

**PERSONNEL POLICIES AND PROCEDURES MANUAL
FOR
SEABROOK, NH**



Approved

This document supersedes all personnel policies previously established or approved by the Town of Seabrook, NH.

WELCOME TO THE TOWN OF SEABROOK, NH

Starting a new job is exciting, but at times can be overwhelming. This Personnel Policies and Procedures Manual has been developed to help you get acquainted and answer many of your initial questions.

As an employee of the Town of Seabrook, the importance of your contribution cannot be overstated. Our goal is to provide residents with the finest and most efficient service possible. You are an important part of this process.

This Personnel Policies and Procedures Manual explains our personnel policies and benefits. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to the Town Manager.

This policy in no way affects or supersedes any of the Collective Bargaining Agreements made with the Town of Seabrook and its employees.

On behalf of the Board of Selectmen and the people of Seabrook, I am glad you are part of our team, and I hope you will find your work to be both challenging and rewarding.

Sincerely,

Bill

William M. Manzi, III
Town Manager

ABOUT THIS MANUAL

The policies outlined in this Manual should be regarded as guidelines only, which may require changing from time to time. The Town of Seabrook retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Town. This Manual supersedes and replaces any and all prior Manuals, policies, procedures, and practices of the Town of Seabrook.

This Manual also summarizes the current benefit plans maintained by the Town of Seabrook for eligible employees. If any questions arise regarding the implementation or interpretation of any benefit plan, the terms and conditions of the actual plan documents and summary plan descriptions will control rather than the summaries contained in this Manual. The Manual (and other plan documents) are not contractual in nature and do not guarantee any continuance of benefits.

This policy in no way affects or supersedes any of the Collective Bargaining Agreements made with the Town of Seabrook and its employees.

This Manual is not and should not be construed as an express or implied contract, and should not create any due process requirements in excess of federal or state constitutional or statutory requirements, nor does it guarantee any fixed terms and conditions of employment and/or benefits.

Please also be aware that the Town of Seabrook reserves the right to change, revise, or eliminate any of the policies, procedures, or benefits described in this Manual at any time, in its sole discretion. If and when provisions are changed, you will be given replacement pages for those that have become outdated. A copy will also be placed on our bulletin boards.

Effective date:

This document supersedes all documents, same subject matter that predate it.

RECEIPT AND ACKNOWLEDGMENT OF PERSONNEL POLICIES AND PROCEDURES MANUAL

This Personnel Policies and Procedures Manual is an important document intended to help you become acquainted with the Town of Seabrook. This Manual will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Please read the following statements and sign below to indicate your receipt and acknowledgment of the Manual.

- I have received a copy and understand that it is my obligation to read the Personnel Policies and Procedures Manual. I understand that the policies described in the Manual are subject to change at the Town's sole discretion at any time.
- I am aware that the descriptions of benefits in this Manual are not contractual in nature and do not guarantee any continuance of said benefits.
- I am aware that during the course of my employment, confidential information may be made available to me. I understand that this confidential information must not be given out or used outside of Town premises or with non-town employees, except as required by law.
- I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the Personnel Policies and Procedures Manual.

Employee's Name (**please print**)

Date:

Employee's Signature

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I. GENERAL PROVISIONS

ADMINISTRATION

The rules, regulations, policies and procedures in this manual constitute the Town of Seabrook's Personnel Policy manual, and they have been adopted for information and guidance and for use by the Seabrook Board of Selectmen, Town Manager, supervisory personnel and employees of the Town. The Town Manager is responsible for the administration of the provisions of this manual and has the authority to take appropriate action in dealing with cases of violations of it.

To assure public transparency, any non-budgeted expenditures, including non-budgeted employee wage increases, and other contractual commitments that carry forward to future years impacting the Default Budget, shall be brought to the Board of Selectmen by the Town Manager for review and approval in a public meeting, prior to implementation. The Town Manager will alert the Board of Selectmen to commitments that fall under the authority of another appointed or elected body or official, in order to provide the Selectmen and the public with advance notification as the Selectmen will be asked to incorporate the associated spending increases into the Default Budget.

In implementing this manual, Department Heads, with approval of the Town Manager, are authorized to generate and implement departmental rules and regulations supplemental to the policies in this manual. Such rules and regulations bear the same authority as the policies in this manual.

This policy in no way affects or supersedes any of the Collective Bargaining Agreements made with the Town of Seabrook and its employees.

OUR WORKPLACE

As you review this Manual, you will notice that terms such as "workplace" and "premises" appear in many of the Town's policies. For most employers, such terms encompass the buildings and surrounding property that they own or lease. However, as you know, the nature of our work as a municipality requires that our use of these terms have a broader definition. Accordingly, whenever our "workplace" or "premises" is discussed in this Manual, please understand that we are discussing not only Town of Seabrook buildings, facilities and properties, but also any remote job site to which you may be assigned to work and any vehicle you may be traveling in or using for Town of Seabrook related business.

EQUAL EMPLOYMENT OPPORTUNITY AND POLICY AGAINST HARASSMENT

The Town of Seabrook is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and need. The Town of Seabrook will not discriminate against employees or applicants for employment on any legally-recognized basis including, but not limited to: veteran or military status, marital status, physical or mental disability, age, race,

color, religion, sex, sexual orientation, pregnancy, national origin, genetic information or ancestry. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, benefits and training.

In support of our commitment to equal employment opportunities, the Town of Seabrook prohibits any and all discrimination or harassment on any of the basis discussed above. This policy prohibits all of the activities discussed herein, whether engaged in by a supervisor, employee, co-worker, agent or non-employee who is on the Town of Seabrook premises or who comes into contact with the Town of Seabrook employees. Any employee who harasses or discriminates against another employee, citizen, or visitor on any of the basis discussed above will be subject to discipline, up to and including discharge. The Town of Seabrook defines harassment as follows:

Harassment is verbal and physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, sex, pregnancy, national origin, ancestry, age, religion, disability, marital status, sexual orientation or veteran status, or any other characteristic protected by law or that of his or her relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

It is not possible to list all of the circumstances and behaviors that may constitute unlawful harassment in violation of Town of Seabrook policy. However, the following are some examples of conduct which, if unwelcome, may constitute harassment depending on the circumstances, including the severity of the conduct and its pervasiveness:

- epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, ancestry, pregnancy, age, disability, sexual orientation, marital status, or veteran status; and
- written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, ancestry, age, disability, sexual orientation or veteran status that is placed on walls, bulletin boards, or elsewhere on Town of Seabrook premises, or in circulation in the workplace; and
- bullying, a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination directed at another employee which: physically harms an employee or damages the employee's property, causes emotional distress to an employee, creates a hostile work environment or disrupts the orderly operation of the employee's department. This can include cyberbullying which is undertaken through the use of electronic devices or social media, as well as written and/or verbal abusive and offensive remarks.

The Town of Seabrook prohibits all of the activities discussed above, whether engaged in by a supervisor, agent, co-worker, or non-employee who is on our premises or who comes in contact with our employees. Any employee who harasses or discriminates against another employee or any non-employee on any basis discussed above will be subject to discipline, up to and including termination of employment.

If you experience or witness what you believe may be harassment and/or discrimination in violation of this policy, you should report the incident in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated, and appropriate action will be taken, depending on the nature and severity of any proven incident.

Retaliation against an employee who complains in good faith about harassment and/or discrimination or who participates in good faith in an investigation of a complaint is a violation of this policy. Retaliation is a form of unlawful harassment and will be handled in the same manner as other forms of harassment. If you believe that you have been subjected to retaliation, you should report the incident in accordance with the Reporting Procedure contained in this Manual.

SEXUAL HARASSMENT POLICY

A. Introduction

The Town of Seabrook's goal is to provide a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by our Town. Further, any retaliation against an individual who has complained about sexual harassment and/or retaliation against any individual who has cooperated in an investigation of sexual harassment is unlawful and will not be tolerated.

Because the Town of Seabrook takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment. Where it is determined that such inappropriate conduct has occurred, whether or not it rises to the level of legally actionable harassment, the Town of Seabrook will act promptly to eliminate the conduct and implement any necessary remedial or corrective action, including disciplinary action where appropriate.

B. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation, or assistance; or

- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, humiliating, or sexually offensive work environment.

Under this definition, a direct or implied request by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable performance reviews, salary increases, promotions, increased benefits or continued employment constitutes sexual harassment.

