

Town of Elkton Handbook

The Mayor and Commissioners of the Town of Elkton



Last Updated on 1/5/2024

POLICY UPDATES 2024

- ***Pg. 19 - MERIT/COLA entry***
- ***Pg. 31 #3 - Application Retention***
- ***Pg. 65 #5***
- ***Pg. 80 Holiday EPD & Military Leave***
- ***Pg. 92 Service Awards***

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Acknowledgement of Receipt

I acknowledge that I have received a copy of the Town of Elkton Employee Handbook (“Handbook”). I understand that I am responsible for reading and abiding by all policies and procedures in this Handbook, as well as all other policies and procedures of the Town, as updated from time to time.

I also understand that the purpose of this Handbook is to inform me of the Town's policies and procedures, and that it is not a contract of employment. Nothing in this Handbook provides any entitlement to me or to any Town employee, nor is it intended to create contractual obligations of any kind.

I understand that the Town has the right to change any provision of this Handbook at any time and that I will be bound by any such changes.

Signature

Date

Full Name (please print)

Please sign and date one copy of this acknowledgement and return it to the Town of Elkton Human Resources Department. Retain a second copy for your reference.

Welcome

It is our privilege to welcome you to Team Elkton. We wish you every success in your new job, and we hope that you quickly feel at home. This Handbook was developed to describe some of the expectations we have for all of our employees and what you can expect from us. We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

The Mayor and Commissioners of the Town of Elkton

A Message to Our Employees

On behalf of the government and the citizens of the Town of Elkton, we welcome YOU to our public service team!

The important and vital role of our municipal government in maintaining the active and successful growth and development of the Elkton community cannot be underestimated, and YOUR participation in this process is important and vital to that success.

The quality of public service directly affects the quality of life in our community. Every job within our government, whether in administration, finance, building and zoning, planning, public works, recreation or the police department, provides some measure to that quality of life. The careful and consistent provision of essential services by our employees provides for a healthy and progressive community.

As our employee, YOU are our representative. Your *presentation* may affect the way our citizens feel about our government and how they perceive our community. The good will and promotion of public service is an essential part of our *trade* as public employees. Your appearance, your work, your voice, your attitude and your enthusiasm are vital tools to build successful public relations. We expect YOU and every other employee to be our public relations representative.

Whether you have been an employee of the Town of Elkton for many years, or you are new to our public service team, we would like to acknowledge your importance to us and to our community. With this in mind, the *Employee Handbook* has been developed to answer questions you may have regarding your employment with the Town of Elkton. It describes our expectations of you, as a public employee, and our obligations to you, as a public employer.

We have strived to make this handbook clear and concise in explaining your benefits. Should you have any questions, we hope you will contact your supervisor and, if your supervisor is unable to answer your questions, the Human Resources Department will work to resolve them.

Thank you, again, for your interest in joining our public service team!

The Mayor and Commissioners

Introduction

This Employee Handbook (“Handbook”) is a compilation of personnel policies, practices and procedures currently in effect at The Mayor and Commissioners of the Town of Elkton (“Town”). The Handbook is designed to introduce you to our Town, familiarize you with Town policies, provide general guidelines on work rules, benefits and other issues related to your employment, and help answer many of the questions that may arise in connection with your employment.

This Handbook is not a contract of employment, and does not create a contract of employment. Like most American companies, The Mayor and Commissioners of the Town of Elkton generally does not offer individual employees formal employment contracts with the Town. This Handbook does not create a contract, express or implied, guaranteeing you any specific term of employment, nor does it obligate you to continue your employment for a specific period of time. The purpose of the Handbook is simply to provide you with a convenient explanation of present policies and practices at the Town. This Handbook is an overview or a guideline. It cannot cover every matter that might arise in the workplace. For this reason, specific questions regarding the applicability of a particular policy or practice should be addressed to Town of Elkton Human Resources Department.

The Town reserves the right to modify any of our policies and procedures, including those covered in this Handbook, at any time. We will seek to notify you of such changes by email and other appropriate means. However, such a notice is not required for changes to be effective.

We Are Elkton

DEAR NEW EMPLOYEE:

The Town of Elkton is a chartered, municipal government of the state of Maryland. The Charter of the Town of Elkton provides for the election of a mayor (chief executive) and four commissioners, referred to as “the Board.” The Constitution of the State of Maryland, provisions of the Annotated Code, and the Charter and Code of the Town of Elkton set forth the powers and responsibilities of the Board, along with other provisions for the Town’s government.

Members of the Board are elected for four-year terms. Elections are held in May, every two years, and successful candidates are elected by the popular vote of those Elkton residents who meet eligibility requirements set forth in the Charter and who are registered to vote. Since the mayor and the commissioners are not elected to full-time positions under Elkton’s government, an administrator is appointed by the mayor (subject to the confirmation by the Board) to oversee the daily operations of the town’s government and to supervise its employees.

THE MAYOR AND COMMISSIONERS OF THE TOWN OF ELKTON

Robert J. Alt, Mayor

Earl M. Piner Sr., Commissioner

Jean A. Broomell, Commissioner

Charles H. Givens, Commissioner

Robert M. Massimiano, Commissioner

Lewis H. George Jr., Town Administrator

As an employee of Elkton’s government YOU play a vital role in both delivering services to the Elkton community and also in representing Elkton’s government. The quality of our services and our representation depends entirely on the quality of our public service team. We expect YOU to perform your best and to represent us in the highest tradition of public service.

History of the Town of Elkton

HISTORY OF THE

TOWN OF ELKTON

Elkton, the County Seat of Cecil County, is located at the head of the Elk River near the Maryland/Delaware border. The land on which the town now sits was named Head of the Elk by the English explorer Captain John Smith in 1652. In 1681, the original tract of land was given to Nicholas Painter who named it "Friendship". The Town that sprang up was known as Head of Elk until 1787 when it came to be known as Elkton.

A private post office was located at Head of Elk in 1776, and the Town became an early shipping point for the wheat raised in the rich Piedmont surrounding the settlement. In 1807, Bay craft docked at Elkton loaded 250,000 bushels of flour milled at grist mills on the Big and Little Elk Creeks from wheat grown in Lancaster County, Pennsylvania. The Big and Little Elks also supplied water power for small paper and textile factories in the early nineteenth century.

Elkton was the scene of much activity during the American Revolution. General George Washington observed British movements on Elk Neck in August 1777. That same month, the British general Robert Howe decided to approach Philadelphia via Head of Elk, apparently because the area was thought to be sympathetic to the British. In March of 1781, Lafayette's troops embarked from Head of Elk for Annapolis on their way to Yorktown returning in early April because British ships controlled the Bay. On April 11th, they again departed, this time by land rather than by water. They would be followed in September by troops under the commands of Washington and Rochambeau.

A remnant of this period that still exists today is the Mitchell House, located on Main Street. According to tradition, Dr. Abraham Mitchell from Lancaster County, Pennsylvania, built the house in 1769 where, during the Revolution, he treated wounded Continental soldiers. The house later belonged to his son, Dr. George Mitchell, who was a prominent member of the Pike Expedition to Canada in 1813 and who, as a member of Congress, introduced the resolution that led to Lafayette's expedition in 1824.

Elkton also played a role in the War of 1812. In 1813, a force from Admiral George Cockburn's British fleet attacked points along the Elk River. After burning nearby Frenchtown in late April, the fleet attempted to reach Elkton by water, but guns at Fort Defiance drove them back. The British then attempted to approach by land from the other side of the river, but their guide led them to Cedar Point opposite Fort Hollingsworth, and when the militia stationed there opened fire, the British retreated.

Elkton's location along major transportation routes has long been a key to its growth and development. Throughout the Town's early history, it was travel by water and early roadways that was most important. Later, rail travel brought prosperity to Elkton. In the early 1900's and continuing to the present, roads have been increasingly important.

Departments

Administration

100 Railroad
Avenue

(410) 398-0970

P.O. Box 157

Fax: 410-392-6633

Elkton, MD 21921

Building, Planning, & Zoning

100 Railroad
Avenue

(410) 398-4999

PO Box 157

Fax: 410-398-0128

Elkton, MD 21921

Finance/Billing / Taxes

100 Railroad
Avenue

(410) 398-4170

PO Box 157

Fax: 410-398-7112

Elkton, MD 21921

Human Resources

100 Railroad
Avenue

(410) 392-6933

Fax: 410-398-3792

PO Box 157

Elkton, MD 21921

Parks & Recreation

121 Stockton Street
Elkton, MD 21921

(410) 620-7964

Fax: 410-620-7981

Police Department

100 Railroad
Avenue

(410) 398-4200

Fax: 410-392-5294

Elkton, MD 21921

Public Works

209 Blue Ball Ave

(410) 392-6636

Fax: 410-392-6634

Elkton, MD 21921

Notice to Employees

NOTICE TO EMPLOYEES

Employee Handbook

The purpose of the Town's *Employee Handbook* is to provide each employee with a guide to employment benefits, rules, procedures and policies. This handbook generally applies to all full-time employees, i.e. those regularly working a minimum of forty hours weekly. Many of the items in the *Employee Handbook* are affected by state and federal legislation, administrative interpretation and other factors not detailed in the scope of the handbook, consequently the Town shall be vigilant with regard to any significant changes that effect information presented to employees. Additionally, any change resulting from an initiative by the Town shall be subject to the same process of notice and distribution. The Town will review, revise and disseminate information to employees as changes occur and employees are responsible to read any changes that are distributed and to revise their handbooks as instructed. Neither this handbook nor any other guidelines, policies or practices create an employment contract. Questions relating to any changes should be directed first to the employee's department manager and any further clarification shall be addressed by the Director of Human Resources.

All changes to the *Employee Handbook* will be posted and subsequently distributed to each employee through the employee's department manager. The effective date of any change shall be included on the posting.

Employees are the heart of our organization and the key to its potential success. Never lose sight of the fact that our community depends on every member of our public service team and that every member of this team plays an important role in delivering essential public services.

Lewis H. George, Jr.

Town Administrator

At-will Employment

Employment with the Town does not constitute a guarantee that employment will continue for any specified period of time or end only under certain conditions. Employment with the Town is a voluntary at-will-employment relationship, i.e., Employees are free to resign at any time, with or without cause, and the Town may terminate the employment relationship, whenever it determines that it is in its best interest to do so, with or without cause or notice, except as provided by Federal, State, or Local State, or Local Law.

Exception applies to the Elkton Police Department employment agreement and the Fraternal Order of Police (FOP) contract.

General Work Policies

Employee Privacy Policy

In this age of the Internet where privacy has become an increasing concern, we take your privacy very seriously. The privacy and security of your personal data (“Personal Information”) which we collect from you is important to us. It is equally important that you understand how we handle this data. The Town will not knowingly collect or use Personal Information in any manner not consistent with this policy, as it may be amended from time to time, and applicable laws.

Collection of Information

In the course of conducting our business and complying with federal, state, and local government regulations governing such matters as employment, tax, insurance, etc., we must collect Personal Information from you. The nature of the information collected varies somewhat for each employee, depending on your employment responsibilities, the location of the facility where you work, and other factors. We collect Personal Information from you solely for business purposes, including those related directly to your employment with the Town, and those required by governmental agencies.

Use of the Information Collected

The primary purposes for collection, storage and/or use of your Personal Information include, but are not limited to:

- **Human Resources Management.** We collect, store, analyze, and share (internally) Personal Information in order to attract, retain, and motivate a highly qualified workforce. This includes recruiting, compensation planning, succession planning, reorganization needs, performance assessment, training, employee benefit administration, compliance with applicable legal requirements, and communication with employees and/or their representatives.
- **Business Processes and Management.** Personal Information is used to run our business operations including, for example, scheduling work assignments, managing Town assets, reporting and/or releasing public data (e.g., annual reports, etc.); and populating employee directories. Information may also be used to comply with government regulation.
- **Safety and Security Management.** We use such Personal Information as appropriate to ensure the safety and protection of employees, assets, resources, and communities.
- **Communication and Identification.** We use your Personal Information to identify you and to communicate with you.

Limited Disclosure

The Town acts to protect your Personal Information and ensure that unauthorized individuals do not have access to such information by using security measures to protect Personal Information. We will not knowingly disclose, sell, or otherwise distribute your Personal Information to any third party without your knowledge and, where appropriate, your express written permission, except where disclosure is reasonably necessary to comply with the law.

Security of Personal Information

We employ reasonable security measures and technologies, such as password protection, encryption, physical locks, etc., to protect the confidentiality of your Personal Information. Only authorized employees have access to Personal Information. If you are an employee with such authorization it is imperative that you take the appropriate safeguards to protect such information. Paper and other hard copy containing Personal Information (or any other confidential information) should be secured in a locked location when not in use. Computers and other access points should be secured when not in use by logging out or locking. Passwords and user IDs should be guarded and not shared. When no longer necessary for business purposes, paper and hard copies should be immediately destroyed using paper shredders or similar devices. Do not leave copies in unsecured locations waiting to be shredded or otherwise destroyed. Do not make or distribute unauthorized copies of documents or other tangible mediums containing Personal Information. Electronic files containing Personal Information should only be stored on secure computers and not copied or otherwise shared with unauthorized individuals within or outside of the Town.

The Town will make reasonable efforts to secure Personal Information stored or transmitted electronically from hackers or other persons who are not authorized to access such information.

Any violation or potential violation of this policy should be reported to your immediate supervisor, designated manager, or Town of Elkton Human Resources Department. The failure by any employee to follow these privacy policies may result in discipline up to and including discharge of the employee. Any questions or suggestions regarding this policy may also be directed to your immediate supervisor, designated manager, or Town of Elkton Human Resources Department.

Severe Weather Conditions and Emergency Work

Under conditions of severe weather or situations which may threaten the health and safety of any Town employee, the Town Administrator may direct that certain segments of the Town will be closed for the duration of the emergency and employees either dismissed or directed not to report to work during normal working hours: 8:00a.m. – 4:30p.m., Monday through Friday. The following procedures will govern in the event of severe weather conditions.

A. The Department of Public Works and the Elkton Police Department employees are considered “essential” to ensure that the health and safety of Elkton’s citizens is not threatened.

During emergency conditions, “essential” employees will earn overtime at one and ½ times their regular rate regardless of total hours worked that week. This is a deviation from the overtime policy.

Designated DPW employees may be eligible for special on-call/standby pay to be available to respond to emergency sewer back-ups and major water leaks. This may also be applicable for snow removal when Town Hall is closed or outside of normal work hours.

“Essential” employees who do not report for work shall be charged vacation or personal leave, or leave without pay (as applicable) for time not worked.

The Chief of the Elkton Police Department, at their discretion, will determine the “non-essential” employees.

B. Employees designated as “non-essential” will be directed to take one or more of the following steps when an emergency is declared:

Early Dismissal The Town Administrator will direct the appropriate department heads to dismiss their employees at a designated time consistent with the conditions.

Town of Elkton

Late Openings The Town Administrator will determine when non-essential employees are not required to report to work during normal working hours; 8:00a.m.-4:30p.m., Monday through Friday and will be paid for the hours the Town offices are closed; however, if the employee was previously scheduled for vacation or personal leave for the day, the full day will be charged to the appropriate leave. If the employee does not report to work when the Town offices are open, vacation or personal leave must be charged for the hours not worked.

Late Arrivals Under this procedure, department heads will be permitted to excuse a reasonable amount of lateness consistent with the existing conditions and the employee's travel distance.

Liberal Leave Policy Non-essential employees who choose to leave before an announcement is made, or failing to report to work, will be charged vacation, personal leave or leave without pay (as applicable) for time not worked.

Closing of Town of Elkton Offices and Facilities Under extreme conditions all or part of the Town offices which are not essential to the health and safety of Elkton's citizens may be closed. In this event, those employees not required to report to work or continue working will be considered on administrative absence and will receive normal compensation for the hours that the Town offices are closed due to the emergency.

C. When an emergency is declared during normal business hours, 8:00a.m.-4:30p.m., Monday through Friday, the Town Administrator will notify department heads, which in turn are responsible for notification of all their employees.

D. When an emergency is declared during non-business hours, the Town Administrator will notify department heads, via telephone, and department heads will be responsible for notification of their employees. The Town Administrator will also notify the Police Department Duty Officer of the emergency procedures that are in effect. Employees may call the Police Department at 410-398-4200, option 5, to determine what condition is in effect for that day.

E. Employees who are on regular scheduled vacation, personal leave or sick leave at the time these procedures are implemented will be charged for their leave as used.

Attire and Grooming Policy

Objective

The Town strives to maintain a workplace environment that functions well and is free from unnecessary distractions and annoyances. As part of that effort, the Town requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. To that end, Town department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas; guidelines may limit natural or artificial scents that could be distracting or annoying to others.

Procedures

All Town staff members are expected to present a professional, businesslike image to clients, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the Town.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor.

Any staff member who does not meet the attire or grooming standards will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

Specific requirements

Certain staff members may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions.

At the discretion of the department head, in special circumstances, such as during unusually hot or cold weather or during special occasions, staff members may be permitted to dress in a more casual fashion than is normally required. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted

Reasonable accommodation of religious beliefs

The Town recognizes the importance of individually held religious beliefs to persons within its workforce, and will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for staff members. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the Human Resources Department.

Business Casual

Finance, Building & Planning, Administration and Human Resources appropriate business casual dress typically includes slacks or khakis, dress shirt or blouse, open-collar or polo shirt, optional tie or seasonal sport coat, a dress or skirt not more than three inches above the knee, a tailored blazer, knit shirt or sweater, and loafers or dress shoes that cover all or most of the foot.

Designated Casual or Dress-down days

Finance, Building & Zoning, Administration, and Human Resource Departments that adopt casual or dress-down days must use the following guidelines to define appropriate casual attire.

Town of Elkton

Appropriate	Inappropriate
<i>Slacks</i>	
<ul style="list-style-type: none"> ● Khakis or corduroys ● Jeans (must be clean and free of rips, tears and fraying; may not be excessively tight or revealing) ● Skorts, capris 	<ul style="list-style-type: none"> ● Sweatpants, leggings, exercise wear ● Shorts, low-rise or hip-hugger pants or jeans
<i>Shirts</i>	
<ul style="list-style-type: none"> ● Polo collar knit or golf shirts ● Oxford shirts ● Company logo wear ● Short-sleeved blouses or shirts ● Turtlenecks ● Blazers or sport coats ● Jackets or sweaters 	<ul style="list-style-type: none"> ● Shirts with writing (other than company logo) ● T-shirts or sweatshirts ● Beachwear ● Tank Tops ● Exercise wear ● Crop tops, clothing showing midriffs, spaghetti straps
<i>Shoes</i>	
<ul style="list-style-type: none"> ● Boating or deck shoes, moccasins ● Casual, low-heel, open-back shoes (e.g., mules, sling backs) 	<ul style="list-style-type: none"> ● Rubber flip-flops, Crocs-like sandals

Addressing workplace attire and hygiene problems

Violations of the policy can range from inappropriate clothing items to offensive perfumes and body odor. If a staff member comes to work in inappropriate dress, they will be required to go home, change into conforming attire or properly groom, and return to work.

If a staff member’s poor hygiene or use of too much perfume/cologne is an issue, the supervisor should discuss the problem with the staff member in private and should point out the specific areas to be corrected. If the problem persists, supervisors should follow the normal corrective action process.

Office Equipment Policy

Certain equipment is assigned to staff depending on the needs of the job, such as a calculator, personal computer, printer and access to our central computers and servers. This equipment is the property of the Town and cannot be removed from the office without prior approval from your supervisor. The Town expects that you will treat this equipment with care and report any malfunctions immediately to staff members equipped to diagnose the problem and take corrective action.

Personnel Records Policy

It is important that the Town maintain accurate personnel records at all times. You are responsible for notifying your immediate supervisor or the Town of Elkton Human Resources Department of any change in name, home address, telephone number, immigration status, or any other pertinent information. By promptly notifying the Town of such changes, you will avoid compromise of your benefit eligibility, the return of W-2 forms, or similar inconvenience.

Performance Reviews, Salary Reviews Policy

PURPOSE

The primary purpose of the employee performance evaluation is to inform employees how well they are performing their assigned duties and to offer constructive criticism, if applicable, as to how they might improve their work performance. Performance evaluations shall also be considered in decisions regarding salary advancement, promotions, demotions, dismissals, the order of layoffs and recalls, placement and training needs.

An employee's first performance review generally will take place during the first six of months of employment with the Town. Thereafter, performance reviews will normally be conducted annually. All performance reviews will be completed in writing by your supervisor or manager on the form designated by the Town, and reviewed during a conference with you. Factors considered in your review include the quality of your job performance, your attendance, meeting the requirements of your job description, dependability, attitude, cooperation, and compliance with Town employment policies, any disciplinary actions, and year-to-year improvement in overall performance.

Compensation increases are given by the Town at its discretion in consideration of various factors, including an overall satisfactory annual performance review.

MERIT The Town will provide annual employee merit increases, for future upcoming fiscal years no-less than three percent (3%).

COLA A separate cost of living increase will be considered annually utilizing the percentage Consumer Price Index – All Urban Consumers for the Philadelphia-Wilmington-Atlantic City-PA-DE-NJ-MD as published by the United States Bureau of Labor Statistics, Mid-Atlantic Information Office as a reference. If a cost of living increase has been approved by the board, all grades on the wage scale will be adjusted to this percentage amount.

PERIODS OF EVALUATION

End of Introductory Period Each employee may be evaluated thirty (30) days prior to the completion of their first six-months of employment. This is an introductory period for non-sworn personnel. The employee must have an overall evaluation of at least “satisfactory” in order to continue employment. Employees who are not evaluated on or before the last day of their introductory period shall automatically continue employment.

Annual performance reviews shall be completed for all non-sworn employees by May 31st. The performance reviews shall focus on the employee’s prior calendar year performance. An additional review may be required under the following circumstances:

The employee receives a promotion,

The employee receives a demotion,

The employee receives a job transfer,

The employee experiences a leave of absence of 90 days or more.

Town of Elkton

Time of Separation Each employee may be evaluated at the time of separation and an exit interview may be conducted by Human Resources Director. Such record shall become part of their permanent personnel file.

Special Evaluations Whenever it is deemed necessary by the employee's supervisor based on either a significant upward or downward change in the employee's job performance.

REVIEW OF PERFORMANCE EVALUATIONS

The Supervisor shall review the performance evaluation with the employee before the report is made part of the employee's permanent record.

After the performance evaluation has been reviewed with the employee, if the employee feels the report is unfair, the employee may request (in writing) a meeting with the next individual in the chain of command. The supervisor will immediately forward the report to the next individual in the chain of command, who will arrange to meet with the employee within five (5) working days. A decision will then be forwarded to the employee within five (5) working days of their meeting.

Any non-introductory employee receiving an overall rating of "unsatisfactory" as determined by the supervisor, may be granted three (3) months in which to improve their performance to a "satisfactory" level. Failing to obtain an overall rating of "satisfactory" at the end of this period may be subject the employee to immediate dismissal.

Promotions and Transfers Policy

In an effort to match you with the job for which you are most suited and/or to meet the business and operational needs of the Town, you may be transferred from your current job. This may be either at your request or as a result of a decision by the Town.

Reasons for transfer may include, but are not necessarily limited to, fluctuations in department workloads or production flow, a desire for more efficient utilization of personnel, increased career opportunities, personality conflicts, health, other personal situations or other business reasons. Temporary transfers may be made at the discretion of the Town management.

Most job openings that are intended to be filled from within the Town will be posted Town of Elkton Website. The management of the Town does reserve the right, however, to transfer or promote an employee without posting the availability of that position.

An employee is eligible to request a transfer and to be considered for a promotion upon completion of 6 months of satisfactory job performance. However, a transfer may take place within the first six (6) months of employment if the management of the Town believes that it is in the best interest of the Town to make an exception to this guideline. Your eligibility is also dependent, of course, on your having the needed skills, education, experience and other qualifications that are required for the job.

Employee Grievances

It is the policy of the Town of Elkton to treat employees equitably and fairly in matters affecting their employment. Each employee of the Town will be provided ample opportunity to understand and resolve matters affecting employment which the employee believes are unjust. Grievance procedure forms and instructions shall be made available to each employee and the presentation of any grievance shall be considered the right of each employee without fear of reprisal.

A. Definition

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A grievance is a complaint regarding:

1. Alleged poor working conditions
2. The unjust application of discipline
3. The unfair application, interpretation or violation of the rules and regulations of the Town, or the department for whom the employee works.

