

**RESOLUTION NO. 365**

**A RESOLUTION OF THE TOWN OF STEVENSVILLE ADOPTING  
THE PERSONNEL POLICY MANUAL**

**WHEREAS**, the Town Council of the Town of Stevensville adopted the existing Personnel Policy Manual on October 14, 2003 by Resolution No. 200 and amended the same policy on October 12, 2004 and again on August 25, 2008 with assistance by the Montana Municipal Insurance Authority and the Town Attorney; and

**WHEREAS**, the Town employees have reviewed the draft Personnel Policy; and

**WHEREAS**, the Town Council reviewed the recommendation on February 19, 2015; and

**WHEREAS**, the Town Council directed that minor changes be made to the final draft of the Personnel Policy Manual; and

**WHEREAS**, all changes have been incorporated into the final Personnel Policy Manual; and

**WHEREAS**, the Town Council intends to update the Personnel Policy Manual from time to time as circumstances change; and

**WHEREAS**, all previous versions of the Town of Stevensville Personnel Policy are hereby rescinded; and

**NOW THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Stevensville, that the Personnel Policy Manual is approved and adopted.

**PASSED AND ADOPTED** by the Town of Stevensville, Montana this 12<sup>th</sup> day of March, 2015.

**ATTEST:**

  
\_\_\_\_\_  
Gene Mim Mack, Mayor

  
\_\_\_\_\_  
Stacy Bartlett, Town Clerk



# Town of Sterensville

## Personnel Policy Manual

*Passed by Motion at the regular Town Council on 03/12/15*

*Adopted by Resolution #365*

*at the regular Town Council meeting on 03/12/15*

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# Town of Stevensville Personnel Policy Manual

## INTRODUCTION LETTER

## PREFACE A

Welcome!

The Town of Stevensville is pleased that you have joined our organization of professionals. The Town is a professional organization providing many valuable services to the residents of Town of Stevensville. Your position has been designed to assist the Town with accomplishing these services. We hope you will find this position rewarding and challenging.

This policy manual is not an employment contract; rather, it is designed to provide you general information regarding employment practices and benefits with the Town of Stevensville. The policy manual cannot cover all employment situations, scenarios, or questions, but it is designed to cover the basic rules. Policies and rules contained within the manual will be added, updated, or deleted as determined by the Town of Stevensville. You are encouraged to submit suggestions or ideas regarding current policies or additional policies to the Mayor and/or your Supervisor.

In situations where the provisions of this personnel policy manual conflict with the Stevensville Police Department Policy and Procedures Manual, the provisions of said manual shall supersede the conflicting provisions in this manual.

As you familiarize yourself with the Town of Stevensville staff and administrative offices, please note the employee bulletin board displays the required federal and state postings. The postings are updated from time to time - be sure to read the board occasionally. If you notice an item that is obsolete or needs updating, please let the Mayor, the Human Resource Supervisor and/or their designee know.

During your first few days working for the Town of Stevensville you will probably have several questions regarding our organization and policies. As you read this manual many of your questions may be answered; however, do not hesitate to ask your Supervisor or the Mayor and/or their designee should you not find an answer to any of your questions.

The Town of Stevensville welcomes you.

Sincerely,

Town of Stevensville

The Hon. Gene Mim Mack, Mayor

Town of Stevensville Personnel Policy Manual

RECEIPT PAGE

PREFACE B

It is expressly understood that the policy manual for the Town of Stevensville does not constitute a guarantee of employment or promise of any kind. The Town of Stevensville, in its sole discretion, may direct, hire, promote, transfer, assign and retain employees; supervise, discipline, and relieve employees from their duties; determine and change hours of work, shifts, and methods of operation; establish change or abolish its policies, practices, rules and regulations.

It is understood that the policy manual is issued to inform employees regarding the operating policies of the Town of Stevensville. The policy manual may be changed from time to time at the sole discretion of the Town of Stevensville, and is to be used as a guide for the Town of Stevensville employees in the performance of their duties. Violations of the policies set forth in this manual may result in disciplinary action.

By signing this statement, the employee acknowledges the Town of Stevensville policy manual has been received and read and that the employee understands the policies contained herein.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Position \_\_\_\_\_

Effective Date of Employment \_\_\_\_\_

Attest:

Supervisor \_\_\_\_\_

Date \_\_\_\_\_

## Town of Stevensville Personnel Policy Manual

### Town of Stevensville History

### PREFACE C

*From The Montana Genesis (used by permission Mountain Press Publishing):*

"Stevensville is a small town, even by Montana standards, but its impact on the history and development of the state is out of proportion to its size. It is the oldest town in the state and may honestly claim other important "firsts". St. Mary's Mission was established in 1841 - the first church and also the first school in the Northwest. With the Mission came agriculture; Stevensville grew the first grain, ground the first flour, sawed the first lumber, had the oldest planted fruit tree (still bearing apples in 1970) and practiced the first irrigation in Montana.

John Owen established his trading post, Fort Owen, in 1855. His water right, filed in 1852, is Montana's oldest, and at Fort Owen in the winter of 1858 the second school in the state was held. Then, as Missoula grew in size and importance, Stevensville declined; and although it was briefly the Ravalli County seat it was superseded by Hamilton. But Stevensville is not and never has been a dying town. It remains and continues to be a vibrant and healthy residential and business friendly community.

Today, most of the residents of Stevensville work for nearby industries. The town's charm has remained unchanged. Stevensville sees itself as a typical small town where neighbors greet each other and take care of each other. We are proud of living in such a strong and vibrant community.



## 1. Definitions

*Conflict of Interest* - Conflicts of interest for municipal employees arise when a government employee's personal or financial interest conflicts or appears to conflict with their official responsibility.

*Discipline* - Correction, punishment or penalty. Discipline is used to bring order to situations where there have been violations of federal, state or local laws and/or violations of Town of Stevensville rules and regulations, employee conduct/behavior/performance standards, or Town of Stevensville's Personnel Policy Manual and applicable policies.

*Exempt Employee* - Exempt employees are those who, according to the Fair Labor Standards Act (FLSA), are not covered under the provisions pertaining to minimum wage or overtime pay. The FLSA provides for certain exemptions for employees employed in a bona fide executive, administrative or professional capacity. In order to be an exempt employee, certain tests relating to duties, responsibilities and salary must be met (see the Clerk/Personnel Director for details).

*Grievance* - An injury, injustice or wrong which gives grounds for complaint because it is seen as unjust, discriminatory, or oppressive. Employees file grievances through the Grievance Procedure contained in this manual.

*Independent Contractor* - Independent Contractors are not considered employees of the Town of Stevensville. Rather, Independent Contractors are those who work on a contract for services basis and must complete work assignments or responsibilities and receive payment (compensation) as identified in the contract. No employee benefits are provided to the Independent Contractor.

*Non-exempt Employee* - A non-exempt employee is an employee who, according to the (FLSA) is entitled to receive at least minimum wage and receive overtime pay or overtime compensatory time after the employee has worked 40 hours in a work week period. Overtime pay is equivalent to one and one-half times the employee's regular hourly pay for each hour over 40 hours worked.

*Professional Services Contractor* - A calling, occupation, or business that involves specialized education, knowledge, labor, judgment, and skill, and is predominantly mental or intellectual (as opposed to physical or manual) in nature. The Town of Stevensville uses Professional Services Contractors through an express or implied agreement for which said Contractors could reasonably be expected some compensation would be due.

*Regular Full-Time Employee* - An employee who normally works 40 hours a week. Regular full-time employees are eligible for all employee benefits.

## 1. Definitions (continued)

*Regular Part-Time Employee* - An employee who normally works less than 40 hours a week. Regular part-time employees are eligible for limited benefits on a prorated basis.

*Remote Employee* - An employee who performs the majority of their work in a location different from where Town of Stevensville general operations occur. They may or may not be covered under the provisions of the FLSA, depending on the status of their employment, and have specific conditions of employment outlined in their respective employment agreements.

*Seasonal Employee* - An employee designated as seasonal at time of hire, who performs duties interrupted by the seasons, and who may be recalled without the loss of rights or benefits accrued during the preceding season. A seasonal employee may be eligible for limited or prorated benefits.

*Short-term Worker* - A short-term worker is hired to work for an hourly wage established by the Town of Stevensville for a period not to exceed 90 days within a 12 month period. Short-term workers are not eligible for permanent status and may not be hired without a competitive selection process. The short-term worker is not eligible for any employee benefits including leave, holiday benefits or any insurance benefits.

*Sick Leave* - Period allowed by an employer to an employee for the employee's sickness either with or without pay but with no loss of seniority or other benefits.

*Temporary Employee* - An employee who is hired on a temporary basis for a definite period of time not to exceed 12 months and will be terminated at the end of the employment period. This employee may perform temporary duties or regular duties on a temporary basis; however, the employee is not eligible to become a regular employee without completing a competitive selection process. Temporary employees may be eligible for limited or prorated benefits.

*Vacation Leave* - A recess or leave of absence; a respite or time of respite from active duty or employment; an intermission or rest period during which activity or work is suspended; a period of freedom from duty or work but not the end of employment. Vacations do not result in loss of seniority or other benefits.

## 1. Definitions (continued)

*Volunteer* - A volunteer is a person who gives their services to the Town without any express or implied promise of remuneration. All Town of Stevensville volunteers have no guarantee of employment and no property right to a position, volunteer or otherwise with the Town. In their role as Town of Stevensville volunteers, a volunteer is a representative of the Town and therefore is guided by and subject to the Town's personnel policy. The volunteer relationship can be terminated at any time by the Town of Stevensville.

