Town of Panton
Personnel Policy Manual

Amended June 2025

TABLE OF CONTENTS

Section 1. Title and Authority 3

Section 2. Persons Covered 3

Section 3. Equal Employment Opportunity/Statement of Non-Discrimination 4

Section 4. Terms of Employment 5

4A. Hiring Process 5

4B. Performance Evaluations 5

Section 5. Personnel Records 6

Section 6. Employee Conduct 6

6A. Work Hours 6

6B. Use of Town Equipment 7

6C. Use of Town Computer System, Network and Mobile Devices 8

6D. Personal Use of Social Media 9

6E. Outside Employment 11

6F. Nepotism 11

6G. Drug and Alcohol Use 11

6H. Tobacco Use 13

6I. Sexual Harassment 13

6J. Conflicts of Interest 19

6K. Political Activity 20

Section 7. Employee Compensation 20

7A. Overtime Pay and Compensatory Time Off 20

Section 8. Employee Benefits 21

8A. Eligibility 21

8B. Safety Footwear and Work Uniforms 22

8C. Holidays 22

8D. Floating Holidays 23
8E. Paid Time Off (PTO) 24
8F. PTO Rollover and Reserve Bank 25
Section 9. Leaves of Absence 26
9A. Employee Status 26
9B. Leave of Absence Without Pay 26
9C. Bereavement Leave 27
9D. Crime Victim Leave 27
9E. Military Leave 28
9F. Jury Duty 28
Addendum A: Employee Acknowledgement 30
Addendum B: Agreement by INDEPENDENTLY ELECTED Officer to be Bound by the Town of Panton Personnel Policy 31

SECTION 1. TITLE AND AUTHORITY

This Policy shall be known as the Town of Panton Personnel Policy. It has been adopted by the Town of Panton (hereinafter "Town") Selectboard pursuant to 24 V.S.A. §§ 1121 and 1122.

This Personnel Policy is a guide and may not be construed under any circumstances as a contract or binding agreement. This Policy is not intended to be, nor does it constitute, a contract or agreement for employment. Except for those town officers who, by law, can only be removed for cause (dog warden, constable, etc.), **employment with the Town of Panton is at will and not for any definite period or succession of periods of time.** The Town or the employee may terminate employment at any time, for any reason or no reason at all, with or without notice. Employee discipline or termination is left entirely to the discretion of the Selectboard and/or its designee. A disciplined employee or one whose employment has been terminated will have no right to appeal such determination.

This Personnel Policy does not constitute an express or implied contractual modification of employees' at-will employment arrangement with the Town as employer. Nothing contained in this Policy is intended to be part of the employment relationship; instead, the contents merely represent general statements of Town Policy. Any prior policies or verbal or written assurances of continued employment which could be construed as altering the at-will status of this employment relationship or any other unwritten practices or policies to the contrary are hereby superseded and nullified.

The Selectboard reserves the right to amend any of the provisions of this Personnel Policy for any reason, at any time, with or without notice. The Selectboard also retains the right to modify or amend the terms of employment at any time and for any reason, including unilaterally eliminating a position and thus terminating employment, reducing the work hours for some or all employees due to economic necessity, shortage of work, organizational efficiency, changes in departmental functions, reorganizing or reclassifying positions resulting in the elimination of a position, or for other reasons without limitation.

This Personnel Policy will be administered by the Selectboard and/or its designee.

SECTION 2. PERSONS COVERED

This Personnel Policy applies to full-time, part-time and temporary employees of the Town. Except by separate written agreement, elected officers and their statutory

assistants, members of Town boards and commissions, volunteers and persons who provide the Town with services on a contract basis are not covered by this Policy.

For the purposes of this Policy, a full-time employee is an employee who works at least 40 hours per week on a regular and continuing basis. A part-time employee is an employee who works 18 or more hours a week on a regular and continuing basis.

A temporary employee is an employee who works either full-time or part-time depending on the position and who holds one of the following types of temporary appointments:

Emergency Appointment: If it becomes necessary as determined by the Selectboard to fill a position on short notice in order to prevent disruption in services to the public or to conduct town business, the Selectboard may fill a full-time or part-time position on a temporary basis in accord with these policies for a period not to exceed 90 days.

Limited-Term Appointment: A limited-term appointment may be made when a specific project requires additional personnel for a specific time period or to fill the job of an employee who is on a leave of absence.

Seasonal Appointment: A seasonal appointment may be made for a specific activity for a period not to exceed 120 days.

Where a conflict exists between this Policy and an individual employment contract, the latter will control.

SECTION 3. EQUAL EMPLOYMENT OPPORTUNITY/STATEMENT OF NON-DISCRIMINATION

It is the policy of the Town to provide equal opportunity to all employees and applicants without regard to race, color, religion, ancestry, sex, sexual orientation, gender identity, age, national origin, place of birth, marital status, disability, veteran's status, HIV status, pregnancy, health coverage status, genetic information, crime victim status, or any other category of person protected under state or federal law.