The definition of sexual harassment is broad and, in addition to the above examples, other unwelcome sexually oriented conduct, whether it is intended or not, that has the effect of creating a workplace that is hostile, offensive, intimidating, or humiliating to male or female employees may also constitute sexual harassment. Sexual harassment also includes non-sexual comments and conduct that are directed at an individual because of his or her gender or otherwise motivated by gender discrimination.

It is not possible to list all of the additional circumstances and behaviors that may constitute sexual harassment or other inappropriate conduct that will not be tolerated. However, the following are some examples of prohibited conduct:

- Unwelcome sexual advances, whether or not they involve physical touching;
- Sexual epithets; sexual jokes; written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body; comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body; sexual gestures;
- Suggestive or insulting comments;
- Inquiries into an individual's sexual experiences; and
- Discussion of one's sexual activities.

C. Complaints of Sexual Harassment

Experience has shown that a clear statement to the person engaging in the offensive behavior is often all that is necessary to stop the conduct. If you believe you are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, we certainly do not require that you do so. If you believe that you have been subjected to sexual harassment, you should report the incident in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

D. Retaliation

Retaliation against an employee who complains in good faith about sexual harassment or who participates in good faith in an investigation of a complaint is a violation of this policy and is prohibited by law. If you believe that you have been subjected to retaliation, you should report the incident in accordance with the Reporting Procedure contained in this Manual.

**REPORTING PROCEDURE FOR SEXUAL AND OTHER
UNLAWFUL HARASSMENT, DISCRIMINATION AND
RETALIATION**

If you feel that you are a victim of sexual or other unlawful harassment and discrimination or retaliation, you should immediately report such actions in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If you believe that you are a victim of sexual or other unlawful harassment and discrimination or retaliation, you should report the act immediately to the Town Manager or the Deputy Town Manager.
2. Supervisors and managers who become aware of discriminating or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to the Town Manager or the Deputy Town Manager
3. The Town of Seabrook will promptly investigate every reported incident if appropriate. Any employee, supervisor, or agent of the Town who has been found to have sexually or unlawfully harass, discriminate against, or retaliate against another employee may be subject to appropriate disciplinary action, up to and including immediate discharge. The complainant will be informed generally of the outcome of the investigation and whether remedial action is being undertaken by the Town.
4. The Town of Seabrook will conduct all investigations in a discreet manner. Disclosure of complaints will be limited to those with a need to know in order to investigate the complaint and take appropriate remedial action.

THE AMERICANS WITH DISABILITIES ACT

The Town of Seabrook is committed to complying with all applicable provisions of the Americans With Disabilities Act of 1990 (ADA), as amended, and RSA 354-A. It is the Town's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job.

Consistent with this policy of nondiscrimination, the Town of Seabrook will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Town aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Town.

The Town of Seabrook encourages individuals with disabilities to come forward and request reasonable accommodations. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should approach the Town Manager to make appropriate arrangements. The Town of Seabrook will maintain all medical information in a confidential manner in accordance with the ADA.

IMMIGRATION LAW COMPLIANCE

The Town only employs United States citizens and aliens authorized to work in the United States. In compliance with the Immigration Reform and Control Act of 1986, it is against Town policy to discriminate in any aspect of employment of a person authorized to work in the United States based on the person's national origin, citizenship or intent to become a U.S. Citizen. In accordance with federal law, every prospective employee is required to provide documents verifying his/her identity and authorization to be legally employed in the United States. In addition, a prospective employee is required to sign a verification attesting that he or she is legally employable in the United States. The Town retains copies of these documents submitted/signed by an employee. To the extent practical and appropriate, these documents will be kept confidential. However, on request the Town is required to provide copies of the documents to the U.S. Department of Labor and to the Immigration and Naturalization Service (INS).

Providing false documentation or making any false statement related to this verification shall be grounds for immediate discharge. And, if during the course of employment, the Town requests further information relating to an employee's authorization to work in the United States, the employee must furnish the information requested. Failure to cooperate in providing such information shall be grounds for discipline, up to and included termination.

EMPLOYMENT APPLICATIONS AND INFORMATION

The Town relies upon the accuracy of information contained within each employee's employment application, as well as all other information presented throughout the hiring process and employment. Any misrepresentation, falsification, or material omission in any of this information may result in exclusion of the individual from further consideration for employment or, if the person has been hired may result in termination of their employment.

EMPLOYMENT CHECK/REFERENCES

The Town Manager, and his/her designee(s), are the only persons authorized to respond to a reference inquiry from any other employer or party.

No other Town employee may provide references for a current or former employee on behalf of the Town without express prior authorization from the Town Manager. Employees may provide "personal" references at their own discretion. Personal references may not be published on Town letterhead or give any other indication of being a reference or recommendation from/on behalf of the Town of Seabrook.

PERSONNEL RECORDS

The Town of Seabrook maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of employee progress. The personnel file is the Town's continuous record of information relative to the employee's employment. The employee may inspect his/her own personnel file during regular office hours, upon reasonable request. However, employees may not be permitted to review their personnel file if they are subject to an investigation at the time of the request and disclosure of such information would prejudice law enforcement. File inspection must be done on the employee's own time and must be arranged through the Town Manager or his/her designee. Employees may read their personnel file, but they may not remove any portion of the file. Upon request and payment of an established copying cost, employees will be provided with a copy of all or part of their personnel file.

If at any time an employee disagrees with the information in his or her file, the employee may submit a written statement explaining their version of the information together with evidence supporting such version. The Town of Seabrook will maintain such statement as part of the personnel file and will include the statement in any transmittal of the file to a third party.

In an emergency it is very important that your personnel file includes accurate information regarding who should be contacted. Please notify the Town Manager or his/her designee as soon as possible of any changes in name, address, telephone number, marital status, dependents and/or beneficiaries.

WORKPLACE ISSUES, CONCERNS, OPEN DOOR POLICY

In any workplace, work issues and concerns arise from time-to-time. If any such issues or concerns arise for employees while working for the Town, it is recommended that employees use the following procedure so the matter can be addressed and resolved as soon as possible.

Employees should initially discuss and try to resolve the matter with his/her immediate supervisor. However, if the employee is uncomfortable discussing the matter with his/her immediate supervisor or such a discussion does not resolve the matter to satisfaction, the employee should contact their department head. In the event that the matter is still not resolved to satisfaction, the employee should contact the Town Manager to bring about resolution.

The Town is confident that utilizing this procedure will bring about a satisfactory resolution of most workplace issues or concerns, resulting in a productive work environment for all employees

USE OF LIKENESS

The Town may take photographs and/or videos for use both internally and in displays, publications and on the Town's website or other social media. Any employee who does not want their picture taken and/or used in such a way is responsible to notify the Town Manager of this in writing.

DISMISSAL

The Town Manager may dismiss an employee as warranted and appropriate after consultation with the Town Attorney. Such action shall be preceded by notice and an opportunity to be heard.

II. EMPLOYMENT CLASSIFICATIONS, RECRUITMENT AND SELECTION

EMPLOYMENT CLASSIFICATIONS

At the time that you are hired, you are classified as full-time, part-time, or temporary and are informed as to whether you qualify for overtime pay. Unless otherwise specified in this Manual or as required by law, the benefits described in this Manual apply only to full-time employees. All other policies described in this Manual apply to all employees, with the exception of certain wage, salary and time off limitations. If you are unsure of which job classification into which your position fits, please ask the Town Manager.

FULL-TIME EMPLOYEES: Individuals who are regularly scheduled to work 40 or more hours per week.

PART-TIME EMPLOYEES: Individuals who are regularly scheduled to work less than 29 hours per week.

TEMPORARY EMPLOYEES: Individuals who are hired for specific periods of time or for the completion of a specific project. Temporary employees are not eligible for benefits described in this Manual except to the extent required by state or federal law.

NON-EXEMPT AND EXEMPT EMPLOYEES: All employees will be classified as either “exempt” or “non-exempt.” Exempt employees are paid on a salary basis and meet the other requirements necessary to be considered exempt from the overtime requirements of the Fair Labor Standards Act (“FLSA”). Therefore, these employees are not eligible to receive overtime pay. Non-exempt employees do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and Town policy.

Upon hiring, employees are told whether they are classified as exempt or non-exempt from the overtime provisions of the FLSA. If you have questions about whether you are classified as exempt or non-exempt under the FLSA, please contact the Town Manager.

RECRUITMENT

It is the policy of the Town of Seabrook to meet its workforce needs through systematic recruitment, selection and career support programs that identify, attract and select from the most qualified applicants for Town employment. The employment of individuals for Town positions shall be carried out with forethought for the balance of skills needed to sustain growth and assure future leadership. Practices fostering internal advancement opportunities for current employees shall be earnestly attended.