*Workplace Violence* - Unjust or unwarranted exercise of force, usually with the accompaniment of vehemence, outrage or fury. Violence can include unlawfully exercised force, any exertion of physical force so as to injure, damage or abuse, as well as veiled threats by words and/or acts.

## 2. Expectations

Welcome to the Town of Stevensville team. The Town of Stevensville wants every employee to know what they can expect from the Town of Stevensville and what the Town of Stevensville expects of each of us. The policy manual is designed to inform employees what the Town of Stevensville expects of them, Town of Stevensville policies and procedures, and the Grievance Procedure should employees have a problem.

Employees are expected to treat, members of the public, co-workers, elected officials, vendors, colleagues, and other business contacts with respect and dignity. Employees are expected to carry out their duties and responsibilities with attention to detail and perform work in accordance with the policies and procedures of the Town of Stevensville in an efficient and productive manner. Employee attention to responsibilities and work products should be constant, consistent, efficient and productive. Personal interference or distractions should be kept to a minimum.

The affairs of the Town of Stevensville are important and are to be considered a confidential trust, as well as a responsibility. Employee attitude, ability, productivity and a sense of responsibility are critical aspects of all job descriptions.

### **3. Health and Safety**

The Town of Stevensville has a safety program and complies with the Montana Safety Culture Act. Relevant safety regulations are addressed by delegating safety responsibilities, establishing procedures, providing training, inspecting workplaces, and providing/requiring the use of safety equipment, etc.

If an employee notices a potential hazard, they should repair the hazard if they are capable and qualified or they should promptly refer the problem to the Supervisor, Mayor and /or their designee. Employees must use safe driving habits and wear seat belts while traveling in Town of Stevensville vehicles. Employees should not operate or use equipment if they are not authorized or do not have the appropriate licensure.

If an employee sustains an injury while on the job, they should notify their Supervisor, the Mayor and /or their designee as soon as possible after the injury occurred and prior to leaving work for the day, if possible. An Accident Report and appropriate Worker's Compensation forms must be completed and the incident must be documented in writing by the injured employee and/or witnesses as soon as possible following the injury. The Town of Stevensville maintains Worker's Compensation coverage pursuant to the provisions of the Montana Worker's Compensation Act.

### **4. Equal Employment Opportunity (EEO)/Americans with Disabilities Act (ADA)**

The Town of Stevensville is an equal opportunity employer. The Town of Stevensville shall comply with all relevant federal and state laws, to include rules and regulations put forth by the Equal Employment Opportunity Commission, (EEOC). The Town of Stevensville shall adhere to all relevant provisions of the Americans with Disabilities Act, (ADA). The Town ensures equal employment opportunity regardless of an individual's race, color, national origin, age, marital status, religion, creed, sex, sexual orientation, political beliefs, genetic information, veteran's status, culture, social origin or condition, or ancestry, physical or mental disability (as defined by the ADA), unless such disability effectively prevents the performance of the essential duties required of the position and which are bona fide occupational qualifications that cannot be accommodated without undue hardship to the Town of Stevensville.

**4. Equal Employment Opportunity (EEO)/Americans with Disabilities Act (ADA) (continued)**

If an employee believes that they have been subjected to discrimination, including harassment, based upon any of these factors, they should immediately contact their Supervisor and pursue corrective action. If the employee feels they need to resolve the problem by filing a grievance, they should pursue action through the grievance procedure stated within the Town's personnel policy manual.

**5. Confidential Information/Personal Gain**

Employees of the Town of Stevensville may deal with confidential information. Town employees shall not disclose confidential or privileged information. If an employee is unaware what that is, they shall seek guidance from their Supervisor, the Mayor, and/or their designee. In some circumstances, Town of Stevensville business may be revealed to other Town employees on a need-to-know basis. If an employee has question regarding confidential information and to whom the information should be revealed, they should contact the Mayor, their Supervisor and/or their designee.

Likewise, employees may not use knowledge gained through their employment at the Town of Stevensville to achieve personal gain for themselves or anyone else. Employees cannot participate as a Town employee where they may have private pecuniary (of, relating to or consisting of money) interest, direct or indirect. Employees cannot disclose or use confidential information concerning property or Town of Stevensville affairs to advance personal or private interest with respect to any contract or transaction that is or may be subject of official action of the Town of Stevensville.

**6. Lawsuits against the Town of Stevensville**

When an employee is approached by a legal process server, they should refer the server to the Mayor and/or their designee or to legal counsel. Should an authority not be available and the employee is required to accept served papers, it is the employee's priority to locate and forward the information to either of the authorities listed without opening or reading the documents.

No employee shall discuss aspects of any legal situation that is subject to or is currently involved in a lawsuit or hearing without first consulting with the Mayor and/or their designee or legal counsel. Likewise, if an employee is approached for a press release or news quote, refer all contacts to the Mayor and/or their designee.

## **7. New Employees**

New employees will complete an informal orientation session with the Mayor, the Human Resource Supervisor, and/or their designee. The employee will have the opportunity to complete necessary employment forms required by Federal and State Statutes, as well as payroll and withholding information. The Mayor and/or their designee will explain in general terms the rules and expectations and provide an overview of the pay and benefit packages offered by the Town of Stevensville. The employee will be responsible for reading and following the policies established within this policy manual, to include understanding their employment classification. In addition, new employees will be provided orientation and education specific to the equipment and tasks required of their new position.

All employees will serve a 12-month probationary period; probationary periods may differ for the police and fire departments. The probationary period allows time for the employee to learn the position as well as time for the Supervisor to evaluate an employee's potential and performance. An evaluation will be completed prior to completion of the 12-month period to notify the employee of their status as a regular employee or as a terminated employee.

During the established probationary period, the Town of Stevensville reserves the right to terminate an employee without cause. This type of termination comes without the right to appeal.

## **8. Employment of Relatives (Nepotism)**

No employees will be appointed or hired in a manner inconsistent with the Nepotism laws and definitions as outlined in Title 2, Part 2, Chapter 3, MCA.

## **9. Authority for Personnel Action**

The Town of Stevensville reserves the right to direct, hire, promote, transfer, assign and retain employees. The Town of Stevensville also reserves the right to supervise, discipline, and relieve employees from their duties for any reason determined sufficient by the Town; as well as determine and change hours of work, shifts, and operational methods. The policies, practices, rules, and regulations may be established or changed/abolished with the sole discretion of the Town of Stevensville. The Mayor and/or their designee will execute personnel actions at their discretion. The Mayor may consult with the Supervisor and/or the Human Resource Supervisor and/or the Town's Attorney, when necessary and consistent with all applicable laws, regulations and this policy.

## **10. Outside Employment**

The Town of Stevensville should be the primary job for regular employees. Should an employee seek outside employment, the other position cannot create a conflict of interest between the Town and the other employer.

Employees will notify their Supervisor before accepting outside employment. Once notified, the Supervisor will notify the Mayor and/or their designee of the employee's outside employment. The Mayor and/or their designee will then determine if there is a conflict of interest.

Should other outside employment interfere in any way with the employees' ability to satisfactorily complete Town of Stevensville job duties, the employee may receive disciplinary action.

## **11. Remote Employment**

In some situations, the Town of Stevensville may see fit to hire employees who reside in locations other than the Town of Stevensville. Remote employment brings with it unique responsibilities and advantages that should not be abused or misused. If a remote employee requires a unique work environment that is deemed unreasonable by the employer or creates a situation which the Town of Stevensville determines is not workable, the Town of Stevensville may require that the employee work out of the appropriate Town of Stevensville facility. If the employee could not do this, the Town of Stevensville reserves the right to take other actions as required in accordance with Town of Stevensville policies. Specific conditions of remote employment shall be included in the employee's individual employment agreement.

## 12. Performance Appraisals and Job Evaluations

Employee performance evaluations are provided at least annually to non-probationary employees. The evaluations report progress and allow correction of any deficiencies, recognize employee strengths and special abilities as well as provide an opportunity to discuss areas that need improvement. Annual appraisals and evaluations should provide an ongoing performance record. This may be used as a supportive document for personnel actions such as promotions or demotions. They also provide employees an opportunity to discuss personal goals, Town of Stevensville goals and means for improvement. Annual evaluations provide an opportune time to formulate or update the employees' job descriptions.

Probationary employees will receive informal feedback throughout their probationary period. The Supervisor or the Mayor and/or their designee will formally evaluate the probationary employee quarterly and prior to the end of the probationary period, at which time the employee will be advised of his or her status as a regular employee or as a terminated employee.

The employee's immediate Supervisor or the Mayor and/or their designee will complete the evaluation using their job description and the Town of Stevensville personnel policy manual as the appraisal basis. The employee is encouraged to complete a preliminary self-appraisal to prepare for the evaluation meeting. The employee and the evaluator shall schedule a conference to discuss the employee's job performance and the job description. The conference will provide the opportunity for the employee to work with their Supervisor or the Mayor and/or their designee to develop the employee's understanding of the position, annual goals, training needs, budget restraints/needs and improvement plan. If the employee, their Supervisor or the Mayor and/or their designee do not agree on an evaluation result, the employee may respond in writing within 10 working days and attach the statement to the performance evaluation form.

The employee, their Supervisor or the Mayor and/or their designee will sign and date the evaluation form. If the employee refuses to sign the evaluation form, documentation of their refusal will be noted on their evaluation. The employee's signature will indicate that the employee has reviewed the evaluation with their Supervisor or the Mayor and/or their designee and understands the comments contained within the evaluation.

