

Town of Bridgeton, North Carolina

EMPLOYEE POLICY AND PROCEDURES MANUAL

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Whistleblower Policy (Section 3.28) Adopted April 14, 2015

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Update: Definition of Full & Part-Time Personnel Page 6
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SECTION 1

INTRODUCTION

This Manual is designed to acquaint you with the policies and procedures of the Town of Bridgeton, North Carolina and provide you with information about working conditions, benefits, and policies affecting your employment.

It is the purpose of this policy and the rules and regulations set forth herein to establish a fair and uniform system of personnel administration for all employees of the Town of Bridgeton. This policy is established under Authority of Chapter 160A, Article 7, of the General Statutes of North Carolina.

The information contained in this Manual applies to all employees of the Town of Bridgeton. Following the policies described in this Manual is considered a condition of continued employment. However, no provision or portion of this Manual constitutes an implied or express contract, guarantee, or assurance of employment or any right to an employment-related benefit or procedure. The contents of this Manual shall not constitute nor be construed as a promise of employment or as a contract between the Town of Bridgeton and any of its employees. The Manual is a summary of our policies, which are presented here only as a matter of information.

You are responsible for reading, understanding, and complying with the provisions of this Manual. Our objective is to provide you with a work environment that is constructive to both personal and professional growth.

1.1 CHANGES IN POLICY

This Manual supersedes all previous employee manuals and memos that may have been issued from time to time on subjects covered in this Manual.

The Town reserves the right to change, modify, eliminate, or deviate from any policy or procedure in this Manual at any time and to hire, transfer, promote, discipline, terminate, and otherwise manage its employees as it deems appropriate. The Town of Bridgeton will notify all employees of these changes. Changes will be effective on the dates determined by the Town of Bridgeton, and after those dates all superseded policies will be null.

1.2 EMPLOYMENT APPLICATIONS

The Town of Bridgeton relies upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

1.3 AT WILL EMPLOYMENT

Unless otherwise provided by statute or ordinance, all employees shall serve on an **AT WILL** basis. These employees may leave the Town of Bridgeton's service at any time and any employee can be terminated at any time, with or without stated cause or notice. No person or group or persons other than the Board of Commissioners acting as a whole has the authority to grant any contractual rights of employment or to enter into any binding agreement with an officer or employee regarding his or her employment. No course of conduct or action by any person or group of persons, and nothing in these policies modifies the **AT WILL** nature of an employee's employment with the Town of Bridgeton. Employees are not granted property interest in Town employment.

1.4 RESPONSIBILITIES OF THE BOARD OF COMMISSIONERS

The Board of Commissioners shall be responsible for establishing and approving policies, establishing Boards when required, and may change the policies and benefits as necessary. The Board of Commissioners also shall make and confirm appointments when so specified by North Carolina law. They shall approve all rules and revisions to the personnel system.

1.5 RESPONSIBILITIES OF THE MAYOR

The Mayor shall be responsible to the Board of Commissioners for the administration of the Personnel Program and shall appoint a Personnel Officer who shall assist in the preparation and maintenance of the aforementioned program and perform other such duties in this area as the Mayor and Board of Commissioners may so direct.

1.6 APPLICATION OF POLICIES, PLANS, RULES AND REGULATIONS

The personnel policy and all rules and regulations adopted pursuant thereto shall be binding on all Town of Bridgeton employees. The Town Attorney, Mayor, Town Commissioners, Advisory Boards and Commissions will be exempted except in sections where specifically included.

An employee violating any of the provisions of this policy shall be subject to appropriate disciplinary action, as well as prosecution under any civil or criminal laws which have been violated.

1.7 DEPARTMENTAL RULES AND REGULATIONS

Due to the particular personnel and operational requirements of various departments of the Town of Bridgeton, each department is authorized to establish supplemental written rules and regulations applicable only to the personnel of that department. All such rules and regulations shall be subject to the approval of the Board of Commissioners and shall not in any manner conflict with the provisions of this Policy, but shall be considered as a supplement thereto.

SECTION 2

DEFINITIONS OF EMPLOYEES STATUS

EMPLOYEES DEFINED

An "Employee" of the Town of Bridgeton is a person who regularly works for the Town of Bridgeton on a wage or salary basis. Employees may include exempt, non-exempt, full-time, part-time and temporary persons and others employed with the Town who are subject to the control and direction of the Town in the performance of their duties.

EXEMPT – Employees whose positions meet specific criteria established by the Fair Labor Standards Act (FLSA) and who are exempt from overtime pay requirements.

NON-EXEMPT – Employees whose positions do not meet the definition of exempt employees under FLSA are paid one and one-half their regular rate of pay or shall receive compensatory time for hours worked in excess of the FLSA established limit (usually 40 hours per week or 171 hours in a 28-day cycle for sworn law enforcement personnel).

FULL-TIME EMPLOYEE- Employees who have completed the six month probationary period and who are in a position for which an average work week equals at least 32 hours or employees who are in a position for which they are required to work over 1664 hours in a year. Generally, they are eligible to the Town's benefit package, subject to the terms, conditions and limitations of each benefit program.

PART-TIME EMPLOYEE – Employees who have completed the six month probationary period and who are in a position for which an average work week equals less than 32 hours or employees who are in a position for which they are required to work less than 1664 hours per year. These employees are not eligible for any of the Town's benefit programs.

TEMPORARY EMPLOYEE – A position in which the duties and responsibilities are required to be attended for a specific and/or short per of time, normally not to exceed twelve (12) months, or for a specific project or assignment. These employees are not eligible for any of the Town's benefit programs.

Updated in Bridgeton BOC meeting 04/09/2024.

SECTION 3

EMPLOYMENT POLICIES

3.1 NON-DISCRIMINATION

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Town of Bridgeton will be based on merit, qualifications, and abilities. The Town of Bridgeton does not discriminate in employment opportunities or practices because of race, color, religion, sex, national origin, age, disability, citizenship status, veteran status, ancestry, creed, genetic background, political affiliation or marital status.

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

Employees with questions or concerns about discrimination in the workplace are encouraged to bring these issues to the attention of their supervisor. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in unlawful discrimination will be subject to disciplinary action, including termination of employment.

3.2 NEW EMPLOYEE ORIENTATION

The new employee will be given an overview of benefits and complete any necessary paperwork.

Employees are presented with all codes, keys, and procedures needed to navigate within the workplace. The new employee's supervisor then introduces the new hire to staff throughout the Town, reviews their job description and scope of position, explains the Town's evaluation procedures, and helps the new employee get started on specific functions.

3.3 PROBATIONARY PERIOD FOR NEW EMPLOYEES

The probationary period for regular full-time and regular part-time employees is six months from date of hire, except that sworn police personnel shall serve a twelve month probationary period. During this time, employees have the opportunity to evaluate the Town of Bridgeton as a place to work and the Board of Commissioners and your supervisor has its first opportunity to evaluate the employee. Both during and after this introductory period, both the employee and the Town of Bridgeton have the right to terminate employment at any time, for any reason and without advance notice.

Upon satisfactory completion of the probationary period, a six month review will be given and employees will be eligible to receive benefits as outlined under

Section 6 of this Manual. All employees, regardless of classification or length of service, are expected to meet and maintain the Town of Bridgeton standards for job performance and behavior.

3.4 WORK SCHEDULE

The Town of Bridgeton has different hours for different departments. Supervisors shall establish work schedules with the approval of the Board of Commissioners which meet the operational needs of the department in the most cost effective manner.

Town Hall is open for business from 9:00 a.m. until 5:00 p.m., Monday through Friday, except for Holidays. Your supervisor will tell you what your normal work hours and work week will be.

In the computation of various employee benefits, the employee workweek is considered to begin on Sunday (starting at 12:01 a.m.) through Saturday (ending at 12:00 a.m.), unless a supervisor makes prior other arrangement with the employee.

3.5 LUNCH PERIODS

Employees working at Town Hall are allowed a one-hour lunch break. Lunch breaks generally are taken between the hours of 11 a.m. and 2:00 p.m. on a staggered schedule so that your absence does not create a problem for co-workers or the public. Other department lunch hours will be set by the supervisor.