SECTION 4. TERMS OF EMPLOYMENT

4A. Hiring Process

Interviews and Reference Checks

At the option of the Selectboard, job openings will be posted and advertised on a local basis. Applicants who best meet the written qualifications of the position will be interviewed in a timely manner by the Selectboard or its designee(s). The Town will follow all applicable laws regarding providing reasonable accommodation for all interviewees who request it for the interviewing process.

References will be checked for the finalist for the position. Current employers will not be contacted unless the finalist gives permission. These reference checks will be completed in person or by telephone prior to an offer of employment, and the information will be included in the application file.

Proof of Work Authorization Status

An applicant who is offered employment by the Town of Panton must provide the Selectboard with proof of United States work authorization status in conformance with federal law. An applicant who cannot provide such proof will not be hired by the Town of Panton until necessary proof is produced. (See 8 U.S.C. Sec. 2601)

Probationary Period

All new employees are required to complete a six-month probationary period, which may be extended for another six months at the sole discretion of the Selectboard. The purpose of this probationary period is to determine whether the employee is suited for the job. During the probationary period, employment may be terminated at any time at the sole discretion of the Selectboard. Notwithstanding any other provision of the Town of Panton Personnel Policy, a person whose employment is terminated during the probationary period will have no right to appeal such termination.

4B. Performance Evaluations

Employees may be provided with job performance evaluations at such times and in a manner as the Selectboard and/or its designee determines is reasonable. Evaluations are submitted to the employee, the employee's supervisor, and the Selectboard. They become a part of the employee's personnel file.

The Selectboard will render a written decision within fourteen (14) days after close of the hearing, unless otherwise agreed upon by the parties.

A terminated employee shall not work nor be paid for the time between the termination date and the written decision. If a terminated employee is reinstated following the post-termination hearing, they will return to work at the same level of compensation and benefits they were entitled to immediately preceding termination.

SECTION 5. PERSONNEL RECORDS

Personnel records are maintained for each employee of the Town. In accordance with Vermont's Public Records Law, any employee or the employee's designated representative may inspect or copy his or her personnel file at a mutually agreeable time during regular office hours. The Town reserves the right to have its representative present at the time its personnel files and medical record files are examined or copied.

SECTION 6. EMPLOYEE CONDUCT

All employees are considered representatives of the Town and as such are expected to conduct themselves in a courteous, helpful, and respectful manner in all their interactions with the public, other employees, and town officials both on duty and off.

All employees are expected to faithfully execute the duties and responsibilities of their office to the best of their ability.

6A. Work Hours

Regular work hours for Administrative/Town Office staff are 8:00 a.m. to 5:00 p.m., Monday through Friday, with a 60-minute unpaid lunch, which is expected to be taken.

Regular work hours for Highway Department staff are 6:30 a.m. to 5:00 p.m., Monday through Thursday, with a 30-minute unpaid lunch, which is expected to be taken.

All employees are required to fill out a time sheet with daily work start and end times, with the number of hours worked recorded during the time period. Time sheets are submitted to the Town Clerk at the end of the pay period.

Regular work hours may be changed, and additional hours may be required. Employees may be expected to work additional hours that may exceed forty (40) hours in a given

week, as circumstances, such as administering elections or attendance at Selectboard meetings, require.

All Highway Department employees are required to be available for work on an on-call basis, especially during the winter months.

All Town employees are required to be available for work in case of an emergency, weather-related or otherwise.

All employees are expected to be in attendance during regular work hours. Employees who will be absent from work are expected to notify their supervisor, in advance whenever possible. Employees who are calling in sick are expected to notify their supervisor as soon as possible during business hours, but no later than 9:00 a.m. on the morning of the absence.

All employees are expected to be at work and arrive on time. If an employee unexpectedly cannot report for work or is going to be late, he or she must notify his or her supervisor as soon as reasonably possible and state the reason. The Town Office should also be notified.

Employees cannot be absent from work without notification. All employees must have their vacation schedules approved by the Selectboard and/or its designee in advance as described in Section 8E - Paid Time Off (PTO). An employee who does not report to work for three consecutive days and does not provide a satisfactory explanation will be considered to have resigned his or her position.

6B. Use of Town Equipment

The use of Town equipment or property for personal use or by anyone other than town employees is strictly prohibited without the written prior permission of the Selectboard and/or its designee. Employees may not distribute, trade or give away any town resources or commodities without the permission of the Selectboard or its designee.

Any incident involving Town equipment or a vehicle or damage to a Town-owned item or building must be reported as soon as practicable, but within the same or next day to the Town Clerk. If required, a police report or insurance claim will be filed accordingly.

Employees should have no expectation of privacy regarding anything stored in or on Town-owned property or Town-owned equipment, including but not limited to desks, filing cabinets, lockers, and vehicles. Employees should expect that such areas may

be searched at any time to retrieve work-related materials or to investigate violations of workplace rules.

6C. Use of Town Computer System, Network and Mobile Devices

For purposes of this Policy, "computer system" means all computers and devices and any related hardware, equipment, components, or software, including, but not limited to, host computers, file servers, workstation terminals, laptops, tablets, smartphones, internal or external communication networks, the world wide web (www), the Internet, commercial online services, bulletin board systems, backup systems and the internal and external e-mail systems and security system and cameras accessed via the Town's computer equipment.

