitation under this Policy may also be tested without cause and at any time for a period of two years after referral or self-referral.

4. Employee Requests the Town may test an employee who specifically asks to take a test. The Town should consider the employee's motivation

for requesting a test, as well as the test's potential impact on other employees.

5. Federal or State Mandated Substance Abuse Testing If any Town employees are subject to federal or state mandated substance abuse testing, including but not limited to Department of Transportation ("DOT") regulations, such employees will be tested pursuant to such testing requirements notwithstanding this Substance Abuse Policy.

E. ALCOHOL SCREENING CRITERIA The Town will consider an employee for an alcohol screening test under the following circumstances and in the same manner as further described in Paragraph D above (Drug Screening Criteria): 1. Accident or Incident 2. Evidence of Substance Abuse 3. Employee Request

#### F. TESTING PROCEDURE

1. Before employees are asked to submit to a drug or alcohol screening test for post-accident or reasonable cause testing, the concurrence of the Designated Town Official or designee shall be obtained. The employee should be confronted in private with at least two members of management present. The employee shall be told that, in accordance with the Town's Substance Abuse Policy, he or she is being requested to submit to an alcohol or drug screening. Care should be taken to ensure that management states no conclusions as to whether the employee is a substance abuser. In the event an employee is injured, unconscious, or otherwise unable to sign a release of liability, the Designated Town Official or designee shall be consulted on the proper course of action. The person making the request shall complete the TESTING REQUEST FORM (APPENDIX B).

2. The CONSENT FOR DRUG AND/OR ALCOHOL SCREENING (APPENDIX A) shall be completed by each employee to be tested pursuant to any provision of this Policy. The employee shall then be referred to the Designated Town Official or designee, who will ensure that the appropriate examination or test is conducted.

3. Procedures established by the Town's designated testing laboratory and the Designated Town Official shall be followed for collecting sample body fluids. Testing for drugs shall normally consist of the analysis of an employee's urine, and testing for alcohol shall normally consist of the analysis of, by a trained operator, results obtained using an approved evidential breath testing device (EBT). Notwithstanding such testing procedures, where tests are governed by federal or state law, procedures



and requirements specified therein shall be followed. Urine specimens for laboratory analysis will be collected without observation unless the person supervising the collection suspects that the sample may be tampered with or may not be genuine.

4. The employee may be permitted to continue to work pending the results of the drug or alcohol screening test if, in the Town's sole discretion, the employee's return to work will not endanger the employee, fellow employees or members of the public, or cause any other problem relating to the Town's ability to manage its workplace. If management determines that an employee should not be permitted to return to work pending the results of the examination or test, he or she shall be suspended without pay until the results have been obtained.

5. If the employee refuses to cooperate or agree to the examination or drug or alcohol screening test, he or she shall be suspended pending final decision on disciplinary action, up to and including termination of employment.

6. The following special provisions apply to Town employees who work off Town property: Advance arrangement for administering a drug or alcohol screening test shall be made by supervisors of employees who work off Town property. The Designated Town Official shall approve all such arrangements. Supervisors should consider the working operations of each employee, and arrangements should be designed to avoid undue travel to testing locations. Any employee involved in a motor vehicle accident while on Town time or involving a Town vehicle, which results in the employee receiving a traffic citation or any other citation from a law enforcement officer or in property damage or personal injury, must immediately report the accident to the Designated Town Official unless medically unable to do so. The Town shall determine whether to require the employee to submit to a drug screening test pursuant to Paragraph E of this Section V or an alcohol screening test pursuant to Paragraph F of this document.

**G. TRANSPORTATION OF IMPAIRED EMPLOYEES** If the Town believes that an employee may be impaired by drugs or alcohol and appears to be unable to drive safely, the Town shall provide or arrange for transportation. If the employee refuses to accept such transportation, and insists upon driving, he or she should be strongly discouraged from doing so, but not forcibly restrained. If appropriate, the Town may take disciplinary action, up to and including termination of employment, against an employee who still insists upon operating a motor

vehicle. Finally, the employee should be advised that the Town will notify local law enforcement authorities if he or she still attempts to drive. If the employee does attempt to drive, the proper law enforcement agencies shall be notified immediately. All actions taken to persuade the employee not to drive shall be documented.