Annual performance evaluations form the basis for an employee's merit increase.



**13. Work While Traveling out of the Office**

Town of Stevensville employees may be required to travel. When working away from the office, it is important for employees to maintain contact with their Supervisor or the Town of Stevensville office by frequently calling into the office to provide status reports and to check for messages.

Occasionally it may be necessary to get in touch with traveling employees. It is important for the employee to leave an itinerary with appropriate Town of Stevensville staff, in the event the employee needs to be contacted. The employee should inform their Supervisor of their route and travel plans. Employees will contact the Town office staff when they arrive.

While traveling, Town of Stevensville staff is held to the same provisions of the professionalism policy (section #49), personal appearance and demeanor policy (section #43) as they do during their regular work day.

**14. Telephone**

Town of Stevensville telephones are to be used for Town of Stevensville business. Personal telephone calls should be kept at a minimum and should not interfere with the employee's work. Unless traveling, long distance charges are to be billed to the employee's personal calling card, collect to the call receiver, or to the employee's home number. Personal charges/bills to the Town of Stevensville shall be the responsibility of the employee. Employees violating this policy may be subject to disciplinary action.

While traveling, employees may make calls to check in with their families/significant others. Such phone calls are to be made on a reasonable basis at the Town of Stevensville expense. The Mayor and/or their designee will notify employees if such phone calls become unreasonable or appear inappropriate at which point disciplinary action may also occur.

**Cell Phone Policy**

**Procedures:**

**A. Cell Phones and/or Electronic Communication Devices**

While at work employees are expected to exercise the same discretion in using personal cell phones and/or electronic communication devices as is expected for the use of company phones. Excessive personal calls during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are encouraged to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of Town of Stevensville policy.

Town of Stevensville will not be liable for the loss of personal cell phones and/or electronic communication devices brought into the workplace.

**B. Personal Use of Company-Provided Cell Phones and/or Electronic Communication Devices**

Where job needs demand immediate access to an employee the company may issue a business cell phone and/or electronic communication device to an employee for work-related communications. The phone logs for each phone are subject to public disclosure upon request.

Employees in possession of Town equipment such as cell phones and/or electronic communication devices are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee will be asked to produce the cell phones and/or electronic communication devices for return or inspection.

**C. Safety Issues regarding Company-Provided Cell Phones and/or Electronic Communication Devices**

All employees are expected to obey applicable state or federal laws and/or regulations regarding the use of cell phones and/or electronic communication devices at all times.

Employees who in the performance of their job duties are issued a cell phone and/or electronic communication devices for business use must refrain from using their phone while driving - use of a cell phones and/or electronic communication device while driving is not required by the Town. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call or use a hands free device. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

The Town will provide all employees issued a cell phone with a hands-free communication device.

Employees who are charged with traffic violations resulting from the use of their cell phones and/or electronic communication devices while driving will be solely responsible for all liabilities that result from such actions.

**D. Video or Audio Recording Devices**

The use of cell phone cameras and/or other electronic communication video or audio recording-capable devices within the Town may constitute an invasion of employees' personal privacy or that of the public and may breach confidentiality of Town of Stevensville's personnel policy. Therefore, the use and content of cell phone cameras or other video-capable recording devices within Town of Stevensville is restricted to specific job related use and remains the sole property of the Town of Stevensville.

#### 14. Cell Phone Policy (continued)

Police Department use of audio and/or video recording devices is governed by Montana State law and the department's policies and procedures.

##### **E. Special Responsibilities for Managerial Staff**

Department Supervisors are expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

##### **F. Appropriate Utilization**

Any Town provided cell phones and/or electronic communication devices with internet browsing capabilities should only be utilized for Town business. Any utilization of the device to transmit, or browse the internet for sexual, discriminatory, or harassing images or materials are expressly prohibited. When using a Town supplied communication device there is no expectation of privacy.

An employee found in violation of this policy may be subject to discipline up to and including termination.

#### 15. Computer Usage

Use of the Town of Stevensville's electronic communications equipment, systems and/or tools is a privilege and is potentially subject to public disclosure under the public right to know. Electronic communications equipment should be used for activities that fall within the course and scope of the employee's job duties. Personal computer use that is deemed excessive or inappropriate by the Town of Stevensville or computer use that is illegal may result disciplinary action. New employees will be given a period of instruction on the Town of Stevensville's computer equipment as part of their new employee orientation.

##### *Email*

Employees are responsible for the content and dissemination of their messages. This responsibility includes ensuring that messages are accurate, courteous and that they do not violate another's right to privacy or confidentiality. If an employee has a question pertaining to the content of an email, they should consult with their Supervisor.

##### *Security*

The Town of Stevensville owns the contents of all files stored on its systems; all messages transmitted over its systems, and reserve the right to access them. E-mails may be accessed and monitored in the normal course of business by system administrators, Supervisors and support staff. The Town of Stevensville expressly reserves the right to monitor use of the Internet by employees. When using a Town supplied communication device there is no expectation of privacy.

## **16. Personnel Files**

The Town of Stevensville maintains records on every employee related to their employment with the Town. The employee's personnel file will contain information such as employment application/resume or cover letter, performance evaluations, training records, commendations and awards, disciplinary records, and resignation/termination records. Such information will be obtained from the employee or from others with the employee's authorization. Any information obtained for EEOC compliance (Form EEO-4) and/or any medical information will be kept in separate confidential files and accessed only on a need-to-know basis as authorized by the Mayor and/or their designee so long as it does not violate any laws, regulations or policies set forth in this manual.

Personnel files are confidential and only accessible to others on a need-to-know basis for personnel action. Upon request to the Mayor /or their designee or the Human Resource Supervisor and with the Mayor /or their designee or the Human Resource Supervisor present, employees may inspect and make copies of their personnel records. Employees should contact the Mayor and/or their designee or the Human Resource Supervisor to establish a convenient review time.

## **17. Alcohol-Free & Drug-Free Workplace**

In compliance with the Drug-Free Workplace Act of 1988, (41 USC Sec. 701, et seq.), the Town of Stevensville is committed to providing an alcohol-free and drug-free workplace. The Town prohibits the unlawful manufacture, distribution, sale, possession or use of a controlled substance or alcohol in the workplace or while conducting business. All employees must comply with this policy and notify the Mayor and /or their designee in writing of any drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. The Mayor and /or their designee is responsible for notifying the appropriate federal granting agency of the conviction when the employee involved is working on a federal grant or contract, within ten (10) days of learning of the conviction. Employees who violate this policy may be subject to disciplinary action.

Town employees holding a State of Montana Commercial Driver's License (CDL) are subject to mandatory and random drug tests.

## 18. Sexual Harassment

It is the policy of the Town of Stevensville that harassment will not be tolerated. Employees are expected to act in a professional, cooperative and respectful manner to all persons.

According to the EEOC, sexual harassment may include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical advances of a sexual nature. The Town of Stevensville strictly enforces State and Federal anti-discrimination laws that prohibit sexual harassment. The following actions are strictly prohibited:

- Occasions when such conduct, either explicitly or implicitly, is a term or condition of employment
- Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individuals
- Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of sexual harassment includes Verbal Harassment (sexually explicit jokes, comments, innuendoes, etc.), Physical Harassment (unwelcome patting, hugging, pinching, grabbing, assault, etc.), Power Plays (using position of authority to coerce sexual favors or sexually harassing conduct), or Non-verbal/Mental Harassment (sexually explicit posters, unwelcome repeated requests for dates, gesturing, etc.).

Any employee who perceives a conversation or event as harassment, whether the employee is involved or merely observed, should explain to the offender in a calm but firm manner that the action is perceived as inappropriate and that the employee wishes the behavior to stop. Should the harassment continue, the employee should report the activity to their Supervisor, the Mayor /or their designee, or in the event these individuals are involved, to the Human Resource Supervisor, or an independent third party. The harassment allegation will be promptly investigated with due regard for confidentiality by the Mayor /or their designee, the Human Resource Supervisor, or an independent third party. The results of the investigation and the nature of the disciplinary action will be communicated to the complainant and the offender.

Either the offended employee or the offender may appeal the decision through the normal grievance procedures if either submits a written statement concluding the findings were incorrect or the disciplinary action inappropriate. The Town of Stevensville will not tolerate retaliation against an employee who makes a good faith report of alleged sexual harassment or participates in a sexual harassment investigation. A follow-up review will be completed within six months after harassment allegations have been confirmed to ensure the sexual harassment has discontinued and all parties involved are not subjected to retaliatory behaviors.

## 19. Resignation/Termination

Employees who are voluntarily resigning from the Town of Stevensville are requested to give a written notice with a minimum of two weeks. Employees will be provided their final paycheck within 15 days or the next scheduled pay period, whichever is less.

Depending on the circumstances surrounding the resignation, employees who resign from the Town of Stevensville may be eligible for re-employment. Former employees will be required to complete an application/resume, as determined, and proceed through the regular hiring procedure as other applicants. A former employee who is re-hired by the Town of Stevensville will be considered a new employee and required to complete the 12-month probationary period. Date of service, for seniority purposes, will be the date of rehire. Subsequent employment and participation in the retirement system will be made in accordance with the rules and regulations of the retirement plan, as well as all applicable federal and state laws.