*Sworn officers of the Elkton Police Department are governed by the Law Enforcement Officers' Bill of Rights for grievances pertaining to discipline.

Note: The grievance procedure contained in the Town of Elkton Employee Handbook does not take precedence over the **Elkton Police Department Administration and Patrol Manual**. Police Department personnel (other than civilian personnel) will be referred to the grievance procedures as stated within the manual.

B. Resolution

Each party to a grievance will make every effort to resolve the grievance at the lowest level possible.

C. Informal Discussions

Any employee having a complaint, as defined above, shall first discuss the problem with his/her Department Head. If the problem is not settled to the employee's satisfaction, the employee has the right to present the grievance in accordance with the procedure noted below. If the complaint involves the employee's immediate supervisor, the employee may go directly to Step 2 of the Grievance Procedure.

D. Grievance Procedure

Any employee grievance shall be handled in the following manner:

Step 1 - The employee shall, within ten (10) working days of the date of the grievance or within ten (10) working days of the date they could reasonably be expected to have knowledge of the grievance, present the grievance, in writing, to their Department Head. The Department Head shall, within three (3) working days, meet and discuss the grievance with the employee and then reply, in writing, within three (3) working days.

Step 2 – In the event that the head of the Department's decision is not satisfactory to the employee, the employee may, within five (5) working days of the date of the supervisor's response, present their grievance, in writing, to the Human Resources Director. The Director of Human Resources shall, within ten (10) working days, meet and discuss the grievance with the employee, and then reply, in writing, within ten (10) working days. The decision of the Human Resources Director shall be final and binding.

E. Employee Representation

Each employee shall be afforded an opportunity to be represented at each of the steps in the grievance procedure. The employee may be accompanied by a representative of their choice, who may be any other full-time employee of the Town. Employees shall contact and discuss their problems with their representative only during break period, lunch period, before and after work or any other time when they are not on duty. Grievance hearings shall be held during work hours.

F. Responsibility of the Human Resources Director

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The Human Resources Director shall be responsible for overseeing the handling of all employee grievances to insure that they are processed in accordance with the procedures stated above. Supervisors and Department Heads shall keep the Human Resources Director informed of all grievances in progress. All grievances shall be submitted on forms supplied by the Human Resources Director.

Equal Employment Opportunity

The Town of Elkton is committed to providing equal employment opportunity to qualified persons without regard to race, color, creed, ancestry, religion, sex (including pregnancy and gender identity), age, national origin, disability, veteran status, marital status, political affiliation, sexual orientation, genetic background, or any other status protected by Federal, State, or Local law. It is our policy, while striving for optimum utilization of ability and capability of all individuals, to base our employment and promotional decisions on job-related standards of past performance, experience, education, training, and interpersonal strengths and abilities. Length of service may be a factor considered only when two or more applicants possess equal qualifications.

The Department of Human Resources is the coordinator of this program. Employees who believe they have been discriminated against should contact the Director of Human Resources.

This policy statement reaffirms the equal employment opportunity philosophy and policy of the Town of Elkton.

The Town of Elkton will recruit, employ, train and promote persons without regard to race, color, creed, ancestry, religion, sex (including pregnancy and gender identity), age, national origin, disability, veteran status, marital status, political affiliation, sexual orientation, genetic background, or any other status protected by Federal, State or Local law in all job classifications.

The Town of Elkton will base employment decisions in accordance with the principles of equal employment opportunity.

The Town of Elkton will assure that promotional decisions are in accordance with the principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.

All department heads, managers and supervisors of the Town of Elkton will, as part of their responsibility and performance appraisal, be evaluated in accordance with achievement under this policy.

Jobs and Employment Classification Policy

A job is the total collection of tasks, duties and responsibilities assigned to one or more individuals. All Town positions are described by written job descriptions. A job description is a summary of the most important features of a job and includes:

The general nature of the work performed (duties and responsibilities).

The level of the work performed (skills, physical requirements, effort, responsibilities and working conditions).

Job specifications or employee characteristics required for competent performance of the job. These include required knowledge, skills and abilities to perform the job competently as well as minimum education, training, experience and any required licenses.

The job description describes the general nature and level of work being performed by individuals assigned to the classification. It is not intended to be construed as an all-exhaustive list of all responsibilities, duties and skills for the position. The job description also indicates the class (manual, trade, clerical, administrative or managerial), the level of work (entry, experienced, supervisory, and managerial) and reporting relationships. Written job descriptions describe and focus on the job itself and not any specific individual who might fill the job.

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The Town uses job descriptions for determining pay rates, recruiting employees into vacancies, assigning employees to appropriate jobs, and managing employee performance.

The following terms will be used to describe employment classifications and status:

Exempt Employees

Exempt employees are individuals not subject to overtime pay laws. In general, overtime laws require that exempt employees:

- Receive a pre-determined weekly salary
- Receive a salary that is at least equal to the salary level set by law; and
- Meet the requirements of an exempt job classification.

The Federal Fair Labor Standards Act (FLSA) sets the most common set of overtime exemption standards. However, but additional state and local laws may also apply. Under the FLSA, the salary level is \$684 per week (\$35,568 per year) and exemptions exist for administrative, professional, or management positions. Certain outside sales persons and a few other job categories are also exempt.

Non-Exempt Employees

Salaried employees who do not meet all criteria for an overtime exemption and many hourly employees are generally not exempt from overtime pay requirements.

Full-Time Employees

Full-time employees are those who are regularly scheduled to work at least 40 hours per week that are not hired on a temporary basis.

Part-Time Employees

Part employees are those who are regularly scheduled to work less than 39 hours weekly are not hired on a temporary basis, and may be eligible for limited paid benefits as required by law.

Temporary Employees

Temporary employees are hired for an interim period of time, usually to fill in for vacations, leaves of absence, or projects of a limited duration. Temporary employees are not eligible for Town paid benefits, except as required by law.

Seasonal Employees

Seasonal employees are those hired into a position for which the customary annual employment is 6 months or less. Seasonal employees are generally not eligible for benefits.

If your status changes from temporary or seasonal to part-time or full-time, you are considered hired on the date you become a full-time or part-time employee for purposes of calculating eligibility for benefits that require a minimum term of employment.

Diversity, Equity, and Inclusion Policy

The Town of Elkton is committed to fostering, cultivating and preserving a culture of diversity, equity and inclusion.

Our employees are our most valuable asset and their individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talents that they invest in their work and in our community contribute to Elkton's continuing success.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique, and a vital part the community that they serve.

The Town's diversity initiatives are applicable—but not limited to—our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the idea of diversity, equity, and inclusion that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for diversity, equity, and inclusion.

All employees of the Town have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all Town-sponsored events.

Employees failing to meet these expectations by demonstrating inappropriate conduct or behavior against others will be subject to counseling and potentially disciplinary action.

Employees who believe that they have been subjected to any kind of discrimination that conflicts with the Town's diversity policy and initiatives should seek assistance from their department manager.

Code of Ethics

The Town of Elkton's Code of Ethics is codified under Chapter 2.16 of the Code of the Town of Elkton and, with certain exceptions, applies to all Town's employees. The following is a summary of key provisions generally applicable to employees, noting that Chapter 2.16 provides the full scope of the Code of Ethics:

1. **Ethics Commission** – The Ethics Commission is a panel of citizens appointed by the Mayor and Commissioners to oversee compliance with the Code of Ethics, as well as being charged with the responsibility of investigating violations and conducting a public education program.
2. **Conflicts of Interest** – An employee and/or a member of the employee's family are generally barred from conducting business with the Town when they would financially or otherwise benefit.
3. **Personal Gain** – An employee may not intentionally use the prestige of office or position for the private gain of the employee or another person.
4. **Gifts** – An employee shall not solicit a gift or accept a gift from a person doing business with the Town.
5. **Violation** – The violation of the Code of Ethics by an employee may result in a number of court imposed penalties, depending upon the circumstances, along with disciplinary action by the Town up to and including termination.

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A full and complete copy of the Town of Elkton's, Code of Ethics is available on the town website (www.elkton.org) under Ordinances and is codified in the code of the Town of Elkton.

If you would like to review a hard copy of the Code of Ethics, one is available in the Town of Elkton Human Resources Department.

Respectful Workplace

The Town of Elkton strives to maintain a workplace that fosters mutual respect and promotes harmonious, productive working relationships. Our organization believes in going beyond what is required by law and we expect our employees to treat each other in a manner in which they would like to be treated and to give to others the respect that is due to every individual whether it is a fellow employee, member of management, customer, vendor, or visitor to our premises. Therefore, the Town prohibits any behavior that is discourteous or demeaning to other employees. Disrespectful behavior may include, but not limited to, the following:

- Jokes that demean another individual or group of individuals;
- Name calling or nicknames that may be offensive;
- Taking credit for another individual's work or ideas;
- Refusing to communicate or speak with another individual;
- Offensive verbal, visual, or physical conduct;
- Repeated negative comments about others either orally or in writing;
- Threatening another individual;
- Invading another's privacy;
- Knowingly blaming other individuals for a mistake they did not make;
- Purposely invading another's personal space;
- Gossiping about another individual; and
- Any type of "bullying" behavior.

The Town expects that everyone will act responsibly to establish a pleasant and friendly work environment. However, if an employee feels they have been subjected to any form of disrespectful behavior, the employee should report that conduct to their immediate supervisor, another member of management, or Human Resources within three calendar days of the offense. Employees are not required to approach the person who was disrespectful to them and may bypass any offending member of management. All employees should notify a member of management regarding any disrespectful behavior that they witness or are told another person received.

Human Resources will conduct its investigation in a confidential a manner, if possible. Interviews, allegations, statements, and identities will be kept confidential to the extent possible. However, the Town will not allow the goal of confidentiality to be a deterrent to an effective investigation. A timely resolution of each complaint will be reached and communicated to the employee. Appropriate corrective action, up to and including termination, will be taken promptly against any employee engaging in disrespectful behavior. The corrective action issued will be proportional to the severity of the conduct. The alleged perpetrator's employment history and any similar complaints of prior disrespectful behavior will be taken into consideration.

The Town of Elkton reserves the right to determine whether any type of behavior is disrespectful and injurious to the morale of the organization.

Work Rules

The orderly and efficient operation of the Town government requires that certain work rules be established. Work rules covering personal standards of conduct as well as standard operating procedures are necessary to protect the health and safety of all employees, maintain uninterrupted service, protect the Town's good will and property, and to efficiently and effectively address established public service goals.

The following work rules shall be applicable to all Town employees. These rules are not intended to be all-inclusive and the Town shall, when it deems appropriate, establish additional rules to insure the effective operation of the Town government.

1. Employees must be at their designated work area on time and ready to work. Employees shall remain at their work area until their scheduled quitting time, unless permission to leave is granted by their supervisor.
2. Where the operations are continuous, an employee shall not leave their post until replaced by the next shift employee or until they are relieved by their supervisor, as applicable.
3. An employee shall immediately report their inability to report to work and the reason to their supervisor.
4. Employees shall report for and remain at work only in a fit physical and mental condition. An employee shall submit to an examination by a licensed physician if their supervisor feels they are unable to perform their duties.
5. Employees shall not neglect their duties and responsibilities or refuse to perform assigned work.
6. Employees shall follow all safety regulations and attend all required training. Employees will wear safety articles and protective equipment (PPE), as applicable. Employees shall immediately, or upon discovery, report accidents, job-related illnesses or injuries to their supervisor.
7. Employees shall be responsible for and shall not misuse Town property, public records and/or other materials in their care, custody and control. Town property, records, or other materials shall not be removed from the premises without written permission from their supervisor. Any Town equipment issued to an employee to perform a specific work task shall be signed for by the respective employee.
8. All employees and passengers shall utilize seat belts and/or other restraints when operating or riding in Town vehicles in accordance with State law.
9. Employees shall not conduct nor gather on Town premises to conduct any personal business without authorization.
10. Employees shall deal with the public and other employees in a courteous and professional manner.
11. Employees shall not park in prohibited areas.
12. Employees shall not engage in immoral conduct, criminal activity, fight, horseplay, gamble, or use abusive or offensive language while on duty or on Town premises.
13. Employees shall not engage in unapproved soliciting or partisan political activity while on duty or on the Town's premises, use their position for personal gain, or use their position to coerce others.
14. Employee shall not post or alter notices on Town premises without prior written approval from the Town Administrator.

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15. Employees shall not possess unauthorized firearms or any weapons on the Town premises.
16. Employees shall not falsify any public records, reports and/or claims of illness or injury.
17. Employee shall not falsify their or another employee's time record.
18. Employees shall not restrict or interrupt work performance, or interfere with the work of others.
19. Employees shall not engage in activities during non-working hours that are harmful to the Town's services or which inhibit their effectiveness on the job. (Refer to Outside Employment Policy)
20. Employees shall not engage in unethical practices during working hours or on Town premises.
21. Employees shall not solicit gratuities or presents from anyone in the execution of their duties.
22. Employees shall not possess or be under the influence of intoxicating beverages or drugs on Town premises.
23. Employees taking prescription medications that could adversely affect their performance must notify their supervisor.
24. Employees shall notify their supervisor, who in turn will notify the Human Resources Department, of any change in their personal data within three (3) business days.
25. Employees shall not release any statement representing the policy, procedures, interests or other information relating to the Town's government, its elected officials, employees, or agents without explicit written permission of the Town Administrator.
26. Employees shall not use Town equipment or any public assets for personal use or to conduct personal business.
27. Employees shall not use Town technology-driven communications, (e.g., E-mail, Internet, cell phones, etc.) for personal use or to conduct personal business.
28. Employees shall not use personal cell phones during working hours. Personal calls may be made during approved break times.
29. Employees shall observe a dress code during business hours and/or otherwise performing compensable work for the Town. Employees provided uniforms shall wear clean, pressed and properly attired uniforms. Employees not provided uniforms shall adhere to the guidelines in *Attire and Grooming Policy*.
30. Employees who damage, disable, and/or destroy Town property shall prepare and submit a report on a form and in compliance with guidelines approved by the Town. Please reference the Report of Damaged, Disabled, or Destroyed Equipment, Structure, and/or Material.

Employees who violate any of the work rules set forth shall generally be subject to progressive disciplinary action, including counseling and written notice, suspension without pay and termination from employment, depending on the nature and gravity of the violation. The Town reserves the right to impose whatever discipline, including discharge that it deems appropriate.

The Human Resources Director and/or the Town Administrator shall be responsible for the overall administration of the work rules, to include recommending revisions, deletions or adoption of new rules and overseeing disciplinary action.

Corrective Action

PURPOSE

It is the Town of Elkton's policy to assist an employee to improve on the job when their work performance is considered less than standard. Corrective Action is a measure taken to promote compliance with established policies and work rules of the Town of Elkton employees, excluding sworn Elkton Police.

PROCEDURE

When improvement in job performance is indicated for an employee of the Town, the department head of the employee takes the appropriate steps for improvement. These steps are established in such a way that the employee is assisted in the direction of reaching the best possible performance. Should the employee not achieve an acceptable level of improvement, the employee will be clearly advised of the possibility of termination.

The following steps are taken in most instances, in order to improve and maintain a good working relationship between an employee and the Town.

STEP I: *Coaching*

When a work performance issue evolves that needs to be brought to the attention of an employee, the Department Head and/or immediate supervisor should talk with (*coach*) the employee about the situation. It is important to seek and hear the employee's side. The nature of the issue will be discussed and a solution offered. An excellent means of communication and cooperation would solicit the employee for suggestions. If the employee recognizes deficient performance, exemplifies an effort to correct it, and does improve, the issue is considered resolved. The Department Head or immediate supervisor should make a timely and *brief* note of this on the employee's history and work record.

STEP II: *Counseling*

If an employee's behavior or work pattern does not change within a reasonable amount of time, it becomes necessary **to use more formal means** of dealing with the situation. A *counseling session* normally is the next step, setting parameters to include a time limit and concrete, measurable ways under which the employee is expected to improve. A *brief* note about this session and its outcome is made in the history and work record. A formal notice maybe signed by the employee and Department Head.

Follow-up on the employee's progress or lack of it is critical to the resolution of the problem. This must be documented on the history and work record. If the employee shows improvement and the Department Head is satisfied with their work performance, the issue should be considered resolved. This is documented on the history and work record.

STEP III: *Corrective Action Plan*

When coaching and counseling have not stimulated the employee to improve and poor work performance persists, a formal *Corrective Action Plan* should be presented to the employee by the Department Head and the Human Resources Director. At this stage, it is important that the employee **knows** what the problem is, **how they** are expected to improve, and the **failure to improve could lead to termination**. The employee is encouraged to participate in the resolution of the issue.

The employee, Department Head *and the Human Resource Director* must all sign the form. The action denotes knowledge by all parties the fact that the matter was discussed as stated.

This step shows an employee that ***it is important that they demonstrate their commitment to improve.***

If an employee feels that the Corrective Action Plan is not justified or too severe the employee may avail themselves utilizing the established grievance procedures within ten (10) working days following the action taken.

The Department Head *briefly* mentions this meeting and its outcome in the employee's history and work record. No great detail is required, as everything should be recorded on the form itself.

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Although the form is signed and dated at the time of issuance, the Corrective Action Plan form is not considered concluded until the *issue is resolved*, depending on the date set for improvement.

STEP IV: Termination

If, after implementing all the means possible of coaching, counseling and utilizing a corrective action plan, and employee's work performance remains substandard, termination normally is the last step to be undertaken. However, the Town reserves the right to expedite this process as the Town sees fit. Depending on the circumstances, the Town may decide to skip steps in this process up to and including immediate termination.

Additional Information

Factors affecting the policy of progressive discipline include:

- Employee's prior record of service.
- Respectfulness/receptiveness to constructive criticism.
- Length of service.
- Gravity of the conduct.

These factors may or may not be considered if infraction warrants immediate termination.

Employment Types

A regular employee is employed to fill a full-time position (FTE) within the classified system, and generally works a minimum of forty (40) hours weekly. A regular employee shall serve an introductory period of six (6) months; with the exception of Police Officers who serve an introductory period of thirty-six (36) months. During the first three (3) months, employees are not entitled to paid time off for vacation, sick leave, personal days, etc. They are eligible for holidays, bereavement, and jury duty pay during their first three (3) months.

- a. Each employee shall be evaluated prior to the completion of the six-month introductory period. The employee must have an overall evaluation of at least "satisfactory" in order to continue their employment. Employees who are not evaluated on or before the last day of their introductory period shall automatically be considered regular employees.
- b. The successful completion of an introductory period by an employee of the Town of Elkton shall not be construed as a contractual relationship with the Town.
- c. Discipline or discharge of an introductory employee shall not be subject to the Grievance Procedure as set forth in the Employee Handbook.

All new full-time employees will attend an orientation meeting with Human Resources. A Human Resources representative shall advise employees of all general conditions of employment, including Town rules, fringe benefits, hours of work, pay, and their privileges and responsibilities. Following this meeting, all new regular employees will meet with their immediate supervisor for conditions related to their specific job. This will include introduction to fellow workers, work standards, safety regulations, break periods, etc.

TEMPORARY AND PART-TIME EMPLOYEES

Temporary and part-time employees shall be compensated on an hourly basis, and *generally are not eligible for benefits* as provided full-time regular employees.

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Temporary and part-time employees shall acquire no length of service rights, nor shall such employment be construed in any manner to be an introductory period except as described in the *Personnel Transactions policy*.

Temporary positions within the Town of Elkton shall include Crossing Guards, Seasonal Staff, Department of Public Works, and others on an “as needed” basis.

Nepotism Policy

Consideration will be given to all qualified applicants for employment, including members of an employee’s immediate family, with the following restrictions:

Employment

1. Employment will not be offered to a prospective employee if: Employment would create either a direct or indirect supervisor/subordinate relationship with a family member; and/or
2. If this would create either an actual conflict of interest or the appearance of a conflict of interest.

“Immediate family” is defined as the employee’s spouse, sister, brother, parents, grandparents, children, aunts, uncles, step-children, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee’s household.

This criteria will also be considered when assigning, transferring or promoting an employee, or in the case of employees who marry or become members of the same household.

Should one of the above situations occur, the Town will attempt to find a suitable position with the Town to transfer employee. If accommodations of the nature are not feasible, the employees will be permitted to determine which of them will resign.

Separations

A. RETIREMENT

An individual who has met the requirements of either the Maryland State Retirement and Pension System or the Nationwide Retirement Solutions plan is eligible to retire and may, therefore, apply for retirement benefits. Retirement can either be early retirement, disability retirement or regular retirement.

B. RESIGNATION

In order to resign in good standing and individual must give two weeks’ notice, in writing, of their intention to terminate employment and work the full two weeks. Employees will terminate employment at the conclusion of the last day worked. All vacation pay will be included with the final paycheck. Reimbursement for Town owned equipment, property and contracted uniforms will be made from the final check if they have not been turned in to the Town. Employees are encouraged to inform their supervisor earlier if they are thinking of leaving in order to enable the Town to advertise for the vacated position. A resignation may not be rescinded or revoked after its acceptance by the Town. An employee who resigns in good standing is eligible for rehire.

C. QUIT

An employee who quits is an employee who leaves without giving two weeks' notice. An employee who quits is not eligible for rehire.

D. INVOLUNTARY TERMINATION

Involuntary Termination can occur by:

1. The employee's inability to perform the job after an attempt to make reasonable accommodations have been exhausted, or for serious or repeat violations of the Town's rules and/or policies. Employees terminated for violation of the Town's rules and/or policies may be terminated as of the day the Town reaches the decision to dismiss. The Town reserves the right at the Town's discretion, to skip any step in the progressive discipline system or decide not to use the progressive discipline system at all when an employee is terminated.
2. Lack of work, lack of funds, reorganization, change in budget, and change in technology or demotion. Employees so separated may be recalled to their former job classification, should vacancies for those qualified become available. This recall privilege shall exist for the lesser of one year or the length of the individual's most recent continuous employment with the Town at the time of separation.

E. DEATH

In the event of the death of an employee, the employee's estate shall be entitled to compensation for all accrued vacation, salary due at the time of death, and any other entitlements due the deceased (i.e., insurance policy and retirement system death benefit, if applicable).

EXIT INTERVIEW

In the event an employee retires, resigns, and in some cases is separated involuntarily, the Director of Human Resources may schedule an exit interview. The separating employee will be notified of their rights to continuation of benefits, the process of final pay, and the Town's policy on providing employment references. The interviewer will discuss any issues related to worker's compensation, discrimination and/or harassment, and may discuss any other work related issues that may be unresolved. The employee is encouraged to openly and freely discuss any concerns regarding their employment with the Town.

Vacancies & HR Staffing Policy

Vacancies must be authorized and funded before any position may be filled. Vacancies in the classified system shall be filled by individuals who are fully qualified for said vacancy. When a position becomes available within the Town, the Director of Human Resources shall advertise the position in the following manner:

1. Vacancies may be posted internally and externally to the public simultaneously.
2. A classified advertisement may be posted on an online employment website, social media, town website, the local newspaper, or in other pertinent media, newspapers or periodicals, at the discretion of the Director of Human Resources.
3. Employment Applications must be completed for each position, and shall be retained for a period of up to three (3) years. Current employees who wish to apply for other available open positions must submit their application on the Town's website in the employment section.

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4. If another vacancy exists within one (1) year for the same job classification, a review of the Employment Applications on file may be made, and qualified applicants contacted to arrange an interview.

Those candidates deemed most qualified for a particular position by means of a screening process consisting of a review of the application materials and job descriptions, may be scheduled for a personal interview. The interview process will minimally include the Human Resources Director and the Department Head or designee.

In the case of current employees applying for a posted position, the following will be considered:

1. Experience. The respective Department Head shall establish the minimum experience needed as a requisite for eligibility for a promotional position.
2. Review of the employee's records, to include overall experience and expertise, educational achievements, performance evaluations, attendance and length of continuous service with the Town.
3. If an employee is selected, the employee will receive the applicable job description and a written conditional offer of promotion or transfer. The following criteria shall govern the contents of the offer:

If the employee's new position is a promotion from one grade to a higher grade, they shall receive a raise not smaller in pay than the step in their old grade. If the employee's current rate of pay is below the minimum for the higher class, the pay shall be increased to the minimum rate of the higher class.

If the employee accepts a position within the same grade, they may or may not be offered a higher compensation.