All electronic communications regarding Town business should be, to the furthest extent possible, conducted via official Town computer systems. Town employees should avoid conducting Town business using their personal computer, device, or account unless authorized by the Town. The Town computer system is to be used by employees for the purpose of conducting Town business. Occasional, brief, and appropriate personal use of the Town computer system is permitted, provided it is consistent with this Policy and does not interfere with an employee's job duties and responsibilities.

Employees should have no expectation of privacy or confidentiality regarding anything created, sent, or received on the Town computer system. The Town may monitor at any time its computer and/or security system cameras without warning or any specific notice to employees, including any and all computer transactions, communications, and transmissions for any reason including, but not limited to ensuring compliance with this Policy and evaluating the use of its computer system. All files, documents, data, and other electronic messages created, received, or stored on the Town computer system are open to review and regulation by the Town and may be subject to the provisions of Vermont's Public Records Law.

Employees may not introduce software from any outside source on the Town's computer system or cellular phones without prior written authorization from their supervisor. Employees may be held responsible for any damage caused by using unauthorized software or viruses they introduce into the Town computer system or cellular phones.

Employees who have a confidential password to access the Town's computer system should be aware that this does not mean the computer system is for personal confidential communication, nor does it suggest that the computer system is the property of that person. Additionally, employees who have a confidential password to

access the Town's computer system, or to access any Town-sponsored computer networks, or software-as-a-service, shall provide access to the Selectboard and/or its designee upon request.

Transmission of electronic messages on the Town computer system shall be treated with the same degree of propriety, professionalism, and confidentiality as written correspondence. The following are examples of prohibited uses of the Town computer system:

- Communications that in any way may be construed by others as disruptive, offensive, abusive, discriminatory, harassing, or threatening;
- Communications of sexually explicit images or messages;
- Transmission of chain letters or solicitations for personal gain, commercial or investment ventures, religious or political causes, outside organizations, or other non-job-related solicitations during or after work hours;
- Access to Internet resources, including websites and news groups which are inappropriate in a business setting;
- Unauthorized disclosures. Unauthorized disclosures include disclosures of non-public information, unless the disclosure is authorized by law; and the dissemination of confidential, proprietary, or privileged information; or
- Any other use that may compromise the integrity of the Town and its business in any way.

Nothing in this Policy will be interpreted or applied in a manner that interferes with employee rights to organize, form, join, or assist labor organizations, to bargain collectively through representatives of their choosing to the extent allowed by law, or to engage in other concerted activities for the purpose of addressing the terms and conditions of employment.

6D. Personal Use of Social Media

This section applies to employees using social media in their personal, non-official capacity. Personal or non-official use of social media means day-to-day use of social media by employees that is unrelated to their official work duties. Employees' personal or non-official use of social media may occur during work or off-duty hours. Consistent with Section 6C. – Use of Town Computer Systems, Network and Mobile Devices, occasional, brief, and appropriate personal use of social media is permitted during work hours provided it is consistent with this Policy, does not interfere with an employee's job duties and responsibilities, and does not have a detrimental effect on employee productivity or the Town's operations.

Employees using social media in their personal capacity are expected to be truthful, courteous, and respectful toward supervisors, co-workers, residents, customers, and other persons or entities associated with or doing business with the Town.

When posting content or commenting on Town business in their personal capacity, employees must use a disclaimer which establishes that their posted content or comments represent their own opinions and do not represent those of the Town. Employees must not attribute personal statements or opinions to the Town when engaging in the use of social media and if, through their identification or posts, any confusion as to whether their statements might be attributable to the Town arises, they must clarify that their posts are their own and not those of the Town.

Personal use of social media should not be tied to the Town's business and employees must not use their Town email account or password in conjunction with a personal social media platform.

Personal use of social media that adversely or negatively affects or impacts the workplace is prohibited. The following is a non-exhaustive list of examples, situations, or activity when personal use of social media may adversely or negatively affect an employee's duties or the workplace:

- Name calling and personal attacks or other such demeaning behavior;
- Friendships, dating or romance between co-workers;
- Cyberbullying, stalking, or harassment;
- Release of private or confidential data;
- Unlawful activities;
- Misuse of town social media;
- Inappropriate use of the Town's name, logo, or the employee's position or title;
- Using town-owned computer systems or equipment for extensive personal social media use; or
- Violating federal, state, or local law.

6E. Outside Employment

The primary occupation of all full-time employees will be with the Town. Employees may not engage in any outside business activities during their normal working hours. Employees are prohibited from undertaking outside employment that interferes with their job performance or constitutes a conflict of interest, as defined in *Section 6J. – Conflicts of Interest* in this Policy.

Prior to accepting any outside employment, employees will disclose their intent to do so in writing and obtain prior clearance from the Selectboard and/or its designee that such employment does not constitute a conflict of interest.

6F. Nepotism

The Town recognizes the potential for a conflict of interest to occur in the workplace where a close relative is responsible for supervising or evaluating the work performance of another close relative. Therefore, it prohibits the hiring or transferring of relatives, when doing so will result in a close relative supervising or evaluating another close relative, or a close relative supervising or evaluating the immediate supervision of another close relative.