3.6 POLITICAL ACTIVITY

Each employee has a civic responsibility to support good government by every means available and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and the laws of the State of North Carolina, however, no employee shall:

- a.) Engage in any political or partisan activity while on duty;
- b.) Use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- c.) Be required as a duty of employment or as a condition of employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- d.) Coerce or compel contributions from another employee of the Town of Bridgeton for political or partisan purposes;
- e.) Use any supplies or equipment of the Town of Bridgeton for political or partisan purposes; or
- f.) Be a candidate for nomination or election to office under the Town Charter.

3.7 PERSONNEL RECORDS AND REPORTS

Public Information

An employee's personnel file consists of any information in any form gathered by the city with respect to that employee and, by way of illustration but not limitation, relating to his application, selection or nonselection, performance, promotions, demotions, transfers, suspension and other disciplinary actions, evaluation forms, leave, salary, and termination of employment.

Personnel files are the property of the Town of Bridgeton, and access to the information contained therein may be restricted pursuant to North Carolina law. Access to employee personnel files by the Mayor, Commissioners and supervisory personnel shall be permitted as provided below. You do need to be aware that, based on State Statutes mentioned below, certain portions of an employee's personnel file are deemed to be a public record.

In compliance with G.S. 160A-168(b), the following information with respect to each Town of Bridgeton employee is a matter of public record: name, age, date of original employment or appointment to the service, terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the Town has the written contract or a record of the oral contract in it's possession, current position, title, current salary, date and amount of each increase or decrease in salary, date and type of each promotion, demotion, transfer, suspension, separation, or other change in position and classification, date and general description of the reasons for each promotion, date and type of each dismissal, suspension, or demotion for disciplinary reasons. If the disciplinary action was a dismissal, a copy of the written notice of the final decision setting forth the specific acts or omissions that are the basis of the dismissal, and the office to which the employee is currently assigned.

Access to Confidential Records

All information contained in a Town of Bridgeton employee's personnel file, other than the information mentioned above, is confidential and shall be open to inspection only in the following instances:

- 1) The employee or his/her duly authorized agent may examine all portions of his/her personnel file except letters of reference solicited prior to employment, and any information concerning a medical disability, mental or physical, that a prudent physician would not divulge to the patient.
- 2) A licensed physician designated in writing by the employee may examine the employee's medical records.
- 3) The Board of Commissioners and a Town employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- 4) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file, as may be ordered by the court.

- 5) An official of an agency of the State or Federal Government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the Board of Commissioners to be necessary and essential to the pursuit of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee, or for the purpose of assisting in an investigation of the employee's tax liability, however, the official having custody of the personnel records **may** release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.
- 6) An employee may sign a written release to be placed in his/her personnel file that permits the record custodian to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.
- 7) The Board of Commissioners may inform any person of the employment, non-employment, promotion, demotion, suspension, or other disciplinary action, reinstatement, transfer, or termination of a Town of Bridgeton employee, and the reason for that action. Before releasing that information, the Board of Commissioners shall determine in writing that the release is essential in maintaining the level and quality of Town of Bridgeton services. The written documentation shall be retained in the Town Clerk's office, is a record for public inspection, and shall become a part of the employee's personnel file.

Limitation on Employee Access

Even if considered part of an employee's personnel file, the following information need not be disclosed to an employee nor to any other person:

- 1) Testing or examination material used solely to determine individual qualifications for appointment, employment, or promotion in the city's service, when disclosure would compromise the objectivity or the fairness of the testing or examination process.
- 2) Investigative reports or memoranda and other information concerning the investigation of possible criminal actions of an employee, until the investigation is completed and no criminal action taken, or until the criminal action is concluded.
- 3) Information that might identify an undercover law enforcement officer or a law enforcement informer.
- 4) Notes, preliminary drafts and internal communications concerning an employee. In the event such materials are used for any official personnel decision, then the employee or his duly authorized agent shall have a right to inspect such materials.

Personnel Actions

The Town Clerk will maintain necessary forms and reports for all personnel actions and will retain records necessary for the proper administration of the personnel system.

Records of Former Employees

The provisions for access to records apply to former employees as they apply to present employees.

Remedies of Employees Objecting to Material in File

An employee who objects to material in his/her file may place a statement in the file relating to the material considered to be inaccurate or misleading. The employee may seek removal of such material in accordance with established grievance procedures.

Penalties for Permitting Access to Confidential Records

Section 160A-168 of the General Statutes of North Carolina provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee personnel file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction shall be fined in an amount consistent with the General Statutes.

Examining and/or Copying Confidential material without Authorization

Section 160A-168 of the General Statutes of North Carolina provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine it in its official filing place, remove or copy a portion of a confidential personnel file, shall be guilty of a misdemeanor and upon conviction shall be fined in an amount consistent with the General Statutes.

Destruction of Records Regulated

No person may destroy, sell, loan, or otherwise dispose of any public record, without the consent of the State Department of Cultural Resources, except in accordance with North Carolina General Statute Sections 130A-99 and 121-5. Who-so-ever unlawfully removes a public record from the office where it is usually kept, or who-so-ever alters, defaces, mutilates or destroys it will be guilty of a misdemeanor and upon conviction will be fined in the discretion of the court.

Official Personnel Files

The official personnel files for the Town of Bridgeton shall be kept in the Town Clerk's office. Any performance evaluation, written warning, suspension, promotion, transfer, pay increase, dismissal, or other employment action is not considered official unless a copy is in the official personnel file. Supervisors may keep performance notes, copies of personnel actions, and other materials in their files. The Police Department shall keep all NCIC background investigations information resulting from internal and complaint investigations. Such records

kept in the Police Department are considered part of the official personnel file, however, records of all official personnel actions shall be kept in the central file.

3.8 PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify their supervisor of any changes in personnel data such as:

- Mailing address,
- Telephone numbers,
- Name and number of dependents, and
- Individuals to be contacted in the event of an emergency.

An employee's personnel data should be accurate and current at all times.

3.9 INCLEMENT WEATHER/EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fires, or power failures can disrupt the Town of Bridgeton operations. The decision to close Town Hall or suspend operations in other departments will be made by the Mayor or his designated representative.

When the decision is made to close Town Hall or your department, employees will receive official notification from their supervisors.

Time off from scheduled work due to emergency closings will be unpaid for all non-exempt employees. However, if employees would like to be paid, they are permitted to use vacation time if it is available to them.

3.10 EMPLOYEE PERFORMANCE REVIEW AND PLANNING SESSIONS

Supervisors will conduct performance reviews and planning sessions with all regular full-time and regular part-time employees after six months of service. Supervisors may conduct informal performance reviews and planning sessions more often if they choose.

Performance reviews and planning sessions are designed for the supervisor and the employee to discuss his/her current job tasks, encourage and recognize attributes, and discuss positive, purposeful approaches for meeting work-related goals. Together, employee and supervisor discuss ways in which the employee can accomplish goals or learn new skills. The planning sessions are designed for the employee and his/her supervisor to make and agree on new goals, skills, and areas for improvement.

The Town of Bridgeton directly links wage and salary increases with performance. Your performance review and planning sessions will have a direct effect on any changes in your compensation. For this reason, among others, it is important to prepare for these reviews carefully, and participate in them fully.

New employees will be reviewed at the end of their probationary periods. After the initial review, the employee will be reviewed according to the regular annual schedule.

3.11 OUTSIDE EMPLOYMENT/TEMPORARY DUAL EMPLOYMENT

Outside Employment

The work of the Town of Bridgeton shall have precedence over other occupational interests of the employees. All outside employment for salaries, wages, or commissions and all self-employment must be reported in advance to the employee's supervisor, who in turn, will report it to the Board of Commissioners. The Board of Commissioners will review such employment for possible conflict of interest and then submit a record of the employment and review for insertion into the employee's personnel file. Conflicting or unreported outside employment are grounds for disciplinary action up to and including dismissal.