All potential employees shall pass a physical examination with a Town physician as well as a

drug screening in compliance with the drug and alcohol policy with the Town of Seabrook to be eligible for any employment opportunities. These tests will be at the discretion of the Town of Seabrook and paid for by the Town.

VACANCIES

Vacant positions to be filled may be described in an announcement which includes the position title, salary range, essential duties, job description, minimum application qualifications and closing date.

Preference will be given to current Town employees and will follow the collective bargaining agreements. If no Town employee is qualified to fill the open position the Town Manager may advertise the vacancy in the appropriate media. All open positions shall be posted for a minimum of ten (10) days prior to closing the acceptance of applications. All positions requiring Commercial licenses, other than emergency vehicle operators, for operation of equipment over 26,000 GVW must meet the Federal Motor Carrier Safety Regulations.

The Town encourages employees to develop new skills, expand knowledge of their work, assume greater responsibilities and make known their qualifications for promotion to more difficult and responsible positions.

When two permanent employees appear to be equally well qualified for promotion to any position, preference shall be given to the employee with the greater seniority.

APPLICATION

Application for employment with the Town must be filed on the available forms prescribed by the Town Manager. Such forms may require whatever information is deemed necessary and all applications must be signed by the applicant.

The Town relies upon the accuracy of information contained in each employee's employment application, as well as all other information presented throughout the hiring process and employment. Any misrepresentation, falsification, or material omission in any of this information may result in exclusion of the individual from further consideration for employment or, if the person has been hired may result in termination of their employment.

TESTING

In filling a vacant position, the Town Manager shall determine the level and extent of testing to be given for the particular class of position. Where appropriate, competitive examinations will be administered in a manner that will fairly test the fitness of all applicants. In order to avoid the possibility of discrimination, the identity of applicants will be concealed in all examinations. Applicants may be required to submit proof of their age, citizenship, driving records, and military records, and a permanent record of this data will be kept.

RANKING

In any examination the minimum score through which eligibility may be earned shall be determined by the Town Manager prior to the administration of the test. All applicants for any position will be notified of their standing, but actual test scores shall not be open to public inspection. Candidates with scores equal to or better than the minimum score shall be interviewed by the Town Manager or an agent designated by he/her for this purpose. The Town Manager shall make the final selection from the top three ranking candidates for that position, in consideration of the recommendations of the Department Head involved. Applications and test scores will be kept on file for one year and may be used in any subsequent hiring procedures during that year. Hiring shall be subject to passing a complete physical exam given by a physician designated by the Town Manager. The Town shall bear the expense of said examination.

PROBATIONARY EMPLOYEE

The purpose of the probationary period is to provide both the employee and employer with an opportunity to determine whether the employee is able to carry out the duties and responsibilities of his/her position. Any employee hired to a regular position shall be required to successfully complete a six (6) month probationary period.

The Department Head will offer suggestions if improvement is needed and a summary of his/her comments will be placed in the employee's personnel file. Upon the Department Heads recommendation, the Town Manager may extend the probationary period an additional six (6) months in order to provide the employee with an opportunity to improve his/her performance. Such recommendation shall be in writing and shall state the deficient areas and suggest remedial action. Copies of the recommendation will be forwarded to the employee and entered in the employee's personnel file.

PROVISIONAL APPOINTMENT

When a position becomes vacant and the Department Head believes that said position should be filled without delay, a provisional appointment may be made. After reviewing the applications for the position on file, a person may be selected who meets the minimum entrance requirements and is qualified to perform the duties of such position. Such appointments shall be made a consideration of the recommendations of the Department Head involved. No employee benefits shall accrue to employees with provisional appointments. A person receiving a provisional appointment may be considered for permanent employment provided he/she meets the same qualifying requirements as other applicants for the position.

III. COMPENSATION AND HOURS OF WORK

REPORTING OF TIME WORKED

It is important that your time be accurately reported so that you are compensated for the hours that you work. You may be required to complete time sheets or punch a time clock. No one is

authorized to punch a time clock on your behalf, and falsification of time records could lead to disciplinary action, up to and including termination from employment. If there are any changes needed to your weekly time card, then you must initial the change, indicating that you agree to the change and the accuracy of the change. Your supervisor will provide you with details concerning your obligation to report all time you have worked.

PAY/PAY PERIODS

Employees are informed as to their rates of pay and the pay period at the time that they are hired. Rates of pay are reviewed periodically and may be adjusted. If employees have any questions regarding their rate of pay, please see the Town Manager or Payroll Department.

Employees are paid on a weekly basis on Thursday for all hours worked during the preceding calendar week. Please review your paycheck for errors. Any concerns regarding the accuracy of a paycheck should be brought to the attention of the Payroll Department immediately. Paychecks will be distributed to the employee only. Employees may have pay directly deposited into their bank accounts at no charge if they provide advance written authorization to the Town of Seabrook.

WORK WEEK/HOURS OF WORK

The Town of Seabrook's work week begins on Friday at 12:00 a.m. (midnight) and ends on Thursday at 11:59 p.m. Because of the nature of our business, your work schedule may vary depending on your job and department. When hired, supervisors will inform employees of hours of work.

With the exception of fire and police personnel and part-time employees, the normal work week for Town employees shall be five days, with the hours of work to be scheduled by the Department Head. The normal work week for Department employees shall be as follows:

Fire Department Employees	Forty-two hours
Police Department Employees	Forty hours plus 1-hour donning & doffing
Other Department Employees	Forty hours

PAYROLL DEDUCTIONS

There are two categories of payroll deductions, those required by state or federal law and those authorized by the employee. Payroll deductions required by state and federal law include federal withholding, Medicare, FICA, and wage garnishments as required by law (i.e. child support payments, court-ordered payments, IRS garnishments.) In addition to payroll deductions required by state and federal law, other payroll deductions that are authorized by the employee for deductions such as for health insurances may also be made. Please contact the Payroll Department with any questions about payroll deductions. Changes to payroll deduction require the completion of the appropriate signed form.

OVERTIME

From time to time, it may be necessary for you to perform overtime work. All overtime must be approved in advance by your respective Department Head or Supervisor. Except in the event of an emergency, the Town will attempt to provide you with advance notice of the necessity for overtime work. Most non-exempt employees, with the exception of certain law enforcement and fire protection employees, are entitled to be paid one and one-half (1-1/2) times their regular rate of pay for all time worked in excess of forty (40) hours per week. For purposes of this section the phrase "worked" shall mean (a) time spent physically performing work for which the employee is entitled to compensation, and (b) the use of vacation and/or sick leave which the employee has earned during the course of their employment. You will be advised when you are hired if you are entitled to overtime pay.

MEAL PERIODS

No employee will be required to work more than 5 consecutive hours without being given the option of taking a ½ hour eating period, except if it is feasible for the employee to eat during the performance of his/her work and is permitted to do so.

CALL BACK PAY

Regular Full-time employees who are called back to work after the conclusion of their regular work day may be reimbursed for a minimum of three hours of service at the rate of one- and one-half times the employee's current rate of pay. If the need for services is less than three hours, the employee will be guaranteed three hours pay at time and one half. If the employee is required to be called back more than once during a single three-hour period, the employee shall only be paid for one call back period.

This section does not apply to scheduled overtime, call back times annexed to the beginning of the work shift, or to hold-over time annexed to the end of the work shift.

ANNIVERSARY DATE

The date of employment shall be considered the employee's anniversary date. That date shall be used to calculate length of service. In cases of probation or longevity wage increases, the first day of the pay period following the anniversary date shall be the effective date of the increase.

IV. TIME AWAY FROM WORK AND OTHER BENEFITS

ATTENDANCE AND LEAVE REGULATIONS

Standard rules governing attendance and leaves of absence for all regular full-time employees will be observed as follows:

- Individual hourly attendance and leave records will be maintained by the Department Head. All requests for annual leave shall be made at least one week prior to the taking of any such leave.
- Requests for annual or sick leave shall be filled out and approved by the Department Head and submitted with payroll. Department Heads will request leave through the Town Manager. In no case shall an employee be paid for leave above and beyond that which he/she is entitled to at the time of the request.
- Vacation schedules for employees in all departments shall be developed by the Department Head. It shall be the policy of each Department Head to schedule vacations over as wide a period as possible in order to provide an adequate number of personnel on-hand at all times. When requests for leave conflict and may hinder the operations of the Department, preference shall be given to the employees with greater seniority.

HOLIDAYS

Regular full-time employees are eligible for the benefits listed.