#### H. COMMUNICATION OF TEST RESULTS

1. Negative Test Results – In the event a drug screening test is negative, the laboratory will so advise the Designated Town Official, who will notify the employee of the test result. The laboratory will not refer negative results to the Town's Medical Review Officer ("MRO"), unless otherwise requested to do so. If an employee has been suspended pending the results of the drug screening test, the employee may, in the Town's sole discretion, be reinstated with back pay and benefits.
2. Adulterated or Unreadable Samples – A drug screening test which cannot be accurately performed because a urine sample is not authentic, or has been adulterated, contaminated, or otherwise made impossible to analyze properly, shall be considered evidence of an employee's failure to cooperate with the Town in administering this, Policy. (See Section IV H.2 for a description of such samples). The Medical Review Officer will discuss the test with the employee and request an explanation. If the employee provides a satisfactory explanation, a new drug or alcohol screening test may be performed in the Town's discretion. If the employee does not provide a satisfactory explanation, he or she is subject to disciplinary action up to and including termination of employment.
3. Positive Test Results – In the event a drug screening test is positive (positive drug test results must be confirmed by the laboratory using GCMS), the following procedures should be followed: (a) The laboratory will inform the Town's MRO that the drug screening test is positive and will convey such details of the test as the MRO deems necessary. The MRO will consult with the employee to determine whether there is a satisfactory explanation for the positive test result. (b) If a satisfactory explanation is provided, the MRO will advise the Town that the employee's test was negative, and the employee will be so informed and may be reinstated with back pay and benefits, as appropriate. (c) If a satisfactory explanation is not provided, the MRO will so advise the Designated Town Official, who shall meet with the employee with another member of management to advise the employee of the test results. The employee shall be requested to attend an assessment session at a counseling and rehabilitation center

designated by the Town. (d) If the employee agrees to a referral for counseling or rehabilitation, the employee shall sign the LAST CHANCE ASSISTANCE AGREEMENT (APPENDIX C).

**I. FAILURE OF AN EMPLOYEE TO COOPERATE** Employee compliance with the Town's Substance Abuse Policy is mandatory. Failure or refusal of any employee to fully cooperate and participate in the program, sign any required document, or submit to a drug or alcohol screening test will be grounds for termination of employment, unless a compelling, satisfactory reason is provided. Employees who continue employment while undergoing counseling or rehabilitation will be required to meet all established standards of conduct and job performance. Employees who have been referred for counseling or rehabilitation under this Policy shall be required to fully cooperate and participate in their rehabilitation and the recommendations of the program administrators. Employees who have been referred to counseling or rehabilitation may be required to undergo drug screening - 13 tests at any time for a period of up to two years. If the Town determines that an employee has failed to cooperate under the terms of this Substance Abuse Policy, the employee may be suspended without pay and be subject to further disciplinary action, up to and including termination.

**J. TIME OFF FOR COUNSELING/REHABILITATION AND RETURN TO WORK** Work time lost will be paid according to applicable benefit plans of the Town (such as vacation, sick leave, or personal day policies) to the extent available to the employee. Beyond such benefits, work time lost for counseling and rehabilitation will be without pay. An employee may return to work only after (i) he or she has been certified by the treatment facility as being free of substance abuse and fit to return to duty; and (ii) he or she has produced a clean urine sample which generates a negative test result. Work time lost will be paid according to applicable benefit plans, if any.

**K. MEDICAL BENEFITS FOR COUNSELING AND/OR REHABILITATION** Benefits are available as provided in the Town's medical insurance plan, depending on the medical diagnosis by the employee's physician in conjunction with the Town's benefit plans.

**L. EFFECT OF A POSITIVE TEST AFTER REFERRAL** After an employee has been referred for counseling or rehabilitation under this Substance Abuse Policy, the employee must promise to remain drug free. A subsequent positive drug test may result in termination of employment.

