

MODEL PERSONNEL POLICY I

VILLAGE OF DERBY LINE  
PERSONNEL RULES AND REGULATIONS

The undersigned state that they (he) have (has) read and understands the information contained herein and under no duress have (has) place their (his) signature below and initialed each page herein.

Village of Derby Line Trustees

Signature:

Date:

/s/Richard Creaser

\_\_\_\_\_

/s/ Sarah Webster

\_\_\_\_\_

/s/Dustin Horne

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## TABLE OF CONTENTS

		<u>PAGE</u>
SECTION I	NAME OF ADMISTRATIVE RULES AND AUTHORITY	1
SECTION II	PERSONS COVERED	1
SECTION III	RECRUITMENT	2
SECTION IV	SELECTION	2
SECTION V	APPOINTMENT PROBATIONARY PERIOD	3
SECTION VI	PROMOTIONS	4
SECITON VII	EVALUATIONS	5
SECTION VIII	APPEALPROACEDURE	8
SECTION IX	GRIEVANCES	8
SECTION X	CONDUCT OF EMPLOYEES	9
SECTION XI	HOSPITALIZATION, MEDICAL AND DENTAL INS.	12
SECTION XII	RETIREMENT	12
SECTION XIII	SICK LEAVE	12
SECTION XIV	PARENTAL AND FAMILY LEAVE	13
SECTION XV	LEAVES OF ABSENCE	14
SECTION XVI	PAY PLAN	16
SECTION XVII	WORKPLACE HEALTH AND SAFETY	16
	POLICY REVISION HISTORY	18
	EMPLOYEE FILE SIGNATURE PAGE	18

VILLAGE OF DERBY LINE  
PERSONNEL RULE AND REGULATIONS

SECTION I

NAME OF ADMINISTRATIVE RULES AND AUTHORITY

These rules shall be known and cited as "Personnel Rules" and are hereby adopted pursuant to the provisions of Title 23, Vermont Statutes Annotated, Chapter 33, Subchapter 11, sections 1121 and 1122.

Employment with the Village of Derby Line is not for any definite period or succession of periods, and may be terminated either by the employee or by the Village at any time without notices, except as provided by this manual. Wages or salary and any accrued and unused vacation allowable under these rules and regulations, shall be due to the employee only to the day and hour of termination.

This manual and the provisions contained herein do not constitute a contract to employment in whole or in part. The Village reserves the right to add, amend or delete any benefit or policy stated herein at any time, except as otherwise committed to by formal contract agreements.

SECTION II

PERSONS COVERED

These rules and regulations shall be applicable to all persons employed by the Village of Derby Line with exception of Elected Officers, members of Boards and Commissions, employees of the School District, persons employed in a professional capacity to make special and temporary studies, investigations and/or inquires and other positions to which no compensation is attached.

SECTION III

RECRUITMENT

- A. Qualified applicants residing in the community shall be given preference in filling for vacancies with the Village. Applications for positions may be solicited from persons outside the Village of Derby Line at the option of the Village Trustees.
- B. As part of the pre-employment procedure, former supervisors, employers, and References provided by applicants shall be checked as a precaution against undesirable employees. Reference checks made by personal or telephone contact shall be documented. These reference checks shall be completed prior to an offer of employment and the information shall be made

part of the application file. All such information is to be handled as privileged and confidential information.

- C. All full time and/or part time positions shall be posted and advertised in local newspapers stating position, title, approximate salary and application date deadline as well as other pertinent information.
- D. When an emergency hiring situation is declared by the (Village Manager/Board of Selectmen) any or all of the application process requirements may be waived to ensure provision of continuous Village services to its citizens.
- E. The policy of the Village of Derby Line is to maintain and promote equal employment opportunity. The Village will select candidates for employment on the basis of the candidates; qualifications for the job and treat them fairly with respect to compensation and opportunity for training and advancement including upgrading and promotion without regard to age, sex, race, religion, handicap or national origin. Equality in such opportunities has been and is the basic policy of the Village.