Holidays:

New Year's Day	(January 1)
President's Day	(3rd Monday of February)
Memorial Day	(Last Monday of May)
Independence Day	(July 4)
Labor Day	(1st Monday in September)
Columbus Day*	(2nd Monday of October)
Veterans' Day*	(November 11)
Thanksgiving Day	(4th Thursday in November)
Christmas Day	(December 25)
Floating Holidays (2)	

Holidays are observed on the dates specified by the laws of the State of New Hampshire.

Holidays falling on a Sunday will be observed on the following Monday; holidays falling on a Saturday will be observed on the preceding Friday. Regular full-time employees are eligible for holiday pay.

*These two holidays are used in place of the Day after Thanksgiving and Christmas Eve

VACATION

Vacation is a time for you to rest, relax, and pursue special interests. The Town of Seabrook provides paid vacation as one of the many ways in which we show our appreciation for your loyalty and continued service.

Each employee of permanent standing shall be allotted annual vacation time with pay in accordance with his/her current term of continuous employment, and in accordance with the collective bargaining agreements and/or as follows:

- All regular full-time employees shall earn annual leave on an accrual basis based on length of service. Accrual shall be based on completed calendar months of service from the date of hire. No employee can utilize annual leave until the probationary period is completed. However, no accrual shall be granted for a completed month of service for those employees hired after the 20th of the month. Employees shall not accumulate more than one- and one-half times their annual rate of accrual. Rates of accrual shall be determined by Collective Bargaining Unit agreements per position or by individual contracts.
- Vacations will be extended to compensate for holidays falling within the vacation period unless other specific arrangements are authorized by the employees supervisor.
- Any absence from duty for which leave time is paid, or for official leaves with pay, shall not constitute a break in the service record.
- Time lost by reason of leave of absence without pay, or time otherwise not worked or paid for shall not be considered in computing earned allowances of leave.
- Annual leave for periods less than eight (8) hours shall be granted at the sole discretion of the Department Head.
- Employees will not be allowed to utilize annual leave until they have successfully completed their probationary period.

Upon retirement or resignation, an employee shall receive payment for the number of days of annual leave to his/her credit. Employees removed for cause or submitting resignations without two weeks' notice will lose any vacation benefits previously earned.

An employee will not accrue any vacation time for those pay periods in which the employee is entitled to no wages, unless required under law.

All employees must submit requests for vacation time to their respective Department Head in writing. Requests should be submitted at least two weeks in advance of the requested vacation dates. Vacation may be taken only if the request is approved by the Department Head.

SICK LEAVE

Sick leave is considered to be an emergency fringe benefit used only as needed. All permanent employees shall accrue sick leave at the rate of one (1) day for each completed month of service from the date of probationary appointment unless the Collective Bargaining Agreement or contracts states otherwise. For the purposes of this section, one (1) day shall equal eight (8) hours. Employees hired after the 20th of the month will not accrue sick leave for that month. Sick leave may accrue to a maximum of 100 days. Employees shall be entitled to sick leave from the date of probationary appointment. Time lost by reason of leave of absence without pay, or time otherwise not worked or paid for shall not be considered in computing earned allowances of leave.

In order to be paid for sick leave an employee must notify his/her immediate supervisor or Department Head of his/her absence at least one (1) hour before the start of the regular work day, unless physically unable. Failure to do so will result in the forfeiture of pay. The Town reserves the right to request a doctor's statement for any time missed due to illness. Illness for which sick leave may be granted is defined as actual personal illness or bodily injury.

Sick leave will be paid at the employee's base rate of pay. An employee returning from a sick leave which exceeds three (3) consecutive work days shall be required to supply a doctor's statement certifying that the employee's health is good enough to return to his/her normal duties. Accrued sick leave shall be cancelled at the termination of employment with the Town unless otherwise stated in the Collective Bargaining Agreement or contract.

FAMILY AND MEDICAL LEAVES OF ABSENCE

Eligible employees may take up to twelve (12) weeks of unpaid family/medical leave within a 12-month period and be restored to the same or equivalent position upon return to work. These twelve (12) weeks will be tracked beginning on the first day of leave. To be eligible for family/medical leave, you must have worked for the Town of Seabrook: for at least twelve (12) months; must have worked at least twelve hundred fifty (1,250) hours in the past twelve (12) months; and must either (a) work at a site where the Town employs 50 or more employees or (b) work at a worksite where the Town employs fewer than fifty (5) employees if fifty (5) or more employees are employed within a seventy-five (75) mile radius of the worksite.

Eligible employees may take family/medical leave for any of the following reasons:

- (1) - the birth of the employee's child and to care for the newborn child (leave must be taken within twelve (12) months of the birth of the child);
- (2) - the placement of a child with the employee for adoption or foster care, and in order to care for the newly placed child (leave must be taken within twelve (12) months of the adoption or placement of the child);
- (3)–The serious health condition of a spouse, parent, minor child, or adult child when the adult child is incapable of self-care and the employee is needed for such care (“covered family members”);
- (4)–The employee's own serious health condition that renders the employee unable to perform his or her job;
- (5)- A qualifying exigency” (as defined in the Department of Labor Regulations) arising out of the fact that the spouse or a son, daughter, or parent of the employee is on “covered active duty” or has been notified of an impending call or order to “covered active duty” in the United States Armed Forces;

(6)-The employee is a spouse, son, daughter, parent, or next of kin of a “covered service member” (as defined in the Department of Labor Regulations) who has a serious injury or illness and the employee is needed to care for such person.

Tracking Leave: As stated above, an eligible employee is entitled to a total of twelve (12) work weeks of leave during any twelve (12) month period. That twelve (12) month period is defined as a "rolling" twelve (12) month period measured backward from the date an employee begins an FMLA leave. In other words, the number of weeks an employee has available upon the beginning of a FMLA leave will be twelve (12) weeks less the number of FMLA leave weeks taken in the twelve (12) month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee used four weeks beginning February 1, 2018, four weeks beginning June 1, 2018, and four weeks beginning December 1, 2018, the employee would not be entitled to any additional leave until February 1, 2019. Beginning on February 1, 2019, the employee would be entitled to start accruing new time up to four weeks; on June 1, 2019, the employee would be entitled to start accruing four additional weeks; and so on.

FMLA leaves for the birth or placement for adoption or foster care of a child, as described in paragraphs (1) and above, must be taken all at once unless otherwise agreed to by the Town. If medically necessary, FMLA leaves due to illness as described in paragraphs C and D above may be taken on an intermittent or reduced leave schedule. If FMLA leave is requested on this basis, however, the Town may require the employee to transfer temporarily to an alternative position which better accommodates periods of absence or a part time schedule, provided that the position has equivalent pay and benefits.

Employees taking intermittent or reduced schedule leave will be paid for the time they work, and the leave time away from work will be unpaid unless the employee qualifies for workers' compensation, short-term disability, or other benefits. If you are a salaried employee, the Town will adjust your salary based on the amount of time actually worked.

Employee Benefits: Employees are required to use any accrued, unused vacation and sick/personal days during FMLA leave unless the FMLA leave is otherwise paid through workers' compensation benefits, short-term disability benefits, or other benefits. The substitution of paid leave time for unpaid leave time does not extend the 12-week FMLA leave period. Also, your FMLA leave may run concurrently with other types of leave.

During an approved FMLA leave, the Town of Seabrook will maintain your health benefits under the same terms and conditions applicable to employees not on leave.

- If paid leave is substituted for unpaid FMLA leave, the Town will deduct your portion of the health plan premium as a regular payroll deduction.
- If your leave is unpaid, or is paid through workers' compensation, short-term disability benefits, or other benefits not provided through the Town's payroll system, you must pay your portion of the premium by making arrangements with the Town.

- Your health and other benefit coverage may be canceled if your premium payment is more than 30 days late.
- If you elect not to return to work at the end of the leave, you will be required to reimburse the Town for the cost of the premiums paid by the Town for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or because of other circumstances beyond your control.

If the FMLA leave is for a condition that is covered under the Town's short- or long-term disability insurance, covered employees may apply for benefit coverage.

Benefit entitlements based on length of service will be preserved at the level earned as of the commencement of the leave but will not accrue further during the leave period. For example, an employee on leave will not accrue additional sick/personal days, or vacation leave.

Requesting Leave: Employees must complete the appropriate FMLA leave request forms. These forms are available from the Payroll Department.

If your need for leave is foreseeable such as for the birth of a child or planned medical treatment, you must give the Department Head and Payroll Department (thirty) 30 days' prior written notice. In cases of planned medical treatment, please make efforts to schedule the treatment to avoid disrupting the Town's operations.

