

PERSONNEL POLICY MANUAL TOWN OF NINETY SIX

NOT A CONTRACT

ALL EMPLOYEES OF THE CITY ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY OR NO REASON. NOTHING IN ANY OF THE CITY'S RULES, POLICIES, HANDBOOKS, PROCEDURES OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. THIS HANDBOOK REPLACES ANY PREVIOUSLY ISSUED POLICIES, PRACTICES AND UNDERSTANDINGS, WRITTEN OR ORAL, GOVERNING EMPLOYMENT. NOTHING CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE IN WRITING; 2) THE DOCUMENT IS LABELED "CONTRACT"; 3) THE DOCUMENT STATES THE TERM OF EMPLOYMENT; AND 4) THE DOCUMENT IS SIGNED BY THE CITY [ADMINISTRATOR/ MANAGER/MAYOR] OR APPROVED BY VOTE OF COUNCIL.

REVISED AND ADOPTED THIS _____ DAY OF _____ 2014.

DISCLAIMER

THE CONTENTS OF THIS MANUAL, CONTAINING POLICIES DRAFTED ON VARIOUS DATES BUT BEING ISSUED IN OR AFTER JULY 2004, ARE PRESENTED AS GUIDELINE FOR SOME OF THE TOWN OF NINETY SIX'S (HEREINAFTER "THE TOWN") CURRENT POLICIES, PRACTICES, RULES, BENEFITS AND PROCEDURES. THE MANUAL AND ITS CONTENTS SUPERSEDE, REPLACE AND MAKE NULL AND VOID ALL PREVIOUSLY ISSUED, COMMUNICATED OR DISTRIBUTED MANUALS, POLICIES, RULES, PRACTICES, BENEFITS, OR PROCEDURES. THE TOWN'S MANUAL AND ITS POLICIES, RULES, BENEFITS, PRACTICES OR PROCEDURES ARE NOT CONTRACTS AND MAY BE CHANGED, AMENDED, MODIFIED OR DISCONTINUED WITH OR WITHOUT NOTICE BY THE TOWN WHEN THE TOWN, IN ITS DISCRETION, DEEMS IT NECESSARY. THIS MANUAL, AND ANY AMENDMENT THERETO, DOES NOT CREATE A CONTRACT, EITHER EXPRESS OR IMPLIED, BETWEEN THE TOWN AND ANY EMPLOYEE. NOTHING IN THIS MANUAL BINDS THE TOWN OR ANY EMPLOYEE TO A SPECIFIC OR DEFINATE PERIOD OF EMPLOYMENT OR TO ANY SPECIFIC POLICIES, PROCEDURES, BENEFITS, GUIDELINES, WORKING CONDITONS, OR PRIVILEGES OF EMPLOYMENT. AS AN EMPLOYEE YOU ARE AN AT-WILL EMPLOYEE COMPLETELY FREE TO LEAVE THE EMPLOYMENT AT ANY TIME YOU CHOOSE, AND THE TOWN HAS THE SAME RIGHT TO END THE EMPLOYMENT RELATIONSHIP AT ANY TIME IT CHOOSES.

NO SUPERVISOR OR MEMBER OF MANAGEMENT, EXCEPT TOWN COUNCIL HAS THE AUTHORITY TO BIND THE TOWN TO ANY EMPLOYMENT CONTRACT WITH ANY EMPLOYEE, EITHER VERBALLY OR IN WRITING. THE ONLY VALID CONTRACT FOR EMPLOYMENT BETWEEN THE TOWN AND ANY EMPLOYEE MUST BE IN WRITING, SPECIFYING A DEFINITE PERIOD OF EMPLOYMENT, AND BE LABELED "CONTRACT."

I HEREBY ACKNOWLEDGE THAT I RECEIVED A COPY OF THIS MANUAL AND UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT; THAT I HAVE READ AND UNDERSTAND THIS DISCLAIMER; AND THAT THIS DISCLAIMER APPEARS ON THE FIRST PAGE OF THE TOWN'S EMPLOYEE MANUAL.

EMPLOYEE

DATE

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INTRODUCTION

Welcome to the Town of Ninety Six (hereafter may be referred to as the "Town") - we're glad to have you on our team. At Ninety Six, we believe that our citizens are our most valuable asset. In fact, we attribute our success as a municipality in significant part to our ability to recruit, hire, and maintain a happy and productive work force to serve the citizens.

The policies stated in this manual are subject to change at the sole discretion of the Mayor and Council of the Town of Ninety Six. These policies are not intended to be all-inclusive. There may be situations that arise that are not covered, either directly or indirectly, by these policies. In such instances, the town's policy will be determined on a case-by-case basis.

THIS IS NOT A CONTRACT

This manual supercedes and replaces all prior manuals and policies of the town that are inconsistent with the policies contained in this booklet. You may receive changes in policy from time to time, and those updates should be kept with your copy of this booklet. If at any time you have questions about the policies of the town, please ask your supervisor.

NEITHER THIS MANUAL, NOR THE POLICIES CONTAINED IN IT, CREATES A CONTRACT OF EMPLOYMENT, EXPRESS OR IMPLIED, BETWEEN THE TOWN OF NINETY SIX AND ANY EMPLOYEE. ALL EMPLOYEES OF THE TOWN OF NINETY SIX ARE EMPLOYEES AT WILL, EITHER YOU OR THE TOWN MAY TERMINATE THIS RELATIONSHIP AT ANY TIME, WITH OR WITHOUT CAUSE OR NOTICE.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Town to provide equal opportunity to all applicants for employment, and to administer hiring, conditions and privileges of employment, compensation, training, promotions, transfer and discipline without discrimination because of race, color, religion, gender, disability, age, national origin, or any other status protected by law. Any employee who believes that he has been discriminated against in violation of this policy should report the matter to a supervisor, department head, human resources or Mayor.

ANTI - HARASSMENT

Various laws and regulations generally prohibit employment decisions from being made on the basis of race, sex, religion, national origin, color, age, disability or similar distinctions. In addition, it is our desire to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, threats and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

The City does not tolerate harassment of any kind and forbids retaliation against anyone who has reported harassment in good faith.