#### SECTION IV

##### SELECTION

All appointments to positions in the service of the Village of Derby Line shall be made according to merit and fitness. Education, experience, aptitude, knowledge, skills, character, physical fitness (where necessary for the essential functions of the position) personality, or any other qualifications deemed necessary for the satisfactory performance of the duties of the positions to be filled shall be considered with weights assigned to each factor as may be deemed proper by the Village Trustees or their authorized representative or such advisory examining committee as may be appointed.

#### SECTION V

##### APPOINTMENT/PROBATIONARY PERIOD

###### A. Type of Appointments

1. Full-Time: A full-time employee works on a continuing basis (indefinite term). The full-time employee is subject to all rules and regulations and received all benefits and rights as provided by the "Personnel Rules".
2. Student Appointments: Student appointments have the purpose of affording students of public administration or other professional areas an opportunity to gain actual work experience. Such appointments are for a definite period of time, not to exceed 12 months, and require the approval of the Village Trustees or their authorized representative.
3. Emergency Appointments: In Order to Prevent stoppage of public business or loss or serious inconvenience to the public, appointment of employees on a temporary basis

may be authorized by the Department head with the approval of the Village Trustees or their authorized representative in accordance with these rules for a period not to exceed sixty (60) days.

4. Permanent Part-time Employees: Permanent part-time employees are employees who work less than the normal week but on a regular basis. Permanent part-time employees working 20 or more hours per week shall be subject to all rules and regulations and receive all benefits and rights as provided by the Personnel Rules, on a prorated basis.
5. Part-time Employees: Are employees who work less than 20 hours per week and are not eligible for benefits under these personnel rules.
6. Limited-term Appointments: Limited term appointments are made when a special project requires the addition of employees for a specific time, or to fill a position of an employee on a leave of absence. Such employees shall be subject to all rules and regulations and receive all benefits and rights as provided by the Personnel Rules during their term of employment.
7. Seasonal Employees: Are hired for a specific project of short duration and are not eligible for benefits under these Personnel Rules.

B. Probationary Period

All appointments for greater than ninety (90) days shall be made with a probationary period of ninety (90) days. A Department Head may extend, with cause, the probationary period with the written approval of the Village Trustees or their authorized representative. The total probationary period shall not exceed twelve (12) months. One Department Head shall submit a report to the Village Trustees or their authorized representative, carefully reviewing the work of the new employee. New employees shall be paid at a probationary rate during this period. During the probationary period, the Department Head may remove an employee, with the approval of the Village Trustees, who is unable or unwilling to perform the duties of the position satisfactorily or whose performance and dependability do not merit continuance in the service of the Village.

C. Physical Examination

All new permanent employees shall be required to have a physical examination at the expense of the Village after an offer of employment has been made. Appointment to a position may be conditioned on positive results of the examination. The specific criteria will be determined by the Village Trustees but will be based on the specific requirements of the essential functions of the job.

D. Proof of Citizenship

All Village employees hired after November 6, 1986, must provide the Village Trustees or their authorized representative with proof of citizenship or legal immigration status in conformance with federal law and form I-91. Failure to provide such proof shall result in non-hiring or immediate dismissal.

## SECTION VI

### PROMOTIONS

#### A. Promotion Policy

Vacancies in positions above the lowest rank in any department in the Village shall be filled as far as practical by the promotion of employees in the Village service. Promotion in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of effecting an increase in compensation.

## SECTION VII

### EVALUATIONS

All employees of the Village of Derby Line will be evaluated a minimum of once a year. Such evaluations will be in writing and signed by both the employee and the Department Head following a conference during which the evaluation is discussed. The signatures of the employee does not indicate that he or she agrees with the evaluation only that the evaluation has been shown and discussed.

The signed, written evaluation will then be provided to the employee and a copy thereof placed in the employee's file. The employee may, at any time during business hours, view his/her file in the presence of the Village Trustees or their authorized representative.