If the need for leave is not foreseeable, you must give notice to the respective Department Head as soon as practicable (generally, either the same day or the next business day of learning the need for leave). Failure to provide such notice may be grounds for delaying the leave. If you are not able to notify the Town of the need for leave personally because of illness, you should ask someone else to call on your behalf.

Medical Certifications: If you are on leave because of your own or a covered family member's serious health condition, the appropriate health care provider must supply a medical certification. Please obtain a medical certification form from Payroll Department for the health care provider to use. If possible, you should provide the medical certification before your leave begins. If that is not possible, you must provide the medical certification within 15 days of beginning your leave. If you do not provide the required medical certification in a timely manner, your leave may be delayed. If certification is not provided at all, the Town will not be able to determine whether you are eligible for FMLA leave and your leave will be denied.

The Town, at its expense, may require an examination by a second health care provider designated by the Town. If the second health care provider's opinion conflicts with the original medical certification, the Town, at its expense, may require a third health care provider agreed upon by the employee and the Town to conduct an examination and provide a final and binding opinion.

The Town may also require subsequent medical re-certification. Failure to provide requested re-certifications within 15 days may result in delay of further leave.

Reporting While on Leave: You must contact the office of the Town Manager on a regular basis to provide updates about the status of the medical condition and your intention to return to work. In addition, you must give notice as soon as practicable (within two business days if feasible) if the dates of leave change or are extended or initially were unknown.

No Work While on Leave: The taking of another job (including self-employment) while on FMLA leave or any other authorized leave is not allowed unless specifically authorized by the Town Manager and violations of this policy may lead to disciplinary action, up to and including termination of employment.

Returning to Work: At the end of an authorized FMLA leave, the employee will be reinstated to his or her original position or an equivalent position. However, certain highly compensated employees or “key employees” may be denied restoration to their prior or equivalent position if keeping the job open for the employee would result in substantial economic injury to the Town of Seabrook. Key employees are those employees who are among the highest paid ten percent of employees within 75 miles of the work site.

If you take leave because of your own serious health condition, you will not be reinstated until you provide a fitness for duty certificate from your health care provider confirming that you are medical able to resume work and perform the essential functions of your job. The return-to-work medical certification forms are available from the Finance Department.

Coordination with Maternity Leave: As stated in our Maternity Leave Policy, the Town provides female employees with a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, and related medical conditions. If an employee is also eligible for FMLA leave, the employee’s FMLA leave and Maternity Leave will run concurrently. Please refer to the Town’s Maternity Leave policy for more information regarding Maternity Leave.

For purposes of coordinating FMLA and maternity leave, maternity leave will be treated in the same manner as the FMLA leave of absence described in paragraph (4) above. Maternity leave begins when an employee is medically determined to be disabled and ends when medically determined to be able to return to work. If a maternity disability leave is for the number of available FMLA leave weeks or less, the employee may take additional FMLA leave pursuant to paragraph (1) or (2) after the end of the disability period, not to exceed the number of remaining available leave weeks and will be reinstated in accordance with this FMLA policy. If a maternity disability leave exceeds the number of available FMLA leave weeks, then reinstatement will be governed by the maternity leave policy.

Coordination with Other Town of Seabrook Policies; Reference to FMLA and Federal Regulations: In the event of any conflicts between this policy and other Town policies, the provisions of this policy will govern. The FMLA and the FMLA regulations issued by the U.S. Department of Labor contain many limitations and qualifications that are not stated in this

policy. The Town of Seabrook reserves the right to apply the terms of the FMLA and the FMLA federal regulations.

Any questions relative to FMLA leaves, including eligibility requirements should be directed to the Payroll Department.

MATERNITY LEAVE

All female employees may take an unpaid leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions. A maternity leave begins when an employee is medically determined to be disabled and ends when she is medically able to return to work. Employees will be required to take FMLA leave, if they are eligible for such leave, concurrently with maternity leave, as described in our FMLA policy.

Employees must use their accrued vacation and sick/personal time before taking unpaid leave under this policy. Employees on maternity leave may also be eligible for short-term disability benefits.

Employees on maternity leave who are not eligible for FMLA leave or who have exhausted their FMLA available leave weeks will be allowed to continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue medical insurance coverage by making arrangements with the Finance Department to pay the entire amount of the appropriate monthly premium in advance each month.

When the employee is physically able to return to work, her original job or a comparable position will be made available to her unless business necessity makes this impossible or unreasonable. An employee who cannot be returned to her original or a comparable position will remain eligible to apply for any available position within the Town.

PERSONAL LEAVE OF ABSENCE

The Town of Seabrook recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under state or federal law or other Town policies. A personal leave of absence may be granted at the sole discretion of the Town Manager to employees who have exhausted their leave available under our other leave policies and is normally only granted for compelling reasons.

Personal leaves of absence will be unpaid, and an employee on a personal leave of absence is not entitled to accrue any benefits, including, but not limited to, holidays, vacation time, sick leave, and personal days. However, if the leave of absence is for medical reasons, eligible employees may apply for workers' compensation as may be appropriate. The forms for these benefits are available from the Payroll Department.

Employees who are granted a personal leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue health insurance coverage by making arrangements

with the Payroll Department to pay the entire amount of the appropriate monthly premium in advance each month.

To request a personal leave of absence, please contact the Town Manager. You may be asked to provide a written request for the leave or supporting documentation explaining the need for leave, including but not limited to a health care provider's certificate stating the reason for the leave and the expected date of return to work. If granted, personal leaves typically will not exceed 30 days. An employee who has taken leave for medical reasons must submit a fitness for duty certificate from his or her health care provider before reinstated to work.

Requests for leave will be considered on a case-by-case basis, taking into account the Town's staffing needs and other factors. If a personal leave is granted, you may not accept other employment of any kind, including a business of your own, while you are on leave. If you are granted a personal leave of absence, you must inform us when you are able to return to work and you may be required to submit a doctor's certificate stating that you are medically able to return to work. We reserve the right to require a physical examination by a physician of our own choosing prior to your resumption of duties.

We will make reasonable efforts to reinstate employees returning from personal leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other requirements. Please understand that we cannot guarantee reinstatement from a personal leave. If the Town is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from his or her employment with the Town of Seabrook.

MILITARY LEAVE

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as "uniformed services") will be provided with leaves of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act ("USERRA").

Military leaves of absence will be unpaid, unless otherwise required by law. You may elect to take part of, or all of, your accrued vacation time with pay during your military leave of absence, but you are not required to do so.

Notice of Leave Request: An employee needing time away from work for service or training in the uniformed services should make their respective Department Head aware of the need for leave as soon as the employee receives the written or verbal orders. It is requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

An employee's request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Reasonable time off will be decided by the Town Manager based on a case by case basis.

Health Coverage: If a military leave lasts less than 31 days, the employee's health insurance will be continued, and the employee will pay his/her regular contribution for the cost of healthcare insurance. Payment for insurance with less than 31 days leave may be paid in advance or upon return through payroll deductions.

Pension: Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes. If applicable, the employee may elect to make up any missed contributions or elective deferrals but is not required to do so.

Reinstatement: Employees wishing to be reinstated following military leave should promptly notify the Department Head of their desire to be reinstated. If the leave is for service of less than 31 days, then the employee should return to work on the first full regularly scheduled work day following completion of service, allowing for 24 hours of rest and time for safe transportation back from the service. If the service lasts 31 to 180 days, then the employee should notify Department Head of the desire for reinstatement within 14 days of completing service. If the military leave lasts more than 180 days, then the employee should notify the Town Manager of the desire for reinstatement within 90 days of completing service.

The Town will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in service, and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

Disabled Service Members: If a returning employee was disabled or a disability was aggravated during uniformed service, the Town will make reasonable accommodations and efforts to help the employee become qualified to perform the duties of his or her reemployment position.

Statement Against Discrimination and Retaliation: The Town of Seabrook will not discriminate in hiring, employment, reemployment, or any benefits of employment against any individual because of that individual's service in the United States uniformed services. The Town also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to Town Manager.

BEREAVEMENT LEAVE

Bereavement leave with pay shall be granted when a death occurs in a regular full-time employee's immediate family (spouse, parent, child, brother, sister, mother-in-law, father-in-law, grandparent, grandchild, step-parent, or a blood relative or ward residing in the same house).

Such leave will be granted up to a period of three (3) consecutive work days. Special leave of one (1) working day with pay shall be granted an employee for the purpose of attending the funeral in the event of the death of his/her sister-in-law, brother-in-law, aunt, or uncle.