If the employee accepts a position within a lower grade, they may be offered a compensation rate equal to or less than their current rate.

The employee will receive an adjusted review date. This will become the date of annual review for the employee and does not affect the employee's actual anniversary date for longevity purposes.

A promoted or transferred employee shall serve an introductory period of six (6) months. Any individual who does not perform satisfactorily pass this introductory period may be subject to termination. As an alternative, the Department Head may recommend that the employee be offered a position in their old class if a vacancy exists, or offered a position for any other vacancy which may exist if they are deemed qualified.

The Town of Elkton adheres to the following procedures for staffing the organization:

- **Job Openings.** The Town of Elkton encourages promotional and new opportunities for qualified employee applicants through the internal posting program. The Town's job openings for non-appointed positions are posted internally and externally simultaneously, and employees interested in applying for the position must complete an internal application form and submit to the Human Resources Department by the cutoff date if applicable. Job openings for appointed positions may or may not be posted internally. External postings may appear on the Town's website under the Employment Section, as well as in other sources such as Maryland Municipal League, Indeed, and industry job boards.
- **Application for Employment.** All potential candidates for employment must complete a Town of Elkton Employment Application and submit along with a resume, if available. Applications and resumes are screened to determine if the applicant appears to meet the job requirements for the position for which the applicant has applied. A signed application gives the authority for obtaining employment references. Applications are kept on file for one year. Application materials are forwarded to the respective department that is recruiting.
- **Interviews.** Interview(s) of potentially qualified applicants are conducted to confirm that applicants meet the essential job functions with or without accommodation, as contained in the Town of Elkton Job Description, and may be a good fit

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for the job. Interviews will be conducted by Department management and in many cases will include a representative from the Human Resources Department or a broader interview panel.

- **Reference Checks.** Reference checks are conducted for any work (paid or volunteer) performed during the prior 10 years, at minimum and to the extent possible, to verify 1) accuracy of information reported on the application, resume and interview(s), 2) performance information, 3) eligibility for rehire, and 4) recommendations for employment. Contacts may be made with prior supervisors, Human Resources Department or management/colleagues who have access to performance information. Relevant professional references may also be contacted.
- **Selection.** Town management will select the candidate for the open position who is qualified and the best fit for the organization taking into consideration all of the above completed recruitment steps. Some departments, such as the Police Department, have additional recruitment steps. Selection criteria includes:
 - a. Education and Training: Level completed, relevancy and quality.
 - b. Previous Work or Volunteer Experience: Amount, relevancy and quality, including organizational skills, reliability including good attendance and punctuality, equipment proficiency, and rehire eligibility.
 - c. Communication: Written, oral and interpersonal skills.
 - d. Technology (if applicable): Amount, relevancy and quality of information technology training and/or experience.
 - e. Licenses and Certifications (if applicable): Possesses or can timely obtain necessary licenses and certifications.

If a conditional job offer is extended, the following must be completed or satisfied as a condition of employment:

- **Pre-Employment Physical and Drug Screening:** A selected occupational healthcare provider will complete a pre-employment physical based on the job description to verify the candidate can complete the physical requirements of the job. An appropriate panel drug screening is completed based on the type of position.
- **Fingerprint-based State/Federal Criminal Background Checks & CPS Clearance:** Candidates in Parks & Recreation must complete all three. Also, candidates for other positions may be required to complete criminal background and credit history checks (Police Department, Finance).
- **Driving Record Screenings/License Verification:** For positions that require driving, candidates may be asked to produce a copy of their MVA driving record, which must be satisfactory and meet the requirements of the Town of Elkton driving policy, and a copy of their driver's license.
- **Age Requirements and Work Permits:** Minimum age is verified from the date of birth on the employee ID presented for employment purposes. Candidates under age 18 must provide a work permit.
- **Educational Credentials:** A copy of the high school diploma/GED is collected as proof of high school graduation, or equivalent, at minimum. An alternate higher educational document may substitute for the diploma/GED. Additional educational credentials (e.g., college diploma) may be required.
- **Licenses/Registrations/Certifications:** A copy of professional credentials is collected to verify applicant possesses required credentials for the job.

If applicant is hired, the following must be submitted:

- **Additional Town of Elkton Employment Requirements:** The balance of the new hire forms and documents are completed and collected during the new hire orientation. If a full-time employee, a benefit orientation is also conducted. HR sets up the employee personnel file in accordance with the HR Best Practices outlined in the Personnel File Maintenance document.

Personnel Transactions

PROMOTIONS

When a promotion position is offered to an employee, the employee shall receive a written offer and a job description. The effective date of acceptance of the new position constitutes an adjusted review date which becomes the employee's annual review date. This does not affect an employee's anniversary date for purposes of longevity.

If the employee's current rate of pay is below the minimum for the higher classification, the pay shall be increased to the minimum rate of the higher classification.

DEMOTIONS

When an employee is demoted, for cause, from one classification to another having a lower pay range, the employee shall be placed in a step within the lower range.

TRANSFERS

When an employee transfers from one classification to another with a common pay range, the employee shall continue to receive the same rate of pay.

RETURN FROM LAYOFF

When an employee is returned from layoff and placed in the same classification from which they were laid off, they shall be placed in the same pay step occupied at the time of layoff. When the employee is returned from layoff and placed in a classification having a lower pay range, the rate of pay shall be the same as that received at the time of layoff, provided that the pay rate is within the range of the lower classification; otherwise, the employee's rate of pay will be reduced to the maximum of the pay range of the lower classification.

REHIRE

An employee will generally be eligible for rehire if they resigned in good standing. Depending their past performance and work history, an employee may be eligible to be rehired to the position in the same pay range as that from which they resigned.

TEMPORARY ASSIGNMENTS

An employee who is temporarily assigned to a position with a higher pay range for a period of one (1) work month or 22 work days shall be paid at the higher pay range, or the employee shall be granted a pay increase, whichever is higher, for the period with a lower pay range, for any period, shall not receive a reduction in pay. No such temporary assignment shall exceed six (6) months. No employee shall be assigned to a position that the employee is not qualified to hold.

STATUS CHANGES

An employee, who changes status from part-time to full-time and has completed 1040 hours of service during the previous twelve (12) months and has received a satisfactory evaluation from the respective department head, will have met the requirements of the introductory work period and will be eligible for benefits.

Outside Employment

Employees of the Town of Elkton must recognize the importance of their role in providing public service. Secondary employment must not interfere with any employee's necessity in attendance or ability to perform their job duties.

Employees shall not accept additional employment or enter into a contractual relationship with anyone for services which could be considered a conflict of interest. Prior approval maybe requested required from the employee's Department Head and the Human Resources Director, in writing, before an employee accepts additional employment.

Outside employment must not interfere with job performance, or cause absenteeism, tardiness or refusal to work overtime or different hours.

Reviewing Your Personnel File

Upon reasonable advance written request to the Human Resources Director, an employee may review their own personnel file (except pre-employment material or other material that is confidential or privileged under law). We ask that an employee's written request specify the purpose of particular item(s) they are interested in viewing, so the Human Resources office can provide the necessary documents to meet their needs.

Employees may make written notes of items in their file, as opposed to making copies of documents. Such review of the personnel file will be accomplished in the Human Resources Department during regular business hours and in the presence of a Human Resources representative.

Religious Accommodation Policy

Objective

The Town of Elkton respects the religious beliefs and practices of all employees and will make, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the Town's business.

Requesting a Religious Accommodation

An employee whose religious beliefs or practices conflict with their, work schedule, or with Town policy or practice on dress and appearance, or with other aspects of employment, and who seeks a religious accommodation must submit a written request for the accommodation to their immediate supervisor. The written request will include the type of religious conflict that exists and the employee's suggested accommodation.

Providing Religious Accommodation

The immediate supervisor will evaluate the request considering whether a work conflict exists due to a sincerely held religious belief or practice and whether an accommodation is available that is reasonable and that would not create an undue hardship on Town business. An accommodation may be a change in job, using paid leave or leave without pay, allowing an exception to the dress and appearance code that does not affect safety requirements, or for other aspects of employment. Depending on the type of conflict and requested accommodation, the supervisor may confer with their manager and with the human resource director.

The supervisor, employee, and a representative with Human Resources will meet to discuss the request and decision on an accommodation. If the employee accepts the proposed religious accommodation, the immediate supervisor will implement the decision. If the employee rejects the proposed accommodation, they may appeal following the Town's general grievance policy and procedure.

Immigration Reform Act

It is our policy to fully comply with the regulations of the Immigration Reform and Control Act of 1986 (as amended) enforced by the Department of Homeland Security. We will hire only American citizens and aliens who are authorized to work in the United States.

The law requires us to do five things:

- All new employees must complete Section 1 of the I-9 form within three business days of hire.
- Check documents establishing employee's identity and eligibility to work. (Note: We are not permitted to tell the employee which documents to present and cannot ask for more than is required.)
- The person examining the documents must complete Section 2 of the I-9 Form and the Certification Section.
- Retain the form for at least three years. (If the Town employs the person for more than three years, we must retain the form until one year after the person leaves our employment.)
- Present the form for inspection to the Department of Homeland Security or Department of Labor officer upon request. (At least three days advance notice will be given.)

If an employee is hired for less than three days, Form I-9 still must be completed before the end of the employee's first working day. The I-9 Form contains instructions for completion. The employee assigned to this task must follow those instructions completely. I-9 Forms are to be kept separate from all other personnel records.

Sunshine Act

The Maryland Public Information Act is a series of laws designed to guarantee that the public has access to public records of government bodies at all levels in Maryland. The Maryland Open Meetings Act legislates the methods by which public meetings are conducted.

The Maryland Code dictates that "All persons are entitled to have access to information about the affairs of government and the official acts of public officials and employees."

It is important to note that Maryland law requires that if records are submitted to an incorrect department, then the custodian is required, within 10 days, to notify the person making the request and inform them of the correct department if known.

What records are covered?

Public records are defined by the Code of Maryland as documents in any form, made or received by a public body which pertains to government business.

Technology

Email Policy

The Town of Elkton's email system is the property of the Town. All emails are archived on the Town's server in accordance with our records retention policy, and all emails are subject to review by the Town.

The Town email system is Town property, and as such, is subject to monitoring. System monitoring is done for your protection and the protection of the rights or property of the provider of these services. Please consider this when conducting personal business using Town hardware and software.

Electronic mail is like any other form of Town communication, and may not be used for harassment or other unlawful purposes. Your email account is a Town -provided privilege, and is Town property. Remember that when you send email from the Town domain, you represent the Town whether your message is business-related or personal.

Confidentiality of Electronic Mail

As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable laws and Town rules, policies and procedures on confidentiality. Existing rules, policies and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software.

E-Mail

E-mail has been provided to assist and enhance communication. All e-mail accounts must be approved by the system administrator. All Town business shall be conducted through the use of Town provided email accounts. All accounts must be accessed using an e-mail program approved by the system administrator.

Employees are cautioned to avoid using e-mail and other mediums to promote, advocate or communicate personal views or the views of other individuals or organizations that could be perceived as an endorsement by the municipal government of the Town when no such endorsement has been provided.

Employees shall not make the name and e-mail addresses of other employees available to those whose intent is to communicate with employees for purposes unrelated to their job responsibilities.

E-Mail Attachments

E-mail attachments are a very common method of spreading viruses. Every email attachment should be treated as suspect. Even when the sender is known, an e-mail and its attachment should not be opened without first confirming its legitimacy and content with the sender. Further, even if an e-mail is received from a known sender and the legitimacy of it and its attachment has been confirmed, recipients should proceed with caution. The sender may not have the same level of virus protection as the Town. Many senders unknowingly spread viruses by forwarding innocent appearing attachments received from other trusted sources. As an additional precaution, every attachment should be scanned using virus protection software prior to opening it. Employees should remember however, that virus protection software will only detect viruses with known definitions that have been loaded on the computer system. If there is no definition loaded to the system because the virus is relatively new or because the system has not been properly updated, the anti-virus software will not detect the virus.

Employees should not open an image that the sender hasn't created personally. Employees should not open any attachment that is in the form of an executable file. An executable file is a file that will run a program on your computer. Often, but not always, executable files contain the ".exe" file extension. Employees should be guided by the basic rule, "when in doubt, don't."

Social Media Policy

The term “social media” includes all means of communicating or posting information or content of any sort on the internet, including to your own or someone else’s web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, whether or not associated or affiliated with the Town, as well as any other form of electronic communication. The same principles and guidelines found in the Town rules, policies and procedures apply to an employee’s social media activities online.

Any conduct that adversely affects an employee’s job performance or the performance of fellow employees, or otherwise adversely affects the Town’s legitimate business interests, may result in disciplinary action, up to and including termination. Similarly, inappropriate postings, including but not limited to discriminatory remarks, harassment, and threats of violence, or similar inappropriate or unlawful conduct, will not be tolerated and may result in disciplinary action, up to and including termination. However, this restriction will not apply to any postings made in the exercise of any rights granted to an employee by federal law.

Telephone Policy

Access to the Town telephone system is given principally for work-related activities or approved educational/training activities. Incidental and occasional personal use is permitted. This privilege should not be abused and must not affect the employee’s performance of employment-related activities. Telephone usage should be based upon cost-effective practices that support the Town’s mission and should comply with applicable rules and regulations.

You should use common sense and your best judgment when making or receiving personal cellular phone calls at work. To the extent possible, employees should make personal cellphone calls during their breaks or lunch times. The use of cameras on cell phones during work hours is prohibited to protect the privacy of the Town as well as of fellow employees. However, this restriction will not apply to any recordings made in the exercise of any rights granted to an employee by federal law.

The Town's telephone system is at all times the property of the Town. By accessing the telephone system through facilities provided by the Town, you acknowledge that the Town has the right to monitor its telephone system from time to time to ensure that employees are using the system for its intended purposes.

Internet Policy

Access to the internet is given principally for work-related activities or approved educational/training activities. Incidental and occasional personal use and study use is permitted. This privilege should not be abused and must not affect the employee’s performance of employment-related activities.

Right to Monitor

The Town email and internet system is at all times the property of the Town. By accessing the internet, intranet and electronic mail services through facilities provided by the Town, you acknowledge that the Town (by itself or through its Internet Service Provider) may from time to time monitor, log and gather statistics on employee internet activity and may examine all individual connections and communications. Please note that the Town uses email filters to block spam and computer viruses. These filters may from time to time block legitimate email messages.

Responsibilities and Obligations

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Employees may not access, download or distribute material that is illegal, or which others may find offensive or objectionable, such as material that is pornographic, discriminatory, harassing, or an incitement to violence.

You must respect and comply with copyright, trademark and similar laws, and use such protected information in compliance with applicable legal standards. When using web-based sources, you must provide appropriate attribution and citation of information to the websites. Software must not be downloaded from the internet without the prior approval of qualified persons within the Town.

Violation of this Policy

In all circumstances, use of internet access and email systems must be consistent with the law and Town policies. Violation of this policy is a serious offense and, subject to the requirements of the law, may result in a range of sanctions, from restriction of access to electronic communication facilities to disciplinary action, up to and including termination.

Additional Technology Policies

Security

All usernames and passwords are for the exclusive use of the individual to whom they are assigned. The user is personally responsible and accountable for all activities carried out under their username, and should take all reasonable precautions to protect his/her password. The password associated with a particular username must not be given or divulged to another person (with the exception of the Systems Administrator). No one may use, or attempt to use, a username or password assigned to another person, or pose as another user.

If the username is assigned to a group, the Head of that group is responsible for the security of the password.

Users who will be leaving their PC's unattended for extended periods of time should either log off the network or otherwise protect access to the system.

Software

Only software paid for or authorized and provided by the Town shall be installed on computers. Users may not install software on their computers and do not have the administrative rights to do so. Software shall be installed by a Systems Administrator. Any attempt to install non approved software is a violation of Town policy.

Internet Guidelines

While we increasingly use the Internet as a tool in the workplace, misuse or abuse of the Internet can result in wasted time, as well as potentially violate laws, bylaws, ordinances, regulations, or other Town policies. Therefore, users should adhere to the following Internet Guidelines.

- **Compliance with Laws.** Users must not utilize the Internet to knowingly violate any state, federal or local law, or the laws of any other nation. United States copyright and patent laws may apply to information and material(s) accessed through the Internet, and care should be taken to not violate the copyrights or patents of others on or through the use of the Internet.
- **Viruses.** All appropriate precautions should be taken to detect viruses, including scanning all computer files (including attachments) that are downloaded and/or opened from the Internet, before installation or execution of such files/attachments. Users should direct any questions regarding the proper use of virus detection software to the Systems Administrator prior to downloading and/or opening any computer files/attachments.

Prohibited Practices

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Users shall not use Town computers knowingly to download or distribute, or install pirated software or data. Any software or files downloaded via the Internet may be used only in ways that are consistent with their licenses or copyrights. The downloading of games or other programs for amusement/entertainment purposes is strictly prohibited.

- Users shall not make an unauthorized attempt to enter into another employee's computer or the Town's servers.
- All computer hardware and software shall at all times remain the property of the Town, and may not be removed from their respective sites or downloaded onto personal computer equipment without the express written approval of the System Administrator. The installation or upgrade of computer software programs on computer hardware, without the express written approval of the System Administrator in conjunction with the department supervisor, is strictly prohibited.
- Users must not deliberately propagate any virus, worm, "Trojan horse", trap-door or back-door program code, enable remote access, or knowingly disable or overload any computer system, network, or circumvent any system intended to protect the privacy or security of another user.
- Use of the Town's Systems, including computers, to display any kind of image or document that is obscene, pornographic, sexually explicit or sexually suggestive, is prohibited. Additionally, these materials may not be archived, stored, distributed, edited, or recorded using the Town's, printing or computing resources.
- Users shall not maliciously use or disrupt the Town's computers, networks, Internet services; nor breach or circumvent the Systems security features; nor misuse or damage the Town's equipment; nor misuse passwords or accounts; nor attempt to access unauthorized sites or servers; nor use the Town's systems after such access has been denied or revoked; nor attempt to delete, erase or otherwise conceal any information stored on any portion of the Town's Systems
- Users shall not utilize the Town's systems for the purpose of private commercial use.
- The Town strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, consistent with its anti-harassment and anti-discrimination policies, the Town prohibits the use of the internet and the voicemail and email systems in ways that are illegal, disruptive, or offensive to others or harmful to morale. For example, email, voicemail, and the internet shall not be used to view, transmit, store, or display vulgar, profane, insulting, or offensive messages or sexual comments, or remarks that are derogatory or harassing on the basis of any characteristic protected by law. Other prohibited use includes, but is not limited to, the viewing, storage, display, or transmission of ethnic slurs, racial comments, or off-color jokes or sexually explicit images, messages, and cartoons.

*Violation of these Policies may result in discipline, up to and including termination from employment. **In the event of a criminal or civil investigation, the Town may seek to obtain discovery of an employees' personal devices used for Town business.***

Cell Phone Policy

The Town recognizes the importance of new and innovative technologies available to improve the efficiency and effectiveness of the Town's obligations to deliver public service. The acquisition, implementation, and maintenance of cell phone technology by the Town entails an expense to its citizens and consequently the deployment and use of this technology must be carefully controlled and monitored to prevent unnecessary expense and potential abuse. The Town's communication systems are purchased, implemented, and maintained solely for the purpose of public service and are to be regarded by all persons as property of the Town.

Acquisition; Implementation; Maintenance; Assignment

1. The Town shall purchase, implement, and maintain cell phone operations consistent with the need to fulfill public service obligations efficiently and effectively, and within the budgetary provisions approved by the

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Mayor and Commissioners. The Town Administrator shall be responsible for the procurement of cell phones and plan(s) for the Town.

2. Cell phones and plan(s) shall be reviewed and assessed prior to acquisition with respect to acquisition cost, operating cost, area of coverage, reliability and consistency of operating service, and such other criteria deemed appropriate. Plans shall generally be consistent in terms of vendor(s).
3. Maintenance and repairs to cell phones shall be performed by the manufacturer, plan vendor or by an authorized maintenance representative.
4. The Town Administrator or Department Manager, as appropriate, shall be responsible for the assignment, re-assignment, and revocation of assignment of cell phones. Cell phone assignments or re-assignments shall be based upon the position and particular responsibilities of the employee, as well as the judgment of the Town Administrator or Department Manager, as appropriate, as to the need to enhance a particular employee's communication capabilities. *Assignments by example may include: department managers, employees who are responsible for critical supervision, operations, maintenance and repair of infrastructure; employees who operate in the field extensively; public safety and law enforcement personnel. The assignment of a cell phone shall not be considered a privilege, but a responsibility.*
5. The Town Administrator or Department Manager, as appropriate, shall ensure that each employee assigned a cell phone shall be trained in the use of the cell phone, provided a copy of instructions, provided a copy of the policy governing the employee use of the cell phone, and given guidance with respect to care, maintenance and risk management of the cell phone.

Use by Employees

Employees are authorized to use cell phones to conduct public business with certain restrictions. Cell phone use restrictions shall include, but are not necessarily limited to, the following restrictions:

1. An employee shall not use a cell phone to conduct official business in lieu of landline or base telephone systems or radio communications systems when those systems are available and operating.
2. An employee shall not use a cell phone for extended periods of time, except in emergency situations, in order to conserve usage within the peak and off-peak air time limitations of the plan.
3. The Town prohibits the use of handheld cellular devices while driving. Employees are required to use a hands-free cellular device while driving, should the use become a necessity in the course of employment. Sending and/or receiving text messages is expressly prohibited while operating any vehicle.
4. An employee shall not use a cell phone in any area posted as prohibiting the use of cell phones, e.g., medical facilities, communication facilities, around sensitive electronic systems, or in other areas where electromagnetic interference may result.
5. An employee shall not use a cell phone if any temporary or permanent personal medical condition exists where a cell phone's use and operation could actually or potentially create a hazard or unsafe condition for the employee. An employee shall notify the Town Administrator or Department Manager, as appropriate, of any medical condition which may be affected by the use and operation of a cell phone.
6. An employee shall not use a cell phone around any person(s) known by the employee to have a temporary or permanent personal medical condition which could be adversely affected by the use and operation of a cell phone.

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7. An employee and other persons shall not use a cell phone for *personal* use. *Personal use* means to consistently use the cell phone to address and/or fulfill the needs of the individual employee which results in an uncompensated expense to the Town of Elkton.
8. An employee shall not use a cell phone to make anonymous, annoying, disruptive or other abusive calls to any person(s), including business organizations and/or other governmental organizations.
9. An employee, while using a cell phone, shall not use offensive language, curse words, profanity, make racial or other discriminatory remarks, or involve themselves in any form of conduct or behavior prohibited by the Town, as generally set forth in the Employee Handbook.
10. An employee shall not re-assign, lend or otherwise relinquish the temporary or permanent assignment of their cell phone to any person without written approval by the Town Administrator or Department Manager, as appropriate.

Safety and Substance Abuse Policies

Smoking Policy (MD)

In order to provide a safe and comfortable working environment for all employees, smoking is strictly prohibited at all times inside Town indoor work areas, employee lounges, employee restrooms, conference rooms, meeting rooms, and Town vehicles.

Drug and Alcohol Policy

A. PURPOSE

This policy is intended to help assure all employees and the citizens of the Town a workplace safe from the adverse effects of drug and alcohol abuse. The Town conducts pre-employment; post-accident; reasonable suspicion; random; return-to-duty and follow-up; and D.O.T. random testing for C.D.L. drivers.

B. STATEMENT

The Town recognizes alcoholism and drug dependency as an illness for which there is an effective treatment and rehabilitation. Employees who suspect that they may have an alcoholism or drug dependency problem, even in its early stages, are encouraged to seek diagnosis and follow through with the treatment prescribed by a qualified professional. Any employee who voluntarily requests help may do so without jeopardizing their employment. If needed, accumulated Sick Leave, Vacation, or Family and Medical Leave may be used during treatment.

Nothing in this statement of policy is to be interpreted as constituting a waiver of the Town's responsibility to uphold the law or to maintain discipline, or the right to take disciplinary actions in the case of poor performance or misconduct that may result from alcoholism or drug dependency. Further, nothing in this policy is intended, nor should it be interpreted, to create an employment contract or alter the "at-will" employment relationship.