Any annual evaluation with rating of less than satisfactory may result in a sixty (60) to ninety (90) day probationary period, see Section VI B. Improved performance and subsequent evaluation can result in the probationary status concluding.

Failure to improve during the probationary period may result in suspension without pay or termination.

During the probationary period there will be no reduction in pay or loss of fringe benefits.

### DISCIPLINE AND DISCHARGE

#### A. General Policy

The Village of Derby Line exists to provide services to its citizens and therefore has a responsibility to perform these services in the most effective and efficient manner possible.

The same is required of Village employees. Discipline and/or discharge will result from any action or inaction resulting in anything less than satisfactory performance. All employees will be fairly and consistently subject to the disciplinary and discharge procedures, given the facts of the individual case.

#### B. Employee Actions or Inactions Resulting in Disciplinary and/or Discharge

1. The Village Trustees and/ or their authorized representative may immediately dismiss an employee whenever in (its/his or her) opinion the employee's work or conduct so warrants. On the job reasons for dismissal may include, but are not limited to: insubordination, use or being under the influence of drugs or alcohol while on duty, dishonesty, recklessness on the job, attitude which constitutes an unwholesome influence on other employees, failure to obey a reasonable order either verbal or written, falsification of application forms, fighting on duty, convictions of offenses against the law which would affect the employee's performance, violation of any Village rules which result in serious personal or property damage, or use of abusive language toward a superior or the general public.
2. Other violations of Village work rules or these Rules and Regulations or employee actions or inactions including those listed as follows shall result in a vocal or written reprimand, suspension without pay or dismissal as detailed below: abuse of sick leave, failure to request leave in advance, leaving without permission, unexcused absences, chronic absenteeism, unexcused and/or excessive lateness; carelessness, negligence, short cuts, horseplay, gambling, sleeping on duty, theft, disregard for safety rules, possession of firearms or dangerous weapons on duty without supervisor's permission, willful damage to company property and falsifying work records. This list is not inclusive and is exemplary only.

### C. Oral and Written Reprimands

1. For the first violation or any violation immediately following six months of no disciplinary action against the employee of any rule, inaction or prohibited action as defined above not, in the opinion of the (Village Manager/Department Head) serious enough for dismissal, the (Village manager/Department Head) may issue an oral reprimand to the offending employee. Written records of oral reprimand shall be entered in the employee's personnel folder. Such record shall be removed from the employee's personnel folder six months after its inclusion provided no other disciplinary action has transpired during that time.

If additional disciplinary action is required during this six-month period, the record of the initial oral reprimand shall only be removed upon completion of a six-month period without any disciplinary action.

2. A violation of any rule, inaction or prohibited action within six (6) months of an oral reprimand or where more severe initial action is warranted, can result in the department head issuing a written reprimand to the offending employee. The reprimand will be issued to the employee in conference with the (Village Manager/Department Head) with a witness present and shall detail the incident necessitating the action and the rule or rules violated. A written record of oral reprimand signed by the (Village Manager/Department Head) and conference witness shall be entered in the employee's personnel folder. Such record shall be removed from the employee's personnel folder six (6) months after it's inclusion provided no other disciplinary action has transpired during that time. If additional disciplinary action is required during this six (6) month period,

the record of the written reprimand shall only be removed upon completion of a six (6) month period without any disciplinary action.

D. Suspension Without Pay

A violation of any rule, inaction or prohibited action, or any other behavior warranting disciplinary action within six (6) months of an oral reprimand or where more severe initial action is warranted, can result in the Department Head or Village Trustees suspending an employee without pay for up to ten (10) working days. Such suspended employee shall be notified of such action in writing during a conference with the (Village Manager/Department Head) with a witness present. The written notification will include a description of the incident necessitating the action and/or the rule or rules violated. A copy of the written notification signed by the suspending officer and the conference witness shall be entered in the employee's personnel folder. Such record shall be removed from the employee's personnel file upon successful completion of six (6) months service without disciplinary action. Employees suspended shall also be informed in writing of the appeal procedure provided under these Personnel Rules and Regulations.