SEXUAL HARASSMENT

Sexual harassment warrants special mention. Unwelcome sexual advances, requests for sexual favors and other physical, verbal or visual conduct based on sex constitute sexual harassment when:

1. Submission to the conduct is an explicit or implicit term or condition of employment; or
2. Submission to or rejection of the conduct is used as the basis for an employment decision; or

3. The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, "put-downs" or condescending or derisive comments or terms based on gender, and physical conduct, such as patting, pinching or brushing against another person. Although most commonly the "perpetrator" of such conduct is male and the "victim" is female, this policy prohibits such conduct regardless of the gender of the perpetrator or victim.

Disputes sometimes arise as to whether conduct was "welcome" or "unwelcome." Conduct which would violate this policy if it were unwelcome violates the policy if anyone complains of it. Obviously, not all conduct prohibited by this policy constitutes a violation of the law.

COMPLAINT PROCEDURE AND INVESTIGATION

If you feel that this policy has been violated by anyone with whom you come in contact on the job, regardless of whether it is by fellow worker, a supervisor or a member of the general public, you should report the incident(s). You may do this by:

- (a) reporting to your supervisor or to a higher level in your "chain of command ." Complaints against the Mayor should be made to another member of Council; or
- (b) reporting to the Town Clerk.

Supervisors and managers who receive complaints of or become aware of harassment should coordinate with the human resources department.

Harassment allegations will be investigated, and the investigatory process may vary from case to case. The investigation is conducted as confidentially as possible consistent with the efficient handling of the complaint. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused person, the complaining one or merely a potential witness. Persons who are interviewed should not discuss

the matter at all with co-workers, friends or management. This does not mean, however, that employees may not complain to civil rights agencies.

~ IMPORTANT ~

In order to avoid misunderstandings, complaints made to members of management or to the town clerk involve the completion of a complaint report, either by you or by the person to whom the complaint is made, which summarizes the allegations and lists any witnesses to the alleged harassment. You should be sure to get a copy of this initial complaint report to confirm you have complied with this procedure.

These procedures have been established to enable you to get relief if you feel that you are a victim of harassment. The reporting procedures which we have adopted are intended to establish a clear record of what has been reported.

EMPLOYMENT POLICIES

Hiring / Recruiting

The Town endeavors to hire the most suitable candidate for open positions and encourage current employees to apply for positions for which they are qualified. The Town may solicit and consider applications from external applicants.

Employment Status Policy

The Town of Ninety Six has four classes of employees:

1. Full-Time: Employees who are regularly scheduled to work 30 or more hours per week. However, the Town does not guarantee any minimum number of hours of work per week. All full-time employees are generally eligible for fringe benefits.
2. Part-Time: Employees who are regularly scheduled to work less than 30 hours per week. To the extent possible, the Town normally will attempt to establish a part-time schedule such as a portion of days. Regular part-time employees may be called upon to work above their normally scheduled hours of work when workloads require. Regular part-time employees are not eligible for fringe benefits.

3. Temporary: Employees hired for a period of generally 90 days or less are considered to be temporary employees. Individuals who are employed to fill a job for a specific project or group of projects are temporary employees as well.

Temporary employees are not entitled to any employee benefits. A temporary who subsequently is hired as a full-time employee will be eligible for benefits on the same basis as a newly hired employee, that is, with waiting periods for benefits starting from the date of employment as a full-time employee.

4. Probationary Employees: Employees which may be part-time or full-time who have not yet completed their probationary period.

PROBATIONARY PERIOD POLICY

All new employees including former employees who have been rehired, are considered to be on probation for the first (3) months. This period is a continuation of the selected process and is a time in the which the new employee should make extra effort to demonstrate that he is well suited for his job. If the department head concludes at any time during the probation period that the new employee is not well suited for this position, the employee may be terminated or may be placed on extended probation.

The probation period ends successfully when the department head, not sooner than (3) months after the employee was hired, evaluates the new employee in writing and authorizes his classifications as a "regular" employee. The successful completion of the probationary period does not imply any change to the at-will employment status of the employee and does not provide any guarantee of employment for a specific term.

All newly promoted employees are considered to be on probation in their new jobs for (3) months. This period is a continuation of the selection process and is a time in which the newly promoted employee should make extra efforts to demonstrate that he is well suited for the promotion.

If the department head concludes at any time during the promotion probation period that the newly promoted employee is not well suited for his position, the employee may be removed from that position and terminated.

CONFLICT OF INTEREST POLICY

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

GIFTS AND GRATUITIES

No employee may directly or indirectly solicit, accept or receive a gift under circumstances in which it could be inferred that the gift was intended to influence him in the performance of his official duties or was intended as a reward for an official act on his part. A gift is defined as any benefit, favor, service, privilege or thing of value that could be interpreted as influencing an employee's impartiality. A gift includes, but is not limited, to meals, trips, money, loans, rewards, merchandise, foodstuffs, tickets to sporting or cultural events, entertainment, and personal services or work provided by City suppliers or contractors. This policy is not intended to prohibit the acceptance of items of nominal value that are distributed generally to all employees. A determination as to whether this policy has been violated is in the City's sole discretion.

OUTSIDE EMPLOYMENT

The Town expects an employee's work for the Town to take precedence over any outside employment engaged in by an employee. Employees must get prior written approval from the Mayor before engaging in other employment. Should the Town, in its sole discretion, determine that the outside employment interferes with or is otherwise incompatible with employment for the Town, the employee may be asked to choose between the jobs.

Employees may not engage in any private business or activity while on Town work time or at Town workplaces.

DISCIPLINE POLICY

As is the case with all organizations, instances arise when an employee must be disciplined. The discipline that may be imposed includes but is not limited to oral reprimand, written warning, probation, reduction of leave balances, suspension without pay, demotion and discharge. In addition, the Town may procedurally suspend an employee pending investigation to determine if disciplinary action is appropriate. If the Town determines an unpaid suspension is appropriate discipline, exempt employees will be suspended in full-day increments; non-exempt employees will be suspended in partial or full-day increments. In addition, the Town may impose a combination of disciplinary measures. **THE DISCIPLINE IMPOSED IN ANY PARTICULAR SITUATION IS AT THE SOLE DISCRETION OF THE TOWN. NOTHING IN ANY OF THE TOWN'S POLICIES OR BY VIRTUE OF ANY PAST PRACTICE OF THE TOWN REQUIRES THE TOWN TO FOLLOW ANY PARTICULAR COURSE OF DISCIPLINE.** Supervisors and department head must submit terminations to the Mayor for review.