The Mayor and /or their designee have authority to determine if The Town of Stevensville workload, funding or other business decisions are such that terminations (via layoff or reductions-in-force [RIF]) are required. Whenever possible, employees will be provided at least two (2) weeks advance notification before the layoff or RIF. Regular employees will not be terminated if temporary or short-term workers are employed in the same work classification. Our insurance company, Montana Municipal Interlocal Authority (MMIA) will work in conjunction with the Human Resource Supervisor to ensure relevant benefits information is forwarded to the employee at the last known address. Employees must keep the Town of Stevensville informed of the address and telephone number where they can be contacted in the event of a recall. If the Town is unable to contact an employee within 14 days of the recall, the employee will be eliminated from the recall list and the Town of Stevensville will have no further obligation to recall that employee. The Town of Stevensville will have no obligation to recall the employee if they have been on a continual layoff for a period of one (1) year.

Employees terminated by the Town of Stevensville will have a letter issued stating the reason and the effective date of the termination. Probationary employees may be discharged for any reason that the Town of Stevensville deems appropriate within the six-month probationary period. The terminated employee's final paycheck will be issued within 15 days or the next scheduled pay period, whichever is less. The Town of Stevensville will follow the procedure outlined in the Employee Discipline section to terminate a non-probationary employee. An employee terminated for cause does not retain his/her job or benefits pending any grievance appeal, but if he/she wins the grievance, such salary and benefits may be restored retroactively.

## 20. Workplace Violence

The Town of Stevensville is committed to providing our staff a friendly, courteous and impartial work environment. The Town of Stevensville acknowledges that human relationships are subject to conflict and that some employees may be exposed to violence by the nature of their jobs. The Town of Stevensville is committed to maintaining a safe, healthful and efficient work environment in which acts of violence by employees or citizens will not be tolerated.

The Town of Stevensville will strive to provide a safe and secure work environment. Employees should avoid or minimize potentially violent situations to protect themselves from harm. If an employee anticipates a particularly confrontational situation, they should notify their Supervisor, the Mayor and /or their designee so that additional security can be arranged. When a situation begins amicably but turns hostile, employees should try to de-escalate the situation. If de-escalation tactics don't work, they should withdraw from the situation. Force should not be used unless it is absolutely necessary for self-defense.

Threats or acts of violence experienced or witnessed must be reported to the employee's Supervisor or the Mayor and /or their designee as soon as possible. The Town of Stevensville will promptly investigate any complaint received that pertains to workplace violence. The Town of Stevensville will take appropriate, prompt actions against any employee who engages in any threatening or intimidating behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.

If an Employee is involved in a domestic violence situation outside of the workplace and there is fear that the domestic violence could result in workplace violence, employees should notify their Supervisor or the Mayor and /or their designee immediately so appropriate security measures can be arranged.

This policy prohibits employees from bringing firearms or other weapons (including pepper spray, stun guns, batons, etc.) onto land, buildings (owned or leased) by the Town of Stevensville. Employees are also prohibited from carrying firearms or other weapons in Town of Stevensville vehicles or in personal vehicles if conducting Town of Stevensville business. Police Department personnel are exempt from this policy.

Any exception to this policy must be requested in writing to the Mayor for approval.

If a Town of Stevensville employee has violated this policy, such action may warrant disciplinary action, up to and including termination. If necessary or appropriate, the Town of Stevensville will notify the necessary law enforcement personnel and prosecute violators of Town code.

## 21. Time Sheets and Payday

Time sheets for the pay period are to be completed by all employees and submitted to their Supervisors when they are requested or when payroll needs to be processed. In the event an employee is unavailable to complete and submit his or her time sheet, he or she may complete the time sheet in advance or call the Supervisor and relay the information. Time sheets must include the employee's name and hours worked on a daily basis, holiday time, sick leave used, vacation leave used, leave without pay, etc. The employee must sign the time sheets attesting that all time worked and leave used is reported for the period. The employee's Supervisor and/or the Mayor /or their designee will review and sign the time sheets.

Town's employees are paid every two weeks. The employee's Supervisor or the Mayor and /or their designee will distribute the paychecks to employees, unless electronic transmission of payroll is utilized. If the employee desires to release their pay to another authorized person, they shall notify the Human Resource Supervisor or the Mayor and /or their designee in writing.

## 22. Working Hours/Work Week

Normal working hours are from 8:00 AM to 5:00 PM Monday through Friday. Most employees are expected to adhere to this schedule, however alternative schedules may be considered by the Supervisor or the Mayor and /or their designee. The workweek will begin on Saturday at 12:00 AM and end on Friday at 11:59 PM.

Non-exempt employees working over 40 hours per week will be paid overtime at 1 1/2 times their hourly wage rate. If the Supervisor, the Mayor and /or their designee and the employee agree, the non-exempt employee can elect to accumulate compensatory time (comp time) for use as time-off at a future date at a rate of 1 1/2 times the number of hours worked over the 40 hour work week. Non-exempt employees must receive authorization to work overtime or comp time hours either orally for short term assignment (less than eight hours) or in writing for longer term assignments (greater than eight hours), from their Supervisor, prior to working the additional hours. Any accrued and unused comp time hours will be paid to non-exempt employees upon termination of the employment relationship.

Exempt employees do not receive compensatory time for hours worked over 40 hours per week.



## 22. Working Hours/Work Week (continued)

Lunch periods are one hour. If an employee needs to take a longer lunch hour, it should not interfere with the employee's performance of their duties. Lunch periods are to be taken at a time approved by the Supervisors and are staggered among the employees to ensure effective service to the residents of the Town of Stevensville.

Employees may take one 15-minute break when they are scheduled to work four consecutive hours. Break periods are paid, but may not exceed 15 minutes per four consecutive hour period. Additional breaks for exempt employees should not interfere with the employee's performance of their duties.

## 23. Non-exempt Comp Time

On April 17, 1989, the Attorney General, of the State of Montana issued an opinion that state and local government employees who are covered by the Federal Fair Labor Standards Act (FLSA), are not subject to the provisions of the Montana Minimum Wage and Hour Act. This opinion allows agencies flexibility in administering overtime provisions for non-exempt employees.

### *Non-exempt Comp Time Policy*

The Town of Stevensville complies with the Fair Labor Standards Act (FLSA), its regulations (29 CFR 553), State rules (Montana Operations Manual, Volume III, Policy 3-0211), and this policy in the administration of overtime compensation and non-exempt compensatory time.

Compensatory time for employees exempt from the FLSA will be administered consistent with the provisions in the State's Exempt Compensatory Time Policy (MOM, Vol. III, Policy 3-0210).

### *DEFINITIONS*

*"Non-exempt compensatory time"* means time accrued at a rate of one and one-half hour's for each hour of employment for which overtime compensation is required pursuant to the FLSA, its regulations, and this policy. Accrued time may be taken as approved time off at a later date.

*"Non-exempt or covered employee"* means an employee subject to the overtime provisions of the FLSA and its regulations. This does not apply to certain employees exempt from the overtime provisions of the FLSA in a position designated as executive, administrative, professional or outside salesmen, as these terms are defined in 29 CFR 541.

### 23. Non-exempt Comp Time (continued)

"*Overtime*" means time worked by a non-exempt employee in excess of 40 hours in a workweek. The rate of overtime pay will be one and one-half times the employee's regular hourly wage, with the exception of on call reimbursement, which will be reimbursed at the regular rate of pay unless the employee is called in to work.

"*Workweek*" means a regular recurring period of 168 hours in the form of seven consecutive 24-hour periods. The workweek need not be the same as the calendar week. The workweek may begin on any day of the week and at any hour of the day. Once established, a workweek may not be changed unless the change is intended to be permanent.

#### Non-exempt Comp Time Procedure

The Town of Stevensville may grant non-exempt employees who work overtime either overtime pay or non-exempt compensatory time off.

Covered employees will be paid cash for overtime hours worked unless they notify the Mayor and / or designee of their choosing. A new employee will make their request at the time of hire.

Employees electing to receive non-exempt compensatory time may change their selection by notifying the Mayor and / or designee of their choosing.

The Town of Stevensville may, at any time, pay cash for all or any portion of a covered employee's accrued non-exempt compensatory time balance.

All hours worked in a payroll period, with the exception of on-call hours, are counted as hours worked for the purpose of calculating a workweek for overtime pay requirements. A Supervisor may adjust a covered employee's work schedule in a workweek or require the employee to take time off without pay so that the employee does not become eligible for the payment of overtime or the accrual of non-exempt compensatory time.

Overtime and non-exempt compensatory time is earned and recorded on the timesheet in no smaller than one-quarter hour increments.

Non-exempt compensatory time must be taken off in no less than one-half hour increments. The employee's immediate Supervisor must approve requests for use of compensatory time off in advance.

**23. Non-exempt Comp Time (continued)**

A non-exempt employee may accrue a maximum balance of 60 hours of non-exempt compensatory time. When the non-exempt compensatory time balance exceeds 60 hours, the covered employee will be paid cash overtime compensation.

Any non-exempt employee with an accrued compensatory balance at the end of the fiscal year will have all hours paid out on the final paycheck before the close of the fiscal year.

If a non-exempt employee changes from non-exempt to exempt status through a personnel action such as a promotion, or the employee terminates employment with the Town, the Town will pay out any unused non-exempt compensatory time.

**24. Travel and Expense Reports/Reimbursement**

All employees shall have their travel approved by the Supervisor, Mayor and /or their designee. All employees traveling on Town of Stevensville business are required to provide verification of driver's license with appropriate endorsements for the types of equipment operated.