A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

6G. Drug and Alcohol Use

The Town intends to maintain a drug-free workplace and workforce. The use of alcohol or illegal drugs, legal drugs including marijuana and the abuse of prescription drugs are not tolerated in the workplace or at work-related events.

As a Town employee, you are prohibited from working, or presenting yourself for work, while under the influence, or severe aftereffects, of illegal drugs, legal drugs including marijuana, controlled substances, and/or alcohol. This Policy is designed to promote the Town's goal of providing a safe, healthy and productive work environment. This Policy covers all employees, including drivers and other employees who are also subject to drug testing programs performed in accordance with Federal Department of Transportation (DOT) requirements.

It is the Policy of the Town to prohibit the manufacture, distribution, transfer, display, transportation, sale, dispensation, possession, consumption, or use of illegal drugs, legal drugs, controlled substances, and/or alcohol by Town employees at the workplace and/or

during work hours. Prohibited behavior includes manufacturing, distributing, transferring, displaying, transporting, selling, dispensing, possessing, consuming, using, or being under the influence of illegal drugs, controlled substances, and/or alcohol during work hours, on work premises, while engaged in work activities away from work premises, and/or during work-related events.

For the purposes of this Policy, the term "illegal drug" includes both: (a) all state and/or federally controlled substances, including look-alike and designer drugs, and drug paraphernalia, and (b) prescription medications that have not been prescribed for current use by an authorized medical practitioner or that are being used contrary to the prescribing medical practitioner's instructions. Controlled substances include but are not limited to the following substances: cocaine, opiates, amphetamines, phencyclidine (PCP), barbiturates, benzodiazepine, methadone, methaqualone, and propoxyphene.

Prohibited Conduct:

The following actions are prohibited in the workplace, on Town property, while using Town equipment, or during any time period in which an employee is on Town business:

- Possessing, consuming, or using illegal, legal or controlled substances, as defined by federal, state, and local statutes. (Controlled substances may be taken pursuant to a properly issued prescription, provided the controlled substance is taken as, and in the amount, prescribed and so long as the medication does not adversely affect the employee's ability to perform the essential functions of his or her job);
- Distributing, transferring, displaying, transporting, selling, or possessing with the intent to distribute illegal, legal or controlled substances;
- Possessing or using drug paraphernalia except when used for legal substances and in a legally prescribed manner;
- Being under the influence of illegal, legal or controlled substances as demonstrated by actions and/or other evidence;
- Growing and/or manufacturing any illegal or legal drug or controlled substance;
- Possessing or using alcohol; or
- Being under the influence of alcohol;

An employee must notify the Selectboard and/or its designee in writing if he or she is convicted of a violation of a criminal drug statute occurring in the workplace and must do so no more than five calendar days after the conviction.

The limited, responsible consumption of alcohol on or off Town premises at a business or social function that the employee attends as a representative of the Town is permitted,

but the Town expects all attendees at such a function to behave in a professional manner and in accordance with Town policies.
The Town reserves the right to search and inspect all areas of the workplace and its premises for the purpose of maintaining a safe and healthy workplace.

The illegal use of prescription drugs is prohibited. If an employee is legally taking prescription drugs that affect the employee's ability to safely perform any of the essential functions of his or her job, the employee's supervisor will determine whether the employee should continue to perform the functions until concerns regarding safety can be addressed. Medical certification may be required.

In addition to this Policy, employees who operate commercial motor vehicles (CMVs) for the Town are also subject to the provisions of the Town's CMV Drug and Alcohol Policy.

6H. Tobacco Use

In recognition of the hazards that tobacco poses to the health of employees, and in accordance with 18 V.S.A. §§ 1421 et seq. and §§ 1741 et seq., the Town prohibits employees' use of tobacco in any form, including electronic cigarettes, in all publicly owned buildings, offices and enclosed areas, designated smoke-free areas of Town property, and in all Town vehicles.

6I. Sexual Harassment

Sexual harassment in the workplace is illegal under federal and Vermont law and is strictly prohibited. The Town is committed to providing a workplace free from this unlawful conduct. All employees have the right to work without being subjected to insulting, degrading or exploitative treatment based on their sex, sexual orientation, or gender identity. It is against the policies of the Town for any individual, male or female, to sexually harass another individual in the workplace. In accordance with 21 V.S.A. §§ 495 and 495h, the Town has adopted the following sexual harassment policy. All employees are required to read this policy before signing the employee acknowledgement form.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to that conduct is made either explicitly or implicitly a term or condition of employment;

- Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- The conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of sexual harassment include, but are not limited to, the following, when such instances or behavior come within one of the above definitions:

- Explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- Touching or grabbing a sexual part of an individual's body;
- Touching or grabbing any part of an individual's body after that party has indicated, or it is known, that such physical contact was unwelcome;
- Continuing to ask an individual to socialize on- or off-duty when that person has indicated they are not interested;
- Displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters if it is known or should be known that the behavior is unwelcome;
- Continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- Referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- Regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- Retaliating in any way for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- Making derogatory or provoking remarks about or relating to an employee's sex, sexual orientation, or gender identity;
- Directing harassing acts or behavior against a person on the basis of his or her sex, sexual orientation, or gender identity;
- Any off duty conduct which falls within the above definition and affects the work environment.