The use of illegal drugs or the abuse of alcohol or prescription drugs in the workplace endangers the employee and their fellow workers as well as the general public. While the Town has no intention of intruding into the private lives of its employees, all employees are expected to report for work in a condition to perform their duties. The presence of drugs and/or alcohol on the job and the influence of these substances on employees during working hours, as well as illegal drug activity on or off the job, are inconsistent with these objectives. Accordingly, the following policies are implemented:

- The illegal manufacture, distribution, dispensation, possession or use of a drug (as defined herein) and/or the possession of drug paraphernalia (as defined herein) on Town premises (as defined herein) is absolutely prohibited. Any violation of this policy may be considered proper grounds for immediate termination of employment. Furthermore, any illegal substances discovered will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.
- Being under the influence of alcohol on the job or on Town premises, the unauthorized consumption of alcohol on the job or on Town premises or the unauthorized possession of alcohol on the job or on Town premises is absolutely prohibited. Any violation of this policy shall be considered proper grounds for disciplinary action which could include termination.

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- Off-the-job illegal drug use or activity is absolutely prohibited. Any violation of this policy shall be considered proper grounds for disciplinary action which could include termination of employment.
- Employees undergoing medical treatment involving medications which could adversely affect performance (such as drugs that should not be used when operating motor vehicles, equipment or machinery) must report this use to their supervisor or department head. Where deemed necessary, the employee's job duties will be modified to assure the safety of the employee, co-workers and the general public.
- The Director of Human Resources, with the full support of the Administration, will implement this policy. They will have full responsibility for assuring that Town policy meets or exceeds Federal or State requirements, that the policy provisions are adhered to and will be the primary source of information to employees.

C. DEFINITION

For the purposes of this policy, these words and phrases will have the following meanings:

Alcohol - the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl and isopropyl alcohol regardless of the source.

Confirmation test - for *alcohol* testing means a second test, following a screening test with a result of 0.02 grams per 210 liters of breath that provides quantitative data on alcohol concentration. For *drug* testing means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from a screen test in order to assure the reliability and accuracy of the result.

Confirmed positive - a positive result on a confirmation test for alcohol or drugs.

Drug - any illegal or illicit drug, narcotic, hallucinogenic, controlled substance, inhalant (other than tobacco) or other intoxicant; any prescription medication for which the user has no valid prescription and any prescription or over-the-counter medication willfully taken in a manner inconsistent with label dosages and directions for the purpose of intoxicating the user.

Drug paraphernalia - includes, but is not limited to:

- Blenders, bowls, containers, spoons, mixing devices used or intended for use in compounding controlled substances.
- Capsules, balloons, envelopes and other containers used or intended for use in concealing or packaging small quantities of controlled substances.
- Hypodermic syringes, needles or other objects designed and intended for injecting controlled substances into the human body.
- Objects used or intended for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, etc., into the human body, such as pipes (wooden, metal, glass, acrylic, stone plastic or ceramic, with or without screens), water pipes, carburetion tubes and devices, smoking and carburetion masks, roach clips or other objects used to hold smoking materials; chamber pipes, electric pipes, air-driver pipes, bongs, ice pipes, and rolling papers (e.g. Zig-Zag, E-Z Wider, JOB, Joker, etc.) not associated specifically with tobacco products.

Employee - a person, other than an elected official or an appointed member of a board, commission or committee of the Town, who receives wages or a salary directly from Town payroll as compensation for performing work, includes "subject employees".

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Medical Review Officer (MRO) - a licensed medical doctor or doctor of osteopathy responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with their medical history and any other relevant biomedical information.

Refusal to submit (to a required drug or alcohol test) - an employee who (1) fails to report to the test site within a reasonable time period (30 minutes plus actual travel time) of being instructed to do so; (2) fails to provide adequate breath for testing without a valid medical explanation; (3) fails to provide adequate urine sample for drug testing without a valid medical explanation; (4) fails to remain available for a required post-accident test; (5) refuses to sign a valid chain of custody form or any other required form; or (6) engages in conduct that clearly obstructs the testing process.

Safety-sensitive function – *A safety-sensitive position refers to a job in which the employee is responsible for the safety of others, e.g. any of those job related functions which requires possession of a valid Commercial Driver's License (CDL); relates to law enforcement; relates to inspecting, servicing or conditioning Town vehicles; routinely provides transportation to members of the public and /or involves driving a snowplow.*

SAMSHA - Substance Abuse and Mental Health Administration.

Subject employee - an employee, or a person applying for a position, that involves a safety-sensitive function.

Substance Abuse Professional (SAP) – a licensed medical doctor or doctor of osteopathy, or a licensed or certified psychologist, social worker, employee assistance professional or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission), with the knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

Town premises – any town property, buildings or facilities; any Town vehicle; any private vehicle parked on Town property, facilities or at Town worksite or any private vehicle used by the employee to carry out the duties of their position; or any Town sponsored event or function regardless of location.

Verified positive – a confirmed position test result, on a drug test, which cannot be explained by the employee's medical history or other relevant biomedical information to the satisfaction of the Medical Review Officer.

D. ACCOMMODATIONS

- Current use of illegal drugs *is not* considered a disability under the Americans with Disabilities Act or the Rehabilitation Act of 1973. The Town may, therefore, refuse to hire an applicant or may discharge an employee because the individual is currently using illegal drugs.
- Alcoholism *is* considered a disability and accommodations will be provided to a reasonable extent. However, federal law provides that an employer may hold the alcoholic employee to the same qualifications and job performance standards as other employees, even if the unsatisfactory performance is caused by the alcoholism.

E. DRUG AND ALCOHOL TESTING

Pre-employment

A pre-employment drug test is conducted after an offer to hire is signed, or required when an employee is promoted or transferred into a position that requires a CDL. All new candidates for Town positions

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must submit to a test for illegal drugs as part of their pre-employment physical examination. Any job offer made to a candidate is conditioned upon satisfactory results from this test.

D.O.T. Random

The DOT rules define specific prohibited related conduct such that performing a safety-sensitive function is prohibited:

- While having a breath alcohol concentration of 0.04 percent or greater on a breath alcohol test.
- While using alcohol.
- Within four (4) hours of using alcohol.

In addition, refusing to submit to an alcohol test and using alcohol within eight (8) hours after an accident or until tested (for drivers required to be tested) are prohibited.

It is important to note that neither the DOT regulations, nor the Town, distinguish the source of alcohol nor how it entered the body. A positive alcohol test, for example, resulting from medication containing alcohol remains a positive test.

The DOT rules prohibit any unauthorized or illicit use of controlled substances by CDL drivers on or off the job. The DOT drug testing is designed specifically to determine the presence of marijuana (THC metabolites), cocaine, amphetamines, opiates (including heroin) and phencyclidine (PCP). The Town reserves the right to expand this list to include any and all illicit or illegal drugs.

Post-accident

Post-accident - conducted after accidents on drivers whose performance could have contributed to the accident (*as determined by a citation for a moving traffic violation or a post-accident investigation reveals the employee was at fault or negligent causing property damage estimated to exceed \$1500*), resulting in any party involved requiring immediate treatment for an injury away from the accident scene or if any vehicle involved incurs “disabling damage” (i.e., must be towed away) and/or for all accidents involving a fatality.

Reasonable suspicion

Reasonable suspicion - conducted when a supervisor or Town official observes behavior or appearance that is characteristic of alcohol misuse or drug abuse.

Random

The Town conducts random drug and alcohol testing for all subject employees. Subject employees are employees of the Town of Elkton who perform safety-sensitive functions. All non-DOT subject employees will be included in a random selection system. The random selection system provides an equal chance for each employee to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. The Town will drug and alcohol test at a minimum 20 percent of its safety sensitive subject employees annually, *i.e. EPD, DPW, P&R, B&Z, and the Water Meter Technician*. Random selection, by its very nature, may result in employees being selected in successive selections or more than once a calendar year. Conversely, other employees may never be selected for random testing. Once an employee is notified of their selection for random testing, the

Town of Elkton

employee will be directed to the collection site so the testing can be conducted as soon after notification as possible.

Return-to-duty and follow-up

Return-to-duty and follow-up testing is conducted when an individual who has violated the prohibited alcohol conduct standards and/or has a verified positive drug test result returns to performing any safety-sensitive function. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after a subject employee returns to duty. Follow-up tests may be extended for up to sixty (60) months following return to duty.

F. PROCEDURES

Job Applicants

Depending on the job classification, individuals applying for employment with the Town will submit to a pre-employment physical examination provided by a physician/laboratory of the Town's choosing (if the position applied for requires a CDL the laboratory must be SAMSHA certified) and at the Town's expense. This physical examination will include a split urine sample to be used for a drug screen.

If the results of this examination indicate the individual has used drugs, the results will be provided to the applicant and any job offer made will be frozen. If the applicant admits to the use or otherwise fails to question the results, the job offer will be withdrawn and the next qualified applicant will be considered. If the applicant questions the accuracy of the results, they may request that the second sample be tested at a SAMSHA certified laboratory at the applicant's expense. If this test is also positive, the individual will receive no further consideration for employment. If the test is negative, the freeze on the job offer will be rescinded.

Subject Employees

DOT Drug and Alcohol Testing procedures are set forth in detail in 49 CFR Part 40. In general, however, alcohol testing is conducted in two stages by evidential breath testing. A screening test is conducted first. Any result less than 0.02 alcohol concentrations is considered a "negative" test and no further testing is required for this incident. If the result is 0.02 or higher, a confirmation test is conducted. An alcohol concentration of 0.04 or higher on this test is considered a violation.

Drug testing is conducted by analyzing an employee's urine sample at a laboratory certified and monitored by SAMSHA. The specimen collection procedures and chain of custody ensure that the specimen's security, proper identification and integrity are not compromised. The regulations also require a split sample procedure and that the results of the test be reported to an MRO. If the laboratory results are negative, the MRO informs the Town of that result.

If the laboratory reports the presence of controlled substances in the primary sample, the MRO will contact the employee to determine if there is medical history or a relevant biomedical explanation for the positive result. If the explanation is unsatisfactory to the MRO, a report of a result will be forwarded to the Town.

In the absence of a satisfactory explanation, the employee may allow the positive test result to be reported to the Town or request that the MRO arrange that the second half of the split sample be tested at another SAMSHA laboratory. This confirmation test must be requested within 72 hours and is

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conducted at the employee's expense. If the results of this test are negative, the MRO advises the Town of a negative test result. Also, if the result is negative and the employee provides evidence of the cost of the confirmation test, the Town will reimburse the employee for that cost. (Note: The Town will not be aware of the positive screening test unless the employee requests this reimbursement). If the results are again positive, the MRO informs the Town of a positive test result.

In the event the Town receives a report of a positive test result, the employee shall not be permitted to perform safety-sensitive job functions until they have seen a SAP, completed any recommended treatment and provide evidence of a negative return-to-work test.

Other Employees

Under the authority of the Town as an employer, employees other than subject employees will also be subject to the same testing procedures as subject employees as they relate to post-accident testing and reasonable suspicion testing.

G. OTHER PROVISIONS

1. In cases where an applicant or an employee is tested for the use or abuse of drugs or alcohol for a job related reason, Maryland law requires that:
 - (a) The testing is conducted by a licensed laboratory;
 - (b) The applicant or employee be provided the name and address of the laboratory, if they so request;
 - (c) If the results are positive, provide the applicant or employee the results, a copy of the Town's policy on Drugs and Alcohol, written notice of any action that is intended, and notice that the employee may have the specimen retested at their own expense;
 - (d) The required information is provided in person or by certified mail within 30 days of the testing.
2. Selection of employees for random testing as required by DOT regulations will be performed such that:
 - (a) The timing of each selection process is totally random, unpredictable and unannounced;
 - (b) The selection of individual employees to be tested is totally random; include the entire pool of subject employees with no individual having a statistical probability of selection greater or less than any other individual;
 - (c) Random alcohol testing is performed on not less than 25% of the subject employees each year;
 - (d) Random drug testing is performed on not less than 50% of the subject employees each year;
 - (e) The selection process for drug and alcohol testing are independent of each other; selection for one test does not preclude a subject employee from being selected for the other test at the same time;
 - (f) Each selection process is independent in time; selection for being tested once in a year does not preclude a subject employee from being selected again in the same year.

H. DISCIPLINARY ACTIONS

1. General

Refusal to submit to a required drug or alcohol test (as defined herein) will be treated as a verified positive test result, and handled accordingly.

2. Employees Who Drive Town Owned/Insured Vehicles

Independent of any disciplinary action cited above, employees who drive vehicles owned and/or insured by the Town and engage in prohibited alcohol related conduct (as defined by the DOT) and/or have a verified positive drug test result must be removed from driving duty. These employees may not return to their safety-sensitive function until they have been evaluated by a substance abuse professional and they have fully complied with any recommended course of treatment, at their expense.

In the case of a verified positive drug test result, the employee must also have a negative result on a return-to-duty drug test. An employee undergoing a recommended course of treatment may use their accrued sick leave, accrued vacation or request Family and Medical Leave, limited to the maximums provided by law.

Further, if an employee drives a vehicle owned and/or insured by the Town and has an alcohol concentration test result of 0.02 or greater when tested just before, during or just after driving a Town vehicle, that employee must be removed from driving duties for 24 hours even if the result is not classified as a “violation”. If a driver’s behavior or appearance suggests alcohol misuse to a trained supervisor or Town official, a reasonable suspicion alcohol test must be conducted. If such a test cannot be conducted, the employee must be removed from performing driving duties for a 24-hour period. Any absence resulting from such a work restriction will be charged as Leave without Pay. The employee will also be subject to disciplinary actions for any additional violation of this policy.

Osha and Safety Policies

The Town is committed to providing a safe and healthy work place, free of recognized hazards and staffed by employees fully trained on eliminating unsafe actions. Ultimately, all accidents are preventable. To maintain employee safety and minimize injuries, employees are expected to follow safety rules at all times, use care in all work activities and be alert for co-workers’ safety.

Safety requirements and responsibilities

The following covers general safety rules for all employees. Specific safety rules supplementing these rules may be posted in the work area or reviewed by management in periodic safety meetings.

1. All employees are responsible for following safe work practices and accident prevention.
2. Employees observing a potentially unsafe condition must report this immediately to their supervisor for prompt remediation.
3. All on the job injuries, regardless of how small or slight the injury must be reported to the staff member designated by the Department Head.
4. Employees must adhere to all instructions given by the treating physician or designated first aid personnel.

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5. Each employee is responsible for maintaining a neat and orderly work area, free of recognizable hazards.
6. Employees must wear personal protective clothing and equipment correctly and as required. This includes:
 - a. Eye protection. Safety glasses must be worn at all times in areas designated by signs or directed by supervisor.
 - b. Hearing protection. Earplugs or muffs must be worn at all times in areas designated by signs or directed by supervisor. Non-work time in high noise areas is to be minimized.
 - c. Foot protection. Safety shoes covering the entire foot with steel toes must be worn at all times in designated jobs.
 - d. Hand protection. Work gloves must be worn when working in jobs so designated by the supervisor.
 - e. Other protective equipment. When necessary for the safe performance of duties, other types of protective clothing and equipment are to be worn as specified by the supervisor. This would include hard hats, safety vests, chemically protective clothing and respiratory protection.
7. Designated personnel will operate Town owned machinery and Town vehicles only. All equipment and vehicles will be operated in accordance with safe operating procedures and instructions. Any employee who operates equipment or drives a Town vehicle must adhere to the Use of Public Vehicles Policy. Supervisors may refer to the Policy for questions or policy clarifications or contact Human Resources.
8. Protective safety guards are not to be removed from machines. If guards have been removed, they must be replaced before operating the machine.
9. Only authorized Town maintenance personnel will perform electrical and wiring repairs and installations.

Uniforms/Safety Equipment

For employees required to wear uniforms and/or safety equipment in the performance of their assigned job duties, such uniforms and or safety equipment will be provided at no expense to the employee.

Personal Medical Information

All medical information regarding our employees is strictly confidential. This includes but is not limited to workers' compensation claims and treatments, enrollments and claims for health and welfare benefits, and results of drug and alcohol tests. Except as outlined below, no release is permitted without specific authorization from the person who is the subject of the medical information.

Employees' personnel files will *not* contain medical information. Documents containing medical information will be maintained in a separate file, marked "Confidential" and stored in a separate cabinet or drawer or in a secure computer file, as appropriate. We will treat the contents of the file as a confidential record as required by law.

Supervisors and managers who have information regarding an employee's medical restrictions and limitations as a result of a return-to-work program must maintain the confidentiality of the medical information. They must use the information only to accommodate the employee's work assignment and duties or to administer first aid or emergency treatment.

Confidentiality is an important part of our job. Please feel free to talk to your supervisor or the human resources manager if you have confidentiality concerns.

Use of Public Vehicles

PURPOSE

Vehicles owned by the Town shall be strictly allocated, operated and maintained in order to promote the interest and mission of the Town's government and the respective departments.

A. GENERAL

Employees of the Town who drive public vehicles are expected to perform to the highest standards of legal compliance, driver courtesy, safety and operating efficiency. Supervisors shall be responsible for ensuring consistent compliance with both policy and law regarding the operation and deployment of public vehicles.

Town employees who drive public vehicles shall be knowledgeable of and responsible for compliance with this policy.

Public vehicles shall be used by authorized employees, generally to transport employees, materials, and equipment pursuant to conducting public business. Employee drivers may be authorized to transport persons other than employees pursuant to the following conditions:

1. Members of the town recognized commissions or committees, local state, and federal government employees, consultants under contract to the Town, and other persons directly related to the conduct of official business may be transported by town employees.
2. Persons associated with a police investigation, training program and other approved police activities.
3. Pursuant to activities by the Department of Parks and Recreation.
4. Employee drivers shall ensure that all non-employee passengers comply with all safety requirements set forth in this policy.

B. DEFINITIONS

The following terms are defined for use in this policy:

1. Driver – means any individual who drives a vehicle [MVL 11 – 115.]
2. Motor Vehicle – is a self-propelled or propelled by electric power obtained from overhead electrical wires and is not operated on rails. [MCL 11-176].
3. Public vehicle – is a vehicle owned by, leased by or otherwise in the lawful control of the Town of Elkton.
4. Vehicle – means any device in, on or by which any individual or property is, or might be, transported or towed on the highway [MVL 11-176].
5. Employee – any full time, part time and temporary employee of the Town.

C. OPERATION OF VEHICLES

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1. Public vehicles shall be authorized for the transportation of employees' incident to assigned job responsibilities, incident to approved training and recreational programs or for the purpose of assisting other employees in the achievement of approved public service goals.
2. Only an employee authorized by their supervisor and holding a valid driver's license for the class of vehicle to be driven, pursuant to the employee's job description, shall drive public vehicles.
3. No vehicle shall be backed or moved in reverse unless the move can be done safely and with a clear view of the traffic or destination [MVL § 21-1102.]. A driver who does not have a clear view of the area behind the vehicle shall enlist the assistance of a second person to help guide the vehicle while it is in reverse. If such assistance cannot be located or its arrival would not be in a timely manner, the driver will personally check the area behind their vehicle thoroughly before backing or moving in reverse.
4. No person shall be permitted to ride on the sides, floor, toolboxes, tailgates, roof, or any other area not intended by the vehicle manufacturer for riders to occupy.
5. The driver and all occupants shall wear the restraint system that is in the vehicle. In those vehicles equipped with a seat belt only, the seat belt will be worn, snugly fastened. In those vehicles equipped with a seat belt and shoulder harness, the combination will be worn in the same fashion and the shoulder harness will not be worn in any manner that lessens its effectiveness [MVL § 22-412.3.] Drivers and passengers riding in a vehicle equipped with air bags shall be restrained, positioned and seated as recommended by the vehicle manufacturer and as provided in the manufacturer's vehicle instruction manual (including any supplements thereto with respect to restraint and driver/passenger safety devices).
6. No driver will wear any earplugs, headsets or earphones while driving a motor vehicle on a highway, roadway or other private or public property [MVL §21-1120.]. Drivers shall not operate cell phones while driving vehicles.
7. Drivers shall devote their full time and attention to their driving and shall not involve themselves in peripheral matters, e.g. inspecting infrastructures or engaging in conversations with pedestrians or other drivers. Drivers and passengers shall not smoke while operating or riding in vehicles.
8. During periods of operation, including periods of limited visibility or inclement weather, all public vehicles shall have headlights activated, as well as windshield wipers, as applicable, for the driver to see and for the vehicle to be seen by both other drivers and pedestrians [MVL § 22-201.1].
9. Employees shall possess a valid driver's license for the class of vehicle being driven at all times during the driving of public vehicles [MVL § 16-101/§ 16-112].
10. Drivers shall obey all laws governing the driving of motor vehicles, including but not limited to, the observance of speed limits, traffic control devices and safety practices.
11. Employees are not permitted to drive public vehicles while impaired or under the influence of any alcoholic beverage, drug, medication, or other substance [MVL § 21-902.].
12. Any trailer towed or moved in any manner by a driver operating a public vehicle shall verify that the trailer is securely fastened to the towing vehicle that all safety pins in the pintle locks have been used, and that safety chains are properly fastened between the towing vehicle and the towed vehicle.
13. Employee Drivers are responsible for and shall ensure that all loads transported by public vehicles are properly and securely managed to prevent loss, shifting, or damage to a load, and that all loads are covered,

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marked, or otherwise appropriately controlled to prevent loss or potential adverse impact on other traffic and the highway.

14. No more than three persons shall be authorized to occupy the front seat of any public vehicle, if the vehicle is equipped with a bench style seat. Under no circumstances shall the number of persons occupying a public vehicle exceed the number of passenger seats and restraining devices available and operable for use.

D. PARKING OF VEHICLES

1. Vehicles shall be parked only in those areas designated for parking, unless pursuant to emergency activity, transient loading and/or unloading, or for other authorized purposes.
2. An employee intending to park a vehicle shall:
 - a. Park the vehicle in a legal parking space, turn the engine off, lock the ignition, remove the ignition key and effectively set the parking brake if the driver intends to leave the vehicle unattended. [MVL § 21-1101.].
 - b. Ensure that the vehicle is locked and contents secured.
 - c. Turn the vehicle's wheels toward the curb if the vehicle will be parked on a grade.
 - d. Chock the vehicle's wheels if the vehicle is equipped with chocks.
3. An employee intending to drive a vehicle from the parked position shall:
 - a. Inspect the vehicle for damage and/or unsafe condition by walking around the vehicle. Any damage or unsafe condition shall be promptly reported to the employee's supervisor. Special attention shall be given to the wheels and tires, lights, glass, mirrors, undercarriage for low-hanging equipment, locks and load securing devices.
 - b. When parked on or near the traveled portion of a roadway, appropriate work area protection shall be employed, including, but not limited to, vehicle emergency warning lights (flashers), safety devices that are a component of the vehicle, flares [as applicable], reflective traffic cones, barricades, lighted arrow board, work area warning signs equipped with white or yellow light emitting devices, and other appropriate marking devices.

E. VEHICLE ACCESSORIES

1. Vehicles with removable windshields are to have these windshields installed and operational when the vehicles are being driven [MVL § 22-101. and § 22-104.].
2. Portable or detachable doors will not be removed from vehicles if the vehicle is to be driven unless removal is necessary to perform the job. However, mirrors must remain operational when the doors are off.
3. Turn signals will be used at all times and in ample time to alert other motorists and pedestrians of the driver's intent to turn [MVL § 21-604.]. If the driver discovers that the vehicle's turn signal(s) have become inoperable, the driver will use hand signals to alert other highway users of the driver's intent to turn [MVL § 21-605.]. Defective equipment on public vehicles, as in this example, shall be reported to the employee's supervisor.
4. Drivers shall ensure that all windows, lights, mirrors and windshield wipers, lights, of the vehicle being operated shall be clean, unobstructed and operable.

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5. Tailgates shall be up and secure when vehicles so equipped are to be driven, unless the vehicle is actively engaged in hauling materials (and not overloaded), the length of which would require the tailgates to be in the down position. If such materials are transported, they will be secure to prohibit them from loss or shifting while in transit, and the cargo/load shall be marked as follows:
 - a. No loads are permitted to extend beyond the fenders on the left side of a passenger-type vehicle. No loads may extend more than 6 inches past the fenders on the right side of a passenger-type vehicle.
 - b. No load may extend more than three feet beyond the front of any vehicle. No load may extend more than six feet beyond the rear of any vehicle.
 - c. Any load extending beyond the body of any public vehicle shall have a white, red, or orange fluorescent warning flag, made of reflective material and at least 18 inches square, attached to the end of the cargo/load.[MVL § 24-105.].