Employees on Town of Stevensville business may be compensated for travel expenses, meals, mileage and/or incidental expenses at a rate established by the Town of Stevensville in concert with all Federal and State statutes. Receipts must be included for lodging, travel, meals, and appropriate ancillaries. If meals are included in tuition, registration fees, or hotel charges, or if only a fraction of the day is authorized for travel, the per diem or expense allowance shall be reduced accordingly.

If a Town of Stevensville vehicle is not available, employees may use their own vehicle and receive a mileage reimbursement. When employees use their own vehicles for Town of Stevensville business, they are required to provide proof of liability insurance coverage.

Employees may request an expense advance as approved by the Supervisor to offset undue financial hardship on employees traveling for Town of Stevensville business. The advance must be justified with reasonable requests for meals, lodging, gasoline cost, public transportation, etc. Pre-approved registration fees and lodging expenses can be paid directly to the training agency or hotel in advance or reimbursed to the employee upon return. The employee must provide an itemized expense report with attached receipts documenting the expenditures of the trip. If the travel advance exceeds the receipts documenting expenditures, the employee must reimburse the Town of Stevensville the difference. Any legitimate balance owed to the employee for receipts exceeding the travel advance will be promptly reimbursed by the Town of Stevensville.

**24. Travel and Expense Reports/Reimbursement (continued)**

Willful misrepresentation of expenses or receipts is unlawful and will result in disciplinary action.

Employees who are traveling on Town business are encouraged to see the Treasurer for current per diem rates and payout procedures.

*Use of Town of Stevensville Vehicles*

Employees may be able to use a Town of Stevensville vehicle when traveling. Unsafe vehicle conditions or conditions in need of repair must be reported to a Supervisor and/or the Mayor and /or their designee immediately, (See the Use of Town of Stevensville Vehicle/Vehicle Accident section below).

Town of Stevensville shall designate the positions that require the use of Town of Stevensville vehicles on a take-home basis. All Town of Stevensville vehicles are to be primarily used for business-related purposes and, if possible, are to be available and shared among all employees when needed for business-related travel. On an annual basis, employees that are issued a Town of Stevensville vehicle on a take-home basis will be required to report private use mileage. Employees who believe their position warrants the designation of a Town vehicle should discuss such during the annual evaluation period when other budgetary items are reviewed.

Employees using a Town of Stevensville vehicle must observe and obey traffic regulations and exhibit extreme care of the vehicle. Employees and other authorized passengers are required to wear seat belts at all times. Vehicles shall be parked in an authorized, or unrestricted, space. When the vehicle is left unattended, the employee must secure the vehicle by rolling-up all windows and locking all of the doors. Employees are expected to clean the company car upon return from their trips by removing garbage and washing the vehicle, as required. Employees are prohibited from smoking in the Town of Stevensville vehicles.

Employees choosing to use their personal vehicle while on Town business understands that, should they be involved in an accident, their personal auto insurance would be the primary insurer making the Town's insurer the secondary insurer.

*Vehicle Accidents*

When an employee is involved in a motor vehicle accident with a Town of Stevensville vehicle, the employee must notify the Supervisor, Mayor and /or their designee immediately. The employee should detail, in writing, the accident and situations leading up to the accident. Law enforcement should be contacted to complete an investigation of the accident. Employees must cooperate with, and are permitted to discuss the incident with the Mayor and /or their designee, insurance adjusters and law enforcement.

## 24. Travel and Expense Reports/Reimbursement (continued)

Upon returning to the Town of Stevensville office, an account of the accident should be provided in writing to the Supervisor or Mayor /or their designee. The employee may also be asked to assist with completing the necessary forms for insurance claims. The Supervisor or Mayor and /or their designee shall conduct an investigation of the facts and situations of the accident to determine if disciplinary measures are warranted. Accidents where the Town of Stevensville employee was driving or operating machinery under the influence of alcohol or illegal drugs (which is absolutely prohibited) may result in discipline.

### *Compensating non-exempt employees for travel time*

Time spent traveling throughout the State of Montana is always a time consuming endeavor. It is important for all Town of Stevensville non-exempt employees to understand how they are compensated for travel time. Different situations may determine if the travel time is work time or not. The following variations are described in the administrative rules of Montana (24.16.1010, ARM) promulgated by the Montana Department of Labor:

*Home to work* - (ordinary situation): Normal travel from home to work is not work time. This is true whether an employee works at a fixed location or at different job sites.

*Home to work* - (emergency situation): Travel to the job and back home by an employee who receives an emergency call outside of their regular hours to report back to their regular place of business to do a job is classified as work time.

*Home to Work in another city* - (special one-day assignment): all time spent traveling to another city/town would be considered work time except for the travel from home to public transportation, such as a bus depot. This would be the normal home to work travel. The usual mealtime would be non-compensated also.

*Travel all in the day's work*: Time spent by an employee in travel as part of their principle activity, such as travel from job site to job site to job site during the workday, must be counted as hours worked. If the employee goes home instead of returning to the employer's premises from the last job site, this travel is home-to-work travel and is not time worked. If an employee is required to report at a meeting place to receive instructions or to perform other work there, or to pick up and carry tools, the travel time from the designated place to the work place must be counted as hours worked.

## 24. Travel and Expense Reports/Reimbursement (continued)

*Travel Away from Home Community:* Travel that keeps an employee away from home overnight is travel away from home and is clearly work time when it cuts across the employee's workday (employee is simply substituting travel for other duties). This time is not only hours worked on regular working days during normal working hours, but also during the corresponding hours on nonworking days. For example, if an employee normally works 8AM to 5PM Monday through Friday, the travel time during these hours on Saturday and Sunday is also counted as work time. If the employee requests to drive their car in place of public transportation that has been offered, this travel time is counted as hours worked only to the extent of time it would have taken to travel if the employee had been using public transportation.

*Work Performed While Traveling:* Any work which an employee is required to perform while traveling must be counted as work time. Sleep in adequately furnished facilities would not be counted as hours worked.

## 25. Holidays

Town of Stevensville will observe the same holidays as recognized by the State of Montana.

- January 1 - New Year's Day
- Third Monday in January - Martin Luther King Day
- Third Monday in February - President's Day
- Last Monday in May - Memorial Day
- July 4 - Independence Day
- First Monday in September - Labor Day
- Second Monday in October - Columbus Day
- First Tuesday in November during Congressional/Gubernatorial Election Years - State General Election Day
- November 11 - Veterans' Day
- Fourth Thursday in November - Thanksgiving Day
- Fourth Friday in November - employee option to take as vacation day with approval
- December 25 - Christmas Day

If a holiday falls on a Saturday, the Friday preceding is observed as a holiday. If a holiday falls on a Sunday, the following Monday is observed as the holiday.

If one or more regular holidays fall in the period of an employee's annual vacation leave, the vacation record will be credited for the holiday. If a holiday falls on an employee's regularly scheduled day off, the employee will be granted another day off as agreed upon by the employee and their Supervisor, the Mayor and /or their designee.

**25. Holidays (continued)**

If a Town employee is required to work on a legal holiday, and if no substitute day of leave is scheduled for such employee as compensatory time off in lieu of such holiday, that employee shall be entitled to one and one-half times their regular salary for the hours worked on such holiday, plus his salary for an eight hour day.

Regular part-time and seasonal employees shall receive a pro rata share of compensation at their regular straight time hourly rate.

**26. Annual Leave/Vacation**

Each regular full-time, regular part-time employee and seasonal employee shall earn annual leave from the first day of employment, but will not be eligible to take their accrued leave until the employee has completed six months of continuous employment with the Town.

Regular full-time employees accrue vacation leave as follows:

Time Worked	Work Day Credit Per Year	Hours per month based on an 8 hour day
1 day to 10 years	15	10
11 years to 15 years	18	12
16 years to 20 years	21	14
21 years and over	24	16

Regular part-time employees are entitled to prorate their vacation leave if they have worked the qualifying six-month period. Vacation benefits are based upon the hours worked during the pay period.

Temporary and seasonal employees earn annual leave, however they must be employed for six qualifying months before they may use the annual leave. In order to qualify, seasonal employees shall immediately report back for work when operations resume in order to avoid a break in service.

The maximum annual leave amount accumulated is twice the number of days earned annually at the end of any calendar year. Vacation leave exceeding the maximum amount must be used within 90 calendar days of the next calendar year in which the excess was accrued or it will be forfeited.

## 26. Annual Leave/Vacation (continued)

Requests for annual leave of five days or more must be submitted two weeks in advance and pre-approved by the employee's Supervisor or the Mayor and /or their designee. If you are a department Supervisor requesting annual leave of five days or more, your request must be submitted two weeks in advance and pre-approved by the Mayor and/or their designee. If approved by the department Supervisor, they will notify the Mayor and / or their designee of the dates of the employee's leave.

Leave requests of four days or less are made with the department Supervisor a minimum of two days in advance of the requested time off. If the employee is a department Supervisor, your leave request is made directly to the Mayor and / or their designee. If approved, the department Supervisor will notify the Mayor and / or their designee of the dates of the employee's leave.

The annual leave will be approved after considering the best interest of the Town of Stevensville, the employee's unit, and the employee's request. Employees who need to use annual leave due to extenuating circumstances before they finish the qualifying period may ask their Supervisor, the Mayor and /or their designee to grant paid annual leave with the understanding that their leave balance will be affected if their employment is terminated before completing the qualifying period. Should two employees request the same period of vacation, their Supervisor or the Mayor /or their designee has discretion regarding the approval of the leave requests.