JURY DUTY/WITNESS LEAVE

The Town considers it a civic duty to serve on a jury if summoned and will grant you leave in order to serve on a jury. An employee shall be excused from employment for the day or days required in serving as a juror or witness in any court created by the United States or the employee's state of residence. For part-time and temporary employees, jury or witness duty should be considered an excused unpaid absence. A regular full-time employee called for jury duty (*or subpoenaed as a witness*) shall be granted paid leave for the first three (3) days for the period of the civil involvement, and any absence thereafter will be unpaid leave, unless otherwise required by state or federal law. Employees who are compensated for jury duty shall be paid the difference between their regular day's pay and the amount of compensation they receive for performing their jury duty.

Employees summoned for jury duty must inform their respective Department Head as soon as possible and must present a copy of the summons or subpoena to the Payroll Department. If released from jury duty on any day, the employee is expected to return to work.

LEAVE OF ABSENCE FOR VICTIMS OF CRIME

The Town will grant an employee unpaid time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was a victim. For purposes of this policy, a "victim" is any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

Employees may also qualify for leave under this policy if they are part of the immediate family of a homicide victim or part of the immediate family of a child under the age of 18 or an incompetent adult who is the victim of a crime. For purposes of this policy, "immediate family" means the father, mother, stepparent, child, stepchild, sibling, spouse, grandparent, or legal guardian of the victim, or a person who is otherwise in an intimate relationship with and residing in the same household as the victim.

An employee needing time off under this policy should notify their respective Department Head as far in advance as possible. The employee may be asked to submit copies of the notices of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency involved in the prosecution of the crime. Employees must comply with any requests to submit these notices, and failure to do so may result in denial of the leave of absence. The Town will maintain any such notices or records in confidence and will disclose them only on a need to know basis.

The employee will be notified as soon as practicable whether the leave request is granted or denied. Requests falling within the definitions of this policy will typically be granted unless the leave of absence would cause an undue hardship on the Town. An "undue hardship" for purposes of this policy means significant difficulty and expense. In determining whether an

undue hardship may exist, we will consider the size of our operations, the employee's position, and our need for the employee to be at work.

Leave taken under this policy is unpaid, although an employee may elect to use his or her accrued, unused vacation time, sick leave, or personal days.

The Town will not discharge, threaten, or discriminate against an employee for taking leave under this policy, and employees taking leave under this policy will not lose any seniority during the leave of absence.

MEDICAL BENEFIT PLAN

Eligible employees may participate in our medical insurance plan. Full-time employees may enroll in either a single, two-person, or family contract after meeting the eligibility criteria stated in our plan documents. Information and enrollment forms may be obtained from the Payroll Department. To assist you with the cost of this insurance, the Town currently pays a portion of a single, two-person, or family contract. The balance is to be paid by the employee through authorized payroll deduction.

The Town of Seabrook offer a Health Insurance Opt-Out benefit for employees who have health coverage through other means. The Town shall pay a stipend equal to fifty (50%) percent of the premium for the health insurance plan offered by the Town based on the coverage (family, two person or single), as long as the employee does not partake in the health insurance coverage through the Town. The employee must provide proof of alternative health coverage. Said Opt-Out is a taxable benefit.

Please see the Payroll Department for more details.

DENTAL PLAN

Eligible employees may participate in our dental plan. Full-time employees may enroll in either a single, two-person, or family contract after meeting the eligibility criteria stated in our plan documents. Information and enrollment forms may be obtained from the Finance Department. The Town provides this benefit at no cost to the employee.

LIFE INSURANCE

The Town currently provides group life insurance to all regularfull-time employees. The amount of coverage is currently \$50,000 and is subject to change. There is no shared cost with eligible employees.

RETIREMENT PLAN

All full-time Town of Seabrook Fire and Police employees are required to participate in the New Hampshire Retirement System (NHRS). NHRS is a contributory, public employee defined benefit pension plan qualified under section 401(a) of the Internal Revenue Code. The plan provides lifetime pension benefits that are determined at retirement under formulas prescribed by

law. For employee contribution requires and other specifics of the NH Retirement System see their website at www.nhrs.org.

Other employees may contribute to ICMA or AXA 401K plans with up to 5% match by the Town.

SHORT-TERM AND LONG-TERM DISABILITY

Regular full-time employees are eligible to enroll in our short-term and long-term disability insurance. This insurance is designed to provide some income for you in the event that you suffer a non-occupational illness or injury. There may be waiting periods that apply before the benefits will begin. The Town provides these benefits at no cost to the employee

Our short-term and long-term disability benefits are governed by detailed plan documents that are available from the Payroll Department.

If you are enrolled in our short-term or long-term disability benefits and you suffer an illness or injury, please notify the Finance Department immediately. They will tell you which forms must be completed and the medical information that must be supplied to apply for the benefits.

COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”) provides eligible employees and their covered dependents with the opportunity to continue medical and dental insurance for a period of time, at their own expense, if they would otherwise lose coverage for certain qualifying reasons. Please see the Payroll Department for more information about COBRA.

WORKERS’ COMPENSATION INSURANCE AND REPORTING WORKPLACE INJURIES

On-the-job injuries are covered by the Workers’ Compensation Insurance Policy provided at no cost to the employee.

Reporting Injuries: If you are injured on the job, no matter how slightly, you **must** report the incident immediately to your respective Department Head and the Payroll Department. We ask for your assistance in alerting the Town to any condition which could lead or contribute to an employee accident. Employees must complete the necessary workers' compensation forms following any injury. The Workers’ Compensation carrier must also be contacted prior to seeking medical attention (unless it is a life-threatening injury).

Weekly Income Benefits: The amount of the weekly worker’s compensation benefit is set by the New Hampshire Department of Labor. The weekly benefit is currently based upon 60% of an employee’s average weekly wages. These benefits are paid by our workers’ compensation carrier to eligible employees.

Temporary Alternative Duty: Employees with work-related injuries may also be entitled to temporary alternative duty in accordance with New Hampshire's Workers' Compensation laws and Town policies.

Reinstatement: A regular full-time employee who has sustained an on-the-job injury will be reinstated to his or her former position upon request within eighteen (18) months of the initial injury if the position exists and is available, and the employee is not disabled from performing the duties of the position. A fitness-for-duty certificate may be required before an employee is permitted to return to work.

Under New Hampshire law, an employee's reinstatement rights expire eighteen (18) months from the date of injury. An employee also will not be reinstated if he/she has accepted a job with another employer at any time after the date of the injury or if there is a medical determination that the employee cannot return to his/her former position. Other circumstances concerning reinstatement will be governed by the New Hampshire Department of Labor requirements.

UNEMPLOYMENT INSURANCE

The Town of Seabrook pays into the unemployment compensation fund established by the State of New Hampshire. Individuals laid off from employment by the Town of Seabrook may be eligible for unemployment compensation benefits through the New Hampshire Department of Employment Security.

SOCIAL SECURITY

Social Security is a payroll deduction representing your contribution to the federal government's Social Security Program for all employees except those specifically exempted by Federal or State legislation. The Town also contributes money on your behalf to the Social Security Program.

TRAINING

Both the Town and its employees benefit from the provision of educational training opportunities at reasonable expense to the Town. Department Heads shall be responsible for organizing and carrying out training programs designed to improve the quality of performance and to bring about more efficient and economical operations.

V. ON THE JOB

ATTENDANCE

Every employee is a valuable and contributing member of the Town of Seabrook. Attendance and punctuality are important factors for your success in the Town. However, the Town is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise.

If an employee is unable to report to work, or if an employee will arrive late, the employee must contact their respective Department Head. The Department Head should be given as much time as possible to arrange for someone else to cover the position until the employee arrives. If the employee knows in advance that he or she will need to be late or absent, the employee is required to request, in writing, this time off directly from the Department Head.

For late arrivals, the employee should indicate when he or she expects to arrive for work. If the employee is unable to call in because of an illness, emergency or for some other reason, the employee should arrange to have someone call on his or her behalf.

Furthermore, three (3) absences in a 90-day period will be considered a “tardiness pattern” and will be considered excessive, and the reasons for tardiness or leaving early may come under question. Other factors, like the degree of lateness may be considered.

All employees should be aware that excessive absenteeism, lateness, or leaving early may lead to disciplinary action, up to and including dismissal from employment.

Attendance records will be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as disciplinary, termination, and layoff decisions.

CONFIDENTIALITY

The Town of Seabrook’s information and records relating to Town business, operations, plans, projects, strategies, employees, or citizens may be confidential. Therefore, employees must treat all matters accordingly.

No Town of Seabrook information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the Town) may be removed from the Town’s premises without permission from Town Manager.