It is also unlawful to retaliate against employees for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Any employee who believes that he or she has been the target of sexual harassment, or subjected to retaliation for having brought or supported a complaint of harassment, is

encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.

Any employee who wishes to report sexual harassment should file a complaint with either or both of the following:

Panton Town Clerk
Clerk-Treasurer@pantonvt.us
802-475-2333

Selectboard Chair
802-475-2333

The Selectboard or its designee will conduct a prompt, thorough, and impartial investigation. Confidentiality will be protected to the extent possible. If it is determined that unlawful harassment has occurred, the Town will take immediate and appropriate corrective action. No person will be adversely affected in employment with the Town as a result of bringing a complaint of unlawful harassment.

Complaints of sexual harassment or retaliation may also be filed with the following agencies:

Civil Rights Unit
Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609-1001
Tel: (802) 828-3657 (voice)
(888) 745-9195 (Toll Free VT)
(802) 828-3665 (TTY)
Fax: (802) 828-2154
Email: ago.civilrights@vermont.gov

Online: http://ago.vermont.gov/about-the-attorney-generals-office/divisions/civil-rights/

Equal Employment Opportunity Commission
JFK Federal Building
475 Government Center
Boston, MA 02203
Tel: 1 (800) 669-4000 (voice)
1 (800) 669-6820 (TTY)
1 (844) 234-5122 (ASL Video)
Fax: 617-565-3196
Email: info@eeoc.gov
Online: www.eeoc.gov

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe sexual harassment occurred, they may take a case to court.

6J. Conflicts of Interest

A conflict of interest means a direct or indirect personal or financial interest of an employee or a person or group closely tied with the employee including a close relative, household member, business associate, or employer or employee. A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

Employees of the Town shall conduct their jobs in a way that avoids conflicts of interest so that the public trust will be preserved. All decisions made by Town employees shall be made based on the best interests of the community at large rather than the interests of any individual or employee.

An employee shall not participate in any official action if the employee has a conflict of interest in the matter under consideration. An employee shall not personally, or through any member of their household, business associate, employer, or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in a cause, proceeding, application or other matter pending before the Town.

An employee shall not use resources not available to the general public, including but not limited to Town staff time, equipment, supplies, or facilities for private gain or personal purposes without written prior permission from the Selectboard.

An employee may accept a nominal gift or gratuity in connection with an action associated with their official duties on behalf of the Town with an estimated monetary value not exceeding $20.00 once per calendar year, with the understanding that employees may not directly or indirectly ask, demand, exact, solicit, accept or receive any gift, gratuity, act or promise beneficial to that individual, or another, which could influence any action or inaction associated with their official duties on behalf of the Town, or create the appearance of impropriety in connection with any actions or inactions associated with their official duties on behalf of the Town.

Nor shall any employee authorized to procure or to recommend procurement of materials, supplies or services, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive or agree to receive for the employee or another person, any benefit or benefits

from the person providing or soliciting the provision of such materials, supplies or services with the exception of items of a *de minimis* nature valued at $20.00 or less, such as vendor booth “freebies”. An employee may attend a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of Town business or where official attendance is appropriate. An employee may accept an award publicly presented in recognition of public service.

6K. Political Activity

Employee may not use their official authority for the purpose of interfering with or affecting the nomination or election of any candidate for public office, or demand or solicit from any individual direct or indirect participation in any political party, political organization, or support of any political candidate. Employees are prohibited from using Town facilities, equipment, or resources for political purposes and from pursuing political activities while working.

This Personnel Policy is not to be construed to prevent employees from becoming or continuing to be members of any political party or organization, from attending political party or organization meetings or events, or from expressing their views on political matters, so long as: 1) these views are clearly articulated as being those of the individual and not of the Town, 2) these activities do not interfere with the individual’s ability to effectively perform their duties, and 3) these activities take place or are expressed during non-working hours. This Personnel Policy is not to be construed as prohibiting, restraining, or in any manner limiting an individual’s right to vote with complete freedom in any election.

SECTION 7. EMPLOYEE COMPENSATION

7A. Overtime Pay and Compensatory Time Off

In accordance with the federal Fair Labor Standards Act (FLSA), the Town compensates nonexempt employees at the rate of one and one-half (1.5) hours for each hour actually worked in excess of forty (40) hours in any workweek. Holidays, floating holidays, compensatory time off, and PTO time do not count as hours worked for purposes of calculating either overtime or compensatory time eligibility.