Employees must sign counseling memoranda, policy statements, performance evaluations and other similar documents. The employee's signature does not necessarily indicate agreement with the contents of the document, only that he has been notified of the contents of the document. If an employee refuses to sign the document he will be relieved of duty without pay until the document is signed. If the document has not been signed and returned by the end of the employee's next scheduled work day, the Town will consider the employee to have resigned.

Examples of Conduct warranting Disciplinary Action

It is not possible to list all acts and omissions that may result in disciplinary action. The disciplinary action that is appropriate for any particular misconduct is at the sole discretion of the Town. The following are merely examples of some of the more obvious types of misconduct that may result in disciplinary action, up to and including discharge. **THE TOWN RESERVES THE RIGHT TO TREAT EACH EMPLOYEE INDIVIDUALLY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS.**

- a. conviction of or plea of guilt or no contest to a charge of theft, violation of drug laws, sexual misconduct, offense involving moral turpitude or offense that affects the Town's reputation or that reasonably could create concern on the part of fellow employees or the community. Employees who are arrested may be relieved of duty (with or without pay) pending the Town's determination on continued employment
- b. incompetence
- c. unauthorized absence or tardiness or a pattern of absenteeism or tardiness
- d. insubordination, including disrespect for authority, or other conduct that tends to undermine authority
- e. failure or refusal to carry out instructions
- f. unauthorized possession or removal, misappropriation, misuse, destruction, theft or conversion of Town property or the property of others
- g. violation of safety rules; neglect; engaging in unsafe practices
- h. interference with the work of others
- i. threatening, coercing or intimidating fellow employees, including "joking" threats
- j. dishonesty
- k. failure to provide information; falsifying Town records; providing falsified records to the Town for any purpose
- l. failure to report personal injury or property damage
- m.. neglect or carelessness

- n. introduction, possession or use of illegal or unauthorized prescription drugs or intoxicating beverages on Town property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; off-the-job illegal use or possession of drugs. For purposes of this policy, an employee is "under the influence" if he has any detectable amount of any such substance in his system
- o. unsatisfactory performance
- p. violation of Town policies
- q. lack of good judgment
- r. any other reason that, in the Town's sole determination, warrants discipline

POLICY ON EMPLOYMENT OF RELATIVES

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

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

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

POLITICAL ACTIVITY

Employees may fully and freely associate themselves in organizations of their own choosing, except those organizations whose purpose is to overthrow the government of the United States, the State of South Carolina or any of its political subdivisions. In addition, supervisory employees may not join or support labor organizations which accept to membership subordinates of such supervisors.

In certain circumstances involving real or potential conflicts, employees who run for any partisan or non-partisan public office may not be allowed to continue in Town employment. The employee/candidate may be placed on an unpaid leave of absence until after the election. If an employee is placed on leave of absence, his employment will terminate upon his election to a partisan public office.

For purpose of this policy, an employee is considered a "candidate for public office" as soon as he begins actively campaigning for nomination or election, or when he files for candidacy, whichever comes sooner.

POLICY ON HOURS OF WORK

The Town's normal hours of business are from 8:30 am to 5:00 pm. Town Hall will be open during the following hours each week: 8:30 am to 5:00 pm on Monday, Tuesday, Wednesday, Thursday and 8:30 am to 12:45 pm on Friday. However, some departments must operate outside the Town's normal hours of business, and schedules of employees of those departments may differ from the Town's normal hours. Each department is responsible for scheduling its employees so as to meet the needs of the Town. Employees may be required to work overtime.

ATTENDANCE POLICY

Punctual and regular attendance are essential functions of each employee's job at the Town of Ninety Six. Any tardiness or absence causes problems for

fellow employees and supervision. When an employee is absent, others must perform his or her work.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for break periods or when required to leave on authorized Town business. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided.

In all cases of absence or tardiness, employees should provide their supervisor with an honest reason or explanation. Documentation of the reason may be required. Employees also should inform their supervisor of the expected duration of any absence. An employee should call his or her supervisor in advance of his or her regular starting time on any day on which the employee is scheduled to work and will not report to work. In the event that an employee cannot get in contact with their supervisor, the employee should continue utilizing their chain-of-command. If the employee cannot personally telephone, the employee should have a reliable person to do so.

Excessive absenteeism (excused or not) may be grounds for discipline up to and including termination of employment. Each situation of excessive absenteeism or tardiness will be evaluated on a case-by-case basis. However, even one unexcused absence may be considered excessive, depending on the circumstances.

Any employee who fails to report to work without notification to his or her supervisor for a period of two days or more will be considered to have voluntarily terminated the employment relationship.

POLICY ON PLACE & TIME OF PAYMENT

The Town of Ninety Six pays its employees on Thursday. Each paycheck represents wages earned by the employee during the normal work period ending on the previous Sunday, at midnight. The pay period for weekly payroll shall begin on Sunday 12:00 am and end on the following Sunday at 12:00 am. The pay period for bi-weekly employees shall begin on Saturday at 7:00 am and end on Saturday (fourteen (14) days later) at 7:00 am. All hours, forty (40) for weekly and eighty-six (86) for bi-weekly employees, worked over will be computed at the overtime rate.

The Town issues paychecks on a weekly, bi-weekly, monthly, and quarterly basis. Checks will be made available to the employee beginning at approximately 4 pm on Thursday, at Town Hall.

The Town deducts from employees' gross pay taxes and withholdings that are required by the taxing authorities. The Town may also deduct from employee's pay the employee's share of any premiums or plan contributions for insurance, retirement and similar plans that are elected by the employee. The Town may make other deductions as required by law or court order.

If you find an error in your paycheck, your supervisor should be notified. The supervisor will in turn notify Human Resources. A lost check should be reported immediately so that payment may be stopped at the bank and another check can be issued.

Cash, debts, owed the Town, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, Town identification cards and other items belonging to the Town that are advanced or issued to an employee but not repaid or returned by him at the time of his termination are considered advances of wages, the value of which may be deducted from the employee's final pay check(s).

OVERTIME POLICY

Non-exempt employees, with the exception of law enforcement receive overtime premiums at 1.5 times their regular hourly rate for all hours worked in excess of 40. Law enforcement personnel receive overtime premiums after 86 hours in 14 days. In lieu of cash payment, the Town may credit employees with compensatory time at the rate of 1.5 hours for each overtime hour worked.

Employees must accurately record all hours worked and must have worked all hours recorded. Employees may not work "off the clock" and employees may not work overtime without permission of their supervisor except in cases of emergency.