Temporary Dual Employment

A full or part-time employee of the Town of Bridgeton may simultaneously hold another position with the Town if the second position is temporary and in a different department and/or clearly different program area from that of the full or part-time position. The work of the full or part-time position shall take precedence over the temporary position, and such work will not count toward the calculation of overtime for pay or time off.

3.12 EMPLOYMENT OF RELATIVES

- a.) The Town of Bridgeton prohibits the employment of any person who is an immediate family member of an individual holding any of the following positions: Mayor, Mayor Pro Tempore, Board of Commissioners, Town Clerk, or Town Attorney.
- b.) The Town of Bridgeton prohibits the employment of any person who is an immediate family member of the spouse of an individual holding any of the following positions: Mayor, Mayor Pro Tempore, Board of Commissioners, Town Clerk, or Town Attorney.
- c.) In the event that a person related within 4 degrees of kinship to any individual holding the above referenced positions applies for employment, but is not otherwise prohibited from employment under Paragraphs a.) or b.) above, the Town of Bridgeton will consider employing such person, provided that employment does not:
 - 1.) Result in a relative supervising the work of another relative;
 - 2.) Result in a relative auditing the work of another relative;
 - 3.) Create a conflict of interest with either relative and the Town of Bridgeton; or
 - 4.) Create the potential or perception of favoritism.
- d.) Should an immediate family member of an employee be elected or appointed to any of the above referenced positions, said employee must terminate his or her employment.

- e.) The provisions of Paragraphs a.), b.), and c.) may be waived if employment of such a person is in the best interests of the Town of Bridgeton, and is approved by a unanimous vote of the Board of Commissioners.
- f.) For purposes of this section, the phrase "immediate family" shall include spouse, child, parent or step-parent, brother, sister, grand-parent, grand-child, son-in-law or daughter-in-law.

3.13 INTEREST OF EMPLOYEES IN CONTRACTS

No employee shall have a pecuniary interest, either direct or indirect, in any contract or undertaking made or entered into by the Town of Bridgeton, nor in any matter where the rights and liabilities of the Town of Bridgeton are, or may be, involved.

3.14 ACCEPTANCE OF GIFTS AND FAVORS

No official or employee of the Town of Bridgeton shall accept any gift, favor, or thing of value that may tend to influence such official or employee in the discharge of their duties, or grant in the discharge of duty and improper service or thing of value.

3.15 REQUEST WRITTEN STATEMENTS FROM EMPLOYEES

No supervisor or any Town of Bridgeton official may request of an employee any written statement, letter, or other written document if the same involves a personal matter, disagreement or grievance unless the Mayor, a member of the Board of Commissioners or the Board of Commissioners is acting in an official capacity.

3.16 SEPARATION, RESIGNATION AND REHIRING

Types of Separation

All separations of employees from positions in the service of the Town of Bridgeton shall be designated as one of the following types and shall be accomplished in the manner indicated: Resignation, Reduction in Force, Disability, Voluntary Retirement, Dismissal, or Death.

Resignation

An employee may resign by submitting the reasons for resignation and the effective date in writing to the immediate supervisor as far in advance as possible. In all instances, the minimum notice requirement is two weeks. Failure to provide minimum notice shall result in forfeiture of payment for accumulated annual leave unless the notice is waived upon recommendation of the supervisor and approval of the Board of Commissioners.

Disability

The Town is committed to hiring and retaining the most qualified individuals, without regard to disability. An employee's request for an accommodation due

to a disability should be supported by competent medical certification. The Town may require an examination, at the Town's expense, to be performed by a physician of the Town's choice. An employee may be separated for disability when, even with a reasonable accommodation, the employee cannot perform the essential duties required by a job because of a physical or mental disability. However, before an employee is separated for disability, a reasonable effort shall be made to accommodate the employee with regard to performing essential job duties, including attempting to locate alternative positions within the Town's service for which the employee may be suited.

Voluntary Retirement

An employee who meets the conditions set forth under the provision of the North Carolina Local Government Employee's Retirement System may elect to retire and receive benefits earned under the retirement plan.

Dismissal

An employee may be dismissed in accordance with the provisions and procedures of Article 3.17.

Death

Separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the employee.

Rehiring

An employee who resigns while in good standing may be rehired and may be regarded as a new employee, subject to the provisions of this Manual. An employee in good standing who is separated due to a Reduction in Force shall be given the first opportunity to be hired in the same or a similar position.

3.17 UNSATISFACTORY JOB PERFORMANCE AND DETRIMENTAL PERSONAL CONDUCT

Disciplinary Action for Unsatisfactory Job Performance and Detrimental Personal Conduct

A regular employee may be placed on disciplinary suspension, demoted, or dismissed for unsatisfactory job performance, if after following the procedures outlined below, the employee's performance is still deemed to be unsatisfactory. All disciplinary suspensions, demotions, or dismissals shall be conducted by the primary supervisor with the consent of the Board of Commissioners prior to giving final notice to the employee. Notwithstanding the disciplinary procedures outlined herein, the Town reserves the right to deviate from said procedures and to transfer, promote, discipline, terminate, and otherwise manage its employees as it deems appropriate.

Unsatisfactory Job Performance Defined

Unsatisfactory job performance includes any aspects of the employee's job which are not performed as required to meet the standards set by the Board of Commissioners.

Examples of unsatisfactory job performance include, but are not limited to, the following:

1. Demonstrated inefficiency, negligence, or incompetence in the performance of duties;
2. Careless, negligent or improper use of Town property or equipment;
3. Physical or mental incapacity to perform duties;
4. Discourteous treatment of the public or other employees;
5. Absence without approved leave;
6. Improper use of leave privileges;
7. Failure to report to duty at the assigned time and place;
8. Failure to follow the chain of command when addressing work-related concerns and issues;
9. Failure to complete work within time frames established in work plan or work standards; or
10. Failure to meet work standards over a period of time.

Communications and Warning Procedures Preceding Disciplinary Action for Unsatisfactory Job Performance

When an employee's job performance is unsatisfactory, or when incidents or inappropriate actions warrant, the supervisor should meet with the employee as soon as possible in one or more counseling sessions to discuss specific performance problems. A brief summary of these counseling sessions should be noted in the employee's file by the supervisor. An employee whose job performance is unsatisfactory over a period of time should normally receive at least two warnings from the supervisor before disciplinary action resulting in dismissal is taken. In each case, the supervisor should record the dates of discussions with the employee, the performance deficiencies discussed, the corrective actions recommended, and the time limits set. If the employee's performance continues to be unsatisfactory, then the supervisor should use the following steps:

1. A final written warning from the supervisor, with a copy to the Board of Commissioners, providing notice to the employee that corrected performance must take place immediately in order to avoid suspension, demotion, or dismissal.
2. If performance does not improve, the supervisor may make a decision and suspend the employee for up to three days. The supervisor may also demote or dismiss the employee with the consent of the Board of Commissioners.

Disciplinary Action for Detrimental Personal Conduct

An employee may be placed in disciplinary suspension, demoted, or dismissed without prior warning for causes relating to personal conduct detrimental to Town service in order to: 1) Avoid undue disruption of work; 2) To protect the safety of persons or property; or 3) For other causes determined by the Town consistent with the definition Detrimental Personal Conduct. Supervisors may

suspend employees with the approval of the Board of Commissioners for up to three (3) days without prior approval. Employees may be demoted or dismissed with the approval of the Board of Commissioners.

Detrimental Personal Conduct Defined

Detrimental Personal Conduct includes behavior of such a serious detrimental nature that the functioning of the Town may be or has been impaired; the safety of persons or property may be or has been threatened; or the laws of any government may be or have been violated.