In place of overtime pay, an employee may elect to receive compensatory time off (“comp time”), subject to the following conditions:

- **Comp time is earned at a rate of one and one-half (1.5) hours for each hour worked in excess of forty hours actually worked in any workweek.**
- **An employee may accrue a maximum of forty (40) hours of comp time. An employee who has accrued hours of comp time will be paid overtime compensation for additional overtime hours of work. All comp time must be used by the end of the fiscal year.**
- **The Selectboard may, at its sole discretion and at any time, pay the employee for time worked in lieu providing comp time. Additionally, the Selectboard may "buy down" the employee's accrued comp time balance, partially or entirely, by paying the employee a sum commensurate with the number of hours being eliminated from the employee's accrued comp time balance.**
- **An employee receiving payment for accrued comp time will be paid at the regular rate of pay earned by the employee at the time the employee receives such payment.**
- **Upon termination from employment, an employee will be paid for unused comp time at a rate not less than the average regular rate of pay received by the employee during the last three years of employment or the employee's final regular rate of pay, whichever is higher.**

An employee who has accrued comp time and requests use of comp time will be permitted to use such time off within a reasonable period after making the request, if such use does not unduly disrupt the Town's operations. Requests for use of comp time must be submitted to the employee's supervisor.

SECTION 8. EMPLOYEE BENEFITS

8A. Eligibility

The Town offers the following group insurance programs for the benefit of its regular full-time employees. All of these benefits take effect thirty (30) days from first day of employment.

- Life
- Health
- Dental
- Vision
- Long-term disability
- Short-term disability

The Town also offers a pension plan through the Vermont Municipal Employees Retirement Service (VMERS).

Details about the above benefits, as they exist on the date of hire or appointment, are provided to the employee in writing and updated as changes are made by the Selectboard.

The Town reserves the right to change insurance carriers, or to add, delete or amend insurance benefit programs in its sole discretion. The Town also reserves the right to change the amount or percentage of its contribution to the cost of any group health insurance program. Employees will be provided with advance notice of any change in the contribution rate.

8B. Safety Footwear and Work Uniforms

To ensure the safety of employees, appropriate safety footwear must be worn by all persons when working in areas where there is a danger of foot injuries due to falling or rolling objects weighing 15 lb. or greater, or objects piercing the sole or where such employee's feet are exposed to electrical hazards.

An employee whose job duties require safety footwear and a work uniform will be required to obtain them within one week of employment. The selection and purchase of safety footwear will be done on the employee’s own time outside of work hours. Safety footwear must meet or exceed ANSI & ASTM Z41-1991, American National Standard for Personal Protection-Protective Footwear, and subsequent revisions.

The Town reimburses an employee up to the budgeted annual appropriation, not to exceed the purchase price of the safety shoes, once per fiscal year, beginning July 1. An employee is responsible for any additional expense associated with the purchase of safety shoes. Safety footwear is the responsibility of the employee. Footwear that is lost, stolen or damaged unrelated to the employee's job must be replaced at the employee's expense.

To request a reimbursement, an employee must present the original receipt to his or her direct supervisor to verify the shoes meet the criteria for reimbursement. The supervisor, on behalf of the employee, will submit a reimbursement request to Accounting for processing.

8C. Holidays

The Town recognizes the following eleven days as paid holidays:

- New Year's Day (January 1)
- Martin Luther King Jr.’s Birthday (third Monday in January)

- Presidents' Day (third Monday in February)
- Memorial Day (last Monday in May)
- Juneteenth National Freedom Day (third Saturday in June)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Indigenous Peoples' Day (second Monday in October)
- Veterans Day (November 11)
- Thanksgiving Day (fourth Thursday in November)
- Christmas Day (December 25)

An employee will receive holiday leave pay at the employee's regular rate of pay. A regular part-time employee will receive prorated holiday leave pay based on the number of hours the employee is regularly scheduled to work.

Holidays falling on a Saturday will be observed the preceding workday. Holidays falling on a Sunday will be observed the following Monday.

A nonexempt employee who is required to work on an actual holiday will be compensated at the rate two times the employee's regular rate of pay and retain a paid holiday for future use.

If a nonexempt employee is not required to work on a holiday, hours paid for the holiday will not be counted as hours worked when determining overtime compensation.

Holidays that fall during an employee's paid time off (PTO) leave, will not be charged as paid time off (PTO).

A regular part-time employee working twenty or more hours per week is allowed to use the holiday as "floating" within the week he or she is scheduled to work, even if not regularly scheduled to work that day. Holiday time may not be used, however, if it puts the employee in excess of his or her regularly scheduled hours.

8D. Floating Holidays

Full-time employees who are scheduled to work five (5) eight (8)-hour days are awarded four (4) floating holidays each **January 1**. Full-time employees who work four (4) ten (10)-hour days are awarded three (3) floating holidays each **January 1**. Part-time employees are awarded pro-rated floating holiday time. All employees must use floating holiday time in the calendar year in which it is awarded. It does not accrue and thus, when not used,

is not carried forward into the next year nor compensated upon separation from employment.

8E. Paid Time Off (PTO)

Regular full-time and regular part-time employees are provided with paid time off (PTO) to help balance their personal and work lives. PTO hours may be used for time missed from work for illnesses, vacations, or personal days. PTO does not include holidays, floating holidays, bereavement, or military leave.