- **11-6 Severability and Effect:** If any part of the Policy is determined to be void or unenforceable under state or federal law, the remainder of the Policy will remain in full force and effect to the extent possible.
- **11-7 Reservations:** No part of the Policy, or any of its procedures, is intended to affect the Town's right to manage its workplace or to discipline its employees. Nor is it a guarantee of employment, continued employment, or of any terms or conditions of employment except as specifically provided herein. This Policy does not create an express or implied contract between the Town and any employee. Because it is impossible to anticipate every situation which may arise under this Policy, the Designated Town Official should be contacted to resolve any situation does not address herein. This contract should be made before action is initiated, if at all practicable. The Designated Town Official is responsible for the overall implementation of this Policy. - 14 The Town reserves the right to interpret, change, modify, amend, or rescind this Policy in whole or in part. Exceptions to this Policy may be granted in unusual or extenuating circumstances, but only with the concurrence of the Designated Town Official.
- **11-8 Confidentiality:** All information involving drug or alcohol tests, medical examinations, counseling, rehabilitation or treatment of an individual employee or applicant shall be treated as confidential. All such information will be accessible only to those Town officials and designated medical or professional persons as have been approved on a valid need to know basis. It will not be provided to any other party without the employee's written consent, except pursuant to administrative or legal procedure or process. Any employee who willfully discloses such information in violation of the Town policy will be subject to disciplinary action, up to and including termination.
- **11-9 Notification of Employees to Policy:** A summary of the Town's Substance Abuse Policy shall be made available to all employees.

- **11-10 Consent for Drug and/or Alcohol Screening:**

CONSENT FOR DRUG AND/OR ALCOHOL SCREENING

Name of Employee (Please Print)

---

Last

First

Middle

I understand that in accordance with the Town of Jonesville's policy of providing and maintaining a safe and healthful working environment for all employees, that I will submit to a drug or alcohol screen test. I hereby authorize the release of the results of the test to management of the Town of Jonesville and its designated medical or professional representatives. Nothing in this consent form is to be construed as a contract between the parties.

I HAVE READ THE FOREGOING CONSENT AND KNOW THE CONTENTS THEREOF AND SIGN THE SAME OF MY OWN FREE WILL.

---

Signature

---

Witness

---

Date

---

Date

- **11-11 Testing Request Form:**

This form is to be used to document the reasons for requesting that an employee be asked to submit to a drug or alcohol screen test. Only those questions which apply need to be answered. Additional pages, if necessary, should be attached along with any other relevant documents.

Employee's Name \_\_\_\_\_

Facility \_\_\_\_\_ Shift \_\_\_\_\_

A. Was There an Incident? Yes \_\_\_\_\_ No \_\_\_\_\_ 1.

Description of event \_\_\_\_\_  
\_\_\_\_\_

2. Time and Date \_\_\_\_\_

3. Extent of injury to persons or property \_\_\_\_\_  
\_\_\_\_\_

4. Employee's Actions \_\_\_\_\_  
\_\_\_\_\_

B. Is the Employee in a Safety Sensitive Position? Yes \_\_\_\_\_ No \_\_\_\_\_

C. Observation of Employee (date: \_\_\_\_\_ time: \_\_\_\_\_)

1. WALKING – • Falling • Holding On • Staggering • Stumbling • Swaying • Unable to Walk • Unsteady

2. STANDING – • Feet wide apart • Rigid • Sagging at knees • Staggering • Swaying • Unable to stand

3. SPEECH – • Mute • Incoherent • Rambling • Shouting • Silent • Slobbering • Slow • Slurred • Whispering

4. Demeanor – • Calm • Cooperative • Crying • Excited • Fighting • Polite • Sarcastic • Silent • Sleepy • Talkative

5. ACTIONS – • Calm • Drowsy • Erratic • Fighting • Hostile • Hyperactive • Profanity • Resisting communications • Threatening

6. EYES – • Bloodshot • Closed • Dilated • Droopy • Glassy • Watery  
7. FACE – • Flushed • Pale • Sweaty



8. APPEARANCES/CLOTHING – • Bodily excrement stains on clothing • Dirty • Unruly • Having Odor • Messy • Neat • Partially dressed

9. BREATH – • Alcoholic odor • Faint alcoholic odor • No alcoholic odor • Marijuana odor • Faint marijuana odor • No marijuana odor

10. MOVEMENTS – • Fumbling • Hyperactive • Jerky • Nervous • Normal • Slow

11. EATING/CHEWING – • Candy • Gum • Mints • Nothing • Other \_\_\_\_\_

**D. History**

1. To your knowledge, has the employee previously signed a Last Chance Agreement? Yes \_\_\_\_\_ No \_\_\_\_\_ Don't Know \_\_\_\_\_