Employees who are exempt from overtime receive a salary that compensates them for all hours worked in the work week. Such employees do not receive overtime pay.

BENEFITS

The Town currently offers a competitive benefits package. The terms of the Town's benefits plans are subject to change, and the Town is not responsible for any changes in or eliminations of benefits or benefit plans. Please see human resources for specific information on the Town's benefit plans.

Health Insurance

The Town of Ninety Six provides health insurance for all of its full-time employees. The Town pays a portion of the cost of individual coverage for those employees. Part-time employees are not eligible for Town paid health insurance coverage. Those employees who wish to have their dependents included in the insurance plan are required to pay a portion, up to and including 100% , of the monthly premium for that coverage on a payroll deduction basis. The group insurance policy and the summary plan description issued to employees set out the terms and conditions of the health insurance plan. These documents govern all issues relating to employee health insurance.

Additional copies are available from Human Resources. The Town reserves the right to unilaterally modify, terminate, change, or otherwise alter the benefit plan as it, in its sole discretion, deems necessary.

Retirement

All regular, full-time employees and police officers hired must, as a condition of their employment, become members of the South Carolina State Retirement System, or PORS for police officers. This system includes group life insurance for all full-time employees while police officers receive this and the accidental death program. The employee's contribution is paid through regular payroll deductions. Copies of these plans are available and on file in Town Hall. Should you wish to review these documents, you may contact the Town Clerk. All employees shall be issued membership cards and other documentation and shall receive an annual report of contributions and balance.

HOLIDAYS

The Town of Ninety Six recognizes eleven (11) holidays each year, plus the employee's birthday. Town Hall will be closed for all eleven stated holidays, except for employee's birthdays. For purposes of this policy, all employees will receive 8 hours of pay. All full-time employees will receive their regular straight-time compensation for each holiday including the employee's birthday. The holidays celebrated are:

- 1) New Year's Day
- 2) Martin Luther King, Jr.'s Birthday
- 3) President's Day
- 4) Good Friday
- 5) Memorial Day
- 6) Independence Day
- 7) Labor Day
- 8) Thanksgiving Day
- 9) Day after Thanksgiving
- 10) Christmas Eve
- 11) Christmas Day

A holiday that falls on a Saturday shall be observed on the preceding Friday while a holiday that falls on a Sunday shall be observed on the Monday following. Holidays, which occur while an employee is on annual leave, will not be charged as days taken by an employee for his/her vacation.

To be eligible for holiday pay, an employee must be employed with the Town on a full-time basis and have completed their probationary period. An employee will not be eligible for holiday pay if he/she is absent on his/her last scheduled workday before the day celebrated as the holiday and his/her first scheduled workday on the day following the day celebrated as a holiday, if their absence is considered unapproved by the department head.

WORKERS' COMPENSATION

Town employees are covered by workers' compensation for on-the-job injuries. Benefits are governed by state law and not set by the Town. Employees must report immediately any on-the-job injury, regardless of severity, to their supervisor.

INCLEMENT WEATHER POLICY

If inclement weather occurs during the workday and the SC Highway Patrol determines that driving conditions may become extremely hazardous, the Mayor or his/her delegate may authorize town employees to leave work before the normal closing time. If the inclement weather occurs during non-working days or after closing of Town Hall, then normal town functions will commence the next scheduled workday, unless delay or closing is granted by the Mayor or his/her delegate.

LEAVE POLICY/VACATION

All regular, full-time employees are eligible to earn annual leave time. All annual leave must be taken in blocks of time no less than four hours. All annual leave must be taken, as no more than fifty-two weeks per years shall be paid to any employees. The amount of annual leave earned for which an employee is eligible is determined by the employee's length of service as of their anniversary date (date of hire). For full-time employees, vacation accrues as follows.:

1. During the first year of uninterrupted employment, annual leave will be accrued at the rate of four (4) hours per month.
2. From the (second) 2nd through the (fifth) 5th year of consecutive employment, annual leave will accrue at the rate of eight (8) hours per month.
3. From the (sixth) 6th through the (tenth) 10th year of consecutive employment, annual leave will accrue at the rate of twelve (12) hours per month.
4. After ten (10) years of consecutive employment, annual leave is accrued at the rate of fourteen (14) hours per month.

All Department Heads and Assistant Department Heads shall earn annual leave at the following rate:

1. Ten (10) hours per month through five years.

2. Twelve (12) hours per month the sixth through tenth year.

3. Sixteen (16) hours per month after ten years.

Temporary employees, part-time employees or employees on a six month probation period, cannot earn or be paid for annual or holiday leave. However, if and when a probationary employee becomes a regular full-time employee, his/her six-month's service shall entitle the employee to twenty-four (24) hours of annual leave and twenty-four (24) hours of sick leave.

Employees on a leave of absence cannot accrue vacation or sick time during their leave of absence.

Annual leave can be allowed to accumulate to a maximum of one- hundred sixty (160) hours which can be carried over to the following calendar year. Annual leave accumulated in excess of one-hundred sixty (160) hours will be forfeited. A maximum of ten (10) consecutive days may be taken at any one time with the approval of the department head, Mayor, or any designee appointed by Council. Leave may be regulated in order that the absence of an employee will not be detrimental to the work of the Town. Notwithstanding, the Town's policy allowing an employee to accumulate annual leave and carry over such annual leave to the next calendar year, all annual leave is required to be taken as no more than fifty-two weeks compensation will be paid to any employee.

If an employee is absent and does not notify the Department Head, Town Clerk, Mayor, or a designee appointed by Council, within one hour after the beginning of the scheduled workday, the absence will be construed as an unexcused absence and the employee will not be allowed to use this day as annual leave. If the employee calls or notifies the Department Head, Town Clerk, Mayor, or a designee appointed by Council, within one hour after the beginning of the scheduled workday that he/she is sick, the absence will be credited to sick leave, if sick leave is available and accrued and subject to the conditions outlined in the sick leave policy, rather than annual leave.

Whenever possible, employees will be allowed to take annual leave at a time most convenient to them. However, in order to maintain essential services, the Town reserves the right to limit the number of employees that may be absent from a given department at the same time. Whenever there is a conflict of two or more employees choosing the same dates to take annual leave and if the absence of two employees may be disruptive to Town operations, the employee with the greater seniority will be allowed to take his/her annual leave and the junior employee will have to reschedule his/her annual leave date.