Examples of detrimental personal conduct include, but are not limited to, the following:

- 1) Fraud or theft;
- 2) Commission of a felony; commission of a misdemeanor that renders the employee incapable of fulfilling job requirements;
- 3) Falsification of records for personal profit, to grant special privileges, or to obtain employment;
- 4) Willful misuse or gross negligence in the handling of Town funds or property;
- 5) Willful or wanton damage or destruction to property;
- 6) Engaging in incompatible employment or servicing a conflicting interest;
- 7) Request or acceptance of gifts in exchange for favors or influence;
- 8) Reporting to work under the influence of alcohol or drugs or partaking of such while on duty.

Non-Disciplinary Suspension

During the investigation, hearing, or trial of an employee on any criminal charge, or during the course of any civil action involving an employee, when suspension would, in the opinion of the Board of Commissioners, be in the best interests of the Town, the Board of Commissioners may suspend the employee for part or all of the proceedings as a non-disciplinary action. In such cases, the Board of Commissioners may:

- 1) Temporarily relieve the employee of all duties and responsibilities and place the employee on paid or unpaid leave for the duration of the suspension, or
- 2) Assign the employee new duties and responsibilities and allow the employee to receive such compensation as is in keeping with the new duties and responsibilities.

The Town will determine on a case by case basis if back pay is appropriate in the above circumstances. During the investigation of an employee related to detrimental person conduct or other job issues, when suspension would, in the opinion of the Board of Commissioners, be in the best interests of the Town, the Board of Commissioners may suspend the employee for part or all of the

proceedings as a non-disciplinary action. In such cases, the Board of Commissioners may take the same actions as outlined in Items 1) and 2) above.

If the employee is reinstated following the suspension, such employee shall not lose any benefits to which he or she was otherwise entitled had the suspension not occurred. If the employee is terminated following the suspension, the employee shall not be eligible for any pay from the date of suspension provided, however, all other benefits with the exception of accrued annual leave and sick leave shall be maintained during the period of suspension.

Substance Abuse Policy

The Town may establish policies and procedures related to employee substance abuse in order to ensure the safety and well-being of citizens and employees, and to comply with any state, federal, or other laws and regulations.

3.18 GRIEVANCE PROCEDURES AND ADVERSE ACTION APPEAL

Policy

It is the policy of the Town of Bridgeton to provide a just procedure for the presentation, consideration, and disposition of employee grievances. The purpose of this is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair.

Grievance Defined

A grievance is a claim or complaint by an employee based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.

Purposes of the Grievance Procedure

The purposes of the grievance procedure include, but are not limited to:

- 1) Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- 2) Encouraging employees to express themselves about the conditions of work which affect them as employees;
- 3) Promoting better understanding of policies, practices, and procedures which affect employees;
- 4) Increasing employee's confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures; and
- 5) Increasing the sense of responsibility exercised by supervisors in dealing with their employees.

Procedure

When an employee has a grievance, the following successive steps are to be taken unless otherwise provided. The number of calendar days indicated for each step should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process, however, the time limits

set forth may be extended by mutual consent. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved. A decision to rescind a disciplinary suspension, demotion, or dismissal **must** be approved by the Board of Commissioners before the decision becomes effective.

Informal Resolution. Prior to the submission of a formal grievance, the employee and supervisor should meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the Board of Commissioners as a resource to help resolve the grievance. If the Board of Commissioners is a party to the grievance, then the Mayor may be involved as a resource to help resolve the grievance.

Step 1. If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance to the supervisor in writing. The grievance must be presented within fifteen (15) calendar days of the event or within fifteen (15) calendar days of learning of the event in question. The supervisor shall respond to the grievance within ten (10) calendar days after receipt of the grievance. The supervisor should, and is encouraged to, consult with any employee of the Town in order to reach a correct, impartial, fair and equitable determination or decision concerning the grievance. Any employee consulted by the supervisor is required to cooperate to the fullest extent possible. The response from the Town for each step in the formal grievance process shall be in writing and signed by the Town official involved at the particular step of the grievance process. In addition, the employee shall sign a copy to acknowledge receipt thereof. The responder at each step shall send copies of the grievance and response to the Town Clerk for confidential filing. In the event the supervisor is part of the grievance, the Mayor shall assume these duties.

Step 2. If the grievance is not resolved to the satisfaction of the employee by the supervisor, the employee may appeal in writing to the Mayor within ten (10) calendar days after the receipt of the response from Step 1. The Mayor shall respond to the appeal, stating the determination of the decision within ten (10) calendar days after the receipt of the appeal. In the event the Mayor is part of the grievance, the grievance procedure shall proceed directly to Step 3.

Step 3. If the grievance is not resolved to the satisfaction of the employee at the end of Step 2, the employee may appeal, in writing, to the Board of Commissioners within ten (10) calendar days after receipt of the response to Step 2. The Board of Commissioners shall respond to the appeal stating the determination of the decision within ten (10) calendar days after receipt of the appeal. ***The Board of Commissioners decision shall be the final decision.***

Supervisors and the Board of Commissioners may use trained resource personnel, mediation, or facilitation professionals at any step in the process to help improve communication and understanding or to help resolve the conflict.

Grievance Procedure for Discrimination

When an employee or former employee, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, national origin, religion, creed, political affiliation, disability, genetic background, marital status, citizenship status or ancestry), he or she has the right to appeal such action using the grievance procedure outlined above. While such persons are encouraged to use the grievance procedure, they shall also have the right to address their grievance directly to the Board of Commissioners. In such direct appeals, the Board of Commissioners may choose to refer the employee to any step in the grievance procedure, may initiate an investigation using appropriate resources, or may handle the matter directly. Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, reduction in force, failure to hire, or termination of employment. An employee or applicant should appeal any alleged act of discrimination within thirty (30) calendar days of the alleged discriminator action.

3.19 SAFETY

Safety is the responsibility of both the Town of Bridgeton and employees. It is the policy of the Town of Bridgeton to establish a safe work environment for employees. The Board of Commissioners and supervisors are responsible for ensuring the safe work procedures of all employees and providing necessary safety training programs. Employees shall follow the safety policies and procedures and attend any safety training programs required as a condition of employment.

The Town of Bridgeton provides information as necessary to employees through their supervisor about workplace safety and health issues such as:

- Training sessions
- Bulletin board postings
- Memorandums
- Other written communications

Each employee is expected to obey safety rules and exercise caution and common sense in all work activities. Employees must immediately report any unsafe conditions to their supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report, or where appropriate, remedy such situations, may be subject to disciplinary action including termination of employment.

In the case of an accident that results in injury, regardless of how insignificant the injury may appear, employees should notify their supervisor.

3.20 HEALTH-RELATED ISSUES

Employees who become aware of any health-related issue that might impact the employee's ability to safely perform his/her duties or that might cause the

employee to endanger himself/herself or others should notify their supervisor of the issue. This policy has been instituted strictly to protect the employees.

A written "permission to work" from the employee's doctor is required at the time or shortly after notice has been given. The doctor's note should specify whether the employee is able to perform regular duties as outlined in his/her job description.

A leave of absence may be granted on a case-by-case basis. If the need arises for a leave of absence, employees should notify their supervisor.

3.21 EMPLOYEE REQUIRING MEDICAL ATTENTION

In the event an employee requires medical attention, whether injured or becoming ill while at work, the employee's personal physician must be notified immediately. If it is necessary for the employee to be seen by the doctor or go to the hospital, a family member will be called to transport the employee to the appropriate facility. If an emergency arises requiring Emergency Medical Services to evaluate the injury/illness of an employee on-site, the employee will be responsible for any transportation charges. Furthermore, the Town of Bridgeton's employees will not be responsible for transportation of another employee due to liabilities that may occur.

A physician's "return to work" notice may be required.

3.22 BUILDING SECURITY

All employees who are issued keys are responsible for their safekeeping. The last employee, or a designated employee, who leaves any Town-owned building at the end of the business day assumes the responsibility to ensure that all doors are securely locked, the alarm system is armed, thermostats are set on appropriate evening and/or weekend setting, and all appliances and lights are turned off with exception of the lights normally left on for security purposes.

3.23 INSURANCE ON PERSONAL EFFECTS

All employees should be sure that their own personal insurance policies cover the loss of anything occasionally left on Town property. The Town of Bridgeton assumes no risk for any loss or damage to personal property.