E. Dismissal

The Village Trustees or their authorized representative may immediately dismiss (1) any employee whose actions or inactions violate Village rules and regulations as set forth in the paragraphs above; or (2) any employee whose action or inaction violates any Village rules or regulations within a six (6) month period following a disciplinary suspension as prescribed in paragraph D above.

Such dismissed employee will be notified of such action during a conference with the Village Trustees or their authorized representative with a witness present and will include the incident necessitating the action and/or the rule or rules violated. An employee so dismissed shall also be informed in writing of the appeal procedure provided under these Personnel Rules and Regulations.

## SECTION VII

### APPEAL PROCEDURE

- A. Appeals form dismissal, demotion or suspension shall be made by an employee by applying in writing within five (5) working days of such dismissal, demotion or suspension, to the Village Trustees.
- B. If a hearing is requested, the Village Trustees shall hold a hearing as requested by employee, within three (3) weeks of receipt of employee's written request for a hearing.



- C. At the hearing, the employee, at his/her discretion, may be present, present testimony, be represented by counsel, examine the evidence against him or her and/ or cross-examine witnesses.
- D. The Village Trustees shall make their decision and inform the appellant within seven (7) days.
- E. If the action of the (Selectmen/Village Manager) is in favor of the employee, he or she shall be restored to his or her original position with full pay for the period since dismissal or suspension. The Village Trustees can also reduce the disciplinary action to suspension without pay or reprimand.
- F. The decision of the Village Trustees shall be final.

## SECTION IX

### GRIEVANCES

#### A. Policy

It is the intent of the Village of Derby Line to adjust grievances informally and supervisors as well as employees are encouraged to make every effort to resolve problems as they arise. However, it is recognized that there may be grievances which will be resolved only after a formal appeal and review. When this is the case, the procedure listed hereunder will be followed.

A grievance is any matter considered by the employee as grounds for complaint, except in the case of personnel action arising out of discipline, dismissal, demotion or suspension. Adjustment for such complaints is separately provided for in Section IX.

#### B. Procedure

An employee who believes that inequitable treatment has been received because of some conditions of employment may personally or through representative's appeal for relief from that condition. The employee is expected to initially discuss any grievance with the immediate supervisor. If the matter cannot be settled at that level, the employee may elect to discuss the matter with the Department Head.

If the employee feels that the grievance has not been satisfactorily adjusted by the Department Head, he or she may present it to the Village Trustees for consideration.

## SECTION X

### CONDUCT OF EMPLOYEES

#### A. Hours of Service

With the approval of the Village Trustees, the Road Foreman shall prescribe the number of hours per day and per week of actual attendance on duty for employment in positions under their

jurisdiction. The hours so established shall be construed as the normal workday or work week. The standard workday will typically begin at either 4 am or 6 am and end at 12:30 pm or 2:30 pm respectively. The Road Foreman has the discretion to alter the beginning and end times of the workday to meet operational requirements.

#### B. General Obligations

Every employee shall fulfill to the best of his or her ability the duties and responsibilities of the employee's position. The employees shall, during their hours of duty, be subject to such other laws, rules and regulations that pertain thereto, devote their fulltime attentions and efforts to their office and employment.

Employees shall not use their positions to secure special privileges or exemptions for the employee or others. Employees shall not use Village property of equipment without written authorization from the Village Trustees or their authorized representative for the employee's private use or for any use other than that which serves the public interest. Such private use of Village property or equipment is seriously discouraged and shall be approved only in emergency situations as determined by the Village Trustees or their authorized representative.

#### C. Attendance

No employee of the Village of Derby Line, shall be absent from duty without permission. Any absence of an employee from duty, including the absence of a single day or a part of a day, which is not authorized under provisions of these rules, shall be investigated by the appropriate supervisor and shall be reported to the Village Trustees or authorized representative for action. Any such absence may be cause for disciplinary action by the Department Head. Any employee who shall absent himself or herself without authorization shall forfeit all compensation for the period of such absence. For a period not exceeding three to four hours and for proper cause, Department Heads shall be able to excuse a subordinate from reporting or being present for duty.