F. POLICE OPERATION

1. The use of public vehicles designated as emergency vehicles, defined by Maryland Vehicle Law, § 11-118, shall be governed by both Maryland law and those approved regulations of the Elkton Police Department.
2. The use of public vehicles not designated as emergency vehicles and allocated to the Elkton Police Department shall be governed under this policy, unless the regulations of the Elkton Police Department are more stringent. In such case, the more stringent regulation of the Elkton Police Department shall govern police use of public vehicles.

G. DRIVER'S LICENSE; RECORD REQUIREMENTS; DRIVER'S SAFETY TRAINING PROGRAM

1. Employees who are expected to drive public vehicles as a component of their respective job description shall provide a valid driver's license and driver's license record from the issuing state motor vehicle agency to the Town of upon employment and at any point thereafter when requested. Department managers may request an employee driver record when evaluating employee performance and/or prior to assigning employees to vehicle operations, or at any time deemed appropriate to the public interest.
2. Such evidence of the driver's qualifications shall be incorporated into the employee's personnel file and shall be required prior to authorizing any employee to drive public vehicles.
3. The Town, by its department of human resources and/or in concert with the department managers, shall periodically verify the license status of employees who are authorized to drive public vehicles with regard to validity of both status and class of license. In the event that an employee's driver's license is suspended, revoked, cancelled or refused, and/or otherwise adversely affected, the employee, upon receipt of notice by the licensing state agency, and/or through other circumstances whereby the employee becomes aware of the change of status of their driver's license, they are responsible to notify their supervisor immediately and, in the event of a suspended, revoked, cancelled or refused license, the employee shall not drive public vehicles.
4. Nothing in this policy shall be construed or interpreted to be inconsistent with the laws of the State of Maryland or other applicable jurisdiction and should such instance occur, the laws of the State of Maryland, or other applicable jurisdiction, shall prevail.
5. **Employees are required to successfully complete a driver's safety training program within the first six (6) months of employment by the Town. Employee drivers who are involved in traffic accidents while operating a Town owned vehicle may be required to attend a subsequent driver's safety training**

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program. [Note: Employee drivers are required to successfully complete scheduled driver's safety training programs conducted by or for the Town of Elkton during the course of their employment.]

H. SPECIAL PROVISIONS

1. Employees of the Town of Elkton are not authorized to use public vehicles for personal use, or knowingly authorize public vehicles for the personal use by any other person(s).
2. Public vehicles not specifically designated to accommodate the transportation of the public shall not be utilized for such purposes. Public transportation, currently not part of the Town's governmental responsibilities, shall be referred to private/commercial, county, state or federal transportation programs, systems and contractors. The transportation of the public, with respect to activities conducted by the Department of Parks and Recreation, shall be restricted to a radius of seventy-five (75) miles from the Town of Elkton.
3. A driver required to hold a valid Commercial Driver's License (CDL) shall be governed under the applicable federal and state laws governing the licensing and application of the CDL, in addition to, but not inconsistent with, the provisions of this policy [MVL, Title 16, Subtitle 8 and the federal Commercial Motor Vehicle Safety Act of 1986, as amended.].
4. Employees involved in traffic accidents, employees observing damages to, or caused by public vehicles, and/or theft involving public vehicles, shall report such condition(s) to their supervisor immediately, or as soon as practical. In the case of any traffic accident involving a public vehicle, the driver shall report the event to the law enforcement agency of the appropriate jurisdiction. In addition to this requirement, the driver shall prepare a written report of the accident, as prescribed by the Town, and submit the report to their supervisor immediately, or as soon after traffic accident, or other event, as reasonably possible.
5. All employee claims for reimbursement for fuel, tolls, parking and/or other vehicle related costs associated with the official use of public vehicles must be substantiated by verifiable receipts. Claims must be submitted to the Finance Office on the approved reimbursement form and approved/executed by the employee's supervisor.

I. TAKE-HOME VEHICLE

Not inconsistent with the provisions of this policy, only persons authorized by the by the Town Administrator in writing shall use a vehicle outside normal work hours, referred to as a "take home vehicle" and shall limit the use of an assigned vehicle to business-related transportation. *[In order for the Town to mobilize its manpower during an emergency or other special event, management level personnel may be allocated a take-home vehicle, inclusive of the Town Administrator; Director, Department of Public Works; and the Building Official. Additionally, the Director, Parks & Recreation, due to the varying hours of recreational activities and related events, may be allocated a take-home vehicle.]*

The Chief of Police, Elkton Police Department, shall develop, implement and maintain a policy and provisions regulating the use of vehicles allocated to the police department **that has been approved by the Mayor and Commissioners.**

J. NOTICE

Any employee who operates a public vehicle shall be provided a copy of this policy by their respective supervisor and/or by the Director, Human Resources, upon entry to employment, and shall be knowledgeable of and understand all the provisions of this policy prior to operating any vehicle.

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Any employee who willfully or knowingly violates any provision of this policy shall be subject to disciplinary action including formal counseling, suspension and/or termination from employment as deemed appropriate by the Town of Elkton.

Maryland Occupational Safety and Health Act (MOSHA)

The Maryland Occupational Safety and Health Act of 1973 provide job safety and health protection of safe and healthful working conditions throughout the State.

MOSHA incorporates federal standards by reference. Therefore, the state and federal standards are identical.

Employers Responsibilities:

The Town of Elkton shall furnish to each of their employees a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees' and shall comply with occupational safety and health standards issued under the Act.

Employees Responsibilities:

Town Employees shall comply with all occupational safety and health standards, rules, regulations and orders issued under the act that apply to their own actions and conduct on the job.

Complaint Process:

The Town Employees have the right to file complaint with the Commissioner requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on request.

The Commissioner of Labor and Industry

10946 Golden West Drive, Suite 160

Hunt Valley, MD 21031

Phone: 410-527-2091

For more information on these programs, please visit the Maryland State Department of Labor & Licensing website.

<http://www.dllr.state.md.us/labor/mosh>

Infectious Disease Control Policy

The Town will take proactive steps to protect the workplace in the event of an infectious disease outbreak. It is the goal of the Town during any such time period to strive to operate effectively and ensure that all essential services are continuously provided and that employees are safe within the workplace.

The Town is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak.

Preventing the Spread of Infection in the Workplace

The Town will endeavor to ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, breakrooms, conference rooms, door handles and railings. A committee may be designated to monitor and coordinate events around an infectious disease outbreak, as well as to create work rules that could be implemented to promote safety through infection control.

We ask all employees to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategy remains the most obvious—frequent hand washing with warm, soapy water; covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. We will also install alcohol-based hand sanitizers throughout the workplace and in common areas.

Unless otherwise notified, our normal attendance and leave policies will remain in place. Individuals who believe they may face particular challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of childcare should schools close and/or speak with supervisors about the potential to work from home temporarily or on an alternative work schedule.

Limiting Travel

All nonessential travel should be avoided until further notice. Employees who travel as an essential part of their job should consult with management on appropriate actions. Business-related travel outside the United States will not be authorized until further notice.

Employees should avoid crowded public transportation when possible. Alternative scheduling options, ride-share resources and/or parking assistance will be provided on a case-by-case basis. Contact Human Resources for more information.

Telecommuting

Telework requests will be handled on a case-by-case basis. While not all positions will be eligible, all requests for temporary telecommuting should be submitted to your manager for consideration.

Staying Home When Ill

Many times, with the best of intentions, employees report to work even though they feel ill. We provide paid sick time and other benefits to compensate employees who are unable to work due to illness. Please review Town policies on benefits and sick leave.

During an infectious disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing any stated disease symptoms as defined by the CDC or State Health Department.

Taking Employee Temperature

The Equal Employment Opportunity Commission (EEOC) gave employers the green light to take employees' temperatures to try and ward off the spread of the coronavirus.

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Because the Centers for Disease Control and Prevention (CDC) and state and local health authorities have acknowledged community spread of COVID-19, the respiratory illness caused by the coronavirus, and have issued related precautions, employers may measure employees' body temperature. However, employers should be aware that some people with COVID-19 do not have a fever and some people with a fever do not have COVID-19. The temperature reading should be kept confidential and the person administering the temperature check should be trained on the procedure.

Currently, the Centers for Disease Control and Prevention recommends that people with an infectious illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever-reducing medications. Employees who report to work ill will be sent home in accordance with these health guidelines.

Requests for Medical Information and/or Documentation

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an absence relates to the infection, and to know that it is appropriate for you to return to work. As always, we expect and appreciate your cooperation if and when medical information is sought.

Confidentiality of Medical Information

Our policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is in limited circumstances with supervisors, managers, first aid and safety personnel, and government officials as required by law.

Social Distancing Guidelines for Workplace Infectious Disease Outbreaks

In the event of an infectious disease outbreak, the Town of Elkton may implement these social distancing guidelines to minimize the spread of the disease among the staff.

During the workday, employees are requested to:

- Avoid meeting people face-to-face. Employees are encouraged to use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.
- If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.
- Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
- Do not congregate in work rooms, pantries, copier rooms or other areas where people socialize.
- Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).
- Encourage members and others to request information and orders via phone and e-mail in order to minimize person-to-person contact. Have the orders, materials and information ready for fast pick-up or delivery.

Outside activities

Employees might be encouraged to the extent possible to:

- Avoid public transportation (walk, cycle, drive a car) or go early or late to avoid rush-hour crowding on public transportation.
- Avoid recreational or other leisure classes, meetings, activities, etc., where employees might come into contact with contagious people.

Any questions or comments regarding this policy should be directed to the HR Department for clarification.

Communicable Disease Policy

Any decision involving employees who may have or been confirmed to have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS), including the SARS-CoV-2 (coronavirus) and tuberculosis. The Town may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

The Town will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. The Town reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

The Town will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence about persons who have communicable diseases.

Discrimination, ADA, Harassment, etc.

Discrimination is Prohibited Policy (MD)

Discrimination Is Prohibited

The Town is an equal opportunity employer and makes all employment decisions without regard to race (including traits associated with race; for example, hair texture, afro hairstyles and protective hairstyles such as braids, twists and locks), religion, color, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information or any other status protected under applicable federal, state or local laws. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, benefits, compensation and training. We seek to comply with all applicable federal, state and local laws related to discrimination and will not tolerate the interference with the ability of any of the Town's employees to perform their job duties.

The Town makes decisions concerning employment based strictly on an individual's qualifications and ability to perform the job under consideration, the comparative qualifications and abilities of other applicants or employees, and the individual's past performance within the organization.

If you believe that an employment decision has been made that does not conform with management's commitment to equal opportunity, you should promptly bring the matter to the attention of your immediate supervisor, designated manager or Town of Elkton Human Resources Department. Your complaint will be promptly, thoroughly and impartially investigated. There will be no retaliation against any employee who files a complaint in good faith, even if the result of the investigation produces insufficient evidence to support the complaint.

Americans with Disabilities Act Policy

The federal Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training, and other terms, conditions and privileges of employment. The ADA does not alter the Town's right to hire the best-qualified applicant, but it does prohibit discrimination against a qualified applicant or employee because of their disability, or because of a perceived disability. As a matter of Town policy, the Town prohibits discrimination of any kind against people with disabilities.

Disabled Defined

An applicant or employee is considered disabled if they (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record or past history of such an impairment; or (3) are regarded or perceived (correctly or incorrectly) as having such impairment.

A qualified employee or applicant with a disability is an individual who satisfies the requisite skill, experience, education and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

Reasonable Accommodation

A reasonable accommodation is any change in the work environment (or in the way things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment.

Qualified applicants or employees who are disabled should request reasonable accommodation from the Town in order to allow them to perform a particular job. If you are disabled and you desire such reasonable accommodation, contact your immediate supervisor, designated manager or Town of Elkton Human Resources Department. On receipt of your request we will meet with you to discuss your disability. We may ask for information from your health care provider(s) regarding the nature of your disability and the nature of your limitations, or take other steps necessary to help us determine viable options for reasonable accommodation. We will then work with you to determine whether your disability can be reasonably accommodated, and if it can be accommodated, we will explore alternatives with you and endeavor to implement a mutually agreeable accommodation.

Reasonable accommodation may take many forms and it will vary from one employee to another. Please note that according to the ADA, the Town does not have to provide the exact accommodation you want, and if more than one accommodation works, we may choose which one to provide. Furthermore, the Town does not have to provide an accommodation if doing so would cause undue hardship to the Town.

Workplace Harassment Policy

The Town is committed to providing a work environment that provides employees equality, respect, and dignity. In keeping with this commitment, the Town has adopted a policy of “zero tolerance” with regard to employee harassment. Harassment is defined under federal law as unwelcome conduct that is based on race, color, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where: (1) enduring the offensive conduct becomes a condition of continued employment; or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive.

This policy applies to all aspects of your employment. Harassment of any other person, including, without limitation, fellow employees, contractors, visitors, clients or customers, whether at work or outside of work, is grounds for immediate termination. The Town will make every reasonable effort to ensure that its entire community is familiar with this policy and that all employees are aware that every complaint received will be promptly, thoroughly and impartially investigated, and resolved appropriately. The Town will not tolerate retaliation against anyone who complains of harassment or who participates in an investigation.

Sexual Harassment

Sexual harassment is prohibited by federal, state and local laws, and applies equally to all. Federal law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when the conduct: (1) explicitly or implicitly affects a term or condition of an employee’s employment; (2) is used as the basis for employment decisions affecting the employee; or (3) unreasonably interferes with an employee’s work performance or creates an intimidating, hostile or offensive working environment.

Such conduct may include, but is not limited to: subtle or overt pressure for sexual favors; inappropriate touching; lewd, sexually oriented comments or jokes; foul or obscene language; posting of suggestive or sexually explicit posters, calendars, photographs, graffiti or cartoons; and repeated requests for dates. Town policy further prohibits harassment and discrimination based on sex stereotyping. Sex stereotyping occurs when one person perceives a man

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to be unduly effeminate or a woman to be unduly masculine and harasses or discriminates against that person because they do not fit the stereotype of being male or female. The Town encourages reporting of all perceived incidents of sexual harassment, regardless of who the offender may be. Every employee is encouraged to raise any questions or concerns with their immediate supervisor, designated manager or the Town of Elkton Human Resources Department.

Procedures for Reporting and Investigating Harassment Policy

Employees should report incidents of inappropriate behavior or sexual harassment as soon as possible after the occurrence. Employees who believe they have been harassed, regardless of whether the offensive act was committed by a manager, co-worker, vendor, visitor or client, should promptly notify their immediate supervisor, designated manager or Town of Elkton Human Resources Department. If the employee's immediate supervisor is involved in the incident, the employee should report the incident to the Director of Human Resources. The Town takes claims of harassment seriously, no matter how trivial a claim may appear. All complaints of harassment, sexual harassment, or other inappropriate sexual conduct will be promptly, thoroughly and impartially investigated by the Town.

The Town prohibits retaliation against any employee who files or pursues a harassment claim. To the extent possible, all complaints and related information will remain confidential, except to those individuals who need the information to investigate, educate or take action in response to the complaint.

All employees are expected to cooperate fully with any ongoing investigation regarding a harassment incident. Employees who believe they have been unjustly charged with harassment can defend themselves verbally or in writing at any stage of the investigation.

To protect the privacy of persons involved, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. Investigations may include interviews with the parties involved, and, where necessary, individuals who may have observed the alleged conduct or who may have relevant knowledge.

At the conclusion of a harassment investigation, the complainant and the alleged "harasser" will be informed of the determination. Where appropriate, the "harasser" and the "victim" may be offered mediation or counseling through an employee assistance program (EAP).

Penalties for Violation of Anti-Harassment Policy

If it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the offending conduct, and take such action as is appropriate under the circumstances. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action (such as, for example, suspension), as the Town deems appropriate under the circumstances and in accordance with applicable law.

Age Discrimination Policy

AGE DISCRIMINATION POLICY

Policy Statement:

The Town of Elkton prohibits the use of age preference in all employment practices, including advertising, recruiting, hiring, salary determination, leave of absence, retirement, layoff, and termination.

This policy applies to all Town of Elkton employees, as well as applicants for employment with the Town of Elkton.

Purpose of Policy:

State and federal laws exist to prevent job discrimination based on age. This policy is in compliance with all state and federal laws, rules, orders and regulations regarding age discrimination, and complies with federal laws affecting discrimination when conflicts occur with state or local laws.

Entities Affected by this Policy:

All employees of the Town of Elkton and applicants for employment with the Town of Elkton are covered by this policy.

Notice of Policy:

All employees of the Town of Elkton shall be informed of this policy. All employees who are involved with hiring shall be aware of and follow this policy. Applicants for employment with the Town of Elkton shall be informed of this policy.

Related Documents:

Age Discrimination in Employment Act of 1967, as amended.

Maryland Fair Employment Practices Act (MD Code, Section 20)

Overview:

The use of age preference in all employment practices of the Town of Elkton is prohibited. The Town of Elkton strictly adheres to this formal policy and practices equal employment opportunity measures for all appropriate ages.

This policy is in compliance with all state and federal laws, rules, orders, and regulations regarding age discrimination, and complies with federal laws affecting discrimination when conflicts occur with state or local laws.

Process/Procedures

Hiring Practices

The Town of Elkton prohibits the use of age preference when advertising for, recruiting, and hiring employees. There are positions with job-related, physical qualifications as pre-requisites and these pre-requisites are not age-based, nor are they utilized to provide a basis for discriminating against applicants of a particular age. Age is not factor in employment or in consideration of employment at the Town of Elkton.

Leave of Absence

All town policies regarding leave of absence apply equally to all employees regardless of age.

Layoff or Termination

The Town of Elkton prohibits the layoff and/or termination of an employee based on age, and the age of an employee shall not be a factor in determining the need for laying off and/or for terminating an employee.

Retirement

Retirement benefits are offered to all eligible **full-time** employees without regard to age.

Complaints

An employee who feels that they have been discriminated against on the bases of age should contact the Department of Human Resources.

An applicant for employment with the Town of Elkton who feels that they have been discriminated against on the basis of age should contact the Town of Elkton, Attn: Department of Human Resources, P. O. Box 157, Elkton, MD 21922-0157.

Maryland Maternity and Pregnancy

An employee with a disability contributed by or caused by pregnancy may request a reasonable accommodation, and we will explore all possible means of providing a reasonable accommodation, unless the accommodation would impose an undue hardship on the Town's business. If a pregnant employee requests a reasonable accommodation, we will explore with the employee all possible means of providing the accommodation, including:

- Changing the employee's job duties or work hours;
- Relocating the employee's work area;
- Providing mechanical or electrical aids;
- Transferring the employee to a less strenuous or less hazardous position; or
- Providing leave.

An employee requesting accommodation due to a pregnancy-related disability may be required to provide a medical certification, which may include:

- Date a reasonable accommodation is medically advisable;
- Probable duration; and
- Explanation as to the medical advisability of the reasonable accommodation.

We will not retaliate against any employee who seeks to exercise their right to seek pregnancy-related disability accommodations. If you believe that you have been subjected to unlawful harassment or retaliation due to your exercise of such rights, you should follow the procedure in our employee handbook for reporting unlawful workplace harassment.

Working hours

Hours of Work and Overtime

1. The scheduling of work hours for employees will be determined by each department head consistent with meeting public service goals. The department head will inform employees of their daily schedule of hours of work, including meal periods and rest breaks, and of any changes deemed necessary. Special work hours, with advance notice, will be paid as regular hours unless exceeding the forty (40) hour work week. Adjustment to personnel schedules should be made to minimize the use of overtime.
2. Department heads may schedule overtime or extra shifts when it is deemed necessary to carry out public service goals. Employees are not permitted to work overtime without the prior authorization of their department head. Overtime will be paid to hourly employees at one and one-half times their regular wages for approved overtime hours in excess of 40 hours in a work week. For timekeeping and payroll purposes, the workweek starts at 12:01 a.m. on Sunday and ends at 12:00 p.m. (midnight) on Saturday. If an employee works more than 40 hours within a work week, but has taken sick leave or personal leave that week, they will be paid at straight time wages for hours worked until such time as the 40 work hour requirement has been met. A holiday and/or approved planned vacation shall be considered 'work hours' when determining overtime hours during the 40-hour work week. (Also see the Section "Severe Weather Conditions/Emergency Situations for deviation to overtime procedures.)
3. Employee attendance at meetings and/or training programs will be considered hours of work if such attendance is requested and/or required by the Town. Hourly employees will be eligible for overtime if the 40-hour requirement (**including holiday and/or approved planned vacation hours**) has been met during a work week to attend such meetings.
4. Employees will normally be granted a minimum of two (2) hours overtime pay when asked to come to work outside of their normal working hours, e.g., for emergency situations.
5. All hourly employees are required to **regularly review** their individual "Employee Bi-weekly Digital Time Record" via the **digital time keeping system** indicating hours subject to compensation. Department heads and Supervisors shall be responsible for reviewing and verifying hours reported. *Exempt employees should also complete this record with notations made if they have any vacation, personal, sick, or other leave time during a two-week period for **one or more full days.***
6. Exempt employees are excluded from the overtime requirements as set by the Fair Labor Standards Act and exempt employees may regularly work more than forty (40) hours per week and are not eligible for overtime pay for hours worked in excess of 40 hours per week. *Exempt employees must exercise time management and utilize support staff to efficiently manage the department.*
7. Designated DPW employees may be eligible for special on-call/standby pay to be available to respond to emergency sewer back-ups and major water leaks. This may also be applicable for snow removal when Town Hall is closed or outside normal work hours.
8. FLSA provides that employees engaged in law enforcement may be paid overtime on a "work period" basis. Please see EPD Collective Bargaining Agreement.

Attendance and Punctuality Policy

It is the policy of the Town of Elkton to require employees to report for work punctually and to work all scheduled hours and any required overtime. The Town recognizes the need for employees to be absent from work due to illness or the need to take care of personal business during the normal workday. Sick time and personal time is provided for these needs as they arise.

Employees may also qualify for a leave of absence for their own major illness, the major illness of a family member, the birth or adoption of a child, workers' compensation injury or military and/or National Guard duty. Having provided for these situations, it is important to remember that excessive absenteeism, tardiness and/or leaving early causes other employees within the organization to have to bear the burden of filling in for the absent employee and may hinder the Town from providing valuable public service.

A. Definitions

Excused Absence: An excused absence is defined as any absence from any part of the work period in which notification has been given to the supervisor in accordance with the supervisor's instructions and documentation, if required, has been provided.

Unexcused Absence: An unexcused absence is defined as any absence from any part of the work period in which the employee fails to notify their supervisor, or fails to provide the required documentation. Unexcused absence may also be defined as absences that occur when the employee is not on an approved leave of absence and is absent from work.

Late and Early Departures: Employees are expected to report to work and return from scheduled breaks on time. If employees cannot report to work as scheduled, they must notify their supervisor no later than their regular starting time. This notification will not automatically excuse the lateness, but simply notifies the supervisor that a schedule change may be necessary. Generally, employees will be considered late for work when arriving over seven minutes from their scheduled start time or returning from break.

Employees who must leave work before the end of their scheduled shift must notify a supervisor immediately.

B. Corrective Action

- Employees with unexcused absences will be addressed through the normal corrective action process. Depending on the circumstances, the Town may decide to skip steps in the process up to and including immediate termination.
- The following corrective action steps should be taken each time an unexcused absence occurs:

First Incident	Coaching Session
Second Incident	Counseling
Third Incident	Final Written Warning
Fourth Incident	Termination

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- Consecutive days of absence for the same reason are deemed to be one incident. If the employee is absent for more than two consecutive days, they may be requested to submit the medical provider's documentation for those days to be counted as one incident
- If at any time an employee corrects their excessive absentee problem and has no unexcused absences during a six-month period, corrective action, if it becomes necessary again, should begin with a Counseling Session.
- Periodically, special circumstances will occur that warrant an employee being excused from work without sufficient sick time or personal leave to cover the absence. To ensure fairness to all employees, these types of requests require the approval of the Director of Human Resources or designee.
- Occasionally an employee will exhibit a pattern of absenteeism that must be corrected, despite having sufficient sick time or personal leave to cover those absences (i.e., consistently missing a specific day of the week, the day before or after a holiday, the day before or after a scheduled vacation). Such cases should be reviewed with the Director of Human Resources before issuing any corrective action.
- Lateness and early departures are each one-half an occurrence for the purpose of discipline under this policy.