An employee, who has passed the six-month qualifying period and has separated from the service of the Town of Stevensville for any reason, shall be entitled upon termination to cash compensation pay-out for accrued and unused vacation leave. The payout will be based upon the employee's salary at time of termination.

Employees who are called back to work while they are on vacation will be paid at their regular rate until they have worked 40 hours in a workweek at which time they will be paid at their overtime rate.

### *Prior Service*

Employees of the Town of Stevensville who worked for another agency within the State of Montana can, with proper certification, have their years of service applied to their Town of Stevensville accrued leave time. Agency is defined as any State, County, City, or Town. Special rules apply to Montana educators; see the Human Resource Supervisor for clarification.



## 27. Sick Leave

All regular full-time employees earn sick leave from the first day of employment; however, they are not entitled to use paid sick leave until they have been employed continuously for the qualifying period of 90 days. Employees who are sick before they finish the qualifying period may ask their Supervisor to grant paid sick leave with the understanding that their leave balance will be affected if their employment is terminated before completing the qualifying period. For calculating sick leave, 2,080 hours (52 weeks X 40 hours) equals one year. Sick leave must be credited at the end of each pay period. Sick leave is earned at a rate of twelve working days for each year of service without restriction as to the number of working days that may be accumulated. Employees may not accrue sick leave while in a leave-without-pay status.

Regular part-time employees earn a prorated amount of sick leave if they have worked the qualifying period. Full-time temporary and seasonal employees are entitled to sick leave benefits provided they work the qualifying period.

Employees may use sick leave for personal illness or physical incapacity, sickness of immediate family member, or death in the immediate family of employee (refer to bereavement leave). Immediate family is defined as the employee's spouse, partner, or any member of the employee's household, or any parent, child, grand parent or grandchild.

Sick leave benefits shall apply to bona fide cases of sickness, accidents, doctor or dental appointments, maternity/paternity leave, and requests for the employees' presence due to immediate relatives' illness or emergency. Employees using sick leave that exceeds five consecutive workdays shall furnish a diagnosis of sickness from a qualified doctor upon request of their Supervisor or the Mayor /or their designee.

An employee who has passed the 90-day qualifying period and who separates employment from the Town of Stevensville shall be entitled upon termination to cash compensation payout for the unused leave equal to one-fourth the accumulated sick leave. The payout will be based upon the employee's salary at the time of termination.

Employees will be permitted to transfer sick leave from one employee to another. The receiving employee must have exhausted all accrued sick leave and vacation leave. The contributing employee must make the transfer request in writing and must maintain at least 40 hours of sick leave. The transferred sick leave will not change the receiving employee's employment status. The transferred sick leave is considered forfeited by the contributing employee and additional sick leave must be re-accrued. Employees shall not be coerced, intimidated or adversely persuaded to transfer their accrued sick leave to the receiving employee. Doing so may result in disciplinary action.

**27. Sick Leave (continued)**

At the Town of Stevensville's request and expense, an employee may be subject to an examination by a physician following a sick leave or other absence occasioned by illness or injury to ensure the employee can complete the necessary functions of the position. Abuse of sick leave may result in disciplinary action.

**28. Pregnancy Leave**

The Town of Stevensville will conform to the Pregnancy Discrimination Act (Civil Rights Act of 1964 as amended, Title VII, Section 701 et seq.) as well as all relevant pregnancy leave provisions in federal and state statutes. An employee will not be terminated because of their pregnancy. Employees who are disabled as a result of pregnancy will not be denied any compensation that they are entitled to as a result of the accumulation of leave benefits accrued; however, the Town of Stevensville reserves the right to require medical verification that the employee is not able to perform employment duties.

Employees should notify their Supervisor or the Mayor and /or their designee of a desire to take Maternity Leave upon confirmation of pregnancy. As soon as reasonable, the employee should report the expected due date, the estimated leave of absence, and anticipated complications that may affect current leave requests.

Upon signifying intent to return to work at the end of the leave of absence, the employee will be reinstated to the original job and/or equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other benefits.

## 29. Family and Medical Leave Act (FMLA)

It is the policy of the Town of Stevensville to offer limited FMLA benefits to its employees as described below.

An eligible employee can take up to 12 weeks of leave per year if he/she has worked for at least 1,250 hours within the previous 12 months and have been employed for 12 months.

Family or Medical Leave can be taken for the following reasons:

- The birth or placement of a child for adoption or foster care,
- The serious health condition of a spouse, child or parent, or
- An employee's own serious health condition

Employees are required by law to provide at least a 30-day notification of intent to use Family or Medical Leave whenever possible. Employees will be required to use their paid vacation, personal or sick leave for any part of the 12-week period. The remaining portion of the leave will be unpaid leave.

Employees will only be provided a total of 12 weeks in a rolling 12-month period looking back from the first day of the leave request. (For example: If an employee took 12 weeks leave beginning July 1, 2012 and requested to take 12 weeks leave beginning May 1, 2013, the request would be denied because the employee used 12 weeks looking back from May 1, 2012 through April 30, 2013.)

Upon request of your Supervisor and/or the Mayor/Human Resource Supervisor, employees must provide certification explaining the serious health condition or the family member's condition. It should detail:

- The date on which the condition began
- The probable duration of the condition
- Appropriate medical facts regarding the condition
- A statement that the employee is needed to care for a spouse, parent or child
- A statement that the employee's own health condition makes it impossible for him or her to work

These reports are confidential and will remain in the employee's personnel file.

If the Town of Stevensville is not satisfied with the certification, it may require a second opinion at our expense. In the event of conflicting opinions, a third provider will be retained, also at our expense, to render a binding decision.

## 29. Family and Medical Leave Act (FMLA) (continued)

Under certain conditions, employees who are designated as “key” may be denied job restoration rights. These employees must be in the highest paid 10% of the work force and their absence must mean a substantial economic loss to the organization. If a person designated as “key” still takes family leave, the Town of Stevensville will pay the health care premiums, but no guarantees are made about returning them to the positions they left.

An employee who fails to return to work on his or her regularly scheduled work day after the pre-approved leave without pay period will be considered to have voluntarily resigned unless the leave period is extended, in advance, by the Mayor. Providing false or misleading information or reasons to justify a FMLA absence may result in discipline, up to and including termination. FMLA provisions indicate that at the Town of Stevensville discretion, health care premiums may be recovered from employees who do not return to work.

## 30. Public Office Leave

Per MCA 39-2-104: Mandatory leave of absence for employees holding public office.

(1) Employers of employees elected or appointed to a public office in the city, county, or state shall grant the employees leaves of absence, not to exceed 180 days per year, while they are performing public service. Employees of an employer who employs 10 or more persons must, upon complying with the requirements of subsection

(2), be restored to their positions, with the same seniority, status, compensation, hours, locality, and benefits as existed immediately prior to their leaves of absence for public service under this section.

(3) An employee granted a leave of absence shall make arrangements to return to work within 10 days following the completion of the service for which the leave was granted unless the employee is unable to do so because of illness or disabling injury certified to by a licensed physician.

(4) Unemployment benefits paid to a person by application of this section may not be charged against an employer under the unemployment insurance law.

**History:** En. Sec. 1, Ch. 185, L. 2009

**31. Absence without Authorization**

Absence is the failure to report for work and/or to remain at work as scheduled. It includes late arrivals and early departures as well as absence for an entire day. Regular and punctual attendance is essential for efficient operations. If an employee does not know in advance that they will be absent or unavoidably late, they should telephone the office to ensure their Supervisor, Mayor and /or their designee and the staff is notified. Failure to request advance approval or to report an absence as described above may result in disciplinary action. An employee who fails to call in for three successive days to report such absences may be considered to have voluntarily terminated employment with the Town of Stevensville.

Employees with above average absenteeism may be required to document the reasons, including providing a doctor's certificate or other evidence and verification. Upon returning to work from an unexcused absence, the employee must report to his or her Supervisor and disclose the reason for the absence. If the reason is not acceptable, it may result in disciplinary action.

**32. Leave-without-Pay**

Leave-without-pay may be granted for any cause as determined by the Mayor and /or their designee so long as it doesn't violate any laws, regulations or policies set forth in this manual. Employees may be granted leave without pay for a specified time generally not to exceed one hundred eighty (180) calendar days during their employment period.

Whenever possible, the employee should provide their Supervisor, the Mayor and /or their designee with at least 30 days' notice so workloads/tasks can be covered. To request leave without pay, employees must provide their Supervisor, the Mayor and /or their designee the beginning and ending dates of the leave and the reason for the requested leave.

Vacation and sick leave cease to accrue during leave-without-pay. Employees will not be allowed to use sick or annual leave and will not receive holiday pay while on leave-without-pay status. Health insurance will not be paid by the Town of Stevensville during a period of leave without pay. However, the employee may choose to continue insurance coverage during the leave by paying the Town of Stevensville the premiums on a monthly basis. If the employee fails to continue the insurance coverage, the insurance may be canceled. Should it be canceled, the employee may be subject to policy restrictions, upon returning to work.

Depending upon the circumstances, employees still in their probationary period may be allowed to take a leave without pay. However, if leave is granted, their probationary period will be extended by the amount of time taken during the leave.

**32. Leave-without-Pay (continued)**

An employee who fails to return to work on his or her regularly scheduled work day after the pre-approved leave-without-pay period will be considered to have voluntarily resigned unless the leave period is extended, in advance, by their Supervisor and/or the Mayor and /or their designee. Providing false or misleading information or reasons to justify leave-without-pay may result in disciplinary action.