Employees shall use a punch clock timecard to log the time they come on duty and to punch out at the completion of their shift. Employees are solely responsible for the handling of their own punch card and shall not be compelled or obligated to handle any other employee's timecard. Any absence of longer than 30 minutes or which would take the employee outside of the village boundary on non-village business will punch out on their timecard upon departure and punch back in if they return to service in the same day.

This requirement also applies to special call-in time. This ensures that the employee is covered by the village's insurances in the event of a workers compensation or other claim. Employees who cannot demonstrate that they were operating on village time may be denied coverage. As such, working off the clock is prohibited.

Timecards will also be utilized if the employee is engaged in service with a neighboring municipality per any standing Municipal Mutual Aid agreement(s).

Misuse of timecards will trigger the established disciplinary process of verbal warnings and written warnings and up to dismissal from service.

D. Political Activity

An employee shall not use his or her official authority for the purpose of interfering with or affecting the nominations or election of any candidate for public office in the Village of Derby Line. This rule is not to be construed to prevent a Village employee from becoming or continuing to be a member of any political party or from attending political meetings or signing petitions for a candidate for public office.

E. Receipt of Gifts

No person in the service of the Village of Derby Line shall either directly or indirectly give, render, pay or receive any service or other valuable thing for or on account of or in connection with any appointment, proposed appointment, promotion or proposed promotion. Any employee who receives a gift or is offered a gratuity in excess of \$20.00, from any source by virtue of the fact that he or she is a Village employee shall within twenty-four hours inform the Department Head. Failure to report such gifts or gratuities, or offer thereof, may present grounds for suspension or dismissal. The Department Head shall, in turn, inform the Village Trustees or their authorized representative of all gifts and/or gratuities offered, or received by the department whether individual or collective. The Village Trustees will decide whether or not such gifts and/or gratuities may be accepted.

F. Contracts

No elective or appointive officer or employee of the Village of Derby Line shall be beneficially interested directly or indirectly in any contract with the Village, regardless of amount; or furnish any material, or perform any labor, except in the discharge of his or her official duties, unless such contract shall have been awarded upon bids advertised for by publication. Such publication shall be at least two (2) times in a newspaper having general circulation within the Village; the second publication shall be at least seven (7) days prior to the opening of such bids. No officer or employee of the Village shall take part in any decision concerning the business of the Village in which he or she has a direct or indirect financial interest, aside from his or her salary as an officer or employee, greater than any other citizen or taxpayer in the Village. This section shall not apply in the event of an emergency where immediate action shall be deemed more important to the Village than the receipt of formal bids.

G. Designation

An employee who resigns his or her employment with the Village shall be deemed to be terminated in good standing if he or she gives reasonable notice to Village Trustees or their authorized representative of the employees intention to resign and if other circumstances of the termination are such as to justify good standing.

H. Sexual Harassment

It is the policy of the Village of Derby Line that all employees are responsible for assuring that,

the workplace is free from sexual harassment. Because of the Village's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment, including:

- (a) unwelcome sexual advances;
- (b) requests for sexual acts or favors;
- (c) other verbal or physical conduct of harassing nature.

Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers, or visitors must bring the problem to the attention of their immediate supervisor, the Department Head or the Village Trustees or their authorized representative. If the complaint involves someone in the employee's direct line of command, then the employee may go directly to the Village Trustees with the complaint.

Complaints of sexual harassment shall be investigated promptly. The determination of whether or not a particular action constitutes sexual harassment shall be made from the facts on a case-by-case basis. In determining whether alleged conduct constitutes sexual harassment, the Supervisor, Department Head Village Trustees shall look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. If sexual harassment is found to exist; prompt corrective action shall be taken.