C. Notification

Employees who are going to be absent, tardy, or leave early from work are responsible for notifying their supervisors as soon as possible, regardless of whether they have sufficient sick time or personal leave to cover the absences. Employees who are absent and fail to notify their supervisors will be subject to corrective action for failure to notify. Employees who have been absent three consecutive days without calling to speak with their supervisors will be considered to have voluntarily resigned.

D. Disciplinary Action

Excessive absenteeism is defined as two or more occurrences of unexcused absence in a 30-day period and will result in disciplinary action. Eight or more total occurrences in a 12-month look back period are considered grounds for termination, following a final warning or Corrective Action Plan.

E. Job Abandonment

Any employee who fails to report to work for a period of three days or more without notifying their supervisor will be considered to have abandoned the job and voluntarily terminated the employment relationship.

Time Off & Leave

Jury Duty Policy (MD)

The Jury Service Act prohibits employers from discharging, coercing, intimidating, or threatening to discharge an employee who misses work because they were called for jury duty. The law protects employees who serve 4 or more hours of jury duty on any given day, including travel time, and prohibits employers from requiring employees to return to work that day. Employers may not require employees serving a half day or more of jury duty to report back to work at the conclusion of their jury service for the day. If an employee wants to return to work, there is no prohibition against it. Employers cannot make a pay deduction for absences of a salaried exempt employee who is called for jury duty or serves as a witness in a trial. However, they may offset any compensation the exempt employee receives as jury or witness fees against the salary they owe for that particular week.

It is the policy of the Town of Elkton to provide regular wages to those non-probationary Employees' summoned for Jury Duty, in accordance with the following guidelines:

1. The employee will notify the department head immediately upon notification of being summoned for Jury Duty.
2. Employees will receive their regular wages during this period, with the understanding that prior to receiving any compensation from the Town, they must turn in verification of time served to the Town's Human Resources and/or Finance Department.
3. Should the employee's absence for Jury Duty create a hardship for the Town, an attempt will be made to have the employee excused from Jury Duty. If the employee's absence would not create a hardship, or if the request for the employee to be excused is denied, the Town of Elkton will be responsible for compensating the employee for their wages, regardless of the length of Jury Duty.

Personal Days

INTRODUCTORY EMPLOYEES

Full-time introductory employees are not entitled to personal days until the successful completion of three (3) months of employment. Police Department employees will be entitled to use their personal days after completing of the first three (3) months of employment, even though their normal introductory period is two years.

REGULAR EMPLOYEES

Three (3) personal days per year shall be granted to each full-time non-introductory employee for the period July 1 to June 30.

SCHEDULING

Employees wishing to schedule a personal day must give advance notice to the department head.

Personal days must be taken during the period July 1 to June 30. They may not be carried over to the following year.

Personal days may be used in increments of one-half hour (30 minutes) or more, with approval of the department head.

TERMINATION

Any employee, either regular or introductory, terminating employment with the Town of Elkton will not be paid for remaining personal days.

Sick Leave

Paid sick leave protects you from loss of income due to incapacitating illness or injury. Sick leave is like insurance and should be used only when needed. While the Town recognizes the occasional need for an employee to be absent from work due to illness or injury, each employee must realize that a steady, dependable work force is necessary for the efficient operation of the Town government.

ACCRUAL

Fulltime employees shall accrue sick leave at the rate of 6.66 hours per month (approximately 80 hours of sick leave per year).

Introductory employees will start to earn sick leave immediately and may use accrued sick leave for qualified sick and safe leave reasons following the completion three (3) months of employment.

Employees shall forfeit all accrued sick leave upon separation from employment.

USE OF SICK LEAVE

After successful completion of three (3) months of employment, fulltime employees may take accrued sick leave in hourly increments. Sick leave may be used for the following reasons:

Personal illness or injury. If the illness or injury is a result of a compensable claim under Worker's Comp, the employee may use sick time for the first two (2) days following the injury.

In compliance with the Family and Medical Leave Act of 1993.

In compliance with the Drug and Alcohol Policy.

Employees without accumulated sick leave will be required to use other compensable leave time accrued.

DOCUMENTATION

A statement from a licensed health care provider will required for any absence longer than three (3) days. This statement must indicate that the employee could not work for medical reasons and state when the employee is able to return to work.

A medical statement may be requested at any time by the Town. If employees do not have sufficient sick leave to cover the absence, the employee may request unpaid leave from the Department of Human Resources, which may or may not granted, depending on the circumstances. An unqualified absence may subject an employee to corrective action up to and including termination from employment. (See Attendance Policy)

SICK BUY BACK

Full-time, non-exempt employees, may 'sell' accrued sick leave in excess of eighty (80) hours back to the Town at 50% of its value at the employee's current rate of pay. Employees must request payment under this plan within two (2) weeks of their anniversary date, and may sell accrued sick leave in excess of (80) hours. The annual maximum sick leave that may be sold back under this program is eighty (80) hours.

Paid Sick and Safe Leave

Maryland's Healthy Working Families Act provides paid leave to eligible employees and the Town is subject to the provisions of this law.

Use of Paid Sick and Safe Leave

You can use earned sick and safe leave three (3) months after your hiring date for any of the following reasons:

- To care for or treat your own mental or physical illness, injury or condition;
- To obtain preventive medical care for yourself or a family member;
- To care for a family member with a mental or physical illness, injury or condition;
- For maternity or paternity leave; or
- For certain reasons related to domestic violence, sexual assault or stalking committed against you or a family member.

“Family member” is defined broadly and includes individuals such as grandparents, grandchildren, siblings and certain legal guardians and wards. You must provide seven days’ advance notice to Town of your intent to use foreseeable paid sick and safe leave. If the leave is not foreseeable, you must provide notice as soon as practicable.

Part Time Employee Eligibility

In general, to qualify for paid sick and safe leave, you must regularly work 12 or more hours per week.

Accrual

You will accrue one hour of leave for every 30 hours of work. The law allows the Town to cap this accrual at 40 hours per year. Under certain circumstances you may also be able to carry over up to 40 hours of unused paid leave into the next year. However, state law allows the Town to cap accrual and unused carry-over benefits to 64 hours of sick and safe leave at any time. Please note that under the law, the Town is not required to pay out any accrued but unused sick and safe leave upon separation of employment.

Please check in with Human Resources for the details on the accrual period and carry-over amounts.

Flexible Leave

Maryland’s Flexible Leave Act (MFLA) applies to employers with paid leave policies that have 15 or more employees in 20 or more calendar weeks in the current or preceding calendar year. Please check with Human Resources to learn whether you are eligible for MFLA.

If you are eligible, you can use MFLA for:

- Your own illness, or that of your child, spouse or parent: or
- Bereavement due to the death of your spouse, parent or child of any age.

In general, if you have multiple types of paid leave available to you, you may choose the leave you wish to use.

Leave under the MFLA is subject to the same notice and certification requirements outlined in Town leave policies.

The MFLA does not extend or limit your rights under the federal Family and Medical Leave Act (FMLA).

Vacation Leave

PURPOSE, DEFINITION, and EFFECT

The purpose of this policy is to establish paid vacation leave as an incentive to employees of the Town. Full-time introductory employees are not entitled use accrued vacation days until the successful completion of the first three (3) months of employment.

Vacation leave shall be defined as paid leave to employees who comply with the provisions of this policy and shall not constitute paid or unpaid absences due to illness, injury, workers' compensation, personal leave, Family Medical Leave Act (FMLA) leave and/or any other forms of employee absence.

Unless otherwise provided under this policy, Fair Labor Standards Act (FLSA) exempt and non-exempt employees are subject to this policy.

ACCRUAL

Employee accrued vacation schedule:

Employees with less than 2 years of service	9 days
Employees with less than 8 years of service	12 days
Employees with 8 years of service, but less than 15 years of service	18 days
Employees with 15 years of service, until separation of service	24 days

An employee's anniversary date, defined as the month and day the employee began work as a full-time employee of the Town, shall be the date of reference for vacation leave accrual under this policy.

SCHEDULING

Employees may not use vacation leave without prior approval of their department manager. Department managers shall not use vacation leave without the approval of the Town Administrator.

SEPARATION BENEFIT

Upon separation of employment, an employee with a minimum of one (1) year of service, shall be paid for all accrued vacation leave not to exceed a maximum vacation leave accrual in the amount of 24-days (192 hours).

Family and Medical Leave Policy (MD)

A note about leave benefits

Employees may be entitled to leave benefits under federal, state and local laws. Additional benefits may apply during public emergencies and health crises. The policies in this handbook are based on established federal and state requirements. **Employees should contact Town of Elkton Human Resources Department to learn more about short-term leave benefits provided by temporary, emergency laws.**

Town employees may be eligible to take unpaid family and medical leave under the federal Family and Medical Leave Act (FMLA). This policy provides an introduction to the rights and provisions of the federal FMLA. The Department of Labor's (DOL's) model notice is attached to this policy and further explains the FMLA. If you have questions about the FMLA, please contact Town of Elkton Human Resources Department.

Eligibility

To be eligible for leave, you must have been employed by the Town for at least 12 months. In the 12 months immediately preceding the beginning of the leave, you must also have worked at least 1,250 hours to qualify for federal FMLA. In addition, 50 or more Town employees must be employed within 75 miles of the office or worksite where you work.

Amount of Leave Available

Eligible employees may take up to a total of 12 weeks of FMLA leave within a 12-month period. Please contact Town of Elkton Human Resources Department for more information about how the 12-month period is calculated for FMLA leave. FMLA can be used for:

- The birth of an employee's child or the placement of a child with the employee for adoption or foster care
- To care for the employee's spouse, child or parent with a serious health condition
- The employee has a serious health condition that makes them unable to perform the functions of their job
- A qualifying exigency that arises because the employee's spouse, child, parent or next of kin is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

When leave is taken to care for a covered service member with a serious injury or illness, a spouse, child, parent or next of kin may take up to 26 weeks of unpaid FMLA leave during a single 12-month period (different calculations may apply for military exigency). Eligible employees are limited to a total of 26 workweeks of FMLA-protected leave during that 12-month period. For example, an employee cannot take 26 workweeks of FMLA leave to care for a covered service member and then take 12 more weeks for other FMLA qualifying reasons.

Under the federal FMLA, spouses employed by the Town are jointly entitled to a combined total of 12 weeks of leave for the birth of a newborn child, for the placement of a child for adoption or foster care or to care for a parent who has a serious health condition. The federal FMLA does not cover care for parents-in-law. Spouses employed by the Town are jointly entitled to a combined total of 26 weeks of leave to care for a covered service member.

Types of Leave Available

Birth or placement for adoption or foster care: FMLA leave is available to eligible male and female employees for the birth of a child or for the placement of a child with the employee for purposes of adoption or foster care. FMLA leave must be completed within 12 months of the birth or placement. This type of leave may not be taken

intermittently or on a reduced schedule unless the Town agrees to this request. See below for more details on non-continuous leave.

Serious health condition of employee: If, as an eligible employee, you experience a serious health condition as defined by the FMLA, you may take medical leave under this policy (see “Definitions” for the definition of serious health condition). A serious health condition generally occurs when you:

- Receive inpatient care in a hospital, hospice or nursing home
- Suffer a period of incapacity accompanied by continuing outpatient treatment or care by a health care provider
- Have a history of a chronic condition that may cause episodes of incapacity

The following provisions apply to leave for the serious health condition of an employee:

- *Non-continuous leave*—Medical leave may be taken all at once or, when medically necessary, intermittently or on a reduced leave schedule (see below).
- *Certification process*—The need for leave must be documented by your treating health care provider through our medical certification process (see below).
- *Fitness-for-duty statement*—A fitness-for-duty statement will be required in order for you to return from a medical leave. Failure to provide the statement will result in a delay in your return to work.

Serious health condition of immediate family member: If, as an eligible employee, you need family leave in order to care for your child, spouse or parent who experiences a serious health condition as defined by the FMLA (see “Definitions” for definitions of child, spouse, parent and serious health condition), you may take a leave under this policy.

- *Non-continuous leave*—Leave may be taken all at once or, when medically necessary, intermittently or on a reduced leave schedule (see below).
- *Certification process*—The need for leave must be documented by the family member’s treating health care provider through our medical certification process (see below).

Qualifying exigency because of active duty: If, as an eligible employee, you need family leave because of any qualifying exigency arising out of the fact that your spouse, son, daughter or parent is on covered active duty in the armed forces (including the National Guard or Reserves), or has been notified that they will be called or ordered to covered active duty in the armed forces (including the National Guard or Reserves), you may take family leave under this policy. (See “Definitions” for a definition of qualifying exigency)

- *Non-continuous leave*— Family leave for any qualifying exigency arising out of the covered active duty of a family member may be taken all at once, intermittently or on a reduced leave schedule (see below).
- *Certification process*— The need for leave must be documented through our certification process (see below).

Service member family leave: If, as an eligible employee, you need family leave to care for a covered service member who is your spouse, child, parent or next of kin and who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list for a serious injury or illness, you may take up to 26 weeks of unpaid leave during a single 12-month period under this policy. (See “Definitions” for a definition of covered service member and serious injury or illness)

An eligible employee may take service member family leave to care for a covered veteran who is the employee’s spouse, child, parent or next of kin and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. (See “Definitions” for a definition of covered veteran)

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- *Non-continuous leave*—Service member family leave may be taken all at once or, when medically necessary, intermittently or on a reduced leave schedule (see below).
- *Certification process*—The need for leave must be documented by the family member's treating health care provider through our medical certification process (see below).

Providing Notice

Failure to provide adequate notice may, in the case of foreseeable leave, result in a delay of leave. It is your responsibility to notify your manager and Town of Elkton Human Resources Department of absences that may be covered by the FMLA.

You must provide sufficient information regarding the reason for an absence for the Town to know that protection may exist under this policy. Failure to provide this information will result in delay or forfeiture of rights under this policy. This means the absence may then be counted against your record for purposes of discipline for attendance or similar matters.

Generally, an application for leave must be completed for all leave taken under this policy. A nonemergency leave should generally be requested from Town of Elkton Human Resources Department at least 30 days, or as soon as practical, in advance of the date the leave is expected to begin.

In cases of emergency, you (or your representative, if you are incapacitated) should give verbal notice as soon as possible, and the application form should be completed as soon as practical.

Medical Certification Process

In addition to an application for leave, you will be required to complete a medical certification form when leave is for a family member's or your own serious health condition. The certification form needs to be signed by the health care provider. The short-term disability certification may be sufficient where the information required is duplicative. These forms are available from Town of Elkton Human Resources Department. Second or third certifications from health care providers and periodic recertification at the Town's or your expense may be required under certain circumstances.

We may also require periodic reports during federal FMLA leave regarding your status and intent to return to work.

Military Family Leave Certifications

In addition to an application for leave, you will be required to complete a Certification of Qualifying Exigency for Military Family Leave form when leave is for a qualifying exigency. A copy of the military member's active duty orders or other military documentation may also be required to substantiate your need for FMLA leave.

If you request leave to care for a covered service member with a serious injury or illness, you will be required to complete a medical certification form, which must be signed by the service member's health care provider. The certification form will request additional information, such as information regarding the relationship between you and the covered service member, to substantiate your need for FMLA leave.

Non-continuous Leave

Intermittent or reduced leave will be permitted only when it is medically necessary or for a qualifying exigency, as explained above. In all cases, the total amount of leave taken in a calendar year should not exceed your total allotment as defined earlier in this policy.

Intermittent and reduced schedule leave must be scheduled with minimal disruption to an employee's job. To the extent possible, medical appointments and treatments related to an employee's or family member's serious health condition should be scheduled outside of working hours or at such times that allow for a minimal amount of time away from work.

If you request non-continuous federal FMLA leave which is foreseeable based on planned medical treatment for yourself, a family member or a covered service member, you may be required to transfer temporarily to an available alternative position offered by the Town for which you are qualified and which better accommodates recurring periods of leave than your regular employment position. You will be entitled to equivalent pay and benefits, but will not necessarily be assigned the same duties in the alternative position. This provision may also apply if the Town approves a non-continuous leave for the birth of a child or the placement of a child for adoption or foster care.

Benefit Continuation During Leave

The Town will maintain your group health plan coverage and certain other employment benefits (such as group life insurance, AD&D insurance, and health and dependent flexible spending accounts) during your FMLA leave on the same terms as if you had continued to work, if these benefits were provided to you before the leave was taken. You will be required to pay your regular portion of premiums. Contact Town of Elkton Human Resources Department for an explanation of your options.

In some instances, the Town may recover premiums it paid to maintain health plan coverage for an employee who fails to return to work from FMLA leave.

Returning to Work

If the reason for FMLA leave is for your own serious health condition, you will be required to present a fitness-for-duty certification immediately upon return to work.

If you wish to return to work before the scheduled expiration of FMLA leave, you must notify the Town of the change in circumstances as soon as possible, but no later than two working days prior to your desired return date.

If you exhaust all leave under this policy and are still unable to return to work, you must notify the Town as soon as possible. Your situation will be reviewed to determine what rights and protections might exist under other Town policies.

Rights upon Return from Leave

Upon return from family or medical leave, you will be returned to the position you held immediately prior to the leave, if the position is vacant. Certain exceptions exist for key employees, as defined by law. If the position is not vacant, you will be placed in an equivalent employment position with equivalent pay, benefits and other terms and conditions of employment.

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The law provides that an employee on leave has no greater rights than the employee would have had if the employee had continued to work. Therefore, you may be affected by a layoff, termination or other job change if the action would have occurred had you remained actively at work.

Substitution of Paid Leave for Unpaid Leave

Under the FMLA, the Town requires exempt and non-exempt employees to use accrued paid leave while taking FMLA leave. Contact Town of Elkton Human Resources Department for further information.

Other Types of Leave

If you do not qualify for the types of leave described in this policy, the Town may approve a personal leave of absence, depending on your circumstances. Except where mandated by law, we cannot guarantee that benefits will continue or that your position will remain open in your absence.

Definitions

Spouse— A husband or wife as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into. This definition also includes an individual in a same-sex or common law marriage that was entered into in a state that recognizes these marriages. An opposite-sex, same-sex or common law marriage that was entered into outside of any state will be recognized if the marriage is valid in the place where it was entered into and the marriage could have been entered into in at least one state.

Parent—A biological parent, adoptive parent, stepparent, foster parent or an individual who provides or provided day-to-day care or financial support to the child. Parent does not include a parent-in-law under this law.

Child—A biological, adopted or foster child, stepchild, legal ward or a child who is receiving day-to-day care or financial support from the employee and is under the age of 18. Child also includes a person 18 years of age or older who is incapable of self-care because of a mental or physical disability. For military family or qualifying exigency leave, the child does not have to be a minor (under the age of 18) and can be of any age.

- **Incapable of self-care**—The child requires active assistance or supervision to provide daily self-care in three or more “activities of daily living,” or “instrumental activities of daily living,” including adaptive activities such as caring appropriately for one’s grooming and hygiene, bathing, dressing, eating or instrumental activities such as shopping, taking public transportation or maintaining a residence.
- **Physical or mental disability**—A physical or mental impairment that substantially limits one or more major life activity of the individual.

Covered service member— A member of the armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list for a serious injury or illness.

Covered veteran—An individual who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

Next of kin—Used with respect to an individual, this means the nearest blood relative of that individual, other than the spouse, parent or child.

Serious health condition—Illness, injury, impairment, or physical or mental condition that involves:

- Inpatient care in a hospital, hospice or residential medical care facility.
- A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that also involves: 1) treatment two or more times within 30 days of the first day of incapacity, unless extenuating circumstances exist, by or under the orders of a health care provider; or 2) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider. The first (or only) visit must occur in person within seven days of the first day of incapacity.
- Any incapacity due to pregnancy or for prenatal care.
- Chronic conditions causing incapacity requiring periodic treatment (at least twice a year) by or under the supervision of a health care provider, which continue over an extended period of time and may cause an episodic rather than a continuing period of incapacity (for example, asthma, diabetes and epilepsy).
- Permanent or long-term conditions causing incapacity and requiring continuing supervision for which treatment may not be effective (for example, Alzheimer's, a severe stroke or the terminal stages of a disease).
- Multiple treatments by or under the supervision of a health care provider either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy), severe arthritis (physical therapy) or kidney disease (dialysis).

Serious Injury or Illness—can be:

- In the case of a member of the armed forces, including a member of the National Guard or Reserves, an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the armed forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
- In the case of a veteran who was a member of the armed forces, including a member of the National Guard or Reserves, an injury or illness incurred by the member in the line of duty on active duty in the armed forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the armed forces) and that manifested itself before or after the member became a veteran and is:
 - A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the armed forces and rendered the service member unable to perform the duties of the service member's office, grade, rank or rating;
 - A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for service member family leave;
 - A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Qualifying Exigency—includes:

- Short-notice deployment (seven days or less)
- Military events and related activities
- Child care and school activities

- Financial and legal arrangements
- Counseling
- Rest and recuperation (up to 15 days)
- Post-deployment activities
- Parental care
- Additional activities agreed to by the Town and the employee

Combining Parental and FMLA

The federal Family and Medical Leave Act (FMLA) and Maryland Parental Leave Act combine to allow certain employees to take as many as 12 weeks of unpaid leave per year for the serious health condition of the employee or an immediate family member, or for childbirth or adoption. An employee who assumes the role of caring for a child is also entitled to receive parental rights to family leave, regardless of the legal or biological relationship. Either day-to-day care or financial support may establish a parental relationship when the employee intends to assume the responsibilities of a parent with regard to a child. Please contact the Town of Elkton Human Resources Department for assistance in completing the appropriate forms for the leave. Any paid leave that you have accrued may be counted as part of your family and medical leave.

To take family and medical leave, you must provide the Town with appropriate notice. If you know in advance that you will need family and medical leave, you must notify the Town of Elkton Human Resources Department at least 30 days in advance. If you learn of your need for leave less than 30 days in advance, you must inform the Town of Elkton Human Resources Department as soon as you can.

Parental Leave

You are entitled to six weeks of unpaid parental leave if the Town employs between 15 and 49 employees and you:

- Have worked for the Town for at least a 12-month period;
- Have worked at least 1,250 hours during the 12-month period prior to the start of the parental leave; and
- Are employed at a worksite within 75 miles of which there are at least 15 employees.

You can use parental leave for the birth of your child or the placement of a child with you for adoption or foster care.

You have the option of substituting available paid leave for any part or all of your otherwise unpaid parental leave. The Town may require this.

State law allows the Town to:

- Require you to provide 30 days' written notice in advance of your intended leave. However, no notice is required in the event of a premature birth or unexpected adoption or foster placement.
- Deny your request for leave if the leave would cause substantial and grievous economic injury to the Town's operations.

Adoption Leave

Under state law, you are entitled to paid adoption leave if:

- You are not subject to Title 9, Subtitle 5 of the State Personnel and Pensions Article; and
- The Town provides paid leave to employees following the birth of their child.

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In this case, your adoption leave benefits are equal to the paid leave benefits provided to an employee for the birth of their child after a child is placed with you for adoption.

Organ Donor Leave

State organ donor leave is available to individuals who work for employers with at least 15 employees in the state. If you qualify for this leave, you may use:

- Up to 60 business days in any 12-month period to serve as an organ donor; and
- Up to 30 business days in any 12-month period to serve as a bone marrow donor.

Organ donor leave is unpaid.

To be eligible for the leave, you must have been employed by the Town for at least a 12-month period and for 1,250 hours during the last 12 months. You must also provide written physician verification of both your donor status and the medical necessity for the donation.

You cannot take organ donation leave concurrently with FMLA leave.

Holiday Pay Policy

The following days shall be considered paid holidays for the employees of the Town of Elkton.

New Year's Day	Fourth of July
Martin Luther King Day	Labor Day
President's Day	Thanksgiving Day
Good Friday	Friday after Thanksgiving
Memorial Day	Christmas Eve
Juneteenth	Christmas Day

*Holiday maybe observed on an alternate day during the week if day falls on a weekend. The above include EPD employees that are generally scheduled to work Monday to Friday weekly. ***(EPD employees who work 84 hours in a pay period, will observe the holiday on the actual holiday date not the designated alternate day, and those required to work the actual holiday shall receive holiday pay for each hour worked up to a maximum of (12) hours.)***

PAYMENT OF HOLIDAYS

If you are scheduled to work on a holiday, you will be paid your regular rate for all hours worked, plus any applicable overtime and eight hours of holiday pay. **This may not apply to EPD police employees who work an 84 hours per pay period.*

If a holiday falls during your scheduled vacation, it will be counted as a holiday and not as a vacation day.