PTO is provided on January 1st of each year, equal to the designated maximum based on years of service, calculated from date of hire. Part-time employees who are eligible for benefits will receive PTO at a prorated amount based on their hours scheduled to work.

If the federal or state laws on the use of paid time off differ from the Town's Policy, those laws will prevail.

Regular full-time employees will receive paid time off (PTO) at the following annual rates:

Years of Service	Service Month When PTO Accrual Increases	Annual PTO In hours
New hire – 1 yr		88
1 yrs – 6 yrs	13 months	128
6 yrs – 13 yrs	73 months	168
13+ yrs	157 months	208

Use of PTO: In the event of an unexpected absence, an employee must notify his or her supervisor of the absence at least one hour prior to the start of their scheduled work time. If an employee has an illness that exceeds three (3) consecutive days, he or she must notify the Selectboard immediately.

For planned absences, an employee must provide at least two (2) days' notice to the employee's supervisor for PTO of one to two days. An employee must provide at least two weeks' notice to the employee's supervisor, prior to taking PTO for more than two consecutive working days. PTO requests must be approved by the employee's supervisor. When multiple employees' requests for PTO overlap, consideration will be given to the length of the PTO time requested, workload, and coverage needed in the work environment.

An employee may use PTO hours in 15-minute increments. PTO hours cannot be used prior to being accrued or available; no negative balances are allowed. When an employee does not have adequate accrued PTO to cover time off, the time off is charged to Leave Without Pay.

An employee who changes from full-time to regular part-time, as defined in this Policy will retain his or her existing PTO balance for the remainder of that year.

An employee who leaves employment with the Town will be compensated for unused PTO, up to the annual maximum amount. There is however no compensation for PTO hours in an employee's Reserve Bank, as explained below.

8F. PTO Rollover and Reserve Bank

If an employee does not use all of his or her PTO by the end of calendar year, a maximum of forty hours can be rolled forward into the following year's PTO. An employees PTO can never exceed their maximum based on years of service, plus 40 hours.

On January 1st, full time employees are awarded 120 hours of Reserve Bank time.

The maximum number of hours allowed in an employee's Reserve Bank is 120.

Reserve Bank time may be used for the following reasons:

- Employee's own serious health condition, including pregnancy;
- Attending to the illness of the employee's spouse, domestic partner, child, child of a domestic partner or parent; or
- Bonding with a newborn, the placement of a child for adoption or foster care, or to care for the newly placed child.

Reserve Bank time can be used in four (4) hour (or 5 hour in the case of a 10 hour day) increments only, if hours are available in the Reserve Bank. An employee cannot use the Reserve Bank if no hours exist, and no negative balance can be created.

A Reserve Bank balance is forfeited upon termination of employment and not reinstated upon rehire.

SECTION 9. LEAVES OF ABSENCE

9A. Employee Status

The Town of Panton will continue to pay the Town's portion for the cost of an employee's benefits including health, dental, disability and life insurance while an employee is on a medical paid leave of absence. While an employee is on paid leave, the Town will continue to collect the employee's payroll deductions. If the leave is unpaid, the employee must continue to pay the employee's portion of the benefits, which are payable by check or money order and submitted to the Town of Panton.

For Military Leave and Leaves of Absence, as defined below, benefits will end on the last day of the month in which the employee's accrued leave is exhausted. An employee will be eligible for Consolidated Omnibus Budget Reconciliation Act (COBRA) continuation insurance. Information about COBRA will be provided to the employee.

If the federal or state law on reinstatement of employment differs from the Town of Panton policy, the legal regulations will prevail.

The Town requires medical certification that an employee returning to work from his or her own serious health condition is able to resume normal duties. If the employee is returning to work following a worker's compensation related injury, it may be necessary to develop a transitional duty plan. This plan will take into account any restrictions noted in the medical release from the health practitioner.

An employee who takes leave as permitted under this Policy will be able to return to the same position or a position with equivalent status, pay, benefits, and other employment terms. Should economic conditions necessitate a reduction in force during a paid or unpaid leave of absence, however, employment status will be affected in the same manner as if the employee were an active employee.

9B. Leave of Absence Without Pay

All requests for a leave of absence without pay for any reason other than those covered by federal or state law must be submitted in writing to the employee's supervisor and must set forth the purpose for which the leave is requested. All leave requests must be for a definite time period and include a specified date of return.

If a leave of absence without pay is granted, the employee may, at the Selectboard's sole discretion, continue the employee's group health plan coverage by paying the required premium in accordance with the payment schedule established by the Town. Other

employee benefits, including PTO, holidays and seniority, do not accrue during an unpaid leave period.

While on an unpaid leave of absence, scheduled performance evaluations and salary increases may be postponed until the employee returns to work.

9C. Bereavement Leave

Separate from earned PTO, full-time employees who are scheduled to work five (5) eight (8)-hour days may be provided with up to four (4) paid bereavement leave days related to the death of a close family member, domestic partner or member of an employee's household. Full-time employees who work four (4) ten (10)-hour days may be provided with up to three (3) paid bereavement days. Bereavement leave is prorated for part-time employees.