2. If yes, when?

\_\_\_\_\_

**E. Attendance**

1. Number of Mondays or Fridays missed in the last two months

\_\_\_\_\_

2. Total absences in the last two months \_\_\_\_\_

3. Times tardy in last two months? \_\_\_\_\_

4. Times employee left early in last two months? \_\_\_\_\_

**F. Performance Level**

1. Has there been a recent change in the employee's level of performance? Yes \_\_\_\_\_ No \_\_\_\_\_

2. If yes, describe

\_\_\_\_\_

\_\_\_\_\_

**G. Other Observations**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

H. Other Factors

---

---

---

I. Other Witnesses

---

---

---

---

Signature Date \_\_\_\_\_

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

Approved: \_\_\_\_\_

Approved: \_\_\_\_\_

- **11-12 Last Chance Assistance Program:**

Name of Employee (Please Print):

---

Last

First

Middle

1. I voluntarily acknowledge that I have a drug and/or alcohol problem and I wish to avail myself of treatment through the Town's counseling and/or rehabilitation program. I agree to submit to a Town administered drug and/or alcohol screening prior to my referral to the program to assist in assessment and treatment of my problem.

2. I promise to fully cooperate and participate in the counseling and/or rehabilitation program in accordance with instructions and requirements of program administrators. I understand that any Town of Jonesville approved leave of absence to continue in a counseling or rehabilitation program may be reviewed on a weekly basis.

3. I authorize counseling or rehabilitation representatives to confer with Town officials regarding my attendance, progress and suitability for continued employment or return to active employment including the disclosure of medical/psychiatric evaluations and substance abuse testing of me.

4. I understand that as a pre-condition to my returning to work, I must test negative on a Town of Jonesville administered drug test. I also understand and agree that I will willingly submit to random, unannounced drug testing at any time after my return to work, and that if I test positive on any such test, or if I refuse to take a test as requested, I will be subject to immediate termination. I understand and agree that unannounced testing may be required of me for up to two years (24 months) following the date of the agreement.

5. If I have received treatment for drug abuse, I understand and agree that my future employment depends upon my remaining free of drug abuse for the entire duration of my continued employment, and that this "LAST CHANCE" opportunity afforded me by the Town is conditioned accordingly. I further understand and agree that nothing herein alters my right and the Town's right to terminate or modify my employment relationship at any time and for any reason. 6. If I have received treatment for alcohol abuse, I understand and agree that for the entire duration of my continued employment, I will not use alcohol in a manner that violates company policy. I further understand and agree that I will be held to the same attendance, performance, safety, behavioral, and other standards as every other employee of the Town of - 20 Jonesville, and if my alcohol use causes me

to violate those standards, I will be subject to discipline or discharge on the same basis as other employees who violate those standards for non-alcohol-related reasons. I further understand and agree that I may be tested for alcohol use based on reasonable cause; after an accident or incident which caused or reasonably could have caused personal injury or property damage in which my inaction or action was a contributing factor; or upon my request if the Town of Jonesville agrees. I further understand that nothing herein alters my rights and the Town of Jonesville's right to terminate or modify my employment relationship at any time and for any reason. 7. I understand that upon my continued active employment or return to active employment, I must meet all established standards of conduct and job performance required of any other employee.

APPROVED:

_____	_____
	Employee
_____	_____
Title	Date:
_____	
Date:	

## 12. SUPPLEMENTAL INFORMATION AND POLICIES

---

- **12-1 Subject:** Town Vehicle Assignment and Use of Town Vehicles and Personal Vehicles for Business Purposes
- **12-2 Purpose:** This policy establishes procedures regarding the assignment of Town vehicles, use of Town vehicles, and business use of private vehicles. This applies to all Town employees unless otherwise noted within the policy. This policy is also prepared according to the Federal Tax Act of 1985 and North Carolina G.S. 14-247, which establish procedures regarding reporting of income and withholding of taxes.
- **12-3 Definitions:** Assigned Vehicle: A Town-owned automobile or truck designated for the use of an individual employee in the normal performance of his/her duties but not authorized for take-home use.

Mileage Reimbursement: A per mile rate to compensate employees for the incidental, nonroutine, or extraordinary use of a privately owned vehicle for official business, based on actual logged miles.