**33. Attendance**

Employees are expected to report to work as scheduled by their Supervisor or the Mayor /or their designee. If the employee is late to the point where it will impact their job duties, they must contact their Supervisor or Mayor /or their designee with an explanation. If the tardiness/absence is deemed unreasonable, it may result in disciplinary action. Advance notice should be given if possible to allow for a replacement to be scheduled, if necessary. If the employee's Supervisor or the Mayor /or their designee are unavailable, a message should be left with the senior staff member explaining the situation. Failure to notify the office of an absence or tardiness may result in disciplinary action.

**34. Funeral / Bereavement Leave**

In case of a death in the immediate family, an employee will be allowed three days paid for bereavement purposes. Immediate family is a defined group of relations, used in rules or laws to determine which members of a person's family are affected by those rules. It normally includes a person's parents, spouses, siblings and children. It can contain others connected by birth, adoption, marriage, civil partnership, or cohabitation, such as grandparents, grandchildren, siblings-in-law, half-siblings, adopted children and step-parents/step-children, and cohabiting partners.

Considerations for leave longer than three days or for leaves for deaths of relatives or friends other than specially listed will be evaluated on a case-by-case basis at the discretion of the Mayor and /or their designee.

### 35. Jury and Witness Duty Leave

Any regular full-time or regular part-time employee who is required to serve on a jury shall be allowed authorized leave with pay less any amount received (jury or witness fees) for such service. This may also include when an employee is subpoenaed as a witness or required to appear before a court or legislative committee/quasi-judicial body in response to a subpoena or other directive. A probationary employee called will have his/her probationary period extended to by the same amount of time as required for serving on jury duty. An employee who received notice of jury duty or witness service must notify his/her Supervisor immediately in order that arrangements may be made to cover the position. The Town of Stevensville reserves the right to request that an employee who is called for jury be excused if their absence would create a hardship on the operational effectiveness of the department to which they are assigned.

The employee is responsible to turn over jury or witness fees to the Human Resource Supervisor, excluding mileage and actual expense fees. If an employee chooses to use vacation leave, the employee may keep their jury or witness fees in addition to their mileage and actual expense fees. The employee may keep any witness fees or court payment if the services are performed on the days of his/her regularly scheduled weekend or days off. Benefits continue to accrue while an employee is on jury duty. If excused as a juror on any given day, the employee is expected to contact his or her Supervisor and to report to work as instructed.

### 36. Military Leave

The Town of Stevensville shall comply with all provisions outlined in the Uniformed Services Employment and Reemployment Rights Act (USERRA, 38 USC Sec. 4301, [4321] et seq) as well as all relevant state laws (to include Montana Military Service Employment Rights Act, MCA 10-1-1001 to 10-1-1027 et seq) as well as all relevant state laws covering members of the Montana Army and Air National Guard. An employee who is a member of the Montana National Guard or any United States military force or Reserve Corps and who has been an employee for a period of six months shall be given leave of absence with pay for a period of time not to exceed 15 working days in a calendar year. It can be for attending regular encampments, training cruises, and similar training programs of the military forces of the United States. This leave will not be charged against the employee's annual vacation time. Employees employed less than six months are entitled to unpaid leave for the purposes listed above. Military leave does not include regularly scheduled drills (Active Duty for Training - ADT).

**37. Educational Leave/Training**

The Town of Stevensville encourages training for employees where the training improves employee productivity, knowledge and skills when Town of Stevensville's services and programs will be more efficient and effective. The Town of Stevensville may provide full or partial funding for training that is a work-related program, seminar, conference, convention, etc., and is pre-approved by the employee's Supervisor, the Mayor and /or their designee.

Employees should consider training needs during annual evaluations, particularly if the training requires extensive time away from work, is of significant cost, and/or requires out-of-state travel. The Mayor and /or their designee may evaluate such training courses to ensure maximum value of the course. Additionally, the training may be delayed until future fiscal years to include the expense within the budget.

**38. Participation in Community Organizations**

The Town of Stevensville views personal development through service involvement as beneficial to the employee as well as positive exposure for our organization. Employees should consult with their Supervisor, the Mayor and /or their designee before volunteering for such organizations if work time may be required to attend activities, fundraisers, meetings, etc. Employees that have received pre-authorization from their Supervisor, the Mayor and/or their designee may attend such functions as excused, paid absence without using vacation leave. The employee's Supervisor, the Mayor and /or their designee will monitor the work time required to attend such functions to ensure the time is reasonable and the activity is projecting a positive image for the Town of Stevensville.



### **39. Participation in Professional Organizations**

The Town of Stevensville views personal development through professional organizations as essential to keep abreast of changing laws, rules, and legal opinions as well as maintaining a network of professional colleagues which are beneficial for research, feedback and productive information. Professional contacts are also beneficial for the growth and image of the Town of Stevensville.

Employees are encouraged to pursue professional organization affiliations that represent a positive effect in the community, organization or community. Employees should consult with the Mayor and /or their designee before joining such organization if work time may be required to attend activities, training, meetings, etc. Employees that have received pre-authorization from their Supervisor, the Mayor and /or their designee may attend such functions as excused, paid absence without using vacation leave. The employee's Supervisor, the Mayor and /or their designee will monitor the work time required to attend such functions to ensure the time is reasonable and the activity is projecting a positive image for the Town of Stevensville.

### **40. Licensing Fees**

The Town of Stevensville recognizes employees that associate with various organizations or maintain certifications or licenses are beneficial to the Membership and the Organization. If the Town of Stevensville has requested that an employee obtain a license, the Town of Stevensville will pay for the licensing fees and/or annual renewal fees.

All employees are encouraged to visit with their Supervisor and/or Mayor and /or their designee, particularly during the annual evaluations, so that the cost of maintaining a current license or the costs for a licensure that the employee would like to obtain can be included within the budget process.

### **41. Insurance**

Regular employees may participate in the Town of Stevensville's benefit plan. The Town of Stevensville may pay a specified dollar amount into the benefit plan that the employee can use to pay for options elected. For regular part-time employees, the Town of Stevensville may pay a pro-rated amount of the contribution into the benefit plan.

Specific benefits of the benefit plan are described in the Plan Document and Summary Plan Description (available from the Human Resource Supervisor). For employees utilizing specific insurance products, the insurance plan documents will be forwarded to them directly from the Insurance Provider. The Insurance Provider will also supply insurance cards for the covered employee/dependents directly to the employee.

**42. Retirement**

The Town of Stevensville participates in the Montana Public Employees Retirement System (PERS). Employees working more than 960 hours per year are required to participate in PERS. Employees working less than 960 hours per year have the option of participating in PERS.

New employees have 12 months to choose which retirement option is right for you: The Defined Benefit Retirement Plan (DBRP) and the Defined Contribution Retirement Plan (DCRP). Information on both options is available online at [www.mpera.mt.gov](http://www.mpera.mt.gov).

The Town of Stevensville will comply with employer and employee contribution rates as set by the Montana State Legislature.

**43. Personal Appearance and Demeanor**

Employees are expected to dress appropriately for their position, their daily activities, and their expected public contact. Employees attending business meetings, board meetings or other related contact should dress professionally in business attire. The office, though a casual atmosphere, may receive visitors, Council members, etc. and all personnel are to be dressed appropriately. Hair and clothes should be neat. Any part of an employee's dress, appearance or hygiene that is deemed unprofessional or that may endanger the employee and/or staff may be prohibited by the Mayor /or their designee. The Mayor and /or their designee may order an employee to take unpaid time to go home and change if their attire is not considered appropriate.

**44. Smoking**

Town of Stevensville offices and equipment are non-smoking entities. Employees may smoke during scheduled break periods and may smoke outside the building and/or vehicles. For those employees who do smoke common courtesy is encouraged by exercising the following:

*Smoking within a presumptively reasonable distance from entrances, exits, windows that open and ventilation intakes that serve an enclosed area where smoking is prohibited so as to ensure that tobacco smoke does not enter the area through entrances, exits, open windows, or other means.*

#### **45. Sales Calls**

Sales Calls from professional sales people are allowed to take place only at the discretion of the Department Supervisor, the Mayor and /or their designee, so long as it is done in a consistent and fair manner.

Employees requesting charitable contributions or selling products should visit with fellow employees before or after work, during lunch hour or breaks. Employees may also choose to circulate a catalog among co-workers to preview at their convenience. Employees should not be made to feel obligated to purchase items. Employees are expected to use professional judgment as to the subject matter of catalogs they may share with their co-workers.

#### **46. Discipline**

Upon suspected violation of federal, state or local laws, Town of Stevensville rules and/or regulations, employee conduct/behavior/performance standards, or Town of Stevensville policies, the employee may be subject to disciplinary action. The Supervisor of the employee in question shall notify the Mayor and /or their designee. The Mayor /or their designee may task the Supervisor and/or the Human Resource Supervisor to fully investigate and document situations that may require disciplinary action. Employees may be suspended (with or without pay) pending investigation. The employee will be interviewed during the investigation process. Prior to the investigation interview, the Supervisor, the Mayor and /or their designee will inform the employee of the suspected violation and in general terms what the interview will be regarding.

#### 46. Discipline (continued)

The Supervisor, the Mayor and /or their designee, and/or the Human Resource Supervisor (if it is determined that they should attend) will meet and conduct the interview with the employee under investigation. The employee being interviewed may request an attendee of their choosing be present at the interview; however they will be permitted for observation only and will not be permitted to participate in the interview.