Additionally, the contents of the Town’s records may not be disclosed to anyone, except as required by law.

Employees unsure about the confidential nature of specific information are expected to seek clarification from the Town Manager. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

DISCIPLINE

DISCIPLINARY AND GRIEVANCE PROCEDURES

A. Disciplinary Procedures

Disciplinary action may be initiated for reasons which include, but are not limited to, the following:

- a. Absenteeism
- b. Tardiness
- c. Insubordination
- d. Unacceptable performance
- e. Use of alcohol or drugs which impair performance
- f. Falsification of documents concerning payroll or other departmental operations
- g. Willful destruction of public and/or private property
- h. Obscene language directed at other employees or the public
- i. Theft of public and/or private property
- j. Failure to comply with safety requirements
- k. Violation of Town or department policies and regulations

The disciplinary process will include four steps which shall be as follows:

Step I – Verbal Warning

Any Department Head may issue a verbal warning when he/she determines that this would be an appropriate disciplinary measure. The warning should state the reasons for the action and suggest remedial action. The Department Head's shall make record of the warning. Action will be taken within three (3) working days of the offense. Verbal warning should not be issued to employees in the presence of other employees or the public.

Step II – Written Warning

The regular or acting Department Head may issue a written warning when it is determined that this would be an appropriate disciplinary measure. The warning should state the reasons for the action and suggest remedial action.

A copy of the warning shall be entered in the individual's personnel file. Action will be taken within five (5) working days of the offense. Written warning shall be purged from an employee's personnel file per request of the Employee after one (1) year or per the Collective Bargaining Agreement, provided no further disciplinary actions have been taken.

Step III – Suspension

1. With Pay: The regular or acting Department Head may suspend an employee with pay for the remainder of a shift if he/she determines such action to be in the best interests of the Department. Upon determination of the Department Head, an employee may be suspended with pay pending investigation of actions which may warrant disciplinary procedures. The employee will receive a written notice from the Department Head stating the reason for the suspension, the length of the suspension, and the effective date.
2. Without Pay: Suspension without pay may result from a single serious action of an employee or from accumulated verbal and/or written warnings. The decision shall be made by the Department Head within five (5) business days of the most recent offense. The employee will receive a written notice from the Department Head

stating the reason for the suspension, the length of the suspension, the effective date, and suggested remedial action. Suspension without pay shall not exceed thirty (30) working days pending investigation or trail of charges against the suspended employee. The Town Manager shall be authorized to approve extensions of suspension periods.

Step IV – Dismissal

An employee may be dismissed or demoted for just cause. Such action shall be taken by the Town Manager upon consideration of the facts of the case and recommendation of the Department Head. The Town Manager shall file with the employee, not later than the effective date of the action, a written statement containing the substantial reasons for the action.

B. Grievance Procedure

Employees of permanent standing who feel they have received inequitable, arbitrary or capricious treatment because of some condition of employment or the application of these personnel policies or department regulations may appeal for relief from that condition without fear of reprisal.

The grievance process will include three steps which shall be as follows:

Step 1 - Any employee(s) may prepare a written statement of a grievance and present it to the Department Head. The employee(s) must initiate such effort within ten (10) business days unless superseded by Collective Bargaining Agreement of the occurrence which is the subject of the grievance. The Department Head shall meet with the grievant(s) within five (5) days of receipt of the grievance and shall note his/her investigations and findings. The Department Head shall provide the employee(s) with a written decision on the matter within five (5) days of the grievance hearing.

Step 2 – Any employee(s) dissatisfied with the decision of the Department Head may present his/her grievance in writing to the Town Manager within ten (10) business days unless superseded by Collective Bargaining Agreement of the conclusion of Step 1. The Town Manager shall meet with the grievant(s) and the Department Head within five (5) days of receipt of the grievance and shall note his/her investigations and findings. The Town Manager shall complete an investigation of the grievance and inform the employee(s) and Department Head of the results within five (5) business days of the grievance hearing.

Step 3 – If the grieving employee(s) or Department Head is dissatisfied with the actions of the Town Manager, either may appeal to the Board of Selectmen for a final decision. The appeal shall be in writing and shall state whether a hearing or a review of the facts of the case is requested. Employees appealing a dismissal action may further request a public hearing. If the employee requests a hearing, the Board of Selectmen will arrange to hold such a hearing within ten (10) business days of receipt of the appeal notice. The Town Manager shall notify the aggrieved individual and his/her representative, the

Department Head or other individuals against whom the grievance is directed and any other persons the Town Manager deems appropriate, of the date, time and place of the hearing. After reviewing all the evidence, the Board of Selectmen shall submit a written decision to all parties concerned within ten (10) business days after completion of the hearing. The decision of the Board of Selectmen shall be final.

No employee shall make an appeal until all previous steps of the grievance procedure have been completed. Failing to appeal an action within ten (10) business days unless superseded by Collective Bargaining Agreement, of its effective date, the employee shall lose said right to appeal.

PERSONAL DRESS AND HYGIENE

Discretion in style of dress and behavior is extremely important to the Town of Seabrook. Employees are therefore required to dress in attire safe and appropriate for their positions. Work clothing worn by employees must not be torn, must meet safety requirements, and must not contain inappropriate language or graphics. Employees must use good judgment in their choice of work clothes and hygiene; and please remember to conduct themselves at all times in a way that best represents the employee and the Town. Any questions regarding appropriate dress for specific departments should be addressed to the Town Manager.

MOTOR VEHICLE VIOLATIONS

All employees who operate Town of Seabrook vehicles are required within 72 hours to notify their Department Heads if they have been convicted of or plead nolo contendere to any and all motor vehicle violations. If the license of any employee who operates Town of Seabrook vehicle(s) is suspended, revoked, or otherwise restricted, the employee must notify their Department Head within one working day of learning of the suspension, revocation, or restriction. Employees who are required but unable to drive and/or who fail to comply with this policy may be subject to disciplinary action, up to and including termination of employment.

PERFORMANCE APPRAISALS

In order for employees to improve performance and better understand the Town's expectations, the performance of employees will be periodically reviewed. You will generally receive performance appraisals from your respective Department Head or Supervisor. However, job coaching is a continuing process throughout the course of employment, and you may meet with your supervisor to discuss performance more frequently.

Your respective Department Head or Supervisor will discuss your performance review, giving you the opportunity to understand the expectations of your position and to examine your strengths, as well as areas in which you need to improve. You will have the opportunity to comment on and sign the review. Your signature on the performance appraisal form indicates that you have seen the appraisal; it does not indicate agreement or disagreement with the content of the review.

An appraisal is not a contract or a commitment to provide a compensation adjustment, a bonus, or continued employment. Appraisals are only one of several factors that the Town uses in connection with compensation, promotion, and retention decisions.

PROMOTIONS, TRANSFERS & JOB POSTINGS

The Town strives to provide employees with the opportunity to make full use of their skills, interests and potential. To support employee growth and development, we will make every effort to promote qualified employees from within the Town, if possible, based upon the needs of the Town and employee qualifications. We may also recruit individuals from outside of the Town, depending upon the circumstances. This policy in no way affects or supersedes any of the Collective Bargaining Agreements made with the Town of Seabrook and its employees.

VI. EMPLOYEE SAFETY AND HEALTH

HEALTH & SAFETY PROGRAM

Safety is of great concern to the Town of Seabrook. It is important that we all keep safety foremost in our minds to ensure that our work environment is as safe as possible. Safety can only be achieved through teamwork. Each employee, supervisor, and official must practice safety awareness by being alert, anticipating unsafe situations, and reporting unsafe conditions immediately. Please observe the following precautions:

- a. Notify your supervisor of any emergency situations. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
- b. The use of alcoholic beverages, illegal drugs, or the abuse of legal drugs during work hours will not be tolerated. Possession of alcohol or any illegal drugs on (including marijuana) on Town property is prohibited.
- c. The use, adjustment, and/or repair of machines or equipment is to be performed only by you if you are trained and qualified.
- d. You should get help when lifting or pushing heavy objects.
- e. Understand your job fully and follow instructions. If you are not sure of a safe procedure, ask your supervisor.
- f. Know locations, contents, and intended use of all first aid and firefighting equipment.
- g. Wear personal protective equipment in accordance with the job you are performing.

- h. Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.
- i. All job descriptions include keeping our facilities and lots clean and safe. Every employee must participate in this effort.

Violations of safety precautions may lead to disciplinary action, up to and including termination.

SAFETY COMMITTEE

The Town of Seabrook maintains an active Safety Committee comprised equally of management and regular employees, which meets quarterly. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please see the Town Manager for details.