The exact amount of time off depends upon the circumstances and is subject to the supervisor's approval. For purposes of this section of the Policy, "close relative" is defined as the following*:* spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt, uncle, niece, nephew, parent-in-law, or sibling-in-law.

If additional time off is needed, or if time off is needed for the funeral of a friend or a relative who is not included above, the employee's supervisor and/or a Selectboard member may grant, on a case-by-case basis, the use of a reasonable amount of accrued PTO, if available, or unpaid leave, if unavailable. The amount of such time off, if approved, will depend upon the individual circumstances such as the distance to be traveled, closeness of the employee's relationship with the person who died or the employee's family, and the employee's level of responsibility in making funeral or other arrangements.

Paid Bereavement Leave does not accrue and thus, when not used, is not carried forward into the next year nor compensated upon separation from employment.

9D. Crime Victim Leave

In accordance with 21 V.S.A. § 472c, eligible employees who are crime victims may be entitled to take unpaid leave for the purpose of attending a deposition or court proceeding related to:

- A criminal proceeding when the employee has a legal right or obligation to appear at the proceeding;
- A relief from abuse, neglect, or exploitation hearing when the employee is the plaintiff; or

- Hearings concerning an order against stalking or sexual assault when the employee seeks the order as plaintiff.

A “crime victim” is a person who has:

- Obtained a relief from abuse order against a family or household member;
- Obtained a court order against stalking or sexual assault;
- Obtained a court order against abuse of a vulnerable adult; or
- Sustained physical, emotional or financial injury as the direct result of the commission or attempted commission of a crime or act of delinquency and is identified as a crime victim in an affidavit filed by a law enforcement official with a prosecuting attorney. This includes the victim’s child, foster child, parent, spouse, stepchild or ward of the victim who lives with the victim, or a parent of the victim’s spouse, provided that the individual is not identified in the affidavit as the defendant.

At the option of the employee, accrued PTO time or floating holidays may be used.

9E. Military Leave

The Town will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4303 et seq., and 21 V.S.A. §§ 491 et seq. An employee who takes military leave subject to the provisions of these laws will be granted leave without pay. At the option of the employee, any paid leave accrued prior to the commencement of the leave may be used.

9F. Jury Duty

The Town will compensate employees at their regular rate of pay for their service as jurors or witnesses whether or not it is related to their status as a Town employee. Any compensation, excluding mileage, received for jury service must be surrendered to the Town. In accordance with 21 V.S.A. § 499, employees will otherwise be considered in the service of the Town for purposes of determining seniority, benefits, credit towards PTO and other rights, privileges, and benefits of employment.

Date Adopted by Town of Panton Selectboard: _____

Effective Date: _____

_____
Zach Weaver, Chair

_____
Teresa Boucher, Vice Char

_____
Reece Jaring

_____
Robert T. DeGraaf

_____
Kirsten De La Cruz

ADDENDUM A: EMPLOYEE ACKNOWLEDGEMENT

I, _____, acknowledge that:

A. I received a copy of the Town of Panton Personnel Policy on _____.

B. It is my responsibility to familiarize myself with its contents and to read completely;

C. I understand that it is my responsibility to ask questions if there is anything in the Policy that I do not understand;

D. I understand that the language used in this Policy is not intended to create, nor should it be construed to create, a contract of employment between myself and the Town of Panton;

E. I acknowledge that the Town reserves the right to add, amend or discontinue any of the provisions of this Policy for any reason or none at all, in whole or in part, at any time, with or without notice.

_____

Employee's Signature

_____

Date

ADDENDUM B: AGREEMENT BY INDEPENDENTLY ELECTED OFFICER TO BE BOUND BY THE TOWN OF PANTON PERSONNEL POLICY

This is an agreement between the Town of Panton Selectboard and _____ (insert name and title) collectively referred to as "parties."

In exchange for the provision of benefits by the Town as follows:

Stipend, if applicable as per town policy

Town Official agrees to be bound by the provisions of the Town of Panton Personnel Policy.

Town Official:

- Has received a copy of the Town's Personnel Policy and understands that it is _____'s (insert name) responsibility to familiarize himself or herself with its contents;
- Has been given an opportunity to ask questions about said policy and has been provided with satisfactory information in response to those questions;
- Acknowledges that as per Section of the Town's Personnel Policy, the Selectboard reserves the right to amend any of the provisions of the Personnel Policy for any reason at any time, with or without notice;
- Acknowledge that he or she understands the Town's Personnel Policy and agrees to comply with all of its provisions.

The parties agree that this does not constitute a contract for employment.

If any term of this agreement, the provisions of the Personnel Policy to which it incorporates by reference, or the application hereof of either to any person or a circumstance(s) is held invalid, this invalidity does not affect other provisions or applications of the agreement's terms, which can be given effect without the invalid term(s) or applications(s). For this purpose, this agreement is severable.

In addition to the above, Town Official agrees that all personnel appointed or hired by him or her shall be subject to the Town's Personnel Policy. In return, said personnel will receive benefits from the Town as follows:

Stipend, if applicable as per town policy.

Entered into this ____ day of _____, 20___

BY: Independently Elected Official: **Selectboard:**

_____ _____

_____

_____