Upon conclusion of the investigation, it will be decided whether or not discipline needs to occur. The Supervisor, the Mayor and/or their designee or the Human Resource Supervisor will write a letter to the employee documenting the investigation, stating the findings and declaring the appropriate form of discipline.

The employee will be able to respond to the findings of the investigation. If the employee doesn't agree that the discipline was warranted or if they consider the disciplinary action inappropriate, the employee may follow the grievance procedure (outlined in #47 below). Appropriate discipline, as determined by the Town of Stevensville, will be rendered in one of the following forms:

##### *Oral Reprimand*

The Supervisor or the Mayor and /or their designee will meet with the employee and explain the problem as well as the necessary action required to correct the problem. The Supervisor or the Mayor and /or their designee will also outline the time period in which the employee must correct the problem and the consequences should the employee not conform or comply with the necessary action. The Supervisor or the Mayor and /or their designee will summarize the conversation with the employee in writing to document the disciplinary procedure as an oral reprimand. The employee and the Supervisor or the Mayor and /or their designee will sign the summary which attests that the meeting took place, that the employee understood the problem and the corrective action required. The summary will be placed in the employee's personnel file.

##### *Written Reprimand*

The Supervisor or the Mayor and /or their designee will document the problem in a letter to the employee. The Supervisor or the Mayor and /or their designee will meet with the employee, present the letter, and explain the problem. During the meeting the Supervisor or the Mayor and /or their designee will clarify the necessary corrective action, the time period to conform or comply with the corrective action, and the consequences should the employee not satisfactorily complete the necessary action. The letter to the employee will clarify that the employee is receiving a written reprimand as the disciplinary procedure. A copy of the letter must be signed by the employee that attests the employee participated in the meeting, understood the problem and the corrective action required, and received the written reprimand.

#### 46. Discipline (continued)

##### *Suspension (with or without pay)*

The Supervisor will make an initial recommendation that the employee should be placed on suspension (with or without pay), present that recommendation to the Mayor who will then make the final determination whether or not to place the employee on paid or unpaid suspension.

The Mayor and /or their designee will document the problem in a letter to the employee and indicate whether the employee is being suspended with or without pay. The Mayor and /or their designee will meet with the employee, present the letter, explain the problem and inform the employee of the severity of the discipline received. During the meeting the Mayor and /or their designee will clarify the necessary corrective action, the time period to conform or comply with the corrective action, and the consequences should the employee not do the necessary action. The letter to the employee will clarify the effective dates of the suspension (with or without pay) and the date and work schedule and the date that the employee is to return to work. A copy of the letter must be signed by the employee that attests the employee participated in the meeting, understood the problem and the corrective action required, and that the form of discipline was suspension (with or without pay).

##### *Demotion - Loss of Duty*

The Supervisor will make an initial recommendation that the employee should be demoted or incur a loss of duty, present that recommendation to the Mayor who will then make the final determination whether or not to demote the employee.

The Mayor and /or their designee will document the problem in a letter to the employee and indicate the specific conditions of the demotion to include modified job duties and compensation, as warranted. The Mayor and /or their designee will meet with the employee, present the letter, explain the problem and inform the employee of the severity of the discipline received. During the meeting, the Mayor and /or their designee will clarify the necessary corrective action, the time period to conform or comply with the corrective action and the consequences should the employee not do the necessary action. The Mayor and /or their designee will determine if the demotion is a temporary disciplinary measure or a permanent job modification. In the event the demotion is a permanent job modification, the employee's job description will be updated to reflect such. A copy of the letter must be signed by the employee that attests the employee participated in the meeting, understood the problem and the corrective action required and that the form of discipline was a temporary or permanent demotion and loss of job duties/responsibilities. If the employee's job description was updated, the employee must sign the updated job description to reflect that the employee has had the modified duties communicated to the employee.

**46. Discipline (continued)**

*Termination*

If the appropriate disciplinary action is termination, the Mayor will write a letter to the employee that documents the problem and summarize the results of the investigation. The letter will detail the effective cause and date of discharge. The letter shall also include a copy of the Grievance Procedure Policies advising the employee of their right to use the procedures.

**47. Grievance Procedure**

Regular employees are allowed to use the grievance procedure without penalty, harassment or retaliation for doing so. Each grievance will be fully processed until the employee receives a satisfactory decision/explanation or until the employee's right of appeal is exhausted.

Employees should attempt to resolve all disputes prior to involving the Mayor and /or their designee. Employees are encouraged to discuss disputes with their Supervisors informally and in a timely fashion. The Human Resource Supervisor may attend meetings between the Supervisor and employee if necessary. In the event a dispute cannot be resolved informally, the employee should file a grievance, in writing using the Town's Employee Grievance Form, to the Supervisor and/or their designee within ten business days of the occurrence of the disputed issue. The written grievance form should outline the disputed issue, relevant facts, and appropriate remedy. Upon receipt of the written grievance form, the Supervisor and/or their designee will investigate the dispute and respond to the grievance within ten business days of receipt of the grievance.

If the response is not acceptable to the employee, the employee may proceed to the next step. The employee may forward the written grievance form and Supervisor and/or their designee's response to the Mayor and /or their designee within 14 business days from the date of the Supervisor and/or their designee's response. The Mayor and /or their designee will investigate the grievance. The Mayor and /or their designee shall conclude their investigation and write a report within 30 calendar days from receipt of the grievance appeal. This step concludes the final appeal process for the employee.

Information concerning employee grievances is confidential information and is to be discussed only with individuals involved in the investigation or on a need-to-know basis. Management decisions on grievances will not set precedent and are at the discretion of the Mayor and /or their designee so long as it does not violate any laws, regulations or policies set forth in this manual. Management decisions are not binding on future grievances unless they are officially stated as a policy.

#### 48. Breast Feeding in the Workplace Policy

Women returning from maternity leave who wish to continue breastfeeding or separate expression of milk for their child(ren) will be provided a private space (other than a toilet stall) with suitable lighting and electricity if necessary for pumping apparatus. The selection of the space will be made on a case-by-case basis in consultation with the employee. Standard break times will be primarily utilized with additional unpaid break time provided as mutually agreed upon. Additionally, the Town will make every effort to provide suitable facilities for milk storage during the employee's daily work period. All requirements listed in MCA 39-2-215, 39-2-216, 39-2-217, whether or not specifically listed here, will be complied with.

#### 49. Professionalism Policy

This Professionalism Policy is applicable to all Employees of the Town of Stevensville.

##### *I. Code of Ethics*

A. The Town requires ethical conduct in any and all activities that impact the wellbeing of our Town, which the Employees represent.

B. Employees hold important roles in local government. They are positioned to ensure that the Town's interests are balanced, protected and preserved. This Code provides principals that Employees must adhere to and advocate. This Code is designed to deter wrongdoing and to promote:

1. Honest and ethical conduct including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships;
2. Full, fair, accurate, timely and understandable disclosures in reports and documents;
3. Compliance with applicable governmental laws, rules and regulations;
4. The prompt internal reporting of complaints to their Supervisor; and
5. Accountability for adherence to this Code.

**49. Professionalism Policy**

***I. Code of Ethics (continued)***

**C. Employees will:**

1. Act at all times with honesty and integrity, avoiding actual or apparent conflicts of interest in personal and professional relationships.
2. Discuss with their Supervisors, in advance, any transaction that reasonably could be expected to give rise to a conflict of interest.
3. Comply with the Town's Personnel Policy Manual.
4. Act in good faith with due care and diligence and without knowingly misrepresenting material facts.
5. Protect and respect the confidentiality of information acquired in the course of their work except when authorized or legally obligated to disclose. Confidential information acquired in the course of their work will not be used for personal advantage.
6. Be recognized as a responsible colleague among fellow employees.
7. Responsibly use time and resources employed or entrusted to their supervision.
8. Promote and be an example of ethical behavior as a responsible Employee or Supervisor in the work environment and the community.
9. Promptly report to their Supervisor any conduct that the individual believes to be a violation of the law, the Town of Stevensville **Professionalism Policy**, or the Town of Stevensville **Personnel Policy Manual**, including the circumstance or relationship that reasonably could be expected to give rise to such conflict;

D. It is against the Town's policy to retaliate against any employee for good faith reporting of violations of this Code.



**49. Professionalism Policy**

***II. Conflict of Interest***

- A. The underlying principle of “conflict of interest” is that Employees should avoid any activity, investment or interest that might reflect unfavorably on the reputation of the Town of Stevensville.
  
- B. As representatives of the Town of Stevensville, Employees are obligated to place the interest of the Town, in any transaction involving the Town, ahead of any personal interest or personal gain, and to disclose all facts in any situation where a potential conflict of interest may arise.
  
- C. Employees may not engage in a transaction, use public or confidential information, improperly influence a decision or transaction, or take any other action in regard to their position as an Employee of the Town of Stevensville that would create a personal economic or other benefit to the Employee.
  
- D. Employees are expected to seek clarification of and discuss any questions about potential conflict of interest with their Supervisor and the Mayor.

***III. Confidentiality***

- A. Employees are expected to protect and maintain confidentiality regarding the Town’s property including cash, equipment, records, and employee and/or customer information.
  
- B. Employees shall not disclose or use confidential information acquired in the course of official duties.

***IV. Violations***

Violations of the Professionalism Policy, including failure to report potential violations by others will be viewed as a severe disciplinary matter that may result in personnel action including termination of employment.