WORKPLACE VIOLENCE

Unfortunately, violence in the workplace has become a reality for many employers. We hope that we never have to face this growing problem. Moreover, violence and verbal and physical threats of violence of any kind in the workplace or on Town property will not be tolerated, and employees engaging in such conduct will be subject to discipline, up to and including separation from employment. Appropriate action may also include notifying the police or other law enforcement and prosecuting violators of this policy. If you become aware of any violence or threat of violence, you must immediately report the matter to your direct Supervisor, or if the risk of danger is imminent, the police should be contacted directly, and then the Town Manager should be contacted as quickly as practicable.

ALCOHOL AND DRUG POLICY

The Town of Seabrook is committed to provide a safe work environment that is free from the effects of drugs and alcohol. In addition, the Drug-Free Workplace Act of 1988 imposes certain obligations upon employers with respect to substance abuse. To have a safe and productive workplace for all Town employees it is absolutely essential that every employee report to work in an appropriate mental and physical condition to perform their jobs safely. This is also critically important for the individuals for whom we provide services.

Drug and alcohol use in the workplace can create health, safety and security issues for our employees, citizens and visitors. The Town of Seabrook is committed to providing a safe work environment that is free from the effects of drugs and alcohol. In support of our commitment, the Town prohibits the following conduct and other conduct which, in our determination, is inconsistent with our commitment:

- The manufacture, distribution, sale, dispensation, possession, storage, or use of a controlled substance, unauthorized prescription drug, or drug paraphernalia at any time on Town premises, on Town business, or during working hours;
- Use, possession, storage, manufacture, distribution, dispensation, or sale of alcohol at any time while on Town premises, on Town business, or during work hours;

- Reporting to work or otherwise working under the influence of illegal drugs or alcohol, or under the influence of legal drugs that may impair your ability to safely perform your job functions;
- Reporting to work in a condition that is not fit for work. In addition to being under the influence as mentioned above, other indications of a lack of fitness for duty are smelling of alcohol, appearing to be hung over, or otherwise appearing or being unable to effectively interact with citizens, visitors and co-workers and work safely and properly without impairment;
- Failing to submit to a required fitness for duty exam.

Seabrook also maintains the following reporting requirements;

- Any employee who is taking medication that may impair his or her ability to safely perform job functions must inform his or her supervisor immediately and must not perform any work until authorized to do so by the Town.
- If any employee is involved in drug misconduct (including the use or possession of illegal drugs or unauthorized prescription drugs) on Town premises or while working for the Town, Seabrook reserves the right to report the incident to law enforcement authorities;
- If any person observes an employee exhibiting behavior that may be indicative of impairment by drug or alcohol use, he or she should immediately report the behavior to the employee's immediate supervisor.

Employees who are suspected of violating the Town of Seabrook's policies regarding drugs and/or alcohol, including, but not limited to when their performance is impaired, behavior is erratic, or the odor of drugs/alcohol is observed, may be required to immediately submit to a drug test and/or alcohol test and/or fitness for duty exam as determined appropriate by the Town in its discretion. In addition, at the discretion of the Town, drug/alcohol testing may be required when an employee is involved in any job related accident, is part of rehabilitation program, when there is reason to believe that any controlled substance or alcohol in the possession or control of the Town has been tampered with, and when required by an entity with whom the Town does business (governmental contract). Any employee who is required to submit to a drug and/or alcohol test or a fitness for duty exam must cooperate fully with the process and must not do anything to tamper with, adulterate, dilute, or otherwise interfere with any specimen, test or exam. A drug/alcohol test or other exam will not be conducted without the employee's consent; however, an employee must consent as a condition of employment and may be terminated for failing or refusing to consent. Failure to submit to or cooperate fully in a drug or alcohol test or exam required by the Town, or if the results of the drug/alcohol test is positive may result in disciplinary action, up to and including immediate termination, at the sole discretion of the Town.

In addition to the fitness for duty/reasonable suspicion testing described above, the Town reserves the right to implement further drug testing programs at any time, such as pre-employment, post-accident, and random drug and alcohol testing.

An employee who appears impaired and is asked to submit to a drug/alcohol test will not be permitted to drive to a test facility. They will be taken to the test facility by a member of Town of Seabrook management, or other designated individual.

Any employee who is convicted of any drug or alcohol related crime (including violations, misdemeanors, and felonies) must notify the Town Manager within five (5) days of the date of conviction. A conviction includes any finding of guilt (including one agreed to by the employee) or plea of no contest and/or imposition of a fine, jail sentence, or other penalty.

Violations of this part of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. On violation of this policy, admission to or use of a treatment or other program does not preclude appropriate disciplinary action by the Town, including termination of employment. Violation of this policy may also have additional legal consequences.

SMOKING POLICY

The Town of Seabrook is committed to providing a safe, healthy, and smoke-free work environment for our employees, visitors, and vendors. Consistent with our commitment and state law, we have declared a no smoking policy within our buildings and in Town vehicles, except in a designated smoking area. Smoking includes but is not limited to: Cigarettes, Cigars, Pipes, Smokeless tobacco, snuff, chew, E-cigarettes and Vapor products which may or may not include nicotine.

No smoking is allowed in any areas of Town buildings, except in the designated smoking area. Anyone wishing to smoke must do so only during authorized breaks in the designated area. The Town hopes and expects that our employees will comply with the non-smoking policy. If you have a concern or complaint with respect to any employee, visitor, or vendor violating this policy, please report such concern or complaint to the Town Manager.

If an employee fails to comply with these rules, the employee will be subject to disciplinary action, up to and including termination.

WORKPLACE SEARCHES

To safeguard the safety and property of our employees, residents, and the Town of Seabrook and to help prevent the possession and use of weapons and illegal drugs on Town premises, it may become necessary to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from Town property. In addition, the Town reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises in pursuit of our concern to safeguard the safety and property of employees and the Town. Employees should understand that all offices, desks, files, lockers, and so forth, are the property of the Town and are issued for the use of employees only during their employment with the Town. Inspections may be conducted at any time at the discretion of the Town.

Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property, weapons, or illegal drugs, may be subject to disciplinary action, up to and including discharge.

VII. SEPARATION FROM EMPLOYMENT

REQUESTED NOTICE OF DECISION TO TERMINATE EMPLOYMENT

Should you decide to resign from your employment with the Town of Seabrook, we ask that you notify your respective Department Head of your decision at least two (2) weeks in advance of your planned departure date. Your thoughtfulness will be appreciated and will allow the Town to maintain work schedules and provide important services to the public.

EXIT INTERVIEWS

In most instances, employees who terminate their employment will be asked to participate in an exit interview with the Town Manager or his/her designee. The purpose of the exit interview is to discuss any relevant separation benefits and benefit continuation, and to receive feedback from you on ways in which our Town can improve our operations and retention of employees.

Town of Seabrook property of any type or value may not be used or removed from the Town of Seabrook premises without authorization from the Town Manager. All Town tools, equipment, documents, or records made or compiled by the employee or made available to the employee in connection with the business of the Town of Seabrook must be delivered to the Town of Seabrook promptly upon the termination of employment or at any other time upon request.

VIII. ADDITIONAL POLICIES, AND GUIDELINES

Additional policies and guidelines in this section are included in the Appendix as listed.

CREDIT CARD POLICY

This policy is included in Appendix A.

USE OF INFORMATION TECHNOLOGY RESOURCES POLICY

This policy is included in Appendix B.

PURCHASING POLICY AND PROCEDURES

This policy is included in Appendix C.

IX. INTERACTION

DEPARTMENTAL COMMUNICATION

Normal operation of any department shall be left to the discretion of the Department Head. Department policy shall be set by the Town Manager. Any Department Head may

request a meeting to discuss the policies and proper operation of a department at any time. No work policies, priorities, or requirements shall be discussed, established, or changed without first having a meeting of the Town Manager and the Department Head with proper input from Board of Selectmen. As a result of such meeting, the Town Manager shall determine the need for any policy or work priority changes and shall issue the proper instructions and directives.

SEVERABILITY

If any section, sentence, clause, or phrase of this ordinance shall be held to be inoperative, void, or invalid, the validity of the remaining portions of the ordinance shall not be affected thereby.

ADOPTION

The adoption of this personnel policy will supersede any similar agreements and policies previously made between the Town of Seabrook and its employees, except as otherwise provided under Collective Bargaining Agreements.

This Personnel Policy was revised and adopted by the Board of Selectmen on _____.

BOARD OF SELECTMEN:

Chairman

Received and Recorded:

Town Clerk