## SECTION XI

### HOSPITALIZATION, MEDICAL AND DENTAL INSURANCE

- A. Upon completion of ninety (90) days probationary period a full-time, permanent part-time, or eligible limited term Village of Derby Line employee or qualified elected official will become eligible for complete group health coverage as then offered by the Village. Application to enroll in this plan must be made through the Treasurer's Office.
- B. All full-time or permanent part-time Village of Derby Line employees are eligible to participate in the Dental Group Insurance Program, as then offered by the Village, upon completion of one year of continuous employment.

## SECTION XII

### RETIREMENT

The Village of Derby Line participates in the Social Security Program and all employees are required to participate, in this program. In addition, a Village Employees' Retirement Plan, in place with the Derby Line Company and administered by the Trust Department of Derby Line, is available

to all full-time employees and qualifying elected officials who have at least one 12-month 1000-hour year service and who have been hired or elected to office prior to age 60.

While said Retirement Plan is in effect an employee is eligible for a normal retirement benefit at age 65. However, an employee with at least ten (10) years of Vesting Service may retire any time after age 55 with a benefit which is actuarially reduced for early commencement. Application and full details can be obtained from the Village Treasurer.

### SECTION XIII

#### SICK LEAVE

- A. All full-time employees and qualified elected officials are entitled to one (1) day of sick leave per month. Sick leave may be accumulated indefinitely, however, upon termination of employment voluntarily, involuntarily, or upon retirement, no compensation shall be granted for any unused portion of sick leave remaining. If an employee runs out of sick leave, he or she may use vacation time, if authorized by the Department Head.
- B. Sick leave days earned shall only be paid to employees for workdays absent because of illness or injury to themselves or their immediate family or household members, and shall equal eight (8) hours pay at the employee's regular straight time rate. More than three (3) consecutive workdays of absence to be compensated under this section shall require a certificate from a licensed physician stating the necessity of the absence. In addition, the Village may require such a certificate for any leave requested under this Section.
- C. All permanent part-time employees are entitled to sick leave benefits on a prorated basis.

### SECTION XIV

#### PARENTAL AND FAMILY LEAVE

- A. Any employee as defined in VSA Title 21, Section 472, who works over 30 hours per week, shall be entitled to take unpaid leave for a period not to exceed twelve (12) weeks during the employee's pregnancy and following the birth or adoption of his or her child.
- B. Any employee as defined in VSA Title 21, Section 472, who works over 30 hours per week, shall be entitled to take unpaid family leave for a period not to exceed twelve (12) weeks to care for a seriously ill spouse, child, stepchild, ward, foster child, parent, or parent of the employee's spouse.
- C. Accrued sick leave or vacation leave, not to exceed six (6) weeks, consistent with existing policy may be used by the employee during parental or family leave. However, utilization of accrued vacation leave shall not extend the leave provided in subsection "A" above.
- D. The employer shall continue employment benefits for the duration of the leave. The employer may require that the employee pay the entire cost of the benefits during the leave at existing

employer rates.

- E. Written notice of intent to taken parental leave shall be given the employer, including date of leave expected to commence and estimated duration of the leave, six weeks prior to the anticipated commencement of the leave. Upon approval by the Village Trustees or their authorized representative, an employee may return from leave earlier or later than estimated.
- F. Upon return from maternity leave, the employee shall be offered the same or comparable job at the same level of compensation, employment benefits, seniority or any other term or condition of employment existing on the day leave began. 21 VSA472.
- G. Except for serious illness, an employee who upon completion of maternity leave does not return to the employment of the Village of Derby Line, will have to return to the Village the value of any compensation paid to or on behalf of the employee during the leave except payments for accrued sick leave or vacation leave.

## SECTION XV

### LEAVE OF ABSENCE

#### A. General Policy

The following types of leaves are officially established: holiday, vacation, sick leave, parental leave, family leave, injury leave, death in the family, leave without pay, and in the case of salaried personnel, compensatory leave (time off in lieu). All leaves may be granted by the Department Head in conformance with rules established for each type of leave. All Department Heads shall maintain permanent records of any absence from duty of their employees and these shall be given to the Village Treasurer who is the official timekeeper.