Take-Home Vehicle: A Town-owned automobile or truck designated for the use of an individual employee in the normal performance of his/her duties including the commute from home to work.

Vehicle Expense Allowance: A monthly cash payment to compensate selected employees, as determined by the Town Council, who are required to regularly use a personal privately-owned vehicle in the regular performance of their job duties and in conducting Town business.

- **12-4 Vehicle Use:**
  1. Only Town employees or drivers on genuine Town business and authorized by a department director may drive or operate Town vehicles or equipment.
  2. Town-owned vehicles are to be used for official business only with reasonable consideration for use for meals, while performing business on behalf of the Town. For individuals assigned vehicles for overnight use, stopping between work and home to perform some minor personal business may be acceptable but any such use should be the exception rather than the rule, and only if the stop is directly in route from work to the employee's residence.

3. Town-owned vehicles are not assigned for, nor shall they be used for the convenience of the employee regarding transportation needs or other nonbusiness activities except as determined by the Town Manager with concurrence of the Town Council.

4. Alcoholic beverages or any illegal drugs are not permitted in city vehicles at any time. Law enforcement personnel or lab personnel as approved by proper police authority may transport lawfully confiscated alcoholic beverages or drugs.

- **12-5 Procedure:**

- I Take-Home Vehicles

- a. For an employee to be authorized for the take-home use of a Town-owned vehicle, the employee must possess a valid North Carolina's driver's license, maintain a safe driving history, and meet one of the following tests:

- Test 1: The employee is:

- (1) Subject to frequent after-hours emergency callback or other unscheduled work, and

- (2) Such unscheduled work involves the first response to a real or present threat to life or property requiring an immediate response, and

- (3) A specialized vehicle, tools, or equipment are required for the performance of emergency duties.

- Test 2: The employee is:

- (1) Subject to frequent after-hours callback, and

- (2) Such callback arrangements are to locations other than the employee's normal duty station, and

- (3) A special vehicle, tools or equipment are required to perform after-hours assignments, and

- (4) An unacceptable delay in the response would result from the employee's return to the normal duty station to retrieve the needed equipment.

- b. Assignments are not permanent. When priorities or circumstances have changed, vehicles should be reassigned. All take home vehicle assignments must be reviewed and evaluated by the Department Heads and Town Manager annually beginning July 1st. The following conditions



should be considered: • Requirements of the job. • Productivity. • Availability of Town vehicles. • Cost to the Town.

c. No personal use of take-home vehicles is permitted. For the purposes of this policy, the daily commute to and from the employee's work location and normal meal periods within on-duty hours are considered official use.

d. No passengers may be transported in take-home vehicles except as required for official duties or as approved by the Department Head and/or Town Manager.

e. Except as approved by the Town Manager, take-home vehicles may not be used for commuting travel outside the city limits.

f. Employees permitted to take a vehicle home (commute) from their workstation may do so for job-related reasons and not as a compensatory measure.

g. Vehicles so assigned are not intended to be perceived as personal property or interpreted as a salary supplement or fringe benefit. The commuting costs of the use of a Town vehicle may be a taxable fringe benefit cost to an employee. Any vehicle not specifically designated as exempt under the 1985 Tax Act (Attachment I), may result in a taxable fringe benefit to the employee.

h. The Town Manager or designee is responsible to compute the commuting cost of any non-exempt vehicle taken home by an employee and reporting this taxable benefit on the employees form W-2 at the end of each calendar year. The Town will only deduct FICA taxes on the cost of this benefit. No Federal or State Income taxes will be deducted by the Town, the payment of these taxes will be the responsibility of the employee, when his or her personal income tax return is filed. The gross cost of this benefit is not subject to state retirement deductions.

II. Mileage Reimbursement; The Department Head and/or Town Manager may authorize mileage reimbursement for an employee who must utilize his/her personal vehicle to conduct Town business and who receives no other form of allowance, except as otherwise provided within this policy.

a. Commuting mileage to respond to an after-hours call-back or unscheduled return to work is considered as official Town business.

b. Claims for mileage reimbursement shall be made in accordance with current Travel Expense Reimbursement procedures.

c. The standard rate of mileage reimbursement shall be in accordance with the Town's mileage reimbursement rate.