3.24 SUPPLIES; EXPENDITURES; OBLIGATING THE TOWN.

Only authorized persons may purchase supplies in the name of the Town of Bridgeton. No employee whose regular duties do not include purchasing shall incur any expense on behalf of the Town of Bridgeton or bind the Town of Bridgeton by any promise or representation without written approval. All purchases require a purchase order which must be obtained from Town Hall prior to purchase.

3.25 EXPENSE REIMBURSEMENT

Expenses incurred by an employee must have prior approval by a supervisor and will be reimbursed following Town payment procedures.

3.26 VISITORS

To provide for the safety and security of employees, the public, and the facilities at the Town of Bridgeton, only authorized visitors are allowed in restricted areas such as the Sewer Treatment Plant. Restricting unauthorized visitors helps ensure security, decreases insurance liability, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

3.27 IMMIGRATION LAW COMPLIANCE

The Town of Bridgeton employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with the Immigration Reform and Control Act of 1986.

Each new employee, as a condition of employment, may be asked to complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired may also be asked to complete the form if they have not completed an I-9 with the Town of Bridgeton within the past three years or if their previous I-9 is no longer retained or valid.

3.28 WHISTLEBLOWER POLICY

Purpose and Authority

As part of the values adopted by the Town of Bridgeton and the Bridgeton Police Department, these agencies have committed themselves to maintaining the highest ethical standards. This commitment to integrity is important. The mission of prudently investing in entrusted assets. The Town of Bridgeton's internal controls and operating procedures are intended to detect, prevent or deter improper activities. However, even the best systems of control cannot provide absolute safeguards against irregularities.

State policy, as embodied in statutory law, encourages employees to report verbally or in writing to their supervisor, department head, or other appropriate authority, evidence of activity by a state agency or employee constituting improper governmental activities. Such improper activities are defined as: (1) violation of state or federal law, rule, or regulation; (2) fraud; (3) misappropriation of state resources; (4) substantial and specific danger to the public health and safety; or (5) gross mismanagement, a gross waste of monies, or gross abuse of authority. N.C.G.S. § 126-84(a). Furthermore, state policy states that employees "shall be free of intimidation or harassment when reporting to public bodies about matters of public concern, including offering testimony to or testifying

before appropriate legislative panels.” N.C.G.S. § 126-84(b). In certain circumstances, employees also are protected from discrimination and retaliation. N.C.G.S. § 126-85.

As set out in Article 14 of Chapter 126 of the North Carolina General Statutes (entitled “Protection for Reporting Improper Government Activities”), this policy governs the investigation and reporting of allegations of suspected improper governmental activities for the Town of Bridgeton or the Bridgeton Police Department.

Coverage

This policy applies to all employees. It is the responsibility of all employees to comply with this policy and to report alleged improper governmental activities in accordance with this policy written in the Policy and Procedures Manual for the Town of Bridgeton and the Bridgeton Police Department.

Reporting Allegations of Suspected Improper Governmental Activities

A. Filing a Report

1. Any employee may report allegations of suspected improper governmental activities. Allegations of suspected improper governmental activities may be reported anonymously.
2. Reports of allegations of suspected improper governmental activities are encouraged to be made in writing so as to assure a clear understanding of the issues raised, but reports may also be oral. These reports may be made either through an established phone line and/or the intranet site if such resources and costs are available. Such reports should be factual rather than speculative or conclusory, and contain as much specific information as possible to allow for proper assessment of the nature, extent and urgency of a preliminary investigation.
3. Normally, a report by the employee of alleged improper governmental activities should be made to the reporting employee’s immediate supervisor or other appropriate administrator or division director. However, when there is a potential conflict of interest or for other reasons, such reports may be made to the Internal Auditor or the Human Resources manager/ Town Commissioner. When the alleged improper governmental activities involve a division director, such reports should be made to both the Mayor and Town Board. If the alleged activities involve the Mayor and or Town Board then such reports should be made to the State Auditor’s Office. These paths of reporting are merely suggestions. The person making a report should determine the best path for reporting.
4. All reports of allegations of improper governmental activity should be reported to the Internal Auditor. The Internal Auditor is responsible for tracking reports and ensuring timely follow-up.

5. Any report of allegations of improper governmental activities should be based on the employee acting in good faith to report concerns that the employee believes to be true. The Town of Bridgeton may take action against any employee who makes unfounded allegations that are proven to be made recklessly, maliciously, or with the foreknowledge that the allegations were false.

B. Investigation of Alleged Improper Governmental Activities

1. Upon receipt of a report of alleged improper governmental activities, the Internal Auditor or other recipient of the report shall make a determination, in his or her reasonable judgment, whether a reasonable basis exists for commencing an investigation into the complaint. To assist in making this determination, the Internal Auditor or other recipient may conduct an initial, informal inquiry. Other parties may become involved in the inquiry based on their oversight, responsibility or expertise.

2. Investigation of reports of alleged improper governmental activities shall be prompt. The Internal Auditor or other recipient of a report of improper governmental activities shall forward a written report of investigation to the Mayor or Town Board as soon as practicable and no later than ten (10) working days after receiving the report.

3. To the extent permitted by applicable law, all reports of alleged improper governmental activities shall be handled in a confidential manner.

C. Corrective Action

The Mayor or Town Board, with input from the Internal Auditor, if requested, will determine the ultimate validity of a report and any corrective action, as appropriate. Employees whom are found to have violated any laws, regulations, or policies will face appropriate, case-specific disciplinary action.

D. Protection from Intimidation, Harassment, Discrimination and Retaliation

Consistent with the protection provided in N.C.G.S. §§ 126-84-85, employees shall be free of intimidation, harassment, discrimination and retaliation for compliance with this policy.

SECTION 4

STANDARDS OF CONDUCT

The work rules and standards of conduct for the Town of Bridgeton are important, and the Town regards them seriously. All employees are required to become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards faithfully in doing their own jobs and conducting the Town's business. Please note that any employee who deviates from these rules and standards will be subject to disciplinary action, up to and including termination of employment.

While not intended to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of rule infractions or misconduct that may result in disciplinary action, including termination of employment.

- Theft or inappropriate removal or possession of property;
- Falsification of timekeeping records;
- Working under the influence of alcohol or illegal drugs;
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace;
- Fighting or threatening violence in the workplace;
- Boisterous or disruptive activity in the workplace;
- Negligence or improper conduct leading to damage of Town-owned property;
- Insubordination or other disrespectful conduct;
- Violation of safety or health rules;
- Smoking in the workplace;
- Sexual or other unlawful or unwelcome harassment;
- Excessive absenteeism or any absence without notice;
- Unauthorized use of telephones, or other Town-owned equipment;
- Using Town equipment for purposes other than business (i.e. playing games on computers or personal Internet usage);
- Unauthorized disclosure of confidential information;
- Violation of personnel policies; and
- Unsatisfactory performance or conduct.

4.1 ATTENDANCE/PUNCTUALITY

The Town of Bridgeton expects that every employee will be regular and punctual in attendance. This means being at their assigned work area, ready to work, at their starting time each day. Absenteeism and tardiness places a burden on other employees and on the Town.

If you are unable to report for work for any reason, notify your supervisor before regular starting time. You are responsible for speaking directly with your supervisor about your absence. It is not acceptable to leave a message on a

supervisor's voice mail, except in extreme emergencies. In the case of leaving a voice-mail message, a follow-up call must be made later that day. The Town phone number is 252 637-3697.

Should undue tardiness become apparent, disciplinary action may be required.

If there comes a time when you see that you will need to work some hours other than those that make up your usual work week, notify your supervisor in advance. Each request for special work hours will be considered separately, in light of the employee's needs and the needs of the Town. Such requests may or may not be granted.

4.2 ABSENCE WITHOUT NOTICE

When you are unable to work owing to illness or an accident, please notify your supervisor. This will allow the Town to arrange for temporary coverage of your duties, and helps other employees to continue work in your absence. If you do not report for work and the Town is not notified of your status, it will be assumed after two consecutive days of absence that you have resigned, and you will be removed from the payroll.