#### B. Holidays

The following holidays shall be official holidays together with any other day so proclaimed by the Board of Selectmen:

New Year's Day	Indigenous Peoples Day
Washington's Birthday	Veteran's Day
Memorial Day	Thanksgiving Day
Fourth of July	Christmas Day
Bennington Battle Day	Labor Day
Two (2) Personal Days	

Employees will have half a day (1/2) before Christmas and half a day (1/2) before New Year's Day.

In addition to the above specified holidays, two personal days per year shall be granted to each full-time employee who shall be compensated for these days as though he/she had worked a normal working day. These two personal days off must be approved by the Department Head twenty-four hours in advance unless approved otherwise.

All municipal departments and offices shall observe any legal holiday which falls on a Saturday on the preceding Friday and any legal holiday which falls on a Sunday on the following Monday.

If the employee works on the holiday which falls on the weekend, he shall be paid time and ½, no comp time is accrued.

Full-time hourly employees shall be compensated for holidays as though the employee has worked his or her normal workday. Any full-time hourly employee who is required to work on a holiday shall, in addition to the holiday pay, be paid at his regular rate. Since, in most cases, the additional pay will be for time in excess of 40 hours, the employee will, in effect, be paid two and one half (2 ½) times his or her regular rate for working on a holiday.

Permanent part-time employees shall be compensated for holidays on a pro-rated basis.

Full-time employees or permanent part-time employees wishing to observe religious holidays not listed by the Village Trustees shall, at their option, be given time off without pay or have the time charged to their vacation.

### Vacation

Annual vacation leave, based on continuous service, shall be granted on the following basis for all full-time employees:

- After one (1) year - - - - - Two (2) weeks
- After five (5) years - - - - - Three (3) weeks
- After ten (10) years - - - - -Four (4) weeks to be divided

All leave balances shall be administered annually on the first day of the fiscal year – March 1. Employees who begin service after the start of the fiscal year shall receive a prorated amount of accrued vacation time. Ie. If an employee begins on August 1, they shall be entitled to one week of vacation (6 months remaining in the fiscal year or 50% x 2 weeks of vacation).

One week is the equivalent of one regular work week and represents the number of days and hours which the employee normally works each week. All employees are encouraged to take their vacation leave annually. A maximum of up to one week accrued vacation time may be carried over. Should the leave time not be taken during the following year, it shall be forfeited. Vacations will be taken at the discretion of the Department Head. Upon separation from employment, an employee will be paid out unused vacation time provided the employee provides and works that two-week notice. The vacation balance will be paid with the first payroll after final separation.

Permanent part-time employees will receive prorated vacation leave based on the average number of hours worked per week. Vacation time must be taken from anniversary date to anniversary date. If leave time is not taken during that year, it shall be forfeited. Vacations will be scheduled at the discretion of the Department Head upon consultation with the employee.

### C. Civil Duty and Jury Leave

All full-time employees entitled to vote in National, State, and Municipal elections shall, when

necessary, be allowed sufficient time off with pay to exercise this right. Approval of such leaves shall be given by the Department Head.

Should any full-time employee be called for jury duty within any state or federal judicial court, the Village shall pay to the employee the difference between the employee's actual salary and that received from the court with each day of jury service equal to one 8-hour workday.

D. Leave of Absence Without Pay

All requests for leaves of absence without pay shall be submitted in writing to the appropriate Department Head and shall set forth the purpose of which the leave is requested. Department Heads will approve/disapprove and forward to the Village Trustees for decision.

## SECTION XVI

### PAY PLAN

- A. In accordance with the provisions of the Fair Labor Standards Act, as amended, it shall be the policy of the Village of Derby Line to pay one and one half (1 ½) times the hourly rate of pay to all employees (except elected officials and salaried employees) for required work performed in excess of forty (40) hours during a given weekly pay period. Each employee shall fill out his/her weekly time sheet and submit same to his/her Department Head for approval.