III. Vehicle Expense Allowance For an employee to be authorized to receive a Vehicle Expense Allowance, one of the following tests must be met:

Test 1: The employee

- (1) Is on 24-hour call, and
- (2) Is frequently required to work outside of normal business hours or respond to afterhours emergencies, and
- (3) Does not require a specialized vehicle, tools, or equipment, and
- (4) Is not assigned a take-home vehicle.

Test 2: The employee

- (1) Requires regular, frequent, and extensive vehicle usage to perform regular job duties during normal business hours, and
- (2) Is not regularly assigned use of a Town-owned vehicle.
  - a. The dollar amount of the Vehicle Expense Allowance shall be established and reviewed annually through the budget process. Allowance amounts are to be determined based on the nature and extent of vehicle utilization required for official business.
  - b. The Town Council shall review and approve all Vehicle Expense Allowances. The Town Manager is responsible for acting upon any change in duty assignment that would alter an employee's eligibility to receive or to discontinue receiving the Vehicle Expense Allowance.
  - c. All costs of personal vehicle ownership, operation, and maintenance will be the responsibility of the employee.
  - d. Employees authorized to receive the Vehicle Expense Allowances must possess a valid North Carolina driver's license, a current state inspection, a current vehicle registration, must have insurance of a type and level required by State law, and must maintain a safe driving history.
  - e. The vehicle shall be appropriate for Town business, consistent with the duties and responsibilities of the employee.

f. Except for infrequent incidences necessitated for personal vehicle maintenance or nontypical use of personal vehicle for business purposes, employees receiving the Vehicle Expense Allowance shall not normally be permitted use of Town-owned vehicles for business travel within the town limits and contiguous counties. g. For travel extending beyond a 30-mile (one way) radius from Town offices, the employee may (at his/her option) either

(1) request per mile reimbursement for the entire trip at the Town's established mileage reimbursement rate or

(2) request use of a Town-owned vehicle, if available.

- **12-6 Driver Responsibilities/Requirements:**

a. Each driver of any Town owned vehicle must have a valid North Carolina drivers/operator's license. Should an employee who drives a Town owned vehicle be involved in an incident, on or off the job, where their license is suspended or revoked, the employee is obligated to inform their immediate supervisor and the Town Manager within 24 hours of the incident. Failure to inform the Town of a suspended or revoked license may result in immediate dismissal.

b. Town employees, who drive vehicles weighing more than 26,000 pounds or a vehicle carrying sixteen (16) or more passengers, must have a valid Commercial Class B license with a passenger endorsement. Town employees who drive vehicles with a trailer must have a valid Commercial Class A license if required by law.

c. Employees authorized to drive or assigned a Town owned vehicle are subject to an annual review of their motor vehicle driving record with the State of North Carolina. Those employees found to be of a high risk or who have failed to report violations and/or accidents to the Town will have their vehicle privileges revoked, thus; resulting in dismissal for employees in positions where vehicular transportation is deemed an essential job function.

d. Employees are responsible for any vehicle or equipment assigned to them such as reporting unsafe operations or working conditions via a "Vehicle Repair Request" form available in each department or from Town Offices (see sample form attached).

e. Employees shall allow sufficient time to reach destinations without violating speed limits or traffic laws. Employees must know and abide by all driving laws in all areas where they operate Town vehicles and shall always drive defensively.

f. It is mandatory that all occupants of a Town vehicle, always use seat belts, without exception. The driver of the vehicle is responsible for enforcing belt

usage by all occupants and shall report any failure to comply with employee's supervisor.

g. The Town will not pay traffic tickets or parking fines of employees driving Town owned vehicles, nor will the Town pay if the employee is authorized to use their personal vehicle on Town business. Employees found guilty of moving violations may be subject to disciplinary action.

h. An employee receiving a moving violation while driving a Town vehicle has an obligation to immediately inform their Department Director.

- **12-7 Maintenance of Vehicle:**

a. Employees with assigned Town-owned vehicles are responsible for regular inspections of their vehicles. Scheduling of routine maintenance and repairs is the responsibility of the employee to whom the vehicle is assigned.

b. Individual departments are responsible for monthly inspections of unassigned vehicles and scheduling of routine maintenance and repairs.

c. An authorized dealer must perform warranted repairs.

d. No alterations may be made to Town-owned vehicles without prior written approval by the Town Manager.

e. No bumper stickers, other than Town approved stickers, may be placed on the vehicles.

f. Each department is responsible for maintaining accurate and complete maintenance history files for each assigned vehicle. It is the responsibility of the employee with assigned vehicles and the department for unassigned vehicles to provide the Finance Department with receipts for maintenance.