If you become ill while at work or must leave for some other reason before the end of the workday, be sure to inform your supervisor of the situation.

4.3 HARASSMENT, INCLUDING SEXUAL HARASSMENT

The Town of Bridgeton is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. Sexual harassment, which is also strictly prohibited, is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment such as exposure to:
 - a) sexually related material such as pornography, objects, or pictures, or internet sites;
 - b) unwelcome verbal or visual conduct of a sexual nature such as comments, innuendoes, jokes, e-mail, voicemail messages, gestures, leering stalking; and

- c) unwelcome physical sexual contact, such as grabbing, groping, pinching, patting, massaging someone's neck or shoulders, pulling against another's body, rape, molestation, or any attempts to commit such wrongdoing.

If you believe you have been the victim of harassment, or know of another employee who has, you are required to report it immediately. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor who becomes aware of possible harassment should promptly advise their supervisor or the Mayor or any Town Commissioner who will handle the matter in a timely and confidential manner.

Any employee who believes that he or she may have a complaint of sexual harassment shall either follow the Grievance Procedure described in this policy, or shall file the complaint directly with the Board of Commissioners, Department Head, or other Town official. However, employees are not required to directly confront any persons who are the source of the problem or closely associated with the person who is the source of the problem. The Board of Commissioners shall ensure that an investigation is conducted into any allegation of harassment and advise the employee and the appropriate management officials of the outcome of the investigation. An employee who engages in harassment of any kind shall be subject to disciplinary action up to and including dismissal.

4.4 TELEPHONE USE

The Town of Bridgeton's telephones are intended for the use of serving our customers and in conducting the Town's business.

Personal usage during business hours is discouraged except for extreme emergencies. All personal telephone calls should be kept brief to avoid congestion on the telephone line.

To respect the rights of all employees and avoid miscommunication, employees must inform family members and friends to limit personal telephone calls during working hours.

If an employee is found to be deviating from this policy, he/she will be subject to disciplinary action, up to and including termination.

4.5 PUBLIC IMAGE

A professional appearance is important anytime that you come in contact with the public. Employees should be well groomed and dressed appropriately for their position.

The following items are considered inappropriate working attire for the Town of Bridgeton:

- Spaghetti-strapped shirts
- Tank tops or revealing shirts
- Short mini skirts
- Sheer clothing
- T-shirts with inappropriate or offensive gestures or advertising

Consult your supervisor if you have any questions about appropriate attire.

4.6 SUBSTANCE ABUSE

The Town is committed to providing a safe and productive workplace for its employees. In keeping with this commitment, the following rules regarding alcohol and drugs have been established for all employees, regardless of rank or position, including both regular and temporary employees. The rules apply during working hours to all employees of the Town while they are on Town property or elsewhere on Town business.

The manufacture, distribution, possession, sale, or purchase of controlled substances of abuse on Town property is prohibited. However, employees are permitted to possess and consume medication that has been prescribed to them by a licensed medical practitioner, provided that the medication will not mentally or physically impair the employee.

Being under the influence of illegal drugs, alcohol, or controlled substances of abuse on Town property is prohibited.

So that there is no question about what these rules signify, please note the following definitions:

Town property: All Town owned or leased property used by employees in the course of performing Town duties.

Controlled substance of abuse: Any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act, as amended.

Drug: Any chemical substance that produces physical, mental, emotional, or behavioral change in the user.

Drug paraphernalia: Equipment, a product, or material that is used or intended for use in concealing an illegal drug, or otherwise introducing into the human body an illegal drug or controlled substance.

Illegal drug:

a. Any drug or derivative thereof whose use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage is illegal or regulated under any federal, state, or local law or regulation.

- b. Any drug, including – but not limited to – a prescription drug, used for any reason other than that prescribed by a physician.
- c. Inhalants used illegally.

Under the influence: A state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage, drug, or substance of abuse.

Consistent with the rules listed above, any of the following actions constitutes a violation of the Town's policy on drugs and may subject an employee to disciplinary action, up to and including immediate termination.

Using, selling, purchasing, transferring, manufacturing, or storing an illegal drug or drug paraphernalia, or attempting to or assisting another to do so, while in the course of employment.

Working or reporting to work, conducting Town business or being on Town property while under the influence of an illegal drug or alcohol, or in an impaired condition.

4.7 TOBACCO PRODUCTS

The use of tobacco products is not permitted anywhere on the Town's property except in authorized and designated locations. Employees must follow all rules posted in designated smoking areas and adhere to all policies associated with this policy.

4.8 INTERNET USE

The Town of Bridgeton employees are allowed use of the Internet and e-mail when necessary to conduct Town business.

Employees may use the Internet when appropriate to access information needed to conduct business of the Town. Employees may use e-mail when appropriate for Town correspondence.

Use of the Internet must not disrupt operation of the Town computer network. Use of the Internet must not interfere with an employee's productivity. Employees are responsible for using the Internet in a manner that is ethical and lawful.

Internet messages are public and not private. The Town of Bridgeton reserves the right to access and monitor all files and messages on its systems.

4.9 CONFLICT OF INTEREST IN PURCHASING AND CONTRACTS

The Town of Bridgeton employees must use fair purchasing practices in all aspects of contract and vendor relationships and purchasing.

1. Town officers or employees benefiting from public contracts; exceptions. No public officer or employee of the Town who is involved in making or administering a contract on behalf of the Town of Bridgeton may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law.
2. A public officer or employee who will derive a direct benefit from a contract with the public agency he or she serves, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract.
3. No public officer or employee may solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.

Board Approved
11-10-2020

SECTION 5

WAGE AND SALARY POLICIES

5.1 WAGE OR SALARY INCREASES

Each employee's hourly wage or annual salary will be reviewed by the Town Commissioners at least once each year. The employee's review date will usually be conducted on or about the anniversary date of employment or the date of the previous compensation review. Such reviews may be conducted more frequently for a newly created position, or based on a recent promotion.

Increases will be determined on the basis of performance, adherence to Town policies and procedures, and ability to meet or exceed duties per job description and achieve performance goals.

Although the Town's salary ranges and hourly wage schedules will be adjusted on an ongoing basis, the Town of Bridgeton does not grant "cost of living" increases. Performance is the key to wage increases in the Town.

5.2 TIMEKEEPING

Accurately recording time worked is the responsibility of every employee. Time worked is the time actually spent on a job(s) performing assigned duties

The Town of Bridgeton does not pay for extended breaks or time spent on personal matters.

Authorized personnel will review time records each month. Any changes to an employee's time record must be approved by his/her supervisor. Questions regarding the timekeeping system should be directed to your supervisor.

5.3 OVERTIME

Overtime compensation is paid to non-exempt employees in accordance with federal and state wage and hour restrictions. Time off on personal time, holidays, or any leave of absence will not be considered hours worked when calculating overtime. In addition, vacation time does not constitute hours worked.

All overtime work performed by a non-exempt employee must receive prior authorization. Overtime worked without prior authorization may result in disciplinary action. Your supervisor's signature on a timesheet authorizes pay for overtime hours worked.

5.4 PAYDAYS

All employees are paid on the first day of the month for the previous month's work. In the event that a regularly scheduled payday falls on a weekend or holiday, employees will receive pay on the last business day of that month after 2:00 p.m.

Paychecks will not, under any circumstances, be given to any person other than the employee without written authorization.

SECTION 6

BENEFITS AND SERVICES

The Town of Bridgeton offers a benefits program only for its regular full-time employees. However, the provision of benefits as provided in this Manual is subject to budgetary constraints. The existence of these programs does not signify that an employee will necessarily be employed for the required time necessary to qualify for the benefits included in and administered through these programs. All benefits as provided in this section are subject to change or cancellation at the Town of Bridgeton's discretion.

6.1 GROUP INSURANCE

Subject to budgetary constraints, the Town of Bridgeton offers the following health and life insurance programs for all FULL-TIME employees working twenty hours or more each week on a permanent basis, subject to change at the Town of Bridgeton's discretion.