Accrued, unused annual leave will be paid for at termination only if the employee is terminated or resigns for non-disciplinary reasons. Employees who resign must give and properly work a two-week notice of resignation to receive accrued, unused annual leave. The notice may be waived by the Mayor.

SICK LEAVE

The Town of Ninety Six recognizes that an employee's inability to work because of illness or injury may cause economic hardship. For this reason, the Town provides paid sick leave to all regular, full-time employees. The days are provided only for the employee's own illness or injury.

Eligible employees accrue sick days at the rate of eight (8) hours per month to a maximum of four-hundred and eighty (480) hours. Sick days may not be used before they are earned. Employees are not entitled to be paid for earned, but unused, sick leave upon termination of their employment.

If an employee has more than two-consecutive days of absence due to illness, the absence must be supported by a doctor's statement. The Town also reserves the right to request proof of illness from an appropriate medical provider, as the Town deems necessary. Notwithstanding the Town's willingness to provide sick leave, attendance is important.

BEREAVEMENT LEAVE

Any full-time employee suffering the misfortune of a death in the employee's immediate family shall be granted bereavement leave. In the event of the death of an employee's spouse, mother, father, sister, brother, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandson, granddaughter, stepmother, stepfather, stepson, and stepdaughter, the employee will be granted three days off work with pay. Personal days or vacation days may be used if additional time off is needed. Requests for bereavement leave should be made to the employee's immediate supervisor.

JURY DUTY

The Town of Ninety Six will grant all regular, full-time employees time off for mandatory jury duty. A copy of the court notice must be submitted to the employee's manager to verify the need for such leave. The employee will receive the difference between jury duty pay and his or her normal salary or wage for each

day of jury duty up to a maximum of two weeks per year in addition to any other paid leave.

The employee is expected to report to work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his or her supervisor or manager informed about the amount of time required for jury duty and to provide documentation regarding the amount of jury duty pay received in order to receive the town-provided compensation supplement.

Any employee found to be abusing or misusing civil leave may have to forfeit vacation leave and/or be terminated if his/her absence is deemed by the Town to be unauthorized. If an employee is excused from jury duty due to illness, his/her time will be charged against accrued sick leave.

MILITARY LEAVE

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of such laws change from time to time and for that reason no effort is made to set forth the law in this policy.

PHYSICAL DISABILITY AND PERSONAL LEAVE

1. An employee who has completed his initial probation (and any extension thereof) may request a leave of absence for up to (3) months when unable to work because of sickness, pregnancy or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. (Paid leave may not be used for elective surgery). Personal leaves are granted only in the discretion of the Mayor.
2. Employees are requested to apply for leaves of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.
3. Physical disability leave begins on the first day of absence.

4. After the employee has exhausted his annual and/or sick leave, as a general rule, an employee on leave of absence is not entitled to wages or fringe benefits and does not accrue fringe benefits.
5. Employees on leave of absence may not engage in other employment.
6. Employees desiring to return to work from an unpaid leave of absence should notify the Mayor in writing at least ten days prior to their desired return date. If the Town finds that the employee is fit to resume his duties, the employee may be returned to his previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, he may be continued on leave of absence status until he is returned to active duty status or his leave of absence expires, whichever occurs sooner. Any employee who has not been reinstated within (6) months following the commencement of a leave of absence is generally terminated. This action does not affect the employee's eligibility to be considered for hire as a new employee at some future time. Further, employees with circumstances that warrant special consideration should bring those circumstances to the attention of management.
7. Circumstances of any employee's situation will be evaluated prior to any decision regarding the termination of their employment.

DRUG-FREE WORKPLACE POLICY

PURPOSE

The Town of Ninety Six is committed to providing a safe and productive work environment. We also expect our employees to report to work each day fit to perform their jobs. To meet these objectives, as well as our obligations under applicable federal and state laws, we must take a firm and positive stand against substance abuse. This policy is intended to ensure a drug-free work environment for the benefit of our employees and customer

POLICY STATEMENT

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or prescription drug which is not prescribed for the employee's own use, is strictly prohibited. This prohibition applies to use at any time, both on the job and off the job. Town employees are, of course, permitted to

possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

Similarly, employees are prohibited from reporting to work, using or being anywhere on Town property while under the influences of alcohol, illegal drugs, controlled substances or prescription drugs which are not prescribed for the employee's own use. For purposes of this policy, "under the influence" means having any detectable amount of any substance in the employee's system.

As a condition of continuing employment with the Town, each employee must:

1. Abide by the terms of this policy; and
2. Notify the Town of any criminal drug statute conviction for a violation occurring in the Town's workplace no later than five-days after such conviction.

Any violation of this policy will result in discipline, up to and including discharge.

TESTING

The Town may test employees for drug and alcohol use any time the Town has reasonable suspicion of a violation of this policy. The Town also reserves the right to randomly test safety sensitive employees (sworn law enforcement officers and CDL drivers). The Town reserves the right to determine and utilize the type of testing it deems to be most appropriate in these circumstances.

EMPLOYEE DRUG USE & DRUG TESTING **POLICY**

It is well-recognized that drug abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of the Town of Ninety Six to comply with the Drug Free Workplace Act, to establish and maintain drug-free workplaces, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and use of controlled substances on or off the job.

For these reasons, the Town adopts the following policy:

I. GENERAL RULE

Effective immediately, all employees of the Town are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) and prescription drugs which are not prescribed for the employee's own use. This prohibition applies to use at any time, both on the job and off the job. Town employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

All employees are also prohibited from reporting to work under the influence of alcohol. An employee may be subject to "particularized suspicion" testing for alcohol as outlined in the following procedures which relate to drug testing. Alcohol testing will be by blood testing or any other means deemed appropriate by the Town.

II. APPLICANTS FOR EMPLOYMENT

Effective immediately, the Town may conduct pre-employment drug test for applicants tentatively selected for employment. In the case of volunteer fire fighters, submission to a drug test may be a pre-condition to volunteering as a fire fighter for the Town. The Town shall not hire any applicant tentatively selected tentatively selected for employment who refuses to submit to a drug test or who tests positive for use of illegal or unauthorized substances. An applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate that he is no longer a user of any such substances.

III. CURRENT EMPLOYEES

A. Effective immediately, all Town employees will be subject to drug testing by urinalysis or any other method deemed appropriate by the Town where "particularized suspicion" of drug use in violation of this policy exists or under other lawful conditions.