An hourly employee shall be paid for the actual number of hours worked during each pay period. Salaried employees shall be paid an annual rate divided by the number of pay periods per year. An employee absent without leave may forfeit pay at the discretion of Department Head. When absent on authorized sick or vacation leave, each employee shall be paid at the regular rate. After one year's service, an employee who leaves the service of the Village shall be paid for all unused vacation time, not to exceed a total of fifteen (15) days.

- B. In lieu of overtime pay, employees may instead elect to receive Compensatory Leave (hereafter referred to as Comp Time). An employee may elect to accept a combination of direct overtime pay or payment in Comp Time. All Comp Time will be calculated at the standard overtime rate of 1.5-times hours worked, i.e. 2 hours of Comp Time earned will be recorded as 3 hours of regular service time. Comp time may be used at the Department Head's discretion to cover shortfalls in an employee's regular weekly scheduled hours.
- C. Unscheduled time off, the payment for which is covered through the use of Comp Time, Personal Leave, Sick Leave or Vacation Leave will not be used to calculate whether an employee has exceeded 40 hours of work in any given work week.



- D. Any employee who is called in to work when utilizing approved time off in any combination (Comp Time, Personal Leave, Sick Leave or Vacation Leave) will be eligible for overtime pay even if said call-in occurs during what would have been regularly scheduled working hours.
- E. Employees working hours outside of their scheduled 8-hour workday, to include Saturday and Sunday, will be paid at 1.5-times regular rate. In addition, employees called in outside of normal work hours will be entitled to a compensation in the amount of the greater of two-hours at overtime rate or the actual number of hours worked.
- F. Employees may carry forward a maximum of 120 hours of comp time into the next fiscal year. This carryover comp time must be expended by the close of business on November 30. Unexpended leave balances in comp time will be paid out at the employees normal, current rate of pay in the first payroll cycle following November 30.
- G. The provisions of these regulations shall prevail except in cases where contrary contractual agreement exists between the employee and the Village Trustees.

## SECTION XVII

### WORKPLACE HEALTH AND SAFETY

#### A. Vermont Occupational Safety Hazards Act (VOSHA)

In the interest of the safety and well-being of Village workers, all employees shall acquaint themselves with the rules and regulations of the Vermont Occupational Safety Hazards Act (VOSHA). All Department Heads shall be responsible for enforcing safety rules as required by VOSHA and/or adopted by the Village.

All employees shall conduct themselves in a safe manner at all times in accordance with these regulations and shall not violate the VOSHA regulations. Any defective, unsafe equipment, or practice shall immediately be brought to the attention of the Department head Village Trustees or (his/her/its) authorized representative, and use of such unsafe equipment or practice shall cease immediately.

#### B. Smoking Policy

In accordance with Vermont Statutes Annotated Title 18, Section 1421, et seq., the Village of Derby Line shall establish and post in a conspicuous place, a written smoking policy that restricts smoking in the workplace to designated enclosed smoking areas. Copies of the policy shall be provided to employees upon request. An employee's failure to comply with the smoking policy shall constitute cause for disciplinary action and the failure of the Village to implement or enforce the policy shall be grounds for a grievance procedure by an aggrieved employee, and any violations shall be promptly remedied.

Revision History – Model Personnel Policy I

Update to Conduction of Employees, Section C approved by Trustees 10-1-2024

Update to Leave of Absence, Section C approved by Trustees 10-1-2024

Update to Payplan, Section F approved by Trustees 10-1-2024

Village Employee

I \_\_\_\_\_, acknowledge that I have been given a copy of the Personnel Policy for the Village of Derby Line. I understand that this neither implies nor suggests that I am in complete agreement with the contents, only that they have been made available to me on this date: \_\_\_\_\_.

Employee Signature: \_\_\_\_\_