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EPD personnel scheduled to work a holiday requesting off will be required to utilize partial vacation or personal leave. Example: Patrol Officer scheduled to work Thanksgiving request to take off will be paid 8 hours Holiday and 4 hours vacation to cover for shift they were originally scheduled to work.

Special for Part time Employees: Part time employees who work a minimum of nine (9) months out the year and are regularly scheduled to work at least ten (10) hours/ week, will be eligible to receive prorated holiday pay equal to the hours normally scheduled and the observed Holiday falls on their normal day of work.

Military Service Leave Policy

The Town provides military leave to eligible employees in compliance with federal and state laws, including the federal Uniformed Services Employment and Reemployment Rights Act (USERRA). Questions regarding the Company's military leave policy should be directed to Town of Elkton Human Resources Department.

Employees should notify their managers as soon as they become aware of a military service obligation.

- Any active employee who is a member of the National Guard or the Reserves of the Army, Navy, Air Force or Marines, is eligible for grants of military leave with pay for training purposes, not to exceed fifteen (15) calendar days *up to a maximum of 120 hours annually* in accordance with the statuses of the State of Maryland or of the Federal Government.
- Notice must be given to the Human Resources Director immediately upon receipt of official notice to serve.
- An eligible employee will not be eligible to receive more than one (1) grant of paid military leave for training purposes in a calendar year.
- Military leave will not be counted against vacation and will be paid at the employee's base rate.
- In the event a full-time employee is called to active duty in one of the abovementioned branches of the United States Armed Services, the Town will follow the applicable laws governing this matter.

Federal Military Leave

Leave for Annual Training

If you are members of the U.S. Army, Navy, Air Force, Marines or Coast Guard Reserves or the National Guard you may be granted leaves of absence for the purpose of participating in Reserve or National Guard training programs.

You will be granted the minimum amount of leave needed to meet the minimum training requirements of your unit. You will not be required to use vacation time for military duty, but if you elect to schedule your vacations to coincide with military duty, you will receive your full regular vacation pay in addition to any pay from the military.

The Town will comply with state law. Please contact Town of Elkton Human Resources Department with any questions.

Leave for Military Service

If you are a permanent employee who performs service in the uniformed services, you may be granted leaves of absence for the purpose of participating in military service. Under USERRA, "uniformed services" consists of the U.S. Army, Navy, Marine Corps, Air Force and Coast Guard and their Reserve components, U.S. National Guard and Air National Guard, the Commissioned Corps of the Public Health Service and any other category of persons designated by the President of the United States in time of war or emergency.

You will be granted leave as required to complete the military service, for up to five years of cumulative uniformed service-related absences. Some special categories of military service are exempt from this five-year limit.

Please note that:

- Employees with leaves of less than 31 days must report back to work by the beginning of the first regularly scheduled work period after the end of the last calendar day of service, plus the time required to return home safely and have an eight-hour rest period.
- Employees with leaves between 31 and 180 days must apply for re-employment no later than 14 days after completion of uniformed service. Employees with leaves longer than 180 days must apply for re-employment no later than 90 days after completion of uniformed service.

These reporting or application deadlines can be extended for persons who are hospitalized or convalescing because of an injury or illness incurred or aggravated during the performance of military service.

Returning service members will be reemployed in the job that they would have attained had they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by seniority (escalator position). The Town will make reasonable efforts (such as training or retraining) to enable returning service members to refresh or upgrade their skills to help them qualify for reemployment. However, certain exceptions apply and service members may be placed in an alternative reemployment position if they cannot qualify for the escalator position.

Reemployed service members are entitled to the seniority and rights and benefits based on seniority that they would have attained with reasonable certainty had they remained continuously employed.

During a period of military service, employees will be treated as if they are on a furlough or leave of absence. Consequently, during their period of service they are entitled to participate in any rights and benefits not based on seniority that are available to employees on comparable nonmilitary leaves of absence.

If your health plan coverage would terminate because of an absence due to military service, you may elect to continue the health plan coverage for up to 24 months after the absence begins or for the period of service (plus the time allowed to apply for reemployment), whichever period is shorter. You may be required to pay up to 102% of the full premium for the coverage. However, if the military service is for 30 or fewer days, you cannot be required to pay more than the normal employee share of any premium.

Military Caregiver Leave Policy

The FMLA also allows an eligible employee who is the spouse, son, daughter, parent or next of kin of a member of the Armed Forces, National Guard or Reserves or of certain recent veterans with a serious illness or injury, up to 26 weeks of unpaid leave within a 12-month period to care for the injured or ill service member or veteran. A “serious illness or injury” is generally an injury or illness incurred by the covered service member in the line of duty on active duty (or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty) that may render the service member medically unfit to perform the duties of the member’s office, grade, rank or rating.

An eligible employee is entitled to a combined total of 26 workweeks of military caregiver leave and leave for any other FMLA-qualifying reason in a single 12-month period, provided that the employee may not take more than 12 weeks of leave for any other FMLA-qualifying reason during this period. (For example, in the single 12-month period an employee could take 12 weeks of FMLA leave to care for a newborn child and 14 weeks of military caregiver leave, but could not take 16 weeks of leave to care for a newborn child and 10 weeks of military caregiver leave.) Generally, you must give the Town at least 30 days’ notice before the commencement of any military caregiver leave.

Qualifying (Military) Exigency Leave Policy

The FMLA also provides for up to 12 weeks of unpaid leave within a 12-month period when an eligible employee's spouse, son, daughter or parent is on (or has been notified of an impending call to) "covered active duty" in the Armed Forces. ("Covered active duty" for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. "Covered active duty" for members of the U.S. National Guard and Reserves means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation.) The leave may also be extended to the family members of certain retired military. This leave may be used to take care of such things as child care or financial and legal arrangements necessitated by the deployment of the family member.

Break Time for Nursing Mothers Policy

The federal Fair Labor Standards Act (FLSA) allows employees to take reasonable, unpaid break time to express breast milk as needed for up to one (1) year after the birth of a child. The Town will provide a place for the employee to express breast milk, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public. Employees will not be discharged or in any other manner discriminated against in exercising their rights under this policy.

Bereavement Leave Policy

All employees who lose time from scheduled work because of a death occurring in the employee's family, will be paid as noted below, at their straight-time rate for scheduled days actually lost from work from the date of the death.

Up to seven (7) consecutive calendar days or five (5) consecutive days of lost paid time [a maximum of forty (40) hours of pay] will be granted for the death of a Mother, Father, Spouse, Domestic Partner, Son, Step-Son, Daughter, Step-Daughter, Brother, Sister, Step-Mother, or Step-Father.

Three (3) days of lost paid time [a maximum of twenty four (24) hours] will be granted for the death of a Grandmother, Grandfather, Grandchild, Mother-in-Law, Father-in-Law, Brother-in-Law, or Sister-in-Law.

One (1) day of lost paid time [a maximum of eight (8) hours] will be granted for the death of an Aunt, Uncle, Niece or Nephew for the day of the funeral only.

Leave for other than those listed above may be approved by the Town Administrator.

If additional time off is required, the employee must schedule vacation or personal days.

Notice of such days must be given to the Human Resources Director as soon as reasonably possible. No funeral leave allowance will be granted in the case where, because of other causes (i.e., distance), the employee does not actually attend the funeral of the deceased.

In cases where two (2) or more members of the employee's family die simultaneously, the employee will only be entitled to one (1) paid funeral leave of up to five (5) days.

Employees must provide documentation of funeral services (obituary, funeral home booklet) with the time record to receive pay for this time off.

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NOTE: In the event of the death of an employee, or an employee's Spouse, Domestic Partner, Mother, Father, Sister, Brother, Son or Daughter, the Town of Elkton will send a floral arrangement to the funeral home, or a donation in lieu of flowers if so requested.

Religious Observance Policy

Federal and state equal opportunity laws generally require employers to accommodate the religious beliefs of employees, but do not require them to provide paid leave. The Town respects your religious beliefs, however, and therefore, will allow an employee to substitute another religious or ethnic holiday in exchange for any of the mentioned holidays. This may be done with the approval of your Department Head.

Appearing as a Witness Policy

An employee called to appear as a witness will be permitted time off to appear, but without pay. Employees will be permitted to use accrued paid or unpaid time off when appearing as witnesses.

Employees will not be discharged solely because of job time lost by the employee as a result of the employee's response to a subpoena requiring the employee to appear as a witness in any civil or criminal proceeding, including discovery proceedings.

Voting Policy (MD)

The Town encourages all employees to vote. If you are a registered voter, the Town provides up to two hours of paid leave to vote, unless you have two consecutive hours of nonworking time during the time the polls are open. If you take voting leave, you must furnish proof that you voted or attempted to vote on a form prescribed by the State Board of Elections.

Emergency Response Leave

If you are called to respond to an emergency declared by the Governor, for participation in an activity of a civil air patrol, civil defense, volunteer fire department, or volunteer rescue squad, you will be provided the time off without pay, in accordance with applicable law, if you submit written proof that your participation was required.

Crime Victim Leave

Employees will not be discharged solely because of job time lost by the employee as a result of attending a criminal proceeding as a crime victim, if the employee's right to attend the proceeding is specifically protected by law.

Maryland Military Leave

In compliance with Maryland law, the Town will provide eligible employees with one day of unpaid leave on the day that an immediate family member is leaving for or returning from active military duty outside the United States as a member of the armed forces. An "eligible" employee is one who has worked for the Town for the last 12 months and has worked at least 1,250 hours during that time. An "immediate family member" means the employee's spouse (including same-sex spouse), parent, stepparent, child, stepchild or sibling. Employees may, but are not required to, use paid leave during this one-day leave of absence. If the employee also is FMLA-eligible, then that day of leave also may qualify as FMLA leave and run concurrently with FMLA leave.

Sick Leave Donation

POLICY

The Town recognizes that employees may suffer a personal or family medical emergency resulting in a need for additional time off in excess of their available paid leave time. To address this need all eligible employees will be allowed to donate accrued sick leave from their unused sick leave balance to a Donated Sick Leave Bank in accordance with the policy outlined below. This Donated Sick Leave Bank may provide a resource to aid another employee who has exhausted their leave benefits and is unable to work due to their own or their family member's medical hardship or catastrophic illness or off-the-job injury that poses a threat to life and/or requires inpatient, hospice or residential health care. The purpose of this policy is to provide procedures for donating sick leave and for applying for donated leave from the Donated Sick Leave Bank. Participation in this leave donation program is strictly voluntary.

RESPONSIBILITIES

The Human Resources Department is responsible for overseeing the operation of the Donated Sick Leave Bank program. This oversight includes publicizing requests for donations to the Donated Sick Leave Bank, reviewing requests for receipt of donated leave, scheduling the Review Committee meetings, communicating awards from the Donated Sick Leave Bank, and coordinating with the Finance Department sick leave donations and payments from the Donated Sick Leave Bank.

The Human Resources Department is responsible to appoint a five-person Review Committee that includes the Town Administrator, up to two (2) Human Resources Department team members, and up to two (2) other Town management employees to review and adjudicate leave donation and payment requests.

Once an employee is determined as eligible for the program, the Review Committee shall have sole authority and discretion to administer, interpret and construe the terms of this program, including making and enforcing rules and regulations as it deems necessary or proper for the efficient administration of the Program. The determination of the Review Committee with regard to this program shall be final and conclusive on all persons.

PROCEDURES

Donations to the Donated Sick Leave Bank

A regular full-time employee may donate up to one (1) week of accrued sick leave based on the employee's standard work schedule (42 hours maximum) during any fiscal year (July 1 – June 30), and donations must be in 2-hour increments. The donating employee must maintain at least eighty (80) hours of accrued Sick Leave, based on the fiscal year applicable to the leave donation. Donations are made voluntarily and confidentially. *Leave donations are irrevocable and non-refundable.*

Eligibility for Donations from the Donated Sick Leave Bank

The employee requesting leave hours from the Donated Sick Leave Bank must satisfy all of the following requirements:

- be a regular full-time employee of the Town with at least six months of service;
- be in good standing with the Town, as evidenced by having leave records that do not reflect past attendance problems or leave abuse or serious disciplinary actions or disciplinary probation within the past 12 months;
- exhausted all accrued leave available to the employee, including sick, personal and vacation leave;
- require a leave due to the employee's own or employee's family member's "medical emergency", which is a medical hardship or catastrophic illness or off-the-job injury that poses a threat to life and/or requires inpatient, hospice or residential health care (e.g., cancer, major surgery, heart attack or stroke, motor vehicle accident resulting in physical trauma); and that will require the prolonged absence of the employee from work and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from the Donated Sick Leave Bank program. An employee receiving disability income from some

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sources may be deemed ineligible to receive donations from the Donated Sick Leave Bank. Family member is defined as the employee's spouse, child or parent; and

- complete and submit to the Human Resources Department a Request for Donation of Sick Leave Form, which includes authorization to present their request to the Town employees for the sole purpose of soliciting donations. The request should be submitted as soon as the employee learns of the need for unpaid leave. Written requests also may be made by the employee's lawful representative. The Human Resources Department will seek relevant documentation, including medical certification or equivalent supporting the need for the leave.

An employee must be unable to work due to a serious, documented, non-job related illness or injury. This policy is not intended to cover an employee's need based on a normal pregnancy, a common or minor illness or minor injury, an illness or injury covered by an employee/employer paid disability policy that would be offset by payments from the Donated Sick Leave Bank, workers' compensation, or absences related to elective procedures. Intermittent absences do not qualify.

Awards from the Donated Sick Leave Bank

Leave awards will be limited by the availability of funds in the Donated Sick Leave Bank. If an award of leave is granted, awards from the Donated Sick Leave Bank will be converted into an equivalent number of hours based on the requesting employee's job classification, pay rate and work hours, and not less than 4-hour increments. Employees who receive donated sick leave may receive no more than four (4) work weeks of paid leave (up to 168 hours maximum) within a rolling 12-month period, unless discretionary approval is given by the Town Administrator to increase this amount up to an additional two weeks (up to 84 hours maximum). The Town Administrator is responsible for granting or denying approval for additional leave donation based on factors that include, but are not limited to, the number of employees currently in need of/eligible for leave donation, the total leave bank balance, and/or other factors determined by the Town Administrator.

The Human Resources Department will communicate approval/denial of Requests for Donation of Sick Leave.

Donated leave may only be used for time off related to the approved request. Paid leave time awarded that is in excess of the time off needed will be returned to the Donated Sick Leave Bank.

Employees who donate leave to the Donated Sick Leave Bank do not earn any income and incur no deductible expense or loss upon the donation or upon the recipient's use of the leave. [Note: Employees who donate accrued sick leave to the *Town of Elkton's Donated Sick Leave Bank* are not subject to income liability under current IRS rules.]

Amounts received by an employee in connection with an approved request for leave from the Donated Sick Leave Bank are considered wages under IRS guidelines, and therefore, taxable income subject to all applicable withholdings and deductions.

The Human Resources Department will not identify employees who: 1) donate to the Donated Sick Leave Bank, 2) request to use sick leave days from the Donated Sick Leave Bank, or 3) are approved to be awarded sick leave from the Donated Sick Leave Bank, except to the extent necessary to solicit leave donations. *However, the Human Resources Department provides no assurance that co-workers will not reveal an employee's name if they identify affected employees independently and without the assistance of management, or that a leave recipient may disclose the need for or receipt of donated leave.*

ADDITIONAL GUIDELINES

This policy is furnished as an internal guide to the policies, practices, and benefits of the Town of Elkton. The contents of this policy supersede any and all prior statements on subjects covered. Nothing in this policy is intended to conflict with federal, state or local law.

The Town of Elkton remains free, at its sole discretion, to change or amend this policy at any time without notice, and is also free not to follow these guidelines in any particular case, subject to a written agreement signed by the Town Administrator.

Nothing in this policy is a contract or guarantee of employment or benefits.

Employee Benefits

Health, Vision, and Dental Insurance

Health care coverage is one of the biggest and most important benefits offered to employees and their families. The fundamental coverage helps to protect the employee and their family from the financial loss or hardship that could result from illness or injury.

The Town of Elkton currently offers its employee's health, vision, and dental coverage.

This coverage becomes effective the first day of the month following your date of hire.

Employees may elect single, employee and spouse, employee and child (ren) or family.

The plan is voluntary and set up on a payroll deduction plan and may be pre-taxed.

It is your responsibility or your covered dependent's responsibility to notify the Human Resources Director in the event of a divorce, legal separation or children becoming ineligible under the Town's group health insurance plan. For additional information on this, please contact the Human Resources Director.

Life Insurance and Other Options

1. The Town provides life insurance at one times your annual salary, rounded up to the next thousand dollars, at no cost to the employee. This insurance becomes effective on the first day of the month following your date of hire. Basic Life and AD&D insurance coverage amount reduces to 65 percent at age 65, to 40 percent at age 70, and to 25 percent at age 75.
2. Employees have the option to purchase dependent life insurance through payroll deductions.
3. Employees may also purchase extra supplemental life for themselves in increments of \$10,000 in coverage up to four times their annual salary.
4. Employees may purchase supplemental life for a spouse with a value of up to one-half the amount of their own supplemental life.

All employees should make certain to notify the Human Resources Director of any changes in designated beneficiaries.

Employee Contributions Policy

The Town's benefit package is contributory; that is, you are responsible for a portion of the premium for your benefits. A portion of the premium, up to a maximum per month, is contributed by the Town. Your contributory cost is deducted from your paycheck.

Long-term Disability Plan (LTD)

The long term disability benefit offers employees valuable income protection and peace of mind when the period of disability extends beyond the short-term limit. The plan is mandatory for all full-time employees and is paid for in full by the Town.

1. Long term disability insurance is available to employees on the first day of the month following the employee's date of hire (in conjunction with eligibility for health care benefits), or during the open enrollment period with an effective date of July 1 at the beginning of the fiscal year.
2. Long term disability benefits begin on the 90th day of a disabling accident or illness and may continue until age 65.
3. Payments are made to the employee at 60% of the employee's wages up to a specific maximum per month subject to change annually. *Please see Human Resources for details.*

For additional policy information or to obtain claim forms, contact the Human Resources Office.

General Employee Benefits Policy

This section describes the benefits provided by the Town and information on your eligibility for benefits. Details regarding each benefit plan are contained in the Town's Benefit Booklet. Benefit plans governed by the federal Employee Retirement Income Security Act (ERISA) may be further described in formal Summary Plan Descriptions or other legal documents, which are available for your review in Town of Elkton Human Resources Department.

Employees meeting the eligibility criteria for particular benefits may participate in the various insurance programs offered by the Town. You may review the eligibility criteria for each benefit in the Town's Benefits and/or the Summary Plan Description for the particular benefit. Periodically there will be an Open Enrollment period (described below). If you decline to participate in these programs on your initial eligibility date, you may request entry into the plan during Open Enrollment or Special Enrollment.

Short-term Disability Plan

The Town of Elkton offers employees the opportunity to purchase short-term disability insurance. The purpose of the plan is to offer employees *Income Protection Insurance* for absences that result from being disabled.

1. The plan is voluntary and paid for by the employee.
2. Short-term disability is available to you on the first day of the month following your date of hire (in conjunction with eligibility for health care benefits), or at open enrollment with an effective date of July 1 at the beginning of the fiscal year.
3. There are different options for an employee to receive "short-term" disability payments. Please contact Human Resources regarding the available options to consider.
4. You may withdraw or cancel the short-term disability coverage only during the open enrollment period or with a qualifying event as per the guidelines established by Section 125 of the Internal Revenue Code (*see Section 18, Paragraph B, No 3*)

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5. Short-term disability benefit payments are at 60% of your wages up to a specific maximum per month subject to change annually. Employees shall be permitted to use up to 40% of their available vacation, personal, and sick leave to supplement their lost wages while receiving short-term disability benefit payments. *Please see Human Resources for details.*

6. No benefit will be paid for a disability that results from or is caused directly, indirectly, wholly, or partly by:

- A. an elective procedure or surgery; or
- B. alcoholism or drug dependency, except while confined as a patient in a medical care facility; or
- C. intentional self-injury, suicide or attempted suicide while sane or insane; or
- D. participation in a riot or other civil disorder; or
- E. active military duty in the service of any country.

7. Benefits will not be paid for a disability when the insured:

- A. is not under the regular care of a physician;
- B. performs any work for pay or profit; or
- C. is receiving benefits under workers' compensation or similar law.

Supplemental Life Insurance

Eligible employees may purchase supplemental life insurance for themselves at group rates. Supplemental life insurance is a voluntary benefit and is employee-specific. Enrollees should refer to the plan SPD for eligibility requirements, plan limitations, and additional information.

Worker's Compensation Insurance

To provide for payment of your medical expenses and for partial salary continuation in the event of a work-related accident or illness, you are covered by workers' compensation insurance, provided by the Town and based on state regulations. The amount of benefits payable, as well as the duration of payments, depends upon the nature of your injury or illness. However, all medical expenses incurred in connection with an on-the-job injury or illness and partial salary payments are paid in accordance with applicable state law. If you are injured or become ill on the job, you must immediately report the injury or illness to Town of Elkton Human Resources Department. This ensures that the Town can help you obtain appropriate medical treatment. Your failure to follow this procedure may delay your benefits or may even jeopardize your receipt of benefits. Questions regarding workers' compensation insurance should be directed to Town of Elkton Human Resources Department.

JOB RELATED ILLNESS/ACCIDENT

If you are injured or become ill as a result of your work, you may be eligible to receive insurance benefits as provided under the State Workers' Compensation Act.

All employees are covered by Workers' Compensation Insurance, as required by law. The Town pays the entire cost of providing this insurance protection.

Workers' Compensation pays for work-related medical, hospital and surgical expenses, as well as partial reimbursement for time lost if your illness/accident or injury is determined to be compensable under Maryland law.

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EMPLOYEE RESPONSIBILITY

Any employee who sustains any illness/accident or injury occurring on the job must notify their supervisor immediately. Testing for the use of drugs and alcohol may be required, if there is a reasonable suspicion that drugs and alcohol were contributing factors that resulted in the employee sustaining an illness/accident or injury of themselves or another.

Seek medical attention if necessary.

Important Notice:

If you seek medical attention from any provider other than your regular physician, it is important to notify your physician that you were seen by another health care provider. Your physician will need to make a referral for that visit. In the event that your claim is denied by Workers' Compensation, the claim may be covered by the Town's group insurance plan.

Go to your supervisor so that they can complete a First Report of Injury.

If a referral is made, employees are responsible for keeping all appointments and for keeping their supervisor informed as to their condition and expected date of return to work.

Refusing to cooperate with these procedures may be cause for disciplinary action, up to and possibly including termination.

MANAGEMENT'S RESPONSIBILITY

The supervisor will notify the Director of Human Resources immediately when an employee is injured.

The supervisor will complete and send the First Report of Injury to the Human Resources Department to be submitted to the Town's insurance carrier to determine if the illness/accident or injury is compensable.

The employee will be paid their full wages for the day of injury. If the employee is anticipated to return to work within fourteen days, they may use available sick leave for the three (3) scheduled work days following the date of illness/accident or injury. If the employee's lost work time exceed fourteen (14) days, they will be permitted to only use up to 33% of their available vacation and personal leave, and will receive workers compensation (if the illness/accident or injury is determined to be compensable under Maryland law) from the insurance carrier until such time as they return to work. An injury that occurs on the job may meet the FMLA criteria for serious health condition. In such a situation, the Town of Elkton will designate the leave as FMLA and the employee's 12-week leave entitlement will run concurrently with a Workers' Compensation absence.

RETURN FROM WORKERS' COMPENSATION LEAVE

Employees must return to work when their physician determines that they are able to resume normal duties. A physician's release is required before reinstatement to the active payroll.

Upon reinstatement, an employee's salary shall be computed on the basis of the last salary earned plus any across the board or reclassification salary increase to which the employee would have been entitled during the disability covered by workers' compensation.

In the event of an extended leave (an absence greater than ninety days) an adjusted review date will be calculated by adding the number of days absent to the employee's prior review date. The adjusted review date will become the annual date of review for the employee. This does not affect the employee's anniversary date.