1. Particularized suspicion is deemed to exist when:

- a. Information that an employee has used illegal drugs or substances in violation of this policy is provided by a reliable informant;
- b. a serious accident occurs due to fault of the employee;
- c. "serious accident" is defined as:

(1) an accident involving a fatality , [NOTE: DOT regulated employees will be tested after an accident involving a fatality regardless of fault];

- (2) an accident causing bodily injury which requires medical treatment away from the scene of the accident;
- (3) an accident causing total aggregate property damage of at least \$2,000 based on reliable estimates;
- (4) an accident involving one or more Commercial Motor Vehicles which results in one of the vehicles having to be towed from the scene by a tow truck or other vehicle.

d. an employee exhibits any of the following:

- (1) extreme mood swings;
- (2) slurred speech;
- (3) unusual clumsiness;
- (4) staggering
- (5) dilation of pupils;
- (6) sleeping on the job or lethargy;
- (7) excessive unexplained sweating; or
- (8) other aberrational behavior

e. an employee has been arrested for violation of drug laws;

f. an employee has admitted violating the Town's drug policy;

g. an employee has tested positive for illegal drugs within the past two years

B. Employees required by their jobs to possess a Commercial Driver's License must provide a specimen for testing within 32 hours following a serious accident for which they arguably are at fault. (Such employees who are injured and cannot provide a specimen at the time of the accident will provide necessary authorization for obtaining hospital reports or other documents which would indicate the presence of controlled substances in the employees' systems.)

C. Employees required by their jobs to possess a Commercial Driver's License must submit to a drug test whenever they are issued a citation for a moving violation in connection with an accident.

D. Particularized suspicion testing is conducted only with the approval of the Mayor or his designees(s). The Chief of Police or Assistant Chief of Police approves particularized suspicion testing for Police Department employees.

- E. Random testing for illegal or unauthorized drug use may be conducted for all sworn police officers and any employee who is required to possess a Commercial Driver's License.
- F. If an employee refuses to submit to a drug test when ordered to do so, the Town will terminate the employee.

IV. TESTING PROCEDURE

- A. Drug testing will normally be by urinalysis however the Town may use any other means it deems appropriate.
- B. The collection of samples will be performed under reasonable and sanitary conditions.
- C. Urine normally will be collected under conditions of semi-privacy - that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule.
- D. Urine samples will be sealed, labeled and documented in accordance with the procedure of the drug testing lab. Labeling, storage and transportation of samples shall be performed so as reasonably to preclude the probability of erroneous identification, sample contamination or sample adulteration.
- E. Specimens will be checked for at least the following six drugs:
 - (1) Marijuana
 - (2) Cocaine
 - (3) Opiates
 - (4) Amphetamines
 - (5) Phencyclidine
 - (6) Barbiturates
- F. Applicants and employees will have an opportunity to provide any information which they consider relevant to the test, including

identification of currently used prescription or nonprescription drugs, or other relevant information.

G. Samples which initially result in a positive finding for drug use will be re-tested by the gas chromatography/mass spectrometry (GCMS) method. If the GCMS test results in a positive finding of drug use, and is verified by the Medical Review Officer shall be conclusive for all employment-related purposes.

H. The Town's Medical Review Officer will normally allow an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the Town.

V. CONSEQUENCES OF VIOLATING THIS POLICY

Violations of this policy will result in discipline up to and including discharge.

- A. For sworn police officers, the Town shall terminate the employee if he is found to be in violation of this policy.
- B. For probationary employees, the Town shall terminate the employee if he is found to be in violation of this policy.
- C. For all other employees, the Town shall impose discipline up to and including discharge for an employee who is found to be in violation of this policy.
 - 1. The Town, in lieu of terminating an employee, may condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of a drug counseling/rehabilitation program.
 - 2. If the Town, after considering all of the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as a Town employee, the Town will do the following:
 - a. Refer the employee for drug abuse counseling;
 - b. Retest the employee for controlled substances before allowing the employee to return to duty;

- c. Require the employee to authorize the counseling program or other facility to report periodically to the Town during the course of treatment/counseling;
 - d. Place the employee on probation for at least six months following the employee's return to duty; and
 - e. Require the employee to submit to unannounced follow-up drug testing for a period not to exceed two years.
- D. Should an employee, whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program, refuse or fail to participate in a single counseling or treatment session, the employee will be terminated.
- E. An employee whose return to duty test sample does not indicate that the employee has discontinued use of illegal drugs will be terminated.

VI. COMING FORWARD WITH SUBSTANCE ABUSE PROBLEMS

- A. All employees (other than sworn police officers) who have substance abuse problems and report them to the Town before being selected for testing, and before the occurrence of an event which normally would result in testing, normally will not be disciplined upon the first violation but will be subject to Part V (C)(2) of this policy.
- B. If an employee admits to a violation of this policy or tests positive for drugs in violation of this policy, but seeks counseling and remains an employee of the Town, the employee will be discharged if he again either admits to a violation of this policy or tests positive for drugs in violation of this policy.

VII. CONFIDENTIALITY

Any drug test results or information supplied by employees and applicants as part of the Town's drug testing program will be kept as confidential as possible, consistent with the purposes of this policy.

VIII. TESTING COSTS

The Town will pay the costs of all drug tests to which the Town requires an employee to submit. However, an employee subject to unannounced

follow-up testing pursuant to Part V (C) of this policy will be solely responsible for the cost of all follow-up tests.

IX. NOTIFICATIONS OF TEST RESULTS

- A. Applicants will be notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.
- B. Employees will be notified of the results (including the drug (s) discovered) of all drug tests, provided the results are positive.

EMPLOYEE ALCOHOL USE & ALCOHOL TESTING POLICY

The abuse and misuse of alcohol is a very serious problem which threatens our nation's collective health, safety, and welfare. The Town is committed to maintaining a safe and productive work environment. Alcohol in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. Furthermore, it is the policy of the Town to establish and maintain alcohol free workplaces, to comply with applicable government regulations, and to prohibit the unauthorized, improper, or unlawful use of alcohol on Town premises or time.

For these reasons, the Town has implemented the following Alcohol Use and Alcohol Testing Policy.