HEALTH INSURANCE

Subject to budgetary constraints, the Town of Bridgeton provides group health and hospitalization programs for all full-time employees as aforementioned. Information concerning cost and benefits shall be available to all full-time employees. There is a thirty day waiting period before these benefits go into effect.

LIFE INSURANCE

Subject to budgetary constraints, the Town of Bridgeton may elect to provide group life insurance for each full-time employee subject to the stipulations of the life insurance contract. Full-time employees may elect to purchase additional coverage and/or to insure family member(s) under such plan (if available) at their own expense subject to the stipulations of the insurance contract.

Information concerning cost and benefits shall be available to all full-time employees. There is a thirty day waiting period before these benefits go into effect.

This Manual does not contain the complete terms and/or conditions of any of the Town of Bridgeton's current insurance benefit plans. It is intended only to provide general explanations. If there is ever any conflict between the Manual and any documents issued by one of the Town of Bridgeton's insurance carriers, the carrier's guideline regulations will be regarded as authoritative.

6.2 COBRA BENEFITS

The Federal Consolidated Budget Reconciliation Act (COBRA) gives full-time employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Town of Bridgeton's health plan when a "qualifying event" would normally result in the loss of eligibility.

Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or leave of absence, divorce or legal separation and a dependent child no longer meeting eligibility requirements.

Under COBRA, the full-time employee or beneficiary pays the full cost of coverage at the Town of Bridgeton's group rates plus an administration fee. The Town of Bridgeton provides each eligible full-time employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Town of Bridgeton's health insurance plan. The notice contains important information about the employee's rights and obligations.

6.3 SOCIAL SECURITY/MEDICARE

The Town of Bridgeton withholds income tax from all employees' earnings and participates in FICA (Social Security) and Medicare withholding and matching programs as required by law.

6.4 RETIREMENT

Each full-time employee who is expected to work for the Town of Bridgeton for one thousand (1,000) hours or more annually **shall** join the North Carolina Government Employee's Retirement System when eligible as a condition of employment. Membership in this system requires an employee contribution and an employer contribution as prescribed by the Retirement System.

6.5 WORKER'S COMPENSATION

All employees of the Town of Bridgeton (full-time, part-time, and temporary) are covered at no expense to them by the North Carolina Worker's Compensation Act and are required to report **all** injuries arising out of and in the course of employment to their immediate supervisors at the time of injury (no later than 24 hours if hospitalized) in order that appropriate action may be taken at once. If you suffer an injury arising out of and in the course of employment, you must report the injury to the Town within 30 days, and such claims must be filed by the employee with the North Carolina Industrial Commission within two years from the date of injury.

6.6 UNEMPLOYMENT COMPENSATION

In accordance with Public Law 94-566 and subsequent amendments, local governments are covered by unemployment insurance. Town employees who are terminated due to reduction in force or released from the Town of Bridgeton service may apply for benefits through the local Employment Security Commission Office, where a determination of eligibility will be made.

6.7 401-K PLAN

Subject to budgetary constraints, the Town of Bridgeton offers a 401-K Supplemental Retirement Income Plan to all full-time employees. Information concerning cost and benefits shall be available to all full-time employees. There is a thirty day waiting period before these benefits go into effect.

6.8 VACATION LEAVE

Vacation leave is intended to be used for rest and relaxation, and may be used for medical appointments.

6.9 VACATION LEAVE: USE BY PROBATIONARY EMPLOYEES

Full-time employees serving a probationary period following initial employment may accumulate vacation leave but shall not be permitted to take vacation leave during the probationary period.

6.10 VACATION LEAVE: ACCRUAL RATE

Each full-time employee occupying an established and budgeted position shall earn annual leave on a monthly basis in accordance with the following schedule:

Years one through four, four (4.0) hours of vacation per month are accrued.

Years five through ten, seven (7.0) hours of vacation per month are accrued.

More than 10 years, ten (10) hours of vacation per month are accrued.

Earned vacation leave cannot be taken before it is accrued and approved.

Vacation may be taken in one hour increments of time. Vacation leave may be taken only with the approval of the employee's supervisor or the Mayor.

A full-time employee who is separated shall be paid for annual leave accumulated to the date of separation. Any advanced annual leave owed to the Town of Bridgeton shall be deducted from the employee's final compensation. Upon termination, unused earned vacation will be paid in a lump sum in the employee's final paycheck.

Maximum Accumulation

Vacation leave may be accumulated without any applicable maximum until December 31 of each year. However, if the employee departs from service, payment for vacation leave shall not exceed 240 hours. Effective the last payroll in the calendar year, any employee with more than 240 hours of accumulated leave shall have the excess accumulation removed so that only 240 hours are carried forward to January 1 of the next calendar year. One half

of the excess amount removed shall be converted to sick leave and added to the employee's sick leave balance and the balance will be forfeited.

Manner of Taking

Annual leave may not be taken in increments of less than one (1) hour. Annual leave may be taken only with the approval of the employee's supervisor or the Mayor.

6.11 VACATION LEAVE: PAYMENT UPON SEPARATION OR DEATH

A full-time employee who is separated shall be paid for annual leave accumulated to the date of separation. However, if a full-time employee is separated from employment before the completion of his/her probationary period, the employee will not be paid for unused leave. Any advanced annual leave owed the Town of Bridgeton shall be deducted from the employee's final compensation. If the employee resigns, he/she must provide the minimum notice required under Section 3.16 of this Manual in order to be entitled to payment for unused vacation leave.

Should death occur during employment, all final compensation, accrued leave and sick leave will be paid to the employee's estate unless the employee has otherwise directed in writing.

6.12 SICK LEAVE

Sick leave may be granted to a full-time employee absent from work for any of the following reasons: sickness, bodily injury, required physical or dental examinations or treatment, or exposure to a contagious disease, when continuing might jeopardize the health of others. Sick leave may also be used when a full-time employee's immediate family member is ill and requires the employee's care. It is important to note that sick leave may not be used to care for healthy children when a spouse is ill. Sick leave may also be used to supplement Worker's Compensation Disability Leave both during the waiting period before Worker's Compensation Benefits begin, and afterward to supplement the remaining one third of salary, except that the employee may not exceed the regular salary amount using this provision.

Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave or not later than 30 minutes after the beginning of the scheduled workday.

6.13 SICK LEAVE: ACCRUAL RATE AND ACCUMULATION

Sick leave shall accrue for full time employees at a rate of eight hours per monthly pay period of work (Approved by Council Vote - 06/25/2020) when the full-time employee is actively at work. Sick leave will be cumulative for an indefinite period of time and may be converted upon retirement for service credit consistent with the provisions of the North Carolina Local Government Employees' Retirement System.

All sick leave accumulated by a full-time employee shall end and terminate without compensation when the employee resigns or is separated from the Town of Bridgeton, except as stated for employees retiring or terminated due to reduction in force.

6.14 SICK LEAVE: MEDICAL CERTIFICATION

The employee's supervisor or the Board of Commissioners may require a physician's certificate stating the nature of the employee's or immediate family member's illness, the dates of physical inability to work, and the employee's capacity to resume duties for each occasion on which an employee uses sick leave. The employee may be required to submit to such medical examination or inquiry as the Board of Commissioners deems desirable and may be required to bring such certification prior to returning to work. The Board of Commissioners shall be responsible for the application of this provision to the end that:

1. Employees shall not be on duty when they might endanger their health or the health of other employees; and
2. There will be no abuse of leave privileges.

6.15 RECORD KEEPING

The Town Clerk maintains records of vacation and sick leave days accrued and used. Each employee is responsible for verifying his/her pay stub to make sure the correct amount of hours appear.