- **12-8 Accident Procedures:** Regardless of the situation, the following procedure **MUST** be followed in the event of an accident while in a Town owned vehicle:

1. Immediate notification of the proper law enforcement agency for accident investigation and report. Employee should take pictures of the accident site to document the type and extent of damage to all vehicles involved, as may be possible and prudent.

2. Immediate notification of the employee's supervisor or department head.

3. Prepare a Town Vehicle Accident report (see sample form attached). This report along with one copy of the law enforcement report should be submitted to the Town Manager.

4. If necessary, an injury report must be completed and submitted to the Town Manager soon as possible to file a workers' compensation claim within 24 hours of the accident.

5. Securing accident repair estimates and approval of actual repair work is the responsibility of the employee's department with assistance from the Town Manager.

6. Post-Accident Substance Abuse Testing In accordance with the Town's Substance Abuse Policy, an employee who is involved in an accident or incident, in which there is, or reasonably could have been personal injury or property damage will be considered for testing. Not every incident or injury may result in a test. Reasonable determination that action or inaction of the employee contributed to the incident or accident shall be made prior to a request for testing.

**Accident Report Form**

Complete only those sections that apply to you. Report should be completed and turned in same day as accident. EMPLOYEE: Complete and turn in to supervisor immediately.

1. Name: \_\_\_\_\_

Department \_\_\_\_\_

2. Date & Time of Accident:

\_\_\_\_\_

3. Vehicle #: \_\_\_\_\_

4. Location of Accident (Street, City):

\_\_\_\_\_

5. Number of Persons Injured and Extent of Injury:

\_\_\_\_\_

6. Description of accident (State in detail what occurred just before, and at the time of the accident):

\_\_\_\_\_

7. Describe any unsafe conditions (faulty brakes, lights, etc.) that contributed to the accident:

\_\_\_\_\_

Print Name:

\_\_\_\_\_

I certify that to the best of my knowledge the information stated above is truthful.

\_\_\_\_\_

Employee Signature

\_\_\_\_\_

Date

*SUPERVISOR: Complete and turn in to Town Manager. Attach a copy of Police Report and/or EMS Report if called.*

Current Status of Injured:

---

Extent of damage to vehicle(s) or property:

---

Action taken to prevent future accidents:

---

Disciplinary Action (if any):

---

---

Town Manager

---

Date



## HUMAN RESOURCES PERSONNEL FILE COPY

Sign and date this receipt and **RETURN** to Human Resources

I acknowledge that I have received a copy of the Town of Jonesville Employee Handbook. I agree that I have read it thoroughly, and I agree that if there is any policy, provision, or benefit I do not understand, I will seek clarification from my department director. I understand and agree that my employment with the Town of Jonesville is on an at-will basis, and as such I have no employment contract with the Town, and I or the Town may terminate my employment at any time without prior notice. Nothing in the handbook creates an employment contract between with the Town. No one other than the Town Manager may make promises or assurances, whether oral or in writing, express or implied, that is contrary to the limitations explained in this paragraph, and any promise, assurance, or purported contract shall be invalid unless agreed to by the Town Manager.

This handbook contains employment rules, policies, and procedures that are based on federal, state, and local laws which may change. Therefore, the Town may change its rules, policies, and procedures when the law requires it.

I acknowledge that I have read and understand the Harassment Free Workplace provision, and I agree to abide by its terms. I agree that if I fail to return Town equipment or supplies when my employment ends, the Town may deduct the costs of Town equipment from my final paycheck.

Benefit plan descriptions contained in this handbook are not employee benefit plan documents. If there is an inconsistency between the information in this handbook and any applicable employee benefit plan, the provisions in the employee benefit plan will supersede this handbook.

THIS EMPLOYEE HANDBOOK SUPERSEDES ANY PRIOR PERSONNEL POLICY PREVIOUSLY ISSUED BY THE TOWN OF JONESVILLE.

---

Signature

---

Date