I. GENERAL RULE

Effective immediately, all employees of the Town are prohibited from using or possessing alcoholic beverages on Town premises or time. (The term "Town premises or time includes: Town vehicles and private vehicles on Town premises; parking lots and recreation areas; and any circumstances in which an employee is representing the Town, such as attending off-premises business meetings or conferences. Employees are not prohibited, however, from having unopened containers of alcoholic beverages in their personal vehicles.) The Town manager may approve moderate alcohol use at designated social or business functions.

Furthermore, all employees of the Town may not report to or be at work while under the influence of alcohol. **(An employee shall be considered to be "under the influence of alcohol; if he has any detectable amount of alcohol in his system.)**

Finally, employees who are required by their jobs to possess a commercial driver's license are subject to the Federal Department of Transportation Motor Carrier Safety Regulations, which addresses the misuse of alcohol among DOT regulated employees. These regulations prohibit the following:

- using alcohol within four hours of reporting for duty;
- reporting for work with an alcohol concentration of .02 or greater;
- using alcohol while on duty;
- using alcohol within eight (8) hours following an accident which requires an alcohol test (or until a post-accident test is conducted, whichever occurs first);
- possessing alcohol while on duty;
- transporting alcohol in any DOT regulated vehicle (except when alcohol is manifested cargo)

II. CURRENT EMPLOYEES

A. Effective immediately, all Town employees are subject to alcohol testing where "particularized suspicion" of alcohol use in violation of this policy exists.

1. Particularized suspicion is deemed to exist when:

- a. information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant;
- b. a serious accident occurs due to the apparent fault of an employee.
- c. "Serious accident" is defined as:

- (1) an employee is operating a vehicle involved in an accident in which there is a fatality (DOT regulated employees will be tested after an accident involving a fatality regardless of fault);
 - (2) an accident causing bodily injury which requires medical care away from the scene of the accident;
 - (3) an accident that the driver was deemed to have caused or contributed to; or (2-1-2010)
 - (4) an accident involving one or more Commercial Motor Vehicles which results in one of the vehicles having to be towed from the scene by a tow truck or other vehicle.
 - d. an employee exhibits behavior consistent with alcohol use such as but not limited to:
 - (1) erratic behavior (mood swings, slurred speech, staggering bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.);
 - (2) the apparent odor of an alcoholic beverage on an employee's breath;
 - (3) other aberrational behavior such as but not limited to excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.
 - e. an employee has admitted violating the Town's alcohol policy;
 - f. an employee is arrested for or convicted of an alcohol related offense;
 - g. an employee has tested positive for alcohol in violation of this policy with the past five years.
2. Particularized suspicion testing is conducted upon approval of the Town Manager or his designee.

B. Effective immediately, all employees occupying positions designated by the Town as "safety sensitive" are subject to random selection alcohol testing to determine compliance with this policy. A list of safety sensitive positions is attached as Appendix A. All DOT regulated employees are subject to random selection testing pursuant to 49 CFR Part 382. (DOT regulated employees are randomly tested at an annualized rate of at least 25% (unless otherwise specified by the FHWA) in accordance with 49 CFR Part 382). Random selection testing is unannounced.

C. An employee who refuses to submit to an alcohol test when ordered to do so is subject to termination. Refusal to test includes failure to appear for a test, failure to remain until testing is complete, failure to provide an adequate amount of saliva or breath, failure to undergo a medical examination to evaluate your ability to provide an adequate breath specimen, or failure to sign a required certification form.

III. TESTING PROCEDURE

- A. Employees are usually provided an opportunity to provide any information which they consider to be relevant to the test.
- B. Alcohol tests are conducted to determine if an employee has violated this policy.
- C. The Town uses only DOT approved non-evidential screening devices and DOT approved evidential breath testing (EBT) devices for alcohol testing pursuant to this policy. The Town reserves the right to utilize blood testing for non-DOT alcohol tests.
- D. A non-evidential screening device is normally utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the Town, then a confirmatory test is conducted utilizing an EBT device or blood test.
- E. The EBT confirmatory test is conducted by an individual properly certified to use the equipment. (In situations involving DOT regulated employees, the EBT operator should be properly certified in accordance with applicable DOT regulations.)

- F. A confirmatory test result generated through the use of an EBT or blood test which indicates a presence of alcohol in violation of this policy is conclusive for purposes of this policy.

IV. NOTICE TO EMPLOYEES

The Town will attempt to distribute to all present employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee acknowledges his responsibilities under the policy and agrees to follow the policy.

V. CONSEQUENCES OF VIOLATING THIS POLICY

Violations of this policy may result in discipline up to and including discharge.

- A. A probationary employee who violates this policy is subject to termination.
- B. A non-probationary employee who violates this policy is subject to disciplinary action, including, termination.
 - 1. The Town, in lieu of terminating an employee who has violated this policy, may suspend the employee and condition his continued or future employment upon the successful completion of an alcohol counseling/rehabilitation program.
 - 2. If the Town, after considering all of the relevant circumstances, allows an employee who has violated this policy to continue as a Town employee, the employee's continued employment is subject to the following:
 - a. referral to a Substance Abuse Professional for assessment and requiring the employee to follow the SAP's prescribed program of counseling/treatment;
 - b. requiring the employee to authorize the Employee Assistance Program or other facility to report periodically to the Town during the course of counseling/treatment;

- c. retesting the employee for alcohol use in violation of this policy before allowing the employee to return to duty;
 - d. placing the employee on probation for at least six months following the employee's return to duty; and
 - e. requiring the employee to submit to unannounced follow-up alcohol testing for a period not to exceed five years. (the employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to this policy.)
- C. An employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program who refuses or fails to participate in a single counseling or treatment session, is subject to disciplinary action, including termination.
- D. An employee whose return-to-duty alcohol test indicates that the employee is in violation of this policy is subject to termination.

VI. CONFIDENTIALITY

Any alcohol test results or information supplied by employees and applicants as part of the Town's alcohol testing program is kept as confidential as possible, consistent with the purposes of this policy.

VII. TESTING COSTS

The Town pays the costs of all alcohol tests to which the Town requires an employee to submit. However, the employee is solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to Section V(B)(2) of this policy.

VIII. EMPLOYEE ASSISTANCE PROGRAM

The use of illegal drugs and similar substances is a serious threat to our nation's collective health, safety, and welfare. Alcohol abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. In order to prevent these consequences of alcohol abuse, the Town has implemented this policy. Employees who feel

they have a problem with substance abuse should seek assistance. The Town provides an Employee Assistance Program that provides assistance to employees. Additional information about our EAP program may be obtained from the Human Resources Director.