6.16 HOLIDAYS

The following days, and other such days as the Board of Commissioners may designate, are holidays with full pay for full-time employees and full-time officers of the Town of Bridgeton:

New Year's Day	Martin Luther King Birthday
Good Friday	Memorial Day
Independence Day	Labor Day
Veterans Day	Thanksgiving Thursday and Friday
Christmas (two days – see below)	

When a designated holiday falls on Saturday or Sunday, the following Monday will be the designated holiday. The Board of Commissioners shall announce by October 1st of each year the two (2) days which shall be observed as Christmas holidays. In order to receive a paid holiday, a full-time employee must have worked the day before and the day after the holiday(s), or have been given approved leave.

Regular holidays which occur during a vacation, sick, or other leave period of any full-time employee shall not be considered as vacation, sick, or other leave.

Full-time employees required to perform work on regularly scheduled holidays may be granted compensatory time off or paid at their hourly rate for hours actually worked in addition to any holiday pay to which they are entitled. Compensatory time shall be granted whenever feasible.

6.17 SMALL POX VACCINATION

A full-time employee is entitled to continuation of salary and leave, in addition to the sick leave otherwise available, under the following circumstances:

1. The absence is due to adverse reaction arising from a smallpox vaccination occurring under 42 U.S.C. 233(p) when:
 - a. The employee received such vaccination in employment; or
 - b. The reaction was caused by exposure to a person who received such vaccination in employment.
2. A health care provider certifies the need for any such leave greater than 24 hours; and
3. The leave does not exceed 480 employment hours.

6.18. Civil Leave

A Town employee called for jury duty or as a court witness for the federal or state governments, or a subdivision thereof, shall receive leave without pay for such duty during the required absence without charge to accumulated compensatory time or vacation leave. The employee may keep fees and travel allowances received for jury or witness duty. While on civil leave, benefits and leave for full-time employees shall accrue as though on regular duty. Employees shall provide copies of all documentation related to this leave.

6.19 Military Leave

A military leave shall be defined as a leave to fulfill a required military obligation.

The provisions of this policy shall apply to all military leaves of absence. Military leave is not paid. However, to the extent available, a full-time employee may use vacation pay during the military leave, but is not required to do so.

To qualify for reinstatement to his or her former position, or a position equal in status and pay, the employee must meet at least all of the following requirements:

- The employee must have been in a permanent, not temporary position, prior to receipt of orders.
- The employee must not have voluntarily remained in the military beyond five years.
- The employee must have requested, verbally or in writing, a leave of absence to perform military duties, unless doing so was precluded by military necessity or was otherwise impracticable.
- For absences in excess of thirty (30) days, the employee must provide proof that the separation from service was not for dishonorable discharge, or

other disqualifying reasons.

- The employee must report to work on the first regularly scheduled work day following completion of qualified military service, in cases where the leave is less than thirty (30) days. Employees requesting reinstatement after leave in duration from thirty one (31) to one hundred eighty (180) days must do so within fourteen (14) days of completing qualified military service. Employees requesting reinstatement after leave in excess of one hundred eighty (180) days must do so within ninety (90) days of completing qualified military service. The application deadline is extended up to two (2) years if the employee is convalescing from a disability incurred or aggravated by the period of military service. Failure to meet these conditions will result in the Town considering the employee to have voluntarily resigned without notice.
- The employee must be qualified to perform the duties of his or her former position in order to be eligible for reinstatement.

In certain circumstances, an employee might not be eligible for reinstatement: for example, when a layoff or reduction in force has affected his or her original position, or when reinstatement imposes an undue hardship on the Town in the case of an employee who has incurred a service-related disability. If, despite reasonable accommodation, a service-related disability prevents an employee from qualifying for a position to which he or she is otherwise entitled, the employee will be placed in a position equivalent in seniority, status, and pay. If no such position exists, the individual is entitled to be placed in the closest equivalent position for which he or she is qualified.

For one (1) year after their reemployment, or six months if they served in the military for six (6) months or less, returning employees cannot be discharged for other than cause.

A full-time employee whose military service is for thirty (30) or fewer days may continue health insurance benefits by paying his or her premium for same, including in pay periods for which no check is received. Any full-time employee who takes military leave which exceeds thirty (30) days may retain his or her own coverage and/or dependent group insurance coverage by arranging to pay his or her premium contributions, for up to twenty four (24) months after the absence begins or for the period of service plus time allowed for re-employment, whichever is shorter, at the COBRA rate of one hundred two per cent (102%) of premium.

Full-time employees on military leave do not accrue benefits during any unpaid portion of the leave. However, the time spent on leave counts toward an employee's length of service for the purposes of determining the rate at which employees earn benefits after returning.

Any request for a military leave of absence should be accompanied by a copy of the employee's formal orders to report. If possible, a request for leave should be made thirty (30) days in advance of the effective date of the leave.

6.20 FAMILY MEDICAL LEAVE ACT

The Town is committed to complying with all provisions of the Family Medical Leave Act (FMLA) applicable to a municipality of its size. Accordingly, the Town shall post and keep posted on its premises, in conspicuous places where employees work a notice explaining the Act's provisions and providing information concerning the procedures for filing complaints of violations of the Act. Further information regarding employee rights under the FMLA may be obtained from the Town Clerk.

6.21 TRAINING AND PROFESSIONAL DEVELOPMENT

The Town of Bridgeton recognizes the value of professional development and personal growth for employees. Therefore, the Town of Bridgeton encourages its employees who are interested in continuing education and job specific training to research these further and get approval before signing up for the seminars or courses. Travel on official or Town approved business must receive the prior approval of the respective department head. When an employee is away from the job on official business or is participating in authorized training courses, professional conference or meetings, he/she will be considered as officially at work and will be covered by worker's compensation insurance. The following travel guidelines are applicable to all employees:

(1) Mileage. Town employees traveling on official business are encouraged to use a Town vehicle whenever practical. Travel reimbursement shall be as follows:

a. Travel by official Town vehicle. The Town pays costs of operation maintenance.

b. Travel by personal vehicle, the Town pays a uniform rate per mile to cover all costs incidental to costs and ownership.

c. Travel by public conveyance/mileage. The Town shall reimburse to each participant based on the lowest cost form of travel.

(2) Living Expenses.

a. Living expenses other than meals will be authorized only for those trips lasting overnight or longer.

b. Employees will be expected to commence their return trip to the Town as soon as practical after the conclusion of their business.

c. Personnel traveling away from the Town on official business will be compensated for all living expenses, including meals at established per diem rates, hotel-motel accommodations, registration fee and tuition.

(3) Expense Accounting. Employees will be paid for actual expenses based upon supporting invoices from all expenditures except meals, tips, taxis, private vehicle travel allowance and bus fares.

a. Employees traveling on a reimbursable basis shall keep an actual record of their expenses and their time of departure to and from their destination

and time of return to the Town. No reimbursement will be paid without the appropriate invoices and travel claim signed by the employee.

b. Employees are required to file a travel expense report within ten working days after the date of return from attending a seminar, conference, school, etc. or other authorized travel. Employees who do not comply with this policy cannot be reimbursed for any additional travel expense until a final expense report is complete.

I have read and agree to abide by the Town of Bridgeton Employee Policy and Procedures Manual.

Employee Signature

Date

Witnessed by:

Authorized Supervisor or Town Official

Date

RESOLUTION
5-13-2014-01

WHEREAS, a Personnel Policy has been established for the Town of Bridgeton's employees and staff; and

WHEREAS, the Board of Commissioners wishes to amend the Policy to clearly establish guidelines regarding eligibility for Benefits, Vacation and Sick Leave;

NOW, THEREFORE, BE IT RESOLVED, THAT the Board of Commissioners of the Town of Bridgeton do hereby amend the Personnel Policy of the Town of Bridgeton to deem that full-time employees qualify for Benefits, Vacation and Sick Leave as is stated in the Personnel Policy.

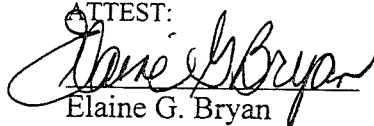
Adopted, and effective this 13th day of May, 2014.

Approved by:



Rodman L. Williams, CFM
Honorable Mayor

ATTEST:



Elaine G. Bryan
Town Clerk