Cobra Policy (MD)

Federal and Maryland law generally require employers to give employees, spouses and dependent children the right to continue group health benefits for limited periods of time under certain circumstances, such as voluntary or some types of involuntary job loss, reduction in hours worked, death, divorce and other life events. Employees ordinarily may continue their health coverage for up to 18 months when their employment is terminated.

Federal and Maryland law generally require employers to give employees, spouses and dependent children the right to continue group health benefits for limited periods of time under certain circumstances, such as voluntary or some types of involuntary job loss, reduction in hours worked, death, divorce and other life events. Employees ordinarily may continue their health coverage for up to 18 months when their employment is terminated.

Certain types of events may occur that would cause an employee and/or their dependents to lose group health coverage. These events are:

- An employee's termination of employment for any reason except gross misconduct.
- An employee's reduction in hours to fewer than the number required for plan participation.
- An employee's divorce or legal separation from spouse.
- An employee's death.
- An employee's entitlement to Medicare.
- A child's loss of dependent status as defined under the plan.
- A retiree's (or a retiree's spouse's or child's) substantial loss of coverage within one year before or after the employee is subject to a Title XI bankruptcy proceeding.

When such events occur, the individual losing the group health plan coverage is offered the opportunity to continue their coverage for a period of time at their expense*.

Employees are responsible for notifying Human Resources in the event of a divorce, legal separation, or children becoming ineligible under the County's group health insurance plan. This notification initiates a sequence of events culminating in notifying the qualified individual of their opportunity to enroll in COBRA coverage. Employees who terminate employment will be notified by Town of Elkton of their opportunity to continue their coverage. The Human Resources Department should be contacted for any further information.

*This is provided in compliance with the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

Accidental Death and Dismemberment Insurance

The Town provides Accidental Death and Dismemberment Insurance at no cost to the employee. This plan pays a benefit if you suffer a bodily injury in an accident and if, within 90 days after the accident, as a direct result of the injury you have:

Loss of life.

Loss of a hand by severance of four entire fingers.

Loss of a foot by severance at or above the ankle.

Total and permanent loss of sight.

Benefits are paid for losses caused by accidents only. Refer to the Group Plan booklet for additional information.

Deferred Compensation

The Town of Elkton offers a Federal Income Tax Sheltered IRS 457 Deferred Compensation Plan to all full time employees. The plan is voluntary on the part of the employee. You may elect to have as little as \$20.00 per month deferred. *For more information, contact your Human Resources representative.*

Employee Assistance Program

The Town provides an Employee Assistance Program that provides counseling resources for employees and family members.

The program is paid for by the Town. The program provides for four visits for each separate matter at no cost to the employee.

Free, Confidential Counseling and Referral for:

- Emotional Issues
- Work Problems
- Substance Abuse
- Stress
- Crisis
- Marital/Family Concerns\
- Financial Matters
- Legal Issues
- Eldercare Resources
- Childcare Referrals

Member Services/Claims

800-869-0276

Service Awards

The Town of Elkton believes in retaining and recognizing dedicated employees (full & part time) above the normal review and compensation process. *Part time employee awards would be 50% value of full time employees.*

<u>Years of Service</u>	<u>Award</u>
5	\$50.00
10	\$75.00
15	\$100.00
20	\$125.00
25+	\$150.00 (Every five years after the 25 anniversary, thereafter)

Department supervisors may recognize and present certificates and awards to exemplary employees.

Retirement

Retirement is intended to provide income to eligible members or their surviving dependents. The Town of Elkton participates in one plan with a defined contribution. Employees are eligible to participate voluntarily and immediately in a deferred compensation program.

Defined contribution

Employees hired as of July 1, 1998 are enrolled for participation in a 401(a) plan. The Town of Elkton contributes 8 percent times the employee's base gross earnings into a defined contribution retirement account. Enrollment is mandatory and effective as of the employee's date of hire. Employees become fully vested at their five year anniversary date. Vested employees or employees who were hired prior to July 1, 2003 have the option of investing the benefit into various plans at various risk level. Employees may access their accounts for the purpose of information. Vested employees or employees who were hired prior to July 1, 2003 may access their accounts for the purpose of redistributing funds.

The Town has established a separate "Police Pension Plan" for sworn officers of the EPD.

Retirement Healthcare Options

The Town of Elkton, in response to the service needs of employees, wants to provide meaningful benefits to eligible employees when active employment ceases. Eligible employees who retire after October 16, 2002 will have health care coverage available when retirement occurs. Retirees meeting eligibility requirements will be allowed to continue on the Town's group health plan as described in this policy for a maximum of fifteen years.

A. ELIGIBILITY

You will be eligible to receive continuing health care and dental* benefits when you retire if:

1. You have been continuously enrolled under the Town of Elkton's group insurance plan for at least four years immediately preceding your retirement date with the Town of Elkton and are at least 50 years of age or;
2. You have reached the age of 62, or;
3. At any age and you have been a sworn law enforcement employee for the Town of Elkton for 25 years.

*Dental provision you will need to pay 100% of cost to the Town of Elkton.

B. NON-ELIGIBILITY

1. Retired employees who do not meet the criteria established in paragraph A, Eligibility, will not be eligible to enroll in the Town's Post Employment Health Plan.
2. Employees who meet the criteria established in paragraph A, *Eligibility*, who are separated from employment as a result of gross misconduct within the meaning of the MD Code Annotated Labor and Employment Article, Title 8, Sections 8-1002 – 1002.1 [*conduct that is a deliberate and willful disregard of standards that an employer has a right to expect and that shows a gross indifference to the employer's interests*] or 8-1003 [*a transgression of some established rule or policy of the employer, the commission of a forbidden act, a dereliction of duty, or a course of wrongful conduct committed by an employee, within the scope of their employment relationship, during hours of employment, or on the employer's premises*] will not be eligible to enroll in the Town's Post Employment Health Plan, even though they would otherwise be eligible to retire.

C. ADDITIONAL/OTHER COVERAGE

Eligible retired employees having coverage through any other plan must notify the Town of other coverage. If the retiree should enroll in another health plan, or should become eligible to enroll in another health plan, the Town must be notified within 30 days of the other plan's effective coverage. Coverage through the Town's plan will be secondary or supplemental coverage to any other plan for retirees. Medicare, Medicaid, or similar government-sponsored programs are treated as coverage under another health plan. Medicare eligible retirees must elect Medicare Part A & Part B to be eligible for continuation in the Town's group plan. Retirees meeting guidelines for any of these plans shall have primary coverage under those plans. Secondary coverage shall be under the Town's coverage for retirees.

D. EMPLOYER PREMIUM CONTRIBUTION

For eligible employees, the Town of Elkton will pay a portion of the eligible employee's benefit premium as described below.

\$130.00 of the monthly premium with 10-14 years of service

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\$150.00 of the monthly premium with 15-19 years of service,

\$180.00 of the monthly premium with 20-24 years of service,

\$200.00 of the monthly premium with 25 + years of service

Eligible employees who retire with less than ten years of service are eligible to continue on the Town's health plan but must pay 100% of the monthly premium.

E. PAYMENT OF PREMIUM

Eligible retirees who opt for the health insurance coverage will be enrolled in the Town's health plan and be responsible for paying the Town the applicable premium. It is the retiree's responsibility to assure payment for health insurance by the end of the month of the current covered month. Failure to do so will result in the forfeiture of coverage. However, as a service to the retiree, the Town will submit an invoice monthly. The retiree is responsible for notifying the Town of their current address.

F. DEPENDENT COVERAGE

The Town will allow continued health insurance coverage for the eligible retiree's spouse and dependents if the eligible retiree elects the additional coverage and pays the dependent premiums.

G. DISABILITY RETIREMENT

If the Town retires a full time employee because of a permanent disability, the employee may apply for employee only health benefits at any age as detailed below. Disability is determined by eligibility for benefits under a long term disability policy, if any, or under Social Security. The Town will provide:

\$130.00 of the monthly employee premium with 10-14- years of service,

\$150.00 of the monthly employee premium with 15-19- years of service,

\$180.00 of the monthly employee premium with 20-24- years of service,

\$200.00 of the monthly employee premium with 25 + years of service.

Eligible disabled retirees having coverage through any other plan must notify the Town of other coverage. If the retiree should enroll in another health plan, or should become eligible to enroll in another health plan, the Town must be notified within 30 days of the other plan's effective coverage. Coverage through the Town's plan will be treated as secondary or supplemental coverage to any other plan for retirees.

Medicare, Medicaid, or similar government-sponsored programs are treated as coverage under another health plan. Medicare eligible retirees must elect Medicare Part A and Part B to be eligible for continuation in the Town's group plan. Retirees meeting guidelines for any of these plans shall have primary coverage under those plans. Secondary coverage shall be under the Town's coverage for retirees.

H. AVAILABILITY OF COVERAGE

If an eligible retiree or eligible disabled retiree moves out of the State of Maryland, the Town's health plans may not be able to provide coverage. If an employee is considering moving out of state, the employee must contact the Director of Human Resources to verify if the Town's health plan and premium benefit can be continued.

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I. EMPLOYEE NOTIFICATION

When foreseeable, employees who are considering retirement should notify the Town one year prior to their anticipated date of retirement. If unforeseeable, employees should notify the Town as early as possible of their intent to retire. Employees should notify their department director or the Director of Human Resources in writing of their intent to retire. A counseling session will be scheduled to review options, finances, and health care after retirement. The Town will make all reasonable efforts to assist the employee in retirement planning.

RESERVATION OF RIGHTS

The Town of Elkton reserves the right to amend, terminate or otherwise change the provisions; wording or any information included in this policy for any reason, at any time, and without prior notice to retirees or their dependents, provided the action is consistent with applicable law.

The Retirement Health Care plan of the Town does not eliminate the Town's obligations to continue coverage for terminated employees under COBRA and under state insurance laws.

Credit Union

Employees of the Town of Elkton and their families have the opportunity to join the Thiokol-Elkton Federal Credit Union located at 55 Thiokol Road.

The credit union offers a variety of services to our employees such as:

- Personal loans
- Automobile loans
- Home equity loans
- Checking accounts
- Savings accounts
- Christmas Club accounts
- Visa Card with no annual fee
- Group home and auto insurance plans
- Credit life insurance
- Credit disability insurance
- Blood Bank of Maryland membership
- Traveler's checks from American Express (no fee)
- Savings bonds
- Notary Public service

Additional account services include:

- Payroll deduction
- Direct deposit
- Telephone transfers
- Automated bill payment

Employees interested should contact Thiokol-Elkton Federal Credit Union directly at:

55 Thiokol Road P.O. Box 825 Elkton, MD Phone: (410) 392-5660 (800) 667-7460

Blood Bank of Delmarva

The Blood Bank of Delmarva is the sole provider of blood and blood products to all 19 hospitals in Delaware and throughout the Eastern Shore of Maryland, including Union Hospital in Elkton, Christiana Care in Newark, and the Veterans Hospital in Perry Point. They have one of the finest reputations in the nation for the safety of blood products and for ensuring sufficient blood is available at all times for their members and the patients in the hospitals they serve.

In order to participate in the Blood Bank of Delmarva, you must fill out an Application for Membership. Each member is required to take a turn providing blood approximately once every two years, beginning within the first 30 days after joining. Members who do not have to give blood themselves. They may opt to have an eligible person give blood for them, or provide a monetary donation to the Blood Bank of Delmarva. The monetary donation is tax deductible. Members who are age 75 and older have no blood obligation.

Benefits begin immediately after you enroll.

Anyone can join. There are no age or health requirements for membership. Even if you cannot give blood, you can still join and be protected.

Employee Development

A. Educational Assistance

It is the policy of the Town of Elkton to provide educational assistance to its employees in accordance with the guidelines established below.

1. To be eligible for educational assistance, employees must have regular, full-time status, at least one (1) year of service with the Town, and establish a personal development plan with the Personnel Department prior to enrollment.
2. Eligible employees may be reimbursed only for courses of study that the Town determines are directly related to the employee's present job or that will enhance the employee's potential for advancement to a position within the Town.
3. Employees who want educational assistance must obtain approval from the Personnel Department before enrollment. A copy of the course description must be submitted prior to approval. This approval will not be granted without a positive recommendation by the employee's supervisor. Supervisors must have budgeted funding for the assistance before making a positive recommendation.
4. No reimbursement will be made for a grade lower than "C". Employees seeking reimbursement for educational expenses (to include tuition, registration, and lab/library fees, but not textbooks), must submit to the Human Resources Department a certified transcript of their grades and receipts for expenses incurred.
5. Reimbursement will be 100% for State-funded schools, within the employee's State of residence, and 50% for State-funded schools outside of the employee's State of residence. In no instance will reimbursement be made for private colleges or universities.
6. Employees may only take one (1) course per semester, in order to allow funds for other employees to attend classes.

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7. Employees will not be reimbursed for expenses associated with the course unless they are an active employee with the Town of Elkton at the completion of the course.
8. Employees are expected under normal circumstances to schedule attendance and the completion of study assignments outside of their regular working hours. It is expected that educational activities will not interfere with the employee's work.
9. Records of all educational programs completed by each employee will be forwarded to the Personnel Department for inclusion in the employee's personnel file.

B. Mandated Training

1. Any employee required to participate in mandated training shall have their reasonable and necessary expenses reimbursed. Any compensable reimbursements under this subsection must have prior approval of the department head.
2. Records of all mandated training classes completed by each employee will be forwarded to the Personnel Department for inclusion in the employee's personnel file.

C. Educational Leave with Pay

1. A regular, full-time employee may be granted educational leave with pay, not to exceed one week, for the purpose of taking courses related to their work assignment, with the prior approval of the department head and the Human Resources Department, provided budget funding has been established. This type of training would be reviewed on a per request basis, with the understanding that department heads are responsible for determining the benefits to the Town of Elkton in their recommendation for training, as well as for demonstrating non-discriminatory and equitable selection practices in order for department staff to experience available training opportunities.
2. Records of all work-related courses completed by each employee will be forwarded to the Human Resources Department for inclusion in the employee's personnel file.

Expenses & Reimbursement

Eligibility and Purpose

This policy applies to all employees. To reimburse employees for all pre-approved necessary work related expenses.

Covered Expenses

Necessary work-related expenses may include, but are not limited to:

- Use of an employee's personal vehicle for business purposes.
- Business travel expenses such as meals and lodging. *Please see meal allowance policy.*
- Tools and equipment required to perform the employee's job.
- Required uniform purchase and maintenance.

Procedures

Employees who incur work-related expenses are required to submit those expenses for reimbursement as follows:

- Employees must complete the appropriate Town requisition form/submit the appropriate reimbursement request, along with appropriate supporting documentation such as original receipts, for all work-related expenses.
- Employees are expected to submit reimbursement requests for approval as soon as practicable, no later than fourteen days after the expense is incurred.

Employees who believe that the amount they have been reimbursed does not represent a complete reimbursement, *should immediately contact their Department Manager. The Department Manager will take the appropriate action in forwarding the issue to the Finance and/or Human Resources Department.*

Meal Allowance

The Town of Elkton will provide limited reimbursement to employees for the cost of business-related meals, and for meal allowances under certain circumstances, according to the guidelines established herein:

1. Employees authorized and/or required to attend approved business-related activities away from the Town of Elkton shall be reimbursed for the cost of meals during this attendance. This pertains to training and education, approved professional meetings and seminars and/or other approved business-related programs.
2. Employees shall be reimbursed for the cost of meals at a maximum of \$60/day.

Employees are required to submit a completed reimbursement request, along with all receipts and supporting documentation pertaining to the costs of claimed meal expenses.

3. Non-exempt employees who are called to work unscheduled overtime for emergency and/or other authorized purposes by their department head shall be provided a meal allowance on the completion of twelve (12) consecutive hours of work, and a further allowance after each additional five (5) hours of work.

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The department head is responsible for arranging the method and location of meal allowances for personnel under their supervision. This allowance is in addition to any meal breaks provided during the course of the work period.

4. Department heads may arrange for on-site meal provisions in lieu of a meal allowance for non-exempt employees on unscheduled overtime.
5. EPD Sworn and DPW employees are eligible for a \$200.00/calendar year shoe and boot reimbursement. Receipts and supporting documentation will be required.

Mileage Reimbursement

Employees that engage in business-related travel are eligible for the standard mileage reimbursement if the travel is properly documented and pre-approved. The standard mileage reimbursement, set by the IRS, includes the costs of operating an automobile such as depreciation, maintenance, repairs, tires, gasoline, oil, insurance, taxes and vehicle registration fees. Normal personal commuting costs are not eligible for reimbursement.

EMPLOYEE COMPENSATION FOR BUSINESS MILEAGE policy passed by the Mayor and Commissioners on 5/21/08, “an employee, based on the pre-approved (by both the Town Administrator and the respective department manager) use of a privately owned vehicle, shall be reimbursed at a rate established by the Internal Revenue Service for the period during which the use was incurred.”

Please check with Human Resources or Finance for current rates.

Payroll

Payroll Practices Policy

Employees are paid bi-weekly. When a payroll date falls on a holiday, employees will, when possible, be paid on the last business day before the holiday. Otherwise, employees will be paid on the first business day following the scheduled payroll date.

We follow the state regulations regarding deadlines for employees their final paycheck.

- If employee is terminated: next scheduled payday.
- If employee resigns or retires: next scheduled payday.

Salary Deductions and Withholding Policy

The Town will withhold the following from your paycheck:

Taxes

Federal, state and local taxes, as required by law, as well as the required FICA (Social Security and Medicare) payments.

Insurance

Your contribution to health insurance or other insurance premiums for yourself and any eligible family members or to other contributory benefit programs.

Other Deductions

Other deductions which you authorize, including e.g. 457 contributions, supplemental insurance, medical, dental, vision, short term disability.

Direct Deposit Policy

Employees of the Town of Elkton can participant in Direct Deposit to the bank of their choice. This election can be made at any time during their employment with the Town.

In order to participate in Direct Deposit, you must complete an Authorization Agreement for Direct Deposit, supply voided check or official document from your financial institution, and deliver in person to Human Resources.

It may take up to two pay cycles to activate Direct Deposit once the authorization agreement is completed.

Time Records

The Town of Elkton requires that all non-exempt employees record, complete, and submit an employee bi-weekly time record for each payroll period to their respective department heads or supervisor. This record shall be maintained by the Human Resources and/or Finance Office, and shall account for all expenditures of public funds toward salaries for public employees.

Digital Time Records

Where a virtual time keeping system is available, non-exempt employees will be required to clock in and clock out recording their work times within the designated grace periods. It is essential that you be on time for work and that you do not leave your assigned work area or assignment before your scheduled work day is completed. In case of need or emergency, you may be required to work past your regularly scheduled quitting time, unless properly excused by your supervisor/ Department Head.

The following procedures shall act as guidelines for all employees of the Town of Elkton in completing time record:

The time record shall be completed and both copies submitted by the employee to their respective department head at the end of each payroll period. Department heads shall submit all completed time records to the Finance Office and/or Human Resources no later than Monday afternoon of pay week. *If the employee is utilizing a virtual timekeeping system while working, the Department Head shall review daily for missing times, and approve complete bi-weekly record by the Monday afternoon of pay week in the time keeping system.*

The time record shall contain the employee's name, employee number, department, pay period (two-week payroll period), an entry for each day of the pay period coded as to the status of the employee on that day, the signature/date of the employee certifying the record and the department head's signature/date, as applicable. *If the employee is utilizing a virtual timekeeping system while working, all this information will be automatically be included.*

Daily entries on the time records shall be recorded for the hours scheduled/worked by the employee. The entry for each day of the pay period should reflect the actual hours worked including any overtime. *If the employee is properly clocking in and out using the virtual timekeeping system while working, all this information will be automatically be recorded.*

Explanation codes shall be used to indicate vacation, holiday, sick leave, etc. The scheduled work hours should be placed on the time record with the explanation code in the comments section for the hours not worked. No explanation code is placed into the comment section for hours worked.

On completion of the last day of the payroll period, the employee will sign their timesheet and submit both copies to the department head. The department head will review for accuracy and completeness and certify, then forward the original to Finance Office and/or Human Resources, retaining a copy for the departmental file. *All this information will be automatically be recorded if the employee is clocking in and out using the virtual timekeeping system while working.*

A department head may complete a timesheet for any employee unable to complete their timesheet due to illness, injury, suspension, or other authorized absences, but shall certify said hours and coding under the department head's certification only, and not under the employee's certification. The department head shall forward both copies of the time record to Finance Office and/or Human Resources, and the department copy will be returned following signature by the employee once the employee returns to work.

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Refusal to certify hours worked or falsification of information on a timesheet will result in disciplinary action by the Town of Elkton, up to and possibly including termination.

Any questions regarding the proper completion of the timesheet should be referred to the employee's department head. Any clarification of procedures, amendments to procedures, interpretations or additional guidelines shall be the responsibility of the Human Resources and/or Finance Department.

Employees who are required to attend and/or staff routinely or specially scheduled meetings by committees and/or commissions organized under the authority of the Code of the Town of Elkton and/or the Mayor and Commissioners of the Town of Elkton shall indicate the hours involved in attending and/or staffing meetings under the "Comments" for the applicable date within the pay period in accordance with the following codes:

	Code
Mayor & Commissioners Public Meeting	MC
Planning Commission Meeting	PC
Board of Zoning Appeals Meeting	BZ
Parks & Recreation Meeting	PR
Public Hearing	PH
Housing Board of Appeals	HB
Other Special Committees	OS

Shift Differential Pay

The shift differential is intended as an incentive for select employees in EPD to work the evening and night shifts. It is not considered as part of the employee's regular hourly rate when paying for holiday, sick, or vacation hours but should be included in the calculation of the regular rate of pay for purposes of overtime. To qualify, employees must work between 8:00 p.m. and 8:00 a.m. Not every job category will qualify for shift differential, therefore eligibility for evening/night shift differential only applies to Patrol and Police Records/Associates. Non-exempt EPD employees primarily qualify for shift differentials and will be paid in accordance with applicable law. Select EPD **employees not permanently assigned to patrol (SCU, CID, ASP, K9, & SRO) and in lieu of evening and nightshift differential (effective July 2023)**, shall receive a special differential for all hours worked during their shift as defined in the Collective Bargaining Agreement.

Compensation, Meal & Rest Periods

A. Pay Scale

Qualified applicants hired into authorized positions will be paid in accordance with the pay scale in effect when hired. Each of the classifications will be allocated to a pay grade and entry into this system will be at the minimum up to the midpoint pay level of that grade (depending on education, relevant experience, licenses, certifications, etc.), unless otherwise authorized by the Town Administrator. No individual will be hired in a grade higher than that authorized for their classification.

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In no instance will employment be offered above the minimum rate where equally qualified Town employees earn less, or where equally qualified applicants are available at a lower starting rate. Under no circumstances will an employee receive an entrance pay rate below the minimum rate prescribed for the class to which they are appointed.

- a) The current Wage Scale has been adopted by the Town allows for 13 grades.
- b) When an employee has reached the maximum in any pay grade, that employee is said to be “capped.” If the employee reaches the maximum or cap, they may be eligible for a one-time annual discretionary bonus approved by the Board, and as recommended by the Town Administrator.

B. Pay Periods

There will be 26 bi-weekly pay periods. Employees work eight or twelve hour shifts, depending on their department and assignment. One work week is from Sunday through Saturday. A pay period consists of two work weeks. Employees shall receive their pay the Friday following a complete bi-weekly pay period unless the pay day falls on a holiday. When a pay day falls on a holiday, pay checks will be issued the Thursday prior to pay day.

C. Breaks

Rest periods

All employees are permitted a 10-minute paid rest break for each four-hour work period. Breaks are not permitted at either the beginning or end of the workday to offset arrival and departure times. Employees who voluntarily work through their rest breaks will not be paid additional compensation.

Meal periods

All non-exempt employees who work eight or more hours in a day should check with their Department in scheduling their unpaid meal break of 30 minutes. Meal breaks are not counted toward hours worked.

Employees are to be completely relieved from duty during their meal break. If a nonexempt employee is required to perform any work duties while on their meal break period, the employee must be compensated for the time spent performing work duties. The time spent working during the meal break will be counted toward the total hours worked.

Maryland requires that minors under 18 years of age cannot work more than five hours without a nonworking break of at least 30 minutes.

Enforcement

Department Heads are responsible for the scheduling of meal and rest periods. Employees who fail to return on time from breaks or lunch will be subject to disciplinary action and docking of pay for time missed.