For information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment Centers" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse."

COMPLAINT PROCEDURE

PROBLEM SOLVING PROCEDURES

The Town of Ninety Six is concerned with any situation affecting the employment relationship. The Town is committed to correcting any condition or situation that may cause problems or misunderstandings. It is inevitable that problems and misunderstandings may occur. Therefore, the Town has provided an orderly manner for an employee to voice an opinion or discuss a problem with management without prejudice or fear of retaliation.

If an employee has a problem or complaint, the employee should discuss it with his or her immediate supervisor as soon as possible.

If the problem is not satisfactorily resolved or the problem is with the supervisor, the employee is encouraged to discuss it with the Mayor.

Not all complaints can be resolved to everyone's satisfaction. However, in each case, the reason for the decision will be explained clearly to the employee. Also, Administration personnel are available, at any time, to discuss and/or provide assistance on any complaint, problem, or concern that an employee may have.

WORKPLACE PRIVACY / COMPUTER & INTERNET USE

The workplace is intended to be a place of work. An important part of work is communications and recordkeeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Personal items and personal communications received or stored on Town property are not entitled to a guarantee of privacy.

Management may search Town property and documents in Town - owned vehicles, employee desks, lockers, file cabinets, electronic devices, etc.

Electronic media raise similar issues. The Town provides electronic and telephonic communication and, when necessary, computers and mobile devices to employees. Although assigned to the employee, these items still belong to the Town. Similarly, any electronic files created on or software downloaded on, a Town computer or mobile device belong to the Town. Unauthorized programs and files may not be used or installed on Town computers without the written permission of the Town. Additionally, employees may not encrypt work and may not use passwords other than those assigned to them by the Town. Employees may not destroy or delete files from Town computers or mobile devices except pursuant to the Town's record retention policy.

The Town reserves the right to review voice mail, electronic mail, computer and mobile device files, text messaging, and other electronic information generated by or stored in the Town's electronic systems. The Town also reserves the right to report the finding of such reviews to appropriate agencies.

The Town consents to the reasonable personal use of its computers and mobile devices. Although the Town consents to the "reasonable" use of its computers and mobile devices for personal business, what is "reasonable" is determined in the sole discretion of the Town. The only sure way to avoid violating the Town's policy on personal computer and mobile device use is to not use the Town's computers for any personal purpose.

The following use is absolutely forbidden:

1. to access any material the Town considers to be pornographic; to transmit or knowingly accept receipt of any communication that is pornographic, obscene, or in the Town's opinion might contribute to a hostile work environment in that it demeans individuals on the basis of

race, sex, age, national origin, disability or some similar distinction

2. to conduct business for outside employment or a side-business
3. to purchase any goods or services, even if charged to the employee's personal credit card.
4. to solicit others for non-work related reasons

Town employees may not use personal electronic equipment (including but not limited to personal laptop computers, mobile devices and cellular phones) on Town property or at Town work sites to engage in conduct that would be prohibited if using Town equipment.

Important Notice: The Town has the capacity to examine the computer and mobile device usage of individual employees in detail. Even though an item has been "deleted" and the employee cannot retrieve it, this does not mean that the Town cannot do so. It is also possible to generate a report of every Internet connection made by each user and of how much time was spent in each connection.

Social Networks, Personal Websites and Blogs

Social networking, personal websites, and blogs have become common methods of self-expression. The Town respects the right of employees to use these media during their personal time. The Town consents to reasonable limited access to social media sites during working hours or using Town equipment. What is "reasonable" is determined in the sole discretion of the Town. The only sure way to avoid violating the Town's policy on personal social media site access is to not access such sites at all during working hours or using Town equipment.

Employees must understand that material posted on these media may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts they make. Posts that contain obscene or harassing material, that are unlawful, that contain personal attacks on coworkers, that reasonably call into question the employee's judgment, or that reasonably cause concern among the public may result in discipline, up to and including termination from employment. Similarly, conduct that would violate Town policies if done in person also violates Town

policy if done through social media. Employees may not disclose confidential information over social media or similar sites.

Employees who posts on media sites and who have identified themselves as a member or employee of the Town on those sites must make it clear that they are expressing their own views and not those of the Town.

APPENDIX A

HARASSMENT/COMPLAINT REPORT

Correct name of complainant _____

Date of report _____

Date of incident(s) _____

Name or description of person who allegedly engaged in harassment against you

What happened? (be as detailed as possible & attach additional pages as necessary)

Name(s) of witness(es) _____

If harassment is found to have occurred, what action would you like to be taken?

If your complaint comes down to your word against that of the person who allegedly engaged in harassment against you, would you be willing to submit to a polygraph exam?

no _____

Name _____ Title _____

TRAVEL & SUBSISTENCE ALLOWANCE

1. All approved in-state travel in personal vehicles will be reimbursed at the rate as periodically established by Town Council not to exceed the rate set by the IRS.
2. All out-of-state travel must have prior approval of Mayor.
3. An official travel expense statement must be signed and filed by each employee in order to be reimbursed for travel related expenses. Receipts will be required to substantiate all expenses incurred.
4. All other official expenses incurred, as a result of travel, such as meals, lodging, registration fees, taxi, etc., will be reimbursed at actual costs.

When lodging is required, employees are expected to utilize standard, medium priced hotels and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he may stay at the hotel or motel where the meeting is to be held. In all cases, the Town will pay no more than the regular single room rate, except in cases where regular room rate is not available.

From time to time the Ninety Six Police Department may hold and promote special community projects. Since the Ninety Six Police Officers are

constantly in the public eye and occupy positions of trust, the following rules will apply:

- 1) All projects or special events or projects requiring unbudgeted funds (equipment etc.) must first have approval from the Mayor before the fund drive can be initiated.
- 2) All donations will be recorded with receipt or other documentation showing the name of the donor and the amount of the donation.
- 3) Donations should only be accepted from individuals, organizations, or businesses that would not reflect a negative image upon the Town or it's employees.
- 4) Records should be kept of all donations and properly maintained by the Chief of Police or a person directed by the Chief.
- 5) No moneys will go into salaries or bonuses for any employee.
- 6) No moneys collected will be deposited into any individual personal account or be used for personal gain.
- 7) All established accounts will be made available for yearly audit.